

ADE DAILY NEWS CLIPS

June 1, 2013

Principal's 2011 firing upheld (Arkansas Democrat-Gazette)

The Arkansas Court of Appeals on Wednesday upheld the firing of a former Cabot elementary school principal for taking personal leave without properly notifying the superintendent.

Writing for a unanimous court, Judge Waymond Brown wrote that the Lonoke County Circuit Court was correct to affirm Suzanne Proctor's termination by the Cabot School Board in October 2011 and said the decision did not violate the Arkansas Teacher Fair Dismissal Act.

Proctor had been principal at Northside Elementary for about four years and oversaw about 30 teachers, according to court filings.

Brown wrote that testimony at the circuit court showed Proctor was absent, knew there would be no administrator in the building for two of the days she was gone, knew of the prior-approval policy for when she would be gone and had followed the district's policy in the past.

"We cannot find the circuit court's decision to be clearly erroneous," Brown wrote.

The Teacher Fair Dismissal Act requires school boards to have "just and reasonable cause" to terminate any school-district employee who is required to hold a teaching license and has completed three years of work in the district.

Proctor received a letter from Superintendent Tony Thurman on Sept. 9, 2011, which said she was suspended and would be recommended for termination for being absent on Sept. 1, 2 and 6 of that year, which was the Thursday, Friday and Tuesday around Labor Day weekend.

On Oct. 12, 2011, the School Board held a hearing on Proctor's termination and decided she had violated the school district's policy by being absent without notifying the superintendent, "thereby causing the school to be without a certified principal for two days which placed the students, faculty, and building in jeopardy," Brown wrote.

The board then voted to fire Proctor, who appealed the decision to the Lonoke County Circuit Court on Nov. 21, 2011.

In her appeal, Proctor's attorney stated she had been fired contrary to the Arkansas Teacher Fair Dismissal Act and asked to have her reinstated with back pay and damages for wrongful termination and attorney's fees.

The circuit court upheld the ruling on Sept. 17, 2012, and Proctor appealed the decision to the Court of Appeals.

Proctor's attorney argued that the School Board's decision to uphold her termination was "arbitrary and capricious," because there was no rule that principals were required to get prior-approval before taking leave.

Brown wrote that Proctor was aware of the policy because she had never been absent in the past without notifying the superintendent and denied her attorney's request to overturn the lower court's decision.

"A reason will be considered arbitrary and capricious only if it is not supportable on any rational basis," Brown wrote.

Fort Smith Schools Take Part in "Public School Choice" Act(KFSM/KNWA, Fort Smith)

Fort Smith Public Schools announced Friday (May 31) they will be participating in "Public School Choice," which will allow students who do not live in the district to attend their schools.

It's part of a new law ACT 1227. Any student who lives outside the school district of Fort Smith, but who is a resident of the State of Arkansas may apply to attend school in Fort Smith Public Schools for the 2013-2014 school year, according to the school district.

The Student Services Department of Fort Smith Public Schools will be accepting applications until Friday at 4:30 p.m.

ACT 1227 designates June 1 as the deadline for applications to be submitted.

Betts submits resignation to school board (Carroll County News)

BERRYVILLE -- Randal Betts, principal of Berryville High School, resigned unexpectedly last Thursday -- and no one seems to know why.

Superintendent Randy Byrd doesn't know, he said the next day, although five days later he said he could not discuss the situation because of employee confidentiality laws.

"That's between me and him," Byrd said Wednesday of Betts' reason for leaving, although he would say no criminal allegations were involved.

Several school board members, when reached this week, said they were still in the dark about the principal's motivations, although only one, apparently, had called Byrd to ask.

Others seemed befuddled, as well. On Tuesday, the high school secretary said Betts was on vacation. When asked when he would return, she said she did not know. When pressed further, she said he was on "sick leave."

Betts has been with the district four years and is still under contract for one more. He will remain so unless the school board votes to accept his resignation at a specially called board meeting, to be held at 6 p.m. on June 10 in the Intermediate School Cafetorium.

Despite his contractual obligations, by Wednesday, the erstwhile principal had already relocated to Conway, Ark., where he lived before moving to Berryville.

When reached there, he would not comment on his reasons for leaving. Before his resignation, officials said, Betts was applying for jobs elsewhere. However, Betts said he had not resigned to take another position.

Betts' resignation, sent via email last Thursday morning, is only two lines long.

"I hereby tender my resignation effective the last day of my current contract year," Betts wrote. "Thank you for the opportunity to work with you and learn."

