



The Challenge



June 2005

Follow the money, retired state super Stewart gets architectural job



Just retired state schools Superintendent David Stewart has a new job at a Charleston architectural firm ZMM.

The same firm to which he and the WV School Building Authority issued contracts,

including Lincoln County's new \$30 million plus school at Hamlin.

ZMM Architects said Stewart will help with efforts to secure business with West Virginia colleges and universities and help plan, design and finance public

school projects.

ZMM has also designed a \$23 million dollar renovation project at St. Albans High School and has ongoing projects in Harrison, Greenbrier, Fayette, Nicholas and Wayne counties.

The new Lincoln County school has been described as the most expensive school ever built in America for the number of projected students, including the costs of access, land and other related costs.

"Stewart's hire with this firm only validates the dynamic behind wholesale school consolidation in West Virginia," said Lincoln school board president Carol Smith. "Follow the money and

you'll find the answers."

Smith said that Stewart, prior to his departure, did admit there are serious flaws in her county's consolidation plan, put forth by state officials.

The new Lincoln consolidated school, closing Harts, Duval, Guyan Valley and Hamlin schools, has been the subject of controversy since the state board took over the school system in 2000, particularly since it created long bus rides of one-and one-half hour each way, even more time for some students in the southern part of the county.

Lincoln school board members claim the take-over was driven by the county's See **Stewart...** on Page 3.

Ramey speaks passionately to state officials "Lincoln plan is botched democracy, political arrogance"



Parents at packed Hart's High School cafeteria hear state's plan for closure and re-configuration.

It's been a roughshod battle over mandated school consolidations in West Virginia.

Lincoln County small schools activist and Challenge WV fellow Thomas Ramey challenged state school officials of conducting illegal closure meetings in his county.

"There surely must be a day of reckoning for educational bureaucrats, but it most certainly is not through a democratic process," he told officials.



Lincoln board president Carol Smith tells TV news that county board members must sign-up to speak at state's hearing.

Ramey made the assertion to Assistant State Superintendent of Schools Dr. Pam Cain, during a Lincoln County schools closure hearing, that he thought the presence of one state board member was illegal. Cain said she was following the advice of their attorney.

Ramey responded by asking "Is that the same attorney that advised you how to hire your new superintendent?"

The State Board has been advised that their hiring of new superintendent Steve



Harts resident looks at Harts High trophy case, recalling the ill-fated school went to the regional basketball championship last year.

Paine was illegal, violating the state's open meetings law. They have been told they must not only vote again, but they must also deliberate again on their choice.

The State Board failed to provide proper notice for strategic planning meetings on May 24 this year and September 27, 2004. One day before the board stripped the Mingo County school system of its accreditation and declared a

See **Ramey speaks...** on Page 3.

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Coal baron Harless funds suit to use Mingo strip site for consolidated school

Mingo County is still dead-center in one of the states biggest school consolidation fights.

Coal and timber baron Buck Harless and former state Board of Education President Howard Persinger has filed a new civil suit against Mingo County board members and citizens they claim are holding up the construction of a consolidated high school on land a coal company says they are donating to the project.

The proposed school on Red Jacket mountain is on a 60-acre site currently being extracted by a coal company, the property yet to be deeded to Mingo County.

Pro-consolidation citizens claim that the board's failure to move ahead with the closure of Burch, Matewan and Williamson high schools and build the

new school, currently ten miles from the nearest paved road, will put an irreparable damper on the project.

Board president Bill Duty asked "Would you build a house on property that you do not have a deed?" Duty said he has tried to look out for the public interests, prevent long bus rides and maintain community schools.

The newest petition names the state school board, the Mingo County school board and county board members William Duty, Mitchell Chapman and Michael Carter. A date has yet to be set for the latest case, which will be heard in Kanawha County.

In the affray, board member Mike Carter has already run up \$16,000 in personal legal fees defending himself in an ethics complaint issued by fellow board

member Dr. James Endicott. The ethics commission cleared Carter of wrongdoing.

