



**Office of Education  
Performance Audits**

**EDUCATION PERFORMANCE AUDIT REPORT**

**FOR**

**MCDOWELL COUNTY SCHOOL SYSTEM**

**JANUARY 2010**

**WEST VIRGINIA BOARD OF EDUCATION**

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## INTRODUCTION

At the direction of the West Virginia Board of Education, an Education Performance Audit was conducted of the McDowell County School District on October 22-25, 2001. It was the recommendation of the OEPA that the McDowell County School System be issued Nonapproval status and that extraordinary circumstances existed that constituted major impediments to the provision of education programs and services for students. The West Virginia Board of Education assigned Nonapproval status of the McDowell County School System and intervened in the operation of the school district.

The West Virginia Board of Education directed the Office of Education Performance Audits to conduct an Education Performance Audit Follow-up Review of the McDowell County School System to determine if progress had been made in correcting the noncompliances that resulted in the State intervention of the school system.

An Education Performance Audit Team returned to McDowell County Schools March 2006, November 30 – December 2, 2005 and January 30 and 31, 2006. The report was presented to the State Board of Education at its March 2006 meeting. The Team reported that the McDowell County School District and its schools had made substantial progress and improvement in alleviating most of the original findings of noncompliance and achievement of the schools reducing the noncompliances from 260 to 17 noncompliances and 10 partial compliances. However, many facility issues remained that were being addressed through the Comprehensive Educational Facilities Plan (CEFP). The Office of Education Performance Audit recommended that Nonapproval status be maintained with the county until such times as the remaining facility issues are resolved with the dedication of the new facilities in the design and construction phase. This recommendation was based on McDowell's history of backing off and not following through with facility improvement plans.

A Team returned to McDowell County May 5-7, 2009 to review the school district, Mount View High School, and the remaining facility issues. The purpose of this audit was to determine if the county board of education was prepared to regain county control or partial control of the school system. This review determined that a full county audit was necessary before this determination could be made.

A full education performance audit of the McDowell County School System was conducted November 17 - 20, 2009.

This report presents the Education Performance Audit Team's findings regarding the November 2009 McDowell County School District audit.

**EDUCATION PERFORMANCE AUDIT TEAM**

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

<b>NAME</b>	<b>TITLE</b>	<b>COUNTY</b>	<b>CATEGORY</b>
Monica Beane	Assistant Director	WV Department of Education, Office of Instruction	AYP/Five Year Strategic Plan/High Quality Standards
Delores Ranson	Retired Assistant Superintendent	Jackson County Schools	Personnel
Shawn Hawkins	Coordinator, Teacher Quality	WV Department of Education, Office of Professional Preparation	Certification
Carroll Staats	Member, County Board of Education	Jackson County Schools	Administration/Leadership
Bill Elswick & staff	Executive Director	WV Department of Education, Office of School Facilities	Facilities
Jody Lucas	Treasurer/Finance Officer	Cabell County Schools	Finance
Don White	Assistant Superintendent	Mercer County Schools	Policies
Gary Price	Assistant Superintendent/Human Resources & Student Services	Marion County Schools	Evaluation/Administration

## COUNTY PERFORMANCE

### ANNUAL PERFORMANCE MEASURES FOR ACCOUNTABILITY

This section presents the Annual Performance Measures for Accountability and related student performance data. It also presents the Education Performance Audit Team's findings.

#### 5.1. ACCOUNTABILITY.

##### 5.1.1. Achievement.

##### Adequate Yearly Progress

The No Child Left Behind (NCLB) data for the 2008-2009 school year identified that McDowell County did not make adequate yearly progress (AYP). McDowell County failed to achieve AYP for the last five consecutive years. Chart 1 shows the grade span/assessment and subgroup(s) that did not make AYP. It also shows the percent proficient for each grade span/assessment and subgroup.

The Team noted that the performance of all subgroups failing to meet AYP (Chart 1) compared with the 2007-2008 No Child Left Behind (NCLB) data declined in academic performance.

Chart 1

WESTEST				
GRADE SPAN/ASSESSMENT	SUBGROUP	2009 PERCENT PROFICIENT	2008 PERCENT PROFICIENT	2007 PERCENT PROFICIENT
Mathematics – Elementary	Special Education	31.5%	48.2%	53.4%
Mathematics – Middle	Special Education	18.4%	27.6%	27.3%
Mathematics – Secondary	Special Education	19.7%	24.2%	NA (S)
Mathematics - Secondary	Economically Disadvantaged	40%	58.2%	NA (S)
Reading – Middle	All Students	45.4%	63.9%	70.0%
Reading – Secondary	All Students	36.3%	63.1%	NA (S)
Reading – Middle	White	45.5%	63.9%	69.7%
Reading – Secondary	White	37.4%	63.6%	NA (S)
Reading – Elementary	Special Education	15.7%	30.6%	26.1%
Reading – Middle	Special Education	10.3%	16.3%	18.2%
Reading – Secondary	Special Education	14.5%	22.6%	NA (S)
Reading – Middle	Economically Disadvantaged	43.9%	62.0%	67.8%
Reading – Secondary	Economically Disadvantaged	33.2%	59.7%	NA (S)

Chart 2 shows the number of McDowell County's schools identified for not achieving AYP during the last five years. Six schools met AYP and five schools did not meet AYP. Two of the five schools were two-year schools. The following schools did not achieve AYP: Welch Elementary School, Southside K-8 School, Sandy River Middle School, Iaeger High School, and Mount View High School. The two, two-year schools, were Sandy River Middle School and Mount View High School.

Chart 2

<b>NUMBER OF SCHOOLS NOT ACHIEVING AYP</b>	
<b>Year</b>	<b>Number of Schools</b>
2004-2005	3
2005-2006	2
2006-2007	3
2007-2008	3
2008-2009	5

An examination of the achievement gap between subgroups for the 2008-2009 WESTEST 2 assessment revealed a measurable achievement gap between the special education (SE) subgroups when compared to the academic performance of the all students (AS) subgroups (Charts 3-8). All other subgroups achieved a similar range of percent proficient.

The school district percent proficient decreased at all subgroup levels and subjects from the 2008 assessment to the 2009 assessment.

Charts 3 through 5 provide a comparison of the 2007-2008 and the 2008–2009 McDowell County School District student performance in mathematics on the WESTEST 2 which was a more rigorous test given in West Virginia than the previous WESTEST. The 2008–2009 WESTEST 2 mathematics elementary level subgroup data (Chart 3) revealed the following decline for McDowell County School District subgroups: All students (AS) decreased 18.3 percentage points; racial/ethnicity white (W) decreased 17.5 percentage points; racial/ethnicity black (B) decreased 23.0 percentage points; special education (SE) decreased 16.7 percentage points, economically disadvantaged (SES) decreased 17.5 percentage points. All subgroups were below the State average in elementary level mathematics.

McDowell County's middle level mathematics data (Chart 4) showed the AS subgroup declined 10.8 percentage points; the W subgroup declined 11.0 percentage points; the SE subgroup declined 9.2 percentage points; and the SES subgroup declined 10.4 percentage points. This was less than the State's decline in subgroups (AS - 19.30 percentage points; W - 19.10 percentage points; SE - 14.5 percentage points; and SES - 21.30 percentage points).

All subgroups at the high school level fell below the State mathematics percent proficient. The county continued to decline from the 2007-2008 to the 2008–2009 assessment year (Chart 5). The McDowell County high school AS subgroup declined 17.2 percentage points; the W subgroup declined 18.8 percentage points; the B subgroup declined 10.1 percentage points; the SE subgroup declined 4.5 percentage points; and the SES subgroup declined 18.2 percentage points.

McDowell County School District's 2008–2009 elementary level percent proficient in reading/language arts (Chart 6) fell below the 2007-2008 county data and the State 2008–2009 percent proficient in all subgroups (Chart 6). A comparison of the county's data indicated that the elementary AS subgroup declined 20.5 percentage points; the W subgroup declined 21.3 percentage points; the B subgroup declined 17.7 percentage points; the SE subgroup declined 14.9 percentage points, and the SES subgroup declined 20.7 percentage points. The Team found it significant that the McDowell County 2008–2009 elementary B percent proficient was 4.5 percentage points higher than the county's AS subgroup and minimally below (.5 percentage point) the State percent proficient.

McDowell County School District's middle school level reading/language-arts percent proficient indicated the AS, W, SE, and SES subgroups decreased substantially in the 2008–2009 assessment compared to the county's 2007-2008 data (AS – 18.5 percentage points; W – 18.4 percentage points; SE – 6.0 percentage points; and SES – 18.1 percentage points). McDowell County was also below the State 2008–2009 percent proficient in all subgroups (Chart 7).

McDowell County School District's 2008–2009 high school level reading/language-arts percent proficient was below the State's percent proficient in all subgroups (Chart 8), except SE which was .2 percentage points higher than the State. The county's 2008–2009 percent proficient decreased from the 2007-2008 WESTEST: AS – 26.8 percentage points; W – 26.20 percentage points; B – 29.0 percentage points; SE – 8.1 percentage points; and SES – 26.5 percentage points.

Chart 3

<b>ELEMENTARY MATHEMATICS</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	56.1%	65.2%	74.4%	77.9%
White (W)	57.4%	65.7%	74.9%	78.3%
Black (B)	48.3%	54.6%	71.3%	70.2%
Special Education (SE)	31.5%	40.9%	48.2%	51.8%
Economically Disadvantaged (SES)	54.0%	56.0%	71.5%	70.8%

Chart 4

<b>MIDDLE MATHEMATICS</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	46.9%	56.9%	57.7%	76.2%
White (W)	47.1%	57.6%	58.1%	76.7%
Black (B)	NA	42.3%	N/A	64.9%
Special Education (SE)	18.4%	23.1%	27.6%	37.6%
Economically Disadvantaged (SES)	44.5%	46.4%	54.9%	67.7%

Chart 5

<b>HIGH SCHOOL MATHEMATICS</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	42.9%	56.9%	60.1%	68.3%
White (W)	43.0%	57.5%	61.8%	69.1%
Black (B)	41.8%	44.3%	51.9%	52.2%
Special Education (SE)	19.7%	21.6%	24.2%	23.1%
Economically Disadvantaged (SES)	40.0%	46.0%	58.2%	58.2%

Chart 6

<b>ELEMENTARY READING/LANGUAGE ARTS</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	52.8%	65.5%	73.3%	80.9%
White (W)	51.8%	65.9%	73.1%	81.1%
Black (B)	57.3%	57.8%	75.0%	76.3%
Special Education (SE)	15.7%	32.8%	30.6%	47.2%
Economically Disadvantaged (SES)	50.2%	56.1%	70.9%	74.1%



Chart 7

<b>MIDDLE READING/LANGUAGE ARTS</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	45.4%	63.2%	63.9%	81.6%
White (W)	45.5%	63.5%	63.9%	81.9%
Black (B)	NA	54.9%	N/A	75.4%
Special Education (SE)	10.3%	22.6%	16.3%	40.3%
Economically Disadvantaged (SES)	43.9%	52.8%	62.0%	74.1%

Chart 8

<b>HIGH SCHOOL READING/LANGUAGE ARTS 2008-2009</b>				
<b>Subgroup</b>	<b>2008-2009 District Percent Proficient</b>	<b>2008-2009 State Percent Proficient</b>	<b>2007-2008 District Percent Proficient</b>	<b>2007-2008 State Percent Proficient</b>
All Students (AS)	36.3%	52.7%	63.1%	74.4%
White (W)	37.4%	53.2%	63.6%	74.9%
Black (B)	31.6%	41.4%	60.6%	68.8%
Special Education (SE)	14.5%	14.3%	22.6%	26.7%
Economically Disadvantaged (SES)	33.2%	41.8%	59.7%	65.0%

### **SAT/ACT Assessment Results**

Chart 9 shows the McDowell School District's Scholastic Aptitude Test (SAT) and American College Testing (ACT) results. The SAT mathematics mean score showed a significant decrease from the 2002-2003 data (450) to 2007-2008 (438); the 2007-2008 percent of SAT test takers (2.2 percent) increased from the 2004-2005 level (1.7 percent) but decreased from the 2002-2003 level (5.9 percent). Data did not exist for 2006-2007 because of the small number of students tested to analyze.

The ACT trend data showed a decreased composite from 2007-2008 to 2008-2009. Furthermore, McDowell County's 2008-2009 ACT Composite (17.9) was much lower than West Virginia's composite (20.7). This has implications for guidance and counseling and teachers' preparing students for college level assessment and 21<sup>st</sup> century skill learning. The ACT is designed to assess high school students' general educational development and their ability to complete college level work.

Chart 9

<b>SCHOLASTIC APTITUDE TEST (SAT) – District</b>							
<b>County</b>	<b>2002-2003</b>	<b>2003-2004</b>	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>
SAT Takers (%)	5.9	3.1	1.7	0.8	0.0	2.2	*
SAT Math Mean Score	450	385	465	630	NA	438	*
SAT Reading Score					NA	455	*
SAT Writing Score					NA	463	*
<b>AMERICAN COLLEGE TESTING (ACT) - District</b>							
ACT Takers (%)	46.7	47.8	41.8	32.0	43.5	46.4	#104
ACT Composite	18.0	18.1	18.2	18.2	17.8	18.4	17.9

NA – Less than 10 (Not Applicable)

\*Not available 2008-2009 ACT takers percent listed as number of test takers; percent not available.

Source: State, County and School Data, 2007-2008 West Virginia Report Cards, West Virginia Department of Education.

The American College Test (ACT) covers four skill areas: English, mathematics, reading, and science reasoning. A composite score is determined from these four skill areas. The ACT is research-based and scores are predictors of students' career or college readiness.

Chart 9A reported the 2009 ACT score data on the four skills areas and a composite score for each area for each high school in McDowell County, McDowell County's scores, and West Virginia's scores. McDowell County and the high schools scored significantly lower than West Virginia in all skills areas and in the composite score.

Chart 9A

<b>American College Testing (ACT) Data</b>						
<b>McDowell County 2009 Graduating Class ACT Data</b>						
<b>School</b>	<b>Test Takers</b>	<b>English</b>	<b>Math</b>	<b>Reading</b>	<b>Science</b>	<b>Composite</b>
Big Creek High	31	17.1	17.5	16.4	17.6	17.4
laeger High	27	18.3	17.8	18.8	18.2	18.5
Mount View High	46	17.5	17.3	18.4	18.4	18.0
McDowell County	104	17.6	17.4	17.9	18.1	18.0
West Virginia	11696	20.8	19.6	21.4	20.5	20.7

Source: Data compiled by the West Virginia Department of Education, Office of Information Systems and Office of Assessment/Accountability.

### ACT EXPLORE Assessment Results

According to the 2004-2005 to 2007-2008 Grade 8 ACT EXPLORE results in Chart 10, McDowell County students showed negligible changes in the composite score. Three years of trend data showed minimal increases or decreases in all academic areas tested. The 2008-2009 results compared to the 2007-2008 results showed that McDowell County declined in the ACT EXPLORE in English, reading, science, and the composite scores and increased in mathematics scores. The 2008-2009 assessment showed that Grade 8 students in McDowell County performed from 1.0 to 2.1 points below West Virginia.

Chart 10

<b>ACT EXPLORE RESULTS - Scale Score</b>					
<b>Grade 8 (Score Range 1-25)</b>					
	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>
English WV	14.2	14.3	14.2	14.3	13.9
English McDowell	12.1	12.0	12.1	12.0	11.8
Mathematics WV	14.2	14.5	14.5	14.7	14.3
Mathematics McDowell	12.6	12.3	13.0	12.9	13.3
Reading WV	13.8	13.9	13.9	13.9	13.6
Reading McDowell	12.6	12.4	12.6	12.4	12.3
Science WV	15.8	15.9	15.9	16.0	15.6
Science McDowell	14.6	14.8	15.0	14.8	14.3
Composite WV	14.6	14.8	14.8	14.9	14.5
Composite McDowell	13.1	13.0	13.3	13.2	13.0

### ACT PLAN Assessment Results

Based on the 2007-2008 Grade 10 ACT PLAN results in Chart 11, McDowell County test takers showed a declining trend (2005-2006 to 2007-2008) in the composite score and then increased in 2008-2009. ACT PLAN data from 2007-2008 increased in all academic areas assessed: English, mathematics, reading, science; and the composite score.

