

The Arkansas Department of Education

AGENDA STATE BOARD OF EDUCATION

July 14, 2008

Arkansas Department of Education

State Education Building

9:00 AM

Chair's Report – Diane Tatum

Commissioner's Report – Dr. T. Kenneth James

 + Back  Print

Consent Agenda

C-1 Minutes - June 2008

Presenter: Dr. Charles Watson Randy Lawson

C-2 Newly Employed, Promotions and Separations

The applicant data from this information is used to compile the Applicant Flow Chart forms for the Affirmative Action Report, which demonstrates the composition of applicants through the selecting, hiring, promoting and terminating process.

Presenter: Ms. Beverly Williams Ms. Clemetta Hood

C-3 Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

By the Court Order of December 1, 1993, the Arkansas Department of Education (ADE) is required to file a monthly Project Management Tool (PMT) to the court and the parties to assure its commitment to the Desegregation Plan. This report describes the progress the ADE has made since March 15, 1994, in complying with the provisions of the Implementation Plan (Plan) and itemizes the ADE's progress against the timelines presented in the Plan.

The July report summarizes the PMT for June.

Presenter: Dr. Charity Smith Willie Morris

C-4 Work Force Data Report

The Arkansas Department of Education (ADE) and its education affiliates Work Force Data Report is to be distributed at the July 14, 2008, State Board Meeting. The Human Resources Office requests Board action to receive the report. Thus, the report is submitted as part of the Consent Agenda.

Presenter: Ms. Beverly Williams Ms. Clemetta Hood

Action Agenda

A-1 Consideration of Request for Proposed Annexation of the Greenland School District to a Contiguous School District

The Department notified the Greenland School District (and its six (6) contiguous school districts) on June 13, 2008, that the Department was requesting that the State Board of Education annex the Greenland School District to a contiguous school district (Elkins, Farmington, Fayetteville, Mountainburg, Prairie Grove or West Fork) pursuant to Ark. Code Ann. § 6-13-1403. The Department's request to annex was made due to the Greenland School District's failure to comply with the requirements of the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.

Presenter: Department Staff

A-2 Consideration of Classification of the Decatur School District as a District in Fiscal Distress

The Department notified the Decatur School District (District) by certified mail on June 4, 2008, that it had been identified as being in Fiscal Distress and that the Department would request on July 14, 2008, that the State Board classify the District as being in Fiscal Distress. The District had thirty days to appeal the classification to the State Board. The District has chosen not to file an appeal.

Presenter: Bill Goff

A-3 Approval of the FY09 Public School Fund Budget

Each fiscal year the State Board approves the budget for the Public School Fund. The Department of Finance and budgets to be complete by June 1. Therefore, the initial budget was submitted using the attached Commissioner's recommendations. As required by the of Finance and Administrations, the budget was prepared using the Official Revenue Forecast of the Chief Fiscal Officer of the State.

Presenter: John Kunkel

A-4 Final Approval of the FY08 Public School Fund Budget

On July 9, 2007, the State Board approved the initial Public School Fund Budget for FY08. Since that time several adjustments to that budget have been required and now need final State Board approval.

Presenter: John Kunkel

A-5 Request for Approval of 2008-2009 Arkansas Better Chance Grants - Round #2

Pursuant to the authority granted the State Board of Education by ACA 6-45, the Division of Child Care and Early Childhood Education requests approval of the following recommendations for the 2008-2009 Arkansas Better Chance program.

Presenter: Paul Lazenby

A-6 Consideration for Final Approval: Proposed Rules Governing the Requirement of Schools to Have Automatic External Defibrillators

Act 1598 okf 2007 requires the State Boards of Education to promulgate rules requiring that each school have an automated defibrillator if funds are available. These proposed rules implement the requirements of Act 1598.

The Board approved proposed rules to be released for public comment at its April 21, 2008, meeting. A public hearing on the proposed rules was held on May 22, 2008. Five (5) people attended the public hearing. No comments, neither oral or written, have been received by the Department concerning the proposed rules; therefore, no changes to the proposed rules have been made.

The Department asks that the State board grant final approval to these proposed rules.

Presenter: Tripp Walter

A-7 Consideration for Final Approval: Rules Governing Teacher Licensure by Reciprocity

On April 21, 2008, the State Board approved for public comment the Proposed Revised Rules Governing Teacher Licensure by Reciprocity. On May 29, 2008, a public hearing was held at the Department. There were no public comments received on this rule and no one came to the public hearing.

The Department of Education is requesting final approval from the State Board on the Rules Governing Teacher Licensure by Reciprocity

Presenter: Beverly Williams

A-8 Request for Approval: Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas

Approval by the Arkansas Department of Education (ADE) is required for any Institution of Higher Education (IHE) prior to implementing a new program of study that prepares candidates for any professional educator teaching license or endorsement in Arkansas. This protocol shall be utilized by IHEs intending to offer or revise any program leading to educator licensure or endorsement. The ADE is responsible for the oversight of the program review and approval process at the state level pursuant to Ark.Code Ann. 6-11-105 and 6-17-402. This is the first time the ADE has developed a written protocol for this most important responsibility.

Presenter: Beverly Williams

A-9 Petition from the Stephens School District to the State Board of Education to Move from Seven (7) to Five (5) Member School Board

Ark.Code Ann. § 6-13-606 grants the Arkansas State Board of Education (State Board) the authority to hear a petition for a decrease to five (5) members in the number of directors for a district with seven (7) members. The local board must file the petition with the State Board. The local school district must run notice of filing the petition by publishing one (1) insertion in a newspaper of general circulation within ten (10) days of the filing. Upon a showing that such decrease will not be detrimental to the district petitioning for it, the State Board is authorized to decrease the member of directors for the district from seven (7) to five (5).

Presenter: Tripp Walter

A-10 Revocation of Teacher's License-Tracy Meadows

Mr. Meadows currently holds a standard ten-year license valid until December 31, 2009.

Mr. Meadows was in violation of Ark. Code Ann. § 6-17-410 (c)(34). Mr. Meadows was notified of the recommendation of revocation of his teacher's license on June 6, 2008, and of his right to a hearing before the State Board on July 14, 2008.

Presenter: Tripp Walter

A-11 Revocation of Teacher's License-Steven L. Richards

Mr. Richards' teacher license was suspended by the State Board of Education on Dec. 15, 2006, pursuant to Ark. Code Ann. 9-14-239, which requires suspension of an occupational or professional license when obligor is delinquent in an amount equal to three (3) months' obligation or more. Mr. Richards' license expired on December 31, 2006.

His license was recommended for reinstatement by Child Support Enforcement. However, the background check found that he was convicted for a disqualifying offense pursuant to Ark. Code Ann. 6-170-410 (c)(4).

Presenter: *Tripp Walter*

MINUTES

State Board of Education
Monday, June 9, 2008

The State Board of Education met on Monday, June 9, 2008, in the Auditorium of the State Education Building. Diane Tatum, Chairman, called the meeting to order at 9:00 a.m.

The following Board Members were present: Diane Tatum, Chairman; Randy Lawson, Vice-Chairman; Sherry Burrow; Jim Cooper; Brenda Gullett; Dr. Tim Knight; Dr. Ben Mays; MaryJane Rebick; Dr. Naccaman Williams.

No Board Members were absent.

Chair's Report

Ms. Tatum reported that she and Dr. Mays presented at a recent session of LeadAR, which is a leadership program sponsored by the Arkansas Cooperative Extension Service.

Ms. Tatum recognized the tenure of service of Board members MaryJane Rebick and Dr. Tim Knight. The term for Board membership of these members expires as of June 30. Each was presented with a resolution recognizing service to the Board, a plaque, and a letter of commendation from Governor Beebe.

Work Session

Senator Shane Broadway and Senator David Bisbee (via telephone conference call) presented an overview of the development of the public school funding matrix. Representative Betty Pickett was also recognized to comment on components of the matrix. Following the presentation, Board Members engaged in a question/answer dialogue with the presenters.

No action was taken.

Reports

Beverly Williams and ADE staff members Barbara Culpepper and Susanne Williams were recognized to present recognition awards to 16 Arkansas teachers who were identified for providing outstanding performance as a mentor for a new teacher during the first year in the classroom. Each of the mentors was presented a certificate of achievement and a cash award of \$500. Additionally, Debbie McCracken, Dawson Cooperative, was named the Arkansas Mentor of the Year and received a cash award of \$1,000.

Consent Agenda

Mr. Lawson moved approval of the Consent Agenda. Ms. Burrow seconded the motion. The motion was adopted unanimously.

- Approval of Minutes May 12, 2008
- Approval of Minutes May 22, 2008 (Special Meeting, Conference Call)
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications
- Declaration of Critical Academic Shortage Areas as Required by ACT 1146 of 2001, Section 2(3)(A)
- Consideration for Approval: Newly Appointed Members of the Professional Licensure Standards Board to Replace Members Whose Terms are Expiring
- Report on Waivers to School Districts for Teachers Teaching out of Area for Longer than Thirty (30) Days

- Request for Approval of Stipulated Agreement – Michael D. Person

Action Agenda

Dr. James requested that Action Agenda Item A-8 be moved to first on the agenda to accommodate staff assignments later. The Board concurred.

Consideration of Request for Waiver by Ozark Mountain School District

Annette Barnes was recognized to present this item. Ms. Barnes stated that for the 2007-2008 school year, Western Grove High School in the Ozark Mountain District requests a waiver from offering physics, which is a required offering under the Standards for Accreditation. Ms. Barnes recognized Dr. Dalena Gamble, superintendent, and Mr. Mike Parish, principal at Western Grove High School to respond to questions by the Board. Mr. Parish stated that when classes began in August 2007, the school offered physics, which was taught by a certified teacher. However, he noted, that during the early part of the school year, the only student taking this subject moved away from the district, leaving no one enrolled in physics. He reported that during the school year no student could be recruited to take physics nor did a student enroll in the district that was interested in enrolling in physics. Dr. Gamble reported that the district seeks to apply for a waiver under the provisions of Act 219 of 2007, which addressed this situation in small districts.

Ms. Rebick asked if busing students between high schools within the district would make taking these science courses more popular. Dr. Gamble responded that bussing would not be a reasonable option because of the time required to travel between campuses – she suggested it would take a minimum of three class periods and probably more to accomplish one period of instruction.

Mr. Cooper moved to approve the waiver request for the 2007-2008 school year. Dr. Williams seconded the motion. The motion was adopted 7 yes, 1 no (Gullett voted no).

Request for Charter Amendment for Open-Enrollment Public Charter School: e-Stem Public Charter Schools, Little Rock, AR. (A full transcript of this item was recorded by the court report and is available from the State Board Office.)

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown stated that Mr. Jess Askew would summarize changes in the organizational structure to be followed by Dr. Roy Brooks who would provide a status report on the new schools.

Mr. Askew reported that the organizational structure changes are the result of recommendations of the Internal Revenue Status (IRS) as they are reviewing and considering approval of the 501(c)(3) proposal. He stated that the e-Stem schools are governed by three independent boards – one for each level: elementary, middle and secondary schools – and a coordinating board. He reported that the IRS requirement was to have a majority of the members of each of the boards to be common members; thus, each of the four boards will have seven members of which four would be common to each. Mr. Askew identified each of the boards' membership. He also stated that the coordinating board would oversee the four person administration: Dr. Brooks serves the role of superintendent.

Dr. Brooks provided a status report regarding staffing, student enrollment and assurance that facilities would be complete by the opening date, which is in August. He noted that principals for each level have been hired, instructors for each level are hired and the maximum of 850 students have been selected with a waiting list of over 1000.

Mr. Cooper asked for clarification as to IRS intent of the organization structure. Mr. Askew responded that IRS guidance suggested that the boards from each level should have controlling influence on the support organization.

Dr. Mays asked how nominations for board membership were made, especially how parent members are identified. Mr. Askew responded that recommendations come from board members and invitations to serve on the board are issued with consensus of the board members.

Ms. Rebick asked about potential traffic pattern issues in and around the facility. Dr. Brooks responded that work was underway with city officials to reroute traffic patterns to minimize congestion. He indicated that final decisions have not been made, but were under review.

Ms. Gullett moved to approve requested amendments to the charters. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Consideration of Request for Charter Amendment of Open-Enrollment Public Charter School: HAAS Hall Academy, Farmington, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown stated that the Charter School Office has received a request for amendment to the Charter to add Grade 8, increase the enrollment cap to 350 and to endorse relocation from Farmington to a facility in Fayetteville.

Dr. Martin Schoppmeyer was recognized to present this request. Dr. Schoppmeyer summarized the requests and reported that the number of applications for enrollment for next year exceeds the enrollment cap established for the Charter. He also stated that to accommodate an increase in enrollment relocation to a different facility would be essential.

Dr. Mays inquired about a formal rental agreement or lease agreement on the proposed facility. Dr. Schoppmeyer responded that such documents were not available at this time and that he was unaware that he was requested to provide such documentation.

Ms. Rebick inquired about a revised budget that would reflect the increase in the number of students. Dr. Schoppmeyer was unable to provide a new budget.

Mr. Cooper asked about the reasons for leaving Farmington. Dr. Schoppmeyer responded that more space would be needed to accommodate a larger number of students and that locating in Fayetteville would provide greater access to a larger potential student pool.

Ms. Gullett asked if the Fayetteville School District administration had been advised of this potential move. Scott Smith responded that under the Charter Rules, all local districts are informed when a new charter is proposed, but there is no requirement to go through the notification process when changes are made in an approved charter.

Ms. Tatum reminded Dr. Schoppmeyer of the need to be well prepared and to submit any necessary documentation prior to seeking Board review and approval.

Mr. Cooper commended the school on achievement of students and recognition by *U.S. News and World Report* but inquired as to why he would come before the Board without all of the needed documents. Dr. Schoppmeyer stated that he brought what he thought he was told to bring. Dr. Brown cited from the letter of notification of the hearing the need to provide documents to support the requests.

Dr. Mays moved to deny all of the requested changes in the HAAS Hall Charter. Ms. Rebick seconded the motion. Dr. Williams asked if this motion is adopted, could HAAS Hall appear at a later time with new information. Dr. James responded that any entity can request to be on the Board agenda. The motion to deny was adopted unanimously.

Consideration of Request for Charter Amendment of Open-Enrollment Public Charter School: School of Excellence, Humphrey, AR

Dr. Mary Ann Brown was recognized to present this request. Dr. Brown reported that Dr. James Young,

administrator of the School of Excellence would present the request. Dr. Young stated that the previous plan for providing facilities for the School of Excellence was withdrawn by the builder. He noted that alternate facility plans are described in the material provided: the new plan includes approximately the same instructional space now in three separate buildings instead of one larger structure for approximately \$2,000 less rental per month.

Mr. Cooper asked about property ownership and what would happen to the buildings should the school close. Dr. Young indicated that the land would revert to the original owner and the buildings would be removed by the owner of the modular contractor.

Ms. Burrow asked about the time required to install buildings once approval is given. Dr. Young stated that site preparation is ready and that installation could be completed in approximately three days.

Tripp Walter interjected that facilities requirements necessitate all code considerations be updated and maintained regardless of the type facility. Dr. Mays asked about safety of such buildings in storm situations. Dr. Young stated that there was a wind certification, but that no construction could withstand a tornado the magnitude of those evidenced this spring.

