



LITTLE ROCK SCHOOL DISTRICT  
810 WEST MARKHAM STREET  
LITTLE ROCK, ARKANSAS 72201

**MINUTES**  
**SPECIAL BOARD MEETING**  
**September 20, 2012**

The Board of Directors of the Little Rock School District held a special meeting on Thursday, September 20, 2012, in the boardroom of the administration building, 810 West Markham Street, Little Rock, Arkansas. President Jody Carreiro presided.

**MEMBERS PRESENT:**

Jody Carreiro  
Michael Nellums  
Charles Armstrong  
Greg Adams  
Dianne Curry  
Melanie Fox  
Norma Johnson

**MEMBERS ABSENT:**

None

**ALSO PRESENT:**

Morris Holmes, Superintendent of Schools  
Beverly Griffin, Recorder of Minutes

**I. CALL TO ORDER / ROLL CALL**

Mr. Carreiro called the meeting to order at 5:38 p.m. Six members of the board were present at roll call. Dr. Nellums arrived prior to the final employee hearing at approximately 7:50 p.m.

**II. PURPOSE OF THE MEETING**

The agenda for the meeting included a review of the 2012-13 budget and two employee hearings.

**III. ACTION AGENDA**

**EMPLOYEE HEARINGS**

The first hearing was for <Employee 1>, a custodian at Terry Elementary. Videotaped evidence from an incident occurring at Terry on November 17, 2011 was presented.

<Employee 1> was represented by Attorney Marion Humphreys; the LRSD was represented by Attorney Khayyam Eddings.

The administration recommended termination of <Employee 1's> employment for using inappropriate physical force with a student. The video showed a student being pulled down the hall to the principal's office by the neck of his shirt and by his arms.

<Employee 1> had worked at Terry Elementary for six years, and had a previously excellent record. He stated he had previously been called upon by the administrators at Terry to assist with students who had disciplinary problems at school. He had served as a male role model for students, and he was acquainted and familiar with the student involved in this incident.

Lori Brown, currently the principal at Williams Magnet, was principal at Terry Elementary School when the incident occurred. Ms. Brown described the incident in question and responded to questions regarding the circumstances prior to the incident. She was asked about the training provided to staff at Terry related to dealing with students who don't respond to directives, and she stated all staff had been properly trained. She also denied assigning students to work in the cafeteria as punishment for poor behavior. She acknowledged this particular student had voluntarily assisted <Employee 1> in the cafeteria, but did so at his own request.

Monique English, currently an instructional aide at Williams Magnet School, previously worked at Terry Elementary. She witnessed the incident of November 17<sup>th</sup>, and in her opinion <Employee 1> did use excessive force when pulling the student to the office. She stated he lifted the student off the ground at one point and threw him into Ms. Booth's office.

<Employee 1> responded to questions regarding the day of the incident. He reported no previous problems during his six years of employment. On the date in question, he stated it was approximately 7:10 a.m. and he was the only adult in the cafeteria at the time. He estimated approximately 35 kids in the cafeteria at the time. Two students were fighting and <Employee 1> was called to intervene. Student "J" kept interrupting <Employee 1> as he attempted to get details surrounding the fight. <Employee 1> asked three times for "J" to be quiet, and he gave him warning that he would be sent to the office if he continued. When "J" discovered <Employee 1> was going to take him to the office he dropped himself to the ground and refused to walk to the office. <Employee 1> admitted grabbing "J" by his shirt collar and dragging him down the hall.

<Employee 1> reported he knew the family and had previously spent time with "J" and two of his brothers. He communicated with "J's" mother and his brothers and he was asked to spend time with the boys by their mother when they needed male attention. The boys helped him on the grounds after school and on weekends at times, and he felt he served as a male role model for these students. He said teachers and administrators sometimes sent troubled students to him to help in the cafeteria or on the grounds because he knew how to talk to them, and he felt they related well to his advice.

<Employee 1> admitted he could have handled the situation in a different way and stated he would do it differently if anything else like this ever happened to him.

Mr. Eddings reviewed the videotape again, and reminded the board that <Employee 1> had lost control in this incident. He had been admonished to calm down and control himself, and he had displayed conduct inappropriate in our schools in front of parents, students and other Terry employees.

Mr. Humphreys asked for consideration of <Employee 1's> employment record and his service to students above and beyond his job description to help students improve their behavior. He asked the board to consider Ms. Brown's responsibility in this matter in that she knew other teachers had a history of sending students to <Employee 1> for assistance in discipline. He noted that <Employee 1> was trusted by the parent and had a good relationship with "J." He believed the punishment for this incident was "harsh, excessive and unnecessary."

The board took a break for deliberations at 7:11 p.m. and returned at 7:45 p.m. No action was taken in closed session.