Chart 11

<b>ACT PLAN RESULTS – Scale Score</b>					
<b>Grade 10 (Score Range 1-32)</b>					
	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>	<b>2008-2009</b>
English WV	16.7	16.8	16.7	16.3	16.3
English McDowell	15.3	15.3	14.5	13.9	14.6
Mathematics WV	16.4	16.5	16.6	16.3	16.3
Mathematics McDowell	14.9	15.3	15.2	14.5	15.3
Reading WV	16.5	16.6	16.5	16.5	15.7
Reading McDowell	15.2	15.7	14.5	14.3	14.7
Science WV	17.7	17.8	17.7	17.5	17.1
Science McDowell	16.5	17.1	16.3	15.8	16.3
Composite WV	17.0	17.1	17.0	16.8	16.5
Composite McDowell	15.6	16.0	15.2	14.8	15.3

Students who meet a benchmark on the ACT EXPLORE or PLAN are likely to have the chance of earning such a grade in the corresponding college courses.

**5.1.2. Participation rate. A minimum of 95 percent in the current or a two or three year average of all students enrolled in a public school/county school district/state at the time of testing, including students in each subgroup as required by NCLB must participate in the statewide assessment WESTEST or the West Virginia Alternate Performance Task Assessment (APTA) in reading/language arts or mathematics. Students with a significant medical emergency may be exempt by appeal from the calculation of participation rate for AYP provided that the county superintendent has proper documentation. (Policy 2340; Policy 2419; Policy 2510)**

McDowell County School District met the minimum participation rate in all applicable subgroups.

**5.1.3. Attendance rate (Elementary/Middle). The student attendance rate, for elementary and middle schools is at or above 90 percent or the percentage of students meeting the attendance rate show improvement from the preceding year. The student attendance rate will be adjusted for students excluded as a result of the Productive and Safe Schools Act (W.Va. Code §18A-5-1a) and school bus transportation interruptions (W.Va. 126CSR81), West Virginia Board of Education Policy 4110, Attendance Policy, (hereinafter Policy 4110). Additional exclusions include excused student absences, students not in attendance due to disciplinary measures, and absent students for whom the attendance director has pursued judicial remedies to compel attendance to the extent of his or her authority. For the AYP determination, the attendance rate calculation will be used for accountability at the public school/LEA/SEA levels, but will not be calculated for each subgroup. However, for schools/LEAs that use the safe harbor provision to meet AYP for the achievement indicators, the attendance rate standard must be met by the subgroup/s not meeting AYP.**

Chart 12 indicated the McDowell County School District attendance rate remained above the State 90 percent standard for the last six reporting years. The Team noted that the attendance rate showed a decreasing trend during the last five years. However, incentive programs were in place at all schools and the county Five-Year Strategic Plan addressed the declining attendance.

The issue with insufficient number of substitute bus drivers resulted in school buses not running and parents either brought students to school or students missed school. By policy and State Code these absences were not factored in the student attendance rate; consequently, the reported rate was in actuality inflated.

Chart 12

<b>ATTENDANCE RATE</b>	
<b>Year</b>	<b>Attendance Rate</b>
2003-04	97.0%
2004-05	96.9%
2005-06	96.5%
2006-07	96.0%
2007-08	94.2%
2008-09	94.0%

**5.1.4. Graduation rate.** The student graduation rate is 80 percent or the percentage of students meeting the student graduation rate shows improvement. The graduation rate is calculated according to the high school completer formula recommended by the NCES with the additional condition that graduates include only those students who receive a regular diploma in the standard number of years and does not include students receiving the GED. For the AYP determination, the graduation rate calculation will be used for accountability at the public school/LEA/SEA levels, but will not be calculated for each subgroup. However, for schools/LEAs that use the safe harbor provision to meet AYP for the achievement indicators, the graduation rate standard must be met by the subgroups not meeting AYP.

McDowell County School District's graduation rate met the State 80 percent standard for the last three years (Chart 13).

Chart 13

<b>MCDOWELL COUNTY GRADUATION RATE</b>	
<b>Year</b>	<b>Graduation Rate</b>
2003-04	83.9%
2004-05	81.4%
2005-06	79.7%
2006-07	81.8%
2007-08	87.8%
2008-09	85.06%

Graduation rates for each of the McDowell County secondary schools and the county are listed in Chart 14.

The West Virginia Education Information System (WVEIS) data showed a significant decline of high school graduates at Mount View High School from the 2007–2008 data (85.0 percent) to the 2008–2009 data (72.57 percent). This degree of difference in graduation rate raised questions concerning the information coded into WVEIS at the school and/or county levels. Additionally, the major increase in graduation rate at Big Creek High School from 83.6 percent in 2007-2008 to 95.08 percent in 2008–2009 raised the same question.

The Team recommended that the county attendance director request additional clarification of West Virginia Board of Education Policy 4110, Attendance Policy, regarding how the dropout process should be coded in WVEIS.

County level staff was placing students in the credit recovery (Plato) option to decrease the dropout rate. Central office staff indicated the dropout issue involved the special education population.

Chart 14

<b>Graduation Rate</b>						
<b>WVEIS#</b>	<b>School Name</b>	<b>2008–2009</b>	<b>2007-2008</b>	<b>2006-2007</b>	<b>2005-2006</b>	<b>2004-2005</b>
060-525	Big Creek High	95.08%	83.6%	76.6%	70.8%	90.2%
060-526	laeger High	94.25%	93.2%	81.7%	80.7%	78.4%
060-527	Mount View High	72.57%	85.0%	84.1%	83.9%	80.7%
060-999	County	85.06%	87.8%	81.8%	79.7%	81.4%

## SECTION II

### DATA ANALYSIS

Chart 15 shows the number of advanced placement (AP), honors courses, and college credit courses offered in McDowell County's high schools.

Central office staff interviewed indicated the rationale for not having more AP courses was that "most of the teachers in the area did not have a MA degree and are not eligible to teach AP courses." The lack of highly qualified teachers and certified teachers in McDowell County limited the quality and quantity of advanced courses available to students. When asked why McDowell County did not offer honors courses or college courses for core academic areas, the central office staff response was, "We are working on this. We started by offering the minimum courses required in Policy 2510, but we have a long way to go and we know that."

Currently all three high schools offered AP courses, (AP Biology, AP Calculus, AP English Literature and Composition, and AP Government and Politics), but the enrollment in the courses was limited. The secondary curriculum director indicated the counselors at each of the three high schools were promoting AP courses during this school year (2009–2010) and intended to have an increased enrollment in AP classes for 2010-2011.

New River Community College and Southern West Virginia Community College dual credit may be taken for vocational education courses at the Career and Technology Center.

Chart 15

<b>NUMBER OF ADVANCED PLACEMENT (AP), HONORS, AND COLLEGE COURSES OFFERED 2008-2009</b>			
High School	Number of AP Courses Offered	Number of Honors Courses Offered	Number of College Credit Courses Offered
Big Creek High	4	0	0
laeger High	4	0	0
Mount View High	4	0	0

The West Virginia Education Information System (WVEIS) course coding in the master schedule of all three high schools was a major OEPA concern. The OEPA Team worked with the secondary curriculum director and some of these issues were resolved. However, the OEPA Team recommended that the central office staff members and high school administrators participate in intensive training in using WVEIS.

No AP courses were offered during the 2008-2009 school year; therefore no students took the examination as shown in Chart 16. McDowell County offered AP courses in all three high schools during the 2009-2010 school year.

Chart 16

<b>MCDOWELL COUNTY</b>	<b>2008-2009</b>
10 <sup>th</sup> Grade Test Takers (%)	0
11 <sup>th</sup> Grade Test Takers (%)	0
12 <sup>th</sup> Grade Test Takers (%)	0
10 <sup>th</sup> Grade Test Takers (%) with a score of 3 or higher	0
11 <sup>th</sup> Grade Test Takers (%) with a score of 3 or higher	0
12 <sup>th</sup> Grade Test Takers (%) with a score of 3 or higher	0

The high school graduate overall college going rate for McDowell County was 38.5 percent compared to the State's overall college going rate of 57.5 percent for fall 2007 as presented in Chart 17.

Chart 17

<b>FALL 2007</b>		
<b>ESTIMATED COLLEGE GOING RATE</b>		
	<b>Number of High School Graduates 2006-2007</b>	<b>Overall College Going Rate Percentage</b>
State	17,914	57.5%
McDowell	270	38.5%

Source: West Virginia College Going Rates By County and High School Fall 2007, West Virginia Higher Education Policy Commission.

McDowell County's percent of students enrolled in developmental courses was measurably higher than the State's percentage of students taking both mathematics and English developmental courses (Chart 18).

Twenty-two (22) of McDowell County's 76 first-time freshmen or 28.95 percent were enrolled in Developmental English during fall 2008 compared to the State percentage (15.79 percent). Thirty-one (31) graduates or 40.79 percent were enrolled in Developmental Mathematics compared to the State percentage (27.55 percent).



Chart 18

<b>HIGH SCHOOL GRADUATES ENROLLED IN DEVELOPMENTAL COURSES FALL 2008</b>					
	<b>1<sup>st</sup> Time WV Freshmen Total #</b>	<b>English Total #</b>	<b>% in Developmental English</b>	<b>Mathematics Total #</b>	<b>% in Developmental Mathematics</b>
State	8,073	1,275	15.79%	2,224	27.55%
Big Creek High	13	5	38.46%	5	38.46%
laeger High	25	5	20%	7	28%
Mount View High	37	12	32.43%	19	51.35%
County	76	22	28.95%	31	40.79%

Source: First-Time Freshmen, Previous Year WV High School Graduates in Developmental Courses by Type of Course Fall 2008 (census).

## SECTION III

### HIGH QUALITY STANDARDS

#### 7.1. CURRICULUM.

**7.1.1. Curriculum based on content standards and objectives. The curriculum is based on the content standards and objectives approved by the West Virginia Board of Education. (Policy 2510; Policy 2520)**

The review of each individual school's daily schedule of instructional minutes revealed an appropriate number of instructional minutes. However, teacher contracts existed which allowed a teacher to substitute in another teacher's class during his/her planning period. Through teacher interviews and observations, the Team determined that this time was not utilized for instruction. Rather, students were not on task, and one teacher indicated, "It is not my job to teach them, I am only watching them." This was identified during the May 2009 progress audit and remained a countywide problem.

**7.1.2. High expectations. Through curricular offerings, instructional practices, and administrative practices, staff demonstrates high expectations for the learning and achieving of all students and all students have equal education opportunities including re-teaching, enrichment, and acceleration. (Policy 2510)**

McDowell County did not offer any additional higher level courses in any of the three high schools. While advanced placement (AP) courses were offered this school year (2009–2010), no other advanced level courses, such as, advanced science, honors, or dual credit courses for core areas were offered in the three high schools. The Team recommended that the county curriculum director devise a plan for increasing the number of advanced courses offered in each high school. The lack of advanced courses directly reflects the low college going rate and the high percentage of students enrolled in remedial college courses.

Individual school Education Performance Audit Teams reported that three of the county's schools practices failed to demonstrate high expectations for the learning and achieving of all students (Fall River Elementary School, Jaeger Elementary School, and Big Creek High School).

**7.1.3. Learning environment. School staff provides a safe and nurturing environment that is conducive to learning. (Policy 2510)**

The Team found that all schools in the McDowell County School District did not provide a safe and nurturing environment conducive to learning. Individual school Education Performance Audit Teams reported learning environment issues at Welch Elementary School, Sandy River Middle School, Big Creek High School, and the Phoenix Center. The facility reviewers reported facility, maintenance, and operational factors at several schools that negatively affected the schools learning environments. These are listed under 7.4. Regulatory agency reviews.

**7.1.4. Instruction. Instruction is consistent with the programmatic definitions in West Virginia Board of Education Policy 2510, *Assuring the Quality of Education: Regulations for Education Programs* (hereinafter Policy 2510). (Policy 2510)**

The central office leadership staff experienced significant changes in leadership in the past 18 months to two years. While tremendous gains in both organization and accountability were evidenced in the elementary curriculum and technology integration, the secondary curriculum in McDowell County was an area of weakness. The Team recommended that McDowell County seek the assistance of the Office of Instruction in the West Virginia Department of Education for content specific professional development. In addition, classroom management strategies needed to be addressed. Interviews with the secondary curriculum director and the Mount View High School principal and one assistant principal indicated that improvements were being made at this school.

In 2008-2009, advanced placement (AP) courses were not offered and the secondary schools did not comply with West Virginia Board of Education Policy 2510 and Policy 2520. Improvements were evident during the 2009-2010 year. Advanced placement (AP) courses were being offered at each of the three high schools. The West Virginia Education Information System (WVEIS) course codes appeared to be the issue in the schools not meeting Policy 2510 course requirements. The Team attributed this to the lack of training of persons entering the course codes into WVEIS. The Team recommended that the director of secondary curriculum receive additional support from the West Virginia Department of Education, Office of Instruction and the Office of Information Systems to enter correct course code data.

**7.1.5. Instructional strategies. Staff demonstrates the use of the various instructional strategies and techniques contained in Policies 2510 and 2520. (Policy 2510; Policy 2520)**

1. The Team found a weakness in instructional strategies in the McDowell County schools. There was no observed or documented (through lesson plans) consistent use of differentiated instruction. The main observed method of instructional delivery was lecture and worksheets.
2. Classroom Assessment for Learning was not consistently utilized in the McDowell County School District.
3. At least five schools were not applying various instructional strategies and techniques to enhance teaching and learning. Schools noted by the individual school Teams included: Fall River Elementary School, Jaeger Elementary School, Big Creek High School, Mount View High School, and the Phoenix Center.

**7.1.6. Instruction in writing. Instruction in writing shall be a part of every child's weekly educational curriculum in grades K through 12 in every appropriate class. (Policy 2510; Policy 2520)**

The Team found insufficient evidence to indicate that instruction in writing was a part of every child's weekly educational curriculum. The Team recommended that Teach 21 be utilized to implement instruction in writing across the curriculum instructional strategies. A high need existed for countywide professional development in instruction in writing. Additionally, all educators were not speaking correct grammar.

**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)**

Instructional technology was an area of strength for McDowell County. Through securing grants and appropriate use of allocated money, McDowell County has been able to provide state of the art computer laboratories in all schools. In addition, the new Riverview High School will be a state of the art school with each classroom having a presentation station.

Sandy River Middle School received the Enhancing Education Through Technology (EETT) grant which allowed the additional purchase of mobile laboratories and presentation stations for all teachers. The Team noticed the strengths in the technology team and leadership from the central office.

The central office conducted a staff meeting at the county office every other Monday through round table discussions to keep everyone abreast of all issues, what is occurring in the schools, and programs being offered. This was a noted improvement from the lack of communication observed during the May 2009 audit.

While technology equipment is a strength for the county, individual school audit Teams reported that technology was minimally being used in six schools, Fall River Elementary School, laeger Elementary School, Kimball Elementary School, Welch Elementary School, Big Creek High School, and laeger High School.

**7.1.11. Guidance and advisement. Students are provided specific guidance and advisement opportunities to allow them to choose a career major prior to completion of grade 10. (Policy 2510)**

Guidance and advisement services were limited to nonexistent at the following schools: Southside K-8, laeger High School, Mount View High School, the Career and Technology Center, and the Phoenix Center.

**7.1.14. Alignment with job market opportunities. The technical and adult programs in the school are aligned with first local, and then state, then national job market opportunities. (Policy 2510)**

The Team could not find sufficient data to support that McDowell County students were receiving appropriate opportunities for job market opportunities.

Four new career/technical programs will be offered at the new Riverview High School. No one could explain why these particular classes were planned to be offered. A survey of student needs and career opportunities should be conducted prior to establishing career/technical programs.

## **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.**

### **Summary of McDowell County Five-Year Strategic Plan Review**

McDowell County addressed a need for more highly qualified educators in the county Five-Year Strategic Plan. However, the professional development selected did not address this specific need. For example, classroom management professional development did not meet the need for high quality status. Only two professional development sessions were content specific.

While the Team understood the need for professional development in classroom management, the sessions were targeted for educators with 0-3 years teaching experience. PRIDE survey results, on-site school visits, and interviews with central office staff indicated that students did not feel safe in all schools or classes. The strategic plan should address more than just teachers with 0-3 years experience.

In reviewing the county strategic plan, the Team found little reference to how the Closing the Achievement Gap (CAG) liaison was being utilized. However, other documents at the central office showed that the CAG was being utilized in targeted areas. Again, the plan did not sufficiently address the impact/use of the CAG in meeting the targeted areas of weakness. Additionally, McDowell County Board of Education minutes from May 19, 2009, indicated a concern regarding the services provided by the CAG in McDowell County. After interviewing the central office staff, a concern remained regarding the quality and quantity of services being provided to the three schools identified for support by the CAG liaison.

