



EDUCATION PERFORMANCE AUDIT REPORT

FOR

GILMER COUNTY SCHOOL SYSTEM

DECEMBER 2013

WEST VIRGINIA BOARD OF EDUCATION

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INTRODUCTION

An unannounced Education Performance Audit of the Gilmer County School District was conducted May 2-4, 2011. The review was conducted at the specific direction of the West Virginia Board of Education. The purpose of the review was to investigate official complaints submitted that alleged the county board was in violation of policies or laws under which schools and county boards operate and other existing circumstances that warranted an on-site review. The Team also reviewed district level high-quality standards in accordance with appropriate procedures to make recommendations to the West Virginia Board of Education on such measures as it considers necessary to improve performance and progress to meet the high-quality standards as required by W.Va. Code and West Virginia Board of Education policies.

In June 2011, the State Board issued the Gilmer County School District Nonapproval status, declared a state of emergency existed, and intervened in the operation of the school system.

At its October 9, 2013, meeting, the State Board directed the Office of Education Performance Audits (OEPA) to conduct an audit of the Gilmer County School District to ascertain the degree of compliance and progress in addressing the noncompliances from the OEPA report and make a recommendation to the West Virginia Board of Education regarding the status of the Gilmer County School District.

Pursuant to the directions of the West Virginia Board of Education, the OEPA conducted an audit of the Gilmer County School District November 18, 19, and 20, 2013. This report presents comments from the previous Education Performance Audit Report and the review of Gilmer County School District.

EDUCATION PERFORMANCE AUDIT TEAM

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

NAME	TITLE	COUNTY	CATEGORY
Delores Ranson	OEPA	Jackson County Schools	Personnel/Mentors/ Hiring
Lori Buchanan	Coordinator Certification	Office of Professional Preparation West Virginia Department of Education	Certification
Carroll Staats	OEPA	Jackson County Schools	Administrative Practices/Evaluations
Dr. Michelle Samples	High School Coordinator	OEPA	Evaluations
Deborah Ashwell	Middle School Coordinator	OEPA	Administrative Practices
Dr. Theodora Cox	OEPA	Preston County	Leadership
Laura Matheney	Treasurer/Chief School Business Official	Jackson County Schools	Finance
Charlene Coburn	Elementary School Coordinator	OEPA	Policies/Policy Implementation
Brenda Morris	Instructional Technology	Office of Instructional Technology West Virginia Department of Education	Technology Plan & Instructional Technology
David Bailey	HVAC Technician	Office of School Facilities West Virginia Department of Education	Facilities

HIGH QUALITY STANDARDS

7.1. CURRICULUM.

7.1.7. Library/educational technology access and technology application. The application of technology is included throughout all programs of study and students have regular access to library/educational technology centers or classroom libraries. (Policy 2470; Policy 2510)

Technology

Gilmer County Schools has demonstrated ineffective strategic planning for technology and has done a substandard job of building capacity within the system to implement and maintain instructional technology. The county has not provided sufficient training to county and school personnel to handle "first level" technical support and building level technology integration. This is because the technology support/decision maker, a local vendor, which the Gilmer County Board of Education had contracted for many years, exerted "total control" over all technology related planning, maintenance and installation. Gilmer County Schools' personnel were never trained with basic trouble shooting procedures and instructed on how the support structure for State K-12 Tools for Schools technology contract items worked. As a result of this lack of training, the county has no capacity to support its technology. A climate of distrust regarding technology has been built between the Gilmer County Board of Education and the West Virginia Department of Education, RESA 7, and State K-12 Technology Contract vendors.

When Gilmer County Schools asked for assistance with technology related issues, the West Virginia Department of Education recommended that the county contract with RESA 7 or one of the State K-12 Technology Contract vendors to have a qualified technician "dedicated" to Gilmer County. Despite repeated recommendations from the Gilmer County School District Superintendent and central office staff, the county board of education failed to implement that recommendation. This was clearly shown in Gilmer County Board of Education minutes on multiple meeting dates. Without a dedicated support contract in place, the county has had to submit work orders to RESA 7 and enter the queue with the rest of the counties that RESA 7 serves. Gilmer County did not have a technology support structure in place, at the school level, that allowed them to work well in this situation.

Although the county instructional technology contact has done an outstanding and competent job of relating and requesting the appropriate needs for the county, those requests appeared to be "overruled" by the haphazard, substandard results of the local work.

In summary, despite the recommendations brought forward by the county superintendent, the Gilmer County Board of Education has not fully followed the

recommendations of the West Virginia Board of Education and the West Virginia Department of Education, Office of Instructional Technology.

FOLLOW-UP REVIEW

COMPLIANCE. To address insufficient training of staff to handle “first level” technical support and building level technology integration, Gilmer County employed two technology integration specialists (TIS) to support the implementation of technology. The county has hosted multiple professional development sessions led by West Virginia Department of Education (WVDE) and RESA 7 staffs, and the county now has clearly defined procedures for basic trouble shooting.

Gilmer County contracted with RESA 7 for dedicated technical support and hired a technology systems specialist (TSS) who began employment December 2, 2013.

In response to the lack of technology planning, the county has a technology committee in place that includes: A board of education member, the county superintendent, all school principals, two parents and college professors, two technology integration specialists (TIS), a county instructional leader, and the county technology director. The superintendent also presented monthly updates to the Gilmer County Board of Education on the technology plans.

The Team found the following technology violations of West Virginia Board of Education Policy 6200.

Gilmer County High School

The Media Center laboratory did not have structured cabling in place. The computers were connected with long patch cables to a switch located under a desk in the room. This did not meet Policy 6200 requirements. Additionally, any network electronics installed in an instructional area should be housed in an enclosed rack.

FOLLOW-UP REVIEW

COMPLIANCE. All infrastructure issues had been addressed. Cabling had been upgraded and an enclosed rack was installed. In addition to addressing infrastructure issues, the county purchased additional computers and upgraded existing Windows XP machines.

Troy Elementary

Hubs connected nine computers in the library. The cabling in the library was not structured and did not meet Policy 6200 requirements. Additionally, any network electronics installed in an instructional area should be housed in an enclosed rack.

The computer laboratory upstairs did not meet Policy 6200 requirements. The computers were cabled with long patch cables to a switch placed on a desk in the room. Additionally, any network electronics installed in an instructional area should be housed in an enclosed rack.

The school had unencrypted wireless access points in place. This violated Policy 6200 as well as federal E-rate regulations.

FOLLOW-UP REVIEW

COMPLIANCE. All Infrastructure issues had been addressed and cabling had been upgraded. The wireless network was secure. In addition to addressing infrastructure issues, the county purchased additional computers and upgraded existing Windows XP machines.

Sand Fork Elementary

The computer laboratory upstairs did not meet Policy 6200 requirements. The computers were cabled with long patch cables to a switch placed on a desk in the room. Additionally, any network electronics installed in an instructional area should be housed in an enclosed rack.

The school had unencrypted wireless access points in place. This violated Policy 6200 as well as federal E-rate regulations.

FOLLOW-UP REVIEW

COMPLIANCE. All infrastructure issues had been addressed and cabling had been upgraded. The wireless network was secure. In addition to addressing infrastructure issues, the county purchased additional computers and upgraded existing Windows XP machines.

Glenville Elementary

The computer laboratory did not meet Policy 6200 requirements. The computers were cabled with long patch cables to a switch placed on a desk in the room. Additionally, any network electronics installed in an instructional area should be housed in an enclosed rack.

FOLLOW-UP REVIEW

COMPLIANCE. All infrastructure issues had been addressed. Cabling had been upgraded and an enclosed rack was installed. In addition to addressing infrastructure issues, the county purchased additional computers and upgraded existing Windows XP machines.

Normantown Elementary

Due to other facility issues, students were not taught in the main school building. They were housed in mobile classroom units outside the main building. School staff members are doing the best they can by using wireless mobile computer laboratories. This situation is far from ideal as the technology infrastructure and structure are not in place to provide the technology resources available in an adequate school facility.

FOLLOW-UP REVIEW

COMPLIANCE. Tools for Schools (TFS) grant funds were used to upgrade all infrastructure issues at Normantown Elementary School. All issues had been addressed and cabling had been upgraded. In addition to infrastructure issues, the county purchased additional computers and upgraded existing Windows XP machines.

7.2. STUDENT AND SCHOOL PERFORMANCE.

7.2.1. County and School electronic strategic improvement plans. An electronic county strategic improvement plan and an electronic school strategic improvement plan are established, implemented, and reviewed annually. Each respective plan shall be a five-year plan that includes the mission and goals of the school or school system to improve student or school system performance or progress. The plan shall be revised annually in each area in which the school or system is below the standard on the annual performance measures.

While Gilmer County had a Five-Year Electronic Strategic Plan, the county board of education members were not involved in developing the plan and most were not aware of the plan's contents. All stated that updates on the plan had not been presented to the board.

FOLLOW-UP REVIEW

COMPLIANCE. A county board of education member was involved in developing Gilmer County's Five-Year Strategic Plan. During board member interviews, each board member discussed the three county goals. The county superintendent presented periodic updates for the county board of education on the strategic plan.

7.4. REGULATORY AGENCY REVIEWS.

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)

Finance

1. The Team reviewed the county board distribution of the system's resources on the basis of the strategic plan. The Team reviewed the county level accounting practices and reported that the Gilmer County Strategic Plan goals were broad and budget plans included were primarily for federal program activities. The budget was not specific to actions to meet the county board's goals. Goals were so broad that the plan and budget were not meaningful in strengthening the county's education program.

FOLLOW-UP REVIEW

COMPLIANCE. Based upon the detail provided in the "Required Revisions to the County Electronic Strategic Plan" dated September 2012, the goals were specific and the funding source was available.

The last finance audit completed was for the fiscal year ended June 30, 2012. The Gilmer County Board of Education had no findings of noncompliance in this audit. A review of the county's unaudited fiscal year 2013 financial statements indicated an increase in fund balance.

2. The Team reviewed invoices and noted that payments were sometimes issued without an itemized invoice or any invoice at all. The Team reported the following payments issued without an itemized invoice.
 - Johnnie Heater – Has a contract to provide package plants services to the school system. The contract specifies a monthly amount that Mr. Heater is to be paid for the services. Monthly payments are being processed without an invoice itemizing the services provided during the month or any documentation of receipt of services.

- Grasshopper Lawn Care – Similar to the preceding situation, monthly payments are being processed without an invoice itemizing the services provided during the month, or documentation of receipt of services.
- Rachel’s Challenge – An invoice was provided prior to any work being performed, but it was not itemized. No payment was issued in advance, and more detail was provided in the contract.
- RAMCO – The company provides technology related services. The company was paid \$21,491.75 by check dated August 30, 2010 for services rendered during the 2009-10 year based on Purchase Order Number 2454, which was not issued until August 25, 2010. The vendor provided an invoice, which provided some detail, but did not indicate the charge for each service rendered or the amount of time spent on each service. In addition, competitive bids were not obtained prior to engaging RAMCO for the services.

West Virginia Code §12-3-18 prohibits any local governmental entity from paying any claim for services rendered or materials furnished without the claimant filing an itemized invoice covering the claim. If the invoice is for services, the invoice must show the kind of service, the dates when the services were rendered and the name of the person performing the service. If the claim is for materials furnished, the invoice must show in detail the kind of material or supplies furnished, the quantity, dates of delivery, and to whom delivered.

Furthermore, State Board Policy requires county boards to seek competitive bids for any commodities or services purchased in excess of \$5,000. There are exceptions for certain services, but technology services is not exempted.

FOLLOW-UP REVIEW

COMPLIANCE. Discussion with the Gilmer County chief school business official (CSBO) and finance office staff indicated that the process was revised to assure that itemized invoices were submitted prior to any payment being issued. The Team randomly selected accounts payable records from FY 2014 and FY 2013 for review and reported all records reviewed had appropriate documentation, including an itemized invoice.

Payments and invoices to Johnnie Heater were specifically reviewed, and the Team found invoices were itemized. Gilmer County Board of Education no longer contracted with Grasshopper Lawn Services, and the current lawn care vendor provided itemized invoices as required.

Gilmer County Board of Education contracted with RESA 7 for technology services and RAMCO was no longer being utilized for those services.

3. An individual was a school principal who was also paid a supplement for performing duties as the attendance director.
 - The individual resigned effective 2/28/11 from this position (principal).
 - The individual was hired at the 2/7/11 board meeting under the personnel section of the agenda as a half time attendance director at a rate of \$30,000 per year.
 - The individual was issued an extracurricular contract of employment which had not been signed and returned at the time of the OEPA visit (5/2/11).
 - To date, the individual had been issued two checks (#34154 and #34337) in the amount of \$2500 each through the accounts payable process which would indicate the Gilmer County School District was treating him as an independent contractor.
 - The individual (as attendance director) would be difficult to qualify as an independent contractor because the Gilmer County School District provides work space, materials, supervision, etc.

West Virginia Code §18-8-3 requires every school district with less than 4,000 students to employ at least a half-time attendance director. The employment of an independent contractor to perform the services does not fulfill the statutory provisions of this Code section.

FOLLOW-UP REVIEW

COMPLIANCE. The chief school business official (CSBO) reported that the previous attendance director was employed as a half-time attendance director in FY 2012. This individual retired and another staff member was employed as half-time attendance director/half-time director of services. This employment was verified on the FY 2014 certified list.

4. In the annual audit of Gilmer County Schools, the auditors noted the following conditions: Individual school audit reports were completed by a certified public accounting firm for fiscal year 2010. Glenville Elementary School and Troy Elementary School each received a compliance finding because the annual reports submitted by their PTOs were incomplete.

Section 5-9 of the *Accounting Procedures Manual for the Public Schools in the State of West Virginia*, State Board Policy 1224.1, requires every school support organization to prepare annual financial statements and provide two copies to the school principal.

FOLLOW-UP REVIEW

COMPLIANCE. The chief school business official (CSBO) notified all school support organizations of the minimum financial reporting requirements. A certified public accounting firm, Teed & Associates, again performed the individual school reviews for FY 2013. The report contained no comments or findings regarding incomplete or missing school support organization annual reports. Therefore, it may be concluded the school organizations complied with the reporting requirements for FY 2013.

5. Gilmer County Board of Education policies had not been adopted for individual school accounting. Various sections of the *Accounting Procedures Manual for the Public Schools in the State of West Virginia* require local boards of education to establish by board policies certain parameters for the financial operations of individual schools. For example, the board must establish which funds are authorized and whether petty cash and/or starting cash drawers are permitted. The Team was provided Policy 3450, Money in School Buildings, from the Gilmer County Schools Policy Manual. This was the only individual school finance policy provided. Policies were not in place to guide management of fiscal resources of the Gilmer County School District.

FOLLOW-UP REVIEW

COMPLIANCE. In addition to Policy 3450, *Money in School Buildings*, which was provided during the initial review, Gilmer County Board of Education also had Policy 3309 and Policy 3309a both titled, *Financial Management*, which were also in place at the time of initial review but not provided to the Team. Policy 3309a specifically includes the type of local policies and procedures required; had it been provided at the time of the initial audit, the policy would have satisfied the requirement of a county board policy for school accounting.