Ms. Burrow moved to approve the proposed facilities amendment. Dr. Williams seconded the motion. The vote was approved 5 yes 3 no on a roll-call vote. (Mays, Rebick and Gullett voted no.)

2008-2009 Arkansas Better Chance Program – Funding Recommendations: Round1

Paul Lazenby was recognized to present this item. He distributed a printout with eleven supplemental awards to provide additional funding to grantees from the 2007-2008 project year. Mr. Lazenby also informed the Board that one recommendation for additional funding on the original document for Rosie and Jackie's in Helena be withdrawn.

Dr. Williams moved approval of funding recommendations as revised. Dr. Knight seconded the motion. The motion was adopted unanimously.

(Jim Cooper left the meeting during the lunch break leaving eight voting members present)

Consideration for Approval for Public Comment: Proposed Rules Governing the Standards for Accreditation of Arkansas Public Schools and School Districts

Scott Smith was recognized to present this item. Mr. Smith noted that these rules were presented for public comment at the May meeting; however, additional revisions were found necessary and the Department is recommending an extension of the public comment period. Dr. Williams moved approval of the proposed rules for public comment. Dr. Knight seconded the motion. The motion was adopted unanimously.

Consideration for Final Approval: Rules Governing the Code of Ethics for Arkansas Educators Pursuant to Act 846 of 2007

Beverly Williams was recognized to present this item. Ms. Williams introduced members of the Professional Licensure Board which has been a leading group in framing the Rule and working with public comment and revision. She summarized the major comments received from public hearings conducted throughout the state.

Ms. Rebick asked about the need for resubmitting the document for additional public comment due to the many changes that were made as a result of the regional hearings. Scott Smith opined that it would not be necessary to seek additional public comment because the changes that were made were the result of suggestions from the regional hearings.

Ms. Gullett expressed concern that the comments made which resulted in major deletions and revisions to the text of the proposed rule were made by the very people (teachers) who would be effected by the rule. Ms.

Williams responded that many of the comments were received from teachers and administrators. She noted that administrators are state licensed, thus will be covered by the Rule. Ms. Williams also noted that the Professional Licensure Board is broadly representative of teachers, administrators and university members: all parties are “at the table” for the development and implementation of this rule.

Scott Smith addressed the issue of a proposed start date. He noted that generally the effective date of a rule is consistent with the date of final review and adoption by the legislative oversight group. He noted that an effective date of January 1, 2009, had been suggested, but the Department recommends an effective date of September 1, 2008. He suggested any motion also include a proposed effective date.

Ms. Rebick asked if Charter Schools would be required to abide by this rule. Mr. Smith responded that this rule focused on educators who are licensed by the state and any state licensed person – teacher, supervisor, administrator, ..., would be subject to the rule, regardless of where the person works.

Mr. Lawson moved approval as revised with an effective date of September 1, 2008. Dr. Knight seconded the motion.

Ms. Rebick asked about professional development for those covered by the Rule. Ms. Williams reported that the September 1 start date would provide ample time for the Department and the Professional Licensure Board to frame information sessions for those covered as part of the pre-school workshops this fall.

Dr. James commended Beverly Williams, the Professional Licensure Board, and all who worked to see this Rule drafted and processed to this point.

The motion to adopt the Rule was approved unanimously.

Consideration for Approval: Additional Licensure Endorsements in the Areas of Speech (7-12) and Drama (7-12)

Beverly Williams was recognized to present this item. Ms. Williams reported that Speech and Drama were identified as high needs content areas and part of that is due to the fact that endorsements are being recommended for these two components generally viewed as language arts. Dr. Williams moved to adopt the recommendation for endorsement in Speech and Drama. Ms. Gullett seconded the motion. The motion was adopted unanimously.

Request for Approval of Recommendation to Remove Teacher’s License from Suspended Status – Steven L. Richards

Tripp Walter notified the Board this item was being deferred for consideration until the July Board meeting.

Hearing on Revocation of Teacher’s License – Stephen Rose

Tripp Walter was recognized to present this item. Mr. Walter stated that Mr. Rose had been contacted and notified of the Board’s hearing on this date. He reported that Mr. Rose has not responded nor does it appear that he is represented. Mr. Rose was not present.

Ms. Rebick moved to permanently revoke the license of Stephen Rose. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Election of Officers

Ms. Tatum stated that the Nominations Committee report provided at the May Board meeting was to nominate Randy Lawson to serve as chair for fiscal year 2008-2009 and for Dr. Naccaman Williams to serve as vice-chair. Ms. Tatum asked if there were other nominations.

Ms. Rebick asked to be recognized. Ms. Rebick stated that although she chaired the nominating committee, she is led to make an alternate nomination: Dr. Naccaman Williams to serve as chair and Dr. Ben Mays to serve as vice-chair. Ms. Rebick stated that she has concerns for two elected officers being from the same congressional district; given that Mr. Lawson's term expires after one year it's possible the successor would also be from the same congressional district; and that she has concerns that Mr. Lawson will support the participation of Board members in the national NASBE organization. She stated that Mr. Lawson voted against the Board's re-affiliation with NASBE last year. The motion died for lack of a second.

Ms. Tatum reminded the Board that two officers from one congressional district was not a new issue in that when former Board member Dr. Jeanna Westmoreland (Arkadelphia) was chair, she (Diane Tatum) was vice-chair – both being from the same congressional district.

Ms. Gullett asked about the policy for succession. Ms. Tatum responded that the Board Operating Guidelines provide for a Nominations Committee each year and each year that committee may be composed of different members and acts independently and there is no requirement for succession of the vice-chairman.

Ms. Gullett asked Mr. Lawson about his support for NASBE. Mr. Lawson stated that once a decision was made he supported the Board and accepted that action. Mr. Lawson noted that his issue was one of financial concern because NASBE membership is expensive and he thought there might be other options for the Board to secure some of the same services available through NASBE.

The report of the nominating committee was adopted unanimously.

Dr. Williams moved adjournment. Ms. Gullett seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 2:15 p.m.

These Minutes were recorded and reported by Dr. Charles D. Watson.

NEWLY EMPLOYED FOR THE PERIOD OF June 1, 2008 – June 30, 2008

Jacob Hilton – Public School Program Advisor, Grade 21, Arkansas Public School Computer Network (APSCN), effective 06/16/08.

Martha Reece Courtney – Public School Program Advisor, Grade 21, Central Administration, Special Education, effective 06/30/08.

Deborah Zeringue – Public School Program Advisor, Grade 21, Central Administration, Special Education, effective 06/30/08.

PROMOTIONS/ LATERAL TRANSFERS FOR THE PERIOD OF June 1, 2008 – June 30, 2008

Connie Alford – from a Secretary II, Grade 13, Division of Research & Technology, to Management Project Analyst I , Grade 18, Division of Research & Technology, effective 06/05/08.

Christopher Barnes – from a Public School Program Advisor, Grade 21, Division of Learning Services, Curriculum Assessment & Research, to Program Support Manager, Grade 22, Division of Learning Services, Curriculum Assessment & Research, effective 06/04/08.

Titus Lindsay- from a Training Instructor, Grade 18, Arkansas Public School Computer Network (APSCN), to Staff Development Coordinator, Grade 20, APSCN, effective 06/09/08.

*Curtis Shack- from a Training Instructor, Grade 18, Arkansas Public School Computer Network (APSCN), to Management Project Analyst II, Grade 20, APSCN, effective 06/04/08.

SEPARATIONS FOR THE PERIOD OF June 1, 2008 – June 30, 2008

Barbara Baker – Secretary II, Grade 13, Division of Public School Academic Facilities and Transportation, effective 06/30/08. 4 Years, 1 Month, 16 Days. Code: Retirement

*Lavell Brack– Education Program Analyst, Grade 21, Division of Human Resources/Licensure, Professional Licensure, effective 06/30/08. 34 Years, 4 Months, 2 Days. Code: Retirement

* Sandra Beasley – Public School Administrative Advisor, Grade 21, Division of Human Resources/Licensure, Professional Licensure, effective 06/30/08. 39 Years, 8 Months, 14 Days. Code: Retirement

Mary Burgess – Public School Program Advisor, Grade 21, Professional Development, K-13 Literacy, effective 06/30/08. 18 Years, 8 Months, 0 Days. Code: Retirement

*Linda Carter- Management Project Analyst II, Grade 20, Division of Research & Technology, effective 06/30/08. 39 Years, 9 months, 29 days. Code: Retirement

Connie Choate- Education Curriculum Supervisor, Grade 23, Professional Development, Reading 1st, effective 06/05/08. 4 Years, 8 Months, 27 Days. Code: Retirement

Dr. Bobbie Davis- Assistant Commissioner, Grade 99, Division of Fiscal & Administrative Services, effective 06/30/08. 13 Years, 8 Months, 27 Days. Code: Retirement

Juanita Giles- Executive Secretary/Admin Secretary, Grade 14, Division of Fiscal & Administrative Services, Child Nutrition, effective 06/30/08. 3 Years, 1 Month, 14 Days. Code: 01

Patsy Hammond- Management Project Analyst II, Grade 20, Division of Fiscal & Administrative Services, Federal Grants Management Unit, effective 06/30/08. 39 Years, 10 Months, 29 Days. Code: Retirement

*Janice Hood – Accounting Supervisor II, Grade 21, Central Administration, Special Education, effective 06/30/08. 32 Years, 10 Months, 6 Days. Code: Retirement

Robert Paulovich – Public School Administrative Advisor, Grade 21, Division of Learning Services, Arkansas Comprehensive School Improvement Plans Unit, effective 06/30/08. 21 Years, 5 Months, 25 Days. Code: Retirement

SEPARATIONS FOR THE PERIOD OF June 1, 2008 – June 30, 2008

*Rosalyn Perkins – Secretary I, Grade 11, Professional Development, Migrant Education, effective 06/13/08. 9 Years, 5 Months, 20 Days. Code: 01

Janinne Riggs – ADE Special Assistant to the Commissioner, Grade 99, Professional Development, effective 06/30/08. 15 Years, 4 Months, 14 Days. Code: Retirement

Johnnie Robertson – Program Support Manager, Grade 22, Division of Learning Services, Student Support Services, effective 06/30/08. 32 Years, 11 Months, 13 Days. Code: Retirement

***Alice Barnes Rose – Assistant Commissioner, Grade 99, Division of Learning Services, effective 06/30/08. 0 Years, 8 Months, 29 Days. Code: Retirement**

Daniel Smith – ADE Litigation Attorney, Grade 99, Central Administration, Legal Services, effective 06/30/08. 8 Years, 1 Month, 22 Days. Code: 01

Harold Turner - Program Support Manager, Grade 22, Division of Fiscal & Administrative Services, effective 06/30/08. 0 Years, 10 Months, 29 Days. Code: 01

Gale Umholtz – Administrative Assistant II, Grade 17, Division of Fiscal & Administrative Services, effective 06/30/08. 16 Years, 8 Months, 2 Days. Code: Retirement

Lisa Walters – Management Project Analyst I, Grade 18, Central Administration, Legal Services, effective 06/30/08. 11 Years, 11 Months, 22 Days. Code: 01

Laura Wilson – Technical Assistance Specialist, Grade 21, Division of Central Administration, Office of Education Renewal Zone, effective 06/30/08. 2 Years, 2 Months, 20 Days. Code: Retirement

***Minority**

AASIS Code:

**Retirement
Voluntary – 01**

**ADE'S PROJECT MANAGEMENT TOOL EXECUTIVE SUMMARY
JUNE 30, 2008**

This document summarizes the progress that ADE has made in complying with the provisions of the Implementation Plan during the month of June 2008.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
<i>I. Financial Obligation</i>	<p>As of May 31, 2008, State Foundation Funding payments paid for FY 07/08 totaled \$60,329,579 to LRSD, \$32,438,344 to NLRSD, and \$48,022,954 to PCSSD. The Magnet Operational Charge paid as of May 31, 2008, was \$13,862,328. The allotment for FY 07/08 was \$15,240,298. M-to-M incentive distributions for FY 07/08 as of May 31, 2008, were \$4,077,101 to LRSD, \$2,726,738 to NLRSD, and \$8,485,816 to PCSSD. In April 2008, General Finance made the second one-third payment to the Districts for their FY 07/08 transportation budget. As of April 30, 2008, transportation payments for FY 07/08 totaled \$2,802,393 to LRSD, \$819,833 to NLRSD, and \$2,255,969 to PCSSD. In July 2007, 16 new Magnet and M-to-M buses were delivered to the districts in Pulaski County. Finance paid Central States Bus Sales \$1,036,115. In March 2008, a bid for 16 new Magnet and M-to-M buses was awarded to Central States Bus Sales. The buses for the LRSD include 8 - 65 passenger buses for \$66,405.00 each. The buses for the NLRSD include 1 - 65 passenger bus with a wheelchair lift for \$72,850.00 and 1 - 47 passenger bus with a wheelchair lift for \$70,620.00. The buses for the PCSSD include 2 - 65 passenger buses for \$66,405.00 each, 2 - 47 passenger buses for \$65,470.00 each and 2 - 47 passenger buses with wheelchair lifts for \$70,620.00 each. The total amount was \$1,079,700.00. In July 2007, Finance paid the Magnet Review Committee \$92,500. This was the total amount due for FY 07/08. In July 2007, Finance paid the Office of Desegregation Monitoring \$200,000. This was the total amount due for FY 07/08.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
<i>II. Monitoring Compensatory Education</i>	On April 10, 2008, the ADE Implementation Phase Working Group met to review the Implementation Phase activities for the previous quarter. Mr. Willie Morris, ADE Lead Planner for Desegregation, updated the group on all relevant desegregation issues. House Bill 1829 that passed in 2007, allowed Pulaski County districts to be reimbursed for legal fees incurred for seeking unitary or partial unitary status if they are declared unitary or at least partially unitary by the federal district court no later than June 14 of 2008. Act 2 was passed in the special legislative session that started March 31, 2008. This extends the deadline for unitary status to be reimbursed for legal fees from June 14 to December 31. Also discussed in the Implementation Phase meeting was the push by Jacksonville residents to establish a Jacksonville School District. On April 15, 2008, the PCSSD School Board voted 4-2 against letting Jacksonville leave the district. In 2003, U. S. District Judge Bill Wilson Jr., stopped an election in Jacksonville on forming an independent district. He said that taking Jacksonville out of the PCSSD would hinder efforts to comply with the court approved desegregation plan. A request by the PCSSD for unitary status is pending in federal district court. The next Implementation Phase Working Group Meeting is scheduled
<i>III. A Petition for Election for LRSD will be Supported Should a</i>	Ongoing. All court pleadings are monitored monthly.
<i>IV. Repeal Statutes and Regulations that Impede Desegregation</i>	In July 2007, the ADE sent letters to the school districts in Pulaski County asking if there were any new laws or regulations that may impede desegregation. The districts were asked to review laws passed during the 86 th Legislative Session, and any
<i>V. Commitment to Principles</i>	On June 9, 2008, the Arkansas State Board of Education reviewed and approved the PMT and its executive summary for the
<i>VI. Remediation</i>	In February of 2008, ADE staff provided District Test Coordinator Training at the School for the Blind in Little Rock. Eight staff members from the LRSD, two staff members from the
<i>VII. Test Validation</i>	On February 12, 2001, the ADE Director provided the State Board of Education with a special update on desegregation activi-

