



Senate Education approves measure to allow sharing of central office personnel

Sprouse's RESA amendment quashed

Senate Bill 620, which would authorize and encourage county boards to share central office administrative personnel through arrangements with contiguous counties or with their respective Regional Educational Service Agencies (RESAs), was approved by the Senate Education Committee at its Thursday meeting.

The bill, endorsed by the West Virginia School Boards Association, would amend West Virginia Code §18A-4-8d to allow county boards to develop the collaborative arrangements.

Based on Committee on Legislation discussions, the measure could aid counties in ending duplicated central office services, especially as retirements or resignations occur, or through attrition.

The bill now goes to the Senate floor. The corresponding House measure is **House Bill 4680**.

The Senate approved similar legislation last year, but it died in the House of Delegates when it was appended to a controversial bill dealing with RESA funding.

Although this legislation cites RESAs, it allows the sharing of services through arrangements to which county boards would agree

– a point made in the committee meeting by counsel Hank Hager.

Senate Minority Leader Vic Sprouse, R-Kanawha, raised questions about RESA involvement in the sharing of services, making a motion that the state Board of Education consider alternatives if RESAs were eliminated. That amendment, however, was defeated.

According to committee discussion, Sprouse had appeared on a local radio show discussing opposition toward RESAs.

"I hope the Legislature sees the wisdom of our approach," said Howard M. O'Cull, Ed.D., executive director of the West Virginia School Boards Association.

O'Cull said this approach is far preferable to counties that have duplicative services, or that are "short on" directors, coordinators and specialists — many of whose positions have been eliminated since downsizing began in 1989.

"It's the kids that get hurt, especially given the rigors of the No Child Left Behind Act, state mandates and pressures on county boards in terms of student achievement," he said.

Senate Education Chairman Bob Plymale, D-Wayne, is the lead sponsor on the Senate Bill, while House Education Chairman Tom Campbell, D-Greenbrier, and Larry Williams, D-Preston, are co-sponsors of the House measure.

Overview

STATS

Day of Session:	45
Days Remaining:	15
Bills Introduced:	2,164
(Includes 644 House Carryover Bills)	
Education Bills (WVSBA Count does not include House Carryover Bills):	312

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QUOTE

"We've [House Education. Committee] worked on it [legislation relating to increasing beginning teachers' pay] for a period of time. Hopefully, this will help the recruitment of teachers to remain in West Virginia." – HEC Vice Chairman Larry Williams, D-Preston

Employee grievances could be sent to binding arbitration

SEC passes two school measures

The Senate Education Committee on Thursday afternoon approved a bill that may be the "sleeper" of a legislative session described by most observers as "slow" if not "dull."

The legislation, included in **Senate Bill 417**, would allow school employee grievances to be submitted to binding arbitration.

As outlined in the Senate measure, employees would be responsible for one-third the cost of the arbitration, and the county board (or college governing boards/state entities of government) two-thirds.

Although Sen. Ed Bowman, D-Hancock, said the arrangement was "unusual" compared with the private sector, in which half the costs of arbitration usually are borne by each party, he did not offer an amendment to change the **SB 417** provisions.

See **BINDING ARBITRATION** on page 4

It is an honor and privilege to serve as your association's president this year

Teamwork remains a prevailing theme of my tenure

I wanted to write this column to reflect upon our Feb. 17-18 Winter Conference in Charleston, but before I start, I would like to comment on our pre-conference activities.

Last Thursday morning, it was my extreme privilege to lead a delegation of about 50 school board members to the state Capitol. Several legislators and others also attended. Gov. Manchin and the First Lady presented a proclamation that pays tribute to the members of the 55 county school boards across the state for their dedication and service to public education.

This is the first time a governor of West Virginia has paid such recognition to school boards for their efforts to advance our children's education and student achievement. It was my honor to accept the proclamation on behalf of all members of the West Virginia School Boards Association.

I extend my personal appreciation to all those members who attended the ceremony. We apologize that the presentation was not part of the scheduled Winter Conference but, due to a scheduling conflict, the governor would have been unable to attend our meeting.

Our annual West Virginia School Boards Association/West Virginia Association of School Administrators "Reception with Legislators" was held from 6 p.m. to 8 p.m. Feb. 16 at the Marriott. Although many legislators did not attend, the reception proved to be quite successful, giving school board members, superintendents and invited guests the opportunity to have open dialogue with one another. The WVSBA Executive Board meeting immediately followed the reception.

Friday morning began with a continental breakfast followed by our traditional visit to the Capitol to interface with our legislators and attend legislative sessions and committee meetings. It seems the visits were productive for most.

I hope everyone will agree that the weekend's training was a tremendous success! A wide variety of topics were presented and I certainly hope everyone was able to find a workshop that appealed to their individual interests.

Our association's school board training provides the opportunity for members to **come together and share together!** This **TEAMWORK** will always serve as the framework for our association's long-term success as well as our individual personal development and personal excellence.

Tony Robbins once said that ongoing, continuous, non-stop personal development literally assures you that there is no limit to what you can accomplish.

An extraordinary compliment of speakers gave us great ideas and knowledge to take back to our counties. As I said in our first general session: As we deal with our children and their education, we must be cognizant that there is no finish line or final plateau when it comes to student achievement.

If improvement is to be continual then, too, change must be continual. Together, I know we can make this happen! I believe, with all my heart, that when we work with all the key stakeholders, education in West Virginia can become world class.

As evidenced by the presentation by Dr. Steven Paine, our state superintendent of schools, we are blessed with a highly intelligent, extremely passionate and true visionary for 21st century learning. His strong leadership in this Partnership for 21st Century Skills is critical.

I am so pleased that Dr. Paine values the input of each of us, as members of WVSBA, into the decisions he faces daily regarding ever-evolving educational strategies. He wants to hear our opinions and that is quite refreshing.

See **TEAMWORK** on page 8

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.

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Vincit omnia veritas
"Truth conquers all"

Bill would establish health inspection standards for schools; bill died in '05

Another bill changes way student obesity information is gathered

By Jim Wallace

The House of Delegates is trying again to pass a bill dealing with health inspections in schools after seeing a similar House-passed bill die in the Senate during last year's regular session.

The House Education Committee approved the bill (**House Bill 4623**) Thursday with no dissent. The bill would authorize the commissioner of the Bureau for Public Health to establish standards for both public and private schools to be inspected by local health boards.

Those local health boards would then be required to report their findings to school principals, county superintendents and school board presidents or their equivalents in the case of private schools. If serious or ongoing health issues go uncorrected, the local health board could send a report to the commissioner of the Bureau for Public Health and the state board of education.

Chuck Hamsher of the Association of Local Health Departments told the committee his organization had no problem with the bill in its current form. However, he said, the association was concerned about last year's version, which called for increased inspections.

The bill was scheduled to go to the House Finance Committee, but House Education Chairman Tom Campbell, D-Greenbrier, said that reference might be waived because the bill would have no effect on state finances.

The Education Committee also originated a bill to change requirements for collecting and reporting students' body mass index. It would remove current requirements for collecting that data in kindergarten screening procedures and for students in grades four through 12, as well as the reporting of the data to the state school board through the West Virginia Education Information System.

Instead, the bill would have the state board develop a rule for collecting and reporting the data using scientifically drawn samples. That data would still be reported to the Department of Education and then to the governor, the state board, the Healthy Lifestyles Coalition and the Legislative Oversight Commission on Health and Human Resources Accountability.

The testing for body mass index, which is a ratio of weight to height, was part of Gov. Manchin's Healthy West Virginia Act of 2005. A report issued last year by the Trust for America's Health ranked West Virginia third in the nation behind Mississippi and Alabama for the rate of adult obesity. Testing students' body mass index levels was among the recommendations of that report.

Delegate Brady Paxton, D-Putnam, said he is concerned that reports on students' body mass index be held in confidence. Committee analyst David Mohr assured him that the bill does require confidentiality.

The bill also would change specific grade level requirements for physical education classes to more general references, such as elementary school, middle school and high school grades. That is to accommodate different grade groupings and scheduling requirements of schools.

The committee also originated a resolution that would put the issue of pay for counselors employed by the Division of Rehabilitation Services into study by the Joint Committee on Government and Finance during legislative interim meetings in the year ahead.

Campbell explained that no one wanted the issue to die but not enough time was left in the regular session to deal with it adequately. "We kept running into unintended consequences," he said.

A bill that had been carried over from last year (**House Bill 2865**) would have provided that rehabilitation counselors employed by the Division of Rehabilitative Services would be paid at a rate equivalent to public school counselors. But Mohr said problems cropped up in

determining how much that provision would cost, and there were concerns about the level of counselors' pay in relation to their supervisors.

— Jim Wallace is a former government reporter for the Charleston Daily Mail and former news director of West Virginia Public Radio. He now works for TSG Consulting in Charleston and writes for several national and West Virginia publications.

A report issued last year by the Trust for America's Health ranked West Virginia third in the nation behind Mississippi and Alabama for the rate of adult obesity. Testing students' body mass index levels was among the recommendations of that report.

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BINDING ARBITRATION

continued from page 1

Bowman, however, was successful in amending the bill to eliminate a section that would have allowed administrative law judges to “require the employer to reimburse grievants for expenses incurred for the service of subpoenas, witness fees and mileage fees for witnesses subpoenaed to Level III hearings.”

“That’s not something that is usual [in private sector arbitration],” Bowman said, adding that one purpose of arbitration is to provide a certain threshold to resolve grievances at lower process levels so as not to invoke arbitration.

The measure, as adopted by Senate Education, also provides a provision that says the arbitrator’s decision is final and that the decision cannot be appealed to circuit court unless rendered through fraud or if the administrative law judge exceeded his authority.

Bill streamlines current grievance process

The bill has numerous sections, including a provision that streamlines the current grievance process to eliminate Step I (grievant meeting with the immediate supervisor), although the grievant may opt to use that step.

It also says that a “chief administrator” would be prohibited from appealing a decision granted by a governing board (county board) under what would be Level II (currently Level III).

