

ADE DAILY NEWS CLIPS

February 13, 2013

Parent Accuses Farmington High School Coach of Inappropriate Behavior (Fox 16 News)

A Farmington High School coach is accused of inappropriate behavior by a parent, but police say no crime has been committed.

"It's my responsibility as her mother to stand behind her," says mom Niki White.

White says the coach was fully-clothed and sitting in an ice trough, when he called her daughter into the room and asked her to turn off his tub-water.

"She went around the bathtub and turned off the water, and then he said 'Do you want to get in after me?' and she said 'No,' and he said 'Are you sure?' and she said 'Yes,' and then she skedaddled," White explains.

The situation made her daughter feel uncomfortable, so White met with the school principal and vice-principal Friday morning.

"I told them that I appreciated their apologies, but that if they thought that I was going to let my daughter's bravery for speaking up be swept under the rug, they were sorely mistaken," says White.

According to a Farmington Police Department report, the coach said he told White's daughter the ice water was very cold. He said he then jokingly stated, "You're welcome to get in after I get out." After investigating, police determined no crime had been committed.

"We have seven standards of conduct, and they could be anything from simply belittling or berating a student all the way up to sexual misconduct," said Michael Smith, Chief Investigator for the Professional Licensure Standards Board of the Arkansas Department of Education.

White spoke with Smith on Monday, and is filing a complaint.

"Upon authorization of a complaint, we conduct an investigation based on the ethics complaint," said Smith. He also said a subcommittee will most likely review the case next month and determine whether to launch an investigation.

Farmington Schools Superintendent Bryan Law said this issue is a personnel matter, so he could not comment.

Fayetteville School District Chef Provides Lessons in Healthier Eating (Fox 16 News)

While school cafeterias are often tasked with fighting childhood obesity, the cooks there provide less than a third of a child's meal year-round. That makes the home front the new frontier to fight fat.

So how can parents make the same healthy choices as a "trained chef"? One Northwest Arkansas non-profit is helping to bridge the gap.

Just one dollar. That's how much money Chef Adam Simmons is allowed to spend on each plate in Fayetteville school cafeterias.

"I always thought I was creative in the restaurant setting, but you've got to be really creative with a dollar," says Adam Simmons, the Child Nutrition Director for the Fayetteville Public School District.

Because school lunches are now packed full of health regulations and without a lot of dough this chef's got to deliver.

"Some people think that lunches have shrunk a little bit, but what has happened is actually lunches have grown but you have to make better choices to get full."

But a lot of kids are only forced to eat healthy at school, less than a third of their diet.

"It's hard to change habits," says Simmons.

"So how do you take healthy lunches and translate them at home? Head to The Farm, run by the Cobblestone Project in Fayetteville.

"We think it's important to teach and equip adults because they are the ones that instill those values and those day to day life trends for their kids," says Katelyn Graves, the Director of The Farm. "Families in the community can purchase a subscription to the farm and over 26 weeks they can receive fresh healthy produce grown here."

But it's more than food, they're addressing a much bigger need. Education.

"We're going to incorporate some recipes for families so when they receive cabbage or broccoli or snap peas, they know some fun ways to cook that and some yummy ways they can incorporate their family into that."

It's the niche that school cafeterias can't hit.

"At home maybe they're getting bigger portions. We know they are at fast food restaurants," says Simmons.

So the key is to focus on the family.

"We need to teach the parents as much as we need to teach the kids," he says.

"That's where we'll see change is when we can incorporate those things when kids are smaller," says Graves.

Shooting You Straight: A Closer Look at Gun Control Debate (KARK, Channel 4)

Guns in schools, guns in church, guns on college campus, concealed guns, long guns, handguns, guns with magazines and pistol grips. If you can't find a gun debate to get in on, you are simply not awake.

From the drafting of the [second amendment](#), how did we get here?

There is no denying a gun is designed to inflict damage. Lethal, destructive damage. That's what it does to man and animal when used for that purpose.

So how do we move along a constructive avenue? How do we abide by an amendment and honor each other's safety on such a hot-button issue, both in our homes and the White House?

Like most arguments, it's all about control.

"Most gun control that is proposed, and some that gets passed, is to try and control the criminal and the criminal is not going to obey laws," says Ed Monk, Co-Owner of Last Resort Weapons Training in White Hall.

