

Robert Williams files lawsuit to halt spending merger money

By GARY STEWART
Editor of The Herald

Cleveland County Commissioners were hit with another school merger-related lawsuit last week when Robert Williams of Fallston filed a complaint in Cleveland County Superior Court requesting an injunction preventing distribution of additional tax revenue for schools until the merger takes effect.

If the merger is set aside or abolished, the suit requests that the money be refunded to taxpayers.

The complaint leaves open the possibility of other taxpayers of Cleveland County joining the action.

Williams said he is asking that the county "account for the

money in some way".....and to "hold it and not spend it on anything else."

The county has 30 days to respond to the suit, but as of Tuesday it had not.

"Hopefully the county will drop this (merger) plan," Williams said. "It's not a very good plan to start with. The people don't want it and it does not improve education. It's a lot of expense for no gain in education."

County Manager Lane Alexander said the \$866,000 cost of the merger will not be distributed if the merger does not materialize, but the 16-cent school supplemental tax approved as part of the merger plan has to be allocated to the three existing systems on a per pupil basis.

That money would be distributed on a one-twelfth percentage each month during the 2000-01 fiscal year, he said. He also said fines and forfeitures would continue to be distributed on a monthly basis, and sales tax dollars will be distributed on a quarterly basis.

If the merger doesn't go through, he said the County Board of Commissioners would have to determine if any money is refunded to taxpayers.

"Obviously, we would have to talk to the Institute of Government and some other sources," he said. "If the tax is levied, typically it has to be used as per the conditions of the levy."

If merger does not occur, commissioners would have several options to consider in the next fiscal year budget process,

Alexander said.

Meanwhile, two lawsuits filed recently by the Kings Mountain Board of Education against the County Commissioners and the State Board of Education have not yet been resolved. In addition, the U.S. Justice Department has denied preclearance of the merger plan until it receives additional information from the county's merger attorney, Gil Middlebrooks.

Kings Mountain recently won a stay of merger from Judge Abe Jones in Wake County Superior Court against the State Board, and from the N.C. Court of Appeals against an earlier denial of injunction by Judge Nobles in Cleveland County Superior Court.



ALAN HODGE/THE HERALD
West Elementary third-grade teachers Suzanne Grayson (left) and Susan Chapman spend a recent morning going over classroom plans. Both teachers said they were excited about starting a new school year.

SCHOOL

From 1A

John Goforth, the former principal of Kings Mountain Middle School, takes over as Executive Director for Instructional Services. Phil Weathers, former KMHS principal, is the new Director of Student Support Services, and Lynda Stewart, former assistant principal at Grover, is the new Elementary Curriculum Specialist.

John Yarbro is the new principal at Kings Mountain High. He is a KM native and KMHS graduate, and comes from Washington Elementary in the Cleveland County System.

The assistant principals' staff at KMHS has been reduced from four to three. Ethel Pederson, a former assistant, has moved to KM Middle as principal, and Ronny Funderburke has taken over as an assistant at KMHS. Another KMHS assistant, Steve Moffitt, opted to take a teacher's position at Davidson School.

Joining KM Middle as an assistant is Suzie Hughes, a former KMHS teacher.

Janet Anthony, former assistant principal at Number 3 Elementary in Cleveland County is the new assistant principal at Grover, and Bob Grigg, former assistant at the Middle School, has moved to Bethware.

Dr. McRae said Asst. Supt. for Personnel, Ronnie Wilson, and the individual school principals are to be commended for their efforts in putting together their staffs.

"It's a very difficult job in today's climate to find enough teachers," McRae said. "We now have everyone we need to start and there's several school systems around that don't."

Even though it's been "unnerving" to plan for a school year not knowing the status of merger, McRae said parents and students won't notice anything unusual in the day-to-day operation.

"We have a lot of new principals and new rules at the individual schools, but that would have happened anyway," he said. "We will be ready to go Monday with a smooth opening of school."

Kings Mountain's total pre-

dicted enrollment is about the same as last year, but McRae said the system will notice a drop of about 80 students in kindergarten.