McDowell County identified three strategic goals for the 2009-2010 year: 1. Raise student achievement in math, 2. Improve student achievement in reading, and 3. Increase student attendance. The county also contracted with Dr. Steven Edwards for the "Framing Your Success" initiative to improve the culture of the schools as well as increase student achievement. All schools in McDowell County were part of this initiative. Mount View High School was at a different level because of the school's intensive need to improve the school culture before focusing on student achievement. Each individual teacher signed a contract and identified the number of students to target during the year to increase the scores on WESTEST 2 by 10 percent. Dr. Edwards worked with the central office staff, school administrators, and teachers in a systematic approach to build culture and improve student achievement. Results of this initiative will be available in 2010.

The Team found that all employees (both professional and service) were not receiving the required 18 hours of staff development. The Team recommended that the central office staff develop a procedure that ensures accountability for all employees to receive the required staff development.

The professional development opportunities for increasing student achievement in both reading and mathematics were appropriate. The use of outside resources (RESA I, the college and university system, and the West Virginia Department of Education) was commendable. A summer academy (2009) was conducted for all teachers. Attendance at the academy was relatively high, although the staff at Mount View High School was not well represented and only a fraction of the staff participated.

### **Individual School Five-Year Strategic Plan Review**

The West Virginia Department of Education, Office of Organizational Effectiveness and Leadership reviewed each school's Five-Year Strategic Plan. This review indicated that the following school plans required revision: Anawalt Elementary School, Bradshaw Elementary School, Fall River Elementary School, laeger Elementary School, Kimball Elementary School, Southside K-8 School, Sandy River Middle School, Big Creek High School, laeger High School, Mount View High School, the Phoenix Center, and the Career Technology Center.

**7.2.2. Counseling services. Counselors shall spend at least 75 percent of the work day in a direct counseling relationship with students, and shall devote no more than 25 percent of the work day to counseling-related administrative activities as stated in W.Va. Code §18-5-18b. (W.Va. Code §18-5-18b; Policy 2315)**

Two schools lacked counseling services (the Career Technology Center and the Phoenix Center). Individual school Teams reported counseling issues at laeger High School, Southside K-8 School, and Mount View High School.

## 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)**

### 1. Finance

The Team reviewed finance issues reported in the 2000-2001 OEPA report for the McDowell County's corrective action plan. The Team also reviewed the finance issues that had not been corrected in the March 2006 report.

Issues from the 2000-2001 report are listed first followed by corrective action and supporting documentation.

1. During the 2000-2001 school year, the school system distributed \$20 per pupil of excess levy collections to the schools for expenditure. The funds were distributed to the schools for purchasing instructional supplies. Additional funds were distributed to reimburse the schools for the cost of their telephone service, to purchase custodial supplies and to pay garbage fees. This practice was curtailed this school year (2001-02), with the exception of the reimbursement for the local telephone service. Only Faculty Senate funds may be distributed to the schools for expenditures.

**Corrected.** The practice of distributing funds for local telephone service was discontinued during 2007.

2. Financial Statements were not being provided to the school board on a monthly basis. A condensed financial report should be prepared and provided to the board on at least a monthly basis so that the board members are informed of the financial condition of the school system.

**Not Corrected.** Financial statements were not provided to the local board of education monthly. A condensed financial report was given to the local board showing February 2009 balances. The treasurer stated that she plans to provide monthly financial reports to the local board of education after the State relinquishes control to the local board.



3. The annual audits of all schools in the county for the fiscal year that ended June 30, 2001, were completed in July 2001, which is commendable; however, the audits were conducted without using the required checklist presented in the "*Accounting Procedures Manual for the Public Schools in the State of West Virginia.*"

**Corrected.** Annual school audits for 2008 were completed by the Fyffe Jones Group CPA firm. The report was thorough and detailed noncompliance items which were presented to each school. The treasurer received written corrective action plans for all noncompliance items from each school.

4. The school principals were not required to provide a written response to any of the findings noted in their school's audit report. Although verbal communication of the findings had taken place, a written corrective action plan must be submitted to the board office and filed with the audit reports to describe how the audit findings are being resolved.

**Corrected.** The treasurer received a written corrective action plan for all noncompliance items from each school that described how the noncompliance items were being resolved.

5. Faculty Senate Monies were not distributed to the schools until the latter half of October. According to West Virginia Code §18-9A-9, Faculty Senate Funds are to be distributed to the schools during the month of September each year.

**Corrected.** Faculty Senate funds were distributed to schools during September 2008. The check register showed date, school name, and amount.

6. The board's policies had not been updated to cover all of the required topics regarding the individual schools accounting practices included in the "*Accounting Procedures Manual for the Public Schools in the State of West Virginia.*" One example is that there were no policies or procedures in place for the schools to follow in reporting and compensating individuals who perform services for the schools. The schools were not aware that they are required to report to the central office all individuals to whom compensation has been paid, including game officials, so that a determination can be made as to whether an IRS Form 1099-M (Miscellaneous) needs to be filed for specific individuals.

**Not Corrected.** The policy had not been updated. The treasurer communicated with schools to receive record of payment to anyone such as game officials who could be eligible to receive IRS Form 1099-M.

The Team reviewed a Fax Memo from the business office requesting information for 1099 purposes.

7. The Team noted that certain individuals were paid directly by various schools who should have been paid through the payroll process at the board office. These included: Mount View High School (an individual for lawn services), Mount View High School (an individual for security services), and laeger Elementary School (an individual for being a cheerleading judge). Payments to an individual for services rendered are to be considered wages and are to be paid through the formal payroll process at the central board office unless it can be clearly shown that the individual is an independent contractor in accordance with the criteria established by the Internal Revenue Service.

**Corrected.** Schools reported all wages due for work performed by employees at the school, i.e., lawn care and ticket takers, to the board office for payment through the regular payroll process. Documentation included a copy of the payroll time sheet, payroll record, and check copy.

8. Several booster organizations were maintaining their own separate bank accounts but were utilizing the school's Federal Employer Identification Number (FEIN). Accounts noted included: laeger High School – Football boosters, laeger High School Band of Gold Uniform Account and Cheerleading, Northfork Middle School – Northfork Middle School PTO and Northfork Middle School Climate Committee, Kimball Elementary – Children's Incorporated, PTO and Cheerleading, laeger Elementary – PTO. A school's Federal Employer Identification Number is to be used only for the bank accounts that are under the direct control of the school. All school support organizations must, either obtain their own Federal Employer Identification Number or close their separate bank accounts and deposit the monies in the school's bank account where the funds can be accounted for separately in sub-accounts.

**Corrected.** All school booster group monies were part of each school's general fund and accounted for in sub-accounts.

### **Finance Summary – November 2009**

McDowell County finance issues identified from the 2001 Education Performance Audit had for the most part been corrected and the county finance office was operating according to West Virginia Board of Education policies and State Code. However, two issues from the 2001 audit had not been corrected as noted in the March 2006 OEPA report and had not been corrected at the May 2009 review or by the November 2009 review. The Team found this lack of attention to repeated and noted finance noncompliances to be disturbing. The issues not corrected from 2001 to the present are listed below.

1. Financial statements were not provided to the local board of education on a monthly basis.
2. The board's policies had not been updated to cover all the required topics regarding the individual school accounting practices.

## **Facilities**

The Education Performance Audit Team visited the schools in McDowell County. A narrative of the Team's observations follows.

### **Anawalt Elementary School (Grades Pre-K – 5)**

**Year of Construction: 1928, 1951, 1952, 1980s**

**Total Square Feet: 29,990**

**Site Acreage: 4**

**% in Flood Plain: 0%**

### **May 2009**

The school was built in the 1920s with later additions. This school was located on a flat above the main road. An access road allowed staff to park at the school; however, buses dropped students off at the main road where they walked up two sets of covered stairs to the school grounds. The site did not have 11 usable acres, was not conveniently located, and was not large enough for expansion. There were few sidewalks for the school, no parking for individuals with limited mobility, and the school was not handicap accessible. The media center was not adequately equipped, a musty odor was prevalent, and the shelves were dusty. The media center was rarely used except as a large instructional space. The Kindergarten classrooms did not have sinks, only the Pre-K had sinks. There was no dedicated art room and the gymnasium was not adequately equipped. A separate building was on site for music, but the school did not have a music teacher. The door leading to the coal furnace was not kept locked.

The facility was heated with two coal furnaces and cooled with window units in most classroom spaces. The electrical wiring for the school did not allow for a window unit in every space. There was no forced ventilation to the school.

There was no means of limiting access to this school.

### **November 2009**

The facility did not comply with the requirements of the Americans with Disabilities Act (ADA) and did not meet the requirements for the School Access Safety policy. The hearing, ventilation, and air conditioning (HVAC) system did not meet the requirements for ventilation. The electrical load on this school was at its maximum capability without

adding more electrical service. The Team found two unsecured electrical disconnect switches in the hallway of the second floor. These potential electrocution hazards were secured during the Team visit. Multiple areas were prevalent where damage from water intrusion had occurred. The exterior of the facility was not maintained well. Mold growth was present on the building and roof areas. Mold was present in the classrooms of the library.

### **Bradshaw Elementary School**

**Year of Construction:** 2009

**Total Square Feet:** 44,415

**Site Acreage:** Unknown

**% Site In Flood Plain:** 0%

### **November 2009**

This school project was recently completed and occupied in September 2009. Some construction issues remained to be resolved, such as, parking lot drainage issues and air balancing, but these issues were being addressed by the designers. Playground equipment had not been relocated from the Sandy River Middle School site as of the November 2009 OEPA visit. Fire Marshal or asbestos management documents were not available for this site, but the maintenance staff indicated that the documents were in development.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

### **Fall River Elementary School (Grades Pre-K – 5)**

**Year of Construction:** 1978

**Total Square Feet:** 49,535

**Site Acreage:** 10

**% Site in Flood Plain:** 0%

### **May 2009**

This school was constructed in the 1970's and due to declining population the original plans were modified to exclude finished classroom space on the back side of the lower level. This space has foundation walls which are available for quick, cost effective expansion, if needed. The site included 18 acres and allowed for future expansion. Classroom spaces were adequately equipped. An art space was not dedicated. The music room was not located away from quiet areas of the building and did not have a podium or acoustical treatment. This school was well maintained overall.

## **November 2009**

Unsecured exterior doors allowed unrestricted access to the classrooms. This site did not meet the requirements for the School Access Safety policy. Custodian and equipment rooms were not secured. Annual reports by the State Fire Marshal could not be found at this site. Several exterior security lights were broken. An excessive number of light lenses were missing in the facility. Stained ceiling tiles existed in several areas of the facility.

The HVAC system had been upgraded and met the required ventilation requirements for classrooms. However, other issues were problematic.

The barometric dampers on the Bard units did not close when the unit was off and allowed large quantities of outside air into the spaces when the fan cycled off. The thermostats for each of the Bard units were located in a poor location which caused poor temperature control. The thermostats were mounted on the exterior walls just below the return of the unit. This exposed the thermostat to false load conditions caused by outside air temperature and outside air infiltrating through the barometric dampers. The thermostats allowed staff and students to alter the fan operation of the units which caused poor indoor air quality and did not meet the requirements of West Virginia Board of Education Policy 6200 Section 1101.23 E which states, "Room temperature sensors or thermostats located in occupied spaces may have the capability for local temperature set point adjustment to regulate space temperatures, but may not have the control capability to allow the occupants to control the fan operation." The programmable thermostats were also programmed to operate the HVAC system during Saturdays and Sundays. Two thermostats were located in the cafeteria area; one thermostat had a 70 °F set point and the other was 75 °F. One unit was cooling and the other was heating. The set point for both units should be identical to prevent this issue. Several humidistats were set to 0%RH. All humidistats should be set to maintain humidity levels of 60%RH. Altering this value will cause the units to run excessively or cause high humidity levels and potential mold growth. .

Old thermostats that controlled the original HVAC systems had been abandoned and contained mercury. All thermostats containing mercury should be removed and recycled. The Team recommended that a building automation system be installed to correct most of these issues and enhance the operational efficiency of the HVAC system.

**laeger Elementary School (Grades Pre-K – 5)**

**Year of Construction: 1959, 1971, 1981**

**Total Square Feet: 43,344**

**Site Acreage: 2**

**% Site in Flood Plain: 100%**

**May 2009**

This site did not have 11 usable acres, was not easily accessible and conveniently located, was not large enough for future expansion, was not removed from hazards and undesirable noise and traffic, and did not have sufficient parking for staff and visitors. The school was located behind laeger High School on a dead end road with the river on one side and private residences on the other side. A dedicated teachers' work area was provided. The media center did not have electronic card catalogs, automated circulation capacity, on-line periodical indexes, and copy equipment. Room 207 was used for Title I, the library, and a computer room. Rooms were not sufficient to allow for separate spaces. The art/music room did not have access to natural light, sinks, display facilities, mechanical ventilation, ceramic kiln, black-out areas, music stands, a podium, or acoustical treatment. The kitchen was not adequately sized for the number of students being served.

**November 2009**

Several exterior doors were not secured and allowed unrestricted access to all areas of this facility. This site did not meet the requirements of the School Access Safety policy. The HVAC system at this site did not meet the ventilation requirements of West Virginia Board of Education Policy 6200. Thermostats around the site contained mercury. Numerous lights were out throughout the facility and caused the classrooms to be dimly illuminated. Pipes were stubbed out of the concrete ramp on the outside entry of Classroom 110 and posed a safety hazard.

**Kimball Elementary School (Grades Pre-K – 05)**

**Year of Construction: 1954, 1978**

**Total Square Feet: 47,455 Sq. Ft.**

**Site Acreage: 6**

**% Site in Flood Plain: 0%**

**May 2009**

This site did not have 11 usable acres and was not large enough for future expansion. The school was located directly on the main road and a creek was behind it. The media center did not have electronic card catalogs. One of the three Kindergarten classrooms did not have the necessary equipment. A separate art room was not available. The music room and the gymnasium were not adequately equipped. Roof leaks had

persisted for more than 10 years. The school had no means in place to limit access such as, a camera system and the kitchen doors were left open for ventilation which compounded this issue.

This school had been seriously affected in the last two countywide floods.

### **November 2009**

Several exterior doors were not secured and allowed unrestricted access to all areas of this facility. This site did not meet the requirements of the School Access Safety policy. The front entry doors did not close and latch automatically. Stained ceiling tiles existed throughout the facility. Light lenses were missing in the hallway beside Classroom 107. Mold growth was observed on the ceiling tile in the hallway beside Classroom 107. Trash and miscellaneous items littered the rear outside areas of the facility. The fire alarm panel indicated two troubles in the fire alarm system.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

### **Welch Elementary School (Grades Pre-K – 5)**

**Year of Construction: 1954, 1980**

**Total Square Feet: 49,290**

**Site Acreage: 3**

**% Site in Flood Plain: 0%**

### **May 2009**

This school was constructed in 1957 with a classroom addition in 1989. This site did not have 11 usable acres and was not large enough for future expansion. The school was located on the main road and affected by traffic. The playground area was adjacent to the main road. The counselor's office was located on the second floor and removed from the main office and all student records. The media center did not have electronic card catalogs or online periodical indexes. A dedicated art and music room was available, but it was not adequately equipped with sinks, counter space, bulletin boards, a kiln, black-out areas, a podium, or acoustical treatment. This gymnasium was located next to the media center and was not adequately equipped.

There was no limited access plan for the school. A new entrance was scheduled to be added with a double set of doors and a camera system. The school also had plans to fence the grounds for safety due to recent vandalism to the outside of the facility.

## **November 2009**

Unsecured exterior doors around the facility allowed unrestricted access to all areas of the facility. This site did not meet the requirements for School Access Safety policy or the Americans with Disabilities Act (ADA). The door closures on the second floor stairwells were not functional and the fire rated stairwell doors were open. Stairwell doors #6 and #9 did not close and latch automatically. Various exterior doors did not close and latch automatically. Ceiling tiles were missing in several classrooms. Wiring of various applications was poorly installed through the classroom spaces. The stairwell by Classroom 36 lacked lighting. Classroom 5 was dimly illuminated due to failed lighting fixtures. Staff members stated that these lights had been reported to the maintenance department, but had not been repaired in the last two years. An emergency exit door was blocked in the gymnasium storage room. A storm drain outside the kitchen was obstructed and a sump pump had been installed. This was both an inappropriate application and installation for this pump. The electric hand dryer in the boys' rest room beside Classroom 1 was running continuously due to a faulty start/stop switch. The exhaust fan in the staff rest room by the speech therapy room had seized and did not operate. Tall weeds were prevalent in the fence line of the site.

Classroom 39 had five air fresheners in operation which produced a strong odor. This compromised the indoor air quality in the classrooms and can affect students who are sensitive to the chemicals and odors produced by these devices. Electrical deodorizers can pose a fire hazard.

