

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

**MINUTES  
REGULAR BOARD MEETING  
January 26, 2006**

The Board of Directors of the Little Rock School District held its regularly scheduled meeting at 5:30 p.m. on Thursday, January 26, 2006, in the Boardroom of the Administration Building, 810 West Markham Street, Little Rock, Arkansas. President Robert M. Daugherty presided.

**MEMBERS PRESENT:**

Robert M. Daugherty  
Baker Kurrus  
Bryan Day  
Larry Berkley  
Katherine Mitchell  
Tony Rose  
Sue Strickland

**MEMBERS ABSENT:**

None

**ALSO PRESENT:**

Roy G. Brooks, Superintendent of Schools  
Beverly Griffin, Recorder of Minutes

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

Dr. Daugherty called the meeting to order at 5:30 p.m. All members of the Board were present at roll call. In addition, Jennifer Newborn Thomas, ex officio teacher representative from Carver Magnet Elementary School, and Robert Elledge, student ex officio from Hall High School, were also present.

**II. PROCEDURAL MATTERS / WELCOMING COMMENTS**

Dr. Daugherty welcomed the audience and asked Dr. Brooks to proceed with the citations.

### III. REPORTS/RECOGNITIONS/PUBLIC COMMENTS

#### A. Superintendent's Citations

Dr. Brooks announced that the installation of the software and equipment for NovusAgenda was complete and noted that this was the first active electronic board meeting. Training for board members was provided at the January agenda meeting; employees created January agenda items and submitted them electronically as part of their training. The Board was shown how to use the electronic voting keypad which provides the ability to record votes electronically. Heather Holland, the Novus representative, Sharon Dowdy, the District's technology consultant, and Pam Neal, information services specialist, were present to provide technical assistance as needed.

Dr. Brooks asked for a moment of silence in honor of **Jane Mendel**. Ms. Mendel passed away last week and a memorial service was held over the weekend to celebrate her life. She was a founding member of the Women's Emergency Committee, which was instrumental in reopening Little Rock High schools after the desegregation crisis of 1957. She devoted her life to improving public education and was a founding member of Volunteers in Public Schools.

The Superintendent asked Associate Superintendent **Junious Babbs** to step forward; he recently received the *Four Pillars Award in Education* from 100 Black Men of Greater Little Rock. The Four Pillars include Youth Mentoring, Health and Wellness, Education, and Economic Development.

Later in the meeting, during the Personnel section of the agenda, Dr. Brooks recommended **Cindy Dees** as the new Assistant Principal at Watson Elementary School. She was present at the meeting with members of her family, and Dr. Brooks asked them to stand and be introduced to the Board.

A check in the amount of \$19,000 was presented to **Katherine Wright Knight** for use in assisting teachers who have requested financial assistance in order to complete the National Board Certification process. This check represented the balance remaining from the District's commitment of \$94,300 during the 2004-05 school year.

The ex officio representatives to the Board for the month of January, **Jennifer Newborn Thomas**, teacher at Carver Magnet Elementary School, and **Robert Elledge**, student at Hall High School, were given certificates of appreciation for their service to the Board.

## **B. Partners in Education**

Debbie Milam presented several new school and business partnerships for the Board's review and approval.

**Dodd Elementary School** – represented by *Faith McLaughlin* and *Martha Lowe*, in partnership with **Stagecoach Grocery and Deli** and with **Transamerica Worksite Marketing**

**Otter Creek Elementary School** – represented by *Janis Tucker* and *Jill Brooks* in partnership with **Home Bank of Arkansas**

**Pulaski Heights Elementary** – represented by *Lillie Carter*, in partnership with **Carol Jenkins Realtor**

**Terry Elementary** – represented by *Becky Ramsey*, *Eloise Booth* and *Teresa Gray* in partnership with **Arkansas Heart Hospital** – represented by *Mary Willis* and *Charlie Smith*

**Washington Elementary School** – represented by *Gwen Ziegler* in partnership with **Pi Omecron Chapter of Omega Psi Phi Fraternity** – represented by *Fred Smith*

## **C. Little Rock Classroom Teachers Association**

***Katherine Wright Knight*** thanked Dr. Brooks and members of the Board for their support of the National Board Certification process. She promised that the funds provided by the LRSD would be put to good use in assisting as many teachers as possible.