RECOMMENDATION

1. Policy 3450 states, “The principal of each school must insist that no money be left in the classrooms at any time. He should also realize that the school safe should be used to safeguard student records and not used to store large amounts of money. Bank deposits should be made as often as possible to insure only a minimum amount of cash on hand.” West Virginia Board of Education (WVBE) Policy 1224.1 provides specific direction regarding when deposits are required, and “as often as possible” is not included as one of the options. Because Policy 1224.1 covers these areas, the Team recommended that Gilmer County Board of Education repeal Policy 3450.
2. Gilmer County Board of Education Policy 3309 basically states that the Board will comply with the requirements of several listed finance related manuals/policies of the West Virginia Board of Education (WVBE). The policy includes specific State Board adoption dates of the various manuals, and two

of the four manuals/policies listed have been revised since the dates listed. The Team recommended that Gilmer County Board of Education revise Policy 3309 to remove the specific adoption dates.

As stated previously, Policy 3309a includes many of the local policies and procedures required by West Virginia Board of Education (WVBE) Policy 1224.1. However, in the review of the individual school accounting for FY 2013 performed by Teed & Associates, the audit noted a lack of local procedures to safeguard all proceeds from concession sales operated by a school support organization. Policy 3309a could be revised if the Gilmer County Board of Education wanted to set the local procedures for concession stands.

RECOMMENDATION

Recommendation regarding Decentralized Entering of Services and/or Decentralized Retention of Accounts Payable Records. The Team recommended that the Chief School Business Official (CSBO) work with the county's auditing firm and the West Virginia Department of Education, Office of School Finance, regarding a procedure which would either 1. Centralize the inputting of invoices and accumulation of accounts payable records or 2. At a minimum, allow the paper invoices to be submitted to the central office for review and retention prior to payment being made. Currently, school secretaries and various county office personnel enter invoices in WVEIS and a WVEIS list is submitted to the board for approval. The invoices are retained wherever the invoice is entered and no one in the business office has been provided any documentation.

RECOMMENDATION FOLLOWED. Based on discussions with the chief school business official (CSBO) and finance office staff, the procedure had been changed. Some invoices were still entered at the school level. However, the invoices were submitted to the county office and the invoice was matched to the corresponding purchase order and checked before the payment was made. A review of the accounts payable records supported the revisions to the process.

Facilities

The Education Performance Audit Team reviewed pertinent documents and interviewed the county superintendent and other county personnel. A narrative of the Team's observations follows.

Countywide

- The county maintenance staff consisted of one full time person. The county maintenance staff was not keeping up with reactive maintenance items. Very little, if any, preventive maintenance was being performed countywide.

FOLLOW-UP REVIEW

PROGRESSING/LIMITED ABILITY TO ACHIEVE TOTAL COMPLIANCE. Gilmer County employed another full time maintenance position with an individual who held qualifications in heating, ventilation, and air conditioning (HVAC) service. Even with the additional staff member, very little if any, preventive maintenance was being performed. The staff appeared to spend most of their time performing reactive maintenance. Three of the five school buildings in Gilmer County are in poor condition. The age/condition of the facilities make them more labor intensive to maintain. It is difficult for maintenance staff to perform adequate reactive and preventive maintenance at current staffing levels. The additional staff member has significantly improved the maintenance department's ability to perform reactive maintenance.

- The facility conditions at Troy Elementary School, Sand Fork Elementary School, and Normantown Elementary School are critical in nature. The Normantown building has been condemned and the students are housed in portable classrooms. Troy and Sand Fork both had structural issues identified that required repairs to make the buildings suitable for occupancy. Although the buildings have been certified safe for occupancy, both the Troy and Sand Fork buildings have numerous deficiencies. Some of the major items at both facilities included Americans with Disabilities Act (ADA) compliance issues; antiquated heating, ventilation, and air conditioning (HVAC) systems; insufficient electrical services; and numerous safety and health concerns.

FOLLOW-UP REVIEW

UNCHANGED. Facility conditions at Troy Elementary School, Sand Fork Elementary School, and Normantown Elementary School remain unchanged since the original OEPA report. It will require capital investment to resolve the major issues that were identified. The Normantown Elementary School students are still housed in portable classrooms. Troy Elementary School is tentatively scheduled to be closed in 2015 with the opening of the Lewis-Gilmer shared school (Leading Creek Elementary School) located on the county line between Troy Elementary and Alum Bridge Elementary schools.

- Glenville Elementary School and Gilmer County High School are the newest structures in the county inventory. However, both facilities are showing signs that neither is receiving the maintenance required to properly maintain the buildings. Continuing to defer proper maintenance will shorten the life expectancy of the structures and mechanical systems.

FOLLOW-UP REVIEW

UNCHANGED. Glenville Elementary School and Gilmer County High School were both receiving reactive maintenance. There was little sign that the facilities were receiving preventive maintenance. The evaporator coils in the rooftop heating, ventilation, and air conditioning (HVAC) equipment on both facilities showed signs that they were not receiving the manufacturers' suggested preventive maintenance (cleaning). Gilmer County School District has shown minimal activity/participation in the statewide preventive maintenance program. Gilmer County currently has no pieces of equipment loaded into the School Dude preventive maintenance software. Currently 14 preventive maintenance schedules were listed (7 gutter cleaning and 7 Boiler/HVAC). Those schedules are active, however, will not generate preventive maintenance tickets to request service until the summer of 2014.

- With the exception of Gilmer County High School, all the buildings were well below the desired utilization rate of 85 percent.

FOLLOW-UP REVIEW

UNCHANGED. According to Gilmer County's 2010-2020 Comprehensive Educational Facilities Plan (CEFP), the program utilization rates for each school continued to be below the 85 percent desired utilization rate.

Normantown Elementary School (40 percent)
Sand Fork Elementary School (42 percent)
Troy Elementary School (53 percent)
Glenville Elementary School (67 percent)
Gilmer County High School (55 percent)

- Gilmer County is ineligible for School Building Authority (SBA) funding because the county does not have an approved 2010-2020 Comprehensive Educational Facilities Plan (CEFP).

FOLLOW-UP REVIEW

COMPLIANCE. Gilmer County has an approved 2010-2020 Comprehensive Educational Facilities Plan (CEFP).

Troy Elementary School

- The original building was constructed in 1928. Additions were added in 1941 and 1958.
- In 2009, the State Superintendent of Schools ordered the superintendent of Gilmer County Schools to seek professional services to ensure that the building structure was safe for the school occupants. Engineers were secured, structural deficiencies were identified, and the structural issues were then corrected. The county obtained clearance from the West Virginia Department of Education (WVDE) and reoccupied the building.
- The parking for this facility is located next to the highway. Unloading of passengers and pedestrians is in close proximity to the highway. This is a potential safety concern. The student drop-off area is inadequate.
- Due to the type of HVAC equipment in this facility, ventilation current is inadequate according to American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) and West Virginia Board of Education Policy 6200 standards.
- This facility was not compliant with ADA requirements. Rest rooms were not noncompliant with ADA requirements.
- The gymnasium had open gas furnaces with mercury thermostats which are against current ASHRAE and Policy 6200 standards.
- The students must exit the main building and cross the parking lot to reach the cafeteria and gymnasium. The walkway is uncovered.
- Block piers supporting the gymnasium entrance showed some visible cracking.
- An existing bat problem in the attic was prevalent and large amounts of bat guano were present. Bats have infiltrated inside the building in the past. This presents a serious safety/health hazard for the building occupants.
- The electrical service that serves this building was at capacity.
- The facility needed a new roof.
- The 2000-2010 CEFPP listed the building utilization as 75 percent.

FOLLOW-UP REVIEW

PROGRESSING. This facility is tentatively scheduled to be closed in 2015. The students at Troy Elementary will attend the new Lewis-Gilmer intercounty school (Leading Creek Elementary School) currently under construction.

UNCHANGED. No significant changes or improvements had been made at this facility. The roof on the gymnasium has further degraded and water was infiltrating through to the interior in multiple locations. The maintenance staff installed tarps with drains on the interior of the gymnasium ceiling to prevent the water from ruining the gym floor. The amount of water infiltration could cause indoor air quality (IAQ) and other concerns in the spring/fall months. The county is trying to minimize the amount of funds spent on the structure due to its impending closure. However, if the roof further degrades, it may be necessary to perform a more permanent type repair to prevent water infiltration.

Normantown Elementary School

- The main building at this site has been condemned and was not in use. The students attended classes in portable classrooms. The office was also located in a portable trailer.
- The gymnasium section of the main building was being used for classes. This gymnasium is located in the flood plain and has undergone numerous floodings. The substructure of the gymnasium is constructed of wood joisting and has sustained water damage. There appeared to be potential mold growth on the wood structure underneath the gymnasium. Students walk by the condemned main building to go to the gymnasium for classes. Music instruction also takes place in this gymnasium.
- The parking for this facility is located next to the highway. Passenger unloading and pedestrian activity is in close proximity to the highway. This is a potential safety concern. The student drop-off area is inadequate.
- The cafeteria building is also in the flood plain. This building houses two classrooms, the library, and the speech room. Art instruction takes place in the cafeteria. The cafeteria building is not ADA compliant. A student who is physically impaired attends this school.
- Due to the type of HVAC equipment used in the portable classrooms, ventilation is insufficient.
- Several buildings were in violation of ASHRAE codes and standards.
- A security issue exists at this facility due to open multi-portable classrooms. The county cannot use approved School Access Safety funds at this facility because the students are housed in portable units.

- The 2000-2010 Comprehensive Education Facilities Plan (CEFP) listed the building utilization at 59 percent (utilization was based on the main building that has been replaced with portable classrooms).

FOLLOW-UP REVIEW

UNCHANGED. No significant changes or improvements had been made at this facility. At the time of the follow-up review, several sections of underpinning around the portable classrooms were damaged/missing due to a recent wind storm. The fluorescent lights in the library had recently been serviced. The light fixtures did not have the protective covers installed. The protective covers needed to be reinstalled. The portable classroom that houses the computer laboratory and Grade 6 classroom had both heating, ventilation, and air conditioning (HVAC) thermostats located in the Grade 6 classroom. The thermostat responsible for controlling the computer lab needed to be relocated to that space to adequately control the temperature in that space.

Sand Fork Elementary School

- In 2009, the State Superintendent of Schools ordered the Superintendent of Gilmer County Schools to seek professional services to ensure that the building structure was safe for the school occupants. Engineers were secured, structural deficiencies were identified, and the building was then vacated. The structural issues were then corrected and the county obtained clearance from the West Virginia Department of Education and reoccupied the building in April 2010.
- This facility has window air conditioning units which are not current with ASHRAE and West Virginia Board of Education, Policy 6200 standards.
- Due to the type of HVAC equipment in this facility, ventilation is inadequate.
- This facility was not compliant with ADA requirements. Rest rooms were not compliant with ADA requirements.
- PreK-2 students were housed in a separate building. These students must travel to the cafeteria, music room, and other areas of the campus, which is a potential safety concern.
- The overhead covering between the main building and cafeteria is constructed of tin with wood joists and appeared to be unsafe for excessive snow covering.
- Due to outdated wiring in the computer room, power wires were laid across the floor in the computer room classroom. This is against wiring codes.

- The custodian closet did not have an exhaust fan to provide adequate ventilation to remove chemical odors.
- No rest rooms were located on the 2nd or 3rd floors of the main building where students attend classes. Students must travel to the 1st floor to have access to a rest room.
- Students must walk up outside wooden stairs to the 4th grade classroom. This could potentially be a safety concern during inclement weather.
- Art and music classes were conducted on the 2nd floor above the cafeteria and accessed by wooden stairs. This could potentially be a safety concern during inclement weather.
- The carpet was in disrepair and needed to be replaced in the 4th grade classroom.
- The receptacle at close proximity to the water fountain and sink in the music and art room was not a ground fault circuit interrupter (GFCI) type as required by electrical code.
- The rest room in the music and art rooms was not functional. Students must travel outside to another classroom to have access to a rest room.
- The gymnasium has open gas furnaces with mercury thermostats which are against current ASHRAE and Policy 6200 standards.
- The 2000-2010 CEFPP listed the building utilization as 70 percent.

FOLLOW-UP REVIEW

LIMITED PROGRESS. Some changes/improvements had been made at this facility. The maintenance staff installed some permanent electrical receptacles in the computer laboratory to alleviate the power wires/cords lying across the floor. The Grade 4 classroom that was located above the cafeteria has been moved. The area above the cafeteria was being utilized for art and music. This limited the amount of time the students occupy/utilize that area. The receptacle(s) near the water fountain/sink had been updated to a ground fault circuit interrupter (GFCI) receptacle. The rest rooms that were out of service had been repaired and returned to service. The mercury containing thermostats in the gymnasium had been replaced.

A few roof leaks were prevalent in the main building. The maintenance staff had installed temporary catch pans above the ceiling tiles to catch the water and drain it. This is a temporary fix and a more permanent solution should be identified.

Water collecting above the ceiling grid could potentially lead to indoor air quality (IAQ) concerns, especially through the spring and summer months.

Beyond those repairs this facility is essentially receiving reactive maintenance.

Glenville Elementary School

- The original portion of this facility was constructed in 1976. An addition was added in 1993.
- The mechanical system (rooftop) units are approximately 11 years old. The average life expectancy of these units is typically 15 years.
- The structural integrity of this facility appeared sound.
- The HVAC units were not receiving preventive maintenance as required by the manufacturer.
- Overall the facility appeared clean.
- The facility is located next door to an industrial site (plastic plant).
- The roof was damaged during a recent storm, thereby, allowing water infiltration into the building.
- The 2000-2010 CEFPP listed the building utilization at 66.9 percent.

FOLLOW-UP REVIEW

UNCHANGED. Little changes had been made at this facility. The heating, ventilation, and air conditioning (HVAC) units were being serviced on a reactive basis and not receiving adequate preventive maintenance. Heat exchangers on two of the rooftop units had recently been replaced. The heat exchangers were left on the roof after the repairs were completed. The heat exchangers should be removed to prevent potential damage to the roof membrane. An active roof leak remained in Room 109 that the maintenance department has been working to resolve. The interior of the facility needed to be painted. (At the time of the follow-up review, the principal had submitted a purchase order for paint and had plans in place to start painting the interior.)

Gilmer County High School

- The original structure was built in 1957. Additions and renovations were made in 1976, 1988, 1996, and 1999.

- All the rooftop units on the main building are approximately 12 years old, with the exception of the gymnasium units which were just replaced. The typical life expectancy for these types of units is 15 years.
- The interior of this building would benefit from a more aggressive housekeeping schedule. A hole was in the drywall in the hallway and stained ceilings, walls scuffs, etc., existed throughout the school.
- The front steps entering the facility had a steep incline and were starting to degrade.
- The HVAC was not receiving preventive maintenance as required by the manufacturer.
- The facility did not have an auditorium.
- The 2000-2010 CEFPP listed the building utilization at 88 percent.

FOLLOW-UP REVIEW

LIMITED PROGRESS. The custodian care appeared to have improved since the last review. Opportunity continued to exist for improvement. The facility interior would benefit from a fresh coat of paint. The home economics classroom continued to have an on-going pest management issue. The pest service provider implemented a more aggressive pest management plan. This issue should be monitored to make sure that the plan is effective. The heating, ventilation, and air conditioning (HVAC) equipment was only receiving reactive maintenance and continues to lack adequate preventive maintenance. The maintenance staff repaired the damaged drywall in the hall. However, due to vandalism, the hole has become a reoccurring event. The maintenance staff and administration were working together to resolve the issue.