The HVAC system had been upgraded and met required ventilation requirements for classrooms; however, other issues were problematic. The barometric dampers on the Bard units did not close when the unit was off and allowed large quantities of outside air into the spaces when the fan cycled off. The air filters in the units were poorly fitted and large gaps allowed air to bypass the filter media. The thermostats for each of the Bard units were located in a poor location causing poor temperature control. The thermostats were mounted on the exterior walls just below the return of the unit. This exposed the thermostat to false load conditions caused by outside air temperature and outside air infiltrating through the barometric dampers. The thermostats allowed staff and students to alter the fan operation of the units which caused poor indoor air quality and did not meet the requirements of West Virginia Board of Education Policy 6200 Section 1101.23 E which states, "Room temperature sensors or thermostats located in occupied spaces may have the capability for local temperature set point adjustment to regulate space temperatures, but may not have the control capability to allow the occupants to control the fan operation." Classroom 4 was very cold and the teacher had set the thermostat to 60°F. The actual temperature of the space was 63°F and students were wearing coats. A complaint of poor temperature control was the reasoning for the low temperature setting. Three independent HVAC units in the cafeteria had separate heating/cooling set points and caused the units to simultaneously heat and cool the same space. The set points on each of the three thermostats must be set to the identical value to prevent excessive energy consumption. Most thermostats were not programmable, allowing the units to run 24/7. Old thermostats that controlled the



original HVAC systems had been abandoned and contained mercury. All thermostats containing mercury must be removed and recycled. The Team recommended that a building automation system be installed to correct these issues and enhance the operational efficiency of the HVAC system.

**Southside K - 8 (Grades K - 8)**

**Year of Construction:** 2008

**Total Square Feet:** 72,608 Sq. Ft.

**Site Acreage:** Approx. 4

**% Site In Flood Plain:** 0%

**May 2009**

This facility was constructed in 2008. With the exception of having enough available land surrounding the school and a few classrooms lacking some minor equipment, this site meets the requirements for school facilities. The school location and site did not have 11 usable acres + 1 acre for each student over 600 due to the limits of topography in McDowell County. The site was not large enough for future expansion. The site was not well drained with water ponding in the playground area. The site was not suitable for special instruction needs. The site did not have adequate parking for staff, visitors, and individuals with disabilities. The playgrounds were not well equipped and appropriate for the age level. The media center did not have electronic card catalogs or automated circulation capacity. The art room did not have a kiln. The science room did not have AC and DC current, compressed air, a ventilation fume hood, and a demo table.

**November 2009**

This site was adjacent to a roadway and railroad that presented hazards and undesirable noise. The grass had been worn to bare dirt, leaving a rocky and muddy area for the students to play. Students played on the concrete area behind the school where the hydraulic dumpster was located. Parking was very limited. Several outside lights were on during the daylight hours. Additional efforts to maintain the aesthetics of the facility were needed. The interior walls and floors were dingy and lacked the original sparkle that was present just a few years back when this facility was new. Trash and rocks were present on the lawns around the site. The construction contracts for this facility provided free transportation, meals, and lodging to two county staff members for factory training on the new building automation system used at this site. The training site was in Andover, Massachusetts; however, staff members did not attend this training.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

**Sandy River Middle (Grades 6- 8)**

**Year of Construction:** 1999

**Total Square Feet:** 53,850 Sq. Ft.

**Site Acreage:** 15.9 Acres

**% Site In Flood Plain:** 60%

**May 2009**

This facility was constructed in 1999. A few deficiencies were found with this facility. The science rooms did not have AC and DC current and compressed air and the media center did not have electronic card catalogs.

The Team recommended that the antiquated control system be replaced with a direct digital controls (DDC) building automation system, (similar to Kimball Elementary or Southside K – 8) to improve the energy efficiency and overall mechanical system operations.

**November 2009**

This project was funded by the West Virginia School Building Authority (SBA). Numerous items detracted from the appearance of this site. Trash was present around the site, the block walls near the dock area were blackened, and weeds and tall grass were growing in the fence lines and enclosed areas. While portable classrooms were being removed from the site, the listed observations did not involve those areas.

Stained ceiling tiles were present in many areas throughout the site. Although the floors and walls were not dirty, they lacked the attention to detail that caused the site to look dingy. Areas where graffiti had been removed had not been restored to the original conditions. Rest rooms showed indications of vandalism that had not been repaired. One of the domestic water boilers had a substantial water leak (ceiling tiles were missing in the girls' locker room).

The Team observed air deodorizers being used in classrooms which compromised the indoor air quality and can affect students who are sensitive to the chemicals and odors produced by these devices. Electrical deodorizers also posed a fire hazard.

Temperature control was a major issue and staff members had expressed numerous complaints of temperature control issues. Windows were opened in several classrooms to mitigate temperature control problems. The cafeteria thermostat and one of the two gymnasium thermostats were not operable. Overall, the control systems at this school were cumbersome to utilize and provided limited access to the HVAC maintenance staff and the controls were rarely used by the staff. The Team recommended that the building controls be upgraded to provide better temperature control, diagnostics, accessibility, and energy conservation. This site had an access control system, but OEPA Team members were able to access the building through an unsecured door near the loading dock. Also, Classroom #3 did not have a key cylinder to allow the

room to be secured in the event of a lockdown. Additional work will need to be performed to comply with the School Access Safety policy requirements.

This site was built with a domestic water plant to provide domestic water and fire protection water. The water plant cost over \$250,000 and was designed to reduce the contaminant levels of the well water supplying the school. The water plant removed iron and minerals that cause hardness and filtered the incoming well water which is typical of most water plants. The well water at this site contained barium, which required the addition of a reverse osmosis system to this water plant. When this plant is fully functional the water quality produced is nearly pure water. One of the issues with this water plant is that the plant operator no longer used the reverse osmosis portion of this plant; therefore, barium was not being removed from the drinking water. Periodic water tests indicated that the barium levels in the well water were within the acceptable limits of this contaminant, but no letter had been offered by the West Virginia Health Department to indicate that it does not require the operation of the reverse osmosis system of this plant. This water plant facility and equipment were also in poor overall condition. Water had been allowed to stand on and under the equipment for years. The base and structure were badly corroded and scale and corrosion had formed on most pumps and controls. This structure will not have the operational longevity expected if allowed to continue in this state of disrepair. The success of this plant determines whether or not this school is occupied or not. The school cannot be occupied if the plant cannot maintain proper drinking water quality and a sufficient volume of water for fire suppression. Several plant failures have occurred in the past that caused the school to close. The county school system purchased a monitoring system to call key personnel to alert them of failures in the water plant to prevent future school closures. This device has been disconnected for the past two years.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

**Big Creek High School (Grades 9 - 12)**

**Year of Construction:** 1931, 1957, 1970

**Total Square Feet:** 65,904 Sq. Ft.

**Site Acreage:** 14

**% Site In Flood Plain:** 0%

**May 2009**

This facility was built in 1931 with an addition in 1970 and a separate gymnasium built in 1957. This site is scheduled for closure in the fall of 2010. The overall condition of this facility was very poor with active roof leaks and mold prevalent throughout the facility. The site did not have 15 usable acres and was not large enough for expansion. No areas were designated as teachers' workrooms. The art area was not adequate in size

and did not have adequate storage, a kiln, or mechanical ventilation. The physical education facilities did not have Internet access or network connections. The science rooms did not have ventilation fume hoods/demo tables, AC and DC current, and compressed air.

The media center was not used due to active roof leaks and mold conditions in the space on the floors and on the books. The Team strongly recommended that the roof leaks be repaired and all damaged materials, such as, carpeting, books, equipment and furniture be removed and properly disposed. All mold from the ceilings and floors needed to be removed. This room should be sealed with signs posted for no admittance until the leaks have been fixed and mold remediation performed. The Office of School Facilities will follow up with the county on this matter.

This school will be moved into the new high school; therefore, the Team strongly recommended that no materials from this school be moved into the new school due to mold contamination.

### **November 2009**

The numerous site deficiencies existed as indicated on the May 2009 site visit. Mold and water intrusion were prevalent throughout this site. Maintenance efforts were focused on keeping the school online until the site is closed. Corrective actions were not being made on the Fire Marshal's report in anticipation of closing this site. This site did not meet the requirements for School Access Safety. The aesthetics of this site were very poor.

### **laeger High School (Grades 9 – 12)**

**Year of Construction: 1952, 1972, 1995**

**Total Square Feet: 67,930**

**Site Acreage: 5**

**% Site in Flood Plain: 100%**

### **May 2009**

This facility was constructed in 1952 with a classroom/cafeteria addition in the 1970's and another two-room classroom addition in the 1990's. This site did not have 15 usable acres, was not large enough for future expansion, was not removed from hazards and undesirable noise and traffic, was not suitable for special instructional needs, and did not have sufficient parking for staff and visitors. The school was located across the train tracks and adjacent to the river. Floods affected the school in 1977, 2001, and 2002. The counselors' offices were located on the second floor above the main office. The doors were open and student files were unlocked during the OEPA visit. The media center did not have electronic card catalogs, automated circulation capacity, on-line periodical indexes, or copy equipment. The computer laboratory was not adequate with

students required to share computers. The remedial classrooms were not an adequate size for the number of students. The art room did not have adequate storage or counter space, mechanical ventilation, or a kiln. The gymnasium did not have forced ventilation, teaching stations, display cases, and network or Internet connection. Both boys' and girls' locker rooms were not adequately equipped. The science laboratories did not have hot water, compressed air, AC and DC current, ventilation fume hoods, and darkening provisions. All science rooms showed signs of water infiltration around the windows and ceiling tiles were detached and loose. The food service area was inadequately sized. The two-room classroom addition did not have secondary exit doors for emergency purposes.

**This school is scheduled to be combined into the new school at Bradshaw in the fall of 2010.**

### **November 2009**

The numerous site deficiencies existed as indicated during the May 2009 site visit. Maintenance efforts were focused on keeping the school online until the site is closed. Corrective actions were not being made on the Fire Marshal's report in anticipation of closing this site. Several exterior doors were not secured and allowed unrestricted access to all areas of the facility. This site did not meet the requirements of the School Access Safety policy. The HVAC system did not meet the ventilation requirements of West Virginia Board of Education Policy 6200. The facility did not comply with the requirements of the Americans with Disabilities Act (ADA). Mold growth was on ceiling tiles in the art and music classrooms. Missing and stained ceiling tiles were visible throughout the facility. A light switch cover was missing in the music classroom. The doors to the counselors' offices were left unsecured allowing access to student records.

### **Mount View High School (Grades 9 – 12)**

**Year of Construction: 1978**

**Total Square Feet: 151,804**

**Site Acreage: 53**

**% of Site in Flood Plain: 0%**

### **May 2009**

Persistent roof leaks in the gymnasium/auditorium hallway continued to be a problem and required using a trash can to contain the amount of water. Vandalism was prevalent throughout the facility, especially in rest rooms. The gymnasium electrical panels did not latch closed and were held closed with duct tape or left to swing open, pipe insulation had deteriorated, the fire extinguisher doors did not latch closed, exit lights were missing protective cages and fitting covers were loose. The facility as a whole exhibited a lack of housekeeping. Dust had accumulated on surfaces higher than four feet from the floor, around diffusers and return grilles, and around the sprinkler heads. The HVAC

system caused the ceiling tiles on the fourth floor to lift, suggesting a problem with the air balancing.

### **November 2009**

Issues listed above were still present six months after the first progress audit. The locker rooms exhibited excessive vandalism. Paint repairs on the 4<sup>th</sup> floor of F building did not match the existing paint. Temperature control issues and failures still plagued this facility. The controls did not respond to the conditions of the building and the sensors had been found to float away from calibration. The Team recommended that the controls and HVAC system be commissioned to improve the temperature control issues. The Team also recommended that all personnel operating the HVAC systems at this site participate in factory training on the controls and HVAC system. The HVAC system in the gymnasium was manually operated via electrical breakers to control the temperature. The Team recommended that the temperature controls be added to the existing building automation system to provide temperature comfort levels and to remove control of the supply fan from staff and students.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

### **Mount View Middle School (Grades 6 – 8)**

#### **May 2009**

This school was an addition to Mount View High School and shared cafeteria space, the media center, and classroom space with the high school. The middle school had a separate gymnasium. The locker rooms in the middle school cannot be locked when not in use to prevent vandalism. This facility exhibited the same lack of housekeeping as the high school.

#### **November 2009**

Temperature control issues and failures still plagued this facility. The Team recommended that the controls and HVAC system be commissioned to improve the temperature control issues. The Team recommended that all personnel operating the HVAC systems participate in factory training on the controls and HVAC system. The building automation sensors in the gymnasium were not protected and had been damaged by activities held in the gymnasium. It is necessary that the county maintenance department determine if the temperature sensors are working correctly, reattach the sensors, and add a protective cage around the sensors to prevent future damage.

This school is a West Virginia School Building Authority (SBA) funded project. A preventive maintenance program had not been completed for this project as required by the SBA.

### **Phoenix Center (Grades 5 – 12)**

#### **May 2009**

The Phoenix Center is an alternative learning site and as such did not have the typical facilities associated with students Grades 5 through 12. This site did not have food service facilities. Lunches were transported from Mount View High School. There was no intercom system in the building; a set of walkie-talkies was used by the administrator and staff. A small teachers' work room also served as a classroom when needed. Classroom doors lacked view panels. The school utilized a camera and buzzer to admit visitors. The school was located in town on a busy central road, did not have five usable acres and no room for future expansion, and was not removed from hazards and undesirable noise and traffic.

#### **November 2009**

This site was originally built to be used as an office environment for social security. The original HVAC system at this site consisted of one roof top unit with four separate heating and cooling zones and underground air ducts. The function and design of this facility had been altered by the county school system. During the last flood, water infiltrated the underground air ducts which were then sealed and disconnected from the HVAC system. The original roof top unit had been replaced and the four heating and cooling zones were eliminated leaving the entire facility to operate as a single zone unit. Staff reported that the HVAC system did not maintain temperature comfort levels. The controlling thermostat for this HVAC system was located in the entry way to the male rest room area. This was a poor location that did not represent the average space conditions of the zone. The exterior walls of this facility were comprised of aluminum and windows. The poor thermal insulation value of these materials made it impossible to maintain comfortable temperature levels in all areas using only one zone. The Team recommended that a design engineer develop an HVAC system and controls that will properly control the temperature levels in this facility. Several energy conservation opportunities were possible at this site.

A roof leak at the entry door allowed water into the ceiling light fixture. This fixture failed and had not been repaired. Several stained ceiling tiles were observed in this facility.

**Career and Technology Center (Grades 11 – 12)**

**Year of Construction: 1945, 1967**

**Total Square Feet: 90,111**

**Site Acreage: 3**

**% Site in Flood Plain: 0%**

**May 2009**

The original building housing the vocational shop areas was constructed in the 1940's. Forced ventilation in this part of the building did not exist and most of these classrooms had large roll-up doors. The new building had window air conditioning (AC) units in classroom and administrative spaces only.

The facilities were old and needed renovation. Opportunities existed for energy savings at this facility. The school will be installing a fence around the grounds for safety.

**November 2009**

Unsecured exterior doors around the facility allowed unrestricted access to all areas of the facility and did not meet the requirements for the School Access Safety policy. The HVAC systems at this site did not meet the ventilation requirements of West Virginia Board of Education Policy 6200. The HVAC system had been upgraded in various areas of the facility, but had not been installed to meet the code requirements of the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) which governs such installations and has been adopted by State Code and West Virginia Board of Education Policy 6200. Mercury thermostats were used to control HVAC equipment in various areas of the facility. The exterior grounds around the site were not maintained well. The interior areas of the "New Building" were very clean. This site desperately needed to be modernized. Heating units were not turned off in the shop areas while the large garage doors remained open.

**Countywide**

**May 2009**

A Fire Marshal's Report had not been filed in the schools since 2006. The asbestos surveillance for April 2009 had not been completed and a new inspector's certificate had not been filed. The current certificate expired October 2008. Pest inspections were being performed according to schedule and documentation of those inspections was present at each school. Overall, the facilities needed maintenance, specifically roof repairs/replacement.



