



The

Challenge



June 2003

Lincoln BOE votes to sue State BOE

Forced school consolidation is at the heart of the dispute

The Lincoln County Board of Education has voted four-to-zero - with one member absent - to sue the West Virginia Board of Education in an attempt to stop the state's plan to consolidate all of the county's high schools into one.

The move comes within a month of a separate, unanimous vote of the Lincoln BOE to scrap the county's Comprehensive Educational Facilities Plan and begin the 10-year planning process again.

Shortly after the Lincoln Board's vote, the State Board voted to approve the plan promulgated by State Board appointee William "Bill" Grizzell.

After the State BOE's vote, Board President Howard Persinger, of Williamson, offered the small school supporters in attendance a sort of apology.

Persinger said, "I'm sorry we weren't able to do what you wanted us to do; but this was democracy in action."

The Grizzell plan calls

for Hamlin, Duval and Guyan Valley high schools and the Chuck E. Yeager Career Center to be consolidated into one \$30 million plus school located near Hamlin. Students in the Harts area would have an option of attending either the new high school, or crossing into Logan County to attend Chapmanville High School. The Logan County Board of Education is currently seeking funding for a new high school for Chapmanville in the \$20 million range.

Logan County's plan was dealt a blow by voters in February of this year when a bond proposal, which included \$5.5 million for the school, was defeated by the electorate.

The board's position is that their authority is being usurped by the state board's unconstitutional seizure of the county's school system in 2000.

The board believes that it should be able to use \$30 million in money from the W.Va. School Building Authority to renovate the county's schools instead of

consolidating and building the proposed new high school.

If they can't use the money in the way they wish, they will return it to the SBA, the board members said.

The vote to sue presents the Lincoln County Board members with a quandary.

Under present conditions, with the State in control, the local board is not allowed to spend any money. All expenditures must be approved by Grizzell and then approved by the State Board.

Grizzell has recently called the Lincoln Board's apparent rebellion "meaningless" and he says the Board's actions are merely "ploys" to stall for time.

Grizzell calls his actions a "reorganization" of the school system instead of school "clo-

tures."

In the meantime, the WV Division of Highways has awarded a \$105,773 contract to a Charleston area company to erect a temporary bridge to allow access to the proposed super high school site.

In a separate lawsuit, Alumn Creek attorney Betty Gregory filed the suit on behalf of a number of Lincoln County High School Students and their parents, asking the court to stop the consolidation plan. It now appears that the Lincoln County Board members could join as plaintiffs in the pending lawsuit, raise funds to file a separate lawsuit or find a sympathetic attorney who will take the case for no charge or for a reduced fee.

The Lincoln BOE has not announced its planned course of action.

Plan to attend
**Challenge West Virginia's
Annual Fall Conference**
October 10, 2003, at 10 a.m.
Marshall University

This 'n that from around the state

• By a vote of three-to-two, the Kanawha County Board of Education has decided to stop airing their meetings on local cable television channels. Two of the Board's more vocal members, Pete Thaw and John Luoni, cast the dissenting votes. In an interview with the Charleston Daily Mail, Board Member Becky Jordan alleged that Kanawha County residents actually complained about the meetings on TV. Critics say the move helps the Board cast a shadow of secrecy over its activities.



• Also in Kanawha County, the Board of Education will ask the West Virginia School Building Authority to fund construction of a new middle school at Sissonville. The Sissonville school supporters say their current school is in severe disrepair. They also say the school is hopelessly infested with rodents, roaches and a variety of other pests. At least 50 Sissonville residents turned-out for a recent BOE meeting in support of the proposal.

• In Putnam County, students at Conner Street Elementary School, in Hurricane, decided to take things into their own hands when they were informed that the county could not afford to buy them new playground equipment. The students, so far, have raised at least \$12,000 all on their own by selling poinsettias, having fund-raising contests, recycling aluminum cans and donating money the children had saved themselves. Some of the money was raised by having "Lock-up Days," when the school's principal would wear handcuffs for one minute for each dollar donated by the students on that particular day. The students need a total of \$35,000 to buy the equipment. Anyone interested in helping can contact the school by writing to Conner Street Elementary School, 445 Conner Street, Hurricane, WV 25526, or phoning (304) 562-9351.

• In June, officials with the West Virginia Department of Education announced that students' reading scores on a national standardized exam have increased significantly from 1998 to today. But, the number of students whose scores were excluded from the testing pool also increased. A total of 10 percent of the student test-takers' scores were excluded from the pool for the most recent exam, an increase of two percent over the 1998 exclusion number. State officials say the increased number of exclusions was caused by an increased number of students in special education programs across the state.

• Citizen activists in Raleigh County have added Dr. David Stewart, State Superintendent of Schools, as a defendant in a lawsuit they originally filed against the Raleigh County Board of Education. The suit was originally filed in Raleigh County Circuit Court, but was dismissed on the plaintiffs' motion and re-filed in Kanawha County Circuit Court adding Stewart as a defendant. State law provides that state agencies can only be sued in Kanawha County Circuit Court. The plaintiffs, Citizens for Preserving

Marsh Fork and Clear Fork Communities, seek a Writ of Mandamus to prevent the closure of Marsh Fork High School. A Writ of Mandamus is a court order, which requires a public official to perform a mandatory duty under the law. The plaintiffs say that Stewart failed to insure that the Raleigh County Board of Education complied with all relevant laws and rules when deciding upon the school's closure. The plaintiff's successfully defended a motion to dismiss during an early-June hearing. Challenge West Virginia Fellow Lorelei Scarbro is a leading member of the plaintiff group. Attorney Barry Bruce represents the citizens.

