



The

Challenge

July 2002



Court decisions favor small schools

West Virginians who support small schools won court victories in two counties in June.

A Raleigh County circuit judge blocked the closing of Marsh Fork High School, concluding that the county's ten-year planning process was flawed.

The State Supreme Court halted the closure of Union Junior High in Marshall County pending an appeal of a special judge's order upholding the school's shutdown. The case before the high court is set for Sept. 4.

In a third case, also involving Marshall County and Union Junior High, Kanawha Circuit Judge Paul Zakaib has signed a show-cause petition to temporarily stop all action to close the school.

Attorney Dan Guida, who represents a citizen group in Marshall County, said Zakaib's petition would make the state school board responsible for showing proof that it followed all necessary guidelines in approving changes to the county's ten-year facilities plan,

including the provisions to close the junior high school. State board members were to appear before Zakaib in late June.

In the Raleigh County

case, Judge H. L. Kirkpatrick III said Marsh Fork residents were denied "basic fairness" because

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Howleys to speak at Challenge conference

Small schools research and placed-based education will be the topics at Challenge West Virginia's fall conference, "Our Communities, Our Schools," on Friday, September 27, from 10 a.m. to 3 p.m. in Charleston.

Nationally respected researchers Craig and Aimee Howley will lead the morning session around their work on small schools and long bus rides.



Aimee Howley

Aimee directs the school administration program at Ohio University, which includes masters and doctoral programs focusing on rural schools and communities.

Craig co-directs a research initiative about mathematics education in rural communities at Ohio University and also is associate director of the ERIC Clearinghouse on Rural Education and Small Schools.

The afternoon session will focus on place-based learning and will be led by Doris Williams, director of capacity for the Rural School and Community Trust, and Marty Newell, a professor at the University of Kentucky.

The Poca High School Show Choir will be the featured student entertainment.

Cost is \$15, which includes a lunch meal. The location will be announced in August.



Craig Howley

Are regional schools in West Virginia's future?

The concept of regional schools was one of a number of topics addressed in a series of articles on education in the Clarksburg Exponent Telegram in May.

State School Building Authority Executive Director Clacy Williams told reporter Jennifer Biller the concept of regional schools serving multiple counties in West Virginia "is a real option."

"Eventually we're going to have to stop

looking at county lines and look where kids live," Williams told Biller. "West Virginia is just so sparsely populated. It's just too difficult to continue funding all the schools."

Williams told Biller the decision to regionalize would come from the Legislature, not the SBA or the state Board of Education. But he said the SBA has studied the possibility of regional school districts.

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This 'n that from around the state

- In the face of community opposition, Monongalia County school officials are backing away from a plan to build what would be the largest elementary school in the state, according to the Dominion Post. The newspaper reports that the county had received the promise of a \$5 million grant from the School Building Authority to consolidate four existing elementaries into a school that would house 800 students in grades K-5. Parents have repeatedly expressed concerns about the size of the proposed schools and the resulting long bus rides for students.



Norman Alderman, alleges that Phares is neither a resident nor a qualified voter of Pocahontas County and thus forbidden by law to be superintendent. He said Friel, Taylor, and Vance hold other positions that make them ineligible to serve on the Board of Education. Phares says he is a legal resident of Pocahontas County although his family does live in Randolph County.

- A recent decision in Lincoln County to quit paying school bus drivers time and a half for special trips on Friday evenings and Saturdays has one board member and a number of bus drivers upset, according to a report in The Lincoln Journal. Board member Carol Smith said the decision to end a 20-year practice was made at the state level and was “uncalled for.” Previously drivers were paid time and a half to do the special runs whether or not they had worked a 40-hour week. Now they will be paid their regular pay unless the run puts them over 40 hours. State Superintendent David Stewart said each county has a different policy for paying drivers for special runs.

- A majority of citizens attending a special meeting of the Lewis County Board of Education cited athletics as a big reason an \$8 million bond failed in May by a 2,209-1,585 vote. The Lewis County High School Athletic Complex was set to gain \$1.9 million, nearly 25 percent of the total bond. But School Board member Cline Craig said voters in the Polk Creek and Alum Bridge school districts voted against the bond. The two elementary schools were set to close in favor of a new West End Elementary near Pricetown. The new school was projected to cost \$4.1 million. “Alum Bridge doesn’t want to get rid of their small school,” Craig said. “Maybe we need to re-evaluate some of our priorities.”

- A Pocahontas County resident has filed a petition seeking the removal of County School Superintendent James Phares and Board of Education members Kermit Friel, Ruth Taylor, and Kenneth Vance, according to a report in the Pocahontas Times. The petition, filed by

- The Charleston-based Education Alliance has received a \$550,000 three-year grant from Public

Education Network to help bridge the gap between communities and schools. Education Alliance director Hazel Palmer said her group found a disconnection between schools and parents as they spent months traveling across the state talking to hundreds of residents. They heard parents and students say they don’t have ties to their schools while teachers said they weren’t getting the respect they deserve.