"Even though the kindergarten numbers are down, we're still getting more kindergartners than we're losing 12th graders," he said. "I don't think our numbers will be up, but we'll be in the neighborhood of 4,500."

No major improvements have been made to facilities, but McRae said an air-conditioning system at the Bethware gym will make life more enjoyable for staff, students and parents.

"That will be a valuable addition," he said. "Bethware has gotten so big that you can't have parent meetings in the auditorium anymore and you have to go to the gym for PTO meetings and the like. It allows us to have meetings in a more pleasant environment."

Three modular classrooms have been added at the Middle School to help ease overcrowded teaching areas.

The big emphasis facility-wise over the next several months will be a new school on the new Kings Mountain Boulevard to house all of the system's fifth and sixth grade students.

McRae and other school officials approached the Cleveland County Commissioners Tuesday night to seek assistance in raising the estimated \$11.75 million necessary to occupy the school by the fall term of 2001-02.

Kings Mountain has just over \$8 million in a special account that it has been building for years through sales tax redistribution funds, and McRae said that figure should rise to a little over \$9 million by the time the school is occupied.

Commissioners will be asked to guarantee approximately \$2.75 million, which KMDS would pay back through future allocations from the sales tax monies.

"We're not looking for a gift," McRae said. "We're looking for them to finance this in such a way that we can pay them back over a reasonable period of time."

To occupy the facility in 2001-02, McRae said bids would have to be let in November or December and construction begin by January.

GAP

From 1A

Nonetheless, many feel the gains have not been enough.

"It takes everyone in the community to raise test scores," said Bethware Elementary principal Mary Accor.

"Encouragement is one of the biggest things you can do to help children do better in school. Tell them they can, and they will show you they can."

Accor gave a slide presentation at the forum which outlined not only the state's proficiency standards, but also touched on ways that parents and educators could work with children to see improved grades and self-esteem. Some of the ideas included early intervention, tutoring, accountability, and elimination of social promotion.

"Believe in children and they will perform for you" Accor said.

Also speaking the forum was Shelby businessman and school board member Richards Hooker.

"Meetings such as this forum empower us to help our children succeed in school," Hooker said. "We have a lot of success stories from work with students, but there is still work to be done."

Hooker went on to say that it was "easy to point fingers" in looking for a cause of the test score gaps between black and white students, but emphasized that it was better to have constructive dialogue.

Also attending the forum was Number Three Elementary principal Tropzie McCluney. She gave each parent present a packet containing materials which could be used to help them understand ways to take a more active role in their child's school work.

"Parents need to be able to ask questions about their child's progress in school," McCluney said, "Don't be afraid to ask questions."

Representing the Kings Mountain District Schools at the forum was superintendent Bob McRae, and school board members Stella Putman and Melanie Bolin. All three offered support for the forum program. The meeting was the seventh in the series that included an educational summit held June 24 at Cleveland Community College. Statistics released at the summit stated that more than four out of every ten North Carolina students of color could not meet grade level expectations in math. About half do not read at grade level, and that one out of two leaves high school without a diploma.

"Bridging the test scores gap should be a community wide effort between schools and parents," McRae said. "I am very pleased and encouraged by these forums and especially the involvement of the churches such as Adams Chapel which is revitalizing a tutorial program."

First Citizens posts increased earnings

First Citizens BancShares reports increased earnings for the quarter ending June 30, 2000. Earnings for the second quarter totaled \$21.5 million compared to \$20.3 million for the same period of 1999, an increase of 5.7 percent.

FOUR YEAR HISTORIC TRENDS

NAACP Report, June, 2000
Percent of Students Proficient*

Reading End-of-Grade Test: Grades 3-8

Cleveland County Schools

Year	BM	BF	WM	WF
1995-96	35.0	56.5	68.6	76.6
1996-97	35.3	54.9	67.0	73.5
1997-98	42.6	56.7	69.7	76.3
1998-99	47.3	56.8	75.1	77.9

Kings Mountain City Schools

Year	BM	BF	WM	WF
1995-96	48.9	65.3	73.7	78.3
1996-97	51.5	75.1	73.9	77.9
1997-98	59.4	73.2	78.1	85.2
1998-99	64.2	77.6	78.8	85.4