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
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VIII. In-Service Training	A Tri-District Staff Development Committee meeting was held on February 5, 2008. Staff from PCSSD, NLRSD, LRSD and the ADE attended. The Director of Professional Development for the LRSD handed out a list of the dates and topics for eleven days of professional development. Topics included classroom management, school improvement, curriculum preparation, Next Step, Arkansas history, ESL, interventions for diverse learners, AEA, ACT, technology, parental involvement and health/physical activity. Flex days, make up sessions, and tracking pro-
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IX. Recruitment of Minority Teachers	<p>In May 2008, the ADE Office of Professional Licensure sent a request to the three Pulaski County school districts asking for a list of teacher shortage areas.</p> <p>In May 2008, the ADE Office of Professional Licensure requested a list of all spring minority graduates from all Arkansas</p>
---	--

X. Financial Assistance to Minority Teacher Candidates	<p>Collin Callaway of the Arkansas Department of Higher Education reported minority scholarships for Fiscal Year 2007-2008 on October 15, 2007. These included the State Teacher Assistance Resource (STAR) Program, the Minority Teacher Scholars (MTS) Program, and the Minority Masters Fellows (MMF) Program. The scholarship awards for STAR are as follows:</p> <table border="1"> <thead> <tr> <th>STAR</th> <th>Male Count</th> <th>Male Award</th> <th>Female Count</th> <th>Female Award</th> <th>Total Count</th> <th>Total Award</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>58</td> <td>264,000</td> <td>328</td> <td>1,402,500</td> <td>386</td> <td>1,666,500</td> </tr> <tr> <td>Black</td> <td>10</td> <td>51,000</td> <td>29</td> <td>136,500</td> <td>39</td> <td>187,500</td> </tr> <tr> <td>Hispanic</td> <td></td> <td></td> <td>4</td> <td>18,000</td> <td>4</td> <td>18,000</td> </tr> <tr> <td>Native Amer</td> <td>1</td> <td>3,000</td> <td>1</td> <td>6,000</td> <td>2</td> <td>9,000</td> </tr> <tr> <td>Other</td> <td>4</td> <td>21,000</td> <td>11</td> <td>42,000</td> <td>15</td> <td>63,000</td> </tr> <tr> <td>Totals</td> <td>73</td> <td>339,000</td> <td>373</td> <td>1,605,000</td> <td>446</td> <td>1,944,000</td> </tr> </tbody> </table> <p>The scholarship awards for MTS are as follows:</p> <table border="1"> <thead> <tr> <th>MTS</th> <th>Male Count</th> <th>Male Award</th> <th>Female Count</th> <th>Female Award</th> <th>Total Count</th> <th>Total Award</th> </tr> </thead> <tbody> <tr> <td>Black</td> <td>7</td> <td>35,000</td> <td>28</td> <td>137,500</td> <td>35</td> <td>172,500</td> </tr> <tr> <td>Hispanic</td> <td></td> <td></td> <td>6</td> <td>30,000</td> <td>6</td> <td>30,000</td> </tr> <tr> <td>Asian</td> <td></td> <td></td> <td>2</td> <td>10,000</td> <td>2</td> <td>10,000</td> </tr> <tr> <td>Native Amer</td> <td></td> <td></td> <td>4</td> <td>20,000</td> <td>4</td> <td>20,000</td> </tr> </tbody> </table>	STAR	Male Count	Male Award	Female Count	Female Award	Total Count	Total Award	White	58	264,000	328	1,402,500	386	1,666,500	Black	10	51,000	29	136,500	39	187,500	Hispanic			4	18,000	4	18,000	Native Amer	1	3,000	1	6,000	2	9,000	Other	4	21,000	11	42,000	15	63,000	Totals	73	339,000	373	1,605,000	446	1,944,000	MTS	Male Count	Male Award	Female Count	Female Award	Total Count	Total Award	Black	7	35,000	28	137,500	35	172,500	Hispanic			6	30,000	6	30,000	Asian			2	10,000	2	10,000	Native Amer			4	20,000	4	20,000
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IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
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<i>X. Financial Assistance to Minority Teacher Candidates (Continued)</i>	The scholarship awards for MMF are as follows:						
	MMF	Male	Male	Female	Female	Total	Total
	Race	Count	Award	Count	Award	Count	Award
	Black	2	8,750	27	125,000	29	133,750
	Asian			2	11,250	2	11,250

<i>XI. Minority Recruitment of ADE Staff</i>	The MRC met on October 9, 2007 at the ADE. Demographic reports were presented that showed ADE employees grade 21 and above by race and section as of June 30, 2007 and September 30, 2007. A spreadsheet was handed out that showed for grade 21 and above the number and percentage of black, white, and other race employees in each unit of the ADE. After reviewing the September report, it was determined that it needs some corrections. A new September report will be handed out after the
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<i>XII. School Construction</i>	This goal is completed. No additional reporting is required.
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<i>XIII. Assist PCSSD</i>	Goal completed as of June 1995.
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<i>XIV. Scattered Site Housing</i>	This goal is completed. No additional reporting is required.
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<i>XV. Standardized Test Selection to</i>	Goal completed as of March 2001.
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<p><i>XVI. Monitor School Improvement Plans</i></p>	<p>On May 15, 2008, ADE staff provided an ACSIP Clinic for Administrators at the Embassy Suites in Little Rock. Approximately one hundred participated from the LRSD including the superintendent and the Title I Coordinator. Topics presented included: General Overview and Technical Assistance; Finance; ACSIP Approval Rubric; Examining Data for Building Level Use; and Interventions and School Improvement.</p> <p>On May 16, 2008, ADE staff gave presentations in two sessions on ACSIP 101 to share knowledge of ACSIP and its requirements. The presentations were held in the NLRSD board room for the principals and leadership teams. PowerPoint was used to show the organization layout requested by NLRSD leaders.</p> <p>On May 22, 2008, peer review teams from the ADE made on site visits at the NLR West and East campuses in the NLRSD. The purpose of the visits was to review the school improvement plans and provide recommendations to building and district staff on any improvements to instruction. Team members conducted joint interviews with the principals and ACSIP committees, classroom visits and exit conferences.</p>
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<p>IMPLEMENTATION PHASE ACTIVITY</p>	<p>PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008</p>
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<p><i>XVI. Monitor School Improvement Plans (Continued)</i></p>	<p>On May 27-29, 2008, ADE staff provided three days of training at the NLRSD Central Office. The training was for building staff who are responsible for developing and monitoring ACSIP plans during the school year. Building Leadership teams began revising the 2008-09 plans per new rubric utilizing lap-tops, software, and data. Planning for additional visits, audit, professional development, and monitoring were discussed. At least eighty staff members attended the morning and afternoon sessions over the three days.</p> <p>On June 6, 2008, ADE staff provided a make up day of training at the NLRSD Central Office for staff who were not able to attend the training on May 27-29. The training was for building staff who are responsible for developing and monitoring ACSIP plans during the school year. Building Leadership teams began revising the 2008-09 plans per new rubric utilizing lap-tops, software, and data. Discussed plans for additional visits, audit, professional development, and monitoring. At least twenty staff members attended the morning and afternoon sessions.</p> <p>On May 6, 2008, ADE staff met with the principal and the school leadership team at North Pulaski High School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan.</p> <p>On May 6, 2008, ADE staff met with the principal and the school leadership team at Scott Elementary School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan.</p> <p>On May 7, 2008, ADE staff made a presentation to the PCSSD principals and learning services staff in the district board room. Adequate Yearly Progress, growth, Safe Harbor and Act 35 requirements for 2009-10 were discussed.</p> <p>On May 9, 2008, ADE staff met with the principal and the school leadership team at Bates Elementary School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan.</p> <p>On May 12, 2008, ADE staff met with the principal and the leadership team at Oak Grove High School in the PCSSD. Reviewed the recommended process for putting the Scholastic Audit into ACSIP.</p>
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<p>IMPLEMENTATION PHASE ACTIVITY</p>	<p>PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008</p>
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XVI. Monitor School Improvement Plans (Continued)

On May 12, 2008, ADE staff met at Sylvan Hills Elementary in the PCSSD. Discussed ACSIP 101 to share knowledge of ACSIP and its requirements with the leadership team consisting of the principal, the vice-principal, a counselor, two math coaches and two literacy coaches. Talked about how the district wants ACSIP to be organized. Worked with the leadership team in re-writing the 2007-08 ACSIP plan by combining actions and making sure actions were well defined. Presented an ACSIP 101 to the entire faculty after school.

On May 13, 2008, ADE staff met at Sylvan Hills Middle School in the PCSSD with the principal and the ACSIP chair. Talked about putting the Scholastic Audit into ACSIP for the 2008-09 school year.

On May 14, 2008, ADE staff made a presentation to the PCSSD assistant principals and learning services staff in the district board room. Adequate Yearly Progress, growth, Safe Harbor and Act 35 requirements for 2009-10 were discussed.

On May 14, 2008, ADE staff met with the principal and the leadership team at Murrell Taylor Elementary School in the PCSSD. Reviewed writing the Scholastic Audit into ACSIP with each standard a priority. The team chose three standards to write into the plan and worked on writing recommendations as a one sentence intervention.

On May 15, 2008, ADE staff met with the leadership team at Sylvan Hills Elementary in the PCSSD. Worked on re-writing the 2007-08 ACSIP plan by combining actions and making sure actions were well defined.

On May 19, 2008, ADE staff met with the principal and the leadership team at Oak Grove High School in the PCSSD. Reviewed writing the Scholastic Audit into ACSIP with each standard a priority. The team chose three standards to write into the plan and worked on writing recommendations as a one sentence intervention.

On May 20, 2008, ADE staff met with the principal and the school leadership team at Lawson Elementary School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan. Presented an ACSIP 101 to the entire faculty.

On May 21, 2008, ADE staff met with the principal and the leadership team at Sylvan Hills Middle School in the PCSSD. Reviewed writing the Scholastic Audit into ACSIP with each standard a priority. The team chose three standards to write into the plan and worked on writing recommendations as a one sentence intervention.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
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<i>XVI. Monitor School Improvement Plans (Continued)</i>	<p>On May 30 and June 4-5, 2008, ADE staff met with the principal and the leadership team at Murrell Taylor Elementary School in the PCSSD. Continued earlier work of writing the Scholastic Audit into ACSIP with each standard a priority. The team wrote actions for the priorities and looked at research to show what actions were needed for each priority. Reviewed and discussed the goals and benchmarks that the team had written.</p> <p>On June 4, 2008, ADE staff met with the principal and the school leadership team at Crystal Hill Elementary School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan.</p> <p>On June 5, 2008, ADE staff met with the principal and the school leadership team at Arnold Drive Elementary School in the PCSSD. Reviewed and restructured the 2008-09 ACSIP plan.</p> <p>On June 5, 2008, ADE staff met with the principal and the leadership team at Jacksonville High School in the PCSSD. Reviewed writing the Scholastic Audit into ACSIP with each standard a priority. The team chose three standards to write into the plan and worked on writing recommendations as a one sentence intervention.</p> <p>On June 5, 2008, ADE staff met at Sylvan Hills High School in the PCSSD with the principal and the academic coaches. Discussed improvements needed in ACSIP and answered questions.</p> <p>On June 10-11, 2008, ADE staff met with the principal and the assistant principal at the Jacksonville Middle School girl's campus in the PCSSD. Discussed ACSIP 101 to give knowledge of ACSIP and its requirements. Talked about the present plan and how to improve it for the 2008-09 school year. Encouraged parent and community involvement in writing the 2008-09 school improvement plan.</p> <p>On June 11, 2008, ADE staff met with the instructional specialist at Fuller Middle School in the PCSSD. Helped to input items the faculty requested into the 2008-09 ACSIP plan. Reviewed all actions in the plan.</p>
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IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF JUNE 30, 2008
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<p><i>XVII. Data Collection</i></p>	<p>The ADE Office of Public School Academic Accountability has released the 2007 Arkansas School Performance Report (Report Card). Reading and Science ACT scores were added to the 2007 Report Card. The purpose of the Arkansas School Performance Report is to generally improve public school accountability, to provide benchmarks for measuring individual school improvement, and to empower parents and guardians of children enrolled in Arkansas public schools by providing them with the information to judge the quality of their schools. The Department of Education annually publishes a school performance report for each individual public school in the state, and distributes the report to every parent or guardian of a child in kindergarten through grade</p>
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<p><i>XVIII. Work with the Parties and ODM to Develop Proposed Revisions to ADE's Monitoring and Reporting Obligations</i></p>	<p>On July 10, 2002, the ADE held a Desegregation Monitoring and Assistance Plan meeting for the three school districts in Pulaski County. Mr. Willie Morris, ADE Lead Planner for Desegregation, presented information on the No Child Left Behind Act of 2001. A letter from U.S. Secretary of Education, Rod Paige, was discussed. It stated that school districts that are subject to a desegregation plan are not exempt from the public school choice requirements. "If a desegregation plan forbids the school district from offering any transfer option, the school district should secure appropriate changes to the plan to permit compliance with the public school choice requirements". Schools in Arkansas have not yet been designated "Identified for Improvement". After a school has been "Identified for Improvement", it must make "adequate yearly progress". Schools that fail to meet the definition of "adequate yearly progress", for two consecutive years, must provide public school choice and supplemental education services. A court decision regarding the LRSD Unitary Status is expected soon. The LRSD and the NLRSD attended the meeting. The next meeting about the Desegregation Monitoring and Assis-</p>
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ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

February 29, 2008

Greenland School District
Mr. Ron Brawner, Superintendent
P.O. Box 57
Greenland, AR 72737

Dear Mr. Brawner:

Pursuant to Ark. Code Ann. § 6-20-1905, this letter is to provide notice that the Greenland School District has been identified by the Arkansas Department of Education (ADE) as being in Fiscal Distress.

Pursuant to Ark. Code Ann. § 6-20-1904, the District meets one (1) or more of the criteria necessary to be identified as a school district in Fiscal Distress.

The ADE has the following items of concern:

- Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
- FY06 Utilized Cash Flow Loan in the amount of \$110,966.
- FY07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Projected negative ending balance in operating fund June 30, 2008 of (\$288,971).
- Material audit findings in FY06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebeck, Little Rock • Dr. Naccaman Williams, Springdale

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The ADE will provide a list of all school districts identified in Fiscal Distress status to the State Board of Education (SBE) at the April 21, 2008 meeting. The State Board of Education will be requested to classify the districts in Fiscal Distress at the meeting. The District has the right to appeal this identification. The appeal process is described in the "Rules Governing the Arkansas Fiscal Assessment and Accountability Program" (attached). Ark. Code Ann. § 6-20-1901 et seq. governs the Fiscal Distress program. Any appeals will be heard at the April 21, 2008 State Board Meeting.

