

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

**MINUTES
REGULAR BOARD MEETING
June 28, 2007**

The Board of Directors of the Little Rock School District held their regular board meeting at 5:30 p.m. on Thursday, June 28, 2007, in the Boardroom of the Administration Building, 810 West Markham Street, Little Rock, Arkansas. President Katherine Mitchell presided.

MEMBERS PRESENT:

Katherine Mitchell
Charles Armstrong
Melanie Fox
Larry Berkley
Dianne Curry
Robert M. Daugherty
Baker Kurrus

MEMBERS ABSENT:

None

ALSO PRESENT:

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

I. CALL TO ORDER / ROLL CALL

Dr. Mitchell called the meeting to order at 5:35 p.m. The ex officio student representative for the month of June, Chelsea Washington, from Parkview Magnet High School was also present. The teacher representative did not attend.

Dr. Mitchell welcomed members of the audience and asked Dr. Brooks to proceed with the citations and recognitions.

II. REPORTS/RECOGNITIONS/PUBLIC COMMENTS:

A. Superintendent's Citations & Commendations

Dr. Brooks introduced **Nona Whittaker**, teacher from Cloverdale Magnet Middle School. Ms. Whittaker requested time on the agenda to make a special presentation to board member Dianne Curry in appreciation for outstanding support of Cloverdale Magnet Middle School students.

A certificate of appreciation was presented to the student ex-officio representative for the month of June, **Chelsea Washington** from Parkview High School.

B. Remarks from Citizens

There were no citizens' remarks.

C. Little Rock Classroom Teachers Association

There were no comments by the CTA representatives present.

D. Little Rock PTA Council

The PTA Council representative was unable to attend.

IV. REPORTS AND COMMUNICATIONS:

A. Remarks from Board Members

Ms. Curry thanked the staff at Cloverdale Middle School for the plaque and thanked Ms. Whittaker for attending the board meeting to make the presentation. She commended the district's high school principals for coordinating the successful graduation ceremonies.

Mr. Armstrong reported that he had visited schools in his zone and had also been to Central High School. He stated that the principals and staff members had shared some of their needs and he felt that everyone was looking forward to the next school year.

B. Update: Legal Issues & Status of Pending Lawsuits

Mr. Heller reported on pending legal issues and discussed tentative settlement agreements regarding district employees and former employees.

The board encouraged Mr. Heller to work toward settlement of the employee claims through mediation, and it was noted that several settlement conferences were already scheduled. Mr. Heller assured the board that he would continue to recommend settlement in all cases if the proposed settlement amount was considered fair and reasonable. He also stated that in those cases where the attorneys could not reach an agreement, they would be referred to a magistrate for mediation and resolution. He noted that each case should be heard on its own merit and that it wasn't wise to suggest a "blanket settlement" for all cases pending.

When questioned by the board, Mr. Heller stated that he would not recommend a settlement of the issues related to the appeal of the desegregation case presented to the Board by Attorney John Walker. He stated that the five-year plan proposed by Mr. Walker would not be of benefit to the district and would hinder the board's ability to make decisions based on what is best for the students and overall district operations. Mr. Heller reminded the board that he had provided a written recommendation that detailed his reasons for declining Mr. Walker's settlement proposal, noting that the board and district administration had the authority to develop improvement plans without entering into any additional oversight by the Joshua Intervenors or any attorneys. He noted that there was no reason to believe that the Eighth Circuit Court would grant any appeal that might be filed by Attorney Walker in this matter. Mr. Heller suggested that the board continue to evaluate and modify the implementation of programs to ensure student success. He agreed that outside expertise might be necessary, but that the expertise should be in the form of educators, program evaluators, or educational consultants to ensure that the programs were of benefit to overall student achievement.

Mr. Armstrong made a motion to send all pending cases to a federal magistrate for mediation. Ms. Curry seconded the motion.