**November 2009**

The Team found a Fire Marshal report and an updated Asbestos Manage Plan at most facilities; although, very few administrators knew where these documents were kept. Training should be provided to the school administration on the purpose and location of these documents. The Team found air deodorizers in several schools. These devices are problematic to individuals with respiratory issues and posed possible fire hazards. The Team recommended that a policy banning room deodorizers of all types be established and the appliances be removed from the county's schools. HVAC renovations or modifications have occurred at several sites that were problematic. Changes to the HVAC systems should be made only under the advisement of professionals trained to properly install these systems and avoid these issues. Most of the schools were currently using T-12 style fluorescent lamps. As of July 1, 2010, ballast manufacturers were no longer allowed to manufacture ballasts for this style fixture as mandated by the Energy Policy Act of 2005. The Team recommended that the county develop a plan of action to replace all T-12 light fixtures. Typically the energy savings realized from this retrofit will yield a 2-3 year simple payback period. The Team recommended that all thermostats, thermometers, contactors and all other devices that contain mercury be removed from school sites and recycled. Mercury is considered a hazardous material and remediation costs from spills or broken thermostats can be expensive; clean up costs for a small incident can easily cost over \$5,000 and exponentially more if the mercury is carried to other areas.

All sites that have been funded with West Virginia School Building Authority (SBA) funds are required to develop and implement a preventive maintenance program for the project. The county maintenance staff was addressing this issue but it had not been completed at this time. One common issue for all sites was the grounds maintenance issues. Trash and fence lines should be maintained at all times. Rear and remote areas of the sites were often forgotten areas that accumulated junk and trash. There are no unimportant areas on a school site and they should all be maintained at the highest level possible. The Team recommended that all staff members responsible for these duties be trained and monitored to assure these issues are properly addressed.

Another common issue was the steady rate of decline of the appearance of the sites. The exterior and interior appearances of all sites should be maintained to look as close to the opening day as possible. When walls are defaced they need to be cleaned and/or repainted. Custodians should be trained on detail cleaning to maintain the luster of all spaces, including closets, storage rooms, and mechanical rooms. There are no unimportant spaces in a school facility. All roof areas should be inspected and cleaned periodically of trash, discarded parts, and vegetation. McDowell County will have six newer generation schools once Riverview High School is completed. Each school brought online has newer technology and more sophisticated controls and equipment. All opportunities for training should be taken by staff members to keep up with the changes. The Team recommended that McDowell County ensure that the required training supplied by the contractors, under the construction contracts, be attended.

The West Virginia Department of Education, Office of School Facilities, has initiated numerous contacts to McDowell County to offer assistance with facilities. McDowell County has not accepted these offers and the contact with the county and schools had been limited to the annual inspections of the SBA funded facilities.

Chart 19 lists the capacity of each school in McDowell County and the percentage of school utilization based on the 2<sup>nd</sup> month enrollment report

Chart 19

School Name	Enrollment *	Capacity	Utilization
Big Creek High School	223	610	37%
laeger High School	393	613	64%
Mt View High School	780	1466	53%
Sandy River Middle School	294	450	65%
Southside K-8	535	560	96%
Anawalt Elementary School	88	377	23%
Bradshaw Elementary School	215	547	39%
Fall River Elementary School	176	310	57%
laeger Elementary School	317	379	84%
Kimball Elementary School	338	377	90%
Welch Elementary School	327	510	64%

\* (based on 2nd month numbers)

\*\* 1066 for HS + 400 for MS

\*\*\* unable to find capacity numbers, used highest enrollment

## **7.6. PERSONNEL.**

### **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)**

#### **May 2009**

The Team reviewed postings for professional, service, and extracurricular vacancies. The personnel director indicated that postings of all vacancies were placed on the county website approximately twice a month and remained for the posted period. Once the posting period ended, all postings were removed, even though they had not been filled. When new vacancies are posted, those vacancies which have not been filled (including those filled with a substitute) were reposted. The personnel director stated that postings were also placed on the West Virginia Department of Education (WVDE) K-12 Job Bank; however, none was posted during the Education Performance Audit. Vacancies were also posted at the county office and in each school facility.

The posting for professional personnel lists the posting number, location, position, standards of the posting (certification and specific skills and training, the latter on three postings), and employment term. Extracurricular professional positions, excluding coaches and mentors, were posted with professional postings. For service personnel, the posting headings listed the posting number, location, position, salary range (not shown), and employment term.

The postings stated that the qualifications for the postings are as outlined in the job description and that job descriptions are available in the personnel office. Job descriptions were not included with the postings.

#### **November 2009**

The county continued to post vacancies as required (in the county office, each school facility, on the county website, and on the West Virginia K-12 Job Bank). Positions posted as professional vacancies included teaching, administrative, mentors, and coaching vacancies. The Team reviewed posted extra-curricular positions for Safe and Drug Free Schools (SDFS) Conflict Resolution Facilitators and a Plato Teacher. Service personnel positions posted were for substitute cooks, aides, bus operators, custodians, and secretaries. The postings continued to state "Qualifications as Outlined in the Job Description" and "Job Descriptions Available in the Personnel Office." However, very few job descriptions were current and available.

The county included a salary amount or a pay scale for professional positions; however, there was no amount of pay or benefit information listed on the posting for service personnel positions, which is required as per §18A-4-8b (g) (2).

**NONCOMPLIANCE.** All job description, with the exception of newly created positions, were inaccurate and outdated (many service personnel job descriptions dated back to 1985). They were not included with the postings.

**NONCOMPLIANCE.** W.Va. Code §18A-4-7a (o) (1) (B) states for professional vacancies, “The notice shall be posted . . . and shall include the job description.” The Code also states, “Any criteria or skills that are required by the position shall be specifically stated in the job description.” W.Va. Code §18A-4-8b (g) (2) states for service personnel, “Notice of a job vacancy shall include the job description.” It also must include “the period of employment, the amount of pay and any benefits and other information that is helpful to prospective applicants to understand the particulars of the job.” Although, the county has made some effort toward this requirement, it continued to be an overall noncompliance.

The personnel director stated that the county staff had revised approximately 10 job descriptions as new vacancies were posted. The Team reviewed new job descriptions for Coordinator of Special Education, Attendance Director, Intervention Teacher, Instructor of Licensed Practical Nursing (LPN), SDFS Conflict Resolution Facilitators, GEAR UP Instructor, and 21<sup>st</sup> CCLC (DREAMS 2) Instructor-Substitute. The “new” job descriptions appeared to model the “old” job descriptions and some components of the job description did not comply with current State Code or State Board policies. For example, a section for “review and evaluation” stated that evaluations are conducted quarterly. This was not consistent with State Board Policy 5310. The superintendent, stated that this was the language in the old job descriptions. Some job descriptions had duplicate information listed, such as, under “Qualifications for Student Assistant Team (SAT) Chair” it stated, “Ability to write narrative reports, maintain files, and enter data electronically on the County SAT Website.” Under “Knowledge, Skills, and Abilities” it listed, “Ability to write narrative reports maintain files, and enter data electronically.” The reason given for listing this statement twice was, “That’s how it was on the old posting.” There is other such information on the “new” job descriptions which appeared to need reconsideration. For example, on some of the new job descriptions, the county listed the current salary for the position. This could result in the job description being out-of-date if the salary changed during subsequent years. Also, one extra-curricular posting under “Term of Employment,” stated “200 days based on renewal of grant; Salary: \$25.00 per hour, Monday-Thursday, as needed.” These two statements were not consistent. New job descriptions do not have a “heading” specifying “specialized training” or “special criteria or skills” W.Va. Code §18A-4-7a (d) 6 and (o) (1) (C).

The majority of postings were for classroom teachers. However, the job description for classroom teacher had not been revised since 1992 and did not address the qualifications listed in W.Va. Code §18A-4-7a. Service personnel job descriptions had not been revised since the May 2009 OEPA visit. The personnel director stated that the county plans to work on the revisions of job descriptions in December and January of this school year (2009-2010).

The Team recommended that the county give the revision of job descriptions a high priority among the county administrative staff. Personnel staff indicated that job descriptions were written by administrators for their respective area(s) and accepted as written. Job descriptions should be relevant to the position and should include specific qualifications listed in West Virginia Code and State Board of Education policies. The Team further recommended that the county develop and adopt a format for job descriptions, perhaps reviewing samples from other counties, and then provide an in-service for individuals responsible for writing/revising job descriptions. All job descriptions recently written should be revised to conform to the county policy. The Team further recommended that the final draft of the job description be approved by the personnel director or superintendent.

### **May 2009**

The following list included examples of inaccurate and outdated job descriptions that the Team reviewed.

#### 1. Professional

- Alternative Education Teacher. Qualifications. 1) W. Va. certification in math, science, language arts, and social studies; 2) experience in alternative education; 3) proficient with computers; and 4) effectively communicate and relate to students and staff. The requirements of State Board Policy 5202 were not listed.

### **November 2009**

#### **NONCOMPLIANCE**

- Job descriptions posted this year (2009-2010) had not been revised to list the requirements of State Board of Education Policy 5202.
- Attendance Director Qualifications. 1) Certified to Teach in West Virginia and 2) Tuberculin skin test biannual. The required certification of attendance director was not listed.

### **November 2009**

#### **Compliance**

**May 2009**

- Coach. 1. Be certified to teach in W. Va. and 2. Assigned as teacher in McDowell County School System. Coaching authorization was not listed.

**November 2009**

**Compliance**

- 2. Service
  - Mechanic Assistant. Qualifications. 1) Have and maintain a well-stocked tool box with general hand tools of good quality, 2) 2 years experience in mechanical work or 2 years mechanical training, 3) valid W. Va. driver's license, and 4) negative biannual tuberculin skin test.

**November 2009**

- No Postings for Mechanics.

**November 2009**

**Noncompliance.** Service personnel job descriptions had not been revised since the (may 2009) OEPA audit. Service personnel positions posted for 2009 - 2010 included S-05-10 – S-07-10; S-09-10 – S-10-10; S-22-10; and S-25-10, which included aides, cooks, custodian and bus operator. Basically, old job descriptions were not used for these postings, as they were not included in the posting and there were no requests for job descriptions at the county office.

**November 2009**

**Noncompliance**

- No revised job description was provided for review.

**May 2009**

- Aide. A job description for Instructional aides listed the following titles: Special Education, Remedial Reading (Chapter I), Follow-up Aide (Chapter I), Math Aide (Chapter I), Life Skills Aide (Chapter I), ECE Aide, and General Aide. The county has aides classified as autistic aides (no job description available). (See posting S-06-09: Aide: LD/BD/MI/SP/Gen/Bus/Autistic). These aides are paid

based upon the definition of aide in §18A-4-8. Autism mentor, not autistic aide is listed as a classification in §18A-4-8; however, the county does not post for autism mentors. There were no aides in the county who held the classification of autism mentor or who had completed the training, etc., for autism mentor. Also noted Chapter I is currently Title I.

- Aide vacancies were posted for example as; Pre-K Aide/Bus (S-22-09); MOD/LD/MI/BD/SP/Gen/Bus (S-24-09); Aide MOD/Sev/Profound/ Classroom/ LD/MI/BD/SP/ Gen/ Bus (S-34-09); Aide ECE/General/Bus Aide (S-37-09).

### **November 2009**

**Compliance.** The Team reviewed postings for three aide postings. As per new 2009 Legislation, positions were posted listing the specific assignment such as, “MI/LD/BD/SP/Gen.Bus” or “Pre-K Special Needs.”

### **May 2009**

- The state competency test was not listed on any service personnel job descriptions the Team reviewed.

### **November 2009**

- **Noncompliance.** No change, the job description had not been revised.

### **May 2009**

The personnel director acknowledged that the job descriptions were outdated and that the county was in the process of revising job descriptions. She had sample job descriptions from other counties on file. She stated that competency tests are given to service personnel as required by W.Va. Code §18A-4-8e. The attendance director, held a license as attendance director and coaches were hired who were not county teachers and were eligible for a coaching authorization.

The personnel secretary, when interviewed, stated that no one ever requested to see a job description for a posted position.

**November 2009**

**Noncompliance.** The personnel director and the personnel secretary again stated that they had not had any requests for job descriptions. When questioned how applicants became aware of the qualifications listed on the job descriptions (new and old), the personnel director said they went over those during the interview process.

**Recommendations.**

**May 2009**

1. Prior to each posting, the job description for that vacant position should be reviewed and revised, if needed. Job descriptions for all other positions available in McDowell County Schools needed to be revised.

**November 2009**

**Recommendation Not followed.** This process has begun with 10 new job descriptions written or revised. This process needed to be continued for all postings. Positions have been posted since May 2009, such as classroom teacher, cooks, aides, and custodians that did not contain new job descriptions.

**May 2009**

2. Job descriptions needed to be attached to postings or made available on line or at each posting location. (Service personnel §18A-4-8b (g) (2) states that the notice of the job vacancy include the job description. For professional personnel, specialized training and any special criteria or skills required by the position must be stated in the job description, W.Va. Code §18A-4-7a (d) 6 and (o) (1) (C).

**November 2009**

**Recommendation Not Followed.** This had been done, in part, with at least five job descriptions for extracurricular positions being on the county website with the posted positions. However, revisions had not been done for teachers or service personnel, which make up the majority of the postings. As stated above, the job description should specify specifically “specialized training, if any, and Special Criteria or Skills.” This was not done for the revised or newly written job descriptions.



It is imperative that the county continue to work toward completing relevant and current job descriptions ensuring that all postings have current job descriptions attached or made available on-line or in schools and the county office.

**May 2009**

3. Job descriptions include the required certification for professional personnel and as per W.Va. Code §18A-4-7a (o) (1) (D) and §18A-4-8b (g) (2) be written to ensure the largest possible pool of qualified applicants. (See course codes for list of possible certifications for professional personnel). For example, a Title I reading position can be taught with, 1) a masters degree in reading specialist, 2) completion of graduate level reading specialist program, 3) reading authorization, or 4) completion of reading endorsement program.

**November 2009**

**Recommendation Followed.** The county complied with this recommendation for postings observed listing the various certification endorsements for the posted position (Example: P- 48-10 and P-66-10).

**May 2009**

4. Job descriptions include any special criteria or skills that are required as per W.Va. Code §18A-4-7a (o) (1) (C) or any specialized training as per W.Va. Code §18A-4-7a (c) (5) and (d) (5).

**November 2009**

**Recommendation Followed.**

**May 2009**

5. Job descriptions list the qualifications for service to include the state competency test, if appropriate.

**November 2009**

**Recommendation Not Followed.** This had not been corrected and new job descriptions had not been written.

**May 2009**

6. Job descriptions for service personnel do not include criteria which are not necessary for the job, W.Va. Code §18A-4-8b (g) (2). The Team recommended that job descriptions include criteria necessary for the job.

**November 2009**

**Recommendation Not Followed.** This has not been corrected.

**Other recommendations related to job postings.**

**May 2009**

1. Include in the job postings for service personnel, the amount of pay (or actual salary range) and any benefits and other information that is helpful to the applicants, W.Va. Code §18A-4-8b (g) (2). Current postings say "Salary Range as per county scale." Unless the salary scale is attached to the posting, which it was not, most individuals would have no idea of the salary or benefits. A listed salary range may help in recruiting service substitutes.

**November 2009**

**Recommendation Not Followed.** This had not been corrected.

**May 2009**

2. To increase the applicant pool for substitute service personnel positions, consider for employment individuals who are enrolled in an approved adult education course by the date of employment in preparation for obtaining a graduate equivalency diploma (GED). Such employment would be contingent upon continued enrollment or successful completion of the GED. W.Va. Code §18A-2-5.

**November 2009**

**Recommendation Not Followed.** Evidence was not shown that this recommendation had been implemented as a way to recruit substitute service personnel. Substitute bus operators, specifically, remained a great need.

**May 2009**

3. For notices of coaching/cheerleader postings, remove under Employment Terms, the across the board statement "Pending Enrollment." Posting information should be as accurate as possible. Only use "pending enrollment" if it applies to the posted position.

**November 2009**

**Recommendation Not Followed.** This wording still appeared on current postings the Team reviewed. However, the personnel director said this language has been removed from all postings and is used only when it is fitting for the posted positions. One reviewed posting was for Head Girls' Basketball Coach, Mount View High School. The personnel director did not know if there were ever a time that Mount View High School did not have a girls' basketball team due to lack of enrollment (number of available players); however, posted it based upon pending enrollment just in case there were not enough players.

**May 2009**

4. For coaching/cheerleader postings, note the certification as: Holds West Virginia Professional License, Permit license, or coaching authorization (SSAC).

**November 2009**

Continue to recommend.

**May 2009**

5. Aide vacancies should be posted as "aide," then assigned by the principal.

**November 2009**

**Compliance.** As per the 2009 Legislation, aide positions were posted for specific positions. Legislation is not specific; however, for now it is believed this to be pre-school, preschool school special needs, Kindergarten, LD/BD/M, Title I, bus aide, etc.) This recommendation is removed. McDowell County complied with the current postings of aide positions.

**May 2009**

6. Positions which require an “autistic aide” (no such classification in W.Va. Code §18A-4-8) should have that position posted as autism mentor. Aides working with autistic students should work toward the autism mentor classification.