Jay Barth, Political Science Professor at Hendrix College, says a few events have changed the political temperature this time around.

"The Sandy Hook case has changed that dynamic, and the president, coming off his victory, felt freed up to take a stance," Barth says.

As a West Point Graduate, Retired Lt. Colonel, member of law enforcement and self-defense weapons instructor, Ed Monk knows guns, and says if you are going to join the debate, know what's being debated.

"If you ask people, 'What about assault weapons?' They have a negative connotation. If you ask, 'What is an assault weapon?' They don't know," Monk says.

It's true that there are thousands of varieties of guns, but only three types of modern gun functions:

- A bolt action: You shoot one bullet at a time then the shooter reloads one at a time.
- Semi-automatic: you load the bullets and after firing the first one the gun automatically reloads and will shoot again when you pull the trigger. Some Semi-Automatic guns would not fall under an assault weapons ban. But the [Semi-Automatic AR-15](#) and other military-style guns capable of being loaded with a magazine carrying more than 10 bullets will.
- Fully automatic: Once it's loaded, a fully-automatic weapon, or machine gun, will keep firing as long as you keep the trigger pulled.

Ed Monk says here is where we see key pivot in the debate

"How they function internally, the power of the weapon, how rapidly they fire, there is absolutely no difference," Monk says.

He says there is a very big difference when it comes to fully-automatic and semi-automatic.

Once it's loaded, a fully-automatic weapon, or machine gun, will keep firing as long as you keep the trigger pulled.

Bullets will come out of the barrel like water out of a garden hose. It is considered to be a pure-bred assault weapon.

In most states under current law, you can own a fully automatic weapon under certain guidelines. Ownership is limited, and they have been highly controlled since the 1930s. Its price, extensive local and federal background checks and licensing fees keeps it out of reach for most.

But its cousins, the dressed up semi-automatics take a lot of heat. Politically, Jay Barth says if there is going to be movement, it's now.

"If there is to be new legislation on background checks, and I think now is the moment for that to happen," Barth says.

As far as taking guns from you, Barth says no. It's not only unlikely, but logistically impossible given the fact that we are a nation of millions of guns.

But, when it comes regulating, Barth says, "Just like other liberties can be regulated, guns can be regulated. We just don't know where those lines are."

And, he adds, there is a line already drawn in favor of gun owners.

"The Supreme Court has ruled the right to own is protected," Barth says.

But still, gun owners argue, don't regulate a right by blurring the ink on the constitution.

"People that say, 'Well it's not good for hunting so we should be able to regulate it or ban it.' Again, hunting had nothing to do with our second amendment right," Monk says.

Ever since the gun was carried into the frontier it has been part of our past, present and future.

The argument for and against, who can, who can't, and why would you is forged right along side every barrel and bullet.

Last Thursday Democrats unveiled a 15-point plan that toughens background checks and reinstates an assault weapons ban.

It's a debate that can not be settled with both sides winning, but both sides will have to live with the outcome in whatever form it takes.

While elections have been won and lost over gun control, you hold the most powerful weapon in the fight: your right to vote.

Pine Bluff students showcase the benefits of economic education (Pine Bluff Commercial)

Jack Robey Junior High School teacher and her students were invited to the State Capital on Monday along with other students from across Arkansas as part of an Economics Arkansas program to showcase the importance of economic education.

Jack Robey economics and civics teacher Shelina Warren invited three of her former students who previously participated in her College Tour 2012 project to participate in this event: Cameron Withers, Jalan Williams and Timothy Reynolds — all of Pine Bluff High School.

While "lobbying" for economics education, these students met State Sen. Bobby Pierce and State Rep. Mike Holcomb, among other politicians. They explained to them how important economics education is to their future and the state of Arkansas. They were acknowledged in the House of Representatives chamber.

Teacher absenteeism puts students at a loss (USA Today)

New research suggests that teacher absenteeism is becoming problematic in U.S. public schools, as about one in three teachers miss more than 10 days of school each year. The nation's improving economic picture may also worsen absenteeism as teachers' fears ease that they'll lose their job over taking too many sick days, researchers say.