Prior to the vote Mr. Heller asked for clarification regarding the intent of the motion. He noted that he understood the board's desire to pursue appropriate settlement in employment related cases; however, he noted that some were already filed and set for hearings. Those cases would need to be decided through discussions with the attorneys. He also encouraged the board to consider the reasonableness of settling. He indicated that some claims were based on matters of principle that should not be settled, and noted that each should be decided on the individual merits of the case.

Mr. Armstrong stated his intent was to expedite the settlement of all cases, and he offered an amendment to the motion stating that all cases filed in state court should be referred to a magistrate in order to expedite the settlements. Ms. Curry seconded the amendment.

Mr. Heller noted that some cases were already close to settlement, and he asked that several be excluded from the motion including a special education matter, and the cases styled Doe vs. Rousseau and Vandiver vs. Smith. After additional discussion, Mr. Armstrong withdrew his motion and the amendment. Ms. Curry withdrew the seconds.

Mr. Armstrong made a motion to allow Mr. Heller the necessary discretion to speed up the process of settlement by state or federal mediation. Dr. Mitchell restated the intent of the motion: to authorize Mr. Heller to take all cases to state or federal magistrate for settlement with those that are near settlement to be resolved with the attorneys involved. Ms. Fox questioned and the board agreed by consensus that the motion did not include the issues pending with the Lakeview case or the proposed settlement of the desegregation case. Ms. Curry seconded the motion. The motion **carried 6-1** with Ms. Fox voting "no."

Chip Welch was present to respond to questions and provided an update on the Motion to Dismiss filed in response to the taxpayers' lawsuit. He reported that there would be a ten day period for filing a response by the plaintiffs and that he would keep the board informed.

C. Update: Chicot / Watson Conversion & Restructuring

Dr. Sadie Mitchell was asked to report on the restructuring and opening of school at Chicot and Watson for the 2007-08 school year. The Watson Intermediate principal, Betty Mosley, and Chicot Primary principal, Shoutelle Richardson, were present to respond to site-specific questions.

Dr. Mitchell reported that furniture and supplies had been transferred and delivered and that the portable classrooms were being installed at both of the schools with August 1st as the target date for completion of set up. Staffing continues at both schools with Watson set to hire two additional math teachers, a math coach, and a science teacher. Chicot was set to add an early childhood specialist and an additional security officer.

The principals reported that Watson and Chicot students were participating in summer literacy programs, June 8th through July 19th; both Ms. Mosley and Ms. Richardson were on contract over the summer months. Approximately 77 Chicot kindergarten and first grade students were receiving literacy and language development instruction. Over 100 Watson students were participating in comprehensive literacy and skills reinforcement.

Both principals agreed that smaller class sizes would be of benefit to students, especially with support for ESL students. When questioned by the board members, they expressed a need for additional professional development and resources for ESL students. Ms. Mosley reported that America's Choice had recommended team teaching with twenty students per class and that she would need additional professional development support for the new teachers she had hired for her faculty. Only two of the teachers from the previous school year were returning to Watson.

D. Update: Felder Alternative Charter School

Dr. Watson reported on plans to move the Felder Alternative Charter School from its location on Geyer Springs Road to the site of the former Badgett Elementary School. For budgetary reasons, the Pulaski County Special School District had withdrawn from the tri-district partnership, and the Pulaski County governmental entities had also withdrawn their support which provided funding for the lease. The Arkansas Department of Education was scheduled to consider the District's request to relocate Felder to the Badgett Site at their monthly board meeting on July 9th. If the move is approved, the LRSD board would be required to allocate additional funding for the operations at Felder.

Judge Evans was asked to provide information regarding the students served at the Felder Academy during the 2006-07 school year. He reported that approximately 164 students were served; nine received the necessary credits required for graduation. Mr. Evans reported that the Badgett facility would provide a better school setting and that they were prepared to move.