Overall, the building is only receiving reactive maintenance and very little preventive type maintenance. No other significant changes/improvements had been made since the last OEPA review.

7.5. ADMINISTRATIVE PRACTICES AND SCHOOL-COMMUNITY RELATIONS.

7.5.4. Physical Assessment. The school participates in the appropriate statewide physical assessment program.

- The results of the Fitnessgram testing had been submitted to the Department of Education on WVEIS. Results of testing of Aerobic Capacity, Body Composition, Muscular Strength, Endurance, and Flexibility were submitted by all schools.
- A review of master schedules for the physical education teachers in the elementary schools showed students in all elementary schools received three classes of 30+ minutes of physical education in week one and two classes of 30+ minutes of physical education in week two. This schedule followed a rotating basis throughout the school year. Therefore, Gilmer County elementary school students were not receiving at least 30 minutes of physical education for not less than three days a week as required by W.Va. Code §18-2-7a.
- Gilmer County did not have an alternate program for providing physical education that had been approved by the West Virginia Department of Education and the Healthy Lifestyle Council as provided by W.Va. Code §18-2-7a.

FOLLOW-UP REVIEW

NOT PROGRESSING. As a result of on-site elementary school visits and teacher lesson plan reviews, all schools met or exceeded 90 minutes of physical education instruction weekly; however, less than 50 percent of the classes met the required three days per week of at least 30 minutes of physical education. Therefore, Gilmer County elementary school students were not receiving at least 30 minutes of physical education for not less than three days a week as required by W.Va. Code §18-2-7a.

7.6. PERSONNEL.

County boards shall employ personnel to deliver high quality programs and services to all public school students that ensure academic success; implement employment hiring and assignment practices that conform with W.Va. Code and West Virginia Board of Education policy; and promote the development of human resources.

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)

The Team interviewed principals of Sand Fork Elementary School; Glenville Elementary School; Gilmer County High School (GCHS); recently retired principal, Sand Fork Elementary School and attendance director (contracted); director of federal programs, executive secretary/coordinator of administrative services; and the county superintendent.

Hiring practices were not always followed as set forth in W.Va. Code §18A-4-7a.

1. No one individual was designated as the Personnel Director in Gilmer County. Principals appeared to be responsible for selecting personnel for his/her respective school. The superintendent was responsible for the selection of school principals and county office personnel. The hiring process was handled by several individuals with what appeared to be little training in the hiring process. No documentation was available at either the county office or schools to verify that the most qualified candidate was being selected per W.Va. Code §18A-4-7a.

Job postings were posted on the West Virginia Department of Education K-12 Job Bank webpage, in the county office, and in schools. Letters of applications and résumés were received by the executive secretary/coordinator of administrative services during the posting period. Following the end of the posting period, letters and résumés were forwarded to principals who reviewed the applications, conducted interviews, and made their selection of the most qualified candidate. Interviews may include the faculty chair person or a staff teacher. Job applications and the principal's recommendation of his/her selection are returned to the superintendent. Principals do not include a matrix or documents showing comparisons of candidates as per W.Va. Code §18A-4-7a. A copy of the posting and applications for each posting were retained in the county office.

FOLLOW-UP REVIEW

COMPLIANCE. The Team interviewed the county superintendent; the director of personnel, attendance, and technology; the director of federal programs; and the substitute secretary; principal, Gilmer County High School; the principal of Glenville Elementary School; and the principal of Sand Fork Elementary School.

The county assigned a county office employee as director of attendance, personnel, and technology. The Team reviewed a sample of postings for teachers, administrators, service, and extracurricular positions. The county continues to post vacant positions on the West Virginia Department of Education K-12 Job Bank webpage, in the county office, and in schools. Professional postings reviewed were posted within 20 days of the position opening and filled within 30 working days of the end of the posting period. Service personnel positions were filled within 20 working days of the posting date notice. All postings for vacant positions were maintained by the personnel office and were in individual files by posting number and location. Files were complete with job posting, job description, applications, interview questions, and hiring matrix. All postings are comprehensive with required posting information. Job descriptions have been revised and were included in or attached to the posting.

Applications (bid sheets) for posted professional positions had been updated to include the qualifications criteria factors listed in W.Va. Code §18A-4-7a prior to July 1, 2013. Applications (bid sheets) for service personnel had been updated to include the criteria for the selection of service personnel (qualifications, seniority, and evaluations of past performance).

All administrators in the county received training via RESA 7 (Bowles and Rice) regarding the revised school personnel law and State Board of Education Policy 5000. Principals interviewed, as well as the personnel director, could easily articulate the new hiring process and procedures. However, there was some question if a situation were to occur when the principal and faculty senate did not agree or select the same applicant, if weight had to be assigned to compare (matrix) and determine the most qualified applicant. It was the position of the director of personnel and superintendent that no actual weight had to be given in any situation in the selection of the most qualified applicant. Since July 1, 2013, the county has used the new qualifications criteria of W.Va. Code §18A-4-7a(b) to consider applicants and could articulate how the most qualified was determined. The personnel office used notes that were in the posting file concerning applicants' qualifications to, in essence, give weight to each criterion and verify to the Education Performance Audits Team that the applicant hired was the most qualified.) The county superintendent will follow-up with the county's legal advisor to insure proper procedures as per State Board of Education Policy 5000 are followed.

All faculty senates in Gilmer County Schools met and voted to participate in the hiring process as per State Board of Education Policy 5000. Each has selected the model the faculty senate will use and all teachers have been trained in the interview process. Since the faculty senate vote and training, there have been no posted vacancies at the respective schools.

RECOMMENDATIONS. Based upon W.Va. Code and State Board of Education Policy 5000, it appeared that only principals and faculty senates are exempt from assigning weight to any criterion factor in making a recommendation. In the case of a classroom teaching position, when W.Va. Code §18A-4-7a(d) and (f) do not apply, the county board would apply W.Va. Code 18A-4-7a(c). See W.Va. Code §18A-4-7a(c), (d) and (f) which states:

(c) In considering the filling of a vacancy. . . a county board is entitled to determine the appropriate weight to apply to each of the criterion when assessing an applicant's qualifications: *Provided*, That if one or more permanently employed instructional personnel apply for a classroom teaching position and meet the standards set forth in the job posting, each criterion under subsection (b) of this section shall be given equal weight except that the criterion in subdivisions (10) and (11) shall each be double weighted.

(d) For a classroom teaching position, if the recommendations resulting from the operations of subdivisions (10) and (11), subsection (b) of this section are for the same applicant, and the superintendent concurs with that recommendation, then the other provisions of subsections (b) and (c) of this section do not apply and the county board shall appoint that applicant notwithstanding any other provision of this code to the contrary.

The Code further states, “(f) Recommendations made pursuant to subdivisions (10) and (11), subsection (b) of this section shall be made based on a determination as to which of the applicants is the highest qualified for the position: *Provided*, That nothing in this subsection shall require principals or faculty senates to assign any amount of weight to the factor in making a recommendation.”

2. The recently retired principal of Sand Fork Elementary School stated that as a principal he reviewed the qualifications of applicants for vacancies at his school and completed a matrix which was sent to the county office. No one at the county office recalled receiving matrices from him or any of the schools. Neither could any be located in the county office or the schools.

Only postings and letters of application and resumé for posted positions were kept at the county office. Since the documentation was not available at the schools, this created an incomplete hiring file. The Team located and reviewed only three hiring files at the county office (English - Gilmer County High School, Speech/Language Pathology-Itinerant, and Elementary Principal-Normantown Elementary School). The matrices in those files were either in error or incomplete.

The Team recommended that a county office administrator be designated as personnel director or person responsible for personnel. This could be in addition to

other responsibilities. Once the person is designated and trained to be responsible for the hiring process, he/she would review and approve all postings before they are posted to ensure the certification listed for the position is accurate, that the job is posted to ensure that the largest possible pool of qualified applicants may apply, etc. (W.Va. Code §18A-4-7a (o)). Once the posting period closes and applications have been received for the posted position, the personnel director will need to identify the correct set of factors to use in W.Va. Code §18A-4-7a (c or d) to determine the most qualified candidate for a job. Then, he/she or a trained designated person (such as the principal) must complete documentation, as determined by the board, when using the first set of factors in W.Va. Code §18A-4-7a (c) to show that all criteria were given consideration for each applicant. If the second set of factors is used (W.Va. Code §18A-4-7a (d)) to identify the most qualified applicant who meets the standards of the posting, a matrix must be completed to show consideration of each applicant and that equal weight was given to each criterion. Although the interview is not one of the criterion in the second set of factors, principals must be given an opportunity to interview all qualified candidates (W.Va. Code W.Va. §18A-2-1).

FOLLOW-UP REVIEW

COMPLIANCE. No one has been employed after July 1, 2013, at Sand Fork Elementary School. However, the principal was skillful in articulating the new personnel law and West Virginia Board of Education Policy 5000. Prior to July 1, 2013, the principal participated in interviewing and hiring a third grade teacher. The old criteria found in W.Va. Code §18A-4-7a was used to determine the most qualified candidate.

3. Glenville Elementary School. The Team reviewed a matrix on file for one recent teacher vacancy at Glenville Elementary School. Although five individuals applied (three out-of-state and two local), only two (local candidates) were listed on the matrix which the county used to compare qualifications of applicants. There was no evidence that the three out-of-state candidates were considered. This was most likely due to: 1. The applicant selected had worked in the county on a contracted basis and her qualifications were known by the principal and 2. This was a one-year position and the principal did not believe an out-of-state individual would want to relocate for a short period, or 3. The county board unlawfully disregards out-of-county applicants.

The above vacancy was the first filled with a “new” applicant in five years for the Glenville Elementary School principal as vacancies are traditionally filled with in-county transfers. The principal stated that when regularly employed applicants applied for posted positions, the selection was made at the county office by the superintendent and principals were given the name of the person who was most qualified for the position and, in turn, wrote a letter of recommendation for that person. This also appeared to be the procedure for hiring service personnel. After the Team shared this information with the superintendent, he seemed surprised that this might be true during his tenure as superintendent. The executive secretary/coordinator said it was possibly true, but that during the summer months

principals had come in to review applications for posted positions. This clearly indicated, however, that no one is responsible for completing the required matrix for comparison of applicants when regularly employed persons apply. The seven criteria of W.Va. Code §18A-4-7a (d) are to be considered and given equal weight (Reference §18A-4-7a (e)). No matrix was available for the Team to verify that seniority is given greater weight than the other six criteria to determine otherwise.

FOLLOW-UP REVIEW

COMPLIANCE. Prior to July 1, 2013, Glenville Elementary School hired a new Title I teacher. There was one certified applicant during the original posting; however, the applicant obtained a job in another county before the Gilmer County position was filled. The position was reposted. Likewise, only one applicant applied for the second posting. The school principal interviewed and made the recommendation for the position.

4. Gilmer County High School. An incomplete matrix of a posting reviewed at the county office and Gilmer County High School was one with many problems. Twelve individuals applied for the position. Only two names were shown on the matrix.

The position was posted incorrectly. Video Journalism has been taught at Gilmer County High School for more than 20 years. Video Journalism can be taught with the following certifications: Language Arts (0800), English Language Arts (1001), or Journalism (3900). English certification (1000) is not a certification for teaching Video Journalism. Individuals holding the posted position in past years have had English/Language Arts certification.

The vacant position was posted as follows:

POSITION: English/Language Arts Teacher 7-12, Journalism 9-12 (encouraged but not required)

EMPLOYMENT TERM: 2010-2011 School Year

QUALIFICATIONS: West Virginia Certification in English 7-12

The Gilmer County High School principal believed that this information listed under the position identified the certification needed for the vacant position (at a minimum, English/Language Arts).

The vacancy should have been posted:

POSITION: English/Language Arts 7-12/Video Journalism 9-12

QUALIFICATIONS: English Language Arts 7-12 (also Journalism 9-12 preferred*).

(*Note: This means a person with English/Language Arts could be certified to teach classes in the vacant position; however, having both English/Language Arts and journalism would most likely make for a more highly qualified teacher.)

Twelve individuals applied for the position. One applicant was a regular employee with English certification; therefore, the second set of factors in W.Va. Code §18A-4-7a is required to be used to determine the qualifications of applicants. The interview committee used the first set of factors. The matrix used was incorrect when considering years of experience, requesting total experience in the subject area (used in first set of factors in W.Va. Code §18A-4-7a when all applicants are new or do not meet standards of the posting), not overall total experience. As per the matrix, an applicant with English/Language Arts was the most qualified and was recommended at the June 10, 2010 meeting of the Gilmer County Board of Education. This applicant was certified to teach English/Language Arts and Video Journalism. The recommendation failed and the board requested a second recommendation. The other applicant was recommended and approved. Although this applicant met the qualifications listed on the incorrect posting, this applicant was not/is not certified to teach Video Journalism. This results as a noncompliance.

When the individual was employed, it appeared that the superintendent or board did not know that the posting was incorrect or that the applicant hired was not certified to teach Video Journalism, as the posting was not corrected with a re-posting of the position. If the posting had been corrected (this was June), the applicant would not have been considered for the position if there were certified candidates, as this applicant was not certified and would not have met the requirements of the posting.

Later, after the recommended candidate filed a grievance for the non-selection, it was found that the matrix used for the selection of the most qualified did not have the correct criteria listed on the matrix form (as noted above). When the correct criteria were used, considering, again in error, that the candidate was certified for the position, she was found to be the most qualified candidate. Being so informed, the recommended candidate withdrew the grievance.

Now that Gilmer County has been informed of the above problem, the county board will need to correct the problem/error to avoid the noncompliance of having Video Journalism taught by a non-certified individual.

Recommendation. If the employee is to remain in the position and assigned to teach Video Journalism, the individual will need to apply for a permit in either language arts (1001) or journalism (3900) and complete the required certification. If the individual does not agree to do this, the county can remove the teacher from the position for not being certified using W.Va. Code §18A-2-8 (incompetency). Again, this situation emphasizes the need for a personnel director or at a minimum training for principals in the hiring process of W.Va. Code §18A-4-7a. A trained personnel director should have caught this error (incorrect certification) before the job was posted. The Team recommended that the person responsible for postings check the West Virginia Department of Education Course Code before posting teacher positions to get the certification required to teach all courses of the posted position.

FOLLOW-UP REVIEW

COMPLIANCE. The individual who was not certified for the assignment at Gilmer County High School during the last OEPA visit transferred the subsequent year to an English position for which she was certified. This year, the teacher transferred to Family and Consumer Science. There were no certified applicants for the position. However, the superintendent requested and received a waiver for a permit.

The principal of Gilmer County High School, along with the school's faculty senate chairperson, discussed how they plan to implement West Virginia Board of Education Policy 5000 in hiring personnel. Both were knowledgeable of the law and policy. Individuals hired at the school this summer, prior to the first faculty senate meeting and faculty senate members being trained, were selected using the new qualifications criteria in W.Va. Code §18A-4-7a(b). The principal interviewed candidates with the director of personnel, and both participated in the interview process and the selection of the applicant.