Ark. Code Ann. §6-20-1907 states that no school district identified as being in Fiscal Distress may incur any debt without prior written approval from ADE. "Any debt" includes any employment contract, vendor contract, lease, loan, purchase, or any other obligation that will increase the district's financial obligations, accounts payable, or liabilities. The District is required to obtain prior written approval from ADE, effective with receipt of this letter. Please retain this notice in your District audit file.

If you should have questions or need further information, please contact Ms. Hazel Burnett, ADE Coordinator for Fiscal Distress, at 501 683-5124, email hazel.burnett@arkansas.gov; or fax 501 683-5293.

Sincerely,

Bobbie Davis, Ed.D.
Assistant Commissioner
Fiscal and Administrative Services

cc: Senator Sue Madison
Representative Bill Pritchard
Mr. Bill Groom, School Board President

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

May 23, 2008

Ron Brawner
Superintendent
Greenland School District
P. O. Box 57
Greenland, AR 72737

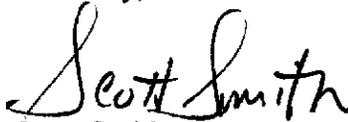
Bill Groom
President
Greenland School Board
473 W. Shadow Drive
Fayetteville, AR 72701

Dear Mr. Brawner and Mr. Groom:

In follow-up to the State Board of Education (SBE) meeting held on April 21, 2008, whereby your school district was classified as being in fiscal distress, please find enclosed a copy of the "Order of Classification of Fiscal Distress" signed by the Chairperson of the SBE, Ms. Diane Tatum.

Should you have any questions, please contact my office at your convenience.

Sincerely,



Scott Smith
General Counsel

SS:law
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Bobbie Davis, Assistant Commissioner
Tripp Walter, Staff Attorney
Hazel Burnett, Coordinator for Fiscal Distress
The Honorable Sue Madison, State Senator
The Honorable Jim House, State Representative

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas State Board of Education (Board) at its meeting of April 21, 2008, in the matter of "Appeals to State Board Regarding Fiscal Distress Identification and Classification: Greenland School District", found and hereby orders that, based upon the documents and testimony submitted, the Greenland School District is classified as a school district in fiscal distress effective July 1, 2008, and that its appeal is denied, pursuant to Ark. Code Ann. §§ 6-20-1904 and 6-20-1905, as set forth below:

I. Findings of Fact:

- 1.) On February 29, 2008, the Department of Education (ADE) mailed notice to the Greenland School District (District) advising the District that it had been identified by the ADE as being in fiscal distress pursuant to Ark. Code Ann. § 6-20-1905.
- 2.) The February 29, 2008 letter further advised the District that it met one (1) or more of the criteria, pursuant to Ark. Code Ann. § 6-20-1904, necessary to be identified as a school district in fiscal distress.
- 3.) The February 29, 2008 letter notified the District of the following items of concern:
 - Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
 - FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
 - FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
 - FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
 - District refunded federal funds.
 - Projected negative ending balance in operating fund June 30, 2008 of - \$288,971.00.
 - Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.
- 4.) The ADE provided notice, per the above mentioned February 29, 2008 letter, to the District advising it that appeals from the identification of the District as being in fiscal distress would be held at the April 21, 2008 meeting of the Arkansas State Board of Education (Board).
- 5.) Per a letter dated March 26, 2008, to the ADE, from the District's Superintendent Mr. Ronald Brawner, the District timely filed its appeal to its identification.

6.) At a hearing conducted at the April 21, 2008 Board meeting, representatives of both the ADE and the District presented documentary evidence and oral testimony to the Board concerning the fiscal distress status of the District.

7.) The Board specifically finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the ADE's Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program (Fiscal Distress Rules), the District does have declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.

8.) The Board further finds that, pursuant to the Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District:

- FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
- FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

9.) The Board additionally finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District will have a projected negative fund balance in its operating fund on June 30, 2008 of - \$288,971.00.

II. Conclusions of Law and Order:

1.) After hearing sworn testimony, and receiving and reviewing documentary evidence from representatives of both the District and the ADE, the Board finds and hereby orders that under Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules the District's appeal is denied and the District is classified as being in fiscal distress.

2.) Having found that the District should be classified as a District in fiscal distress, the Board hereby orders the District to:

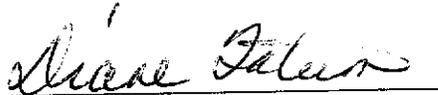
- Publish at least one (1) time for two (2) consecutive weeks in a newspaper of general circulation in the District, the District's classification as a school district in fiscal distress and the reasons why the District was classified as being in fiscal distress, pursuant to Ark. Code Ann. § 6-20-1906, and
- File with the ADE within ten (10) days after the receipt of this Order a written fiscal distress improvement plan to address any area in which the

District is experiencing fiscal distress, as identified by the ADE, pursuant to Ark. Code Ann. § 6-20-1908.

This Order of the Board shall be final with no further right of appeal, except that the District may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq.

IT IS SO ORDERED

SIGNED THIS 12th DAY OF MAY, 2008



Diane Tatum
Chairperson
Arkansas State Board of Education

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Greenland School Board
 Street, Apt or PO Box **473 West Shadow Drive**
 City, State **Fayetteville, AR 72701**

PS Form 3811

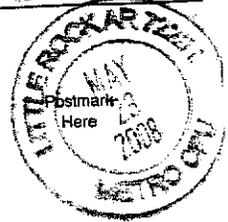
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Total Postage & Fees	\$ 5.34



Sent To **Ron Brawner, Supt.**
Greenland School District
 Street, Apt. No. or PO Box No. **P. O. Box 57**
 City, State, ZIP **Greenland, AR 72737**

PS Form 3800

EHHE 2RHE 0000 0720 2002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ron Brawner, Supt.
Greenland School District
P. O. Box 57
Greenland, AR 72737

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
Debi McDonald
- B. Received by (Printed Name) Agent Addressee
DEBI McDONALD
- C. Date of Delivery Yes No
5-27-08
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

- 3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
- 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7007 0720 0000 3487 3443**
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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Bill Groom, President
Greenland School Board
473 West Shadow Drive
Fayetteville, AR 72701

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
Debi McDonald
- B. Received by (Printed Name) Agent Addressee
DEBI McDONALD
- C. Date of Delivery Yes No
- D. Is delivery address different from item 1? Yes No
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- 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7007 0720 0000 3487 3436**
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ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 13, 2008

Ronald Brawner
Superintendent
Greenland School District
P. O. Box 57
Greenland, AR 72737

Bill Groom
School Board President
Greenland School District
473 West Shadow Drive
Fayetteville, AR 72701

Dear Mr. Brawner and Mr. Groom:

This letter is to provide notice pursuant to Ark. Code Ann. § 6-13-1403(a)(1) that the Arkansas Department of Education (Department) will present a petition to the Arkansas State Board of Education (State Board) pursuant to Ark. Code Ann. § 6-20-1908 to annex the Greenland School District to another geographically contiguous school district under the State Board's authority to annex fiscal distress districts under Ark. Code Ann. § 6-20-1910. The Department will present its request at a public hearing before the State Board at 9:00 a.m. on July 14, 2008, in the Auditorium of the Arch Ford Education Building, #4 Capitol Mall in Little Rock. Your presence is requested at the hearing to respond to any questions raised by the State Board in this matter and to present any information that you may wish to submit to the State Board. Should you have any written information that you wish to submit to the State Board, please forward it to me no later than 12:00 noon on June 30, 2008, so that I may include it in the State Board's agenda materials.

A copy of the Department's petition with exhibits is attached to this letter.

Should you have any questions or comments, you may contact Staff Attorney Tripp Walter at 501-682-4227.

Sincerely,



T. Kenneth James, Ed.D.
Commissioner of Education

TKJ:law

Enclosure

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

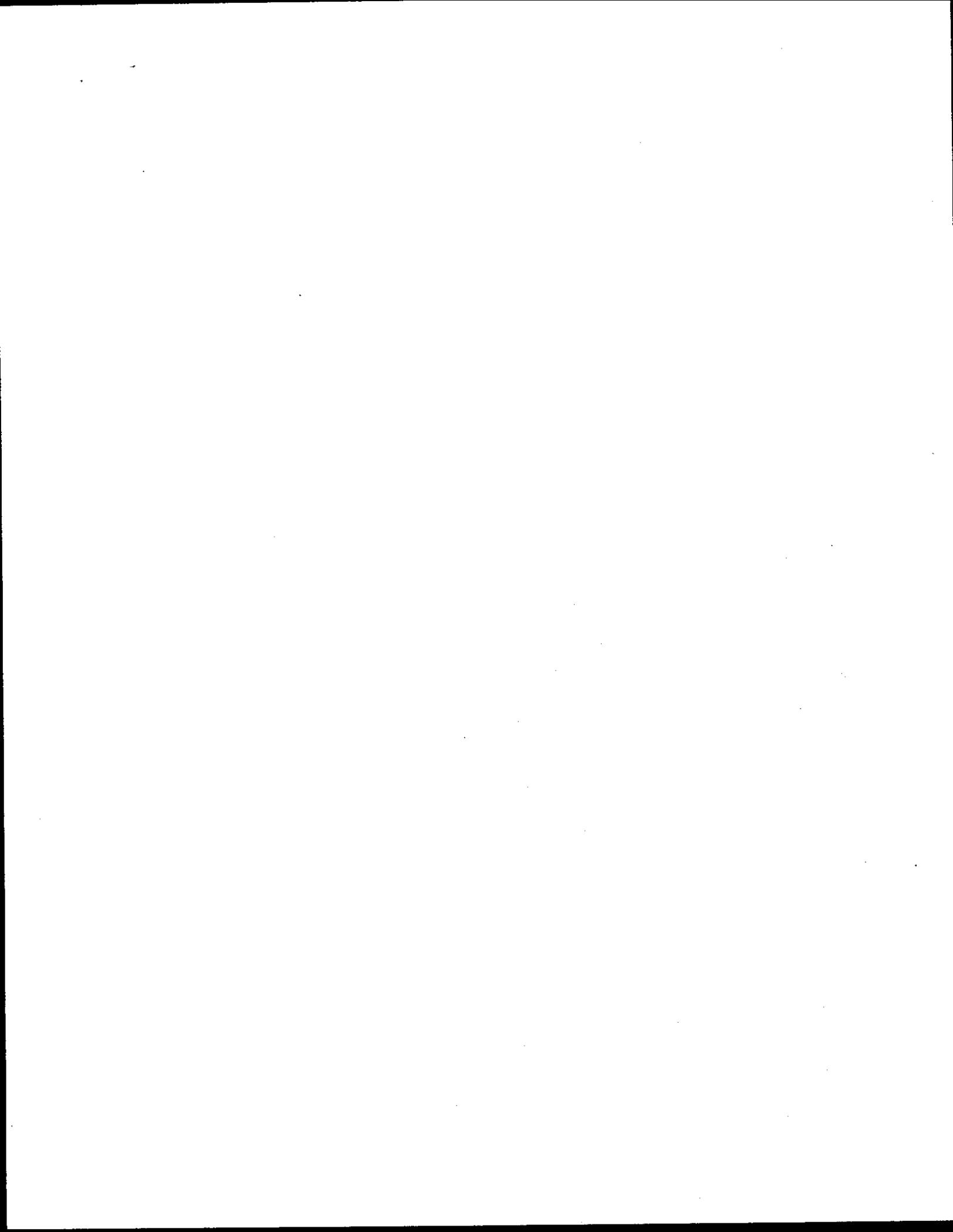
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Letter to Mr. Brawner and Mr. Groom

Page 2

June 13, 2008

cc: All Members of Greenland School Board
The Honorable Sue Madison, State Senator
The Honorable Bill Pritchard, State Senator
The Honorable Ruth Whitaker, State Senator
The Honorable Marilyn Edwards, State Representative
The Honorable Jim House, State Representative
The Honorable Mike Kenney, State Representative
The Honorable Mark Martin, State Representative
Dr. Robert W. Allen, Superintendent, Elkins School District
Ronnie Wright, Superintendent, Farmington School District
Dr. Bobby New, Superintendent, Fayetteville School District
Dr. James A. Bridges, Superintendent, Mountainburg School District
Pete Bennett, Superintendent, Prairie Grove School District
Diane Barrett, Superintendent, West Fork School District
Scott Smith, General Counsel
Dr. Bobbie Davis, Assistant Commissioner, Fiscal & Administrative Services



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Ronald Brawner, Supt.
 Greenland School District
 P. O. Box 57
 Greenland, AR 72737

2. Article Number 7007 0710 0000 3487 3498
 (Transfer from seal)
 PS Form 3811, February 2004 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Marie Whitfill* Agent
 B. Received by (Printed Name) Marie Whitfill Addressee
 C. Date of Delivery 6-16-08
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

102595-02-M-1540

7007 0710 0000 3487 3498

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Postage \$	76
Certified Fee	8.70
Return Receipt Fee (Endorsement Required)	2.22
Restricted Delivery Fee (Endorsement Required)	5.68

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 (Domestic Mail Only; No Insurance Coverage Provided)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Bill Groom, President
 Greenland School Board
 473 W. Shadow Drive
 Fayetteville, AR 72701

2. Article Number 7007 0710 0000 3487 3481
 (Transfer from service label)
 PS Form 3811, February 2004 Domestic Return Receipt

7007 0710 0000 3487 3481

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
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PS Form 3811, February 2004 See Reverse for Instructions

Mr. Bill Groom, President
 Greenland School Board
 473 W. Shadow Drive
 Fayetteville, AR 72701

Postage \$	76
Certified Fee	8.70
Return Receipt Fee (Endorsement Required)	2.22
Restricted Delivery Fee (Endorsement Required)	5.68

Postmark Here

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Bill Groom* Agent
 B. Received by (Printed Name) Bill Groom Addressee
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

102595-02-M-1540

negatively affect the desegregation efforts of a school district or districts in this state and will provide such opinions to the State Board of Education as soon as they are available.

4. The Department hereby submits that, to the best of its knowledge, it is not aware of any federal court-ordered supervision or jurisdiction of desegregation cases involving the Greenland School District at this time. However, the Department submits that it will conduct an additional thorough search of relevant federal agency or court records or archives concerning the Greenland School District and any other school district considered as an appropriate annexation partner and the Department shall report the results of that search to this State Board prior to any final determination on the requested annexation.

5. The Department requests that the State Board, pursuant to Ark. Code Ann. § 6-20-1901 *et seq.*, order the annexation of the Greenland School District with another proper school district to take effect immediately after an order of annexation has been executed and that the local school boards of the Greenland School District and the receiving school district be required to establish a valid interim local board pursuant to the provisions of Ark. Code Ann. § 6-13-1406.

6. The Department hereby submits that those other school districts that are geographically contiguous to the Greenland School District of Washington County are the Elkins School District of Washington County, the Farmington School District of Washington County, the Fayetteville School District of Washington County, the Prairie Grove School District of Washington County, the West Fork School District of Washington County, and the Mountainburg School District of Crawford County.

7. The Department hereby submits that pursuant to Ark. Code Ann. §§ 6-11-105, 6-13-1401 *et seq.*, and 6-20-1901 *et seq.*, this State Board is charged with the general supervision and organization of the public schools of the state, taking such action as may be deemed necessary to promote the physical welfare of school children, promoting the organization and increasing the efficiency of the public schools, and securing and protecting the interests of the educational resources of the state so as to provide for the best interests of the students in Arkansas' public school districts.