Additionally, when a chief administrator’s “designee holds the (grievance hearing), the grievance evaluator shall issue the final decision and the chief administrator shall have no authority to override, reverse or modify the decision.”

These are among other bill provisions:

- Eliminate a provision of current law that allows the hearing examiner to determine whether a grievance hearing at the “final level” is public or private.
- Eliminate language that allows another employee to intervene in the grievance.
- Hearing examiners would not be deployed by Regional Educational Service Agency regions but must be placed throughout the state.
- Eliminate a provision of law that the grievance evaluator must provide written agreement prior to a grievant filing a grievance at the level with the authority to grant relief.

Most session observers say the legislation may earn the session “sleeper” designation because Sen. Jon Blair Hunter, D-Monongalia, was able to amend the Senate bill to include higher education employees and state employees under its provisions.

Hunter said such a move creates “one vehicle; one mandatory arbitration procedure for all (school, higher education and state employees).”

Bowman, a labor lawyer, echoed his sentiments, saying, “Our grievance procedure...it just ain’t working. It’s costly; it’s terrible; it’s ineffective.”

He said the Senate Government Organization Committee had been mulling the grievance procedure the last two years.

A gubernatorial commission initially appointed by former Gov.

Bob Wise also examined some “employer-employee” relations issues, although the commission’s report has not been made public, and is now being vetted in terms of research and findings, according to Legislative Services spokespersons.

Although Earl W. Maxwell, who currently heads the Grievance Board, was present, he was not recognized to speak – and neither were representatives of labor organizations, including the American Federation of State, County and Municipal Employees. Additionally, “management” group representatives, including West Virginia School Boards Association representatives, were not called upon to address the bill nor were representatives of West Virginia University, the state School Service Personnel Association or principals.

According to comments Hunter made at the committee meeting, labor organizations were united for the “first time” in support of the measure – a reference to a previous well-known “fracture” between the West Virginia Education Association and West Virginia Federation of Teachers, which had been at odds regarding arbitration.

Apparently, based on comments made during the Senate Education meeting, the labor organizations worked closely with a few

Senate legislators to craft the 2006 bill. The bill also had origins in a series of legislative interim meetings where the grievance procedure was studied.

The bill has been referred to the Senate Finance Committee.

The Legislature last considered grievance legisla-

tion and binding arbitration in the late 1980s and early 1990s.

In other action Thursday, the SEC approved legislation that would:

- Provide school principals and assistant principals statutory salary increments by 2 percent. The bill also would mandate that principals have a 220-day employment term. The state Department of Education estimates the proposal will cost about \$5 million. Principals’ representatives think the measure has a slim chance of passage, given the “220-day” provision. The House has yet to consider similar legislation. The legislation is included in **Senate Bill 650**.
- Change the school nurse ratio from one school nurse per 1,500 students in grades K-7 to one school nurse per every 750 students in grades Pre-K-12. Sen. Jesse Guills, R-Greenbrier, was successful in amending the bill so that only state funds would be used for its implementation. The cost is about \$8.5 million. In answer to a question from Sen. Donna Boley, R-Pleasants, Senate Education Committee Chairman Bob. Plymale, D-Wayne, said funding would have to be included in the state budget if the state is to pick up the tab. The legislation is included in **Senate Bill 53**.
- Allow use of professional development approved by the state Department of Education in lieu of semester hours of credit for teacher certificate renewal purposes. The bill also allows teachers “permanent certification” upon completion of the National Board for Professional Teaching Standards (NBPTS) certification. (The bill originated in committee, thus no bill number had

See BINDING ARBITRATION on page 10

***“Our grievance procedure...it just ain’t working. It’s costly; it’s terrible; it’s ineffective.”
– Sen. Ed Bowman, D-Hancock***

Starting teachers could get salary increase

House and Senate education committees' action updated

By Shawn Fluharty

The House Education Committee on Tuesday approved **House Bill 4689**, legislation that would increase the salaries of beginning teachers essentially by saying no teacher would receive a salary less than the statutory amount prescribed for a teacher with three years' experience, with the teacher progressing one step on the experience step each year thereafter.

The statutory definition, "Years of Experience" would be changed for teachers employed after July 1 to mean "years of experience...plus three years."

In adopting the legislation, several committee members said it would make West Virginia's teacher recruiting efforts more effective.

"We've worked on it for a period of time," said House Education Vice Chairman Larry A. Williams, D-Preston. "Hopefully, this [bill] will help the recruitment of teachers to remain in the state."

Williams also said the measure corresponds with Promise scholarship goals.

Principals' designees could discipline students

The committee also adopted **House Bill 4625**, which would authorize a professional employee designated by the principal to exercise disciplinary authority over students.

According to committee testimony, the bill is necessary to address a recent circuit court case in which a judge ruled that current law does not extend beyond principals per se in terms of authority to discipline students.

Committee members said several schools are structured and staffed so that assistant principals are in charge of discipline, and that principals, given the demand of the federal No Child Left Behind Act (NCLB) and other requirements relating to curriculum and instruction, should not be or would not have time to perform these duties, especially in larger schools.

The committee also approved **House Bill 4546**, which would allow a National Board of Professional Teaching Standards (NBPTS) recipient who, after July 1, is employed as a principal, assistant principal or in other leadership capacities (instructional leadership) to continue to receive the \$2,500 statutory salary supplement.

The bill also addresses an increase in reimbursement expenses for NBPTS candidates, with a priority for teachers to receive the reimbursement.

Emphasizing the importance of arts education

On Tuesday afternoon, the committee heard from representatives of the Appalachian Education Initiative (AEI) and discussed various House bills.

Melanie Skeen and Kathy Hollahan spoke on behalf of AEI, whose goal is to promote and expand arts education throughout West Virginia and the surrounding Appalachian region.

Skeen spoke about the importance of arts education in the public schools and the role it plays in developing a child's academic and personal development. By using a "State of the Arts" survey, Skeen said they are able to follow how much time is spent on the arts in public schools and how many teachers are certified in each county.

AEI will partner with the West Virginia University Creative Arts

department to conduct the Central Appalachian Leaders Summit on arts in education.

Hollohan touted the summit and the main goals of the event. She invited teachers and government leaders to participate during the week.

During the four days of the summit, they will display an emphasis on the importance of art education. Hollohan said such an education is integral for students to meet the demands of the world.

"Art education promotes teamwork and thinking outside the box," she said. "It gives what is needed for 21st century success."

The summit will bring this type of thought when it meets May 18-21 at WVU's Creative Arts Center. The event also will include an acoustical performance by West Virginia native and country music star Kathy Mattea, who will also speak about how important arts education was to her success.

In relation to AEI, **House Bill 3019** passed by a unanimous vote. This bill recognizes that the Appalachian Education Initiative serves a meaningful function in promoting the role of art education in the public schools and that programs associated with the organization are beneficial to the state. The goal of the bill is to help promote art education in public schools.

Bill would allow private schools in state student teaching

Representatives from Appalachian Bible College were on hand to discuss **House Bill 4626**, which would incorporate private schools, parochial schools, church schools and other religious-operated educational institutions into state student teaching programs.

These schools also would have to document that they are mixed with multicultural students and that compliance with state codes were met before gaining eligibility in the program.

The current 12-week program does not include private institutions. However, concern over spending the entire student teaching process in a private school and then possibly teaching in a public school without having the experience became a major issue in the discussion.

Dr. Daniel L. Anderson, president of Appalachian Bible College, said he does not think there is much of a difference between the private and public school experience and that it is unfair to not allow students the opportunity to spend their time in the private sector.

"How about those who spend all 12 weeks in public schools but want to end up teaching in a private school," Anderson said.

A possible compromise in the issue would be a split of the allotted time between private and public schools. By doing this, a student would be experiencing both during his student teaching time.

The committee did not reach a decision on the issue and **HB 4626** was moved to a subcommittee until a resolution can be found.

No compromise yet on West Virginia Tech bill

House Bill 4690, which would change West Virginia University Institute of Technology to the West Virginia Institute of Technology and make it an independent institution, has been sent to the House Finance Committee.

See STARTING TEACHERS on page 6

STARTING TEACHERS

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In the past few weeks this bill has garnered opposition dubbed “Take Back Tech” by residents since the January announcement that Tech’s engineering department and part of the math department could be moved to the Dow Research Park in South Charleston.

A compromise in the matter has not been reached at this point and members of the committee think the current bill is the closest thing available at this point and the ball needs to get rolling.

A motion to table the bill was denied during the meeting and members voted to move the bill onto Finance, even though they assured that it would most likely change before action was taken on it.

A similar measure was considered Tuesday by the Senate Education Committee.

Changes to teacher reimbursement for course work

The committee last week adopted **House Bill 4544**.

Under current law, teachers receive reimbursement of tuition, registration and other required fees for course work completed for and additional endorsement in a shortage area and for certification renewal. The reimbursement is paid in the order submitted and, historically, the funds available are depleted before all teachers are reimbursed.

The reimbursement for additional endorsements was added in 2002 along with language that divided the available funds into two pools, one for renewals and one for additional endorsements, proportionate to the number of applications received but no more than 75 percent of the funds could be used for either category.

The House legislation, as recommended by the West Virginia Department of Education, would strike the provisions for dividing the appropriation into two separate pools and instead limit the amount of courses for which a teacher may be reimbursed as follows:

Certification renewal – Six semester hours per certification renewal period and 15 semester hours lifetime (15 hours lifetime is current law); and

Shortage area endorsement – Six semester hours per year with no lifetime limit.

The goal is to provide reimbursement to a larger number of teachers within the limited funds available.

In other action last week, House Education:

- Approved **House Bill 4126**, which relates to retention of seniority for the purpose of seeking re-employment for professional employees whose employment with a county board of education was terminated voluntarily. The termination must be in “absence of any currently initiated or ongoing investigation of alleged misconduct...” The employee would retain his or her seniority for a period not to exceed 15 years.
- Okayed **House Bill 4077**, which provides a minimum \$2,500 salary supplement for professional personnel holding nationally recognized certification in speech-language pathology, audiology or counseling. The salary supplement would continue for the life of the certification or 10 years.
- Adopted **House Bill 4253**, which would remove the requirement that the chairperson of Shepherd University and the chairperson of the Community and Technical College of Shepherd serve as members of the other’s boards of directors, respectively.