• A committee has been formed to study the issue of compensation of the members of the West Virginia Board of Education. State BOE members Shelia Hamilton, Lloyd Jackson, Ron Spencer and Delores Cook were appointed to the committee along with "citizen members" attorney Charlotte Lane, a member of the West Virginia Public Service Commission; Forest Bowman, a West Virginia University law professor and Martha Wehrle, a former legislator from Kanawha County. The committee was formed in response to public outcry when a Charleston Gazette investigation revealed that State BOE members were charging the state for reading e-mails, giving press interviews, preparing for meetings and other such seemingly trivial activities.

• In Mingo County, Charles "Butch" West, the Mayor of the City of Williamson is opposing the closing of Williamson High School in favor of a consolidated school in another part of the county. West says "I will chain myself to the door [of Williamson High School]. They'll have to bring their bolt cutters. I will be arrested by my own police department." West vows that he will send his children to Belfry High School, across the border West Virginia border with Kentucky, before he sends them to the remotely located school between the communities of Varney and Red Jacket. "It will make it impossible for the kids to take part in any advanced classes or extracurricular activities because they will spend all their time on a bus," said West.

Kids Count study compares WV kids to others

The Annie E. Casey Foundation has released its annual "KIDS COUNT Data Book," which analyzes child well-being in all fifty states.

According to this year's edition, West Virginia has improved in several categories. However, the state still lags behind most other states.

West Virginia comes in as 44th best state for child welfare in the United States.

The only states worse off than West Virginia, according to the study, were Arizona, New Mexico, Arkansas, Alabama, Louisiana and Mississippi.

The top five states, in descending order are Minnesota, New Hampshire, Utah, New Jersey and Iowa.

The study uses ten "indicators" to gauge child welfare in America. This year, West Virginia improved in seven of the ten and worsened in three areas.

According to the report, West Virginia's infant mortality rate is falling, fewer teenagers are dying and fewer students are dropping-out of school.

In some very needed good news, the study found that the number of West Virginia kids who are covered by health insurance is higher than the national average.

Some of the other facts about West Virginia, which are contained in the report include:

- 32 percent of West Virginia's children live with a parent who is not employed full-time and/or year-round.

- In 1990, 26 percent of West Virginia's children lived in poverty. In 1999, the percentage had dropped to 24.

- In 2000, 10 percent of West Virginia's kids lived in extreme poverty, which is defined as an annual household income

of less than \$8,265.

- In 2000, 13 percent of West Virginia teenagers were neither enrolled in school nor employed. The national average is eight percent. Although the state has improved in this category, it still ranks last in the nation.

- The median annual income for West Virginia families with children was only \$34,700 in 2000, while the national median annual income was \$50,000. The state ranked last in this category also.

- In 2000, 38 percent of the state's families were headed by women who were receiving child support or alimony. The national average was 36 percent.

- Only four percent of West Virginia's children lived in families without a motor vehicle, while the national average was seven percent.

The KIDS COUNT Data Book can be viewed

on the Internet at www.aecf.org.

Copies of the Data Book can be obtained by calling (304) 345-2101 or (888) 543-7268 (toll-free).

The Annie E. Casey Foundation is a private charitable foundation, which has the mission to assist disadvantaged children and families across the country. The Foundation was established in 1948 by Jim Casey and his siblings. The foundation was named in honor of their mother, Annie. Jim Casey was one of the founders of the United Parcel Service.

More information on the local KIDS COUNT chapter can be obtained by writing to WV KIDS COUNT Fund, 1031 Quarrier Street, Atlas Bldg. Suite 313, Charleston, WV 25301, or call (304) 345-2101. The Internet address is www.wvkidscount-fund.org.

State names 20 'Schools of Excellence' for 2003

The West Virginia Department of Education has announced the state's "Schools of Excellence" for this year.

A total of 20 schools were named in this year's selection process.

Each year, the State Department of Education selects a group of schools to be designated "Schools of Excellence." Selection is based on several criteria, including the implementa-

tion of a challenging curriculum, a safe and drug-free learning environment, participatory leadership, active teaching and learning, an environment that strengthens teacher skills, documented student achievement and implementing advanced and innovative programs.

This year's list includes Hollywood Elementary, Raleigh County; Culloden Elementary,

Cabell County; North Berkeley Elementary, Morgan County; C.W. Shipley Elementary, Jefferson County; Pleasant View Elementary, Morgan County; Petersburg Elementary, Grant County; Union Elementary, Upshur County; Wayne Elementary, Wayne County; Prichard Elementary, Wayne County; Mullens Elementary, Wyoming County; Bluewell Elemen-

tary, Mercer County; Moorefield Middle, Hardy County; Martinsburg North Middle, Berkeley County; Gore Middle, Harrison County; Doddridge Middle, Doddridge County; Bluefield High, Mercer County; Shady Spring High, Raleigh County; George Washington High, Kanawha County; Hedgesville High, Berkeley County; Magnolia High, Wetzel County.

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

A program of Covenant House, Charleston, WV

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