WHEREFORE, based upon the cited authority and rationale mentioned above and additional information to be submitted later, the Arkansas Department of Education hereby requests the Arkansas State Board of Education to conduct a hearing to take all necessary legal and prudent action to immediately annex the Greenland School District to that geographically contiguous school district that provides the best and most efficient use of Arkansas' fiscal resources so as to help resolve and not exacerbate those existing fiscal distress problems which threaten the educational interests of the students of the Greenland School District as well as any other students and the Arkansas public education system in general.

Respectfully submitted,

Tripp Walter

Tripp Walter
Staff Attorney
Arkansas Department of Education

CERTIFICATE OF SERVICE

I, Tripp Walter, certify that on June 13, 2008, I caused the foregoing document to be served by depositing a copy in the United States Mail, certified, postage prepaid, addressed to each of the following:

Ronald Brawner, Superintendent
Greenland School District
P. O. Box 57
Greenland, AR 72737

Patrick Anderson
Greenland School Board
13576 Mineral Springs Rd.
Greenland, AR 72774

Ginger Fritch
Greenland School Board
13362 Bunyard Rd.
Winslow, AR 72959

James Miller
Greenland School Board
89 West Willoughby Road
Fayetteville, AR 72701

Dr. Robert Allen, Superintendent
Elkins School District
349 North Center
Elkins, AR 72727

Ronnie Wright, Superintendent
Farmington School District
42 South Double Springs Road
Farmington, AR 72730

Dr. Bobby New, Superintendent
Fayetteville School District
1000 West Stone Street
Fayetteville, AR 72701

Dr. James Bridges, Superintendent
Mountainburg School District
129 Hwy 71 SW
Mountainburg, AR 72946

Bill Groom, President
Greenland School Board
473 W. Shadow Drive
Fayetteville, AR 72701

Ms. Terry Reed
Greenland School Board
18174 Hwy. 71
Winslow, AR 72959

Dennis Caudle
Greenland School Board
1192 N. Ruppel Road
Fayetteville, AR 72704

Randell Payne
Greenland School Board
10262 S. Hwy. 265
Fayetteville, AR 72701

Bryan Delozier, President
Elkins School Board
1162 Long Tate Road
Elkins, AR 72727

Herbert Dorman, President
Farmington School Board
208 Countryside Drive
Farmington, AR 72730

Steve Percival, President
Fayetteville School Board
4024 N. Zion Valley Drive
Fayetteville, AR 72703

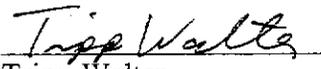
Ron Gossage, President
Mountainburg School Board
P. O. Box 4
Mountainburg, AR 72946

Ronald Bennett, Superintendent
Prairie Grove School District
110 School Street
Prairie Grove, AR 72753

Diane Barrett, Superintendent
West Fork School District
359 School Avenue
West Fork, AR 72774

Tyrus Reed, President
Prairie Grove School Board
P. O. Box 352
Prairie Grove, AR 72753

Karen Daugherty, President
West Fork School Board
12266 Zinnamon Road
West Fork, AR 72774



Tripp Walter

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

February 29, 2008

Greenland School District
Mr. Ron Brawner, Superintendent
P.O. Box 57
Greenland, AR 72737

Dear Mr. Brawner:

Pursuant to Ark. Code Ann. § 6-20-1905, this letter is to provide notice that the Greenland School District has been identified by the Arkansas Department of Education (ADE) as being in Fiscal Distress.

Pursuant to Ark. Code Ann. § 6-20-1904, the District meets one (1) or more of the criteria necessary to be identified as a school district in Fiscal Distress.

The ADE has the following items of concern:

- Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
- FY06 Utilized Cash Flow Loan in the amount of \$110,956.
- FY07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Projected negative ending balance in operating fund June 30, 2008 of (\$288,971).
- Material audit findings in FY06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tina Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rablick, Little Rock • Dr. Naccaman Williams, Springdale

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EXHIBIT

tabbles

A

Fiscal Distress Identification
Page 2

The ADE will provide a list of all school districts identified in Fiscal Distress status to the State Board of Education (SBE) at the April 21, 2008 meeting. The State Board of Education will be requested to classify the districts in Fiscal Distress at the meeting. The District has the right to appeal this identification. The appeal process is described in the "Rules Governing the Arkansas Fiscal Assessment and Accountability Program" (attached). Ark. Code Ann. § 6-20-1901 et seq. governs the Fiscal Distress program. Any appeals will be heard at the April 21, 2008 State Board Meeting.

Ark. Code Ann. §6-20-1907 states that no school district identified as being in Fiscal Distress may incur any debt without prior written approval from ADE. "Any debt" includes any employment contract, vendor contract, lease, loan, purchase, or any other obligation that will increase the district's financial obligations, accounts payable, or liabilities. The District is required to obtain prior written approval from ADE, effective with receipt of this letter. Please retain this notice in your District audit file.

If you should have questions or need further information, please contact Ms. Hazel Burnett, ADE Coordinator for Fiscal Distress, at 501 683-5124, email hazel.burnett@arkansas.gov; or fax 501 683-5293.

Sincerely,



Bobbie Davis, Ed.D.
Assistant Commissioner
Fiscal and Administrative Services

cc: Senator Sue Madison
Representative Bill Pritchard
Mr. Bill Groom, School Board President

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

May 23, 2008

Ron Brawner
Superintendent
Greenland School District
P. O. Box 57
Greenland, AR 72737

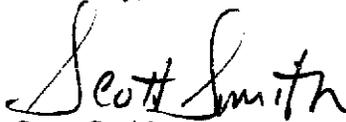
Bill Groom
President
Greenland School Board
473 W. Shadow Drive
Fayetteville, AR 72701

Dear Mr. Brawner and Mr. Groom:

In follow-up to the State Board of Education (SBE) meeting held on April 21, 2008, whereby your school district was classified as being in fiscal distress, please find enclosed a copy of the "Order of Classification of Fiscal Distress" signed by the Chairperson of the SBE, Ms. Diane Tatum.

Should you have any questions, please contact my office at your convenience.

Sincerely,



Scott Smith
General Counsel

SS:law
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Bobbie Davis, Assistant Commissioner
Tripp Walter, Staff Attorney
Hazel Burnett, Coordinator for Fiscal Distress
The Honorable Sue Madison, State Senator
The Honorable Jim House, State Representative

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, B
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

EXHIBIT

B

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas State Board of Education (Board) at its meeting of April 21, 2008, in the matter of "Appeals to State Board Regarding Fiscal Distress Identification and Classification: Greenland School District", found and hereby orders that, based upon the documents and testimony submitted, the Greenland School District is classified as a school district in fiscal distress effective July 1, 2008, and that its appeal is denied, pursuant to Ark. Code Ann. §§ 6-20-1904 and 6-20-1905, as set forth below:

I. Findings of Fact:

- 1.) On February 29, 2008, the Department of Education (ADE) mailed notice to the Greenland School District (District) advising the District that it had been identified by the ADE as being in fiscal distress pursuant to Ark. Code Ann. § 6-20-1905.
- 2.) The February 29, 2008 letter further advised the District that it met one (1) or more of the criteria, pursuant to Ark. Code Ann. § 6-20-1904, necessary to be identified as a school district in fiscal distress.
- 3.) The February 29, 2008 letter notified the District of the following items of concern:
 - Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
 - FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
 - FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
 - FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
 - District refunded federal funds.
 - Projected negative ending balance in operating fund June 30, 2008 of - \$288,971.00.
 - Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.
- 4.) The ADE provided notice, per the above mentioned February 29, 2008 letter, to the District advising it that appeals from the identification of the District as being in fiscal distress would be held at the April 21, 2008 meeting of the Arkansas State Board of Education (Board).
- 5.) Per a letter dated March 26, 2008, to the ADE, from the District's Superintendent Mr. Ronald Brawner, the District timely filed its appeal to its identification.

6.) At a hearing conducted at the April 21, 2008 Board meeting, representatives of both the ADE and the District presented documentary evidence and oral testimony to the Board concerning the fiscal distress status of the District.

7.) The Board specifically finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the ADE's Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program (Fiscal Distress Rules), the District does have declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.

8.) The Board further finds that, pursuant to the Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District:

- FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
- FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

9.) The Board additionally finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District will have a projected negative fund balance in its operating fund on June 30, 2008 of - \$288,971.00.

II. Conclusions of Law and Order:

1.) After hearing sworn testimony, and receiving and reviewing documentary evidence from representatives of both the District and the ADE, the Board finds and hereby orders that under Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules the District's appeal is denied and the District is classified as being in fiscal distress.

2.) Having found that the District should be classified as a District in fiscal distress, the Board hereby orders the District to:

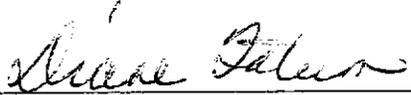
- Publish at least one (1) time for two (2) consecutive weeks in a newspaper of general circulation in the District, the District's classification as a school district in fiscal distress and the reasons why the District was classified as being in fiscal distress, pursuant to Ark. Code Ann. § 6-20-1906, and
- File with the ADE within ten (10) days after the receipt of this Order a written fiscal distress improvement plan to address any area in which the

District is experiencing fiscal distress, as identified by the ADE, pursuant to Ark. Code Ann. § 6-20-1908.

This Order of the Board shall be final with no further right of appeal, except that the District may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq.

IT IS SO ORDERED

SIGNED THIS 12th DAY OF MAY, 2008



Diane Tatum
Chairperson
Arkansas State Board of Education

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 13, 2008

The Honorable Dustin McDaniel
Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201

Dear General McDaniel:

The Arkansas State Board of Education, at its July 14, 2008 meeting, intends to consider the annexation of the Greenland School District.

As additional information, please note that Greenland School District has been identified by the Department and classified by the Arkansas State Board of Education as in fiscal distress for the 2008-2009 school year (see attached letters).

According to Ark. Code Ann. § 6-13-1408(a), the State Board of Education shall not order any annexation which hampers, delays or in any manner has a negative impact on the desegregation efforts of the Greenland School District or any other school district in Arkansas. Therefore, based on the above information and pursuant to Ark. Code Ann. § 6-13-1408(b), I request your opinion regarding the impact of the proposed annexation of the Greenland School District into the Elkins School District of Washington County, the Farmington School District of Washington County, the Fayetteville School District of Washington County, the Prairie Grove School District of Washington County, the West Fork School District of Washington County, or the Mountainburg School District of Crawford County on the efforts of the state to assist a district or districts in the desegregation of the public schools of this state.

Should you have any questions or comments, please contact Tripp Walter, Staff Attorney for the Department, at 501-682-4227. As the Arkansas State Board of Education will consider this matter at its July meeting, your expedited response to this request for an opinion is greatly appreciated.

Sincerely,

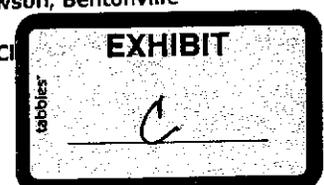


T. Kenneth James, Ed.D.
Commissioner of Education
Arkansas Department of Education

TKJ:law
Enclosures

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Cl...
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:10PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 758
DATE : 06-13 02:07PM
TO : 14795211480
DOCUMENT PAGES : 015
START TIME : 06-13 02:07PM
END TIME : 06-13 02:10PM
SENT PAGES : 015
STATUS : OK

FILE NUMBER : 758

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Mr. Brawner Fax No.: 474-521-1480
Greenland SD

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 15

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:12PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 759
DATE : 06-13 02:09PM
TO : 14795211480
DOCUMENT PAGES : 015
START TIME : 06-13 02:10PM
END TIME : 06-13 02:12PM
SENT PAGES : 015
STATUS : OK
FILE NUMBER : 759

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Bill Gordon Fax No.: 479-521-1480
Board President

FROM:

- Scott Smith
- Tripp Walter
- Drew Blankenship

- Lisa Walters
- Vivian Moore
- Sallie Robert

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 15

COMMENTS: _____

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ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 03:09PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 767
DATE : 06-13 02:51PM
TO : 14798398412
DOCUMENT PAGES : 015
START TIME : 06-13 03:04PM
END TIME : 06-13 03:09PM
SENT PAGES : 015
STATUS : OK

FILE NUMBER : 767 *** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
F A C S I M I L E
501-682-4249

TO: Diana Barrett Fax No.: 479-839-8412
West Fork SD

FROM:
 Scott Smith
 Tripp Walter
 Drew Blankenship
 Lisa Walters
 Vivian Moore
 Sallie Robert

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 14

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:59PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 766
DATE : 06-13 02:49PM
TO : 14798462015
DOCUMENT PAGES : 015
START TIME : 06-13 02:57PM
END TIME : 06-13 02:59PM
SENT PAGES : 015
STATUS : OK

FILE NUMBER : 766

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Pete Bennett Fax No.: 479-846-2015
Prairie Grove Rd

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 14

COMMENTS:

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:51PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 763
DATE : 06-13 02:45PM
TO : 14794443004
DOCUMENT PAGES : 015
START TIME : 06-13 02:46PM
END TIME : 06-13 02:51PM
SENT PAGES : 015
STATUS : OK

FILE NUMBER : 763

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227

FACSIMILE
501-682-4249

TO: Dr. Bobby New Fax No.: 479-444-3004
Fayetteville SD

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition

DATE: 6-13-08 No. of Pages (inc. cover) 14

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:44PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 761
DATE : 06-13 02:41PM
TO : 14796433605
DOCUMENT PAGES : 015
START TIME : 06-13 02:41PM
END TIME : 06-13 02:44PM
SENT PAGES : 015
STATUS : OK
FILE NUMBER : 761

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Dr. Arken Fax No.: 479-643-3605
Elkins SD

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 15

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 02:46PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 762
DATE : 06-13 02:43PM
TO : 14792676030
DOCUMENT PAGES : 015
START TIME : 06-13 02:44PM
END TIME : 06-13 02:46PM
SENT PAGES : 015
STATUS : OK
FILE NUMBER : 762

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227

FACSIMILE
501-682-4249

TO: Ronnie Wright Fax No.: 479-267-6030
Farmington SD

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) 14

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 03:15PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 769
DATE : 06-13 03:03PM
TO : 14793692138
DOCUMENT PAGES : 015
START TIME : 06-13 03:13PM
END TIME : 06-13 03:15PM
SENT PAGES : 015
STATUS : OK
FILE NUMBER : 769

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227

FACSIMILE
501-682-4249

TO: Dr. James Bridges Fax No.: 479-369-~~2671~~ 2138
Mountainburg 50

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Petition
DATE: 6-13-08 No. of Pages (inc. cover) ~~15~~ 15

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:24PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 881
DATE : 06-30 04:23PM
TO : 14795211480
DOCUMENT PAGES : 003
START TIME : 06-30 04:23PM
END TIME : 06-30 04:24PM
SENT PAGES : 003
STATUS : OK

FILE NUMBER : 881

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Mr. Bill Groom Fax No.: (479) 521-1480

FROM:

Scott Smith
Tripp Walter
Drew Blankenship

Lisa Walters
Vivian Moore
Sallie Robert

RE: Annexation Hearing Procedures

DATE: 6-30-08 No. of Pages (inc. cover) 3

COMMENTS:

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Bill Groom
School Board President
Greenland School District
P.O. Box 57
Greenland, AR 72010

Dear Mr. Groom:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

The Department will present its request at a public hearing before the State Board at 9:00 a.m. on July 14, 2008, in the Auditorium of the Arch Ford Education Building. If you want to submit written materials to the State Board in this matter, such materials must be received in my office no later than 11:00 a.m., Wednesday, July 2, 2008. If desired, the materials may be faxed to my office at (501) 682-4249. The Department has developed a set of hearing procedures for this matter. A copy is enclosed.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,

Tripp Walter

Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
 - Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
 - Desegregation Issues (if applicable)
 - Fiscal Information
 - Academic Information
 - Standards of Accreditation
- II. Response by Greenland School District (10 Minutes)
- III. Response by Contiguous School Districts
(Limit of 5 minutes per district)
 - Elkins
 - Farmington
 - Fayetteville
 - Mountainburg
 - Prairie Grove
 - West Fork
- IV. Limited Rebuttal by Greenland School District (Time Determined by Board Chair)
- V. Comments from the Public
(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by the Department
- VII. Questions by State Board Members
- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:26PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 883
DATE : 06-30 04:25PM
TO : 14796433605
DOCUMENT PAGES : 005
START TIME : 06-30 04:25PM
END TIME : 06-30 04:26PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 883

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: DR. ROBERT ALLEN Fax No.: (479) 643-3605
AND MR. BRYAN DE LOZIER

FROM:

Scott Smith
 Tripp Walter
 Drew Blankenship

Lisa Walters
 Vivian Moore
 Sallie Robert

RE: ANNEXATION HEARING PROCEEDINGS

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Dr. Robert Allen, Superintendent
Elkins School District
349 North Center
Elkins, AR 72727

Bryan Delozier, President
Elkins School Board
1162 Long Tate Road
Elkins, AR 72727

Dear Dr. Allen and Mr. Delozier:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

The Department will present its request at a public hearing before the State Board at 9:00 a.m. on July 14, 2008, in the Auditorium of the Arch Ford Education Building. As the representatives of a school district contiguous to the Greenland School District, you are strongly encouraged to be present at this hearing. If you want to submit written materials to the State Board in this matter, such materials must be received in my office no later than 11:00 a.m., Wednesday, July 2, 2008. If desired, the materials may be faxed to my office at (501) 682-4249. The Department has developed a set of hearing procedures for this matter. A copy is enclosed.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
 - Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
 - Desegregation Issues (if applicable)
 - Fiscal Information
 - Academic Information
 - Standards of Accreditation
- II. Response by Greenland School District (10 Minutes)
- III. Response by Contiguous School Districts
(Limit of 5 minutes per district)
 - Elkins
 - Farmington
 - Fayetteville
 - Mountainburg
 - Prairie Grove
 - West Fork
- IV. Limited Rebuttal by Greenland School District (Time Determined by Board Chair)
- V. Comments from the Public
(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by the Department
- VII. Questions by State Board Members
- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:27PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 882
DATE : 06-30 04:24PM
TO : 14792676030
DOCUMENT PAGES : 005
START TIME : 06-30 04:24PM
END TIME : 06-30 04:27PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 882

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Supt. Ronnie Wright and Fax No.: (479) 762-6830
Mr. Herbert Dorman

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Amendation Hearing Proceeds

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS: _____

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ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Ronnie Wright, Superintendent
Farmington School District
42 South Double Springs Road
Farmington, AR 72730

Herbert Dorman, President
Farmington School Board
208 Countryside Drive
Farmington, AR 72730

Dear Mr. Wright and Mr. Dorman:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

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Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
- Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
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(Limit of 5 minutes per district)
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 - West Fork
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- VI. Closing Statements by the Department
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- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:39PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 886
DATE : 06-30 04:37PM
TO : 14794443004
DOCUMENT PAGES : 005
START TIME : 06-30 04:37PM
END TIME : 06-30 04:39PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 886

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Dr. BOBBY NEWLAND Fax No.: (479) 444-2004
Mr. Steve Percival

FROM:

Scott Smith
Tripp Walter
Drew Blankenship

Lisa Walters
Vivian Moore
Sallie Robert

RE: ANNULATION HEARING PROCEDURES

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS:

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Dr. Bobby New, Superintendent
Fayetteville School District
1000 West Stone Street
Fayetteville, AR 72701

Steve Percival, President
Fayetteville School Board
4024 N. Zion Valley Drive
Fayetteville, AR 72703

Dear Dr. New and Mr. Percival:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

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Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
- Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
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(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by the Department
- VII. Questions by State Board Members
- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 05:14PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 890
DATE : 06-30 05:12PM
TO : 14793692138
DOCUMENT PAGES : 005
START TIME : 06-30 05:12PM
END TIME : 06-30 05:14PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 890

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Dr. James Bridges and Fax No.: (479) 769-2138
Mr. Roy Gossage

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Annexaria Hearing Records

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Dr. James Bridges, Superintendent
Mountainburg School District
27 Hwy 71 SW
Mountainburg, AR 72946

Ron Gossage, President
Mountainburg School Board
P. O. Box 4
Mountainburg, AR 72946

Dear Dr. Bridges and Gossage:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

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Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
 - Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
 - Desegregation Issues (if applicable)
 - Fiscal Information
 - Academic Information
 - Standards of Accreditation
- II. Response by Greenland School District (10 Minutes)
- III. Response by Contiguous School Districts
(Limit of 5 minutes per district)
 - Elkins
 - Farmington
 - Fayetteville
 - Mountainburg
 - Prairie Grove
 - West Fork
- IV. Limited Rebuttal by Greenland School District (Time Determined by Board Chair)
- V. Comments from the Public
(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by the Department
- VII. Questions by State Board Members
- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:31PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 885
DATE : 06-30 04:26PM
TO : 14798462015
DOCUMENT PAGES : 005
START TIME : 06-30 04:30PM
END TIME : 06-30 04:31PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 885

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Sgt. Ronald Bennett AD Fax No.: (479) 846-2015
Mr. Tyrus Reed

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: ANNEXATION HEARING PROCEDURES

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Ronald Bennett, Superintendent
Prairie Grove School District
110 School Street
Prairie Grove, AR 72753

Tyrus Reed, President
Prairie Grove School Board
P. O. Box 352
Prairie Grove, AR 72753

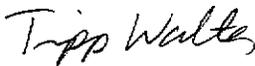
Dear Mr. Bennett and Mr. Reed:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

The Department will present its request at a public hearing before the State Board at 9:00 a.m. on July 14, 2008, in the Auditorium of the Arch Ford Education Building. As the representatives of a school district contiguous to the Greenland School District, you are strongly encouraged to be present at this hearing. If you want to submit written materials to the State Board in this matter, such materials must be received in my office no later than 11:00 a.m., Wednesday, July 2, 2008. If desired, the materials may be faxed to my office at (501) 682-4249. The Department has developed a set of hearing procedures for this matter. A copy is enclosed.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
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- V. Comments from the Public
(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by the Department
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- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 04:30PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 884
DATE : 06-30 04:25PM
TO : 14798398412
DOCUMENT PAGES : 005
START TIME : 06-30 04:27PM
END TIME : 06-30 04:30PM
SENT PAGES : 005
STATUS : OK
FILE NUMBER : 884

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: SRT. DIANE BARRETT AIC Fax No.: (479) 939-8412
Ms. KAREY DAUGHERITY

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: ADJUDICATION HEARING PROCEDURES

DATE: 6-30-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 30, 2008

Diane Barrett, Superintendent
West Fork School District
359 School Avenue
West Fork, AR 72774

Karen Daugherty, President
West Fork School District
12266 Zinnamon Road
West Fork, AR 72774

Dear Ms. Barrett and Ms. Daugherty:

This letter is to remind you that the Arkansas State Board of Education (State Board) will hear a request from the Arkansas Department of Education (Department) to take action pursuant to Ark. Code Ann. § 6-20-1910 to annex the Greenland School District to another school district based on the Greenland School District's failure to meet fiscal distress requirements and the State Board's authority to annex fiscal distress districts.

The Department will present its request at a public hearing before the State Board at 9:00 a.m. on July 14, 2008, in the Auditorium of the Arch Ford Education Building. As the representatives of a school district contiguous to the Greenland School District, you are strongly encouraged to be present at this hearing. If you want to submit written materials to the State Board in this matter, such materials must be received in my office no later than 11:00 a.m., Wednesday, July 2, 2008. If desired, the materials may be faxed to my office at (501) 682-4249. The Department has developed a set of hearing procedures for this matter. A copy is enclosed.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

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- X. Formal Notification to Affected Districts

MEMORY TRANSMISSION REPORT

TIME : 06-30-2008 05:12PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 889
DATE : 06-30 05:11PM
TO : 14795217661
DOCUMENT PAGES : 003
START TIME : 06-30 05:11PM
END TIME : 06-30 05:12PM
SENT PAGES : 003
STATUS : OK

FILE NUMBER : 889

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Ms. Kelly Carithers Fax No.: (479) 521-7661

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: GREENLAND SCHOOL DISTRICT

DATE: 6-30-08 No. of Pages (inc. cover) 3

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

VIA FACSIMILE ((479) 521-7661) AND CERTIFIED MAIL
June 30, 2008

Ms. Kelly Carithers
Attorney at Law
Davis, Wright, Clark, Butt & Carithers, PLC
P. O. Box 1688
Fayetteville, AR 72702-1688

Re: Greenland School District Annexation

Dear Ms. Carithers:

Your letter concerning the above-referenced matter which was sent to Commissioner of Education Dr. T. Kenneth James has been forwarded to me for review and response.

The letter, in pertinent part, describes the district's Revised Fiscal Distress Plan (Plan) which was enclosed and asks for the opportunity for the district to "continue to put its Plan into action with the assistance of the Arkansas Board of Education and under its supervisory authority."

The Department will review the Plan submitted pursuant to Ark. Code Ann. § 6-20-1908, and will arrange to have the additional copies of the Plan that you submitted distributed to the members of the State Board of Education (Board).

The Department will continue to move forward with its request to the State Board for the annexation of the district to a contiguous district at the Board's July 14 meeting. The district's representatives will have the opportunity to present the Plan to the Board at its July 14 meeting, as well as any other information that the district believes is relevant for the Board to consider.

A copy of the procedures to be utilized by the Board concerning the annexation request is enclosed.

Please contact me at (501) 682-4227 if I may be of assistance.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

Enclosure

cc: Members of the State Board of Education
T. Kenneth James, Ed.D.-Commissioner of Education

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
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- VIII. Discussion by State Board Members
- IX. Motion and Vote by State Board
- X. Formal Notification to Affected Districts

DAVIS, WRIGHT, CLARK, BUTT & CARITHERS, PLCATTORNEYS AT LAW
19 EAST MOUNTAIN ST.

P. O. BOX 1688

FAYETTEVILLE, ARKANSAS 72702-1688

PHONE (479)521-7600

FAX (479)521-7661

<http://www.daviswrightlaw.com>

WRITER'S DIRECT E-MAIL

kcarithers@daviswrightlaw.comSIDNEY T. DAVIS, JR.
CONSTANCE G. CLARK
WM. JACKSON BUTT II
KELLY CARITHERS
DON A. TAYLOR
JOHN G. TRICE
MARK W. DOSSETT
J.R. CARROLLTAMERON C. BISHOP
CASEY D. LAWSON
JEFF FLETCHER
JOSHUA D. McFADDEN
COLIN M. JOHNSONTILDEN P. WRIGHT III
*of counsel*Confirmation Copy by U.S. Mail
Yes No **FACSIMILE TRANSMITTAL COVER SHEET**

Date: July 1, 2008

PRIVILEGED AND CONFIDENTIAL

The information following this cover sheet and contained in this facsimile transmission is confidential and covered by the attorney-client privilege. It is intended for the sole use of the person(s) to whom it is addressed. If the reader of this message is not the named addressee or an employee or agent responsible for delivering this message to the intended recipient(s), please do not read the accompanying information. Note that the dissemination, distribution or copying of this communication by anyone other than the addressee is strictly prohibited. Anyone receiving this message in error should notify us immediately by telephone and return the original of the transmission to us at the above address by U.S. Mail. Thank you for your cooperation.

PLEASE DELIVER TO:NAME: **Mr. Tripp Walter**FAX: **1-501-682-4249****SENDER:**NAME: **Kelly Carithers**
PERSON SENDING THIS FACSIMILE: **Leslie Yocom**
TOTAL PAGES (including cover sheet) SENT: **3****REMARKS AND/OR SPECIAL INSTRUCTIONS:**

If you do not receive all the pages, or there is a problem during transmission, please call us at (479) 521-7600.

DAVIS, WRIGHT, CLARK, BUTT & CARITHERS, PLCATTORNEYS AT LAW
19 EAST MOUNTAIN ST.

P. O. BOX 1688

FAYETTEVILLE, ARKANSAS 72702-1688

PHONE (479)521-7600

FAX (479)521-7661

<http://www.daviswrightlaw.com>

WRITER'S DIRECT E-MAIL

kcarithers@daviswrightlaw.comTAMBRON C. BISHOP
CASEY D. LAWSON
JREFF FLETCHER
JOSHUA D. McFADDEN
COLIN M. JOHNSONTILDEN P. WRIGHT III
*of counsel*SIDNEY P. DAVIS, JR.
CONSTANCE G. CLARK
WM. JACKSON BUTT II
KELLY CARITHERS
DON A. TAYLOR
JOHN G. TRICE
MARK W. DOSSETT
J.R. CARROLL

July 1, 2008

RE: Greenland School District Annexation**VIA FACSIMILE: 1-501-682-4249
HARD COPY TO FOLLOW**Mr. Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education
#4 Capitol Mall, Room 404-A
Little Rock, Arkansas 72201

Dear Mr. Walter:

This letter is in response to your letters to Bill Groom and me, dated June 30, 2008. After reviewing your letters and the attached Procedures for State Board of Education Hearing Concerning Requested Annexation of Greenland School District, I find the procedures and requirements inconsistent with the Department of Education's official procedures and requirements for hearings dealing with consolidation or annexation of public school districts. I draw your attention to Rules 4.08 through 4.13 of the Code of Arkansas Rules and Regulations found at 005 01 CARR 005 (2008). Rule 4.10 allows for twenty (20) minutes to speak regarding the annexation issue. In addition, Rule 4.11 provides the school district with ten (10) additional minutes for closing remarks to the State Board. It is also important to note that based on Rule 4.12, "[t]ime taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment." The procedures you faxed do not give the Greenland School District the time allotments provided for in the Arkansas Department of Education Rules. Please revise the schedule to correspond with the Department of Education Rules.