Dr. Watson responded to questions and noted that additional state ALE funding would come with an increase in student enrollment at Felder. The district is currently providing the services necessary to meet ADE/ALE requirements. Estimated enrollment for the start of the 2007-08 school year was approximately 123 students. Mr. Kurrus requested follow up information with a proposed budget for the continuation of the Felder Charter School.

E. Update: Human Resources / Pending Employee Hearings

Mr. David Hartz provided a written summary report as part of the board's agenda. Dr. Mitchell requested information on the proposed timeline and dates for resolution of some of the hearings. There was reference to Mr. Heller's earlier report regarding settlement of some of the pending employee matters, and Mr. Hartz reported that there were possibly two requests for board hearings that would be scheduled in July or August.

F. June Construction Report – Mr. Bill Goodman

Mr. Goodman's report was printed in the board's agenda. Mr. Armstrong requested that administration visit the playground at Wilson Elementary for a safety inspection and repairs.

G. Budget Update

Mr. Milhollen provided a brief review of the budget process for the 2007-2008 school year. He estimated an approximate increase of \$6 million from state & local dollars for the upcoming year. He also noted that employee step increases would result in an expenditure of approximately \$2.4 million, with an additional \$1.8 million for each 1% increase to the salary. In addition, it was reported that an additional number of art and PE teachers were required to meet state regulations, and that an additional eight teachers would be required to meet the recommendations and mandates under America's Choice. The bottom line was that the expected increases in funding were already committed to fulfilling state regulated staffing requirements.

Mr. Milhollen also reminded the board that the buy-out of the superintendent's contract and the board's directive to settle several pending employee claims would also come from the district's operations budget.

H. Student Assignment Report

Dr. Brooks reported that the district enrollment remained stable and comparable to this same time last year. Dr. Watson reported that the Student Registration Office was processing M-to-M transfer requests and completing magnet school enrollments. She noted that the August 1 and 2 check-in dates would reveal a more accurate estimate, however the current enrollment was reported at 26,648 students; 26,691 was the official October 1, 2006 enrollment. Check-in for extended year schools is scheduled for July 25 – 26; check in for all other schools is scheduled for August 1 – 2.

I. Internal Auditors Report

Mr. Becker's report was printed in the agenda. He did not attend the meeting due to summer vacation.

V. APPROVAL OF ROUTINE MATTERS

A. Minutes

Minutes from the regular board meeting of May 24, 2007, and from special meetings held on May 24, June 14, and June 21, 2007, were presented for the board's review and approval. Ms. Fox moved to accept the minutes as presented; Dr. Daugherty seconded the motion and it **carried unanimously**.

The board briefly recessed at 7:32 p.m.

VI. EDUCATIONAL SERVICES

A. Pre-K Handbook Revisions

The district's committee for Pre-K education met to review the handbook for pre-kindergarten programs and to develop recommendations for the board's consideration and approval. A chart of the recommended changes was provided, along with information that indicated the revisions would bring the LRSD into compliance with state laws and other early childhood mandates. Glenda Nugent presented the recommendations and was in attendance to respond to questions. Mr. Kurrus moved to approve the recommended revisions as presented. Ms. Fox seconded the motion and it **carried unanimously** (*Mr. Armstrong was absent at the time of the vote, but indicated after the vote that he was in favor of the motion.*)

B. 2007-2008 Evaluation Agenda

Dr. Brooks reported that the PRE Department staff had proposed an annual evaluation agenda which was being presented for the board's review and approval. The proposal recommended three evaluations: Pre-kindergarten through third grade literacy; eighth and ninth grade pre-algebra and algebra; and the final year of a three year study on the district's magnet programs.

Dr. DeJarnette responded to questions from the board regarding selection of external evaluators, magnet program evaluations, the amounts budgeted for program evaluations, and staffing needs in the PRE department. Dr. DeJarnette reported that her budget included \$240,000 for the external evaluators with an additional \$90,000 for other professional services and assistance.