- Approved **House Bill 4547**, which would increase funds available for transfer to the Prepaid Tuition Trust Escrow Fund if an unfunded liability occurs to the Prepaid Tuition Trust Fund. The amount available is increased from \$500,000 to \$1 million and would be transferred from the Unclaimed Property Trust Fund account held by the state treasurer.
- Okayed **House Bill 4603**, which would authorize the Higher Education Policy Commission and the West Virginia Council for Community and Technical Education to adopt legislative rules relating to degree-granting institutions.
- Adopted **House Bill 4491**, which would establish the third week of October as Disability History Week for West Virginia. On Feb. 18, the committee adopted **House Bill 4578**, which extends the expiration date of current law relating to retired teachers who substitute in areas of critical need and shortage for an unlimited number of days without affecting retirement benefits.

The Disability Week bill, **Senate Bill 472**, was adopted Tuesday in Senate Education.

Bill would help growth counties fill vacancies

The Senate Education Committee late last week approved **Senate Bill 633** and **Senate Bill 635**.

Growth counties such as Jefferson and Berkeley may find some relief in filling teacher vacancies under the terms of **SB 633**, which was originated by Senate Education to allow counties with “critical shortage areas” and “subject matter critical shortages” to contract with teachers at any time, exempting the counties from certain statutory contracting requirements and making them eligible for some additional funding.

To meet the shortage area definition, the percentage of teacher vacancies in the county must be twice the statewide average, the county must have increased enrollment of at least 1 percent, or have a net enrollment increase of at least 50 students within any three of the last five years.

Counties receiving such funds would have to develop a plan addressing the critical shortages and use of funds, and report such to the state Board of Education and Legislative Oversight Commission on Education Accountability.

“This is a wonderful step,” said Berkeley County Schools Superintendent Manny Arvon. “It’s so encouraging.”

The measure would address not only growth-county needs, but also rural counties. Over the last 14 years, Berkeley County’s student population has increased by 5,000 and 180 teachers were hired this year alone, Arvon said.

The committee also originated **SB 635**, which would require county school boards to maintain flood insurance on buildings and their contents when located within a 100-year flood plain and having a replacement value of more than \$300,000.

Sen. Larry Edgell, D-Wetzel, said a high school in his county incurred \$1 million in damages, but was only insured for \$400,000. Without assistance from the School Building Authority, the school would have closed, he said, adding that this bill would help ensure schools are covered sufficiently.

- Fluharty is an intern with Charles Ryan Associates in Charleston. Jason Keeling and Howard O’Cull also contributed to this story.



Retired Air Force general hopes to teach youth about leadership, character

By Jason B. Keeling

Gen. Robert "Doc" Fogelson spent most of his life serving the public as a military leader in the U.S. Air Force, but he has retired from that career. He has no intentions of slowing down but has changed course a bit.

Now he is seeking to mold tomorrow's generation into upstanding citizens.

"Leadership and character development is a national problem," he told Senate Education Committee members on Feb. 16. Today's youth are "technologically far superior," but lack the former skills, he said.

Fogelson took it upon himself to curb that trend, creating the Appalachian Education and Leadership Foundation in 2003. The organization works to identify, mentor and support students who are underprivileged, but have leadership potential.

The AELF partners with Concord and Shepherd universities to conduct seminars that instill values such as personal integrity and

courage. Students must sign and adhere to an honor code, and their parents are interviewed and involved to ensure they "become part of the solution and not part of the problem," he said.

"All [these students] want is a little shape and focus," and when they receive such, their full potential to contribute to society is realized, he added.

Although the program is not of a military nature, Sen. Jon Blair Hunter, D-Monongalia, suggested Fogelson explore the option of partnering to some degree with Mountaineer Challenge Academy in Preston County.

Fogelson liked the suggestion, and added that he has been "doing a lot of circuit riding" across the state to help the program gain momentum.

Students have until April 1 to apply for the program. More information on the foundation is available online at <http://www.alefwv.com>

- Keeling is a public relations consultant and owner of Keeling Strategic Communications, South Charleston.

Lincoln County superintendent named

West Virginia Superintendent of Schools Steve Paine on Tuesday announced the appointment of Dr. Anne Seaver as the new Lincoln County Schools superintendent.

"Dr. Seaver brings a great deal of leadership experience to the table," Paine said. "Her expertise related to school finance and facilities is impressive and I am confident she is the right choice for Lincoln County schools."

Seaver will replace Superintendent Bill Grizzell, who recently announced his retirement. In 2000, the West Virginia Board of Education took over Lincoln County Schools after several deficiencies were cited by the West Virginia Office of Education Performance Audits.

Since the takeover, Lincoln County Schools have improved hiring practices, teacher certification and curriculum and instruction, Paine said. In addition, a new high school will open its doors in Lincoln County in fall 2006.

Seaver currently is superintendent of schools in Tyler County. In that capacity, she has directed successful programs with regard to facilities, finance and community relationships; initiated the first regular education pre-school program; developed the Five-Year Strategic Plan for Tyler County; and completed two building projects

under budget.

As the director of federal programs and administrative assistant to the superintendent in Mercer County, Seaver was responsible for a \$3.7 million Title I Program budget and an \$800,000 Title II Program budget.

She also wrote and secured School Building Authority money for facility projects in Mercer County and coordinated the development of the Ten-Year County Educational Facilities Plan.

"I embrace this opportunity to continue to improve Lincoln County Schools' curriculum and instruction," Seaver said. "This is an exciting time in Lincoln County as the new high school is about to open."

"I will maximize student learning by working closely with students, teachers, parents, administrators, board members and community members."

Seaver also has dedicated time to community involvement and professional development. She is a member of the Governor's Early Childhood Task Force, the Early Childhood Alliance and was county teacher of the year.

Seaver is expected to begin her new position by June 1.

Source: West Virginia Department of Education

***"I will maximize student learning
by working closely
with students, teachers, parents,
administrators, board members
and community members."
— Dr. Anne Seaver, Lincoln
County Schools superintendent***

TEAMWORK

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WVSBA votes to endorse Partnership for 21st Century Skills

At the conclusion of Dr. Paine's workshop, he asked our members to endorse the **Partnership for 21st Century Skills Initiative**. For those of you unable to attend the Delegate Assembly meeting on Saturday morning, I would like to report that following discussion, a vote was taken to endorse the initiative with the caveat that we shall have active participation at the table during all discussions, when possible.

This representation is critical. As an association, we need to be able to bring any questions that could arise from our membership. If you have further questions, comments or suggestions regarding our endorsement, please feel free to contact me or Executive Director Howard M. O'Cull, Ed.D., at the WVSBA office.

Strong leadership is always very important to the association's effectiveness. We are so fortunate to have Dr O'Cull spearheading the leadership of our organization. An integral part of the effective operations of WVSBA also lies in the leadership of the Executive Board. I am pleased to announce the following officers were elected to begin serving as association officers on July 1, 2006.

President — Lyle Spencer (Nicholas)

President Elect — Kim Cooper (Raleigh)

Vice President — Carleen Frederick (Calhoun)

Finance Officer — Sally Cann (Harrison)

I encourage all association members to pledge their support to these individuals. I have been so fortunate to receive full cooperation and support from our membership. If I have been successful, I owe that success to each of you and to Dr. O.Cull.

I have certainly felt blessed by the confidence you have placed in my abilities to serve as your president. It has truly been an honor to represent our association in all the activities and meetings I have attended as your president.

It has been a wonderful learning experience and I will forever be in your debt for the privilege.

Please mark your calendars for all upcoming WVSBA events. A complete listing was provided in your training packet but for those not able to be with us, I will list those dates already confirmed for meetings.

- **Orientation '06**
June 14-16, 2006
Stonewall Jackson Resort
Roanoke
- **WVSBA Fall Conference '06**
Sept. 22-23, 2006
Charleston Marriott Town Center
Charleston
- **Presidents Retreat '06**
Oct. 6-7, 2006
Snowshoe Mountain Resort
Snowshoe

- **The November Workshop**
Nov. 4, 2006
Embassy Suites
Charleston
- **Presidents Retreat '07**
Nov. 2-3, 2007
Oglebay Resort and Conference Center
Wheeling

In closing, I would like to once more encourage all members of the association to continue to take an active role in all our activities. If you have not served on a standing or ad hoc committee and would like to serve, please let me or one of your new officers know.

To be successful, this organization must continue to operate as a TEAM. (I told you that before my year was up that you would probably be tired of hearing that word!)

Vince Lombardi once said, "**The achievements of an organization are the results of the combined efforts of each individual.**"

As you continue in your board work, keep in mind that alone we can accomplish

very little but together we can truly make a difference. Individual commitment to the efforts of the association is what constitutes real **TEAMWORK**.

In closing, I offer a question that I really want each of you to think about:

If you were arrested for kindness, would there be enough evidence to convict you?

Until next time...be kind to one another!

- *Debbie*

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 supplementary 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

Delegate describes county breakdown of SAF increases through ‘chargeback’ bill

By Howard M. O’Cull, Ed.D.
WVSBA Executive Director

In a previous “Legislative Alert” broadcast mailing forwarded electronically to all county board members, reference was made to **House Bill 4025** relating to School Aid Formula (SAF) local share chargeback.

House Minority Leader Charles S. Trump IV, R-Morgan, supported that bill, which also was reviewed in “The Administrative Perspective” in the Jan. 13 issue of *The Legislature*.

According to Trump, the state Department of Education has calculated a county-by-county breakdown of how much “extra money” each county board would receive in FY07 if the bill were enacted.

Trump, in an e-mail to me, said, “[Each county’s] number would, of course, grow each year as the local levies increase.”

Some county board members have contacted Trump and other delegates and senators in support of this specific proposal or of other local chargeback proposals which may be introduced.

The Senate Finance Committee February 24 approved a comprehensive bill that, among other provisions, contains comprehensive local share chargeback legislation. Additionally, House Education may address local share chargeback as well.