- The West Virginia Board of Education has made sweeping changes to graduation requirements that would require high school seniors to take more classes and stay in school longer, according to a report in The Charleston Daily Mail. Beginning with the class of 2008, students who plan to go to a four-year college will have to take additional math and science classes and two years of foreign language. Schools must schedule seniors in classes for the entire instructional day rather than allowing them to leave early as they sometimes do now. The changes are the result of a report released last year showing 36 percent of all first time West Virginia college freshmen had to take remedial courses.

- “No one wants to have to close schools,” Kanawha County board member John Luoni said as he and other board members voted to close Valley Grove Elementary School beginning with the 2003-04 school year. “When they close the school, they’ll take the community away,” said Valley Grove resident Shirley Richey. “That’s the only thing we’ve got, the school.”

- The opening date for the proposed consolidated Lincoln County High School has been pushed back a full year to fall 2005, according to Superintendent Bill Grizzell.

Court cases . . .

they were not included on the committee “vested with the responsibility of researching and compiling the data ultimately expanded upon and utilized as justification for the closure of their own high school.”

“It’s not surprising that these people feel disaffected and alienated from a local board that, from all outward appearances, seems to ignore them,” Kirkpatrick said. “Equal representation is a fundamental principle of democracy.”

Attorneys for the school board were unable to identify members of the county’s Comprehensive Educational Facilities Plan (CEFP) committee or say how many people served on it, stating only that the

committee was “fluid.”

Every school district in the state was required to submit a comprehensive facilities plan in order to compete for school building funds, and the plan was supposed to reflect large-scale citizen participation.

The Raleigh County school board voted in March to close Marsh Fork on a 3-2 vote. Kirkpatrick said there was no input from residents prior to the vote.

“It stretches the imagination to believe that any of these citizens from the Marsh Fork area who have commissioned studies, compiled statistics and packed both hearing and courtroom on behalf of Marsh Fork High School, would fail to seize the opportunity to serve on a

CEFP committee if invited to do so,” Kirkpatrick said.

He said if the CEFP had been properly constituted and operated in the manner intended, the facilities plan would be very different than the one submitted to the state.

“Deficiencies in the underlying composition of committees render the entire work product suspect,” Kirkpatrick said in his ruling. “To gloss over the flawed establishment of the underlying planning team and committees . . . is to deny these residents basic fairness.”

Kirkpatrick’s conclusions support those reached by Challenge WV, a statewide school reform group. Challenge conducted surveys and research into the state facilities planning process and discovered a process that discouraged, rather than encouraged, citizen participation.

“Basically we found that the CEFP committees at best didn’t listen to those who support small schools,” said Challenge

coordinator Linda Martin. “In the worst cases, people were denied access to information, bullied by architects and school planners and ignored when they did manage to state differing opinions.

“Judge Kirkpatrick’s opinion is so significant because it confirms what ordinary people told us about the facilities planning process – it wasn’t fair, it wasn’t democratic and the facilities plans that were developed didn’t belong to them.”

Earlier this year Fayette County Circuit Judge John Hatcher stopped the closing of four schools after ruling that the county school board violated the state’s open meeting laws by voting without public comment. He said the board committed “an egregious affront to the principles of democracy” when it held closure hearing for 12 schools on one day.

Attorney Barry Bruce represented citizens in both the Fayette and Raleigh County cases.

Regionalization. . .

“We have looked at population pockets and where the students live and drawn some imaginary lines,” he said.

The system would function with 23 regional school organizations instead of 55 county school boards, according to Williams.

Taylor County Superintendent Jane Reynolds expressed opposition to regionalization, telling Biller it would create large schools with limited local input.

“The larger the school systems become, the less local ties there are,” she

said. “The more we lose local control, the less input people have about the decision at the school and what their child is learning. After regionalizing, what’s next, state control?”

Challenge WV’s Linda Martin also told Biller regional schools would be a mistake.

“The best decisions are made at a local level,” she said. “The farther removed the decision-makers are from students’ lives, the worse those decisions are. People forget the schools belong to us. We pay for them and should be involved in the decisions.”

Sen. Byrd: ‘small is best’

Delivering a commencement address to the three graduates of Pickens High School, U.S. Senator Robert Byrd said, “Small is not only better, it is best,” according to a report in the *Hur Herald*.

Byrd said principal Jim Biggs has “secured a non-threatening environment, the basis for good education

skills, which is just what America wants, no watered down, feel-good system.”

Byrd said you won’t find metal detectors, security cameras, weapons, kids using drugs, nasty graffiti and violence in schools like Pickens. The smallest school in the state, Pickens has faced repeated threats of closure.

The Challenge

The Challenge is published monthly by Challenge West Virginia, a statewide organization committed to maintaining and improving small community schools.

Challenge West Virginia's goal is to reform education in West Virginia so that citizens have a voice in policy decisions and every child has the opportunity to receive a first-class education and the promise of a bright future.



Challenge West Virginia

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