Shelby City Schools

Year	BM	BF	WM	WF
1995-96	34.9	49.4	75.2	84.7
1996-97	41.1	48.9	80.5	84.5
1997-98	41.8	45.9	81.8	82.3
1998-99	50.6	53.0	82.7	84.8

*Percent of Students Proficient means the percent of students scoring at grade level

FOUR YEAR HISTORIC TRENDS

NAACP Report, June, 2000
Percent of Students Proficient*

Math End-of-Grade Test: Grades 3-8

Cleveland County Schools

Year	BM	BF	WM	WF
1995-96	42.3	58.4	77.3	80.0
1996-97	47.4	62.4	77.9	79.5
1997-98	56.6	63.8	80.4	83.1
1998-99	64.2	67.0	83.9	86.2

Kings Mountain City Schools

Year	BM	BF	WM	WF
1995-96	67.5	69.8	83.4	84.3
1996-97	64.9	76.1	82.2	83.6
1997-98	73.2	81.7	85.0	89.3
1998-99	75.9	81.6	87.0	90.5

Shelby City Schools

Year	BM	BF	WM	WF
1995-96	47.1	54.1	83.1	89.6
1996-97	49.4	52.8	87.0	89.1
1997-98	51.8	52.2	87.8	87.5
1998-99	61.2	62.3	89.1	90.1

*Percent of Students Proficient means the percent of students scoring at grade level

Gardner joins GWU staff as professor

Gardner-Webb University announced recently that former N.C. Superior Court Judge John M. Gardner has been named to the University's faculty as associate professor of law. Gardner will serve two areas of campus, the School of Business and the College of Liberal Arts and Sciences. Among his duties will include a feasibility study for the creation of a law school.

Gardner, 51, is the grandson of former North Carolina gubernator O. Max Gardner, for whom the University is named. His notable professional experience includes service as senior resident superior court judge from 1987-1999; district court judge from 1983-1986; assistant district attorney from 1979-1983; and president of the O. Max Gardner Foundation, Inc. Gardner had previously served as an adjunct professor of business at Gardner-Webb in 1979 and has been a member of the GWU Board of Advisors.

A Shelby native, Gardner holds a bachelor's degree in economics and juris doctor degree from NC-Chapel Hill.

PORCH

From 1A

little more involved.

"Not only was the porch in bad condition, but other areas of the home were in need of repair as well," said Dawn Parker of Concrete Concepts. "The job took both crews two Saturdays to complete."

Instead of just fixing the porch, the folks from Concrete Concepts took it out and replaced it with a nice wooden deck. While they had their tools out, they also repaired some rotten siding and flashing, and even cut the grass.

"Helping Mrs. Tomes was very gratifying" said crew member Terry Barritt. "She was very appreciative."

Other folks who did the job included Danny Cardenas, Octavio Perez, Rudy Sanchez, Carlos Sanabria, Ray Knotts, Allison Barrett, Mike Sears, Chris Walker, Johnny Mills, Jeff Young, Jeff Horton, David Cordle, and Brian Cordle. McDonald's on Highway 74 provided breakfast to the crews, and Cleveland Lumber in Shelby donated the wood.

"The new deck is just beautiful," Tomes said, "I'm thankful to God that they did the work. Everyone was very, very nice."

Concrete Concepts is located on Wiggins Road just off Highway 161. The company has been in business for about 11 years.

"I'm glad we were able to help Mrs. Tomes," Parker said "This company believes in supporting the community."

MERGER

From 1A

torneys, Brian Shaw and Richard Schwartz, are both out of town and will not be at the meeting.

Schwartz had requested that Kirk not put the item on the agenda because they have not received copies of the transcript.

However, Kirk said there are no plans to hear testimony since there are "no new issues" to be heard.

"Unless the Board decides otherwise, we will vote on Thursday to reaffirm the decision which was upheld by Judge Morrison," Kirk said.

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E-mail: kmhnews@aol.com

Mike Blanton.....Publisher
Gary Stewart.....Editor
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