Last month Kanawha County Circuit Judge Paul Zakaib supported consolidation opponents in a related lawsuit challenging the construction of a new Mingo high school, following the state's takeover of the county school system.

The State Supreme Court then refused to hear an appeal by state officials to hear the case.

Charleston attorney Jim Lees says "We are still on track to get to the heart and soul of the case, and that is the state school board's ability to send duly elected officials notice they cannot perform the duty of their elected office."

A hearing in that case is scheduled for August 15.

Hampshire group seeking to oust education officials, never-ending Mezz mess

Story (4) Headline --- Hampshire group seeking to oust education officials, never-ending Mezz mess

There have been further delays on a petition seeking to remove Hampshire County School Board Superintendent David Friend and two school board members from office.

The petition, filed by attorney Chris Davis on behalf of a Hampshire citizens group, alleges inappropriate hiring practices and misuse of grant funds.

A three-judge panel denied in part a motion to have the petition against Friend dismissed.

The suit was filed by the Citizens for Quality Education in Hampshire County.

Friend's attorneys argued that a public officer may not be removed from office for acts he may have committed during a

previous term of office. They said Friend could not be held accountable for anything before July 1st, 2004, when he began his second term of office.

The panel declined to accept their interpretation.

The petition also seeks to remove board members Brenda Pyles and Helen Heatwole from office. A third member, Cindy Smith, has already resigned.

The case is the result of fall-out related to the activities of former Hampshire delegate and House Finance Chairman Jerry Mezzatesta, widely supported by school administrators and board members. Mezzatesta was employed as a grant writer by the board. He was defeated in his bid for re-election, after he allegedly obtained education funds which he distributed to local fire departments, among other infractions.

New light shining on community schools?

Has Hart's High School been saved? The answer is likely, or maybe.

Lincoln County school board members and other administrative officials have met with Gov. Joe Manchin and new state school superintendent Steve Paine, among other officials.

Lincoln board president Carol Smith said "There seems to be a new light shining on the side of community schools," describing the recent meeting as a breath of fresh air.

"The Governor knows what is going

on. He made it absolutely clear that he intends to save Harts High School. He is in favor of small community schools," she said.

Smith said former state superintendent of schools Dave Stewart said state officials made some miscalculations regarding Lincoln school consolidation, including trying to crowd 1,100 students into the new consolidated school at Hamlin.

Southern Lincoln County parents are upset that the state plan calls for funding a new consolidated school in Logan

County at Chapmanville, which would "require" Lincoln students to attend.

Ramey said the meeting was the most productive he has attended for Lincoln County, "Although it could all change tomorrow."

Among those attending, new state school superintendent Steve Paine, Gov. Joe Manchin, first lady Gayle Manchin, distance learning specialist Nancy Stern, Department of Education Policy director Jay Cole and assistant school superintendent Jack McClanahan.

Stewart

Continued from page 1.

failure to go along with the state's consolidation plan.

"That's not to say that Lincoln's school system didn't have problems, not unlike more than half of all the counties in the state," said Smith.

Stewart was a leader in the consolidation movement, overseeing the closure of

hundreds of community-based schools in the state, claiming that curriculum will be improved and the schools can be operated more efficiently, producing better results.

State officials have quit claiming consolidation will save money.

Lincoln community school activist and Challenge WV fellow Thomas Ramey said "I'm hopeful people in West Virginia who care about children's education take note of Stewart's new job."

Challenge WV coordinator Linda Martin said, "Dr. Stewart will unfortunately join the ranks of other leaders who have graced the state's educational system. The list is getting longer."

"But, it may not be business as usual," she said. "Things are changing," referring to Gov. Joe Manchin's commitment to stop long bus rides and slow down school consolidation. "Then, there is a bright light with some new leadership."

Ramey speaks

Continued from page 1.

state of emergency, they failed to post the meeting.