1. Another posting, along with applications and an incomplete matrix made available, was for a speech/language pathologist. The interview/selection committee, including county office administrators, found Candidate A to be the most qualified. Candidate A was recommended by the superintendent (June 10, 2010) for employment; however, the motion failed and the county board asked the superintendent for a second applicant. The superintendent recommended Candidate B who was approved. Candidate B is the daughter of a then board member. This is a finding if it is found that the most qualified candidate was not employed and W.Va. Code §18A-4-7a (c) was not followed. Documents were not available for the Team to determine this; however, a selection committee interview member believed it to be so.

FOLLOW-UP REVIEW

COMPLIANCE. Gilmer County School District is a State Intervention County and all personnel hiring is approved by the State Board of Education.

2. The third posting, which had applications and an incomplete matrix available, was for an elementary principal at Normantown Elementary School. The superintendent reviewed the applications, interviewed, selected, and recommended the person, Candidate A, he found to be the most qualified candidate, an out-of-county candidate who had experience as an elementary school principal. That individual was not approved by the board and a second applicant was requested. Candidate B had worked only at the secondary level with no principal experience, was then recommended and approved. Although the board has a right to reject the superintendent's recommendation for good cause and the superintendent must submit another name (W.Va. Code §18-4-10), **for this to occur repeatedly appears that the board is ignoring W.Va. Code §18A-4-7a in its employment of**

personnel for Gilmer County Schools. In the above instance it was obvious that the most qualified applicant was not employed.

FOLLOW-UP REVIEW

COMPLIANCE. The Team found that the process used in hiring personnel complied with school law. Due to the State Intervention in the operations of the county school district, the local board does not hire personnel.

3. The administrative assistant/executive secretary, prepares all postings. Postings are posted for a period of five days on the West Virginia Department of Education K-12 Job Bank webpage, in the county office, and in the schools. Postings included, for the most part, Position, Employment Term, Qualifications, Salary, Responsibilities, to whom the application is to be sent, date due, and a statement of compliance with federal laws and regulations in its hiring procedures. There was no separate job description for posted positions. The Gilmer County School District considers the job description included in the job posting. For professional personnel, W.Va. Code §18A-4-7a (o) (B) states, "The notice shall be posted . . . and include the job description." For service personnel, W.Va. Code §18A-4-8b (g) (2) states, "Notice of a job vacancy shall include the job description" Responsibilities of the position are listed on postings for professional positions. However, the responsibilities vary from a statement for classroom teachers such as "Duties as outlined in West Virginia State Board of Education Policy 5310" (See posting for social studies teacher, Gilmer County High School dated April 25, 2011) to the posting for English/Language Arts Teacher, Gilmer County High School, where additional responsibilities had been listed (See posting dated May 10, 2010). The same is true on coaching postings. Head Mini-Titan Football Coach, Gilmer County High School listed responsibilities as "Plan, practice, coach and manage a football team." While the posting for Athletic Trainer listed specific responsibilities (See Athletic Trainer, Gilmer County High School, dated April 25, 2011). Service personnel postings reviewed had no "Responsibilities" listed on the posting; therefore, this would appear not to satisfy the requirement of a job description.

Corrective Action. The county can develop separate job descriptions for all professional and service positions or add responsibilities to job postings for service personnel and revise responsibilities on job postings for professional personnel.

Service personnel postings listed under "Qualifications" must have GED or high school diploma. To meet the requirement of W.Va. Code §18A-4-8b (g) (2), "Job postings . . . shall be written to ensure that the largest possible pool of qualified applicants may apply."

Corrective Action. Add under qualifications, "Or enrolled in an approved adult education course to obtain a GED." (W.Va. Code §18A-2-5).

FOLLOW-UP REVIEW

COMPLIANCE. Job descriptions had been developed or updated for professional, service, and extracurricular positions.

The director of personnel and county superintendent reported that it was difficult to attract and hire service personnel employees. Often there are no applicants for the vacant positions. For example, a recent posting (S14-201-01) for a cook on leave of absence resulted in no applicants for the position. This is a position with regular employment benefits, excluding seniority. The position is currently filled with a retired substitute cook. Gilmer County has 10 cooks employed and only three substitute cooks in the county, all of whom are retired. The county posted for substitute custodians (S-14-001-01). There were no applicants. Most of the substitute service personnel employees, including bus operators, are retired.

RECOMMENDATION. The Team presented the following personnel recommendations. For substitute service personnel positions, add to the posting the daily rate of pay and a notice that the county will train for and administer the State Competency Test for the posted classification (job). List the employment benefits on the posting for regular or temporary positions.

To attract or recruit more individuals into service personnel positions: The Team recommended that the county add to the qualifications of High School Diploma or GED, “or enrolled in an approved adult education course to obtain a GED.” It should be noted on the posting that the individual must be enrolled in an approved adult education course by the date of employment in preparation for obtaining a GED and that such employment is contingent upon continued enrollment or successful completion of the GED program.

The Team recommended that Gilmer County continue to post the vacant temporary position currently filled with a retired cook. All vacant positions should be posted until filled.

4. Out-of-field: One teacher (Health) was identified as teaching out of field. This was not approved by the county board.

FOLLOW-UP REVIEW

NONCOMPLIANCE. One teacher was identified as teaching on an out-of-field authorization. There was no verification in the review of Gilmer County Board of Education agendas that the out-of-field authorization had been approved by the State Board who currently, due to a State intervention, acts in the place of the local board.

5. The Gilmer County School District does not provide a job application for posted positions. Applicants applying for a posted position must send a letter of application and résumé to the superintendent. This includes regularly employed applicants. Applications reviewed revealed many styles of letters and résumés for applicants. An individual reviewing the résumés would have to look for information relevant to the criteria listed in W.Va. Code §18A-4-7a. No résumé the Team reviewed had all the information needed to compare applicants on either of the two sets of factors listed in Code. Principals stated that they either called applicants and asked for the information or got the information in an interview. Principals stated that a job application which requested qualification information of candidates as listed in W.Va. Code §18A-4-7a (c) and (d) would put the comparison and final selection on a more level playing field.

Corrective Action. Design a job application (this is not the employment application) that lists all criteria in both set of factors of W.Va. Code §18A-4-7a. Make the application available on line for individuals to complete and e-mail, fax or mail to the personnel director. Data from this application can be used to compare qualifications of applicants. However, data must be verified as accurate/correct prior to making a recommendation of the most qualified.

Gilmer County School District personnel interviewed stated that they will now use matrices to determine the most qualified applicant for a posted position. At the county level, matrices (for both sets of factors listed in W.Va. Code §18A-4-7a) were recently revised and provided to principals. However, the Team noted a few errors in the revised matrices.

Corrective Action.

Matrix for first set of factors.

Matrix: #6. Add “conducted pursuant to W.Va. Code §18A-2-12.”

Directions for using the Matrix: #5. Remove “limited to specialized training as listed in the job posting, if any was listed in this posting.” The Code permits consideration of “relevant specialized training.” It does not have to be just that listed in the job description. #6 Remove “for the last 2 years.”

Matrix for second set of factors.

Matrix: #5. Change job posting to job descriptions; #6 add “conducted pursuant to W.Va. Code §18A-2-12.”

Directions: #5. Change job posting to job descriptions; #6 change from the last 2 years to previous two evaluations.

Corrective Action. Board agenda item: Approval of out-of-field authorization for teaching: Name of employee, area (subject) of out-of-field authorization, school year. (State Board Policy 5202 §126-136-11.7.3 (a). If new employee, include in the initial employment item on the agenda.

As per the administrative assistant/executive secretary, no teachers were in long-term substitute positions and no teachers transferred after five days prior to the beginning of the instructional term.

FOLLOW-UP REVIEW

COMPLIANCE. The county created a job application form that listed criteria of W.Va. Code §18A-4-7a to implement the recommendations from the last OEPA audit. The information received from applicants was used to compare qualifications of applicants. However, due to the change in W.Va. Code §18A-4-7, effective July 1, 2013, this job application is outdated.

As per the administrative assistant/executive secretary, no substitute teachers were in long-term teacher vacancies and no teachers transferred to a different position after 20 days prior to the beginning of the instructional term.

RECOMMENDATION. The Team recommended that Gilmer County revise the current job application form to obtain information relevant to the new qualifications criteria listed in W.Va. Code §18A-4-7a(b) and use this information in screening and considering applicants for vacant positions. Additionally, the Team recommended that the regular employment application be reviewed and updated to address the new qualifications criteria, as it is used by “new” applicants and serves as an employment application, as well as, the application for a posted position. Example: Change, “Do you have teaching experience in the certification area required for this position? (a criterion in the old law) to “Total amount of teaching experience in the required certification area” (criterion required for all applicants in the current law).

1. Attendance Director. As per W.Va. Code §18-8-3, a county must employ at least a half-time director of school attendance if the county has a net enrollment equal to or less than four thousand pupils. Gilmer County falls into this category. Gilmer County does not have an employed half-time attendance director; however, the county contracts for a half-time attendance director. It appears, as per Code, that the individual must be employed. A person on contracted services is not an employee of the board.

FOLLOW-UP REVIEW

COMPLIANCE. An employee of the Gilmer County Board of Education is assigned as part-time director of attendance and also the director of personnel and technology. Timesheets were not kept to show the actual time spent as attendance director, but the employee works to give at least 50 percent of time to the assignment. In addition to the review of student attendance, required mailings to parents, home visits, court appearance, etc., the attendance director works with county staff to provide county programs designed to improve student performance and keep students in school. Programs include, but are not limited to, Summer Academies in conjunction with Energy Express; Credit Recovery; and on-line classes for high school students.

RECOMMENDATION

If the hiring process is to continue in the current manner with principals being responsible, for the most part, for selection of personnel, it is highly crucial that training in the hiring process be provided to principals/supervisors by a person knowledgeable of W.Va. Code §18A-4-7a. If cost is a factor, it is recommended that the superintendent work with RESA 7 to provide such training as it is training that can be used by personnel directors and principals throughout West Virginia. The training should be detailed and in depth rather than an overview. Several principals said they needed and would welcome the training. One said that s/he had requested such training.

The Team further recommended that each posting be numbered and that a complete file consisting of the posting, applications, rating documentation (matrix), and letter of recommendation be kept in the same location, preferably in the office of the individual designated by the superintendent as the director of personnel. Other information may be added, such as, names of interview committee, date of interview, etc., as determined by the county.

It appears that administrators, including the county superintendent, have made good faith efforts (albeit filled with errors and lack of knowledge) in bringing forth recommendations for new personnel. What is troubling is the county board rejecting those nominations and recommendations and substituting their own desires without good cause.

FOLLOW-UP REVIEW

RECOMMENDATION FOLLOWED.

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)

Chart 15 explains the certification issues the Team observed through a detailed review of the certified list, WVEIS Master Course Schedule, and the West Virginia Department of Education Certification Database.

Chart 15
Professional Staff: Gilmer County- May 2, 2011

County-School	Educator Name	Courses/Content Teaching	Certification/Status	Findings	Recommendations
022-501	Educator	5660 Spanish Explore 5661 Span I 5662 Span II	Application Pending	Date of hire was September. An initial application was submitted in December, but not eligible for reciprocity (not a fully certified out-of-state certificate)	Form 1 pending— Waiting on College signature (application eligible for denial May 14, 2011) **Applicant's GPA will not allow her to hold any certificate, except a Substitute certificate. Application will be denied**
	Educator	5622-FRENCH II 0 Grades: 09 10 11	French 1-9	Not certified to teach grades 10 and 11.	Apply on Form 1
	Educator	3021-ALGEBRA I 0 Grades: 09 10 11 3041-ALGEBRA II 0 Grades: 09 10 11 12 3101-APPLD MATH 0 Grades: 09 10 7821-PLANNING 0 Grades:	English 7-12 Math 7-9	Not certified to teach math grades 10 and above (assigned to 9-12)	Apply on Form 1
	Educator	6031-CHEMISTRY 0	Physics and Chemistry 9-	6103 requires a biology	Apply on Form 1

		Grades: 10 11 12 6033-CHEMISTRY II 0 Grades: 11 12 6041-PHYSICS 0 Grades: 11 12 6043-PHYSICS II 0 Grades: 12 6103-ADV HMN ANAT 0 Grades: 10 11 12 7821-PLANNING	Adult	certification	
	Educator	4011-ENG LA 11 0 Grades: 11 12 4011-ENG LA 11 0 Grades: 11 12 4056-JRNLSM PHOTO 0 Grades: 09 10 11 12 4061-JRNLSM VIDO 0 Grades: 08 09 10 11 12 4061-JRNLSM VIDO 1 Grades: 4071-SCH YRBOOK 0 Grades: 10 11 12 7821-PLANNING 0 Grades:	English (1000) 5-12	Not certified to teach 4056 Journalism Photo, 4061, Journalism Video.	Apply on Form 1
022-201	Educator	Assigned to case manage an autism identified student	Multi-Subjects K-8 LD, BD and MI K-12	Teacher is not certified to teach or case manage Autistic students.	Apply on Form 1
	Educator	Course not coded for gifted, but was hired to teach gifted	Elem. K-6 Early Ed. PK-K Multi-Cat K-6 & 5-Adult	Not assigned to any content courses and not coded as gifted, but was hired for gifted. Teacher is not certified.	Apply on Form 1
022-202	Educator	8011 COLTCH EL.	Multi-Subjects K-8 Reading Specialist PK-Adult	Teaching Title I Reading, should be coded as 4809.	Correct course code
	Educator	Course not coded for gifted, but was hired to	Elem. K-6 Early Ed. PK-K	Not assigned to any content courses and not	Apply on Form 1

		teach gifted	Multi-Cat K-6 & 5-Adult	coded as gifted, but was hired for gifted. Teacher is not certified.	
022-203	Educator	2610-PRESCHOOL 0 Grades: P5 2615-PRESCH HNDCP 0 Grades: 7821-PLANNING 0 Grades:	OK	No special ed. students assigned, should only reflect 2610 code	Correct course code
022-205	No certification issues				

Coaching Staff:

**The coaches' database was not up-to-date and had not been maintained.

**A coach who was unable to obtain authorization for 2010-2011 (still pending due to legal background issues) was offered employment for 2011-2012 (should not have offered employment due to good faith issue).

Coaches Name	Authorization	Expired
Coach	Athletic Trainer/Limited Football Trainer	Authorization expired 2008
Coach	Coaching Authorization	Authorization expired June 30, 2010.
Coach	No authorization ever obtained	
Coach	No authorization ever obtained	
Coach	Coaching Authorization	Authorization expired 2008
Coach	Coaching Authorization	Authorization expired 2009

FOLLOW-UP REVIEW

COMPLIANCE. EXCEPTION: ONE EDUCATOR: The 2011 Education Performance Audit report revealed several certification issues; however, most had been resolved prior to the Follow-up Education Performance Audit Team's arrival on November 18, 2013. Unresolved issues included: 1. One teacher did not hold the appropriate grade level certification for his 3012 Math I course; 2. One teacher had a pending permit application; and 3. Three coaches did not hold the appropriate temporary authorization. The county was able to resolve all of these issues by correcting the master schedule to remove the grade level in question and adding the 3012 Math I with a code indicating that the only 11th grade student is now receiving homebound services; processing the pending permit through the West Virginia Department of Education, Office of Professional Preparation; and updating the Coaches' Database, which removed the three coaches no longer employed by Gilmer County.

