

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

**MINUTES
SPECIAL BOARD MEETING
December 21, 2006**

The Board of Directors of the Little Rock School District held a special meeting at 5:00 p.m. on Thursday, December 21, 2006, in the third floor conference room 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:

Hugh Hattabaugh, Deputy Superintendent
Joe Mittiga, Governmental Affairs Liaison
Beverly Griffin, Recorder of Minutes

I. CALL TO ORDER / ROLL CALL

Dr. Mitchell called the meeting to order at 5:15 p.m. and stipulated a quorum without a roll call. All members of the board were present.

II. PURPOSE OF THE MEETING

Dr. Mitchell opened the meeting by stating the purpose: to select legal representation for the district's administration in an upcoming personnel hearing. She stated that e-mails had been disseminated to board members explaining the reasons for this action. Attorney John Burnett who will represent employee Karen DeJarnette had questioned whether it was appropriate to have the district administration represented by Attorney Chris Heller in Dr. DeJarnette's grievance before the board. To eliminate any questions, Dr. Mitchell invited board members to submit recommendations for alternate legal representation. In response, Melanie Fox submitted the name of Attorney Phil Kaplan; Dianne Curry recommended Attorney Leon Johnson.

Dr. Daugherty clarified his interpretation of the duties and responsibilities of the attorney to be hired for this hearing: The person selected would serve as an advisor in the presentation of the evidence regarding the administration's recommendation for termination of Dr. DeJarnette. This legal counsel would not be the board's or the district's representative in matters relating to the desegregation lawsuit, only as an advisor for this particular employee hearing. He stated that the administration should be responsible for selecting their own counsel in this matter, and questioned why the board would be selecting someone to represent the superintendent and other administrators.

Mr. Berkley agreed, stating that although the circumstances surrounding the recommendation for termination of Dr. DeJarnette are "linked tightly to our desegregation case," the independent attorney would only work with the district administration to present the its case against Dr. DeJarnette. This attorney would not represent the board, and communications with the attorney would be by district administration. He also suggested that it would be appropriate to select someone who has no previous connections to the district.

Dr. Mitchell stated that because the grievance was filed against the superintendent and other administrators and included statements and accusations involving Attorney Heller, she felt that it was the board's responsibility to select an independent attorney to assure a fair hearing.

Mr. Kurrus agreed and stated that the only responsibility of the attorney selected would be to present the facts of the case against Dr. DeJarnette and that "any competent attorney" would be capable of doing that. He then made a motion to hire Leon Johnson to handle this employee hearing, specifying within the motion that it was the board's responsibility to listen to the facts of the case during the hearing, fairly and impartially, and that any board member who might involve themselves with the attorney preparing the case should recuse themselves from the hearing. Mr. Berkley seconded the motion and it **carried 6-1**, with Ms. Fox casting the no vote in support of her nomination of Mr. Kaplan.

The hearing for Dr. DeJarnette was set for 5:00 p.m. on Monday, January 8, 2007 in the administration board room.

III. ADJOURNMENT

There being no further business before the board, Mr. Kurrus moved to adjourn at 5:32 p.m. Ms. Fox seconded the motion and it **carried unanimously**.

APPROVED: 01-25-07

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