



**Office of Education  
Performance Audits**

**EDUCATION PERFORMANCE AUDIT REPORT**

**FOR**

**HAMPSHIRE COUNTY SCHOOL SYSTEM**

**APRIL 2009**

**WEST VIRGINIA BOARD OF EDUCATION**

## INTRODUCTION

- The Office of Education Performance Audits (OEPA) conducted an unannounced on-site review of the Hampshire County School District January 18 – 21, 2005. The Board reviewed the OEPA report at its February 9, 2005 meeting and declared that extraordinary circumstances existed and issued the county Nonapproval status.
- According to W.Va. Code §18-2E-5 the State Board appointed an Improvement Consultant Team (ICT) to make recommendations for correcting the emergency and gave the county six (6) months to correct the deficiencies in the OEPA report.
- The Office of Education Performance Audits (OEPA) returned to Hampshire County December 5 – 9, 2005, as directed by the West Virginia Board of Education, to conduct a full county audit and review the county's progress in responding to the Improvement Consultant Team's recommendations. Based on the OEPA's report, the West Virginia Board of Education continued the Nonapproval status of Hampshire County Schools and intervened in the operation of the school system to cause improvements to be made. The State Board further declared the position of county superintendent vacant and the Board also limited the authority of the Hampshire County Board of Education in the areas of personnel and finance until such time that all deficiencies are resolved and the system is providing a thorough and efficient educational program.
- A Follow-up Education Performance Audit Team returned to the Hampshire County School System January 22 – 26, 2007 to determine if the school district had resolved the personnel and financial issues and the deficiencies in the OEPA report had been corrected. The Team reported that Hampshire County School District had made substantial progress and improvement in alleviating most of the original deficiencies and the county was upgraded from Nonapproval to Conditional Approval status. The process was begun to return control to the Hampshire County Board of Education.
- An Education Performance Audit Team returned to Hampshire County March 4 and 5, 2009 to assess that the county school system had resolved all deficiencies and was providing a thorough and efficient educational system.

## EDUCATION PERFORMANCE AUDIT TEAM

Office of Education Performance Audits Team Chair – Dr. Donna Davis, Deputy Director

### TEAM MEMBERS

<b>Name</b>	<b>Title</b>	<b>School/County</b>
Allen Brock	Coordinator	Office of Education Performance Audits
J. P. Mowery	Treasurer	Pendleton County
Delores Ranson	Retired Assistant Superintendent	Jackson County
Carroll Staats	Board of Education Member	Jackson County

## OVERVIEW

During this Education Performance Audit, the Office of Education Performance Audit Team specifically examined the unresolved issues (finance and personnel) from the March 2007 Hampshire County Report. The Team also reexamined the original issues that led to the State intervention to verify long-term sustainability of those issues. The issues reexamined included:

1. Regulatory Agency Reviews
  - Special Education
  - Finance
2. Personnel
  - Hiring
  - Licensure
  - Teacher and Principal Mentorship
3. Policy Implementation
4. Leadership

The following report is drawn from the careful review of documents, personnel interviews, and Education Performance Audit Team observations.

## EDUCATION PERFORMANCE AUDIT

**7.4.1. Regulatory agency reviews. Determine during on-site reviews and include in reports whether required reviews and inspections have been conducted by the appropriate agencies, including, but not limited to, the State Fire Marshal, the Health Department, the School Building Authority of West Virginia, and the responsible divisions within the West Virginia Department of Education, and whether noted deficiencies have been or are in the process of being corrected. The Office of Education Performance Audits may not conduct a duplicate review or inspection nor mandate more stringent compliance measures. (W.Va. Code §§18-9B-9, 10, 11, 18-4-10, and 18-5A-5; Policy 1224.1; Policy 8100; W.Va. Code §18-5-9; Policy 6200; Section 504, Rehabilitation Act of 1973 §104.22 and §104.23; Policy 4334; Policy 4336)**

### **Special Education.**

- Medicaid. An interview with the Business Manager/Treasurer and the Special Education secretary indicated that the RESA VIII Medicaid Specialist conducted quarterly reviews of the billing and Medicaid reimbursement.
- Migrant Grant. An interview with the Business Manager/Treasurer and the Superintendent indicated they were not sure of the current status regarding this

issue. An additional follow-up interview with the Special Education Director indicated she sent a letter to the agent asking for an update, but none had been received. The county has pursued this issue to the extent possible.