Most of the 2013 findings were resolved with master schedule corrections and clarification through the West Virginia Education Information System (WVEIS). Only one certification issue remained and is identified in the following chart.

While six teachers held certification to teach, they were listed as not Highly Qualified and of those six teachers, five were also working on permit.

Certification

School	Teacher Name	Schedule	Credential	Findings	Recommendations	County Response
022-501 Gilmer County High School	Educator	6609-PHYS ED HS 0 Grades: 09 10 11 6741- RCRTN SPORT 0 Grades: 11 12 6909- HEALTH HS 0 Grades: 09 10 11 12 7811- MENTORS HIP 0 Grades: 12 7821- PLANNING 0 Grades:	21 Professional Teaching Certificate 2210 - Physical Education Grds: PK- AD Exp: 06/30/2016	Form 08 Add Endorsement /Degree 10/07/2013 Applying for 0900 Driver's education endorsement. Doesn't hold the appropriate endorsement for 6909. Need 2200, 2205, 2215, or 2250 endorsement	Apply for appropriate endorsement for 6909 or remove from Master Schedule.	Pending Form 1/1A for endorsement to teach Health 6609

7.6.3. Evaluation. The county board adopts and implements an evaluation policy for professional and service personnel that is in accordance with W.Va. Code, West Virginia Board of Education policy, and county policy. (W.Va. Code §18A-2-12; Policy 5310; Policy 5314)

The Team reviewed new teacher hire logs for 2007-2008, 2008-2009, and 2009-2010, to determine the 0-3 years experience for required observations/evaluations; and compiled an alphabetical listing of personnel and matched the list with current personnel files.

The Team also reviewed personnel evaluations for professional personnel with 4-5 years experience, other professional personnel, support personnel, service personnel, coaches, etc., to determine that the evaluation process was conducted according to W.Va. Code §18A-2-12, West Virginia Board of Education Policy 5310, and county policy.

FOLLOW-UP REVIEW

The Team reviewed evaluation information for the 2012-2013 school year for ten teachers with five years or less experience within the county, 12 coaches from various sports, 25 service personnel, three professional support personnel, and eight administrators. Materials were reviewed to determine that all protocols established by West Virginia Board of Education Policies 5310 and 5314, as well as Gilmer County Board of Education Policy 4117.5, *Appraisal Procedure for Service Personnel*, were followed in completing evaluations for these personnel. Observations and evaluations were correlated with years of experience to ensure the correct number had been completed and the appropriate protocol had been followed as provided in W.Va. Code and West Virginia Board of Education Policy 5310 and Gilmer County Board of Education policy for service personnel evaluations.

A random review of professional evaluations disclosed the following:

1. One teacher (Gilmer County High School) did not have evaluations for 2008-2009 or 2009-2010.
2. One teacher's (Gilmer County High School) evaluation, completed June 7, 2010, had not been signed or dated by the evaluator.
3. One teacher (Sand Fork Elementary) received only one evaluation which did not meet the requirement of two evaluations per year for teachers with 0-2 years of experience.
4. All other teacher evaluations reviewed by the Team met all requirements of West Virginia Board of Education Policy 5310.

FOLLOW-UP REVIEW

COMPLIANCE. A review of teacher evaluation records revealed the following:

- 1. One teacher cited in the original audit for having no evaluations for 2008-2009 or 2009-2010 retired and was no longer employed by Gilmer County Schools.**
- 2. One teacher cited in the original audit for having an evaluation completed June 7, 2010, that was not signed and dated by the evaluator was no longer employed by Gilmer County School District.**
- 3. One teacher cited for receiving only one evaluation rather than the required two evaluations for teachers with 0-2 years of experience was no longer employed by Gilmer County School District.**

New Findings

- 1. One teacher with one year of experience had only one completed evaluation, which did not meet the requirement of two evaluations per year for teachers with 0-3 years of experience. Additionally, only four observations had been completed for this teacher instead of the required six. Of these four, one had not been dated by the employee and none of the completed observations met the November 1st deadline established for the first observation.**
- 2. Neither of the two observations completed for one teacher was conducted on or before November 1st as required by Policy 5310.**
- 3. All other teacher evaluations reviewed met the requirements of West Virginia Board of Education Policy 5310 which was effective at the time of the original Education Performance Audit.**

Additionally, the Team reviewed information for the online educator evaluation system for professional personnel within the county's two demonstration schools from the 2012-2013 school year (Gilmer County High School and Glenville Elementary School). Records were reviewed to determine that all components of the evaluation system were completed in keeping with timelines established by West Virginia Board of Education Policy 5310 (self-reflections, goal setting, observations, conferences, and summative evaluations) for both the 2012-2013 and 2013-2014 school years.

Review of the online evaluation system information for these two schools revealed the following:

- 1. Self-reflections, goals, and required observations were all completed according to required timelines in both schools during the 2012-2013 school year.**
- 2. The self-reflection for one school counselor was incomplete and, therefore, did not meet the October 1st deadline for the 2013-2014 school year.**
- 3. There was no clear evidence of a student impact goal for one counselor for the 2013-2014 school year.**
- 4. Summative evaluations for the 2012-2013 school year had not been finalized and accepted by staff at either of the schools due to WESTEST2 data not yet being submitted by the West Virginia Department of Education.**

A random review of support personnel evaluations disclosed the following:

1. One speech pathologist (Glenville Elementary School) had not been evaluated during the 2009-2010 school year.
2. One elementary school counselor (countywide) had not been evaluated during the 2009-2010 school year.
3. All other evaluations for professional support personnel reviewed by the Team met all requirements of West Virginia Board of Education Policy 5310.

FOLLOW-UP REVIEW

COMPLIANCE. A random review of evaluations for professional support personnel revealed the following:

- 1. One speech language pathologist cited in the original audit for incomplete evaluations met all requirements for Policy 5310 for the 2012-2013 school year.**
- 2. One elementary school counselor cited in the original audit for incomplete evaluations met all requirements for Policy 5310 for the 2012-2013 school year.**

New Findings.

- 1. One speech language pathologist had not addressed the goals and objectives/action steps for the professional growth and development plan. They were signed and dated by both the employer and employee on March 19, 2013, which did not meet the required timeframe of on or before November 1st. No evidence showed that the employee and the evaluator had met to review progress on the goals.**

2. **One school nurse's evaluation materials consisted of a copy of a completed West Virginia Public Schools' Evaluation of School Nurse Performance from the West Virginia School Nurses Association Handbook dated June 5, 2013, but had not been signed by the employee. There was no documentation of goals and objectives/action steps that had been developed by the employee and evaluator on or before November 1st as required by policy. A typewritten evaluation narrative was discovered wherein two goals were outlined and progress noted, and had been signed by both the employee and employer on June 1, 2013. The same evaluation narrative was signed by both employee and employer on June 1, 2012.**

A random review of coaches' evaluations disclosed the following:

1. The evaluation for one coach (Gilmer County High School Varsity Volleyball) dated November 11, 2010, was not signed and dated by either the evaluator or the employee.
2. The athletic director was last evaluated in 2007-2008.
3. One coach (Head Track Coach-boys and girls) did not have an evaluation for the 2009-2010 year.
4. One coach's (Glenville Elementary School Basketball) evaluation was signed but not dated by the evaluator.
5. One coach's (Gilmer County High School Junior Varsity girls basketball) evaluation was not signed by the evaluator.
6. One coach (Gilmer County High School Assistant Volleyball) had a completed evaluation form dated November 11, 2010, but it was not signed by the evaluator or employee.
7. All other coaches' evaluations reviewed by the Team met all requirements of West Virginia Board of Education Policy 5310.

FOLLOW-UP REVIEW

COMPLIANCE. A random review of evaluations for coaching staff yielded the following results:

1. **One coach cited in the original audit for having an unsigned and undated evaluation was no longer employed in that position.**
2. **The athletic director previously cited in the original audit for incomplete evaluations was no longer employed in that position.**
3. **One coach cited in the original audit for missing an evaluation for the 2009-2010 school year has since received evaluations that fully comply with the requirements of Policy 5310.**
4. **One coach cited in the original audit for having an evaluation not dated by the evaluator was no longer employed in that position.**

5. **One coach cited in the original audit for having an evaluation not signed by the evaluator has been evaluated according to the requirements of Policy 5310.**
6. **One coach cited in the original audit for having an unsigned evaluation has been evaluated according to the requirements of Policy 5310.**

New Finding.

One coach did not have the two required observations completed for the evaluation. All other evaluations reviewed for coaches met all requirements of West Virginia Board of Education Policy 5310.

A random review of service personnel evaluations disclosed the following:

1. One central office staff member (Coordinator of Administrative Services) had not been evaluated in 2009-2010.
2. One secretary (Central Office) had not been evaluated since June 2008.
3. The county maintenance director had not been evaluated during the 2009-2010 school year.
4. One custodian (Gilmer County High School) had not been evaluated during the 2009-2010 school year.
5. One accountant (Central Office) had not been evaluated during the 2009-2010 school year.
6. All other service personnel evaluations reviewed by the Team met all requirements of West Virginia Board of Education Policy 5310 and Gilmer County Board of Education Policy 4117.5.

FOLLOW-UP REVIEW

PARTIAL COMPLIANCE. A review of all service personnel evaluations for the county revealed the following:

1. **The coordinator of administrative services cited in the original audit for an incomplete evaluation met all requirements for Gilmer County Board of Education Policy 4117.5 for the 2012-2013 school year.**
2. **A central office secretary cited in the original audit for incomplete evaluations had since retired.**
3. **The county maintenance director cited in the original audit for incomplete evaluations had been evaluated for the 2012-2013 school year but had not dated the completed evaluation.**

4. The custodian cited in the original audit for an incomplete evaluation met all the requirements for Gilmer County Board of Education Policy 4117.5 for the 2012-2013 school year.
5. The central office accountant cited in the original audit for incomplete evaluations had been evaluated for the 2012-2013 school year; however, the evaluation was not completed by June 1st as required by Gilmer County Board of Education Policy 4117.5.

New Findings.

1. One Cook II had no evaluations completed, although records indicated she had four years of experience within her current classification. According to Gilmer County Board of Education Policy 4117.5, service personnel with three or more years of experience must have at least one evaluation completed by June 1st.
2. One custodian with two years of experience within her current classification had only one completed evaluation. According to Gilmer County Board of Education Policy 4117.5, service personnel with 0-2 years of experience must have an initial evaluation completed by February 1st and a second evaluation completed by June 1st. The completed evaluation, dated June 3, 2013, did not meet either of the established deadlines.
3. One Aide II with two years of experience had only one completed evaluation. According to Gilmer County Board of Education Policy 4117.5, service personnel with 0-2 years of experience must have an initial evaluation completed by February 1st and a second evaluation completed by June 1st.
4. One Aide IV with two years of experience had only one completed evaluation. According to Gilmer County Board of Education Policy 4117.5, service personnel with 0-2 years of experience must have an initial evaluation completed by February 1st and a second evaluation completed by June 1st.
5. One Secretary III with two years of experience had only one completed evaluation. The employee failed to date the one completed evaluation. According to Gilmer County Board of Education Policy 4117.5, service personnel with 0-2 years of experience must have an initial evaluation completed by February 1st and a second evaluation completed by June 1st.
6. One maintenance employee with two years of experience had only one completed evaluation rather than the two required by county policy. Also, the one completed evaluation was not signed by the employee within ten days of the evaluation's completion. The evaluation had been completed on May 23, 2013, and the employee had signed and dated the evaluation on November 15, 2013.

All other service personnel evaluations reviewed met all requirements of Gilmer County Board of Education Policy 4117.5.

RECOMMENDATION. The Team reported inconsistency among supervisors of service personnel in implementing the evaluation requirements set forth by Gilmer County Board of Education Policy 4117.5. In interviewing two administrators, one understood the requirements of the policy and could explain them, while another expressed that all service personnel receive one evaluation regardless of their years of experience. The second administrator's interpretation and implementation was erroneous and did not follow the requirements of two evaluations for those service personnel with 0-2 years of experience, the first evaluation being conducted by February 1st and the second by June 1st, and one evaluation being completed by June 1st for those service personnel with 3 or more years of service. The Team recommended additional training be provided to administrators on the evaluation policy for service personnel.

A random review of school administrator evaluations disclosed the following:

1. Two school administrators (Director of Food Services and Transportation and the Treasurer) had goals established for the 2009-2010 year, but there were no end of the year evaluations.
2. All other school administrator evaluations reviewed by the Team met all the requirements of West Virginia Board of Education Policy 5310.

FOLLOW-UP REVIEW

COMPLIANCE. A review of evaluations for administrators yielded the following results:

1. Two school administrators cited in the original audit for lack of end of year evaluations were found to have had end of year evaluations for the 2012-2013 school year.

New Findings.

1. Two administrators who had participated in the online evaluation system during the 2012-2013 school year had mutually established written goals with their evaluator on or before November 1st. Both administrators reported progress in attaining their goals and were monitored mid-year by their evaluator. As reported in the section above regarding evaluations for professionals, the principals had been unable to finalize their 2012-2013 evaluations due to the WESTEST2 data not yet being submitted by the West Virginia Department of Education. Interviews with these two administrators provided evidence that they and their staffs had received training in the new online evaluation system.

2. Both administrators who participated in the online educator evaluation system during the 2012-2013 school year reported administering a stakeholder survey regarding the overall effectiveness of the school to parents, students, and staff; however, one administrator reported having only 10 responses from parents, while the second administrator reported no results from parents. Surveys from both schools were administered electronically. As cited in Policy 5310, these surveys are meant to provide perceptual data for the administrator to share with his/her evaluator at the year-end conference.
3. The reviews of evaluation files for the remaining school and central office administrators provided evidence all administrators were evaluated during the 2012-2013 school year. The personnel files contained an end of the year narrative evaluation for each administrator which was signed and dated by both the evaluator and employee. The Team was unable to find written documentation to validate the process utilized to develop mutually agreed upon goals by the evaluator and employee on or before November 1st or that a mid-year conference to review progress had been held. Through interviews with a sampling of administrators, the Team was told that goals were established prior to November 1st and mid-year conferences with the evaluator were held. The Team recommended a template be developed that will show and validate the various parts of the administrator evaluation process.

NEW EVALUATION POLICY SUMMARY

1. Both administrators from the two demonstration schools for the 2012-2013 school year confirmed they and members of their leadership teams had attended training in the new evaluation system at either RESA 7 or through the West Virginia Center for Professional Development. Those who attended the trainings provided support and information to the remaining staff at each of the schools.
2. Both administrators reported that school data had been reviewed by teachers in the development of their student learning goals. In 2012-2013 teachers at both schools created student learning goals individually. The elementary principal reported that teachers utilized the same process for the 2013-2014 school year; however, the principal at the high school indicated she asked teachers to set one schoolwide goal and one individual goal this year.
3. The Team reviewed the student learning goals of one of the administrators and reported that the principal had combined three goals into one, and the goals were not stated in measurable terms (i.e., “more usage and reflections for PD360 as noted in reports” and “implement Common Core standards in all classrooms”).

RECOMMENDATION. In establishing student learning goals, data disaggregation needs to take place which will help teachers identify gaps in the curriculum, within and across grade levels, as well as student subgroups. This type of data analysis will not only help create a schoolwide focus, but will also link to the new educator evaluation system and help teachers develop meaningful student learning goals.