It also appears that the Arkansas Board of Education and Arkansas Department of Education have deviated from the Arkansas Department of Education's Rules when it comes to submission of materials for the hearing. Rule 4.13 of the Code of Arkansas Rules and Regulations, found at 005 01 CARR 005 (2008), states "[a]ny documents to be considered by the State Board shall be submitted via first class mail to the Commissioner's office at least three (3) days prior to the State Board hearing of the petition for annexation." In your letter, you stated that, "all materials must be received . . . no later than 11:00

Mr. Tripp Walter
July 1, 2008
Page 2

a.m., Wednesday, July 2, 2008." Based on the Rules, Greenland School District should have the opportunity to provide materials for consideration up and until three (3) business days prior to the hearing. In light of the compressed time period between notification of possible annexation and the July 14, 2008 hearing, the Greenland School District will likely utilize the additional time for submission of materials to the Board of Education, as is provided for in the Department of Education Rules.

If you have any questions, please feel free to contact me at 479-521-7600.

Sincerely,

DAVIS, WRIGHT, CLARK, BUTT
& CARITHERS, PLC



Kelly Carithers

KC/ly

MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:49PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 915
DATE : 07-02 02:49PM
TO : 14795211480
DOCUMENT PAGES : 003
START TIME : 07-02 02:49PM
END TIME : 07-02 02:49PM
SENT PAGES : 003
STATUS : OK

FILE NUMBER : 915

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Mr. Bill Groom Fax No.: (479) 521-1480

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENLAND HEARING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 3

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:50PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 916
DATE : 07-02 02:49PM
TO : 14795217661
DOCUMENT PAGES : 003
START TIME : 07-02 02:50PM
END TIME : 07-02 02:50PM
SENT PAGES : 003
STATUS : OK

FILE NUMBER : 916

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
F A C S I M I L E
501-682-4249

TO: Ms. Kelly Carlthess Fax No.: (479) 521-7661

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENLAND HEARING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 3

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

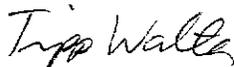
Bill Groom
School Board President
Greenland School District
P.O. Box 57
Greenland, AR 72010

Dear Mr. Groom:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office
Ms. Kelly Carithers, Counsel for Greenland School District

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
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- IX. Discussion by State Board Members
- X. Motion and Vote by State Board
- XI. Formal Notification to Affected Districts

NOTE: Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.

MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:54PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 917
DATE : 07-02 02:53PM
TO : 14796433605
DOCUMENT PAGES : 005
START TIME : 07-02 02:53PM
END TIME : 07-02 02:54PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 917

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Dr. ROBERT ALLEN AND Fax No.: (479) 643-3625
Mr. BRYAN DELOZIER

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENMUND HEARING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 5

COMMENTS:

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. Robert Allen, Superintendent
Elkins School District
349 North Center
Elkins, AR 72727

Bryan Delozier, President
Elkins School Board
1162 Long Tate Road
Elkins, AR 72727

Dear Dr. Allen and Mr. Delozier:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,

Tripp Walter

Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
 - Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
 - Desegregation Issues (if applicable)
 - Fiscal Information
 - Academic Information
 - Standards of Accreditation
- II. Response by Greenland School District (20 Minutes)
- III. Response by Contiguous School Districts
(Limit of 10 minutes per district)
 - Elkins
 - Farmington
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 - Mountainburg
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(Limit of 15 minutes total with 3 minutes allocated per speaker)
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- X. Motion and Vote by State Board
- XI. Formal Notification to Affected Districts

NOTE: Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. Robert Allen, Superintendent
Elkins School District
349 North Center
Elkins, AR 72727

Bryan Delozier, President
Elkins School Board
1162 Long Tate Road
Elkins, AR 72727

Dear Dr. Allen and Mr. Delozier:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

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Tripp Walter

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Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

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Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
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MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:55PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 918
DATE : 07-02 02:54PM
TO : 14792676030
DOCUMENT PAGES : 005
START TIME : 07-02 02:54PM
END TIME : 07-02 02:55PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 918 *** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Supt. Ronnie Wright Fax No.: (479) 267-6030
and Mr. Herbert Dorman

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Revised Greenwood Hearing Procedure

DATE: 7-2-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Ronnie Wright, Superintendent
Farmington School District
42 South Double Springs Road
Farmington, AR 72730

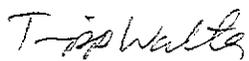
Herbert Dorman, President
Farmington School Board
208 Countryside Drive
Farmington, AR 72730

Dear Mr. Wright and Mr. Dorman:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
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ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Ronnie Wright, Superintendent
Farmington School District
42 South Double Springs Road
Farmington, AR 72730

Herbert Dorman, President
Farmington School Board
208 Countryside Drive
Farmington, AR 72730

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Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

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Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
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An Equal Opportunity Employer

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MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:57PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 919
DATE : 07-02 02:54PM
TO : 14794443004
DOCUMENT PAGES : 005
START TIME : 07-02 02:55PM
END TIME : 07-02 02:57PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 919

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227

F A C S I M I L E
501-682-4249

TO: Dr. BOBBY NEW AND Fax No.: (479) 444-3004
MR. STEVE PERCIVAL

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENLAND HERRING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. Bobby New, Superintendent
Fayetteville School District
1000 West Stone Street
Fayetteville, AR 72701

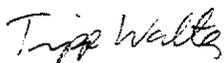
Steve Percival, President
Fayetteville School Board
4024 N. Zion Valley Drive
Fayetteville, AR 72703

Dear Dr. New and Mr. Percival:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

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ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. Bobby New, Superintendent
Fayetteville School District
1000 West Stone Street
Fayetteville, AR 72701

Steve Percival, President
Fayetteville School Board
4024 N. Zion Valley Drive
Fayetteville, AR 72703

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Arkansas Department of Education
Arkansas State Board of Education

TW/slr
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cc: T. Kenneth James, Ed.D., Commissioner of Education
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MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 02:58PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 920
DATE : 07-02 02:55PM
TO : 14793692138
DOCUMENT PAGES : 005
START TIME : 07-02 02:57PM
END TIME : 07-02 02:58PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 920

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Dr. James BRIDGES Fax No.: (479) 369-2138
and Mr. Ron GOSSAGE

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENLAND HEARING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 5

COMMENTS: _____

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ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. James Bridges, Superintendent
Mountainburg School District
27 Hwy 71 SW
Mountainburg, AR 72946

Ron Gossage, President
Mountainburg School Board
P. O. Box 4
Mountainburg, AR 72946

Re: Greenland School District

Dear Dr. Bridges and Mr. Gossage:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

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Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

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ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Dr. James Bridges, Superintendent
Mountainburg School District
27 Hwy 71 SW
Mountainburg, AR 72946

Ron Gossage, President
Mountainburg School Board
P. O. Box 4
Mountainburg, AR 72946

Re: Greenland School District

Dear Dr. Bridges and Mr. Gossage:

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Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
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An Equal Opportunity Employer

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MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 03:02PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 921
DATE : 07-02 02:56PM
TO : 14798462015
DOCUMENT PAGES : 005
START TIME : 07-02 03:01PM
END TIME : 07-02 03:02PM
SENT PAGES : 005
STATUS : OK

FILE NUMBER : 921

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Sgt. Ronald Bennett Fax No.: (479) 846-2015
and Mr. Travis Reed

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Revised Greenwood Hearing Procedures

DATE: 7-2-08

No. of Pages (inc. cover) 5

COMMENTS: _____

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Ronald Bennett, Superintendent
Prairie Grove School District
110 School Street
Prairie Grove, AR 72753

Tyrus Reed, President
Prairie Grove School Board
P. O. Box 352
Prairie Grove, AR 72753

Dear Mr. Bennett and Mr. Reed:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Guilett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District
July 14, 2008

- I. Department Presents Request for Annexation of Greenland School District
 - Legal Options and Criteria Available to the State Board
- Fiscal Distress – Ark. Code Ann. § 6-20-1901 et seq.
 - Demographics, Location
 - Desegregation Issues (if applicable)
 - Fiscal Information
 - Academic Information
 - Standards of Accreditation
- II. Response by Greenland School District (20 Minutes)
- III. Response by Contiguous School Districts
(Limit of 10 minutes per district)
 - Elkins
 - Farmington
 - Fayetteville
 - Mountainburg
 - Prairie Grove
 - West Fork
- IV. Limited Rebuttal by Greenland School District (Time Determined by Board Chair)
- V. Comments from the Public
(Limit of 15 minutes total with 3 minutes allocated per speaker)
- VI. Closing Statements by Greenland (10 minutes)
- VII. Closing Statements by the Department
- VIII. Questions by State Board Members
- IX. Discussion by State Board Members
- X. Motion and Vote by State Board
- XI. Formal Notification to Affected Districts

NOTE: Time taken by a spokesperson to respond to a question by a State Board member shall not count against the respective side's time allotment.

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Ronald Bennett, Superintendent
Prairie Grove School District
110 School Street
Prairie Grove, AR 72753

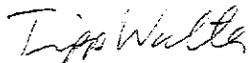
Tyrus Reed, President
Prairie Grove School Board
P. O. Box 352
Prairie Grove, AR 72753

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Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
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Procedures for State Board of Education Hearing Concerning
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MEMORY TRANSMISSION REPORT

TIME : 07-02-2008 03:05PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 922
DATE : 07-02 02:57PM
TO : 14798398412
DOCUMENT PAGES : 005
START TIME : 07-02 03:02PM
END TIME : 07-02 03:05PM
SENT PAGES : 005
STATUS : OK
FILE NUMBER : 922

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: Sgt. Diane Barrett And Ms. Karen Daugherty Fax No.: (479) 839-8412

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: REVISED GREENLAND HEARING PROCEDURES

DATE: 7-2-08 No. of Pages (inc. cover) 5

COMMENTS:

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Diane Barrett, Superintendent
West Fork School District
359 School Avenue
West Fork, AR 72774

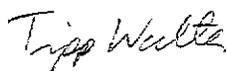
Karen Daugherty, President
West Fork School District
12266 Zinnamon Road
West Fork, AR 72774

Dear Ms. Barrett and Ms. Daugherty:

You should have received a letter with an attachment by fax from me on Monday, June 30, 2008. The attachment was a set of hearing procedures developed by the Department for use by the State Board of Education (State Board) in its consideration of the Department's request that the State Board annex the Greenland School District to another school district pursuant to Ark. Code Ann. § 6-20-1910. The procedures have been amended, and a copy of the amended procedures that will be used at the July 14, 2008 State Board meeting is enclosed for your reference.

Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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Procedures for State Board of Education Hearing Concerning
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July 14, 2008

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ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

July 2, 2008

Diane Barrett, Superintendent
West Fork School District
359 School Avenue
West Fork, AR 72774

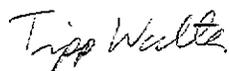
Karen Daugherty, President
West Fork School District
12266 Zinnamon Road
West Fork, AR 72774

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Should you have any questions or comments, you may contact my office at 501-682-4227.

Sincerely,



Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

TW/slr
Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
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Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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Procedures for State Board of Education Hearing Concerning
Requested Annexation of Greenland School District

July 14, 2008

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MEMORY TRANSMISSION REPORT

TIME : 06-16-2008 09:04AM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 774
DATE : 06-16 09:04AM
TO : 12022456840
DOCUMENT PAGES : 002
START TIME : 06-16 09:04AM
END TIME : 06-16 09:04AM
SENT PAGES : 002
STATUS : OK

FILE NUMBER : 774 *** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
F A C S I M I L E
501-682-4249

TO: Stephanie Monroe Fax No.: 202-245-6840

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Annexation of School District

DATE: 6-16-08 No. of Pages (inc. cover) 2

COMMENTS: _____

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ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 13, 2008

Ms. Stephanie Monroe
Assistant Secretary for Civil Rights
U. S. Department of Education
Office for Civil Rights
550 12th Street, S.W.
Washington, DC 20202-1100

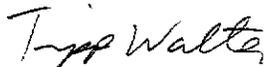
Dear Ms. Monroe:

The Arkansas State Board of Education (State Board), at its July 14, 2008 meeting, is set to consider the annexation of the Greenland School District into a contiguous school district. The school districts contiguous to Greenland are Elkins, Farmington, Fayetteville, Mountainburg, Prairie Grove and West Fork.

I am writing to you to inquire as to whether your office has any objection or concern to the annexation of the Greenland School District in the manner described above.

As the State Board's meeting on the proposed annexation will be, as stated above, held on July 14, your expedited review and response in this matter will be greatly appreciated.

Sincerely,



Tripp Walter
Staff Attorney

TW:law

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
DALLAS OFFICE

June 30, 2008

Sent by Facsimile and Regular Mail

Mr. Tripp Walter
Staff Attorney
Arkansas Department of Education
4 State Capitol Mall
Little Rock, AR 72201-1019

Dear Mr. Walter:

Thank you for your letter to the U.S. Department of Education (Department), Office for Civil Rights (OCR), dated June 13, 2008, regarding the proposed annexation of the Greenland School District (District) into a contiguous school district by the Arkansas State Board of Education (State Board). More specifically, you inquired as to whether our Office "has any objection or concern to annexation of the Greenland School District in the manner described..." I am responding on behalf of the Assistant Secretary, Stephanie Monroe, as the OCR Dallas Regional Office has enforcement responsibility for Texas, Louisiana, Mississippi, and Arkansas.

As you know, OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the bases of race, color, or national origin; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex; Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability; the Age Discrimination Act of 1975, which prohibits discrimination on the basis of age; Title II of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability by public entities; and the Boy Scouts of American Equal Access Act, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, and state and local education agencies that have a designated open forum or limited public forum.

The Arkansas State Board of Education and the Greenland School District both receive Federal financial assistance from the U. S. Department of Education and are public entities. Therefore, both entities are generally subject to the federal laws that we enforce. However, inasmuch as your correspondence does not provide specific information regarding the basis for the proposed action and/or any potential effect regarding the State Board's or District's compliance with the regulations referenced above, OCR does not have sufficient information to determine whether the proposed action raises any compliance concerns. Moreover, it is generally the policy of OCR that we do not issue

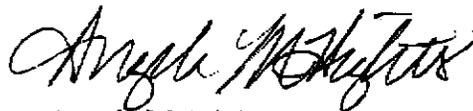
1999 BRYAN ST., SUITE 1620, DALLAS, TX 75201-6810
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

“advisory opinions” regarding whether such prospective actions would raise a compliance concern; however, our Office is available to provide technical assistance, upon request, regarding the requirements of the above-referenced regulations.

If you have any questions or would like more information regarding the regulations we enforce or our complaint procedures, please contact our Office at 214/661-9600 and ask to speak with a technical assistance officer or visit our website at www.ed.gov/ocr.

Sincerely,



Angela M. Hights
Chief Attorney, Dallas Office
Southern Division
Office for Civil Rights

MEMORY TRANSMISSION REPORT

TIME : 06-13-2008 03:16PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 770
DATE : 06-13 03:06PM
TO : 6822591
DOCUMENT PAGES : 008
START TIME : 06-13 03:15PM
END TIME : 06-13 03:16PM
SENT PAGES : 008
STATUS : OK

FILE NUMBER : 770

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227
FACSIMILE
501-682-4249

TO: General McDaniel Fax No.: 682-2591

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input checked="" type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Request for Advisory Opinion

DATE: 6-13-08 No. of Pages (inc. cover) 8

COMMENTS: _____

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ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 13, 2008

The Honorable Dustin McDaniel
Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201

Dear General McDaniel:

The Arkansas State Board of Education, at its July 14, 2008 meeting, intends to consider the annexation of the Greenland School District.