Also refer to **House Bill 4463**, which is reviewed in the Feb. 13 issue of *The Legislature*. This measure, which has House Education Chairman Tom Campbell, D-Greenbrier, as one of its 10 sponsors, seeks to “reform the state School Aid Formula” in part by adjusting “local share” to a “90 percent rate.”

Also refer to **Senate Bill 585**. That is the companion to **HB 4025**.

Fiscal information for **HB 4463** has not been made available to WVSBA. The proposed local share calculations are below.

Local Share Calculation

County	2001-2002	2006-2007	Additional Funds
Barbour	\$ 1,450,120	\$ 1,692,922	\$ 242,802
Berkeley	\$ 10,793,259	\$ 16,960,546	\$ 6,167,287
Boone	\$ 6,723,990	\$ 7,271,070	\$ 547,080
Braxton	\$ 2,297,113	\$ 2,318,092	\$ 20,979
Brooke	\$ 3,570,681	\$ 3,984,185	\$ 413,504
Cabell	\$ 13,789,332	\$ 15,110,361	\$ 1,321,029
Calhoun	\$ 835,565	\$ 1,114,508	\$ 278,943
Clay	\$ 1,191,746	\$ 1,548,314	\$ 356,568
Doddridge	\$ 1,094,252	\$ 1,664,784	\$ 570,532
Fayette	\$ 5,158,871	\$ 5,436,666	\$ 277,795
Gilmer	\$ 1,245,263	\$ 1,669,496	\$ 424,233
Grant	\$ 3,380,222	\$ 3,999,059	\$ 618,837
Greenbrier	\$ 4,869,031	\$ 7,397,707	\$ 2,528,676
Hampshire	\$ 3,597,119	\$ 4,980,940	\$ 1,383,821
Hancock	\$ 5,364,368	\$ 5,290,600	\$ -
Hardy	\$ 2,364,702	\$ 3,268,767	\$ 904,065
Harrison	\$ 11,511,639	\$ 13,993,726	\$ 2,482,087
Jackson	\$ 4,696,677	\$ 5,696,161	\$ 999,484

Jefferson	\$ 7,794,944	\$ 11,996,551	\$ 4,201,607
Kanawha	\$ 39,354,240	\$ 44,273,777	\$ 4,919,537
Lewis	\$ 2,576,867	\$ 3,879,070	\$ 1,302,203
Lincoln	\$ 1,758,938	\$ 2,104,230	\$ 345,292
Logan	\$ 4,300,235	\$ 5,638,855	\$ 1,338,620
Marion	\$ 6,885,718	\$ 8,732,382	\$ 1,846,664
Marshall	\$ 6,875,798	\$ 7,608,677	\$ 732,879
Mason	\$ 4,254,008	\$ 4,744,700	\$ 490,692
Mercer	\$ 6,837,124	\$ 7,987,031	\$ 1,149,907
Mineral	\$ 3,123,487	\$ 3,726,687	\$ 603,200
Mingo	\$ 4,930,362	\$ 5,416,110	\$ 485,748
Monongalia	\$ 14,012,069	\$ 18,198,325	\$ 4,186,256
Monroe	\$ 981,205	\$ 1,138,743	\$ 157,538
Morgan	\$ 2,354,837	\$ 3,272,436	\$ 917,599
McDowell	\$ 3,023,861	\$ 4,092,884	\$ 1,069,023
Nicholas	\$ 4,390,673	\$ 4,480,299	\$ 89,626
Ohio	\$ 5,754,957	\$ 7,165,008	\$ 1,410,051
Pendleton	\$ 1,194,655	\$ 1,594,933	\$ 400,278
Pleasants	\$ 3,039,337	\$ 3,419,219	\$ 379,882
Pocahontas	\$ 2,048,352	\$ 3,362,669	\$ 1,314,317
Preston	\$ 4,467,268	\$ 5,176,053	\$ 708,785
Putnam	\$ 9,300,916	\$ 11,550,166	\$ 2,249,250
Raleigh	\$ 10,736,335	\$ 12,084,243	\$ 1,347,908
Randolph	\$ 3,708,500	\$ 4,504,978	\$ 796,478
Ritchie	\$ 1,326,276	\$ 1,819,366	\$ 493,090
Roane	\$ 1,562,614	\$ 1,826,695	\$ 264,081
Summers	\$ 1,281,046	\$ 1,685,949	\$ 404,903
Taylor	\$ 1,803,595	\$ 2,216,317	\$ 412,722
Tucker	\$ 1,634,313	\$ 2,136,686	\$ 502,373
Tyler	\$ 1,536,621	\$ 1,524,403	\$ -
Upshur	\$ 3,287,948	\$ 3,771,221	\$ 483,273
Wayne	\$ 4,822,719	\$ 5,539,720	\$ 717,001
Webster	\$ 1,570,095	\$ 1,426,107	\$ -
Wetzel	\$ 2,400,250	\$ 2,985,827	\$ 585,577
Wirt	\$ 479,103	\$ 529,372	\$ 50,269
Wood	\$ 14,368,272	\$ 15,751,970	\$ 1,383,698
Wyoming	\$ 3,664,009	\$ 4,227,307	\$ 563,298

Source: Del. Charles S. Trump IV (based on West Virginia Department of Education data).

House Bill 4025 may be found at: http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/RS/BILLS/hb4025%20intr.htm

House Bill 4463 may be found at: http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/RS/BILLS/hb4463%20intr.htm

Senate Bill 570 may be found at: http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/RS/BILLS/sb570%20intr.htm

For a comprehensive review of this legislation, refer to the Feb. 20 issue of *The Legislature*.

Editor’s Note: Trump has served as House Minority Leader since 2000. He was first elected in 1992.

BINDING ARBITRATION

continued from page 4

been assigned as of Thursday.)

- Revise the state READS grant program, one of which is to change “focus” of the grant program from providing remediation in grades K-4 to providing intervention in grades K-3. Viable interventions also would include before- and after-school programming. Other components would require grant recipients to receive funding for proposals based on research, use of highly-qualified teachers, and formative assessments to identify students in need of intervention. The bill also states that one priority for funding is to grant awards to schools that exhibit high levels of child poverty. (The bill originated in committee, thus no bill number had been assigned as of Thursday.)
- Define completion of National Board for Professional Teaching Standards so that completing 10 scorable entries, as verified by NBPTS officials, would be considered program “completion.” According to committee lawyer Hank Hager this stance is “relevant” because half of the certification fee would be paid for reimbursement to each teacher who enrolls in the program and half of the certification fee would be paid once the teacher completes NBPTS certification. (The bill originated in committee, thus no bill number had been assigned as of Thursday.)
- Makes changes in legislation relating to the state’s physical education requirements for the different grade levels from three specific grade level ranges to the more general categories of “elementary school grades,” “middle school grades,” and “high school grades.” That measure also would require the state Board of Education to develop a rule relating to “body mass index,” including provisions to address confidentiality, use of a “scientifically drawn sample of students,” and use of “appropriate methodology for assessing the body mass index from student height and weight data.” That legislation was first required last year. (The bill originated in committee, thus no bill number had been assigned as of Thursday.)

The committee also adopted legislation that would move the Workforce Initiative Program from the supervision of the Development Office, placing it with the West Virginia Council for Community and Technical College Education. As part of the proposed legislation, included in **Senate Bill 638**, the chancellor of the “Community College” system would appoint an advisory committee to review applications for Workforce Development Initiative grants. To par-

ticipate in the program, a CTC must develop a plan as part of its institutional compact to improve the quality of the workforce within its service area. There are several other provisions.

Lastly, the committee passed legislation that requires state higher education institutions to grant tuition and fee waivers for children and spouses of parole officers and probation officers killed in the line of duty, as space permits. The bill is **Senate Bill 18**.

A similar bill would expand the number of children eligible for tuition waivers and monetary allocations to include those who served

in any armed conflict declared by the president. That bill is **Senate Bill 32**.

Two resolutions adopted by the committee relate to school “aftercare,” which directs the WVDE, the Office of the Secretary of Education and the Arts and the 4-H and Youth, Family and Adult Development Division of the West Virginia University and West Virginia State University Extension Service to conduct an assessment of after-school services in West Virginia. The resolution states that the “most violent juvenile crime” occurs from 6 p.m. to 9 p.m. when many children aren’t supervised.

The other resolution would declare December as the Legislature’s “Back to

School Month,” one activity of which is to encourage legislators to visit schools.

The committee will meet again Feb. 26.

*According to
Sen. Jon Blair Hunter,
D-Monongalia,
labor organizations were united
for the first time in support
of the grievance measure,
a reference to a previous
well-known “fracture”
between the West Virginia
Education Association
and West Virginia Federation of
Teachers about arbitration.*

Wisdom

*“When a dog runs at you,
whistle for him.”*
– Henry David Thoreau

Calming fears of metro government

Without debate, and on a 27-7 vote, the Senate passed a bill on Feb. 17 that would allow cities and counties to combine and form “metro governments.” Sen. Brooks McCabe, D-Kanawha, a chief proponent of the legislation, said he and Senate leaders would begin working with the House of Delegates to secure the bill’s passage.

The House has been the stumbling block the last several years.

Many lawmakers feared that residents in rural, unincorporated areas would be swallowed up and made part of a city.

To allay those fears, senators crafted the bill to have votes from a county’s largest city counted separately from the remainder of votes. Each of the two “areas” would have to approve metro government by a 55 percent majority.

The bill also says cities cannot impose municipal taxes beyond city lines when a metro government is formed, and would allow smaller towns to maintain their own identity.

Proponents say the measure allows the state to take advantage of efficiencies of scale, although the biggest fear of the plan comes from unincorporated regions.

McCabe said he would spend time educating House members about the bill.

“Hopefully, we’ll eliminate the fear factor,” he said in *The Charleston Gazette*.

The bill has been introduced the last two legislative sessions.

Bye, bye Budget Digest

Although Senate Finance Chairman Walt Helmick had expressed reservations about a House-backed plan to end the controversial Budget Digest, that legislation is headed to passage in the state Senate.