The Team recommended that additional support be provided administrators in developing specific, measurable, attainable, relevant, and time-bound goals based upon the review of school data.

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 Team found the following instances in which mentors had not been assigned.

School Location	Educator	WVEIS Assignment	Current Certification	Correction Needed
Glenville ES	Teacher	Grade 6	Hire date 12-10	Hire Mentor
Gilmer HS	Teacher	English 9-12	Hire date 12-10	Hire Mentor
Sand Fork ES	Principal	Principal	Hire date	Hire Mentor

The county recognizes that W.Va. Codes §§18A-3-2b and 18A-3-2d require a Beginning Teacher Internship Program and a Beginning Principal Internship Program. However, county policies needed revisions because a specific written internship program did not exist. The county provides mentors for all new (eligible) professional personnel. Mentors for professional support were paid from county or federal funds. The program appeared to be very weak. The federal programs director, who is retiring at the end of this school year, was responsible for the mentor programs at the county level. Her responsibility included posting the mentor positions and submitting required information to the West Virginia Department of Education for payment reimbursements. The individual did not supervise or monitor the program at the school level. According to the federal programs director, the implementation and responsibility of the program is the responsibility of the mentor.

Four mentors were hired this year (2010-2011) for new educators (principal, classroom teacher, counselor, and speech/language pathologist). Three other new educators did not have mentors. Positions were posted and reposted, but no applicants were trained mentors and no training was scheduled after December 2010. Therefore, mentors were not provided for these new educators. The federal programs director reported the West Virginia Department of Education gave approval to wait until next year to repost the positions. It was also noted that the two teachers were on the reduction in force (RIF) list, but if they return the county will post for a mentor for 2011-2012. As shown on a list of trained mentors, only 11 are still employed in the county. No one has been trained since 2009 when one teacher was trained.

The Team interviewed two principals about mentors. The principals stated that mentors were not able to meet the observation and conference requirements. The federal programs director said that money can be provided through Title II for substitutes to be use for mentor observations/conferences; however, no one has requested the funds. The director of special education was mentor to two of the new educators. The mentor was not available for interview.

Corrective Action. The individual responsible for personnel will need to contact the Center for Professional Development (CPD) for a schedule of summer training sessions for mentors. Principals will need to identify their master teachers and recruit them to complete the required State training to be a mentor for beginning teachers. The county should strive to get a minimum of one teacher from each school trained as a mentor for new teachers. The new person over the Beginning Teacher and Principal Internship programs should also attend the training. Additionally, master principals should be recruited to train as principal mentors for new principals in the county.

Several teachers listed on the Trained Mentor list have retired. When currently employed teachers are not available, the county could recruit retired teachers to serve as mentors. This might have been an option for mentors for the new teachers/principal this year (2010-2011).

Upon the federal program director's retirement, the implementation of the Beginning Teacher Internship and Beginning Principal Internship programs should be assigned to a specific person who will post positions and develop a specific program with a county orientation meetings with all new educators, county monthly or quarterly meetings, staff development, etc. This individual should also monitor implementation of the programs. Some excellent Beginning Teacher Internship Programs exist in the State that could serve as models. One excellent mentor program is in Jefferson County which includes orientation meetings, monthly staff development, etc. The Team recommended that person responsible for mentorship programs review programs from other counties to help in designing a specific program for Gilmer County.

FOLLOW-UP REVIEW

Subsequent to the original Education Performance Audit, Gilmer County ensured that teachers were trained through the Center for Professional Development (CPD) to serve as mentors for beginning teachers. The director of federal programs indicated trained mentors were in all schools and in every discipline at the high school level. All beginning teachers in the county, all first year teachers to Gilmer County Schools, and all first year professional support personnel were assigned mentors. The county supports the salary of mentors assisting teachers who are not "beginning" teachers. The county also revised its mentor job description; however, that job description is now out-dated as it reflects the responsibilities of a mentor of West Virginia Board of Education Policy 5900 and W.Va. Code §18A-3-2b, which have been repealed.

Gilmer County addresses support for beginning teachers in its "System of Support for Improving Professional Practice" (WVSIPP) plan. The county's plan includes a mentor teacher for first year teachers and colleague support for second year teachers. It provides responsibilities to the principal to meet with the beginning teacher on a regular basis. It also provides responsibility to the technology integration specialist (TIS); however, those responsibilities were not identified in the plan. Priorities listed in the plan included teachers managing the

classroom on their own, teaching the Next Generation Standards, teaching writing across the curriculum and utilizing technology. Interviews with two principals, teachers, and mentors, indicated mentors follow the training manual received by the Center for Professional Development (CPD) to implement the program. Mentors were assigned, to new first year teachers and to teachers new to the county. Teachers coming from out-of-county, regardless of years of experience, (one teacher has thirteen years' experience), had assigned mentors. Training and topics were adjusted for experienced teachers.

Since the WVSIPP was in its first year of implementation, there was no documented "evidence of impact" of the WVSIPP available at the county office, including the need for professional development for the beginning teacher as determined through the use of the evaluation system. However, Gilmer County School District provided support for improving professional practices to all teachers in the county. All teachers, including beginning teachers, received training in the Common Core Standards through RESA 7. Continued training is scheduled through the summer of 2014. Several other professional development programs have been provided to teachers.

There is one new principal (assistant) in the Gilmer County School District. The mentor retired from the position the new principal now holds. The principal reported that the mentor implements the requirements of W.Va. Code §18A-3-2d and beyond.

RECOMMENDATION. The Team recommended that Gilmer County review and revise the mentor job description to identify the responsibility of the mentor in implementing of the county's WVSIPP. The current job description states responsibilities found in the law and policy that were recently repealed.

7.7. SAFE, DRUG FREE, VIOLENCE FREE, AND DISCIPLINED 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)

W.Va. Code §18A-1-12a (17) states, “All official and enforceable personnel policies of a county board must be written and made available to its employees.”

The Team reviewed all policies listed in Standard 7.2.2 and other policies which came into question during the routine investigation and verification of the aforementioned policies. Gilmer County Schools complied, at last minimally on most required policies, but several issues emerged related to policy irregularities. Upon approval of a new or revised policy, Gilmer County Schools has failed to adjust or eliminate other county policies which may conflict with the new/revised policy.

1. Discipline. Gilmer County School District adopted the Student Code of Conduct set forth by the West Virginia Board of Education in Policy 4373. However, former Gilmer County Policy 5114 on Suspension and Policy 5114.1 on Expulsion continued to be listed in the county’s policy manual and on the website. The terminology differs and was often in conflict between the new policy and the old ones.

Policy 5114 on Suspensions appeared to indicate a student may be suspended for the violation of any written school rule or board regulation.

Disciplinary Procedures - Suspension 5114 – The policy did not identify disciplinary levels and the reasons for discipline were very vague. For example, Grounds for Suspensions 1.1 and 1.2, caused some confusion for dealing with the Code of Conduct.

Expulsion 5114.1. This policy did not include all Safe School violations. It implied that students may be expelled just if “charges” are serious enough. This caused some confusion in dealing with the Code of Conduct.

The Code of Conduct listed in the student handbook at Gilmer County High School referred to categories of offenses, whereas, the Code of Conduct policy referred to level of violations. Examples of offenses/violations were also different than listed in policy. While educators may maneuver through this mixed terminology easily, it may result in significant confusion for students, parents or other members of the public when trying to access information or formulate a defense in suspension/expulsion hearings.

FOLLOW-UP REVIEW

PROGRESSING. Gilmer County Superintendent of Schools communicated that the district has a contract with a law firm to review the existing policy manual. This firm is in the process of writing, revising, and repealing current policies to meet current State policy guidelines. The superintendent and central office staff reported the revision process is not progressing as quickly as they had anticipated. The policies listed have been adopted by Gilmer County Schools since the initial audit occurred in 2011.

- Policy 5110 Attendance (8/22/11)
- Policy 5110.1 Homeless Student Dispute Resolution (2/20/12)
- Policy 6246 Internet Safety (6/18/12)
- Policy 5130 Expected Behaviors (7/2/12)
- Policy 5118 Intra-county transfer (9/17/12)
- Policy 5118.1 Intra-county transfer (10/15/12)
- Policy 4235 Leave Bank (10/15/12)
- Policy 4236 Leave Donation (10/15/12)

During the follow-up review, the Team reviewed Gilmer County Board of Education's policies regarding the Code of Conduct. The Gilmer County Board of Education adopted county policy 5130 *Expected Behaviors* July 2, 2012, that aligned to West Virginia Board of Education Policy 4373; however, former policies 5114 and 5114.1 regarding suspensions and expulsions had not been repealed.

The Team also noted that Gilmer County School District did not have a policy solely dedicated to assuring the quality of educational programs. Gilmer County Board of Education Policy 6141 *Graduation Requirements* (2/8/99) contained limited, embedded information pertaining to the programs of study requirements for high school students. The policy did not provide guidance for middle level education and elementary level education. The policy did not contain the current requirements of West Virginia Board of Education Policy 2510.

2. Grading. The Team found numerous conflicts and inconsistencies in Gilmer County Board of Education's policies regarding student grades.

Gilmer County Board of Education Policy 5123.5, Gilmer County Grade Advancement and Testing Out Policy, referred to students in Grades 1-8 performing at the 95th percentile in total basic skills on the SAT-9 test to qualify for consideration for grade advancement. However, Gilmer County no longer uses the SAT-9 test.

Policy 5123.5 also referred to high school students performing at the percentile in a discipline area to be considered for testing out. However, staff indicated that Gilmer County now uses RESA 7 for determining testing out criteria.

FOLLOW-UP REVIEW

During the follow-up audit the Team found that policy 5123.5 remained in place. The superintendent indicated this policy is among those submitted to the law firm to be considered for revision or repeal.

3. Gilmer County Board of Education Policy 5124 was not consistent with the State's policy regarding weighted grade point averages.

FOLLOW-UP REVIEW

During the follow-up audit, the Team found that Policy 5124 remained in place. The superintendent indicated this policy is among those submitted to the law firm to be considered for revision or repeal.

4. Activities Conduct Policy 5131 – This policy was a general framework for school discipline. There was no reference to classroom management plans. Gilmer County policies in this series included: 5131.1-Student Conduct on Bus; 5132 Dress/Hair; and 5130-Student Code of Conduct.

FOLLOW-UP REVIEW

During the follow-up audit, the Team found that Policy 5131 remained in place. The superintendent indicated this policy is among those submitted to the law firm to be considered for repeal. Due to the adoption of Policy 5130, this policy will no longer be essential.

5. The Team recommended that the Gilmer County Board of Education review all printed materials distributed by agents of the board to assure compliance with all board policies, consistency in the terminology and purpose of the policies, and in delivery of county policies.

FOLLOW-UP REVIEW

IN PROCESS. Student handbooks provided a list of inappropriate behaviors contained within Policy 5130, *Expected Behaviors*; however, consequences for behaviors were not included in the student handbook. The *Safety and Acceptable Use of the Internet by Students and Educators Form* was not current and did not reflect the updated requirements of Policy 2460.

Central office staff provided the Team a copy of Policy 2460 that was distributed to students and parents during the 2013-2014 school year. This policy was printed August 9, 2011, with an effective date of September 9, 2001, from the West Virginia Board of Education Policy website, while the current policy was revised in 2011 with an effective date of April 16, 2012.

6. The Team recommended that the Gilmer County Board of Education follow its own Policy 1200, Policy to Promote School Board Effectiveness, as required by W.Va. Code §18-5-14, which calls for an annual review of policies.

FOLLOW-UP REVIEW

IN PROCESS. Gilmer County Board of Education policies were undergoing review.

7.8. LEADERSHIP.

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)

W.Va. Code §18A-2-12a (1) provides “The effective and efficient operation of the public schools depends upon the development of harmonious and cooperative relationships between county boards and school personnel.”

The Team interviewed all five members of the Gilmer County Board of Education and the Gilmer County Superintendent of Schools. The Team also reviewed agendas and minutes of county board meetings from September 2008 to the present. The Team also reviewed minutes from the Comprehensive Educational Facilities Plan (CEFP) committee meetings. The following findings verified that the Gilmer County Board of Education was not operating according to statutory requirements and West Virginia Board of Education policies. Board minutes and board member and county staff interviews showed that the county board members were in discord, the county board operations were dysfunctional; and meetings were unproductive and resulted in the board being incapable of following State Code and West Virginia Board of Education policies.

1. Five-Year Strategic Plan. A statutory responsibility central to the purpose of local school boards is establishing a long term vision for the school system that keeps the district focused on learning and achievement for all students. A Gilmer County Five-Year Strategic Plan had been developed; however, the board members did not participate in the plan’s development. Most were unclear about the plan and all members questioned about updates on progress of the strategic plan in achieving the goals and objectives stated that they had not received updates on the plan. Board minutes did not indicate that the County Five-Year Strategic Plan had been presented to the board.

FOLLOW-UP REVIEW

A review of the Gilmer County Board of Education minutes of meetings indicated that overviews of the county strategic plan had been presented periodically at meetings over the past two years. On February 20, 2012, the Gilmer County Board received a copy of the rubric used to evaluate their plan. One board member reported that he had participated on the strategic planning committee. Two other board members reported being informed about the plan at board meetings. One Board member could not recall presentations at board meetings and one stated that no information about the County Five-Year Strategic Plan had been shared with board members. All board members discussed the goals identified in the plan.

2. Annually the board is to meet with each school's Local School Improvement Council (LSIC) and at this meeting a quorum of the Local School Improvement Council is to be in attendance. Meetings with the Gilmer County Board of Education and each school's LSIC were not held as required by W.Va. Codes §§18-5-14 and 18-5A-2. The county board conducted "Linkage" meetings at each school and the LSIC provided a report on accomplishments and the school's needs. Gilmer County had not developed and submitted to each council an agenda for this annual meeting as specified by Code. The Code requires the council chair or designee to address items designated by the county that are specified in W.Va. Code §18-5-14(a) (1) (B). These include: School performance, Curriculum, Status of the school in meeting the school improvement plan, and status of the school in meeting the county plan. Minutes of the Gilmer County Board of Education did not show that a required quorum was present.

FOLLOW-UP REVIEW

Gilmer County Board of Education minutes of meetings indicate that each Local School Improvement Council (LSIC) had annually presented at meetings. The superintendent provided the LSIC a lengthy list of required topics to be addressed. While the Board minutes did not specify if a quorum of LSIC members were present at their respective meetings, the superintendent and two board members reported that sign-in sheets from the meetings were maintained. One board member expressed concern that LSIC members at one school were more concerned about reporting needed facility repairs than student achievement.

3. Board minutes showed on two occasions (June 7, 2010 and March 14, 2011) that the affected board member failed to recuse him/herself from the room during board voting on personnel actions of family members. Minutes showed that each board member abstained from voting on that particular personnel item. The Ethics Commission has ruled that members of a board of education are to leave the room when the board votes on matters relating to a family member.

FOLLOW-UP REVIEW

Due to the State intervention, the Gilmer County Board had not had an occasion to act on personnel issues. Most members indicated a desire to perform within State Code and State Board policies.

4. The Gilmer County Board of Education has at times not supported the superintendent's personnel recommendations. The following personnel employment decisions showed instances in which the board of education did not accept the superintendent's recommendation.