- Special Education Budget. The FY09 budget aligned with the local education agency (LEA) approval.
- Review of Special Education Budget. An interview with Business Manager/Treasurer indicated that special education funds were being reviewed at least monthly.

### **Finance.**

- Budget transfers were being made appropriately.
- Purchase orders were issued timely.
- The Principals' Salary Scale was reviewed. Principals were being paid in accordance with Supplemental Salary Scales and Principals' Index.
- Capital Assets were recorded and maintained on the West Virginia Education Information System (WVEIS).
- Individual school audits for June 30, 2007 had been completed. Findings were noted on several of the FY07 individual school audits. None was determined to be major findings. The Treasurer reviews with Management with regard to corrective action necessary. It was noted that the Treasurer conducts the audits. The Team recommended that the Treasurer explore the feasibility of having an independent auditing firm conduct the audits.
- Individual school audits, for June 20, 2008 had been started, but had not been completed. The school audit process appeared to be working efficiently. The county Treasurer completes audits and has an audit plan for each audit completed. The Treasurer has until June 30, 2009 to complete the audits and appeared to be on track to complete them by that date.
- The June 30, 2008 county audit had been completed with two findings for FY08. Only one finding was repeated from FY07 – child nutrition snack and beverage contract was not competitively bid. The bid process was currently being started.
- Management letter comments regarding the audit appeared reasonable.
- The county no longer had two CSBO/Treasurers.
- Romney Middle School added additional ticket takers to deal with the issue. Tickets were being issued and collected by different persons at different locations.

**7.6.1. Hiring. County boards follow hiring practices set forth in W.Va. Code. (W.Va. Code §§18A-4-7a, 18A-4-8, and 18-2E-3a)**

- **Hiring.** The Team randomly reviewed job postings and applicant pool for jobs posted for the 2008-2009 school year for teachers, student support personnel, extracurricular personnel, and service personnel. Professional postings reviewed included: P09-207-56 (Special Education Teacher); P09-501-64 (Special Education); P09-402-12 (English); P09-501-48 (English); P09-201-02 (Kindergarten); P09 206-58 (Grade 4); and P09-501-55 (English).

Hiring practices for both professional and service personnel were being followed. The county was using the first set of factors found in W. Va. Code §18A-4-7a to determine the most qualified candidates, when all applicants are “new.” This set of factors was also used if regular employees apply and do not meet the standards of the posting (are not certified). The second set of factors in W. Va. Code §18A-4-7a is used when one or more regular employees apply for the position and meet the standards of the posting.

A separate file was being retained for all postings. The file was identified by the posting number which included the fiscal year, school number, and posting number. The file included the posting, applications, completed matrix, interview questions (if new applicants), and relevant correspondence, such as, a copy of e-mails to candidates and principals scheduling the interviews.

The Team reviewed two postings (#48 and #56) in which the most senior applicant was not selected for the position as he/she did not meet the standards of the posting. In this case, the first set of factors was used and seniority was not a criterion. Regardless, neither asked for a written statement of reasons as to why they were not selected.

Meeting minutes of the Hampshire County Board of Education (HCBE) reflected the hiring of teachers on out-of-field authorizations. This year (2008-2009) the county had 11 individuals teaching on out-of-field authorizations.

Positions which were vacant were being continuously posted (Postings #P09-401-66, special education; #P09-001-19 and P09-501-71). All professional positions were being posted at all school locations, on the county website, and on the West Virginia Board of Education K-12 Job Bank. Vacancies were also being placed on the HCBE personnel hotline.

- **Transfers.** Two professional employees (classroom teachers) were transferred to Technology Integration Specialists positions after five days prior to the beginning of the instructional term. According to school law, a letter was provided to Dr. Steven Paine, State Superintendent of Schools, reporting the transfers. At least four teachers applied for and received approval for transfers which will take place at the

beginning of next school year (2009-2010). Substitute teachers have been placed in the vacant position until the end of the school year.