**November 2009**

**Recommendation Not Followed.** No change in recommendation.

**May 2009**

7. Vacant positions, including those filled with substitute teachers, should remain continuously posted until filled.

**November 2009**

**Recommendation Followed.** The recommendation is being met.

**May 2009**

Hiring personnel as per W. Va. Code §18A-4-7a and §18A-4-8b. A review of the hiring process found that no evidence that the county followed W.Va. Code §18A-4-7a in hiring personnel.

1. There seems to be some confusion on which set of factors listed in W.Va. Code §18A-4-7a to used in determining the qualifications of classroom teachers. It appeared that the matrix (not completed) for the second set of factors was being “placed” in the file folder if one or more regularly employed individuals applied regardless if they met the standards of the posting (were certified for the position). If no regularly employed individual applicants are certified, then the first set of factors is to be used, as said employees do not meet the standards of the posting. The second set of factors is used when one or more regularly employed individual applies and **meet the standards** of the posting.
2. A random review of 18 of 85 professional position postings found that the county did not use the criteria found in W.Va. Code §18A-4-7a to determine the most qualified candidates. A blank matrix form or a partially completed matrix (first two of seven listed criteria) was placed in the files. Examples: For postings where regularly employed individuals applied, but did not meet the standards of the posting (not certified), the county had the wrong matrix (2<sup>nd</sup> set of factors) in files.

In this case, the first set of factors is to be used: Example: Posting P-02-09, classroom teacher, Phoenix Center; Posting P-04-09, classroom teacher, physical science; P-06-09, classroom teacher, MI/LD/BD; P-42-09, Title I reading.

3. For posting P-26-09, two regularly employed individuals, both certified, applied; however, there was no completed matrix showing comparison of qualifications of the applicants as per the second set of factors in W.Va. Code §18A-4-7a. Only one criterion was completed and that was the first criterion (certification). Both candidates were certified. It appeared that the most senior and the most qualified candidate was not selected for the position. However, the applicant who appeared to be the most qualified had noted on her application that the posted position was her 2<sup>nd</sup> choice. Therefore, Job P-26-09 was given to a teacher who had marked on the application that the position was her first choice. As per the personnel director, the most qualified applicant wished to wait for a special education position.

A review of the records indicated that the individual selected for the posting P-26-09 was recommended to the state superintendent of schools on June, 2, 2009. The other candidate was not recommended to the state superintendent of schools until August 5, 2008. At that time, she was hired into a special education position on a permit license.

4. A possible reason for not completing a matrix when using the second set of factors in W.Va. Code §18A-4-7a or not having any type of documentation to show that the criteria in the first set of factors were considered, is that the county's application for a job posting does not request the information for which an applicant can be judged. McDowell County's application for a classroom position has been taken from an older application **which included information for all criteria listed in §18A-4-7a for both sets of factors.** However, in the new form, applicants are asking to provide only information relevant to the first criterion. The other six criteria are not addressed. It appears that when the new form was created and the information from the old form was moved around on the form, it resulted in being placed where it does not fit. For example, it reads: "Do you meet the standards (A and B above) set forth in the posting?" \_\_\_ Yes, \_\_\_No." However, there are no standards listed "above." The form goes on to say, "*.....list ALL relevant qualifications as required in West Virginia code §18A-4-7a. The information listed on this application will be used when comparing qualifications of applicants.*" However, again, the criteria in §18A-4-7a **is not** listed and new applicants would most likely not be knowledgeable of the qualification criteria.

The personnel director stated to determine the applicants qualifications, she reviews the applicant's employment application (all information listed in §18A-4-7a was not requested on that form), the applicant's transcript, or she calls the applicant. However, there was no evidence that the information was collected or considered.

In the 2001 audit review, it stated that as a result of the lack of uniformity in the application, candidates do not receive equal evaluations because there is no common database. In this 2009 review, it is “lack of” requesting information on the application form in order to get the common database. It was recommended in 2001 that the county require all candidates to utilize a standard form developed by the county. It was further suggested that the form W.Va. Code §18A-4-7a. This appeared to have been in place following 2001; but has since been changed to the current application. Finally, the county matrices of qualifications need to be revised to show that evaluations considered are those performed as per W.Va. Code §18A-2-12.

5. Principals’ Interview of Applicants (W.Va. Code §18A-2-1. Principals (Big Creek High School, Southside, Welch Elementary, and Iaeger High School) were interviewed by telephone and asked what their part was in the hiring of personnel, especially the opportunity to interview applicants new to their school. The principals basically stated that the personnel director, does the interviewing. Only one principal said that she had the opportunity to have a conference with the applicants. One principal said in his almost three years as a principal, he has never been in on an interview. One principal stated that interviews were handled by the central office personnel director, but she would help if she wished her to do that. One principal stated that principals are not on the interview team this year. He had two new teachers this year that he met (looked for and introduced himself) the first day of the school year when the county had its general assembly.
6. The personnel director stated that she does most of the interviewing (and selecting) of new teachers. Samples of interview questions were not available. She stated that other directors are sometimes involved in the interviewing, as well as the superintendent. She also stated that new teachers were sent to the schools to see the school and interview with the principal.

### **November 2009**

**Compliance.** This has been corrected. The county revised its application for professional positions to include all information required to evaluate the applicants as per W. Va. Code §18A-4-7a (c). The Team reviewed 14 file folders of posted professional positions (teachers and administrators). The 2<sup>nd</sup> set of factors was used for classroom teacher positions only when one or more applicants were regularly employed and met the standards of the posting. The 1<sup>st</sup> set of factors was used for all other postings. The interview is used to determine “other measures or indicators upon which the relative qualifications may be fairly judged.”

For several postings, there was only one applicant for the position. Fifteen positions were continuous postings, not filled by certified applicants, but filled with a substitute. Eight of the vacant positions were currently filled with retired teachers or administrators. Those jobs will remain posted until filled.

The county now uses an interview committee made up of administrative personnel and the principal. The personnel director is not a member of the interview committee; however, talks with all candidates before they are recommended for employment. Four principals were interviewed. Each verified that they participated in the interview process and are a member of the county interview committee.

The Team reviewed interview questions for a classroom teacher, a psychologist, and a counselor.

## **Findings.**

### **May 2009**

7. Professional personnel transferred into new position after five days prior to the beginning of the instructional term. W.Va. Code §18A-4-7a (l) (3) under certain conditions, requires the county superintendent to notify the state superintendent of schools when an individual is transferred in a professional position after the fifth day prior to the beginning of the instructional term. There was no evidence that this information was provided to the State Superintendent of Schools; however, this may not be necessary for McDowell County as the state superintendent of schools became aware of the transfers when the State Board approved such transfers for the county. (See September 12, September 19, 2008, request to state superintendent of schools from personnel director.)

### **November 2009**

**Compliance.** Copies of letters sent to the State Superintendent of Schools were available for review.

### **May 2009**

8. Extracurricular assignment, excluding coaches and mentors, were posted with professional positions. There was no indication that the posted position was less than a full-time position, as it was posted like all other professional positions, showing a 200 day contract. The agenda sent to the state superintendent did not distinguish that the employment is an extracurricular assignment position. Coaching positions are identified as coaching positions on the agenda sent to the state superintendent; however, for all extracurricular assignments the maximum number of hours for which the parties shall mutually agree upon are not shown. (See §18A-4-16)

**May 2009**

**Corrected In Part.** Coaching positions were posted as “Coaching” positions. The employment term was now listed “School Year.” The salary was listed on the posting; however, the county has not identified maximum number of hours for the specific extra-curricular positions and has not made that a part of the posting, agenda, or contract. W.Va. Code §18A-4-16 states, “The employee and the superintendent or a designated representative, subject to board approval, shall mutually agree upon the maximum number of hours of extracurricular assignment in each school year for each extracurricular assignment”.

**May 2009**

9. Several professional individuals and coaches were hired pending certification. See memoranda to State Superintendent of Schools, from personnel director, dated June 27, August 5, August 8, August 22, and August 25, 2008. A random review of coaches’ employment, found that, Southside Assistant Coach (football and baseball), was not approved for certification (see letter in file), neither had he returned his contract of employment as of May 6, 2009.

**November 2009**

This individual is no longer coaching.

**May 2009**

**NONCOMPLIANCE of W.Va. Code §18A-4-8b in part.** It appears that service personnel are hired as per W.Va. Code §18A-4-8b based upon qualifications, evaluation of past services, and seniority. Exception: McDowell County did not send notices **certified mail** to individuals on the preferred recall list. As a result one bus operator on the certified list, who was most senior, did not apply for a bus operator position and it was given to another individual on the preferred list who did make application for the position. The most senior bus operator on the list got a position at a later date and has returned to regular employment. The personnel director was not aware of this requirement to send notices certified mail. She indicated that it will be corrected.

**November 2009**

**Compliance.** This has been corrected. Copies of certified mail sent to individuals on the preferred recall list were on file.



## **Recommendations.**

### **May 2009**

1. The Team recommended that the personnel director receive training in the use of W. Va. Code §18A-4-7a in the posting and selection of personnel using the appropriate set of factors.

### **November 2009**

**Recommendation Partially Followed.** The personnel director and her secretary are registered to attend a Bowles Rice McDavid Graff & Love LLP Signature Series this month to receive training in personnel. She also talks frequently with other personnel directors who provide assistance.

### **May 2009**

2. The Team recommended that the county return to using its old application form (review to ensure updated and accurate) for professional positions or developing an application which requests all information from applicants that must be considered as per W. Va. Code §18A-4-7a.

### **November 2009**

**Recommendation Followed/Corrected.** The county has returned to its old application for posted professional positions which gives the information needed to compare applicants as per W.Va. Code §18A-4-7a (c ).

The Team further recommended that all employment applications be reviewed and revised. Examples: the "Application for Employment of Service Personnel," ask, "Are you a citizen?" (not "Are you a U.S. Citizen"). It asks "Have you ever been convicted of a felony?" Misdemeanor not included. Under Educational Background, it asks for the Year the applicant graduated from high school. This should perhaps be removed. The professional application asks for "date entered high school", as well as college, etc. The question, "Have you ever been convicted of a misdemeanor or felony?" is not on the application for School Bus Operator or coach, etc.

**May 2009**

3. The Team recommended that the county follow W. Va. Code §18A-4-7a in selection of personnel completing a matrix (using the criteria listed in §18A-4-7a) especially when using the second set of factors. Some documentation should be available to show the selection for the most qualified candidate when using the first set of factors.

**November 2009**

**Compliance.** The county is giving points and/or check marks for the indicators in the first set of factors to show that all criteria in W.Va. Code §18A-4-7a are being considered. When using the second set of factors, the total wins of all categories determines the most qualified candidate.

**May 2009**

4. The county only uses the applicants' priority requests for vacant positions when the positions are being posted and filled at the same time. If this is not done, the applicant who is determined the most qualified for a position and wishes to wait for another position should be required to withdraw his/her application in writing for the position he/she would have been entitled.

**November 2009**

**Recommendation Followed.** This situation was not observed.

**May 2009**

5. Ensure, as per school law, that all individuals on the prefer recall list receive a certified letter notifying them of position openings.

**November 2009**

**Recommendation Followed.**

**May 2009**

6. List on the employment agenda and on the contract the maximum number of hours the employee and superintendent mutually agree upon (W.Va. Code §18A-4-16).

**November 2009**

**Recommendation Not Followed.** This continued to be a noncompliance.

**May 2009**

7. A system needs to be put in place to review pending certification as well as the return of contracts. Individuals who do not meet the above requirements should be removed from their assignment.

**November 2009**

**Compliance.** As per the personnel director, to meet this recommendation and to be in compliance with W.Va Code, all individuals must come to the county office and sign their contracts before they begin their assignment.

**May 2009**

8. Ensure that all principals have an opportunity to interview professional personnel and paraprofessionals.

**November 2009**

**Corrected.** Principals were being invited to be a member of the county interview committee. This process appeared to meet with the principals' approval.

**May 2009**

**NONCOMPLIANCE. W.Va. Code §18A-4-8 (I). Annual review of service person's job classification:** Each county board shall review each service person's job classification annually and shall reclassify all service persons as required by the job classification.

It appeared that McDowell County had not annually reviewed the job classification of its service personnel. The director of personnel was unaware of this statute. The Team recommended that a job classification of service personnel be reviewed annually and any improper classifications be corrected.

**November 2009**

**Noncompliance**

**May 2009**

**NONCOMPLIANCE W.Va. Code §16-3D-3: Compulsory testing for tuberculosis of school personnel:** W.Va. Code states that all school personnel shall have one approved tuberculin skin test at the time of employment performed by the local health department or the person's physician.

At least for the past year, and perhaps since the law changed to eliminate tuberculin skin tests every two years of all employees who were then currently employed, it appears that new hires have not been required to get a tuberculin skin test. This law was unknown to the personnel director.

The Team recommended that all new employees hired after the above law changed who did not receive the tuberculin skin test as provided by law be required to get the skin test from the local health department or personal physician within a time line determined by the county, but no later than the beginning of the 2009-2010 school term. There are some exemptions to this law such as an individual transferring from another county. The county needed to contact the West Virginia Department of Education for further information on these situations.

**November 2009**

**Compliance.** All new employees, where applicable, were being required to have proof of a negative tuberculin skin test before employment. For those individual hired in past years (since the law changed), the personnel director worked with the McDowell County Health Department to get those employees the initial tuberculin skin test. Employees also had the option of getting the tuberculin test done by their own physician. As per the personnel director, the county is now in compliance with this law.

The Team concluded that progress had been made in personnel hiring, yet several issues remained.

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

The Team found a few violations of (W.Va. Code §18A-3-2 and West Virginia Board of Education Policy 5202). The first chart explains the certification issues the Team observed through a detailed review of the certified list, West Virginia Education Information System Master Course Schedule, and the West Virginia Department of Education Certification Database.

Following the certification chart (Chart 20) of professional employees and positions, a secondary chart (Chart 20A) outlines the details of the violations identified in the extracurricular area.

**Chart 20**

<b>County-School</b>	<b>Name</b>	<b>Currently teaching</b>	<b>Certified</b>	<b>Issue</b>	<b>Correction recommendation</b>
060-304	Educator	4809 Title I Reading	Multi-Subjects K-8 SLD BD MI Severe Dis. Preschool Handicap PK-K	Does not hold Remedial Reading or Reading Specialist	Apply Form 1-1A. Has requested a Waiver for Title I Math, but not to assigned Title I Reading
060-525	Educator	4101 CMPSTN Low	Multi-Cat Multi-Sub	Requires English Endorsement	Apply 1-1A or correct code
	Educator	6031	Physics Gen. Science	6301 is no longer a valid course code	Correct code
060-527	Educator	3043 Geometry 3044 Conceptual Math		Transition to Teaching Teacher, no mentor yet assigned	Assign a mentor

Extra Curricular Findings  
Chart 20A

<b>Name</b>	<b>Position</b>	<b>Location</b>	<b>Issue</b>	<b>Recommendation for Correction</b>
Volunteer Coach	Volunteer, Authorization issued for 09-10	Mt. View HS	Not placed on agenda for state	All coaches, employed and "volunteer" must be reflected on personnel agendas and in the Coaches Database
Volunteer Coach	Volunteer, Authorization issued for 09-10	Big Creek HS	Not placed on agenda for state	All coaches, employed and "volunteer" must be reflected on personnel agendas and in the Coaches Database
Volunteer Coach	Volunteer, Authorization issued for 09-10	Sandy River Middle School	Not placed on agenda for state	All coaches, employed and "volunteer" must be reflected on personnel agendas and in the Coaches Database
Volunteer Coach	Volunteer, Authorization issued for 09-10	Sandy River Middle School and laeger HS	Not placed on agenda for state	All coaches, employed and "volunteer" must be reflected on personnel agendas and in the Coaches Database

### Recommendations

1. Update Coaches Database Regularly.
2. Create a spreadsheet of approved coaches, locations, and specific sports date application sent to the West Virginia Department of Education (WVDE) and date coaching authorization issued by the WVDE.
3. All coaches must be identified on the WVDE Personnel Agendas.

**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)**

### May 2009

The Team reviewed personnel evaluations for teachers, principals, county office administrators, 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.

According to the policy manual furnished to the Team, the McDowell County Board of Education Policy 8-040 required the first evaluation for all probationary personnel to be

submitted to the central office no later than October 31 and the second evaluation for all probationary personnel to be submitted to the central office no later than March 1. Most of the probationary personnel files reviewed did not meet either of these standards.

In general, few of the evaluations in any employment category met the requirements set forth in the county's own policy. Those evaluations which did meet the time deadlines appeared to meet the letter of the law, but not the spirit or intent. Evaluations done in a timely manner typically had comments which were general in nature and repeated for most of the employees supervised at a given location.