June 7, 2010. The minutes state . . . "Recommended by the Superintendent . . . to employ Candidate A as English/Language Arts Teacher 7-12, GCHS. Motion failed 0-5. The board president "asked for a second applicant". The superintendent recommended Candidate B . . . Motion carried 5-0.

June 7, 2010. "Superintendent recommended employing Candidate A as Speech/Language Pathologist. Motion failed 0-5. The board president "asked for a second applicant" The superintendent recommended Candidate B. . . . Motion carried 4-0 with a board member abstaining. The individual hired was the daughter of the board member abstaining. Two questionable protocol issues resulted from this board action. First, the board member abstaining should have left the room during this vote. Secondly, the board not accepting the first candidate recommended by the superintendent and approving the second applicant gave the perception that a relative of a board member was given preferential consideration for employment. Board minutes of a later meeting showed this individual was then given \$5,000 to the initial salary supplement. At the July 26, 2010 Regular Board Meeting, the superintendent recommended and a motion was made and seconded to raise the Speech/Language Pathologist supplements from \$1895 to \$7000. Motion carried 5-0. When asked about this significant supplemental pay, some board members and the superintendent indicated that it was necessary in order to get and retain this qualified person. This board action caused the county staff and board to realize that a speech/language pathologist already employed in the county would also receive the same supplement increase (\$5,000).

July 26, 2010. The superintendent recommended employing Candidate A as principal at Normantown Elementary School. Motion failed 2-3. The superintendent was asked for another recommendation. The minutes do not state that the superintendent made another recommendation. A motion was made by a board member and seconded to employ Candidate B as principal of Normantown Elementary School for 2010-2111. Motion carried 3-2.

January 27, 2011. A Special Board Meeting of the Gilmer County Board of Education January 27, 2011, agenda item, "Superintendent's Recommendation for elimination of the following contracts at the end of this school year" listed 10 superintendent recommendations for reductions in force. Board minutes indicated the "motion died 0-5" on five recommendations and the "motion carried" on five personnel recommendations.

January 27, 2011. The board agenda item, superintendent's "Recommendation for Employee Transfers" showed the board tabled the superintendent's recommendation on the transfer of the cook positions. Further recommendations on

this item indicated the motion died on five superintendent recommendations for employee transfers. The board approved recommendations of four employee transfers, two of which were rescinded later in the meeting.

FOLLOW-UP REVIEW

The majority of Gilmer County Board of Education members maintained if given the responsibility for personnel decisions, they would follow a superintendent's recommendation provided it is based on State code and West Virginia Board of Education policy. They noted the importance of identifying the most qualified person.

One board member recognized the worth of having central office administrators that are well-trained in the personnel process. That member reiterated the value of utilizing a reliable matrix and verifying all applicants' stated experiences.

5. Delegations. Gilmer County Board of Education members were not aware of a county policy regarding "Delegations" or people signed up to address the board under Delegations. Board minutes showed several people addressing the board during meetings. Interviews with board members indicated that after a member of the public addressed the board, they might have something else to add and would be permitted to speak again. No time limit had either been set in policy or followed by the board for delegations addressing the board. Instances were listed in the board minutes where individuals requested an executive session and the board complied (August 24, 2009 and November 8, 2010). It was also reported that meeting attendees would speak out during board meetings and engage exchanges with board member(s). All these breaks in the continuity of a board meeting results in exceedingly long meetings that may not be productive. The board will need to develop a policy concerning delegations and adhere to the policy to conduct coherent and transparent meetings of the Gilmer County Board of Education.

FOLLOW-UP REVIEW

A review of the Board minutes indicated that meeting procedures had been restructured to move "Delegations" to the end of meetings. Most board members reported that this agenda structure was working well. Members also approved of the written reminder to delegations to act professionally and respectfully. Board members reported that delegations had five minute speaking limits, though one member said that some were allowed to talk for ten minutes.

Two OEPA Team members attended a Gilmer County Board meeting while on-site. They noted that one board member spoke concerning dislike of the current practice of locating Delegations at the end of meetings. That Board member said such timing did not give board members the opportunity to address each individual's concerns. Additionally, this board member relayed concerns about the issue of consolidating schools which had previously been determined. A

more productive use of the position and time would be a focus on the county's goals and student achievement.

6. A board must operate openly with trust and integrity govern in a dignified and professional manner, and treat everyone with civility and respect. The following indicated instances in which the Gilmer County Board of Education did not follow general meeting procedures.

It was apparent that member(s) encouraged teachers and community members to come directly to them and they sometimes informally asked staff to resolve stated issues.

Interviews indicated that board member(s) encouraged teachers and parents to repeatedly attend and speak at board meetings to get what they wanted.

Interviews indicated that a Gilmer County Board of Education member did not treat CEFP committee members respectfully in a public board meeting. Membership on the committee declined considerably after the incident.

Board minutes (March 19, 2010) indicated that a member called parents in one school zone for personal opinions. Decisions should be based on sound educational practice, rather than personal polls.

FOLLOW-UP REVIEW

Board minutes and board member interviews indicated that meetings have been conducted in an orderly and timely fashion. Speakers were reminded that everyone was to be treated with respect and not to discredit anyone.

Gilmer County Board members stated that while they sometimes suspect a board member discussed with/or briefed parents on certain issues, including expulsion hearings, there is no clear evidence that a board member has done so. One member noted that it is difficult to remain noncommittal when asked questions in public places. Board members must remember and observe that authority begins and ends during an official meeting of the public body.

Interviews indicated that CEFP members had been treated with respect. Several members had rejoined the committee.

7. Ten-Year Comprehensive Educational Facilities Plan (CEFP). Gilmer County had not completed for approval a CEFP for the 2010-2020 as required by West Virginia Board of Education Policy 6200, Section 100 which specifies, "The plan is to be updated annually . . . and rewritten every ten years thereafter beginning with the plan submitted in 1990."

A previous superintendent of the Gilmer County School District and the local board of education appointed a CEFP committee. After a great deal of work and analysis, the committee developed and presented its consideration for the school system to the Gilmer County Board of Education in 2008. The CEFP planning committee recommended one elementary school for Gilmer County. Board members rejected the one school proposal and some members voiced refusal to accept any CEFP for one school. At the date of the Education Performance Audit (May 2-4, 2011), the CEFP committee had not brought another proposal to the board and membership dwindled so that only four or five committee members attended the CEFP meeting the week prior to the OEPA audit. The CEFP committee indicated that it will not present a plan that contains something that will not be funded by the School Building Authority of West Virginia (SBA) and was adamant about a one elementary school plan.

The board placed a bond on the ballot before the voters in November 2010 for two elementary schools to replace the current four elementary schools. The bond failed by a considerable margin. The community is also divided on their support of the CEFP. Consequently, the Gilmer County Board of Education and the CEFP committee were at an impasse and seemed unable to move forward with a ten-year Comprehensive Educational Facilities Plan to address the demands of comprehensive educational programs and aging and obsolete facilities. Meanwhile, students in three elementary schools continue to be deprived of a thorough and efficient education in safe and healthy environments.

Additional Information

Subsequent to the OEPA audit (Monday, May 22, 2011), the Gilmer County Board of Education appointed 12 new members to the original CEFP planning committee. This action raises questions about who prepared the recommended membership and how it was presented to the Gilmer County Board of Education for approval. All individuals interviewed by telephone stated, "The list appeared" before each board member at the May 22, 2011 meeting. The superintendent stated that he recommended this list of names to the county board for approval. However, the superintendent was not clear about how the list of recommended appointees to the CEFP planning committee was developed and who placed the list of names in front of each board member. He and other individuals indicated that the list was circulated by a local media representative. It was further reported that a local media representative moved around the table and marked through the word "tentative" beside one name on the list. Some local individuals feel that board member(s) developed this particular list to include individuals who will support the majority of the

board members' desires. At this point, the OEPA cannot verify the veracity of these reports; however, persons interviewed indicated a close relationship between some of the CEFP planning committee new appointees and a member of the Gilmer County Board of Education. It is not clear that the county superintendent recommended all the new CEFP planning committee members or how the members were selected. Regardless, this is another example of questionable actions by the Gilmer County Board of Education. It is the responsibility of the board president to follow proper meeting procedures.

The original CEFP planning committee met May 18, 2011 and voted to include a new middle school for grades 5-8 and renovate and expand Glenville Elementary School to accommodate the county's grades PK-4, and close Sand Fork, Troy, and Normantown Elementary schools in the CEFP. According to this plan, Grades 7 and 8 will be moved from the high school and occupy the new middle school. The superintendent stated that a special meeting of the Gilmer County Board of Education is scheduled June 21, 2011 to consider the CEFP and a copy is to be submitted to the School Building Authority (SBA) July 27, 2011 for review. He further reported that the CEFP is planned to be submitted to the West Virginia Board of Education at the July meeting of the State Board. The expedited sequence of events heightens concerns regarding the planning process and public input process.

Also troubling is what appears to be a critically damaged relationship between the CEFP committee and the Gilmer County Board of Education. While each body has contributed extensive time and effort on the CEFP, the committee has not presented a formal completed plan to the board. In turn, board member(s) have made their position clear to the CEFP committee.

FOLLOW-UP REVIEW

PROGRESSING. Under the new county superintendent, Gilmer County has completed the requirements of providing the 2010-2020 Comprehensive Educational Facilities Plan (CEFP). The CEFP was approved by the West Virginia Board of Education at its regular board meeting in 2011. Gilmer County is currently following the approved CEFP and moving forward with its facility improvements.

Team members interviewed three members of the Comprehensive Educational Facilities Plan (CEFP) committee. All reported that the superintendent had sent letters to members that had resigned and requested them to renew service to the committee. Most had returned.

Members of the CEFP said that meetings had been conducted openly, professionally, and democratically. Members were not afraid to ask questions. While the final plan may not have been the first choice of those interviewed for reconciling facility issues, they believed the process was fair, everyone was given equitable input, and the majority had ruled. They were pleased with the final product. Items that CEFP committee members had voted for remained in place.

1. Meeting minutes of the Gilmer County Board of Education showed that the board accomplished few meaningful actions that advanced the educational system. The same items appeared on the board's agenda meeting after meeting before resolution. For example, the posting of an attendance director was first combined with a technology director and was later posted as a half-time attendance director position.

An issue regarding student residency has consumed numerous board meetings and remained unresolved to date.

Several meetings involved items concerning technology services.

FOLLOW-UP REVIEW

A review of Gilmer County Board minutes revealed that on at least two occasions board members had discussed "Standards for High Quality Boards". When asked about the book, board members indicated that they found the information very helpful. One member had the book with him during the interview to share favorite excerpts.

One member reported having grown as a unit, having more autonomy, and trying to act professionally. Some noted the importance of a good policy manual and adhering to it. Another member said the experience of State intervention had drawn attention to the consequences of not being more inquisitive and following up on issues more thoroughly.

During interviews, Gilmer County Board of Education members were asked how they would conduct business if control was given back. Four members said that they would follow policy and adhere to the agenda structure that was working well. One member stated a belief that the Gilmer County Board of Education worked well before the intervention and expressed a desire to go back to the way the board conducted business before the State intervention.

- 2 Gilmer County has experienced instability with the superintendent's position. The current superintendent is retiring and the board has hired someone to take his place by a 3-2 vote. The critical position to lead the county has been disrupted by the turnover in county superintendents. Gilmer County is at a critical point operationally.

FOLLOW-UP REVIEW

Gilmer County Board members expressed a readiness to have decision-making returned. However, members acknowledge that one of their biggest decisions would be that of hiring a new superintendent someday. They identified strong

leadership skills as a necessity and someone who will follow the rules without succumbing to county political pressures.

8.1.3. Facilities. Schools are operated efficiently, economically, and without waste or duplication, and the number and location of schools efficiently serves the student population. (W.Va. Code §18-9D-15 and §18-9D-16 (d))

Four of Gilmer County's five schools were below the recommended 85 percent utilization capacity.

Troy Elementary School is at 75 percent utilization with 100 students

Normantown Elementary School is at 59 percent utilization with 105 students enrolled.

Sand Fork Elementary School is at 70 percent utilization with 116 students enrolled.

Glenville Elementary School is at 66.9 percent utilization with 196 students enrolled.

Utilization data source: Gilmer County 2000-2010 CEFP.

Head County Enrollment Source:

<http://wveis.k12.wv.us/nclb/pub/enroll/sumdatap04v2.cfm?cn=022&sn=1&conme>.

Three of the five schools in Gilmer County, (Troy Elementary School, Normantown Elementary School, and Sand Fork Elementary School) have exhibited serious structural and safety issues and numerous deficiencies that compromise the health and safety of students and staff. Gilmer County School District cannot provide an effective and efficient system of education in these three facilities.

All five schools needed an aggressive maintenance plan. Without such action, the life expectancy of the newer facilities will deteriorate.

Gilmer County does not have an approved Comprehensive Education Facilities Plan (CEFP), and the committee, county board, and community are at an impasse in the content of the CEFP. As a result of not developing and gaining approval for a 2010-2020 CEFP, Gilmer County is not eligible for School Building Authority (SBA) funding.

Necessary maintenance on the three critical facility schools drains fiscal resources that could be used for other educational purposes. The current conditions of three elementary schools in Gilmer County make it impossible to comply with the Americans with Disabilities Act (ADA) and the Safe Schools Act.

The current condition of the facilities in Gilmer County impedes the delivery of an effective and efficient educational system.

Currently, 943 students are enrolled in Gilmer County Schools. In 2001-2002, a total of 1,095 students were enrolled. In less than 10 years, the system has lost 14 percent of their students, yet no schools have been closed. Rapid population loss without facility closures is unsustainable.

FOLLOW-UP REVIEW

Under the new county superintendent, Gilmer County has completed the requirements of providing the 2010-2020 Comprehensive Educational Facilities Plan (CEFP). The CEFP was approved by the State Board of Education in 2011. Gilmer County is currently following the approved CEFP and moving forward with facility improvements. Improvements in progress include construction of a new intercounty elementary school, consolidating Troy Elementary School in Gilmer County with Alum Bridge Elementary School in Lewis County. Additionally, Gilmer County is requesting a grant from the School Building Authority (SBA) for a new Glenville Elementary School which will consolidate Sand Fork Elementary School, Normantown Elementary School, and Glenville Elementary School. This is the beginning stages of the process. These two new facilities will greatly improve the condition of the facilities in this county and will address most of the identified deficiencies in the initial OEPA facilities visit.

Gilmer County is prepared to submit to the West Virginia Board of Education, the Closure Documents for the consolidations and closures associated with the projects identified in their CEFP at the March 2014 State Board meeting.

8.1.4. Administrative practices. The school district assesses the assignment of administrative personnel to determine the degree managerial/administrative services provided schools establish and support high quality curriculum and instructional services.

The administrative staff at the county office, which is responsible for operating an effective and efficient school system, is limited. Tasks for specific jobs are broken down and assigned among county administrators, secretaries, and/or principals. As a result, it appears that no one person is responsible for a total program. In these situations, no complete package of a specific job can be provided by one person. The hiring of personnel and the implementation of the Beginning Teacher and Beginning Principal Internship programs illustrate limitations of county personnel. Administrative staffing at the school level appears to be adequate with full-time principals at each elementary school and two administrators (principal and assistant) at the middle/high school.