First-ever figures from the U.S. Department of Education's Office for Civil Rights, compiled in 2012, also show that in a few states, nearly half of teachers miss more than 10 days in a typical 180-day school year.

Among them:

- Rhode Island: 50.2%
- Hawaii: 49.6%
- Arkansas: 48.5%
- New Mexico: 47.5%
- Michigan: 45.6%

Schools serving larger proportions of African-American and Latino students are "disproportionately exposed to teacher absence," notes researcher Raegen Miller, who studied the federal survey data for the Washington-based Center for American Progress, progressive think tank.

Miller noted that providing substitutes for all of those absent teachers costs schools at least \$4 billion a year — about 1% of schools' budgets. Absenteeism also lowers student achievement: A 2007 study by Duke University researchers estimated that for every 10 teacher absences, math achievement dropped by the same degree as if a school had replaced an experienced teacher with a novice one.

"Everybody basically accepts (that) teachers are the most important school-based resource affecting student achievement," said Miller, now at Teach For America. "Well, if that's true, we ought to be paying a lot more attention to the students' actual exposure to teachers."

Another researcher, Geoffrey Smith of Utah State University, said the economic downturn has actually had a positive effect on teacher absenteeism. Teachers, fearful of being fired over too many sick days, took fewer, he said. "Teachers didn't take any personal time because they didn't want to be let go," he said.

And cash-strapped school districts cut down on teacher training, pulling fewer teachers out of the class each week. The net effect, Smith said, was an uptick in the number of days that teachers stood in front of the class.

But both researchers said that's likely to change as the USA emerges from recession. Recent small-scale surveys from Smith show that the percentage of school districts with 10% or more teachers absent on a given day rose from 11.6% in 2010 to 25.5% in 2012.

School districts generally agree to personal leave benefits during contract negotiations with teachers' unions, and few superintendents are willing to risk bruising political battles over cutting teacher benefits, said Kate Walsh of the Washington, D.C.-based National Council on Teacher Quality.

"I don't see them taking this on," she said, adding that most superintendents have many more contentious issues to tackle. "They'll lose their jobs over trying to reduce (teacher) leave five days."

The Duke researchers have suggested paying teachers \$400 more per year, but docking them \$50 for each sick day they use. Walsh said superintendents should push to change school culture, persuading teachers to focus more on staying in school unless they're genuinely ill or experiencing an emergency.

WH board awaits word from attorney on Redfield request (Pine Bluff Commercial)

The White Hall School Board was not expected to take action Tuesday evening on a petition to turn over Redfield Middle School at the end of the school year to a non-profit organization for use as a proposed open charter school.

Superintendent Larry Smith said Monday he had asked the district's attorney to review the Redfield request and did not anticipate a reply by Tuesday's meeting.

The Redfield City Council agreed last week to petition the school board and Mayor Tony Lawhon sent the letter on Thursday addressed to school directors.

The Keep Redfield Middle School organization is seeking 503(c) (3) nonprofit status under the Internal Revenue Code to operate a charter school, Todd Dobbins, task force chairman, told Redfield aldermen. The White Hall School Board's voted Jan. 8 to close the Redfield school at the end of the current school year and transfer Redfield students to White Hall Middle School.

Dobbins said earlier that opening a charter school may be the community's best option for keeping a middle school in Redfield. Sponsors of a charter school must submit a letter of intent to the state by June 1, he added. It would be the 2014-15 school year before an open charter school could become operational in Redfield, Dobbins acknowledged.

A request from "Keep Redfield Middle School/Redfield Tri-county Charter School" to use the middle school gym and cafeteria for a Feb. 23 dance to raise funds was one of nine facility use requests on Tuesday's board agenda.

The board was scheduled to recognize six students and faculty members during Tuesday's meeting:

- Michelle Benson, eighth-grade student at Redfield Middle School, won the Jefferson County Spelling Bee for her age group;
 - Gracie Lawhon, third-grader at Hardin Elementary at Redfield, and Caleb Nichols, first-grader at Hardin Elementary, both finished in third place in their age group in the spelling bee;
 - Joseph Steward, White Hall High School senior football player, was selected to play in the state high school All-Star football game;
 - Beverly Overturf, Hardin Elementary principal, has been nominated for the Arkansas Elementary Principal of the Year award; and
 - Tamara Clark, WHHS teacher, has been selected to serve on the Arkansas Transition Class Advisory Board.
- The board was also scheduled to consider a number of proposals, including bids, insurance and a request to sell property.
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Conway schools redo rules on visitors (Arkansas Democrat-Gazette)

CONWAY — The Conway School Board revised a policy Tuesday after an out-of-state group called into question a pastor's visits to one of the district's middle schools during students' lunch breaks.