There was one item to decide in the facts surrounding the incident which lead to the recommendation to terminate the employment of <Employee 1>: *Did the administration prove the accusation of grabbing a student and pulling him down the hallway from the cafeteria to the principal's office?*

Ms. Fox made a motion that the administration had proven the facts of the accusation in this incident. Mr. Adams seconded the motion, and it **carried 4-0-2**, with Mr. Armstrong and Ms. Curry abstaining.

Ms. Fox then moved to uphold the recommendation for termination; Mr. Adams seconded the motion, and it **carried 4-1-1**, with Ms. Curry voting no and Mr. Armstrong abstaining.

In the second hearing all board members were present. Mr. Khayyam Eddings represented the LRSD, and Michael Coleman from the LREA represented <Employee 2>. Due to a hearing impairment, <Employee 2's> father was allowed to remain in the hearing.

<Employee 2> was a custodian at Central High School. On June 18, 2012, he was working at Central. Beth Davis was in her office on the first floor at Central, cleaning out her desk and removing personal items for the summer. Videotaped surveillance showed her exiting her office a little after 11:00 a.m. without her cell phone. The videotape also showed <Employee 2> entering and exiting Ms. Davis' office on two occasions. Ms. Davis returned to the office looking for her phone, and could not find it.

It was noted that <Employee 2> had a routine habit of entering the area near Ms. Davis' office to use the restroom located near her office. It was also noted that he was one of the few people in the building who had a key to Ms. Davis' office.

Mr. Coleman agreed with the videotaped proof that <Employee 2> went in and out of Ms. Davis' office area several times on the day of this incident, but stated there was no evidence presented to prove <Employee 2> took the phone.

Ms. Davis was called as a witness in the incident. She stated she was in and out of her office several times, and that when she left and realized her phone was missing, she returned to the office. She reported her desktop was completely clear when she went looking for the phone. She stated as a routine habit she placed her phone in the same location each time she went in to the office, and that she had used her office phone to call the cell phone when she was searching. She did not hear the phone ringing, therefore knew it was not in the office.

Upon questioning by Mr. Coleman, Ms. Davis stated with certainty that she did not leave the phone on the desk in her office, and that her desk was completely clear when she left.

Don Allen was questioned about the incident on June 18 where Ms. Davis' phone was missing. He had questioned <Employee 2> regarding the missing phone, and he accompanied <Employee 2> to Ms. Davis' office where they found the phone laying on the desk under a green sheet of paper.

Pat Valentine, head custodian at Central High School, was asked to testify regarding an incident in November, 2011, where <Employee 2> was given a written reprimand for taking money from the desk in the band room. The amount removed was \$2.00 which had been lying on the desk, and when asked about the money, <Employee 2> returned it.

Don Akins, Security officer at Central for five years, was questioned about the video footage shown.

Nancy Rousseau reviewed the video and responded to questions regarding Ms. Davis' reporting of the missing phone and her request to Bobby Jones for an investigation.

Assistant Head Custodian at Central, Mr. Dunhoo, was questioned about <Employee 2> work hours and his repetitive use of the restroom near Ms. Davis' office.

<Employee 2> responded to questions with the assistance of his father as the interpreter. He reviewed video tapes and responded to the timeline for entering and exiting the restroom and Mrs. Davis' office. He agreed with the testimony that had been given by Ms. Davis, that she had been there to clean her office, and that she stated the phone wasn't there. He had no explanation about why the phone showed up after his visit to the office with Mr. Allen.

The board convened a closed session to deliberate at 11:35 p.m., and returned from executive session at 12:00 a.m. They reported no action was taken.

For the board's consideration were two items:

1. On Monday, November 18, 2011, <Employee 2> received a written warning for taking money from a desk in the Central High School band office while he was cleaning the area on November 10, 2011.

2. On Monday, June 18, 2012, Dean of Students Ms. Beth Davis left her cell phone on the desk in her office. Upon returning to her office she discovered that the cell phone was missing. The surveillance cameras in the area showed <Employee 2> entering and exiting the office area at least three times that day. As depicted by the surveillance camera in the area, <Employee 2> was the only person with a key to Ms. Davis's office seen entering and exiting Ms. Davis's office area between the time Ms. Davis left her office and the time she returned to discover her cell phone missing.

Ms. Fox made a motion stating the administration had proven the first item, but did not prove the second item in the termination recommendation. Ms. Johnson seconded the motion, and it **carried 6-1**, with Mr. Carreiro casting the no vote.

Dr. Nellums made a motion to modify the superintendent's recommendation to place <Employee 2> in a similar custodial position in a school other than Central High. Ms. Fox seconded the motion, and it **carried unanimously**.

## **ADJOURNMENT**

There being no further business before the board, the meeting adjourned at 12:10 a.m.

APPROVED: 09-27-12

Originals Signed by:  
Jody B. Carreiro, President  
Charles Armstrong, Secretary