## **IV. REPORTS AND COMMUNICATIONS**

### **A. Remarks from Board Members**

***Sue Strickland*** publicly announced her resignation from the Board effective January 30, 2006. She thanked the public and community who supported her by voting to elect her as their representative for the past ten years. She was proud to note that she had participated in selecting the past five LRSD superintendents or interim superintendents. She expressed support for Dr. Brooks and a firm belief in what he is trying to do for the children of Little Rock.

Dr. Brooks thanked Ms. Strickland for her comments and for the support she provided during his first year in Little Rock. He noted that she had served as president of the Board during the successful millage election in May 2000 and that she worked tirelessly for the children of the Little Rock School District during her ten years on the Board.

Ms. Strickland's family was present: her husband, Terrell Strickland; daughter, April Harrell; and granddaughter, Abby Harrell. In addition, members of the Otter Creek Elementary School staff, Robin Johnson, Jill Brooks and Janis Tucker presented Mrs. Strickland with a bouquet of flowers and wished her a long and happy retirement.

Sadie Mitchell made remarks on behalf of the district's administration and building principals; Lillie Carter, principal of Pulaski Heights Elementary School, and Mary Zies, music teacher from M. L. King Elementary School performed, *You Are My Hero*.

Dr. Daugherty presented a hand blown glass bowl on behalf of the LRSD Board and administration. Each member of the board related their own fond and personal memories of Ms. Strickland's years on the Board and their time with her.

Mr. Kurrus acknowledged the passing of Jane Mendel. She served as an inspiration to many people by going the extra mile to make sure that others did good work on behalf of children.

Katherine Mitchell asked Dr. Brooks to provide research about why so many children are not achieving. She asked for specific information on what it would take to limit early childhood classes to fifteen students, staffed by a certified teacher and an aide, to ensure that students get the individual attention they deserve.

## **B. Quarterly Legal Update**

Chris Heller was asked to provide a quarterly update and summary report of pending legal issues for the Board's information. He asked for the Board to help him develop a response for the Courts and the State Legislators when they eventually ask what the LRSD would envision in the way of restructuring the three school districts in Pulaski County. Mr. Heller suggested that our Board meet with the ADE consultant to communicate what will make sense for the kids in Little Rock, North Little Rock and Pulaski County Special School Districts. These consultants will take many factors into consideration including the tax base, where the schools are located, and where the children live.

Mr. Heller's next quarterly update will be scheduled in April 2006, but he offered to meet with Board members as a group or individually anytime over the next few weeks and months.

### **C. Arkansas Facilities Master Plan – Public Hearing**

Information provided in the Board's agenda explained the Arkansas legislative requirement to provide a public hearing prior to submitting the District's ten-year facilities master plan. Mr. Milhollen provided a brief overview of the legislation and requirements of the Arkansas Public School Academic Facilities Program. Although required to submit a master plan to the state, it was noted that due to the calculations of the statewide facilities wealth index, the Little Rock School District would not receive any state funding for facilities maintenance or improvements.

Mr. Milhollen made a brief PowerPoint presentation of the projects included on the inventory list required by the state's Phase I master plan, including a listing of projects and a spreadsheet of expenditures by election zone. Approximately \$60.5 million was reported as required for operations, with the estimate for capital outlay approximately \$41.5 million. One required component of the submission included an inventory of expected infrastructure needs, and a projected estimate of maintenance and facilities costs for the next three years.

The District is required to accept public comment and the public was invited to address the board or submit questions and concerns to the administration. Additional information will be provided to the Board as more specific requirements and financial information is determined. The BESTeam (Building Engineering Study Team) will be asked to provide an assessment of facilities usage and the COPS (Comprehensive Planning & Study) committee will work with the district's administration to make recommendations for the Board's consideration.

### **SUSPENSION OF THE RULES**

Mr. Kurrus moved to suspend the rules in order to reorder the agenda and allow action on the Arkansas Facilities Master Plan at this point in the agenda. Mr. Rose seconded the motion and it carried unanimously. The vote will be reported under Section VI. A.