- **Interviews.** An e-mail to the candidate, concerning the interview, included information concerning the interview such as place of interview, who will be participating in the interview (such as principal, director, superintendent, faculty senate chairperson, etc.), and what the candidate should bring with them to the interview (such as completed employment application (available on county website), official transcript, two letters of references, etc.).

The county has a “Bank” of interview questions which were used when interviewing applicants. Some of the questions were asked of all candidates. Other questions were pulled from the bank to be relevant to the position for which the individual applied. Questions were updated, as needed. For example, questions were being added to the “Bank” to help determine the knowledge and skills of candidates concerning 21<sup>st</sup> Century Learning.

At the superintendent’s request each school identified an interview team for its respective school. The school principal and at least one member from the school interview team were included on the interview committee. The three principals interviewed were pleased with the new process. Committee members also included an appropriate county office director/administrator, as well as, the superintendent, when possible.

- **Recruitment.** In an effort to recruit teachers, the county personnel director or designee attends the Frostburg State Teacher Fair. The county personnel director makes a presentation each year to senior students at Hampshire Senior High School and encourages them to select education as their career choice. The county also holds a reception for area college students during the December break who are interested in becoming teachers. Additionally, interested individuals can subscribe to the county’s webpage, “Notify Me”. Once the individual has registered, he/she will receive a notice (via e-mail) of the county’s postings. Approximately 150 individuals have registered to receive notification of posted vacancies.
- **Long-term substitute.** There appeared to be some confusion concerning the definition of a “long-term” substitute teacher. It appeared that Hampshire County was following its policy as it relates to long-term substitutes (3120.04 C), which appeared to be based upon State Board Policy 5202. In Policy 5202, the definition of long-term substitute is “A licensed educator who temporarily replaces, for more than 30 consecutive instructional days, the person assigned to an educator position.” The county policy does not appear to include W. Va. Code §18A-1-1 (l.) in its definition of “long-term substitute teacher.”

W. Va. Code §18A-1-1 (l), states that “Long-term substitute” means a substitute employee who fills a vacant position:

- (1) That the county superintendent expects to extend for at least ninety consecutive days, and is either:
  - (A) Listed on the job posting as a long term substitute position for over ninety days; or
  - (B) Listed in a job posting as a regular, full-time position and:
    - (i) Is not filled by a regular, full-time employee; and
    - (ii) Is filled by a substitute employee.

For the purposes of . . . §5-16-2 . . . long-term substitute does not include a retired employee hired to fill the vacant position. (Note: §5-16-2 provides PEIA benefits (health insurance and life insurance) to the “long-term substitute.”

This law became effective June 8, 2007.

Note: Unlike substitute service personnel, who are hired into a position as per §18A-4-15, long-term substitute teachers are not eligible for retirement benefits.

W.Va. Code §18A-4-7a (l) requires that teachers hired into posted positions after five days prior to the instructional term are unable to fill the positions until next school year, as a result the vacancy is filled with a substitute for the remainder of the year. At that time, if the school calendar has 90 or more days remaining, it would appear that the superintendent would expect this vacancy to be more than 90 consecutive days and the substitute filling the position would be considered a “long-term substitute” teacher as defined in §18A-1-1 (l). The definition also includes any posted long-term (90 days) substitute teacher position (Example: teacher on leave of absence to extend 90 or more consecutive days). Hampshire County did not identify any substitutes in positions that are defined as “long-term substitute” as per §18A-1-1 (l).

As per the county’s policy, 3120.04, the county did identify substitutes in positions that extended for more than 30 days to verify that the substitutes were certified for the assignment or held a waiver from the State Superintendent of Schools.

- **New Hiring System.** Hampshire County indicated plans to implement a new program “Search Soft” to use in hiring professional personnel in the near future. The program is offered through RESA VIII.