Rumors of Betts' departure started circulating immediately. Most board members who spoke with CCN said they had heard of the resignation through the grapevine, not official channels.

Board member Todd Howard said he had received a phone call Thursday alerting him to Betts' departure. When asked whom the phone call was from, he said he could not recall. He added that he did not know why Betts had left.

"I don't know why, and I don't give a damn," Howard said, though he added he thought Betts had "packed his things and left in a hurry."

Still, Howard said he had not yet called Byrd about the situation. When pressed, he said he had an "important phone call" to take and hung up.

Jeff Miles, Joe Ward, and Lydia King each said they did not know why the principal had resigned, either. Kristi Howerton and Board President Vonda Bailey did not return messages seeking comment.

"I just know it was real sudden," Ward said.

King said board members were legally barred from knowing the reasons for a staff member's resignation -- again citing confidentiality laws.

"Just because we are the school board doesn't mean we are privy to that information any more than anybody else would be," she said.

Kristen Gould, staff attorney for the Arkansas School Board Association, said this was not true, however.

Gould said it was "highly appropriate," though not legally required, for a superintendent to disclose such information to board members during executive session.

She called refusing to do so "countercultural and mysterious" and said such behavior could arouse the ire of board members and jeopardize a superintendent's job.

Byrd said the district would begin soliciting job applications after the upcoming board meeting. For the time being, the superintendent said, Assistant High School Principal Owen Powell will fill the shoes left behind by Betts. Powell said he plans to apply for the permanent position, as well.

Tech glitch forces paper payday (Arkansas Democrat-Gazette)

The Pulaski County Special School District on Friday cut paper checks for dozens of its employees after a glitch in the direct-deposit system prevented some from immediately accessing their pay.

Those employees whose pay was not posted to their bank accounts Friday and who did not seek a paper check from the district should see the pay posted to their accounts by Monday, district officials said.

Bill Goff, the district's chief financial officer, said the district sent the direct-deposit payroll to its bank, First Arkansas Bank & Trust of Jacksonville, on Wednesday, standard procedure before a Friday payday.

First Arkansas Bank & Trust then typically sends the money to the Federal Reserve Bank on Thursday to be distributed to the approximately 300 banks that are used by district employees.

"The glitch was in the file transfer from our bank to the Federal Reserve Bank on Thursday night," Goff said. "It did not go through. By the time our bank was aware of that, it was past the deadline for the Federal Reserve to distribute the funds on Friday. That was the problem."

Goff said First Arkansas Bank & Trust worked to contact the banks used by the employees to ask the banks to "memo post" the deposits so the payroll funds would be available Friday.

That occurred at some of the banks.

Around 2 p.m. when the district learned that its bank would not be able to contact all of the banks, the district notified employees that paper checks would be prepared for those who could not wait until after the weekend.

Shortly after 5 p.m., Goff said, there was a crowd in the hallway outside the business office in the district's administration building at 925 E. Dixon Road, waiting to get checks.

He estimated the district would end up writing about 100 checks Friday.

"We'll have to reverse the direct deposits for those checks on Monday," he said.

The district has more than 3,000 employees - about 2,400 of whom are paid through the direct-deposit system. Of that number, about 1,800 employees bank at institutions that agreed to “memo post” the deposits.

“I’m assuming that a good number can wait until Monday,” Goff said and added that the district had worked throughout the day to communicate the problem to employees.

Goff said he did not have a clear explanation of the problem between the First Arkansas Bank & Trust and the Fed. He said First Arkansas Bank & Trust had reported that there was an error on that bank’s part.

45 in National Merit receive scholarships (Arkansas Democrat-Gazette)

Forty-five members of the Arkansas high school Class of 2013 are among 2,500 students nationally named as recipients of college-financed National Merit Scholarships.

The awards provide between \$500 and \$2,000 annually for up to four years of undergraduate study at the institution financing the scholarship.

The Arkansas recipients, their high schools, the institutions awarding the scholarships and their probable career fields are:

Brittany G. Griffin, Alma High School, Hendrix College, medicine.

Emily Barber, Batesville High, University of Arkansas at Fayetteville, political science.

Jacob C. Harris of Bella Vista, Bentonville High, University of Arkansas at Fayetteville, biomedical engineering.

McKayla Holmes of Bella Vista, Bentonville High, University of Arkansas at Fayetteville, journalism.

Michael J. Bandemer, Bentonville High, University of Arkansas at Fayetteville, astronomy.

William J. Derouin, Bentonville High, University of Southern California, computer science.