Helmick and other senators say, however, that the Legislature’s ability to fund homegrown projects will continue.

“We have to make a new way of doing things, we have to do away with what we’ve got,” he said.

Helmick said in *The Charleston Gazette* that doing away with the controversial Budget Digest became an issue because of its perception. “The perception – which becomes the reality – is that it’s bad, and there’s something shadowy about it.”

According to legislators, Budget Digest allocations amount to about 1 percent of the state’s budget – up to about \$35 million – for what some critics say are pork-barrel projects.

Digest funding has resulted in numerous court challenges since 1991.

Helmick said legislators will turn to other avenues to give them “flexibility” for funding local projects, including the governor’s civil contingency fund.

Some legislators said Digest problems – or problems of perception – arise in the House, which does not “allocate” a certain amount of Digest dollars for each member – as the Senate does.

The result is that some powerful House legislators receive most of the Digest funds, according to critics.

Legislators: Pensions should get surplus

The *Charleston Daily Mail* reports that House and Senate leaders agree with the governor in his plans to raise the ceiling on the

state’s main reserve fund, but say the available dollars should go to state pension funds to address unfunded liabilities.

State law now directs half of any budget surplus – expected to be \$337.9 million – with Gov. Joe Manchin reportedly wanting to bank those funds, with House leaders agreeing.

According to the *Daily Mail*, Speaker Bob Kiss, D-Raleigh, and his leadership team want to pour an additional \$1 billion, over a three- to five-year period, into state pension funds.

The Teacher’s Retirement System, in particular, faces a \$4.9 billion shortfall between assets and promised benefits.

Lawmakers want more kids in CHIP

Legislators may begin to provide more money to meet insurance needs of children in the state.

According to the *Charleston Gazette*, legislation to increase eligibility for the state’s Children’s Health Insurance Program (CHIP) up to 300 percent of the federal poverty rate has advanced in the state senate.

The 300 percent increase is a jump from the current 200 percent threshold, and would mean an additional 3,000 children could be served by the program, covering families of four with incomes of up to \$60,000 per year.

The bill would cost the state slightly more than \$1 million, according to Senate Health and Human Resources staff.

CHIP provides health coverage for about 25,000 children, with state Department of Health and Human Resources officials requesting \$10 million in state funding for FY07. These dollars would be matched with approximately \$40 million in federal funds.

The program, designed to provide health insurance for youths without coverage, was enacted during the Wise Administration.

Gambling proposal dies on ‘table’

House of Delegates leaders decided late last week not to consider a bill making gambling legal at the state’s four racetracks.

Racetrack proponents made several pitches for the proposal which, as most legislative leaders and observers thought, would have to clear the House first. The Senate has adopted the measure, with the legislation dying in the House.

According to news media accounts, there were several reasons for the legislation’s demise, including the share of revenue the state would receive; dedication of any revenue; and, probably most importantly, whether voters could have a chance, through subsequent election, to prohibit the racetrack gambling.

For the table games to have become legal, voters in Kanawha, Jefferson, Ohio and Hancock counties would have to approve the measure through local referenda.

Racetrack officials say efforts to legalize table games in neighboring states, particularly Pennsylvania, should be a cause of concern to the state for loss of potential revenue and for loss of tourism dollars, although at least one news media account said that most racetrack visitors are from out-of-state, including a significant influx of gaming aficionados from North Carolina who frequent Kanawha County’s Tri-state Racetrack and Gaming Center in Cross Lanes.

The *Register-Herald* of Beckley reported that Sen. Andy McKenzie, R-Ohio, blamed House Speaker Bob Kiss for thwarting
See IN BRIEF on page 12

IN BRIEF

continued from page 11

action on gambling, saying that Kiss was the holdup on the legislation for the last two years.

Kiss denied the allegations.

Supreme Court will hear Fayette case

The state Supreme Court voted 3-2 to enter the school consolidation fray, once again – this time in Fayette County.

At issue is the closure of Gauley Bridge High School, which Fayette officials have tried to close for more than a decade.

As with most such cases, a Gauley Bridge citizens' group alleges the board did not follow state Board of Education guidelines relating to the closure — a point a Kanawha County Circuit Judge agreed with.

The state Supreme Court voted last fall to grant the Fayette County Board an emergency stay until judges could decide whether they want to hear the case.

Stopping juvenile antics on bill sponsorship

“You can't be on my bill.” That's about the refrain some House of Delegates members say is used to thwart members from signing on to legislation, especially if it involves opposite parties.

The House is poised to adopt a plan that might allow bills to be

introduced with signatories, a practice that used to occur, according to House Clerk Gregory M. Gray, and a practice that the California Assembly and New Mexico Senate follow.

In discussing the matter with the Charleston Gazette, House Speaker Bob Kiss, D-Raleigh, said, “[Delegates] need to stop this eighth-grade mentality of ‘You can't be on my bill,’” which was played out last year when Republican Del. Cindy Frich of Monongalia County tried to add her name to a bill relating to her district.

She met opposition from the rest of the Monongalia County delegation.

One result of that incident and similar situations was the House's decision to allow up to at least 11 bill sponsors, based on the number of delegates from Kanawha County, the largest delegate district.

Graham pleads not guilty to indictment

The executive director of the Wyoming County Council on Aging pleaded not guilty to federal embezzlement, fraud and tax charges.

He was indicted in January on 21 counts, including a charge of embezzling \$356,000 from the senior services agency and filing 12 false tax returns. He is also accused of engaging in illegal banking transactions.

He entered his plea in U.S. District Court in Beckley, was released on a \$10,000 surety bond and is scheduled for trial April 12.

Graham made headlines in 2004 when newspapers revealed he was earning more than \$450,000 in annual compensation.

Looking Back

Board member pay hike is '96 lead story

WVEA predicted teacher shortage by 2006

The Feb. 22, 1996 issue of *The Legislature* was jam-packed with information about legislation that had begun to accelerate through an otherwise “slow” legislative session.

The lead story was a county board pay increase, with the Senate Education Committee approving a measure to allow county board members to receive \$100 per meeting for up to 75 meetings per year. (Before that bill passed, board members received \$80 per meeting up to 52 meetings per year.)

Senate Education Chairman Lloyd G. Jackson II described the rationale for the increase as an “increase in grievance filings and student disciplinary hearings.”

“(County) boards are having to meet 60 to 70 times per year. Fifty-two (meetings) is not getting the job done,” Jackson said.

In other news, West Virginia Education Association Vice President Tom Lange at a House Education hearing said the state is likely to face a teacher shortage “around the year 2006.”

He noted that few in-state graduates were employed in West Virginia — one rationale for WVEA's support of “Rule of 80” legislation.

Other speakers at that hearing took a similar approach. Kanawha County Schools Superintendent Jorea Marple, Ed.D., said, “Chewing gum and long hair are no longer the top issues facing teachers.”

She said teachers are confronted with diverse issues such as crime, drugs, “cynicism,” and an “anything goes attitude.”

David Kurtz, a West Virginia School Boards Association spokesman, said the Rule of 80 would allow teachers “fresh out of college”

to assume teaching positions, thus energizing the teacher corps.

“We don't need teachers who are unhappy with their jobs and who are just going through the motions,” Kurtz said.

Despite widespread support for the Rule of 80, which would allow school employees to retire when their age and years of service added together total 80, the Legislature has not enacted the legislation, largely because of costs, according to information in subsequent issues of *The Legislature*.

Other issues discussed in that edition included the emerging **Senate Bill 300** and more debate on the school calendar. WWSBA representative Priscilla Haden (Kanawha) said county boards could gain better scheduling flexibility if “Outside the School Environment” days were scheduled after Jan. 1. There also was a well-publicized debate about soft drinks in the public schools.

The Legislature began to change the state's Open Governmental Proceedings Act, culminating in significant “reform” in the 1998 session, with a WWSBA-lead coalition working successfully to change the statute.

Finally, a bill that would have eliminated the “teacher preference” for coaching of public school athletic teams was tabled following lengthy debate. Mercer County Board of Education President John Shott said, “In the event there is a shortage of professional educators to coach athletic teams, [these] positions should go to school service personnel or community members, provided they receive proper training.”

- From *The Legislature*, Feb. 22, 1996

West Virginia 2006 Election Calendar

Important dates for candidates and political committees

January

Jan. 9-28 — Candidate filing period. Certificates of announcement and filing fees received in appropriate office or postmarked by U.S. Postal Service by midnight Jan. 28.

Jan. 9-Feb. 7 — Candidates file personal financial disclosure with Ethics Commission (within 10 days after filing certificate of announcement).

February

Feb. 10 — Deadline for appropriate executive committee to fill ballot vacancy for candidate to be on primary ballot.

Feb. 14 — Deadlines for executive committee chair to fill primary ballot vacancy.

Feb. 14 — Deadline for candidates to withdraw (filing officer must receive written notice signed by candidate and notarized by deadline or name may not be removed from ballot).

Feb. 21 — Uniform drawing date (drawing for ballot position begins at 9 a.m. in all counties for all offices).

Feb. 27 — Deadline for candidate's name to be removed from ballot due to death (before the ballots are printed).

March

Mar. 25-31 — Primary-first financial report due: All candidates, committees, consultants and independent expenditures file reports with proper office if total receipts plus expenditures exceed \$500 (federal candidates must follow FEC schedule and file with FEC).

April

April 10 — Deadline for minor party and independent candidates doing nominating petitions to file certificate of announcement and pay filing fee.

April 11 — Last day for PACs to file statement of organization and candidates to file campaign treasurer name.

April 18 — Last day for filing of official write-in candidate for board of education and executive committee to be received.

April 18 — Last day to register to vote.

April 19-May 6 — Early voting in person period.

April 22 - April 29 — Pre-primary financial report filing period. All candidates, committees, active consultants, and independent spenders file even if no changes since last report (federal candidates must follow FEC schedule and file with FEC).

April 29 - May 8 — "Last minute" independent expenditures reported to appropriate office.