The new student-visitation policy allows for "reasonable time, place and manner restrictions" for guests and requires parental consent to visit elementary- and middle-school students.

The district's previous policy for nonstudent visitors was constitutional, an attorney advising the board said. But the revisions made guidelines for guests such as pastors, college recruiters and mentors clearer.

"Most of this, you're already doing," Jeff Mateer, an attorney for the Texas-based Liberty Institute, said of the new policy. "All we're doing is putting into written policy what's already in place."

Conway Superintendent Greg Murry temporarily halted the visits and consulted with Liberty Institute, which describes its mission as "restoring religious liberty in America," on a pro-bono basis after the Wisconsin-based Freedom From Religion Foundation wrote to ask the district to "immediately discontinue allowing any pastor access to students during school hours" after it received reports that a pastor from New Life Church was visiting Carl Stuart Middle School students at lunch.

The Wisconsin foundation, which works for the "principle of the separation of state and church," said it was concerned that the district may have given Christian ministers greater access than other religious groups.

Mateer, a former corporate attorney, described the district's visitation rules as "an all-comers policy" that is constitutional because it is neutral and enforced equally for all religious and nonreligious groups.

"Government cannot show hostility toward religion. That's a fundamental, First Amendment principle," Mateer said. "It cannot favor one religion over another religion."

Similarly, it would be unconstitutional for the district to create a policy that allows nonreligious guests but prohibits visits from people affiliated with religious organizations, he said.

The new policy requires each school to set procedures for background checks and admitting visitors.

Administrators said they are planning to install machines in each school that search a database, complete limited background checks and print temporary badges after guests scan a driver's license or photo ID.

Under the new policy, guests to junior and senior high school students must be listed as affiliated with those students. Principals can remove visitors from permitted lists at any time if they engage in more than minimal contact with any student they are not approved to visit, the policy says.

Junior and senior high school principals "may take reasonable efforts to segregate visitors and the students they are visiting from other students," such as placing them at another table in the cafeteria, the policy says.

The new policy mandates such a separation at elementary and middle schools.

People may only visit elementary- and middle-school students with parental consent, the policy says.

The policy provides exemptions for military recruiters - who are legally required to be admitted to schools. Exemptions also apply to college recruiters, guest lecturers or a volunteer working under direction of the principal, the policy says.

No parents spoke at Tuesday's meeting because none signed up five days in advance as required by board policy, board President Susan McNabb said.

Board members received many calls and e-mails about campus visitors, she said.

"We have taken that feedback to heart as we considered this issue," McNabb said.

Diane Robinson said earlier Tuesday that her sixthgrade daughter was arriving home from Ruth Doyle Middle School with bookmarks she got at lunch time from K-Life Ministries, a Christian ministry. Robinson said she has never given permission for K-Life to talk with her child.

Robinson said she is not the parent who contacted the Freedom From Religion Foundation, opting instead to write a note to the principal.

"If the school district won't acknowledge that this has been a problem in the past, I worry about how they're going to enforce the policy in the future," she said.

If a pastor is having lunch with a child from that preacher's church and the parent has consented, "I'm fine with that." But she said, "I don't want strangers approaching my child at school."

Murry, the district superintendent, said the ban on visitors will remain in place while principals discuss how to implement the new policy.

"I think it's important for us to be respectful of the fact that there are parents who would prefer that their children not have access," he said.

LR pupil a \$75,000 Jeopardy! Winner (Arkansas Democrat-Gazette)

LITTLE ROCK – A high school senior from Little Rock won the Jeopardy! Teen Tournament, securing \$75,000 in prize money by besting 14 opponents from around the country with his broad knowledge and quick reflexes.

Leonard Cooper, 17, kept his win secret until Tuesday, when he watched the final episode of the tournament with classmates from eStem Public High Charter School at Gusano's Pizza.