## Service Professional.

- **Hiring.** The Team reviewed several service personnel postings that included: S09-402-41, S09-001-66, S09-001-67, and S09-001-69. The separate files kept on service personnel postings and the pool of applicants were well organized and it was easy to identify the most qualified candidate for the posted position. The personnel director kept a form that listed each candidate, classification, evaluation of past services, and seniority. The candidates were listed in a prioritized manner as listed in W. Va. Code §18A-4-8b with first priority given to the employee within classification, second priority to the regular employee working outside the classification, third priority to individual on preferred recall list, etc. According to school law, a letter is sent to each applicant not selected for employment concerning the status of his/her application.
- **Postings.** As required by school law, all postings were posted in conspicuous places for all school service personnel to observe. The postings included the employment term, salary pay grade, and range of salary. Job descriptions were attached to the postings. Where needed, job descriptions had been revised (job description for cook) to list in its qualification the successful passage of the state competency test. Postings were also posted on the county's website and placed on the county's personnel hotline.
- **Interview.** When hiring new substitute service personnel, the appropriate director was given the opportunity to be a member of the interview committee. Example: The director of special education was on the interview committee for substitute aides who will work in special education. The director of transportation was on the interview committee for substitute bus operators.
- **Extra-duty assignments.** Work which meets the definition of extra-duty was being assigned to regular employees, within classification, by seniority on a rotating basis.
- **Positions filled with substitutes per §18A-4-15.** It appeared that the county requests that the Board approve a leave of absence for all service personnel who are or will be absent for 30 or more days due to an on-the-job injury and receiving workers' compensation. The employee may write a letter requesting the leave of absence or the county will accept a doctor's statement. The board agenda and the subsequent posting are listed as a leave of absence (S09-001-69).

According to W.Va. Code §18A-4-15 (a) (2) (E), and Hampshire County Board of Education Policy 4120.04, a service person may be not be: (i) required to request or to take a leave of absence; or (ii) deprived of any right or privilege of regular employment status for refusal to request or failure to take a leave of absence.

The State Code and county policy also define when a service personnel can be absent from work and the job is posted and filled. If the position is filled with a

substitute employee, and is employed in the position for twenty or more working days, the substitute service person acquires regular employment status with the exception of regular employee job bidding rights and does not accrue regular seniority.

Regular employment status would include PEIA health insurance as well as basic life insurance of \$10,000 at no cost to the employee, optional life insurance benefits, retirement, any benefits offered to regular employees, such as dental/optical insurance, personal leave, paid holidays, etc. As per the county's payroll supervisor, the employee is provided a "benefit packet" of information; however, there is not always a personal explanation of the benefits. Some of the individuals declined the PEIA benefits and the basic life insurance (\$10,000), which is provided free of cost to the employee.

## **Recommendation**

- **7.6. Personnel.** The county needs to consult with Neola to ensure that all county policies are up-to-date and accurate. When two different definitions are given, such as the definition of "long-term substitute" in State Board Policy and W. Va. Code, both need to be stated in the policy.
- Procedures need to be developed to ensure that personnel (long-term substitute teachers per §18-1-1 (l) and service personnel who are hired into a posted position per §18A-4-15) are identified and are knowledgeable of benefits available to them. For employees who decline to enroll or accept benefits, the employee should indicate on the benefit form that the benefits have been explained to them and they have declined to enroll or accept the benefits.

## **Commendation**

**7.6.1. Hiring.** The Team commended the staff for creating and maintaining a data bank on excel of every posted position which listed the posting number, position, posting dates, reason for the posting, individual hired/transferred into the posted position, certification, and date of board action. A separate data bank was also kept for service personnel.

**7.6.2. Licensure. Professional educators and other professional employees required to be licensed under West Virginia Board of Education policy are licensed for their assignments including employees engaged in extracurricular activities. (W.Va. Code §18A-3-2; Policy 5202)**

The Team checked personnel coding irregularities as reported on the WVEIS. All issues were corrected immediately.

- A speech language therapists and a psychologist were employed on contracted services. Both held professional license.

- The county had two “non-paid” coaches. All coaches in the county were certified. Individuals with professional license received priority over those with Professional Permit Licenses or Coaching Authorizations. The county had been unable to hire an athletic trainer. As per West Virginia Board of Education Policy 5202, the county employed an athletic trainer who holds a Limited Football Trainer Authorization.