May

May 4 — Last day for executive committee to fill general election vacancy caused by failure to file. Deadline for chair to appoint if committee fails to act is May 8.

May 8 — Deadline for minor party and independent candidates doing nominating petitions to file petitions for nomination to appear on Nov. 7, 2006 general election ballot.

May 9 — PRIMARY ELECTION DAY

May 12 — Primary election canvasses begin and continue from day to day until election results declared.

* If no candidate requests recount and posts bond within 48 hours after results declared, county commission certifies election results.

* Election contest must be filed within 10 days after certification of election in county.

June

June 3-9 — Post-primary financial report filing period. All file, even if no changes since last report (federal candidates must follow FEC schedule and file with FEC).

June 19 — Failure to file campaign finance statements reported to prosecuting attorneys.

July

July 1 — Terms of board of education begin.

August

Aug. 1 — Last day for candidate to apply for withdrawal due to extenuating personal circumstances.

Aug. 4 — Last day for application to be filed with State Election Commission by withdrawing candidate or executive committee chair for authorization to fill vacancy resulting from extenuating circumstances.

Aug. 7-22 — Special filing period, Board of Education vacancy occurring after close of filing for primary election.

Aug. 15 — Last day of occurrence of vacancy on ballot resulting from disqualification or incapacity of candidate, or from death of incumbent in certain elected office.

Aug. 21 — Deadline for executive committee or chair appointment to fill vacancy (chair deadline Aug. 23).

Aug. 23-29 — Secretary of State certifies names.

Aug. 28 — Candidate name removed from ballot due to death.

Aug. 29 — Drawing for order of names on ballot.

September

Sept. 2-8 — General-first report due.

October

Oct. 10 — Last day for candidate or political committee to file statement of organization and designation of treasurer or financial agent.

Oct. 13 — Last day of the occurrence of the death of a nominee for which an appointment to fill the vacancy on the ballot can be made.

Oct. 16 — Committee may fill vacancy of deceased candidate.

Oct. 17 — Write-in candidate filing deadline for general election.

Oct. 17 — Voter registration deadline.

Oct. 19 — Chair may fill vacancy of deceased candidate.

Oct. 21-28 — Pre-general financial report due.

Oct. 27 — Last minute independent expenditures reported.

November

Nov. 2 — Last day for write-in candidate to file in case of death of nominee if death occurred between Oct. 17 and Nov. 2.

Nov. 7 — GENERAL ELECTION

December

Dec. 2-8 — Post-general election report due.

Dec. 18 — Secretary of state and clerk of county commission give notice to prosecuting attorney of any failure of candidates, agents or treasurers to file required financial statements.

Source: West Virginia Secretary of State's Office, <http://www.wvsos.com>

Education-Related House Bills

- **House Bill 2141** - Prohibiting 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** – Establishing “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 2/20/06. First reading Consent Calendar 2/16/06. To Health and Human Resources 2/21/06.
- **House Bill 2607** – Expanding newborn screening by adding sickle cell anemia and adrenal hyperplasia (Leach, lead sponsor). Passed House 2/7/06. To Health and Human Resources then Senate Finance.
- **House Bill 3213** - Creating 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 4018** – Relating to the community corrections subcommittee of the Governor’s Committee on Crime, Delinquency and Correction (Kiss, lead sponsor). Passed House 2/20/06. To Senate Finance 2/21/06.
- **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. Reported do pass 2/22/06.
- **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 2/9/06.
- **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. Reported do pass on 2/21/06.
- **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 4073** – Establishing the crime of trafficking persons (Spencer, lead sponsor). Amendments pending 2/17/06. House Calendar 2/24/06.
- **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 county board of education was terminated voluntarily (Kiss, lead sponsor). To Education then Finance on 1/26. With amendment, do pass 2/17/06 but first to House Finance.
- **House Bill 4133** – Clarifying that magistrate courts have concurrent juvenile jurisdiction with circuit courts in regard to enforcement of laws prohibiting the possession or use of tobacco by minors (Perry, lead sponsor). Passed House 2/3/06. To Health and Human Resources 2/6/06.
- **House Bill 4204** - Relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule

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BILL ABSTRACT

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- 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 Senate Education on 2/14/06.
 - **House Bill 4253** – Removing the requirement for dual membership of certain higher education governing board chairs (Doyle, lead sponsor). Passed House 2/22/06. To Senate Education 2/23/06
 - **House Bill 4256** – Providing a procedure for removal of county, district or municipal officers (Stemple, lead sponsor). Passed House 2/22/06. To Senate Government Organization 2/23/06.
 - **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 4283** – Providing a preference of West Virginia veterans in the awarding of state contracts in the competitive bidding process (Kiss, lead sponsor). Passed House 2/21/06. To Senate Military then Finance.
 - **House Bill 4291** – Relating to consideration of aggravated circumstances of neglect and abuse committed against children in the same household or blended family (Mahan, lead sponsor). Passed House 2/20/06. To Senate Judiciary 2/21/06.
 - **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. On third reading, right to amend, House Calendar 2/24/06.
 - **House Bill 4355** - Providing for the temporary detention of juveniles who are the named respondent in an emergency domestic 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. Passed House 2/20/06. To Senate Education 2/21/06.
 - **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; Referred to Senate 2/15/06.
 - **House Bill 4472** – Including family court jurisdiction in all proceedings concerning grandparent visitation (Kominar, lead sponsor). Do pass Consent Calendar 2/22/06.
 - **House Bill 4481** – Establishing a permissive provision for using ballot-scanning devices for election night tabulations (Amores, lead sponsor). Passed House 2/20/06. To Senate Judiciary 2/21/06.
 - **House Bill 4488** – Creating a commission to complete a comprehensive study of the state’s behavioral health system (Perdue, lead sponsor). Passed House 2/22/06. To Senate Health and Human Resources 2/23/06
 - **House Bill 4489** – Testing of electronic voting machines used for early voting in order to allow their use on election day (Morgan, lead sponsor). Passed House 2/22/06. To Senate Judiciary 2/23/06
 - **House Bill 4491** – Establishing the third week of October as Disability History Week for the State of West Virginia (Kiss, lead sponsor). Passed House 2/22/06. To Senate Education 2/23/06.
 - **House Bill 4544** – Allowing for more teachers to be reimbursed for approved course work (Campbell, lead sponsor). To House Finance 2/17/06.
 - **House Bill 4546** – Continuing additional compensation for holders of national board for professional teaching standards certification who are subsequently employed in principal and assistant principal positions (Campbell, lead sponsor). To House Finance 2/21/06.
 - **House Bill 4547** – Increasing the funds available for transfer to the Prepaid Tuition Trust Escrow Fund in certain circumstances (Campbell, lead sponsor). To House Finance 2/17/06.
 - **House Bill 4578** – Extending the expiration date of provisions permitting retired teachers to accept employment as substitutes in areas of critical need and shortage for an unlimited number of days without affecting retirement benefits (Perry, lead sponsor). Passed House 2/23/06. To Senate 2/23/06.
 - **House Bill 4603** – Authorizing rules for Higher Education Policy Commission and the West Virginia Council for Community and Technical College Education regarding authorization of degree granting institutions (Campbell, lead sponsor). Passed House 2/22/06. To Senate Education 2/23/06.
 - **House Bill 4625** – Extending certain authority to professional personnel designee of school principal (Campbell, lead sponsor). Third reading House Consent Calendar 2/24/06.
 - **House Bill 4683** – Establishing the right to trial by jury when a juvenile is accused of acts of juvenile delinquency that constitutes a crime punishable by incarceration if committed by an adult (Amores, lead sponsor). On second reading, Special Calendar.
 - **House Bill 4689** – Increasing beginning teacher salaries (Campbell, lead sponsor). On third reading, Special Calendar 2/24/06.
- ## *Education-related Senate Bills*
- **Senate Bill 7** – Establishing “Flood Protection Planning Act” (Bailey, lead sponsor). Passed Senate 1/31/06. Referred to House

See BILL ABSTRACT on page 16

Bipartisan panel to study NCLB

After four years of complaints from parents, teachers and administrators about President Bush's No Child Left Behind education reform plan, a bipartisan commission is being created to take a "hard, independent look" at the law's problems and its promises.

The Commission on No Child Left Behind will travel across the country to conduct public hearings and roundtables, culminating in Washington in September. The commission will send its recommendations to Congress in advance of NCLB's expected renewal in 2007.

The panel is supported by the Aspen Institute, a Washington think tank, and it is co-chaired by former Georgia governor Roy Barnes and former Health and Human Services secretary Tommy Thompson.

For more information, visit <http://www.nclbcommission.org>.



COMMISSION ON
NO CHILD LEFT BEHIND
THE ASPEN INSTITUTE
www.nclbcommission.org

BILLABSTRACT

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- Government Organization, then House Finance. Introduced in House 2/1/06.
- **Senate Bill 13** – Requiring 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 boards to enter into lease-purchase agreements (Hunter, lead sponsor). Introduced in Senate on 1/11/06. To Finance on 2/10/06.
- **Senate Bill 57** – Relating to designation and operation of traffic signal as flashing signal (Hunter, lead sponsor). Passed Senate with amended title 2/3/06. To House Roads and Transportation 2/6/06.
- **Senate Bill 127** – Relating to Regional Education Service Agencies (Tomblin, lead sponsor). To Education 1/12/06. To Finance 1/15/06.
- **Senate Bill 187** – Requiring uniforms for public school students (Chafin, lead sponsor). To Senate Education 1/17/06. Tabled by Senate Education.
- **Senate Bill 236** – Expanding definition of child abuse to include parental alcohol and substance abuse (Prezioso, lead sponsor). Passed Senate 2/20/06. To House Judiciary 2/21/06.
- **Senate Bill 245** – Creating the Consolidated Local Government (Bowman, lead sponsor). Passed Senate 2/17/06. To House Government Organization 2/20/06.
- **Senate Bill 370** – Creating 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** – Reducing 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 to promulgate legislative rule relating to qualifications for licensure as psychologist or school psychologist (Minard, lead sponsor). To Education 2/1/06. To Senate Judiciary 2/10/06.
- **Senate Bill 442** – Changing 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** – Providing 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.
- **Senate Bill 545** – Relating to workers' compensation benefits for schools personnel (Plymale, lead sponsor). To Senate Education 2/9/06.
- **Senate Bill 587** – Relating to increment pay for certain higher education faculty. (Edgell, lead sponsor). On second reading to Finance 2/17/06.
- **Senate Bill 631** – Relating to criminal school truancy complaints (Kessler, lead sponsor). Passed Senate 2/22/06. To House Education 2/23/06.
- **Senate Bill 634** – Exempting certain higher education development projects from Design-Build Procurement Act (Plymale, lead sponsor). Passed Senate 2/21/06. To House Education 2/22/06.
- **Senate Bill 635** – Requiring county boards to maintain certain flood insurance (Edgell, lead sponsor). Passed Senate 2/21/06. To House Education 2/22/06.
- **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.