"I was surprised that I won" throughout the three-round tournament filmed in November, Cooper said, "especially after the first day."

In that first day, he came back from behind by wagering \$18,000 on a "Double Jeopardy" question about the play 12 Angry Men.

The correct answer? "What is a jury?"

Cooper, captain of eStem's Quiz Bowl team, prepared for the tournament by doing exercises to speed his response time, watching reruns of game shows and challenging himself to answer before the other contestants.

“I was really focused on getting the buzzing timing right and being faster than everyone else,” he said, adding that many of other contestants studied general-knowledge questions, neglecting to address a need for a quick response.

Cooper won the tournament despite answering incorrectly a final question about President Dwight D. Eisenhower in a category called “Military Men.” The teen hadn’t wagered any money on the “Final Jeopardy” question, and he was pretty confident, “so I figured I’d have a little fun with it,” he said.

“Some guy on D-Day. I just won \$75,000,” Cooper wrote as his response.

Watching from the Little Rock restaurant Tuesday, Cooper’s peers and teachers broke out into screams and applause as he answered the final question.

Cooper, already aware of the outcome, sipped his drink casually as his friends pounded their table with excitement.

“We were completely stressed and anxious and hopeful for him and just amazed when he pulled it off,” said John Bacon, chief executive officer of eStem Public Charter Schools. “He just had nerves of steel and confidence.”

Bacon said he was pleased to see a student with enthusiasm and encouragement for competing in a test of knowledge.

“We had a blast,” he said. “It was kind of like going to an athletic event.”

Bacon will face Cooper in a student-vs.-faculty Quiz Bowl competition next week, according to an announcement on the school’s website.

Cooper said he plans to spend his winnings on college tuition. He hopes to attend Brown University and eventually become a doctor. A guitarist, he also plans buy some musical equipment and maybe a car, he said.

Cooper lives in Little Rock with his mother, Judith. His brother, George, 20, is a college student.

Ideas forged on querying LR school chief finalists (Arkansas Democrat-Gazette)

LITTLE ROCK – A citizens committee asked by the Little Rock School Board to assess finalists for the job of superintendent strategized Tuesday on how to best do that within the hour its members will spend with each of the candidates to quiz them later this month.

The committee, which is made up of parents, educators and civic leaders, met for the first time Tuesday in anticipation of meeting with each of the yet-to-be-selected finalists during the week of Feb. 25. The committee members worked to develop questions that both they and School Board members might ask.

“My understanding is that our team is designed to get a feel for the individual,” the Rev. Phillip Pointer Sr., pastor of St. Mark Baptist Church, told his committee colleagues after more than a dozen possible questions were proposed. “That is essentially all we are going to be able to do in that hour. We need to ask a few critical questions that give us a sense. We are not going to get all the details we want, all the specifics we want.”

The School Board, with assistance from the McPherson & Jacobson executive recruitment firm, is seeking a replacement for Superintendent Morris Holmes, whose contract expires June 30. A total of nine candidates from nine states, including one candidate from the Little Rock School District, have applied to

lead the 25,000-student system, which has 4,000 employees and a \$340million budget. The School Board is to meet Monday to select finalists to interview.

Committee member and civil-rights lawyer John Walker listed his concerns about the district: low achievement, low expectations, a high rate of discipline problems, and poor use of resources.

“We are trying to get information that we can pass on to the board,” Walker said. “We aren’t going to be deciders; we are going to be reviewers. We can’t even make recommendations or rankings. Most of us around the table are of the notion that the difficult questions should be asked first.”

Walker, who attended the meeting less than a week after being released from the hospital for lung cancer surgery, argued against allowing finalists to give an introductory statement.

“They will anticipate that question, and they are going to give us an answer we want to hear,” he said, adding, “We have a track record in this district where we have had people who have snowed us. Race isn’t an issue. I’ve supported almost every black superintendent, and we’ve been snowed by almost every one of them. So superintendents have the capacity to snow.”

Baker Kurrus, a former, 12-year member of the School Board, urged that the candidates be made aware that a Little Rock superintendent faces huge challenges and that the job “is not going to be a tea party.”

Kurrus proposed not only that the committee ask the finalists whether they are “change agents” prepared to transform the district into one that consistently achieves, but also that the group follow up by asking,

“If it doesn’t happen, what are you going to do?”