Austin M. Jackson, Bentonville High, University of Arkansas at Fayetteville, business.

Isaac S. Robson, Bentonville High, University of Arkansas at Fayetteville, materials engineering.

Miranda F. Tainter, Bentonville High, University of Oklahoma, meteorology.

Hanna Sage Curtis of Booneville, J.D. Leftwich High in Magazine, University of Arkansas at Fayetteville, psychiatry.

Joseph W. Robbins, Booneville High, Hendrix College, academia.

Rebecca E. Davis, Cabot High, University of Arkansas at Fayetteville, oncology.

Hayden D. Elliott, Cabot High, University of Arkansas at Fayetteville, medicine.

Clay D. Killingsworth, Cabot High, Harding University, medical research.

Celina Bree Miranda, Cabot High, Vanderbilt University, biology.

Elisa S. De Togni, Conway High, Washington University in St. Louis, chemistry.

William W. Henley, Conway Christian High, University of Tulsa, law.

Paul Evan Loftness of Conway, home school, Baylor University at Waco, Texas, computer science.

Hannah E. Cruse of Edgemont, home school, Southern Methodist University at Dallas, music.

Wilson X. Guillory of Eureka Springs, Arkansas School for Mathematics, Sciences and the Arts in Hot Springs, University of Arkansas at Fayetteville, biology.

Adam J. Ferrier, Fayetteville High, University of Arkansas at Fayetteville, chemical engineering.

Spencer A. Hansberger of Fayetteville, Haas Hall Academy, University of Arkansas at Fayetteville, English literature.

Andrea J. Kathol, Fayetteville High, University of Arkansas at Fayetteville, economics.

Alexander P. Wolf of Fayetteville, home school, University of Arkansas at Fayetteville, psychiatry.

Rachel L. Davis, Fort Smith Southside High, Oklahoma State University at Stillwater, medical research.

Landon P. Hunter, Fort Smith Southside High, Oklahoma State University at Stillwater, aerospace engineering.

Maureen M. Broglen, Gentry High, University of Arkansas at Fayetteville, mechanical engineering.

Joseph T. Benton V, Greenbrier High, Hendrix College, physics.

Erik B. Monson of Hot Springs, Arkansas School for Mathematics, Sciences and the Arts, University of Arkansas at Fayetteville, science/research.

Katherine M. Sargent of Hot Springs, Lake Hamilton High in Percy, University of Arkansas at Fayetteville, archaeology.

Haven E. Hogan of Jonesboro, Nettleton High, Harding University, engineering.

Clayton Brooks Gentry, Little Rock Central High, Northwestern University in Evanston, Ill., journalism.

Steven L. Hulse, Little Rock Central High, Hendrix College, law.

Everett A. Mansur, Little Rock Christian Academy, Baylor University at Waco, Texas, law.

Emily J. Schienvar, Pulaski Academy, Washington University in St. Louis, law.

Kylie L. McClanahan of Maumelle, Central Arkansas Christian School, University of Arkansas at Fayetteville, physics.

Alyssa N. Rahman of Maumelle, home school, Southern Methodist University at Dallas, information security.

Olivia C. Sims, North Little Rock High School, Hendrix College, medicine.

Katherine C. Satterfield, Perryville High, Harding University, theater.

Amelia Y. Norvell of Prairie Grove, Arkansas School for Mathematics, Sciences and the Arts, University of Rochester in Rochester, N.Y., anthropology.

Kassidy K. Joyner, Rogers Heritage High, University of Arkansas at Fayetteville, academia.

Tanner K. Woodruff of Roland, Little Rock Christian Academy, University of Arkansas at Fayetteville, engineering.

Kenna L. Daggett, Searcy High, Harding University, social work.

Brianna K. LaFerney of Searcy, Harding Academy, Harding University, bioengineering.

Alexander D. Stillwell, Springdale Har-Ber High, University of Arkansas at Fayetteville, medicine.

Governor's appointments (Arkansas Democrat-Gazette)

Gov. Mike Beebe has made this judicial appointment, his office said:

David Stewart, Fayetteville, to the Washington County District Court, Fayetteville Department, for a term expiring Dec. 31, 2014, replacing Rudy Moore.

Beebe has also made these appointments:

Larry Dean Autry, Horatio, to the Sevier County Quorum Court, District 6, for a term expiring Dec. 31, 2014, replacing Coy Arnold.

Gene Bramblett, Camden, to the Arkansas Public Defender Commission, for a term expiring July 1, 2017, replacing LeRoy “Wren” Autrey.