Dr. DeJarnette indicated that Dr. Jeannie Dreyfus would attend a future board meeting to report on the second year evaluation of the district's magnet programs. She requested additional personnel in the PRE department during the spring test administration and expressed concern regarding the report of testing infractions in district schools. She indicated that additional monitoring of the testing programs would be required to ensure compliance with testing regulations.

Mr. Berkley requested specific information from Dr. DeJarnette regarding access to the data warehouse and availability of the information needed for program evaluation. Dr. DeJarnette indicated that she would prepare a report for presentation to the board at the July or August board meeting.

Ms. Fox moved to approve the agenda of external evaluations presented. Ms. Curry seconded the motion, and it **carried unanimously**.

C. PRE Quarterly Update

The PRE department's quarterly report was attached to the board's agenda for review and acceptance. Dr. DeJarnette provided a report of comparative test data and information and responded to questions from the board. Ms. Fox made a motion to accept the quarterly report as presented, Dr. Daugherty seconded the motion and it **carried unanimously**.

VII. SCHOOL SERVICES

A. CARE Program Rate Increase

A request for an increase in the fees charged for students attending the district's before and after school CARE program was presented for the board's approval. The additional funding would supplement the budget for operational expenses associated with increases in salaries and meal costs. Mr. Berkley moved to approve the recommended rate increase; Dr. Daugherty seconded the motion and it **carried unanimously**. Cathy Moore, CARE program coordinator, reminded the audience that registration for CARE opens during the pre-school registration period, August 1-2.

REORDER OF THE AGENDA

Mr. Armstrong moved to reorder the agenda to allow action on the item to allocate funding to the Commission on the 50th Anniversary of the Integration of Central High School. Ms. Fox seconded the motion and it **carried unanimously**. That action is reported under item X.A. of these minutes.

Ms. Curry moved to reorder the agenda to allow action on the discussion regarding the superintendent's position vacancy and appointment of an interim superintendent to the end of the meeting agenda. Mr. Armstrong seconded the motion and it **carried 6-1**, with Mr. Berkley voting against.

VIII. HUMAN RESOURCES

A. Discussion: Superintendents Position Vacancy and Appointment of Interim Superintendent

After the conclusion of the remaining agenda items, the board returned to this discussion item. Ms. Curry made a motion to go into an executive session. Mr. Armstrong seconded the motion.

Ms. Fox asked for clarification on the reason for entering an executive session and noted that a discussion of the process to be used for filling the superintendent's vacancy or appointing an interim did not fall under the allowed topics for a closed executive session. She suggested that the board discuss the process to be used prior to discussing individuals by name.

The motion to go into executive session **failed 2-3-2**, with Mr. Armstrong and Ms. Curry voting in favor of the motion. Ms. Fox, Mr. Kurrus and Mr. Berkley opposing, and Dr. Mitchell and Dr. Daugherty abstaining.

The board discussed in open session the need to appoint an interim superintendent to transition and prepare for the opening of school. It was determined that the board should determine the qualifications and call for applications, then meet again to review and discuss a process. Ms. Fox and Mr. Berkley questioned the legality and appropriateness of bringing in an interim superintendent prior to the departure of Dr. Brooks at the end of August.

Mr. Kurrus suggested that it would seem appropriate to search for and identify a candidate for interim superintendent, but not to appoint anyone or have an interim begin to work prior to Dr. Brooks' departure. He also suggested that the interim be appointed and in place for a specific period of time, possibly one school year, in order to give the board an appropriate amount of time to conduct a thorough search. He noted that it was important that there be equal representation from around the city to provide input on desired qualifications for a permanent superintendent.

Dr. Daugherty stated that he wanted to consider someone already in the district who was qualified to serve as interim and stated that he already knew someone he would like to appoint to that position.

The board agreed by consensus to request applications and to then determine whether there was anyone interested in serving in an interim position. Board members were encouraged to submit information on possible candidates. Once applications are received, the board would then meet to discuss specifics and submit names of candidates. Interested persons were invited to send a letter to the Board with the understanding that the interim post would likely be filled for one school term.