Busy agendas for education committees

Bill to increase salary for beginning teachers passes unanimously

By Martha Dean, Ed.D., executive director
West Virginia Association of School Administrators

On Feb. 16, the House Education Committee met and took up eight bills, which I believe is the largest number at one time this session. An originating bill that would raise beginning teachers' pay was scheduled but was pulled off the agenda because committee members were unclear about who would get how much money. They're now scheduled to take it up at a later committee meeting. (Editor's Note: That bill was adopted at the committee's Feb. 21 meeting.)

Public Education bills on the House Education Committee agenda included **House Bill 4544**, **House Bill 4126**, **House Bill 4546** and **House Bill 4077**.

HB 4544 would allow more teachers to be reimbursed for approved course work when they are working toward certification renewal or additional endorsements.

It would limit reimbursement to six semester hours per teacher, per renewal period and 15 semester hours per lifetime.

For those adding an endorsement, the limit for reimbursement would be six semester hours per year with no lifetime limit.

This bill passed unanimously and will now go to the House Finance.

HB 4126 was scheduled for consideration earlier, but was pulled off the agenda to clarify some committee members' concerns. It now allows teachers who have resigned previously to recapture their seniority when they apply for a job in the future in the same county.

An amendment by Del. Mary Poling, D-Barbour, clarified that, to be eligible, teachers who quit must have done so without any ongoing investigation regarding misconduct and also clarified that, when applying for a vacancy, they would not be eligible to apply their seniority to compete with existing employees or employees Reduced In Force (RIFed).

The bill passed, but not unanimously, and has a second reference to finance.

The purpose of **HB 4546** is to continue the National Board of Professional Teaching Standards certification bonus for NBPTS-certified teachers who subsequently become principals.

The language in the bill is cumbersome and it was pulled off the agenda to make sure it could be stated in such a way as to continue to pay the bonus to an individual with these circumstances only until the certification expires. Teachers can renew their National Board Certification, but if one becomes a principal, he or she cannot renew after the existing certificate expires.

HB 4077 would establish a supplement for professional personnel who hold a nationally recognized professional certification

in speech-language pathology, audiology or counseling.

This bill has been in the works for some time and Jason Webb, the lobbyist for speech therapists, was there to speak about the bill.

The bill would limit the number eligible for the supplement the first year and each subsequent year, and Webb clarified that his organization is aware the state has a limited amount of money.

The bill also states that no individual is eligible for more than one supplement regardless of how many certifications they obtain.

The salary supplement would be \$2,500 per year, and would also provide expense reimbursements similar to the National Board Teacher Certification program currently in law.

The committee also took up and passed **HB 4253**, removing the requirement that the chairperson of Shepherd University and

the chairperson of the Community and Technical College of Shepherd "sit on" each other's board of governors.

They approved **HB 4547**, increasing the funds available to transfer to the Prepaid Tuition Trust Escrow Fund through a transfer from the state treasurer's unclaimed property fund.

The committee passed **HB 4603**, which authorizes rules for the Higher Education Policy Commission and the West Virginia Council for Community and Technical College Education regarding authorization of degree-granting institutions.

HB 4491 establishes the third week of October as Disability History Week for the State of West Virginia. The committee substitute for the introduced bill also requires that public schools integrate information about disability awareness and understanding into the curriculum that week. The bill passed and will go to the full House.

The Senate Education Committee also met Feb. 16 and heard a presentation by General Robert H. "Doc" Foglesong, who recently retired as commander of the United States Air Force Europe (USAFE).

They took up a bill originating in committee that addresses critical shortage areas and subject matter critical shortage areas.

Then they took up **Senate Bill 587**, which relates to increment pay for certain higher education faculty. They reviewed two more bills originating in committee and dispensed with one that exempts certain higher education institutions from the design-build procurement act, and another that requires county boards of education to maintain flood insurance on certain properties.

On Feb. 17, the House Education Committee heard a presentation by Marshall University student Ashley Moats, and members took up **House Bill 4578**. The purpose of this bill is to extend to June 30, 2009, the expiration date of provisions permitting retired teachers to accept employment as substitutes in areas of critical need and shortage for an unlimited number of days without affect-

See **ADMINISTRATIVE PERSPECTIVE** on page 18

Nominate a great teacher for 2006 ‘American Stars of Teaching’

The U.S. Department of Education this fall will honor outstanding classroom teachers from all grades and all disciplines through the American Stars of Teaching program. The Department’s Teacher-to-Teacher Initiative is seeking nominations and information about teachers who are improving student achievement, using innovative strategies in the classroom and making a difference in the lives of their students.

Parents, students, colleagues, school administrators and others can nominate an exemplary teacher they believe has the qualities to be an American Star of Teaching. One teacher will

be recognized from each state.

To learn more or to nominate a teacher, visit the Teacher-to-Teacher Initiative Web site at <http://www.ed.gov/teachers/how/tools/initiative/index.html>. Nominations must be completed by April 15.

The U.S. Department of Education received more than 2,000 nominations in 2005. A list of past years’ honorees can be found at <http://www.ed.gov/teachers/how/tools/initiative/american-stars-teachers.html>.

ADMINISTRATIVE PERSPECTIVE

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ing retirement benefits.

House Education was previously scheduled to meet on Monday, but delayed the meeting until Tuesday morning. That meeting’s agenda included several bills, the first of which originated in committee and was written to increase the salaries of beginning teachers. It was on last Thursday’s agenda, but was pulled to make technical corrections. I discussed the bill briefly with Joe Panetta, executive director of the state Department of Education’s Office of School Finance, following the committee meeting.

He was concerned that, with the passage of this bill, record keeping for salary and years of experience would have to be separately kept because the bill calls for the definition in the salary schedule heading “Years of Experience” to be changed for teachers employed after July 1, 2006, to mean years of experience plus three years. The critical additional paragraph of law this bill contains is:

“Effective the first day of July, two thousand six, no teacher shall receive less than the amount prescribed in subsections (a) of this section for a teacher with three years experience on the applicable State Minimum Salary Schedule. Every year thereafter, each teacher will advance one step on the experience scale regardless of his or her actual years of experience.”

Several committee members spoke in favor of this bill, including Del. Brady Paxton, D-Putnam, and House Education Vice Chairman Larry A. Williams, D-Preston. Both stressed increased ability of county school systems to recruit recent graduates and, hopefully, to keep them in West Virginia.

Both teacher organizations spoke in favor of the bill, which passed by roll call vote unanimously and now goes to Finance.

House Bill 4625 was considered next. This bill is the result of a Hancock County Circuit Judge’s decision that an assistant principal is not authorized by law to discipline students.

HB 4625 changes the definition of principal to include the administrative head of the school or a professional personnel designee of the principal or the administrative head of the school. Hopefully, this will allow for needed discipline in a principal’s absence.

As noted above, **HB 4546** was pulled off the agenda last week. It continues the supplement for being a National Board Certified Teacher to those who, after July 1, 2006, are employed as a principal, assistant principal or in another administrative position in an instructional leadership capacity or related to his or her area of national board certification.

This supplement would continue until the expiration of the certification. The bill passed, but not unanimously, and will now go to the Committee on Finance.

An aside, it was great to see so many county board members and superintendents and, particularly, legislators, at the West Virginia School Boards Association/West Virginia Association of School Administrators’ “Reception With Legislators” on Feb. 16 at the Charleston Marriott.

It is my understanding that the governor’s ball was later that evening and Sen. Jeffrey Kessler, D-Marshall, looked particularly charming at the reception in his formal wear. Getting a chance to talk to many legislators is always valuable to our groups.

This week’s review is a bit shorter because I have left to attend the national meeting of the American Association of School Administrators.

— *Dean is a former Regional Educational Service Agency executive director. She has a doctorate in educational administration from West Virginia University.*

Kids Count's book details new study of early literacy practices in West Virginia

Results will be used to help prepare young children to learn to read

By Margie Hale

Kids Count Executive Director

The West Virginia Kids Count Fund spent the past year studying how adults in five counties lay the "Building Blocks of Early Learning" with young children, and the results were released Jan. 30 as part of the "2005 KIDS COUNT Data Book."

The Kids Count study found the vast majority of adults believe love, talk, rhyme, read and play are very important to preparing young children to read, but adults are less clear about when these activities should begin and how they can be incorporated into their busy lives.

Kids Count is using the study results to develop a grassroots campaign to improve how parents and caregivers prepare young children to learn to read.

To our surprise and delight, we found most people are very familiar with the key Building Blocks of Early Learning – love, talk, rhyme, read and play.

The problem is they are not sure about when they should begin these activities, what exactly they should be doing with children to prepare them to read, or how they can work love, talk, rhyme, read and play into their already crowded daily schedules.

So, we are launching a campaign to show parents and caregivers that preparing children to learn to read is a simple "Every day, Every way!" undertaking.

In addition to highlighting Kids Count's research of early literacy practices, the "2005 KIDS COUNT Data Book" continues to track key indicators of child well-being in West Virginia. There have been dramatic declines in infant deaths, teen births, teen violent deaths and juvenile delinquency during the past 13 years.

This means that we are making great progress in the overall well-being of West Virginia's children. The high school dropout rates and child poverty rates remain stagnant and, if not addressed, represent a serious threat to West Virginia's economic future.