**D. Student Assignment Report**

Dr. Brooks reported that this was the first week of open enrollment for students who are new to our District or those who are interested in applying for a magnet school assignment. Dr. Watson was present but had no formal report.

**E. Budget Update**

Mr. Milhollen was present, but made no formal report.

**F. Internal Auditors Report**

Mr. Becker's report was printed in the agenda.

**G. Construction Report: Proposed Bond Projects**

The monthly Construction Report was printed in the Board's agenda. There was no additional information presented.

**H. Technology Update**

There wasn't a printed technology report this month. However, it was noted that completion of the on-line electronic agenda was the culmination of almost a year of work by the superintendent's office staff and technology specialists.

Mr. Berkley requested a technology update regarding the program used for parent access to student grades and attendance (Edline).

**V. APPROVAL OF ROUTINE MATTERS**

**A. Minutes**

Minutes from the regular meeting of the Board of Directors held on December 15, 2005, and from a special meeting held on December 8, 2005, were presented for review and approval. Mr. Berkley moved to approve the minutes as presented. Mr. Rose seconded the motion and it **carried unanimously.**

**VI. ADMINISTRATION**

**A. Arkansas Facilities Master Plan**

As reported previously in this meeting, the Arkansas 85th General Assembly in 2005 adopted Act 1426 which established the Arkansas Public School Academic Facilities Program. Among the provisions of the program is a requirement for each school district in the state to submit to the Arkansas Division of Public School Academic Facilities and Transportation by February 1, 2006, a ten-year facilities master plan which would identify and project required facilities improvement projects over the next ten years.

The administration presented the proposed master plan and recommended board approval prior to the February 1 submission deadline. Mr. Kurrus moved to approve the submission; Mr. Rose seconded the motion and it **carried unanimously**.

**VII. EDUCATIONAL SERVICES**

**A. Second Reading: Policy IKF – General Education Graduation Requirements, with Regulations**

In December, 2005, the board gave first reading approval to recommended revisions to Policy IKF, General Education Graduation Requirements and accompanying regulations. The administration recommended second reading approval and implementation. Ms. Strickland moved to approve Policy IKF on second reading. Mr. Day seconded the motion and it **carried unanimously**.

**B. U.S. Department of Education Grant Submission – Teaching American History**

The administration requested approval to submit a Teaching American History grant application to implement enhanced professional development for LRSD American history teachers. The grant would provide up to \$1 million to improve instruction and raise student achievement. Partners in this grant application include the University of Arkansas at Little Rock Department of History, National History Day, the Gilder Lehrman Institute of American History, the Clinton Library, and the Central High National Historic Museum.

Ms. Strickland moved to approve the grant submission. Mr. Berkley seconded the motion and it **carried 6-0-1**, with Mr. Rose abstaining.

**VIII. HUMAN RESOURCES**

**A. Personnel Changes**

Routine personnel items were printed in the Board’s agenda. Mr. Rose moved to approve the personnel actions as presented and Ms. Strickland seconded the motion. The motion carried **unanimously**.

**B. Appointment of Assistant Principal – Watson Elementary School**

The administration recommended the appointment of Cindy Dees, to the position of Assistant Principal at Watson Elementary School. Ms. Dees’ resume was provided for the Board’s review. Mr. Kurrus moved to approve the appointment. Ms. Strickland seconded the motion and it **carried unanimously**.

**IX. FINANCE & SUPPORT SERVICES**

**A. Financial Report**

Mr. Milhollen presented the monthly review of the financial reports which were printed in the board’s agenda. No action to approve the reports was taken.

**B. Donations of Property**

The Board was asked to approve the acceptance of recent donations to schools and departments within the District. Ms. Strickland moved to accept the donations; Mr. Day seconded the motion. The student ex officio, Robert Elledge, read the donations as follows:

SCHOOL/DEPARTMENT	ITEM	DONOR
Brady Elementary School	\$200.00 cash to purchase books for kindergarten classes.  Cash donations to assist students who were hurricane victims \$250.00 \$100.00 \$100.00	Kiwanis Club, c/o Mr. James Thomas  Target Stores, North Little Rock Mr. & Mrs. James Woods Don and April Rodgers, Jr.
Carver Magnet	Kroger coupons worth \$100 to be distributed to needy families; \$300 worth of materials and school supplies; and books for the library worth approximately \$120.00	Arti Vanzandt and Raytheon, Inc.