**7.6.4. Teacher and principal internship. The county board develops and implements a beginning teacher internship program and a beginning principal internship program that conform with W.Va. Code and West Virginia Board of Education policies. (W.Va. Code §18A-3-2b and 2d; Policy 5899; Policy 5900)**

The county had 24 beginning teachers with mentors. There were no beginning principals. One of the three principals interviewed had beginning teachers this year. The principal was pleased with his beginning teacher program and the quality of the mentors. Mentors were unable to meet the required law of observing the beginning teacher; however, the principal was pleased with their efforts. A log of assignments and tasks were kept by the mentor and submitted to the principal, and in turn, to the county personnel director at the end of the school year. The principal meets with both the beginning teacher and the mentor on a regular basis. He was knowledgeable of and held the required monthly support team meetings.

**Commendation**

**7.6.4. Teacher and principal internship.** To bring all of the new teachers together in a close setting with community members and parents, the Hampshire County Superintendent, invited the new teachers to a “tail-gate” party for the homecoming football game. The superintendent was responsible for the food and the principal provided complimentary tickets to the game. Additionally, the new teachers were introduced and recognized at the game. The Team commended the superintendent for the work in helping the “new” teachers feel a part of the school community with this warm welcome to Hampshire County Schools.

**7.7.2. Policy implementation. The county and schools implement: a policy governing disciplinary procedures; a policy for grading consistent with student confidentiality; policies governing student due process rights and nondiscrimination; the Student Code of Conduct policy; the Racial, Sexual, Religious/Ethnic Harassment, and Violence policy; an approved policy on tobacco use; an approved policy on substance abuse; and an approved policy on AIDS Education. (W.Va. Code §18A-5-1 and §18-8-8; Policy 2421; Policy 2422.4; Policy 2422.5; Policy 4373; Policy 2515)**

- Process for Revising Policies. Hampshire County contracted with Neola to revised the policies. When State Board policy or codes change, Neola contacts the county. Policies are then up for revision, comment, new, or replacement. These changes go through three readings and are adopted by the Hampshire County Board of

Education. The new/revised policy is then placed on the county website. The policies are all checked by Bowles/Rice/McDavid/Graff/Love.

- Notifying Principals of New Policies. Changes in W.Va. Code, West Virginia Board of Education and Hampshire County Board of Education policies are covered during principals' meetings.
- Written Policy Book current with electronic version. Hard copies are revised and included in the written policy book as soon as the electric versions are updated.

**7.8.1. Leadership. Leadership at the school district, school, and classroom levels is demonstrated by vision, school culture and instruction, management and environment, community, and professionalism. (Policy 5500.03)**

A new superintendent was appointed by the Hampshire County Board of Education in July 2007 and was currently completing her second year as superintendent of schools. The Education Performance Audit Team reviewed board minutes, interviewed staff, interviewed the president of the board and an additional board member, talked with school principals, and generally observed the organization and the working of the county office staff as it reviewed the leadership practices of Hampshire County Schools. For the most part, the Team observed a finely tuned organization that operated as a confident team with each person knowledgeable of the job he/she was to do and executing his/her duties in a professional manner.

**Recommendation**

The Team observed the following potential problem areas and recommended that the superintendent and President of the Hampshire County Board of Education consider adjusting the board meeting procedures.

1. The manner in which the board conducted executive sessions was allowing motions to be made and acted upon in executive session. This was primarily happening when the board conducted hearings on student problems.
2. The purpose(s) for special meetings were not always clearly stated in the minutes of the meeting.
3. In a couple of incidents, the incorrect law citation for calling an executive session was cited.
4. Most concerns with meeting procedures noted in the board meetings prior to July 2007 have been corrected.

Members of the Education Performance Audit Team were pleased with the progress of the Administrative Staff and Board of Education in conducting the business of Hampshire County Schools.

## **SCHOOL SYSTEM APPROVAL**

**The Office of Education Performance Audits recommends that the West Virginia Board of Education issue the Hampshire County School System Full Approval Status.**