At the school level, the county provided staff to meet the requirement of law (elementary K-6 and special education) and the required programs of study. The superintendent has worked to get the county within formula in personnel; however, the board has rejected some of the superintendent's recommendations to reduce personnel and eliminate positions.

FOLLOW-UP REVIEW

The county office administrative staff remained limited in number to operate an effective and efficient school system. Each central office staff member was responsible for multiple programs. Team interviews with county curriculum staff, document reviews, and school visits profoundly indicated a void in the central office staff to orchestrate curriculum and school offerings and schedules to maximize personnel to enhance student opportunities.

The superintendent has been successful in getting the county within the personnel formula.

8.1.5. Personnel. The school district assesses the assignment of personnel as based on West Virginia Code and West Virginia Board of Education policies to determine the degree to which instructional and support services provided to the schools establish and support high quality curriculum and instructional services.

Seven and one-half professional and one-half service positions were funded outside the State basic foundation allowance formula for 2010-2011. According to interviews with the county treasurer, funding sources for positions funded outside the formula were provided through county excess tax, Medicaid funds, and carry-over monies. These funds, along with federal funds, also pay for contracted services (including, but not limited to, attendance director, tutor interventionist, teacher for the visually impaired, as well as for occupational therapist and physical therapist services.) Technology services were being contracted through RESA 7.

Staff indicated that all required programs of study were offered. However, due to class-size numbers, low incidence subjects must be taken at or through the local college (Glenville State College) where dual credit may be received. Funds from the Gear Up program provide tuition for the dual credit classes. Students also have the opportunity to earn from 18-24 hours in Criminal Justice and Business Education at the Calhoun-Gilmer Career Center. Advanced placement (AP) classes were not taught at the high school. Art, music, and physical education were offered at the elementary levels by itinerant teachers with comparable instructional staffing services. A school nurse provided health services at each school on both a scheduled and as needed basis as determined by individual student needs.

Gilmer County provided minimal levels of service personnel, for example, only one maintenance employee was employed to serve Gilmer County. The number of custodians at Gilmer County High School was reduced from three to two. Both areas were needs in the county. Cooks were staffed at individual schools based upon meals served. Aides were staffed per State Board policies and Special Needs Students' Individualized Education Programs (IEPs).

The Gilmer County Superintendent of Schools indicated the county's need for personnel included one maintenance person, a custodian, and a high school mathematics teacher.

The Team noted that services in personnel, curriculum and instruction, and maintenance were severely lacking at the county office level. Staff at the county office were spread thinly and held multiple responsibilities that impeded the efficient functions of the county office.

Recommendation - Staffing

If the county board wishes to work toward reducing staff and wishes to staff elementary schools to meet the requirements of W. Va. Code §18-5-18a (Grades K-6); State Board Policy 2419 (special education) and 2510 (kindergarten aides), the Team recommended that the county board project student enrollments for the upcoming year. Then, in instances when projected student enrollment numbers are close and it is unclear that a teacher or aide is needed, the board can RIF employees, place them on the reduction-in-force list for a lack of need and if on or before August 1 the reason for the RIF goes away, the teacher or aide can be reinstated (W. Va. Code §18A-4-7a.(j) (4)). If the need for staff does not exist, the county board has reduced its staff.

FOLLOW-UP REVIEW

The superintendent stated the county has no positions funded outside the State Aid Formula with the exception of treasurer, which cannot be funded by State aid funds. Federal monies fund staffing for Title I and Special Education programs. A technical support specialist (TSS) is funded from a grant from the West Virginia Office of Technology. The county contracts for services of physical and

occupational therapists and a psychologist. A computer repairman is contracted through RESA 7 and paid from local funds. Local funds are made available as the result of a 40 percent excess levy.

All programs of study were being offered. Again no advanced programs were offered at the high school; however, the school offers dual credit through Glenville State College. The courses are taught at the high school and included: English, computer science, psychology, political science, and fine arts. The high school principal said that students leave high school with an average of 18 college credits and some students have up to 24 college credits. Two counselors serve the school. A wellness center is at the school. Comparable instructional programs were offered at the elementary schools in the areas of art, music, and physical education. One itinerant counselor serves the elementary schools. A school nurse provides health services at each school on both a scheduled and as needed basis. The pupil/teacher ratio meets the requirements of W.Va. Code §18-5-18a; however, the class sizes in some schools required split grades in order to maintain a financially sound school system.

With a decrease of 43 students this year, the county will have to cut personnel to stay within the State Aid Formula. In staffing personnel, the superintendent will meet with his staff along with school principals to determine where staff can be decreased, attempting to avoid cutting required or needed programs that will hurt students. The county already provides minimal services in the area of service personnel. Service employees in the county included six custodians (two at the high school and one at each elementary school); seven and one-half cooks; 14 bus operators, one mechanic and two maintenance persons. (One maintenance person was added this school year.)

Currently, to better meet the needs of the students of Gilmer County, the county, in a cooperative effort, is building a new school that will serve the students of both Gilmer County and Lewis County. Additionally, the county will be asking the School Building Authority (SBA) to help fund a new elementary school to house Normantown, Sand Fork and Glenville Elementary schools. All elementary schools other than Glenville Elementary have extremely poor facilities.

The superintendent was providing the leadership needed to help the county move forward in a highly successful manner. New facilities at all locations will provide for a climate and learning environment that teachers need to teach and students need to learn. Remedial and at-risk programs offered in the county keep students in school. Dual credit classes give students the opportunity to leave high school with a semester or more of college credit, giving students a “head start” on college as well as helping parents financially. Mentors for all teachers new to the county demonstrate the county’s desire to ensure that all teachers have professional support and that no new teacher falls through the cracks due to the lack of a safety net (provided by a mentor teacher). Professional development for

all personnel enforces high expectations for all personnel. Working toward and maintaining sound financial standings gives employees the feeling of security.

8.1.6. Regional Education Service Agency. The school district effectively utilizes Regional Education Service Agency programs and services or other regional services that may be initiated between and among county boards.

The Gilmer County School District has been reluctant to use the Regional Education Service Agency Service Agency (RESA 7) for technology. This contributed to issues with technology implementation and all related processes.

FOLLOW-UP REVIEW

The Team interviewed central office staff who indicated Gilmer County utilized the following RESA 7 services.

- **Technology repairs**
- **Curriculum and Common Core training**
- **Leadership training**
- **Non-violent Physical Crisis Intervention training**
- **Medicaid billing support**
- **Substitute training**
- **Collaborative contracting of school psychology services**
- **Audiology services**
- **WVEIS support**

CAPACITY BUILDING

18.1. Capacity building is a process for targeting resources strategically to improve the teaching and learning process. School and county electronic strategic improvement plan development is intended, in part, to provide mechanisms to target resources strategically to the teaching and learning process to improve student, school, and school system performance.

Through several county superintendents and assistance from the West Virginia Department of Education, the School Building Authority of West Virginia (SBA), RESA 7, and other State agencies, the Gilmer County School District has failed in the capacity to target resources strategically to improve the teaching and learning process.

Resources available for use have not been accepted or requested. Students are attending some schools in substandard situations. The county failed in the capacity to reach an agreement on a long range facilities plan to alleviate this problem. In the meantime operation of the county school district continues as it has in the past. The findings in this report lead the Team to conclude that the Gilmer School District Strategic Plan was not a functional document or used to target resources strategically to improve student, school, and school system performance.

FOLLOW-UP REVIEW

The state appointed Gilmer County Superintendent has and continues to use resources provided by State agencies, i.e., School Building Authority of West Virginia (SBA), RESA 7, The Center for Professional Development (CPD), etc., in targeting resources strategically to improve the teaching and learning process. The county superintendent has extended great effort in rebuilding relations and trust among the local board of education, community, and school district staff.

Gilmer County and Lewis County have achieved what no other county in West Virginia has done; the construction of a school on both county lines that will combine two small elementary schools. This will provide a safe, modern, and aesthetic learning environment for students and staff and eliminate a school (Troy Elementary) that has critical facility issues. The location also maintains a school in the community.

The current 2010-2020 Comprehensive Education Facilities Plan (CEFP) is in the early stages of implementation with the closure of the three remaining elementary schools (Sand Fork Elementary, Glenville Elementary, and Normantown Elementary schools), and construction of one elementary school to house students. It is critical to the county that this State Board approved CEFP progress and come about, as Gilmer County continues to lose student enrollment and maintains three facilities that are in severe need of capital investment, which is not within the county's financial abilities.

Financial constraints limit the capacity of the Gilmer County School District superintendent to build county level leadership. Curriculum staff included a Title I director and a special education director. The personnel director also served as director of technology and attendance director. The recent retirement of a central office staff member left a void and a wealth of information and experience. Consequently the county superintendent has been performing many of the tasks of curriculum staff.

Interviews of central office staff, visits to schools, and the Team review of documents revealed a concern regarding the capacity to build central office level staff leadership. The Team found that the superintendent and the director of technology/attendance/personnel were primarily responsible for assuring that the day to day business of running the system was occurring and that leaves very little time for building a process for targeting resources to strategically improve student, school and school system performance which is the ultimate goal.

County level curriculum support is an area in which capacity needed to be developed. Documentation did not provide a solid, organized plan which integrated the areas of federal programs, special needs, curriculum and instruction to provide a quality system of targeting and aligning resources that will improve the school system.

GILMER COUNTY SUMMARY

Gilmer County Schools are at an emergency stage. The county has lost 14 percent of their student population in the past ten years and over half in the past 30 years while closing only one school. The system has not adjusted their facilities and their staffing patterns to confront these realities. The current school board is dysfunctional, divided, not providing leadership, and actually impeding progress due to not following laws and policies/designed to improve student performance. Technology infrastructure is lacking and rules are not being followed due to board decisions. Financial irregularities are occurring in part due to decentralized accounting procedure decisions. Three school facilities of the five in the county are sorely lacking and maintenance at all facilities is desperately needed. One school has been condemned and portable classrooms are on site. The county does not have an approved Comprehensive Educational Facilities Plan and has been unable to reach consensus on what is needed.

Documentation is mostly insufficient to determine if laws are being followed to hire the most qualified applicants. Board minutes, however, reflect that the school board is trying to micro-manage, essentially replacing their administrators' and county superintendent's recommendations with their own, leading to a flawed hiring, transferring, and reduction in force system. Numerous questionable and irregular decisions are being made by the board prompting distrust and suspicion.

Other problems observed were 16 licensure and authorization issues, several irregularities in personnel evaluations, incomplete mentor programs for new employees, inadequate physical education program, incomplete policies, and illegal preference for local individuals in hiring.

FOLLOW-UP REVIEW SUMMARY

The State appointed superintendent has improved the culture and climate of the school district through tireless efforts in rebuilding relationships and trust among the various county constituents and entities. Gilmer County School District has experienced progress in the following areas.

- 1. *Technology.* Gilmer County corrected all technology violations. The county employed two technology integration specialists (TIS) and a technology systems specialist (TSS) and contracts with RESA 7 for technology support. All technology infrastructure issues were addressed.**
- 2. *Strategic Plan.* The county developed a strategic plan that contained three realistic, measurable, and attainable goals. This plan was presented to the Gilmer County Board of Education and board members conveyed the goals and discussed plans to achieve the plan's goals.**
- 3. *Finance.* Financial operations and fiscal manage were sound and Gilmer County was operating within the State Aid Formula.**

4. **Policy Manual.** Gilmer County is actively engaged in updating, revising, and repealing policies. This is an ongoing process.
5. **Board Membership.** Members of the Gilmer County Board of Education, generally, demonstrated the ability to discuss topics and express different opinions. The board president followed W.Va. Code on conducting governmental proceedings and diffused inappropriate comments or distractions to the proceedings of the board of education meetings.

Aspects Requiring Further Development.

1. **Facilities.** Gilmer County is moving forward with Lewis County in the construction of an intercounty school (Leading Creek Elementary School, scheduled to be open in 2015), which will replace Troy Elementary School in Gilmer County and Alum Bridge Elementary School in Lewis County. The 2010-2020 Comprehensive Education Facilities Plan (CEFP) is in place and approved by the West Virginia Board of Education. The plan calls for the construction of one school to replace three schools. Board member interviews indicated that two members were not favorable to this plan and two others were already considering an option to the proposed plan. Furthermore, members discussed pressure by property owners desiring to sell property and political influences. The Team also noted two board members responded that two schools were needed. Based on these reasons the Team is concerned that the board will not be able to implement the CEFP.

The current elementary schools are in serious need of attention. A lag in implementing the CEFP and inattention to critical facility needs would negatively affect students' educational opportunities.

2. **Personnel.** According to the Team's explanation of hiring practices and staff interviews, it has taken the State appointed superintendent and staff two years to straighten out personnel and hiring issues. At this time, Gilmer is conforming to State code and State Board policy in employment practices and operating within the State Aid Formula. Student enrollment has declined by 43 students and will necessitate the reduction in force (RIF) of three teachers. Some members of the board of education may have trouble facing RIF personnel decisions.
3. **Board Leadership.** The majority of the board members have demonstrated the propensity to resume authority of decision making in all aspects of the school system. Board member and staff interviews and minutes of board meetings provided evidence that the board has developed unity and common goals. This is a positive step for the Gilmer County Board of Education. The Team observed that the board's conduct of meetings, operations, and demonstrated conduct of the majority of members are significant. The Team

further observed that the board will need additional support in some aspects to evolve.

RECOMMENDATION FOR GILMER COUNTY SCHOOL DISTRICT

Based on the lack of leadership and the inability to resolve facility issues coupled with personnel, technology, and financial irregularities, it is the recommendation of the Office of Education Performance Audits that the Gilmer County School system be placed on Nonapproval status and that a state of emergency be declared. It is further recommended that an intervention occur into the operation of the county school system by the State Board to cause improvements to be made that will produce assurances that a thorough and efficient system of schools will be provided. It is further recommended that delaying the intervention for any period of time would not be in the best interest of the students. Based on the entirety of the problems in the county and the decisions, or lack thereof, there is scant hope that the school system can be improved with the current county board.

The intervention is recommended in the areas of finance, facilities, personnel, instructional programs, and policy development.

FOLLOW-UP REVIEW RECOMMENDATION FOR GILMER COUNTY SCHOOL DISTRICT

The Motion will be presented December 11, 2013.

APPROVAL RECOMMENDATION

GILMER COUNTY SCHOOL DISTRICT December 2013

Because of the progress the county has made in operation, the Office of Education Performance Audits (OEPA) recommends that partial control be returned to the Gilmer County Board of Education in the following areas:

1. Curriculum,
2. Policies,
3. Finance (except decisions regarding facility finance expenditures),
4. Transportation, and
5. The establishment and operation of a school calendar.

Concern still lingers that as the Gilmer County Board of Education is developing board leadership, additional time is needed to support the board in making difficult personnel decisions that are imminent this current year. Furthermore, additional time and support is needed for the board to implement the Comprehensive Educational Facilities Plan. Therefore, the OEPA further recommends that the West Virginia Board of Education continue intervention in the following areas:

1. Personnel,
2. Facilities, and
3. Finance actions regarding facility expenditures.

The OEPA recommends that the West Virginia Board of Education begin the next phase of the transition for the Gilmer County Board of Education to regain full local control. The OEPA recommends that the West Virginia Board of Education issue Gilmer County Conditional Approval status and initiate an Exit Agreement between the West Virginia Board of Education and the Gilmer County Board of Education.