Mr. Kurrus encouraged the board to consider a "crisp process," with an established deadline for submission of letters of interest in the position. It was noted that the agenda meeting was scheduled for July 12th and that noon on July 11th would be an appropriate deadline for receipt of letters.

B. Personnel Changes

Routine personnel matters were listed in the board's agenda. In addition, Lori Altschul was recommended for the position of coordinator of Gifted and Talented Education and Richard Jones was recommended for appointment to the position of coordinator of Adult Education. Ms. Fox moved to approve the recommended personal changes and appointments. Mr. Kurrus seconded the motion and it **carried 6-0-1** with Dr. Mitchell abstaining.

IX. FINANCE & SUPPORT SERVICES

A. Proposed Budget for Annual School Election

Mr. Milhollen presented a proposed budget of expenditures and tax levy for 2008 – 2009 as required by Arkansas law, to be published in the local newspaper sixty (60) days prior to the annual school election. Dr. Daugherty made a motion to approve the budget as presented; Ms. Fox seconded the motion and it **carried unanimously**.

B. Donations of Property

The Board was asked to accept recent donations to the District. The student ex officio, Chelsea Washington, read the listed donations. Dr. Daugherty made a motion to accept the donations as listed; Ms. Fox seconded the motion, and it **carried unanimously**. Donations are listed in the following chart:

DONATIONS

SCHOOL/DEPARTMENT	ITEM	DONOR
Bale Elementary	\$1,000 cash for student projects	UALR / Children's International
	\$400 cash to purchase a carpool bench	Bale Elementary PTA
Brady Elementary	\$144.25 cash for the Butterfly Garden	Briarwood Area Neighborhood Association
Central High	Bundy Alto Saxophone, valued at \$500 for the music program	Melinda Beggs
Dodd Elementary	Flute, valued at approximately \$225 for the music program	Kurt Koch
Fair Park Early Childhood Center	Mixed-media painting "What's My Name," valued at \$5,500 to be placed in the library	Thomas Cox II
Jefferson Elementary	Ten eight-foot park tables valued at \$4,610 for the outdoor classroom	Jefferson PTA
	Six computer monitors valued at \$900	Fennell, Purifoy, Hammock, Architects
Metropolitan Career-Technical Center / Micro Computer Program	Sixty-eight computers valued at \$1,000 for use in the "Computers for Kids" program	Carlton-Bates Company
Wilson Elementary	\$250 cash for students to participate in Field Day activities	Affirmative Risk Management
	\$1,000 cash for student art projects	UALR / Childrens International
	\$250 cash for Accelerated Reader incentives	Regions Bank
Woodruff Elementary	\$200 cash for faculty and staff incentives and materials	Day Spring Behavioral Health Services of Arkansas

C. Independent / External Audit – Procurement / Property Control System

Mr. Armstrong requested a discussion regarding an independent audit of district property and equipment. Corey Thomas presented a proposal for the board's consideration at the agenda meeting. Mr. Armstrong made a motion to contract with Mr. Thomas' firm, Governmental Contracting and Property Control Service, Inc., and to give them the authority to contact procurement to start immediately. Dr. Daugherty seconded the motion.

A lengthy discussion followed the motion, with questions concerning the legality of issuing a contract without first securing a request for qualifications or request for proposals. Ms. Fox noted that to move forward would be a violation of the board's policies and procedures.

Mr. Berkley questioned the placement of the item on the agenda, stating that he had reviewed the tape of the agenda meeting where there was a discussion on the topic, but not a request to add it as an action item. He added that to take action on an issue without following policies gave the appearance that it was being rushed through without giving other vendors an opportunity to bid and respond. He suggested that the staff be directed to issue an RFP and follow up with a recommendation for the board.

Ms. Curry stated that it was important to do an accounting of district assets, and Mr. Kurrus agreed. However, Mr. Kurrus stated that it should be done following the appropriate process as established by the board's policies. He suggested that to move forward might be a violation of state procurement laws, and that a consultation with the district's attorneys would determine if the board could legally enter into a contract without going through the bidding process.