Rachel Bush, Rogers, to the Arkansas Service Commission, for a term expiring Jan. 14, 2015, replacing Holly Reding.

Carol Cobb, Horatio, to the Sevier County Quorum Court, District 5, for a term expiring Dec. 31, 2014, replacing Gene Cobb.

Kimberly Curseen, Little Rock, reappointed to the Health Services Permit Commission, for a term expiring April 9, 2017.

Carla Davis, Little Rock, reappointed to the Capitol Zoning District Commission, for a term expiring May 1, 2016.

Danny Ford, Rector, reappointed to the state Parks, Recreation and Travel Commission, for a term expiring Jan. 14, 2019.

Lesia Ford, West Memphis, to the Arkansas Real Estate Commission, for a term expiring Dec. 31, 2014, replacing Tina Daniel.

Lloyd Franklin, Pine Bluff, reappointed to the Arkansas Board of Public Accountancy, for a term expiring Aug. 17, 2017.

Shash Goyal, Stuttgart, to the state Parks, Recreation and Travel Commission, for a term expiring Jan. 14, 2018, replacing Billy Lindsey (now Commissioner Emeritus).

Ashley Graves, Malvern, to the Information Network of Arkansas, for a term expiring Dec. 31, 2015, replacing Nancy Arn.

Darin Gray, Springdale, reappointed to the state Parks, Recreation and Travel Commission, for a term expiring Jan. 14, 2019.

Michael L. Hocutt, Little Rock, reappointed to the Contractors Licensing Board, for a term expiring Dec. 31, 2016.

Kevin Hodges, Jonesboro, reappointed to the Health Services Permit Commission, for a term expiring April 9, 2017.

Albert Hurst, North Little Rock, reappointed to the Capitol Zoning District Commission, for a term expiring May 1, 2016.

Beth Jackson, Jonesboro, to the Early Intervention Interagency Coordination Council. Appointee serves at the will of the governor, replacing Angie Lassiter.

Samantha Johnson, Marion, to the Arkansas Appraisers Licensing and Certification Board, for a term expiring Jan. 15, 2016, replacing Shirley Pearce.

Charles Killion, McGehee, reappointed to the Commission on Closing the Academic Achievement Gap in Arkansas, for a term expiring March 15, 2017.

Andrew Kumpuris, Little Rock, reappointed to the State and Public School Life and Health Insurance Board, for a term expiring April 8, 2017.

Marc McCune, Cedarville, to the Arkansas Sentencing Commission, for a term expiring May 15, 2015, replacing Robin Carroll.

Barbara Moody, Salem, to the Arkansas Humanities Council, for a term expiring Dec. 31, 2015, replacing Cindy Hale.

Paul Moore, Fayetteville, to the Arkansas Board of Examiners in Counseling, for a term expiring Dec. 1, 2015, replacing Justin Moore.

Sharon Parrett, Hot Springs, to the Breast Cancer Control Board, for a term expiring Jan. 1, 2017, replacing Laura Hutchins.

Ben Pickard, Searcy, reappointed to the Arkansas Lottery Commission, for a term expiring April 1, 2019.

Luis Restrepo, Fayetteville, reappointed to the Commission on Closing the Academic Achievement Gap in Arkansas, for a term expiring March 15, 2017.

Jennifer Rice-Mason, Jonesboro, to the Arkansas Independent Living Council, for a term expiring Feb. 1, 2016, replacing Rita Byers.

Deborah Roy, Mountain Home, to the Arkansas HIV/ AIDS Minority Task Force, for a term expiring Feb. 1, 2014, replacing Youmna El-Sabaa.

Benjamin "Ted" Scallion, Little Rock, to the Arkansas Occupational Therapy Committee, for a term expiring March 1, 2016, replacing Carolyn Loghry.

Tom Spillyards, Rogers, reappointed to the Arkansas Development Finance Authority, for a term expiring Jan. 14, 2017.

Penny Willmering, Russellville, to the Arkansas Board of Examiners in Counseling, for a term expiring Dec. 31, 2015, replacing Richard Schmid.

To the Criminal Detention Facility Review Committee for terms expiring Jan. 14, 2017: Kyle Ludwig, Stuttgart, reappointed, Judicial District 11 East; Karl Brummett, El Dorado, reappointed, Judicial District 13; Pamela Underdown, Alpena, replacing Bill Carmichael, Judicial District 19 East; Allen Wolfe, Van Buren, replacing Jerry Valentine, Judicial District 21; Willie "Rudy" McIntosh, Benton, replacing Jerry Landreth, Judicial District 22.