### **November 2009**

The review of personnel evaluations by the OEPA Team in May 2009 was prior to the end of the school year and many administrators expressed that a significant number of missing evaluations would be submitted by the end of the 2008-2009 school year. Therefore, the Team started the November 2009 review of evaluations by checking for those principals/schools that may have submitted their completed evaluations after the May 2009 review and prior to the return audit the week of November 16, 2009.

West Virginia Board of Education Policy 5310 and W.Va. Code §126-142-9 set forth the standards and requirements for evaluation of professional personnel. Teachers in their first, second, or third year of teaching are to receive two evaluations per year. Teachers in their fourth or fifth year of teaching are to receive one evaluation per year. In all cases, the first observation is to occur on or before November 1.

The Team verified evaluation information by reviewing 51 personnel records for professionals at 12 schools, the career technology center, and at the central office. The only personnel files reviewed were those professional employees who would have had an evaluation or goal setting due for the 2009-2010 school year. Six of the schools completed evaluations in a timely manner. The quality of the evaluations in those six schools ranged from minimal to superior. Chart 21 presents the Team's summary of the personnel evaluations reviewed by location. Six of the schools failed to complete evaluations for at least one professional employee. The quality of the evaluations in those six schools ranged from nonexistent to minimal.

Of particular concern was the absence of teacher evaluations at Mount View High School during the 2008-2009 school year. Of the eight personnel files reviewed for Mount View High School, none had an evaluation for 2008-2009. One of the action steps listed on the Mount View principal's administrative evaluation for 2008-2009 was "monitor implementation of strategies through evaluation/observation." Despite what appeared to be 100 percent noncompliance, the only comment on the principal's administrative evaluation was "progress noted." This action can only serve to reinforce an attitude by some that evaluations are not important at Mount View High School and failure to complete them is acceptable.

It should be noted the number one action step of the number one goal for the 2009-2010 school year for Mount View High School's principal was to "conduct full observations" and "revisit all unsatisfactory observations." Documentation for the step was for the first set of observations to be completed by November 1, 2009. Of the eight personnel files reviewed for Mount View High School, one teacher had a full evaluation completed for 2009-2010, five teachers had an observation completed for 2009-2010 and two teachers did not have an observation completed for 2009-2010 as of November 19, 2009. While the principal failed to meet full compliance, compared to the 2008-2009 school year, significant improvement was shown.

Interviews with the director of personnel revealed that the degree of expectations and accountability regarding evaluations has been raised dramatically. Completion of evaluations in a timely manner had been discussed in administrative meetings, supported by the superintendent, monitored by the personnel office through spreadsheets and reminders to administrators, and finally, included in administrative goals for the 2009-2010 school year.

The Team's documented review of personnel files confirmed an increased emphasis on compliance with West Virginia Board of Education Policy 5310, W.Va. Code §126-142-9, and county expectations. Of the 51 personnel files reviewed, 35 contained an observation, evaluation or goals for the 2009-2010 school year submitted and filed in the central office.

However, there were still some issues with the professional observations and evaluations. Very few observations and/or evaluations had meaningful comments. Most of the comments were sparse. Iaeger Elementary teacher's observation listed one comment with a series of dittos to complete each section. Mount View High School teacher's observation comments were a series of check marks.

On some observation/evaluation forms, serious issues were noted, but not addressed in a proper manner. A Bradshaw Elementary teacher's observation revealed no correlation between CSOs and lesson taught and no lesson plans. However, all areas for this teacher were marked "meets". Sandy River Elementary instructor was placed on a plan of improvement on October 31, 2008. However, there was no observation/evaluation denoting unsatisfactory performance to justify the plan of improvement.

The Team found other irregularities which served as red flags to question the legitimacy of some observations/evaluations. A Big Creek High School counselor signed but did not date the goals for 2009-2010. A Fall River Elementary teacher has what appeared to be an observation completed on an evaluation form. A Mount View High School teacher and principal signed the form on different days leaving an observer to question if they had a conference. A Southside K-8 teacher and her principal also signed on different days. A Welch Elementary teacher was observed on October 29, 2008, but dated March 6, 2009. A Welch Elementary teacher's October 13, 2009 observation was



not signed by the principal. A laeger High School teacher had both evaluations for 2008-2009 just two days apart.

Now that McDowell County Schools has shown an effort to improve compliance with the letter of the law in performing observations/evaluations in a timely manner, they must also comply with the spirit of the law by having meaningful comments and conferences to help improve instruction and performance.

One final area of concern is the inability to assign mentors in a timely manner. West Virginia Board of Education Policy 5900 requires beginning teachers to have a mentor assigned during the first year of employment. As of the review date, the Team found 12 beginning teachers that had not had a mentor assigned. The personnel department had posted four mentors to be assigned to nine of those, but a successful applicant had not been determined. The other three positions had been omitted from the posting process and will be posted in the future.

**Survey of McDowell County Teacher Observations and Evaluations  
Nov. 17-19, 2009  
Chart 21**

School Where Evaluated	Employee Name	Years Experience End of 2008-2009	Subject/ Grade	1st Evaluation 2008-2009	2nd Evaluation 2008-2009	Comments	1st Observation 2009-2010
Anawalt Elementary	Teacher	5	Title I	1/15/2009	DNA	Very detailed comments	
	Teacher	4.605	Grade 2	4/9/2009	DNA	Very detailed comments	
	Teacher	3.745	Grade 5	4/7/2009	DNA	Very detailed comments	10/15/2009
	Teacher	2.725	Grade 5	12/5/2008	5/14/2009	Very detailed comments	10/15/2009
Big Creek High School	Teacher	4.68	Science	2/10/2009	DNA	Sparse comments	
	Teacher	1.545	Lang Arts	1/21/2009	6/8/2009		9/22/2009
	Teacher	1	Counselor			Goals 09-10 signed not dated Used teacher form 08-09 and filled with NA - of course	
Bradshaw	Teacher	2.54	Phys. Ed	10/31/2008	6/9/2009	All sections meets despite No correlation to CSOs /no plans	10/16/2009
Career Tech Center	Teacher	5	Pro Start	5/29/2009	DNA	Sparse comments	10/24/2009
	Teacher	2.985	Health Oc	4/2/2009	<b>NO</b>	No second evaluation	
	Teacher	1	Welding	12/11/2008	5/13/2009		10/1/2009
Fall River Elementary	Teacher	5	Title I	5/1/2009	DNA	Sparse comments	
	Teacher	4.8	Grade 2	5/1/2009	DNA	Good comments	10/27/2009
	Teacher	1	Grade 5	4/1/2009	5/1/2009	Observations on Evaluation Form	1 Eval Done
laeger Elementary	Teacher	1.41	Spec. Ed	10/30/2008	5/25/2009	Majority of comments - dittos	1 Eval Done
laeger High School	Teacher	4.95	Soc. Stud	<b>NO</b>	DNA	Nothing on file for 08-09	
	Teacher	2.95	Counselor			Goals and final signs for 08-09	Goals set
	Teacher	2	Spec. Ed	5/27/2009	6/3/2009	Evals for 08-09 one week	

						apart	
	Teacher	1.52	Biology	5/29/2009	6/1/2009	Evals for 08-09 two days apart	10/30/2009
Kimball Elementary	Teacher	4.175	Grade 5	4/27/2009	DNA		10/13/2009
	Teacher	3.65	K	4/27/2009	DNA	Very good comments	10/28/2009
	Teacher	3.48	Grade 4	5/1/2009	DNA	Very good comments	10/28/2009
Mount View High School	Teacher	5		<b>NO</b>	DNA	Nothing on file for 08-09	10/16/2009
	Teacher	4.35	Grade 6	<b>NO</b>	DNA	Nothing on file for 08-09	
	Teacher	3.75	Soc. Stud	<b>NO</b>	DNA	One observ for 08-09 no plans mostly checkmarks comments	10/6/2009
	Teacher	2.96	Math	<b>NO</b>	<b>NO</b>	Nothing on file for 08-09	10/6/2009
						1st Ob for 09-10 no Prin signtr	
	Teacher	1.985	Math	<b>NO</b>	<b>NO</b>	Only one observation for 08-09	10/26/2009
	Teacher	1.44	English	<b>NO</b>	<b>NO</b>	Only one observation for 08-09	1 Eval Done
						Prin and Tchr sign different days	
	Teacher	1.33	Math	<b>NO</b>	<b>NO</b>	Only one observation for 08-09	10/7/2009
						Despite note that plans late	
	Teacher	1	Science	<b>NO</b>	<b>NO</b>	Nothing on file for 08-09	
Sandy River	Teacher	4	English	5/14/2009	DNA	Good comments	
	Teacher	4	Science	4/7/2009	DNA		
	Teacher	3.4	Spec. Ed	5/12/2009	DNA		10/26/2009
	Teacher	2.29	Soc. Stud	10/30/2008	3/9/2009		
	Teacher	2	Grade 6	10/21/2008	5/7/2009		9/17/2009
	Teacher	2	Lang Arts	10/30/2008	5/11/2009	Good comments	10/27/2009
	Teacher	2	TIS	10/31/2008	5/25/2009		10/26/2009

	Teacher	1	Music	5/28/2009	<b>NO</b>	Only one evaluation 08-09 Plan of improvement 10/31/08 NOT based on unsatisfactory	1 Eval Done
						evaluation. No evals 07-08	
Southside	Teacher	4	Title I	3/30/2009	DNA		
	Teacher	3.715	Spec. Ed	<b>NO</b>	DNA	Nothing on file for 08-09	10/18/2009
	Teacher	2.78	Title I	5/28/2009	10/29/2008	Sparse to no comments on forms	9/23/2009
	Teacher	2.76	Grade 2	11/5/2008	2/13/2009	Good comments	10/2/2009
	Teacher	2	Grade 2	10/28/2008	<b>NO</b>	Only One Eval for 08-09	10/21/2009
	Teacher	1	Lang Arts	4/21/2009	5/21/2009	Prin and Tchr sign different days	1 Eval Done
War Elementary	Teacher	4	Art	<b>NO</b>	DNA	Nothing for 07-08 and 08-09	
Welch Elementary	Teacher	2.79	Grade 5	6/9/2009	3/6/2009	Sparse comments	9/29/2009
	Teacher	2	Title I	3/6/2009	5/19/2009		11/2/2009
	Teacher	1.55	Pre-K	3/6/2009	6/9/2009	One observation dated 10/29/08 but signed 3/6/09	10/13/2009
	Teacher	1	Pre-K	<b>NO</b>	<b>NO</b>	Nothing on file for 08-09	10/13/2009
						No Prin Sign on 10/13/09 Obs	
Central Office	Teacher	2.21	Nurse			Goals, meetings, final signatures	Goals set
	Teacher	1.985	Nurse			Goals, meetings, final signatures	

**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)

**May 2009**

1. The county did not have a written beginning teacher internship program or a beginning principal internship program. However, as per the personnel director, the county follows State Board policy and school law.

**November 2009**

**Partial Compliance.** McDowell County continued to follow West Virginia Board of Education policy and W.Va. Code in implementing its beginning teacher internship program and beginning principal internship program. It also appeared that the beginning teacher program had improved. The program had recently been assigned to two coordinators. At the end of the 2008-2009 school term, 10 beginning teachers were asked to attend a meeting chaired by the assistant superintendent to give feedback on the Beginning Teacher Internship Program. From that meeting, both teacher and principal concerns were identified. Suggestions were made and training for improving the program was provided to principals prior to the beginning of the 2009-2010 school term. (Documentation included agendas from both sessions and a list of identified concerns.) Principals interviewed were pleased with the much improved program.

**May 2009**

2. A list of 27 new classroom teachers with mentor names was provided. It was noted that the county had 63 teachers who had completed the mentor teacher training; however, only ten of the trained teachers were employed as mentors. Five teachers were mentors for three beginning teachers and four teachers were mentors for two beginning teachers.

**November 2009**

Although it appeared that the beginning teacher internship program was much improved, eleven new teachers did not have mentors. Three mentors had three beginning teachers. Three others mentors had two beginning teachers. Vacant mentor positions were posted.

**May 2009**

3. As per W.Va. Code §18A-3-2b, mentors are to observe the classroom teaching skills of the beginning teacher for at least one hour per week during the first half of the school year. This can be reduced to one hour every two weeks during the second half of the school year. Also, weekly meetings are to be held with the beginning teacher to discuss the performance of the beginning teacher, along with any needed improvements. This can be reduced to biweekly during the second half of the school year. As per the school principals (laeger High School, Southside Middle, and Welch Elementary) interviewed by phone on May 7, 2009, it was stated that, for the most part, mentor teachers were meeting this requirement. The personnel director provided documentation from the mentor to two teachers for the month of April 2009, showing a schedule of his work (no time was recorded) with beginning teachers. As per the personnel director, all mentors complete such records which she reviews monthly.

**November 2009**

**Compliance.** The beginning teachers interviewed at Mount View High School, Sandy River Middle School, and Southside Middle School had much praise for the program stating that their mentor was able to observe weekly for a class period and they held weekly meetings. They were all very grateful for the program.

**May 2009**

4. The professional support team (principal, chair person, member of the county professional staff development council, and mentor) shall meet monthly to discuss the performance of the beginning teacher; however, in the Team's interviews with principals, it appeared that most were unaware of a professional support team and referred to other school programs when asked about this team. The principal from laeger High School stated that he did not meet monthly with the support team and that one of his teachers did not have a mentor until January.

**November 2009**

**Compliance.** All principals interviewed were knowledgeable of the Professional Support Team and its monthly meetings. They seemed pleased with the program and its implementation at their respective schools.

**May 2009**

5. It appeared that the county is working with RESA to train teachers as mentors; however, as per the personnel director, teachers do not wish to be mentors and as a result, current mentors are serving more than one teacher.

**November 2009**

**Progress.** The Center for Professional Development has returned to its training of mentors. McDowell County will continue to work to get teachers in the mentor training.

6. It was the understanding of the personnel director that mentor teachers had to be selected on the basis of seniority, which might have resulted in a teacher (who applied for the position) having more than one beginning teacher.

**Compliance.** Mentors were no longer specifically selected based on their seniority.

**Recommendations**

**May 2009**

1. McDowell County should continue its training through RESA for mentor teachers in an effort to increase the mentor teacher pool.

**November 2009**

**Progress.** The county must continue to recruit teachers for mentor training. Also, they should consider retired teachers; however, they state most are teaching full-time.

**May 2009**

2. A county program should be written implementing State Board policy and School Law. The program should include, where possible, coverage for the mentor to observe and conference with the beginning teacher. It should also provide for staff development training inside and outside the county which both the beginning teacher and mentor can participate. This could be a valuable “perk” to encourage teachers to become mentors.

### **November 2009**

**Progress.** The county may need to supplement the program in some way such as sending the mentor to new training sessions outside of the mentor training (recommended above). This may need to become a part of the county program, so teachers will know that being a mentor is a benefit.

The county appears to provide training to teachers during the summer months (Summer Academy) and throughout the school year. All teachers, including “new” teachers are invited to attend.

### **May 2009**

3. A county individual in charge of the beginning teacher/principal program or his/her designee should monitor the implementation of the program providing additional training to the mentors, as needed (see above). Additionally, the individual should observe in the classroom of the new teacher and conference with the beginning teacher at least once each semester as well as attend at least one support meeting annually to ensure the success of the implemented program.

### **November 2009**

**Progress.** The program has just been assigned to two county office coordinators who will monitor the program, recruit teachers, and work for improvement in the program.

### **May 2009**

4. The designees could be the directors of program to which the beginning teacher is assigned (Director of Elementary Education, Director of Secondary Education, Director of Special Education, and Director of Title I). This group could meet monthly with the person in charge of the beginning teacher/principal program to discuss the program and its success as well as, how the county can improve the program to help retain its new teachers.

### **November 2009**

**Recommendation Not Followed.** No evidence existed that this has been done among administrators.



**May 2009**

5. Mentors should be recognized and encouraged to continue their education perhaps obtaining National Teacher Certification.