Later, state officials decided Ramey was right, and new closure hearings have been scheduled. Lincoln school board president Carol Martin says they are now being held during the work-day, not allowing parents to attend.

William Grizzell, the state appointed superintendent of Lincoln County schools, also failed to legally publish some of the local closure hearings now going on. Grizzell said it was an error.

Ramey says the Lincoln consolidation plan is botched, and could plunge the county school system into bankruptcy.

Lincoln citizens still have issues pending in the court system.

Lincoln board president Carol Smith said State Superintendent of Schools Dave Stewart has acknowledged the plan is flawed.

The Lincoln consolidation battle, while it involves nine community schools, has mostly been over the construction of a \$32 million consolidated high school at Hamlin, creating long bus rides of up to one-and-one half hours each way for some students in the southern part of the county.

The final chapter, at least as far as the state is concerned, appeared to be coming to a close during illegal "re-configuration hearings" conducted by Cain.

Most Lincoln County residents believe the research that says children do better in community-based, smaller schools.



Ramey long-time community activist and member of Challenge WV, spoke solemnly to state officials at the closure hearings.

"This evening, after years engaged in this fight, I speak directly to the educational bureaucracy of the State of West Virginia.

It is botched democracy when non-elected officials use their bloody ham-

mer on elected school board members, parents, children and the taxpayers of Lincoln County.

It is political and intellectual arrogance to run over us, with such cock-sure power, saying we are incapable of knowing what is best for our children.

There surely must be a day of reckoning for educational bureaucrats, but it most certainly is not through a democratic process.

Even our elected school board members have been required to sign up to speak at your hearings. What a travesty.

A man who spoke at last night's meeting said "We will deal with you at the ballot box."

He was wrong. We can't vote you out of your position. You just keep on going, steam rolling our beliefs and values, smiling at us during your public meetings.

It is wrecker-ball politics at its worst, your educational machine with its hundreds of highly paid administrators, holding meetings like this where the decisions have already been made before you darken our doorway.

Our message is simple. Education belongs in small communities, not in multi-million dollar cookie-cutter schools with kids on school buses hours each day. We are opposed to taxation without representation, we want a say about our kid's education.

Sitting here today, you can only imagine the futility we feel.

Sadly, you don't care - piously denying what most Americans who attended civics class knows.

I can assure you as a person who loves my community, my school and my neighbors, as a citizen and taxpayer of Lincoln County and as a member of Challenge WV, win or lose this Goliath battle in Lincoln County, the "David's" will return day after day, year after year, until you hear our message."

"The state has spent \$1 billion on bricks and mortar, closing 300 community schools. Bricks and mortar have little to do with the building blocks of a child's education," said Craig Manns,



representing Challenge WV from Logan County. Manns asked state officials to come up with "real" numbers about long bus rides.

Linda Martin, coordinator of Challenge WV, told state officials "This was a bad plan from the beginning (Lincoln), outrageous and undemocratic." Here you have created more problems than solutions. It has taken the heart out of a community," she said.

Lindsey Manns of Harts told officials "It has now become taxation without representation," saying, "it is a high-handed takeover, ignoring constitutionally elected officials."



Danny Cook (pictured right) led 200 Harts parents in a prayer for elected officials. "We pray for our officials to put our kids first," he said. "Our kids have been sold out."

Darren Hatfield challenged state-appointed Superintendent Grizzell for receiving a \$94,000 salary, subsidized by Charleston, referring to an ever-expanding number of state educational administrators.

"How can poor people get the gas money to get our kids to schools that are so far away. They'll never participate in sports or band or after-school activities," said Flo Carr.



School board member Billy Frye expressed her frustration for voting on the county plan that moved consolidation ahead. Frye pointed toward the secretary of Lincoln's school chief, saying it was her intimidation that caused her to vote for a consolidation plan.

"She said I thought if I didn't vote for the plan, the state would take over the county," which it did anyway.

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 the Mountain State 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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