Board members questioned Mr. Thomas and his partner, regarding their previous working relationship. They reported that they had never worked together on an audit and had never done a school district audit. They reported that they were members of the same professional organization and that their assessment of the district's policies would allow the contract as a legitimate sole-source contract. Mr. Thomas reported that the audit would cost approximately \$67,000, but that they had not negotiated with the district's procurement department.

Dr. Mitchell called for the vote, and the **motion failed 3-3-1**, with Mr. Armstrong, Dr. Mitchell, and Dr. Daugherty voting in favor of the motion, Ms. Fox, Mr. Berkley, and Mr. Kurrus voting against, and Ms. Curry abstaining.

D. Submission of Fiscal Audit to ADE

Mr. Milhollen reported to the board, providing background information on the annual fiscal audit conducted by the Thomas & Thomas, accounting firm. As required under Arkansas laws, the district is required to submit this audit to the Arkansas Department of Education by September 15th. A 90-day extension, to June 30th, was requested by the district in an effort to determine whether the appropriate indirect costs allowed under the terms of some grants and contracts was accurately calculated. The ADE granted the extension of ninety-days in order to review the data and re-calculate the rates of indirect costs from the 2003-04 school year.

Mr. Milhollen met with ADE staff and the district auditors who agreed that we should seek additional extension until July 31st. The second extension was not granted. Therefore, the audited financial statements will be filed prior to the June 30 deadline; however the district will continue to pursue efforts to make the adjustments in the indirect costs rate calculations.

E. Monthly Financial Statements

The monthly financial reports were provided in the board's agenda. Ms. Curry moved to accept the statements presented; Ms. Fox seconded the motion and it **5-0-1**, with Dr. Mitchell abstaining. Mr. Armstrong did not cast a vote.

X. ADMINISTRATION

A. Funding Allocation: Commission on the 50th Anniversary of the Integration of Central High School

Members of the City of Little Rock's Commission on the 50th Anniversary of the Integration of Central High School attended the board's agenda meeting earlier in the month and requested a contribution from the LRSD to be used to support the September 2007 activities and events. At the board's request, the administration presented a recommendation to allocate \$50,000 to the City Commission. Ms. Annie Abrams was present to represent the Commission. Ms. Fox made a motion to approve the allocation as requested; Mr. Kurrus seconded the motion and it **carried unanimously**.

B. Resolution: Support for NCLB Reform

As members of the National School Boards Association (NSBA), the Board was encouraged to support nationwide efforts to reform No Child Left Behind Legislation (NCLB) through the NCLB Improvements Act of 2007. The NCLB Act of 2001 provided stringent guidelines to insure local accountability for student achievement, and in April 2006, after five years of NCLB operational experience, the NSBA drafted legislation in an effort to improve the implementation of NCLB. Local school districts were asked to submit resolutions in support of reform efforts included in the NCLB Improvements Act of 2007. A resolution was drafted and presented for board approval. Dr. Daugherty made a motion to adopt the resolution presented. Ms. Curry seconded the motion and it **carried unanimously**.

XI. HEARINGS

A. Student Expulsion Recommendation

Dr. Watson provided background information on the administration's recommendation to expel <Student>, a 13 year old, eighth grade student from Henderson Middle School. The student was found with a handgun in a backpack on the school bus. He had shown the gun to other students on the bus. The administration recommended that the student be assigned for one full calendar year to the Felder Alternative Learning Academy. Ms. Curry moved to accept the administration's recommendation. Mr. Armstrong seconded the motion and it **carried unanimously**.

XII. ADJOURNMENT

There being no further business before the board, the meeting adjourned at 9:55 p.m. on a motion by Ms. Curry, seconded by Mr. Armstrong.

APPROVED: 07-26-07

Originals Signed by:
Katherine P. Mitchell, President
Melanie Fox, Secretary