It's time to take a serious look at our stalled efforts to reduce the number of dropouts. We can and we must do better. West Virginia's ability to prosper is directly tied to our ability to produce a well-educated work force.

Highlights of Kids Count's early literacy study

In 2004, Kids Count published a special report on how young children learn to read and why it is critical to West Virginia's future.

This year, Kids Count conducted a random-sample telephone survey of 608 West Virginia adults in Kanawha, Lincoln, Mason, Putnam and Roane counties to determine their awareness and practice of early literacy concepts.

The phone survey revealed extraordinarily high levels of awareness of five key factors in preparing children to learn to read.

About 99 percent of adults surveyed agreed that showing love

and affection was very important; 97 percent said reading to young children was very important; 89 percent deemed rhyming and singing as very important; 88 percent identified talking to children as very important; and 83 percent thought play and exploration were very important.

While awareness of the Building Blocks of Learning was high, there was less agreement about when these practices should begin. When asked what age is most important to begin preparing a child to learn to read, most people cited age three. Only 15 percent indicated age one. Yet, experts agree that prepar-

ing children to learn to read begins at birth.

People who had a high school education or less, or an income below \$30,000, were even less likely to cite age one as the best time to start preparing children to learn to read (about 10 percent).

To further probe the survey results, Kids Count conducted two rounds of focus groups to 1) understand more about what parents and caregivers were doing to prepare young children for reading; 2) to identify barriers to good early learning practices; and 3) to develop messages and materials to encourage parents and caregivers to spend more time preparing children for reading.

Kids Count has used the survey and focus group research to develop a grassroots campaign to increase the amount of time parents and caregivers spend preparing young children to learn to read.

Launched Feb. 21, the "Every day, Every way!" campaign will target Women, Infants and Children (WIC) program participants in

See **GUEST PERSPECTIVE** on page 20

A random telephone survey revealed extraordinarily high levels of awareness of five key factors in preparing children to learn to read but only 15 percent said the preparations should begin at age one. Yet, experts agree that preparing children to learn to read begins at birth.

GUEST PERSPECTIVE

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Kanawha, Lincoln and Putnam counties, as well as family day care providers in Braxton, Fayette, Greenbrier, McDowell, Mercer, Monroe, Nicholas, Pocahontas, Raleigh, Summers, Webster and Wyoming counties.

Parents and providers who participate in the project will be given an early literacy “toolkit.” The toolkit will include simple tips for preparing children to learn to read, as well as items to remind parents and caregivers to incorporate early literacy practices into everyday activities, like cooking, cleaning, driving and bathing children.

Following a six-month intervention, Kids Count will survey the project participants to determine whether the toolkit was an effective way to increase the amount of time parents and caregivers devote to love, talk, rhyme, read and play each day. If the project is successful, Kids Count will seek funding for a statewide campaign.

The major funders of the project are the Claude E. Worthington Benedum Foundation, the West Virginia Department of Health and

Human Resources, Toyota West Virginia, Verizon and Go-Mart. Kids Count is continuing its efforts to raise money for the implementation of the project. Approximately 5,000 parents and caregivers will receive one of the early literacy toolkits.

Kids Count has published the annual report of data on the status of West Virginia’s children since 1992. This year’s *Data Book* once again includes county profiles for each of the indicators of child-well being, along with overall state and county rankings. The county-specific data also are available online at <http://www.wvkidscountfund.org>.

Copies of the report are available for \$10 each from the West Virginia Kids Count Fund, 1031 Quarrier Street, Suite 313, Charleston, WV 25301 or by calling (304) 345-2101 or (888) 543-7268.

– *KIDS COUNT is West Virginia’s most-trusted source of information about the well-being of children and a leader in the effort to educate parents, policymakers and the public about what children need to thrive and achieve. KIDS COUNT’s members include the state’s most respected business, community and religious leaders. For more information, visit the organization’s web site, <http://www.wvkidscountfund.org> or e-mail Hale at margiehale@wvkidscountfund.org.*

Data Book highlights

The following is a summary of the child well-being data highlighted in the “2005 KIDS COUNT Data Book”:

Indicators	1990 Rate/%	2003 Rate/%	National Rate/%	% Better or Worse
% low birth-weight babies	6.9%	8.9%	7.9%	30% Worse
Infant mortality rate (per 1,000 live births)	9.1	7.8	6.9	14.6% Better
Child death rate (per 1,000 children)	31.1	24.7	21.0	20.4% Better
% eligible children served by Head Start	42.9%	74.5%	NA	73.8% Better
% children approved for free and reduced-price school meals	41.0%	52.7%	33.4%	28.6% Worse
Child abuse/neglect rate (per 1,000 children)	NA	22.5	12.4	NA
Teen birth rate (per 1,000 females 15-19)	56.5	42.7	41.7	24.5% Better
% births to unmarried teens	9.5%	9.3%	8.4%	3.0% Better
% high school dropouts	16.7%	16.6%	NA	0.4% Better
Juvenile delinquency case rate (per 1,000 youths 10-17)	32.4	32.0	NA	1.3% Better
Teen violent death rate (per 100,000 teens 15-19)	77.2	66.9	NA	13.2% Better
% births to mothers with less than a 12 th grade education	25.5%	18.7%	21.3%	26.5% Better

Panhandles should unite for more influence in Charleston

Together they are harder to ignore

By Hoppy Kercheval

Panhandles unite! It's time for West Virginia's geographic outcasts to stake their claim to their rightful power and influence.

Residents and politicians from the Northern and Eastern panhandles of our state have for years complained about their disconnect from the Charleston-centered body. Perhaps the slights are real, or maybe they're just perceived by those who find themselves on a West Virginia "island" surrounded by a sea of other states.

Consider what's happening to the panhandles during this session of the Legislature.

Most of the lawmakers from the four counties that make up the Northern Panhandle wanted the Legislature to pass a bill permitting local referendum on table games. Hancock and Ohio counties, where the two tracks are located, probably would have easily passed table games if given the chance.

But the bill died in Charleston Friday.

Lawmakers from the three counties in the tip of the Eastern Panhandle — Jefferson, Berkeley and Morgan — want locality pay. That would raise salaries for schoolteachers and state workers in those counties where the cost of living is higher.

So far this session, no movement on locality pay.

Somebody from the Northern Panhandle delegation should call somebody from the Eastern Panhandle delegation and suggest they do lunch, or at least meet in the Capitol cafeteria for coffee.

They can compare notes and find out how often the wishes of their area have been ignored by the rest of the state. Throw in a few panhandle jokes to get people riled up. Then, a delegate can rise and paraphrase Ben Franklin about hanging together or hanging separately.

If the panhandlers really wanted to shake things up they could propose creation of their own state. OK, so the panhandles are not physically connected and that could be a problem, though the Parkways Authority might be able to whip up a toll road connecting the two.

Three of the four racetracks and casinos are located in the panhandles. The Eastern Panhandle is exploding with growth and therefore tax revenue. The panhandlers could say to Charleston, "Look, it's been fun, but we've decided to keep ALL the money."

OK, perhaps a new state is a stretch, but the panhandles should be united by the fact that their interests will many times not be the same as those "down state."

Panhandle Power is born. Put it on your new license plate. It's better than "Open for Business."

"Somebody from the Northern Panhandle delegation should call somebody from the Eastern Panhandle delegation and suggest they do lunch, or at least meet in the Capitol cafeteria for coffee."

Panhandlers, God-carved rivers, man-drawn lines and the quirks of history have created you in this way. Alone, you are simple geographic appendages easily ignored, but together you are, well, harder to ignore.

Unite panhandles! Your destiny calls. And it doesn't have a southern West Virginia accent.

— Kercheval is vice president of operations for

West Virginia Metronews and host of Metronews Talkline, a statewide radio talk show. For more information, visit <http://www.wvmetronews.com>.

Future Meetings

Orientation '06

June 14-16, 2006

Stonewall Resort, Roanoke

WVSBA Fall Conference '06

Sept. 22-23, 2006

Charleston Marriott



Sound Bites

“This is the reason I introduced the bill – to give [West Virginia University] Tech an opportunity to survive on its own.” – Senate Education Committee Chairman Bob Plymale, D-Wayne, discussing a proposal he said will shore up WVU-Tech. The bill was adopted by the SEC Tuesday by voice vote, although several observers said bill proponents appeared to outnumber supporters.

“[Teacher] recruitment and retention are very important and this bill [House Bill 4625] goes a long way to addressing this [issue].” – West Virginia Education Association President Charles DeLauder, discussing House Education Committee legislation designed to address higher pay for beginning teachers.

“We’ll get who we can here.” – House Education Committee Chairman Tom Campbell’s request of names of members who would like to sponsor a popular bill. The House allows 11 sponsors, with virtually every member of the committee wanting to sponsor the measure.

“This school can’t seem to perform at the level they’re performing...” – Sen. Michael Oliverio, D-Monongalia, discussing a Senate Education Committee measure relating to physical education and how it – and other regulations – may impede a school in his area from maintaining distinction for federal No Child Left Behind Act performance.

Meanwhile in Massachusetts...

School officials apologize to parents of 6-year-old accused of sexual harassment

A 6-year-old boy in Brockton, Mass., who was suspended after being accused of sexually harassing a classmate transferred to a new school after officials apologized to his parents.

Officials at Downey Elementary School apologized at a meeting earlier this month, said the boy’s mother, Berthena Dorinvil.

“They said they learned a lesson, and they said they will go over the rules to change things,” she said.

The boy was suspended Jan. 30 for three days after school officials said he put his fingers under a female student’s waistband.

Dorinvil had called the suspension outrageous and said she couldn’t even explain the accusation to her son because of his age.

Brockton schools define sexual harassment among students, in part, as “uninvited physical contact such as touching, hugging, patting or pinching.”

School officials had refused to transfer the boy, so the parents enlisted the help of an educational advocate.

“I’m pleased that a resolution was arrived at mutually,” said Superintendent Basan N. Nembirkow.

– *From the Associated Press*

The Legislature

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