“Nothing changes,” Kurrus said in calling for a strong leader and not necessarily a consensus builder. “There is no consequence of failure here,” he said.

Committee members urged that the finalists be asked how they would engage the community in the public-school system, how they would make every school in the district - particularly middle schools - desirable to parents and students, how they would work to make the district “culturally sensitive” or welcoming to members of minority groups such as families that don’t speak English, and how they would use alternative education programs to produce successful students.

Other proposed questions dealt with attracting highquality new teachers with the district’s relatively low starting salaries, and how the district might approach competing with private and independently run charter schools.

Committee member Annice Steadman, a retired Central High science teacher, proposed that the candidates be asked what they will do to increase the number of students who graduate with the skills to hold a job or go to college.

“We have too many graduates who have zero skills,” Steadman said.

Marian Lacey, a retired principal and assistant superintendent from the district, suggested that the finalists be asked about their greatest achievements in advancing student learning.

The consulting firm will compile the questions posed by the committee and ask each committee member to pick their top six or seven. The questions that receive the most votes will be used by the committee and the others forwarded to the board for consideration.

The entire committee was present Tuesday. Other committee members are Little Rock City Manager Bruce Moore, who is also a district parent; Francennett Herrera, who is a liaison for Gov. Mike Beebe; Patty Barker, a parent and former president of the Little Rock Parent-Teacher Association Council; Nanette Green, a paralegal; Fran Carter, a parent and a fundraiser for the Arkansas Repertory Theatre;

Michael Sanders, a parent and program manager in the Arkansas Department of Human Services; and Darryl Swinton, a parent employed by the Better Community Development Inc.

Magnolia school chief set to retire (Arkansas Democrat-Gazette)

MAGNOLIA — The Magnolia School Board announced Monday that Superintendent John Moore plans to retire effective June 30, 2014.

Moore took charge of the Magnolia School District in 1996. He previously served as an assistant superintendent in the North Little Rock School District.

School Board President Robert McDonald said the board would discuss a search for Moore's replacement at the March meeting.

Education panel pulls licenses of 2 teachers (Arkansas Democrat-Gazette)

LITTLE ROCK — The Arkansas Board of Education on Monday revoked the state teaching licenses of two teachers, Keith B. Dooley and Wanda Lee O'Quinn.

The board permanently pulled Dooley's license on the basis of the recommendation of the state's Professional Licensure Standards Board's Subcommittee on Ethics that found that Dooley, who was a track coach in the Lamar School District in 2011-12, violated the state's Code of Ethics - Standard I. That standard requires teachers to maintain a professional relationship with students both in and outside of school.

The subcommittee determined after a hearing that Dooley inappropriately touched students, inappropriately talked with students about sexual matters, allowed students to ride in the bed of his truck and permitted students to drive his vehicles.

O'Quinn, a former principal at Perritt Primary School in Arkadelphia, sought to voluntarily surrender her license. However, Arkansas law doesn't provide for the surrender of a license, making it necessary for the board to vote to revoke it.

The state Education Board on Monday put two other teachers, Vivian Perry and Blake Rhein, on probation and fined them \$75 for violating the standard requiring teachers to maintain a professional relationship with students.

The Subcommittee on Ethics recommended to the board and the board approved putting Perry on probation for five years, fining her and requiring her to participate in anger-management counseling. The recommendation was based on the subcommittee's finding that while Perry was a teacher in the Lee County School District, she grabbed, belittled and stabbed with a pen a fourth-grade child.

The subcommittee recommended, and the board approved, three years of probation and the fine for Rhein, who as a Gentry School District employee in the 2011-12 term was found to have engaged in an aggressive and/or threatening manner with students that included hitting a female student with a bat and throwing a male student to the ground. He also engaged in horseplay and roughhousing with students and failed to set appropriate boundaries for students and himself, the subcommittee concluded.

Panel backs bid to cap spending growth at 3% (Arkansas Democrat-Gazette)

LITTLE ROCK — Legislation requiring the state’s chief fiscal officer to limit growth in general-revenue spending to a maximum of 3 percent a year cleared an Arkansas House committee Tuesday. Gov. Mike Beebe called the bill “awful” but didn’t say he’d veto it.