SCHOOL/DEPARTMENT	ITEM	DONOR
Central High School	\$1,000 cash to purchase books and for student assistance	Betty Emery Miner, Corvallis Oregon
	\$1,000 to special education department at Central High School	Win & Lisenne Rockefeller
	\$100 to Drama Department at Central High School	Hugh Thomforde and Rebecca Kilmer
Fair Park Early Childhood Center	Theatrical lights for the cafetorium valued at \$1,000.	Curtis H. Stout, Inc.
Romine Interdistrict School	\$400 worth of toys to provide Christmas stockings for students	Modern Free Grand Lodge
	\$100 to be used to purchase supplies for school yearbooks	St. Mark Baptist Church
Adult Education Center	\$600 literacy grant to LRSD Adult Education program for purchase of textbooks and materials	Harold Zimmerman / Certain Teed Roofing Products

**X. CLOSING REMARKS**

Dr. Brooks reminded board members that there would be a ribbon cutting ceremony at the Fair Park Early Childhood Center on Friday, January 27, at 10:00 a.m.

He also noted that the second Parent Involvement Workshop would be held on Saturday, February 4, from 8:30 a.m. to 1:00 p.m.

**XI. EMPLOYEE HEARING**

The board convened an employee hearing at 7:55 p.m. The employee requested that the hearing be open to the public. Attorney Ed Adcock represented the employee. Attorney Khayyam Eddings was present to represent the board and administration.

The employee was employed as a driver in the LRSD. He was injured in a work related accident and was drug tested when he went to Baptist Medical Center for treatment. The LRSD was notified that the routine drug screening was positive for marijuana. Although the employee's supervisor did not request the drug screening, the LRSD Safety & Security Department was notified of the results. The employee acknowledged that he was sent by his supervisor for a second screening several days after the accident, and that he went voluntarily for the second test. This test also indicated a positive reading for marijuana.

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Mr. Adcock restated the facts presented and suggested that it was not appropriate under district policy to terminate the employee. His contention was that the first test was not based upon any reasonable cause and that there was no basis in fact to believe that the employee was ever under the influence of intoxicating substances while at work. He argued that the results of the first test formed the basis for requesting the second test and that there was no evident reasonable cause for termination. Mr. Adcock argued that under these circumstances termination without reasonable cause would be considered an invasion of privacy and a violation of the Constitution.

The employee adamantly testified that he did not use marijuana or other drugs and that the lab results showing a positive for THC was caused by exposure to "sidestream smoke." He stated that he was exposed to this smoke by family members who lived in his home for several weeks. The employee admitted awareness of the district's drug testing policy and agreed that he had signed an acknowledgement that he was aware of the drug testing policy as a condition of employment. He also admitted that he had not read the policy.

Mr. Rose read the superintendent's letter of termination and made a motion to uphold the finding of fact that the employee had tested positive for marijuana. Ms. Strickland seconded the motion, and it carried unanimously.

Mr. Rose made a second motion not to uphold the administration's recommendation for termination. Ms. Strickland seconded the motion, and it **carried 6-1**, with Mr. Kurrus casting the no vote.

The board discussed the status and conditions of the employee's return to work and the legality of requiring random drug testing. Probationary employees, employees in the safety and security office and bus drivers are all subject to random testing. Mr. Adcock agreed to waive any constitutional issues and agreed to terms and conditions of the employee's continued employment to drug test whenever requested by the District.

Mr. Eddings strongly recommended placement in a position that would not have the employee operating a district owned motor vehicle to protect the district's liability. He suggested that management exercise its right to assign the employee to an alternate position. The Board took no formal vote, but suggested that Dr. Brooks and the administration decide which course of action would be in the District's best interest.

**XII. ADJOURNMENT**

There being no further business before the Board, the meeting adjourned at 8:55 p.m. on a motion by Mr. Rose and seconded by Mr. Kurrus.

APPROVED: 02-23-06

Originals Signed by:  
R. Micheal Daugherty, President  
Bryan Day, Secretary