**November 2009**

**Recommendation Not Followed.** No evidence existed that this has been done.

**May 2009**

6. The county should strive for a 1 to 1 ratio of beginning teachers and mentors.

**November 2009**

**Limited Progress.** The county cannot fill its mentor positions.

Chart 22

<b>McDowell County Mentors for Teachers 0-1 Years</b>		
<b>Beginning Teacher</b>	<b>Mentor Assigned</b>	<b>Reason for No Mentor</b>
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher		Librarian
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher		Not yet posted
Teacher	Mentor	
Teacher	Mentor	
Teacher		Posted - not filled as of review
Teacher	Mentor	
Teacher	Mentor	
Teacher	Mentor	
Teacher		Not yet posted
Teacher	Mentor	
Teacher	Mentor	
Teacher		Previous experience
Teacher		Psychologist
Teacher		Posted - not filled as of review
Teacher		Posted - not filled as of review
Teacher	Mentor	
Teacher		Previous experience
Teacher		Posted - not filled as of review
Teacher		Previous experience
Teacher		Previous experience
Teacher	Mentor	
Teacher		Transportation Supervisor
Teacher	Mentor	
Teacher	Mentor	
Teacher		Posted - not filled as of review
Teacher	Mentor	
Teacher		Posted - not filled as of review

<b>Beginning Teacher (cont'd.)</b>	<b>Mentor Assigned (cont'd.)</b>	<b>Reason for No Mentor (cont'd.)</b>
Teacher		Posted - not filled as of review
Teacher	Mentor	
Teacher		Posted - not filled as of review
Teacher	Mentor	
Teacher	Mentor	
Teacher		Not yet posted
Teacher		Counselor
Teacher	Mentor	
Teacher	Mentor	
Teacher		Posted - not filled as of review

## **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."

County board's and individual school's accounting practices are consistent with state policies and procedures.

### **Finding November 2001. Finance 5.2.3.Accounting Practices**

Policies have not been updated to cover all the required topics regarding the individual schools accounting practices included in the "Accounting Procedures Manual for Public Schools in the State of West Virginia." Example: No policies/procedures were in place for schools to follow in reporting and compensating individuals who perform services for the schools. Reporting of 1099s was not evident.

### **Review March 2006**

The chief school business official (CSBO) stated that schools were being made aware of policies by various means. It was noted that the county follows state policies as opposed to developing new county policies. The reporting of 1099s appeared resolved. **The policies had not been updated.**

### **Review May 2009**

While some progress was seen in McDowell County developing policies based on State policies, the original finding was still present. All but three of the policies found in the "Finance" section of the policy manual were adopted in the 1970s and 1980s. Specifically, Policies 4-004 (Travel Reimbursement) and 4-014 (Policy on Travel Reimbursement) were redundant and could be combined. Policy 4-005 (State of Assurances – Chapter I) had not been revised since 1982. Policy 4-007 (Athletic Finances) had not been revised since 1980. Components relating to the collection and reconciliation of gate receipts, as well as procedures for making purchases, were omitted. Policy 4-001 (School Finance) consisted of one paragraph written in general terms and adopted in 1975. A more in-depth policy is needed for the schools. This will

assist the county in complying with the required components for the collection and expenditure of all funds. A section on the expenditure of Faculty Senate funds was not present. Policy 4-003 (Order Relating to School Purchases) lacked guidance for bidding purchases. Also, an accountability procedure for making purchases with a purchase order, having a signed packing receipt for documentation of receiving items, and an invoice signed by the principal before payment is made was lacking.

The policies in the Child Nutrition section, while showing some degree of more guidance, were outdated and needed revision to be compliant with current regulations. Example: Policy 5-001 (School Food Service General Rules and Regulations) #12 made reference to the school paying for “guest” meals as well as parents receiving a free meal. Neither was compliant with authorized expenditures of school funds or child nutrition regulations.

Policy 1-002 (Elementary Curriculum) had not been revised since 1993. All references to a 90 minute reading/language-arts block were missing.

### **November 2009**

**Noncompliance.** Comments made during the May 2009 OEPA audit were still pertinent; however, a plan to update the policies had been initiated. The superintendent stated that the entire policy manual has been submitted to the law firm of Bowles Rice McDavid Graff & Love LLP for review. They will: 1. Recommend which policies are no longer needed and need to be deleted, 2. Identify policies that are needed but do not exist, and 3. Recommend language for updating all remaining policies.

The chief school business official (CSBO) stated that all principals had a copy of the “Accounting Procedures Manual for Public Schools in the State of West Virginia” and that new principals receive training from the county’s independent auditor. A review of accounting procedures is conducted at the beginning of each year for all principals and secretaries. New secretarial personnel, as well as long term substitutes, receive individual training from the CSBO. The schools are expected to follow the accounting practices in the “Accounting Procedures Manual for Public Schools in the State of West Virginia” until the outdated finance policies in the policy manual are updated. It is planned that, when revised, the county policies relating to finance will conform to the accounting procedures manual.

## **Finding November 2001. 5.11 Safe and Disciplined Schools and 5.11.5 Policy Implementation**

The county policy on sexual harassment did not include other forms of harassment such as racial and ethnic/religious. The central office staff must assume an active role in assuring that the policies governing disciplinary procedures, student due process rights, nondiscrimination, tobacco use and substance abuse are implemented in the county's schools. There is a high degree to which students and staff are violating the tobacco policy and ignoring disciplinary policies.

### **November 2009**

**Noncompliance.** The finding from November 2001 relating to the sexual harassment policy still existed. The assistant superintendent for secondary schools stated that the county is following the State policy relating to sexual harassment and provided evidence of the State policy in the student/parent calendar. As stated earlier, the entire policy manual has been submitted to the law firm of Bowles Rice McDavid Graff & Love LLP for review; however, the Team recommended that updating this particular county policy be a priority.

The finding that the central office staff assume a greater role in assuring that policies governing disciplinary procedures, tobacco use, and substance abuse has been addressed through trainings for principals. The principals, in turn, have conducted training for staff, students, and parents. The central office monitors the implementation of the policies by receiving reports from principals indicating when the trainings have occurred and reviewing WVEIS discipline reports. Over the past three years, the total number of discipline referrals decreased 57 percent. The addition of a Prevention Resource Officer (PRO) at two of the high schools has assisted with implementing the discipline policies as well as the PROs conducting sessions on preventive discipline for staff and students.

The county Student Code of Conduct policy appeared to mirror the State policy; however, there was no adoption date for the county policy. There was no indication the policy has been adopted by the county. The Team recommended that adoption of this policy become a priority.

### **Overall Perception**

The Superintendent acknowledged that most of the policies were outdated and needed to be revised. Progress had been shown in policies relating to students in that new policies had been developed and/or implemented in a timely manner. Example: The K-8 Grading Policy, Administration of Medication Policy, and Qualification Requirements for

Valedictorians, Salutatorians, Highest Honors Graduates and Honor Graduate Policy were all revised in 2004. A new policy “Electronic Communication Devices” was implemented in 2008.

### **November 2009**

**Partial Progress.** The county has made some progress in policy updates since the May 2009 review. Several of the policies updated in 2004 have since been updated in August 2009. (K-8 Grading Policy, Promotion Policy, Qualification Requirements for Valedictorians, Salutatorians, Highest Honors Graduates and Honor Graduate Policy).

The superintendent stated that the entire policy manual is being review by Bowles Rice McDavid Graff & Love LLP. The superintendent provided the Team documentation (an email from Bowles Rice McDavid Graff & Love LLP) acknowledging receipt of the policy manual) which was dated October 26, 2009. All policies the county sent to the State Superintendent’s office for review had been returned with comments and/or approval.

### **Policy Summary**

The Team observed that the county leadership should have taken immediate action after the May 2009 progress review to update county policies. Many of the county’s policies were reported as being outdated during the 2000-2001 Education Performance Audit, some had not been revised during the follow-up review in 2006, the same policies had not been revised during the May 2009 audit, and also had not been revised during the November 2009 OEPA 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.”

### **May 2009**

The Team interviewed all five members of the McDowell County Board of Education and the McDowell County Superintendent of Schools. The Team also reviewed agendas and minutes of county board meetings and attended one board meeting.

The Team reported that a harmonious and cooperative relationship existed between the superintendent and local board of education.

### **November 2009**

The Team interviewed the President of the McDowell County Board of Education, the Superintendent of McDowell County Schools and members of the central office staff. The Team also reviewed board meeting agendas, minutes of board meetings and the McDowell County Schools Five-Year Strategic Improvement Plan.

The Team concluded the five member board of education is working together in harmony for the good of the children of McDowell County. In the interview the board president spoke knowledgably of things going on in McDowell County Schools to improve instruction, student learning, staff training, facilities, etc. Efforts were being made to improve the curriculum and instruction and learning opportunities for all students. An example of these efforts is the administrators and teachers working together on a program, Framing Your Success, which sets the goal of reducing by 10 percent the number of students scoring below mastery in reading and English/language arts and mathematics in every school for every student subgroup regardless of size. This program was being implemented in all schools in McDowell County.



## **8.1. INDICATORS OF EFFICIENCY.**

**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.

### **May 2009**

During the last five years, the county's enrollment has decreased by 437 students, with a loss of 103 students from 2007-2008 to 2008-2009. In an interview with the McDowell county superintendent, she stated that the county is working to decrease the number of employees paid outside the school aid formula with the county being approximately 50 over in service personnel and approximately 12 over in professional personnel. The majority of these individuals are paid from the general funds or the county's 100 percent excess levy. Limited funds are provided from Title II (three positions.)

### **November 2009**

In an interview with the McDowell county superintendent, she stated that the county held its enrollment this year (2009 - 2010), actually increasing by seven students. She stated that the number of personnel paid outside the school aid formula remained the same. The county has several positions paid from federal funds or legislative funds such as the Closing the Achievement Gap (CAG) program that funds three CAG Liaison positions.

### **May 2009**

When determining personnel needs for the upcoming year, the superintendent meets with the current directors who provide data concerning personnel needs. This team looks at the projected enrollment for the coming year, the number of teachers needed to meet the state mandated pupil-teacher ratio in grades K-6, the number of teachers needed to meet the IEPs of special needs students, etc. The team also looks for equity among schools in providing itinerant service in the areas of art, music, physical education, counseling, nursing, etc. The number of cooks at each school is based upon the number of meals served and the number of custodians is based upon the amount of square footage in the building. Once that data is provided to the superintendent, personnel needs are determined. The superintendent stated that equity existed among schools in programs and personnel. However, principals were not reviewed concerning equity among schools. Principals were not directly involved in the personnel needs decisions.

**November 2009**

The superintendent will continue the same method when determining personnel needs for 2010 - 2011. This has not yet been done for next year, but must be done soon in order to meet the new required timelines for personnel transfers, terminations, etc. The principal of the new high school, "River View High School," will be involved in staffing at her school.

Low incident classes, such as AP Statistics and foreign language, are delivered via distance learning.

AP classes are delivered as follows: Mount View High School: Calculus AB, US Government, Biology, English/Literature; Big Creek High School, English, Art, Calculus, Statistics and US History; laeger High School, Biology, calculus, US History and English/Language.

**May 2009**

The county contracts through RESA for two computer technicians, as well as services provided by an occupational therapist, a physical therapist, a speech therapist, psychologist, and a staffing for PERC.

**November 2009**

The county has hired a third computer technician through RESA. Other services listed above are provided through Four Seasons, not RESA.

**May 2009**

The county recruits at local colleges (Bluefield College and Concord University) for teachers and has a difficult time filling positions with certified personnel. Twenty-two teaching positions were vacant and filled with substitute personnel, many of whom were retired teachers.

**November 2009**

The personnel director goes to Bluefield College and Concord University prior to graduation (December and May) and speaks with students concerning employment with McDowell County Schools. She is scheduled to go to the colleges later this month (November). The personnel director stated that she is often successful in getting new teachers right out of college, but as soon as possible they transfer to another county such as Mercer County where housing and driving conditions are better. The county still struggles with filling vacant positions.

**May 2009**

The county continues to have a difficult time hiring substitute bus operators. Substitutes are called when bus operators are absent, but the county often cannot fill the absence of the regular employee. When that happens, students remain home for the day, unless they are transported privately. The absence reported is due to no transportation (bus not running).

**November 2009**

No change. The county still has difficulty hiring substitute bus operators. The operating procedures for bus operator absences which cannot be filled are the same as reported May 2009. Students remain home unless they are transported privately.

**May 2009**

Likewise, the county cannot always cover the absences for teachers. Some regular teachers have mutually agreed (as per §18A-4-14) to change their planning period for compensation to cover classes of absent teachers. The signed agreement states that they are paid \$10 for a 45-minute class. Since all high schools have 90-minute block scheduling, students could have two substitutes during one period. Individuals who cover for teachers at the elementary level are compensated for taking additional students into their classes. This means a group of students could be split and put in new classes for the day(s) teachers are absent.

**November 2009**

This procedure is still in place. Approximately 35 substitute teachers work each day and there are many days when all absences are not filled.

**May 2009**

Finally, the county has been unable to fill all regular positions and several positions were filled with substitutes (nine) who **are not** certified, but are working on an approved waiver from the state superintendent of schools.

**November 2009**

Twenty-two (22) teachers were in long-term substitute assignments. Sixteen (16) of those positions were filled with retired teachers. Waivers had been requested for those who are not certified or do not hold a long-term substitute permit in the assigned subject area.

## MCDOWELL COUNTY SUMMARY

The November 2009 full Education Performance Audit indicated that the McDowell County School District had demonstrated progress since the 2001 OEPA audit that resulted in the West Virginia Board of Education's declaration of Nonapproval status for McDowell County and intervention in the operation of the school system.

The (2009) OEPA audit revealed that some issues had been resolved, but that others had not.

The original financial issues had been resolved, except two findings: 1. The board's policies had not been updated to cover all of the required topics regarding the individual schools' accounting practices included in the *Accounting Procedures Manual for the Public Schools in the State of West Virginia* and 2. The financial statements were not provided to the local board of education monthly.

Tremendous gains in organization and accountability were evidenced in the elementary curriculum; however, the secondary curriculum in McDowell County was still an area of weakness. Student achievement remained low for McDowell County based on all curricular assessments and data, including: WESTEST2, ACT EXPLORE and PLAN, SAT and ACT college entrance examination, college going rate, and high school graduates enrolled in developmental courses. Efforts were underway to improve the curriculum in McDowell County's schools through the Frame Your Success program. The goal and application of this program should make a significant difference in improving student's achievement. On another positive note, notable improvements were reported at Mount View High School.

The McDowell County Board of Education members all indicated and the board meeting minutes supported that the local board was working cooperatively for the good of the county's students.

While personnel functions showed some improvement, problems still existed in personnel administration.

McDowell County had not resolved all the policy issues. Some progress was noted in McDowell County updating policies; however, the 2001 finding was still present and many of the county's policies were outdated and needed to be revised. It was stated that the entire policy manual was being reviewed by the Bowles Rice McDavid Graff & Love LLP. A letter from the law firm acknowledged receipt of the policy manual (dated October 26, 2009). The county showed a reluctance to maintain current county policies and failed to follow through on updating previous OEPA policy citations.

Many facility issues and facility resource needs identified in the November 2001 OEPA report had for the most part been resolved through new school construction, but new and serious facility maintenance and operational issues were found during the Team's examination of the schools in McDowell County. The McDowell County Maintenance Department should have been proactive in correcting the operational and maintenance issue at the schools.

## **APPROVAL RECOMMENDATIONS**

### **January 2010**

The situation in McDowell County compared to the November 2001 OEPA report was much improved, but still not acceptable.

Because of the progress the county has made in finance functions and curriculum and program development, the Office of Education Performance Audits (OEPA) recommends that partial control be returned to the McDowell County Board of Education in the following areas:

1. Finance,
2. Curriculum,
3. Transportation,
4. The establishment and operation of a school calendar, and
5. Other decision making authorities of the local board of education according to the statutory provisions and West Virginia Board of Education policies.

Because of deficiencies remaining in personnel, the lack of resolve to update county policies, and the facility issues, it is further recommended that the West Virginia Board of Education continue intervention in the following areas:

1. Personnel,
2. Facilities, and
3. Policy development.

The OEPA recommends that the West Virginia Board of Education begin the next phase of the transition for McDowell County to regain full local control.

1. The McDowell County Board of Education receive training and support from the Executive Director of the West Virginia School Boards Association.
2. Capacity be developed in the personnel department to ensure that all elements of the personnel process are followed according to State Code and West Virginia Board of Education policies and a system of personnel accountability be in place for the personnel functions.
3. Capacity be developed for school facility effective and efficient operations and maintenance. It is further recommended that the county be directed to utilize the West Virginia Department of Education, Office of School Facilities, to assist the county in organizing a preventive maintenance program. Additionally the county

must develop a priority list of maintenance projects and the county superintendent provide periodic progress updates to the West Virginia Board of Education and the McDowell County Board of Education.

4. All county policies be updated to meet current State Code and West Virginia Board of Education policies.
5. The McDowell County administrators utilize the West Virginia Department of Education System of Support to improve student achievement, particularly at the secondary level through improved strategic planning.

The OEPA recommends that the West Virginia Board of Education issue McDowell County Conditional Approval status and initiate an Exit Agreement between the West Virginia Board of Education and the McDowell County Board of Education.