House Republican leader Bruce Westerman of Hot Springs said the Revenue Stabilization Act has stopped deficit spending in state government since the 1940s, but it hasn’t solved all of the spending problems.

He said his House Bill 1041 “would introduce true fiscal conservative controls on our state spending and it will limit our state government from growing faster than the economy.”

“We can be more fiscally responsible than what we have done in the past,” Westerman told the House Revenue and Taxation Committee.

State general-revenue spending increased annually by more than 5 percent for several years during the past decade before the recession forced state spending reductions, he said.

“And this was done with a Republican governor and a Democratic governor. I am not putting blame on one party or the other.”

Westerman’s bill would require the director of the state Department of Finance and Administration, who is the state’s chief fiscal officer, to cap increases in general revenue expenses.

Under the legislation, general revenue expenses could rise no more than 3 percent over the previous fiscal year’s expenses.

And the growth of general revenue spending couldn’t outpace the average growth rate in the state’s gross domestic product - the value of all the goods and services produced in the state - over the previous three fiscal years.

Westerman said 3 percent annual growth is sufficient, adding that the inflation rate has averaged 2.5 percent a year for the past 10 years.

The bill would allow the chief fiscal officer to authorize an expenditure exceeding the cap if the governor recommends the expense and either the Legislative Council or Joint Budget Committee approves it. Westerman said this provision would cover emergency situations.

If enacted, the bill states that it would go into effect on or after July 1, 2014.

Westerman’s bill is sponsored by 46 House Republicans and six Senate Republicans.

Richard Weiss, director of the state finance department, said the state has operated and been described as one of the more fiscally conservative and responsible states in the nation in recent years

He described Westerman’s proposal as unnecessary and unconstitutional.

The legislation delegates the responsibility of determining state expenditure levels to the chief fiscal officer, and that’s contrary to the appropriation and funding laws enacted by the Legislature, Weiss said.

“It violates the basic constitutional principle the legislative branch of government makes laws,” said Weiss, who has served as chief fiscal officer under Republican Gov. Mike Huckabee and Beebe, a Democrat.

But Reps. Nate Bell, R-Mena, and Randy Alexander, R-Fayetteville, said they doubt that Westerman’s bill is unconstitutional.

Westerman said his bill is constitutional and “doesn’t cede any power to the executive branch.

“It exercises legislative control over expenditures,” he said.

Westerman said his bill doesn’t “cut anything.”

Weiss said requiring the chief fiscal officer to lower spending levels set by the Legislature would severely jeopardize critical programs such as Medicaid, state police and prisons because a provision of law, called the “doomsday clause,” maintains public school spending at the expense of spending for other programs.

“You guys can set the budget anywhere you wanted [under the bill] and, after you go home, then I am supposed to just reduce the budget I guess ever how I want to do it to meet either an arbitrary limit [of] 3 percent or something less,” he said. “That’s where we have problems. Which ones am I supposed to cut ?”

But Westerman said his bill complements the Revenue Stabilization Act that distributes general revenue to agencies.

“Do you wish to vote for continued growth of state government or controlling the growth so that it more closely emulates growth in the economy,” Westerman asked before the House committee approved the bill by a voice vote.

Afterward, Beebe declined to say whether he would veto the bill.

But he said, “I think it has the potential to wreak havoc with the best budget system in the country and I don’t think you throw away 60-something year with the best budget system with this bill.”

LRSD security guard charged with sexual assault (Arkansas Democrat-Gazette)

LITTLE ROCK — A Little Rock School District security guard has been arrested on sexual assault charges stemming from an incident that occurred between October 2011 and April 2012.

According to documents from the Little Rock Police Department, Miguel Cazares, 43, has been charged with second-degree sexual assault, a Class B felony, for an incident at a school.

The school was not listed on the report, but the listed address, 401 John Barrow Road, is the address of Henderson Health and Sciences Magnet Middle School.

Little Rock Police Department Sgt. Cassandra Davis said the incident did involve a child, though it's unclear if the child was a student at the school. The incident report was filed in April 2012.

Cazares was served with a warrant for his arrest on Monday and taken to the Pulaski County jail without incident. He is being held on a \$75,000 bond.