As additional information, please note that Greenland School District has been identified by the Department and classified by the Arkansas State Board of Education as in fiscal distress for the 2008-2009 school year (see attached letters).

According to Ark. Code Ann. § 6-13-1408(a), the State Board of Education shall not order any annexation which hampers, delays or in any manner has a negative impact on the desegregation efforts of the Greenland School District or any other school district in Arkansas. Therefore, based on the above information and pursuant to Ark. Code Ann. § 6-13-1408(b), I request your opinion regarding the impact of the proposed annexation of the Greenland School District into the Elkins School District of Washington County, the Farmington School District of Washington County, the Fayetteville School District of Washington County, the Prairie Grove School District of Washington County, the West Fork School District of Washington County, or the Mountainburg School District of Crawford County on the efforts of the state to assist a district or districts in the desegregation of the public schools of this state.

Should you have any questions or comments, please contact Tripp Walter, Staff Attorney for the Department, at 501-682-4227. As the Arkansas State Board of Education will consider this matter at its July meeting, your expedited response to this request for an opinion is greatly appreciated.

Sincerely,



T. Kenneth James, Ed.D.
Commissioner of Education
Arkansas Department of Education

TKJ:law
Enclosures

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

February 29, 2008

Greenland School District
Mr. Ron Brawner, Superintendent
P.O. Box 57
Greenland, AR 72737

Dear Mr. Brawner:

Pursuant to Ark. Code Ann. § 6-20-1905, this letter is to provide notice that the Greenland School District has been identified by the Arkansas Department of Education (ADE) as being in Fiscal Distress.

Pursuant to Ark. Code Ann. § 6-20-1904, the District meets one (1) or more of the criteria necessary to be identified as a school district in Fiscal Distress.

The ADE has the following items of concern:

- Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
- FY06 Utilized Cash Flow Loan in the amount of \$110,966.
- FY07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Projected negative ending balance in operating fund June 30, 2008 of (\$288,971).
- Material audit findings in FY06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brandi Guillet, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rabick, Little Rock • Dr. Nacquan Williams, Springdale

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EXHIBIT

A

The ADE will provide a list of all school districts identified in Fiscal Distress status to the State Board of Education (SBE) at the April 21, 2008 meeting. The State Board of Education will be requested to classify the districts in Fiscal Distress at the meeting. The District has the right to appeal this identification. The appeal process is described in the "Rules Governing the Arkansas Fiscal Assessment and Accountability Program" (attached). Ark. Code Ann. § 6-20-1901 et seq. governs the Fiscal Distress program. Any appeals will be heard at the April 21, 2008 State Board Meeting.

Ark. Code Ann. §6-20-1907 states that no school district identified as being in Fiscal Distress may incur any debt without prior written approval from ADE. "Any debt" includes any employment contract, vendor contract, lease, loan, purchase, or any other obligation that will increase the district's financial obligations, accounts payable, or liabilities. The District is required to obtain prior written approval from ADE, effective with receipt of this letter. Please retain this notice in your District audit file.

If you should have questions or need further information, please contact Ms. Hazel Burnett, ADE Coordinator for Fiscal Distress, at 501 683-5124, email hazel.burnett@arkansas.gov; or fax 501 683-5293.

Sincerely,



Bobbie Davis, Ed.D.

Assistant Commissioner
Fiscal and Administrative Services

cc: Senator Sue Madison
Representative Bill Pritchard
Mr. Bill Groom, School Board President

ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

May 23, 2008

Ron Brawner
Superintendent
Greenland School District
P. O. Box 57
Greenland, AR 72737

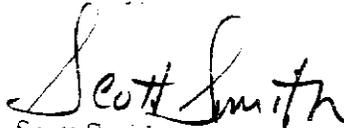
Bill Groom
President
Greenland School Board
473 W. Shadow Drive
Fayetteville, AR 72701

Dear Mr. Brawner and Mr. Groom:

In follow-up to the State Board of Education (SBE) meeting held on April 21, 2008, whereby your school district was classified as being in fiscal distress, please find enclosed a copy of the "Order of Classification of Fiscal Distress" signed by the Chairperson of the SBE, Ms. Diane Tatum.

Should you have any questions, please contact my office at your convenience.

Sincerely,



Scott Smith
General Counsel

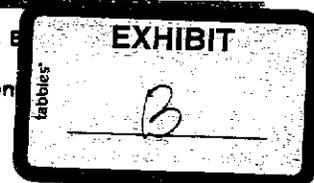
SS:law

Enclosure

cc: T. Kenneth James, Ed.D., Commissioner of Education
Dr. Bobbie Davis, Assistant Commissioner
Tripp Walter, Staff Attorney
Hazel Burnett, Coordinator for Fiscal Distress
The Honorable Sue Madison, State Senator
The Honorable Jim House, State Representative

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, E
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Arkansas State Board of Education (Board) at its meeting of April 21, 2008, in the matter of "Appeals to State Board Regarding Fiscal Distress Identification and Classification: Greenland School District", found and hereby orders that, based upon the documents and testimony submitted, the Greenland School District is classified as a school district in fiscal distress effective July 1, 2008, and that its appeal is denied, pursuant to Ark. Code Ann. §§ 6-20-1904 and 6-20-1905, as set forth below:

I. Findings of Fact:

- 1.) On February 29, 2008, the Department of Education (ADE) mailed notice to the Greenland School District (District) advising the District that it had been identified by the ADE as being in fiscal distress pursuant to Ark. Code Ann. § 6-20-1905.
- 2.) The February 29, 2008 letter further advised the District that it met one (1) or more of the criteria, pursuant to Ark. Code Ann. § 6-20-1904, necessary to be identified as a school district in fiscal distress.
- 3.) The February 29, 2008 letter notified the District of the following items of concern:
 - Declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.
 - FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
 - FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
 - FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
 - District refunded federal funds.
 - Projected negative ending balance in operating fund June 30, 2008 of - \$288,971.00.
 - Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.
- 4.) The ADE provided notice, per the above mentioned February 29, 2008 letter, to the District advising it that appeals from the identification of the District as being in fiscal distress would be held at the April 21, 2008 meeting of the Arkansas State Board of Education (Board).
- 5.) Per a letter dated March 26, 2008, to the ADE, from the District's Superintendent Mr. Ronald Brawner, the District timely filed its appeal to its identification.

6.) At a hearing conducted at the April 21, 2008 Board meeting, representatives of both the ADE and the District presented documentary evidence and oral testimony to the Board concerning the fiscal distress status of the District.

7.) The Board specifically finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the ADE's Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program (Fiscal Distress Rules), the District does have declining fund balances for the past three years that could jeopardize the fiscal integrity of the District.

8.) The Board further finds that, pursuant to the Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District:

- FY 06 Utilized Cash Flow Loan in the amount of \$110,966.
- FY 07 Utilized Cash Flow Loan in the amount of \$300,000.
- FY 08 Utilized Cash Flow Loan in the amount of \$500,000.
- District refunded federal funds.
- Material audit findings in FY 06 and FY 07:
 - Errors on child nutrition applications.
 - Errors in inventory records.
 - Incorrectly recorded \$300,000 loan.

9.) The Board additionally finds that, pursuant to Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules, the District will have a projected negative fund balance in its operating fund on June 30, 2008 of - \$288,971.00.

II. Conclusions of Law and Order:

1.) After hearing sworn testimony, and receiving and reviewing documentary evidence from representatives of both the District and the ADE, the Board finds and hereby orders that under Ark. Code Ann. § 6-20-1904 and the Fiscal Distress Rules the District's appeal is denied and the District is classified as being in fiscal distress.

2.) Having found that the District should be classified as a District in fiscal distress, the Board hereby orders the District to:

- Publish at least one (1) time for two (2) consecutive weeks in a newspaper of general circulation in the District, the District's classification as a school district in fiscal distress and the reasons why the District was classified as being in fiscal distress, pursuant to Ark. Code Ann. § 6-20-1906, and
- File with the ADE within ten (10) days after the receipt of this Order a written fiscal distress improvement plan to address any area in which the

District is experiencing fiscal distress, as identified by the ADE, pursuant to Ark. Code Ann. § 6-20-1908.

This Order of the Board shall be final with no further right of appeal, except that the District may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-201 et seq.

IT IS SO ORDERED

SIGNED THIS 12th DAY OF MAY, 2008



Diane Tatum
Chairperson
Arkansas State Board of Education



THE ATTORNEY GENERAL
STATE OF ARKANSAS
DUSTIN McDANIEL

Warren T. Readnour
Senior Assistant Attorney General

Direct dial: (501) 682-2016
Facsimile: (501) 682-2591
E-mail: warren.readnour@arkansasag.gov

June 30, 2008

T. Kenneth James, Ed.D.
Commissioner of Education
Arkansas Department of Education
4 State Capitol Mall
Little Rock, Arkansas 72201-1071

Re: Proposed Annexation of the Greenland School District

Dear Dr. James:

This is in response to your letter to Attorney General McDaniel dated June 13, 2008, in which you ask for an advisory opinion, pursuant to Ark. Code Ann. §§ 6-13-1408(b), concerning the impact of a proposed annexation of the Greenland School District to one of the following contiguous school districts: (1) Elkins School District of Washington County, (2) Farmington School District of Washington County, (3) Fayetteville School District of Washington County, (4) Prairie Grove School District of Washington County, (5) West Fork School District of Washington County, and (6) Mountainburg School District of Crawford County. Section 6-13-1408(b) provides that, prior to the entry of any order annexing or consolidating school districts, "the state board shall seek an advisory opinion from the Attorney General concerning the impact of the proposed annexation or consolidation on the effort of the state to assist a district or districts in desegregation of the public schools of this state."

Under United States Supreme Court precedent, the term "desegregation" is a legal term of art that describes the process by which a school district eliminates, to the extent practicable, the lingering effects or "vestiges" of prior *de jure* racial discrimination. Thus, in the absence of a finding that a school district has engaged in the past in activities prohibited by the Fourteenth Amendment to the United States Constitution, and that there are presently lingering effects or vestiges of that discrimination that remain unaddressed, a school district is not "desegregating" as that term is used in case law.

323 Center Street • Suite 200 • Little Rock, Arkansas 72201
(501) 682-2007 • FAX (501) 682-8084
Internet Website • <http://www.ag.state.ar.us/>

In this case, the State Board is considering the possible annexation of the Greenland School District to one of six contiguous school districts. If approved, the annexation would result in the creation of a new larger district. The Department of Education has indicated that, in addition to the six schools being considered as annexation partners, the school districts that could potentially share a border with the newly formed district would be the Springdale, Siloam Springs, Lincoln, Cedarville, Mulberry/Pleasant View, Alma, Ozark, and Huntsville School Districts. Based on information provided by the Department of Education, we are unaware of any pending desegregation court decrees in Greenland, the contiguous districts, or the potential surrounding districts. Therefore, we cannot say that the proposed annexation will have any negative effect on any desegregation efforts in those districts.

As will be the case in any proposed annexation, the Board must be cognizant that it may not order or approve any proposed annexation or consolidation with the purpose or intent to create racially segregated schools. As the Supreme Court noted in *Missouri v. Jenkins*, 515 U.S. 70, 115 (1995):

[I]n order to find unconstitutional segregation, we require that plaintiffs "prove all of the essential elements of *de jure* segregation — that is, stated simply, a current condition of segregation resulting from *intentional state action directed specifically* to the [allegedly segregated] schools." *Keyes v. School Dist. No. 1, Denver*, 413 U.S. 189, 205-206 (1973) (emphasis added). "[T]he differentiating factor between *de jure* segregation and so-called *de facto* segregation . . . is purpose or *intent* to segregate." *Id.*, at 208 (emphasis in original).

There are numerous cases that discuss legal challenges to school district annexations and consolidations in the context of desegregation litigation, but in each case the question of whether a particular annexation or consolidation (or series of annexations or consolidations) were done with the requisite unconstitutional intent is a highly fact-specific inquiry.

To assist the State Board, we note that the 2007-2008 enrollment figures provided to us by the Department of Education reflect that the Greenland School District has a student population that is approximately 91% White and 1% Black. The school districts surrounding Greenland have varying student racial compositions as follows: (1) Elkins School District (approximately 90% White, 2% Black), (2) Farmington School District (approximately 91% White, 2% Black), (3) Fayetteville School District (approximately 74% White, 11% Black), (4) Prairie Grove School District (approximately 94% White, 1% Black), (5) West Fork School District (approximately 95% White, 1% Black), and (6) Mountainburg School District (approximately 97% White, 1% Black). The school districts that could potentially share a border with the newly formed school district have varying racial compositions ranging from Springdale (approximately 50% White, 2% Black, 40% Hispanic), to Siloam Springs (approximately 66% White, 1% Black), to Alma and Mulberry/Pleasant View (approximately 96% White, 1% Black). It is difficult to conclude, examining this data alone, that the approval of the proposed annexation could be viewed as motivated by impermissible intent to segregate schools. Nevertheless, while neither state nor federal law requires the Board to create school districts in a manner that would

achieve any particular "racial balance" in the student population of a school district¹, we advise the Board to scrutinize this proposed annexation with great care and to satisfy itself that there are legitimate, non-racially-motivated reasons for the annexation of Greenland to whichever of the six potential "partners" identified in your letter is selected.

Sincerely,



WARREN T. READNOUR
Senior Assistant Attorney General

¹ It should be noted that a decision made solely on a racial basis, even for laudable purposes such as diversity in education or the prevention of (re)segregation, would be subject to "strict scrutiny" analysis. *Parents Involved in Community Schools v. Seattle School Dist. No. 1*, 127 S.Ct. 2738 (2007).

PRAIRIE GROVE PUBLIC SCHOOLS

110 SCHOOL STREET
PRAIRIE GROVE, AR. 72753
(479) 846-4213, Fax (479) 846-2015
Accredited by North Central Association

Tripp Walter
Staff Attorney
Arkansas Department of Education
Arkansas State Board of Education

Dear Mr. Walter:

This letter is to inform you that I will represent both the Prairie Grove School District and the Fayetteville School District at the public hearing before the State Board of Education on Monday, July 14, 2008 in regard to the annexation of the Greenland School District. At that hearing I will present documentation and testimony.

If you have any questions, need more information, or if you have any information or instructions for me, please contact me at the address or telephone number above.

Sincerely,



Randy Willison, Ed.D.
Superintendent

ARKANSAS DEPARTMENT OF
Education 

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 4, 2008

Dave Smith, Superintendent
Decatur School District
1498 Stadium Drive
Decatur, AR 72722

Mike Wilkins, President
Decatur School Board
20021 Chicken Drive
Decatur, AR 72722

Dear Mr. Smith and Mr. Wilkins:

Pursuant to Ark. Code Ann. § 6-20-1905, this letter is to provide notice that the Decatur School District has been identified by the Arkansas Department of Education (Department) as a school district in fiscal distress. According to Ark. Code Ann. § 6-20-1904, the Decatur School District meets one (1) or more of the criteria for identification as a school district in fiscal distress, including:

- The Decatur School District has a declining balance determined to jeopardize the fiscal integrity of a school district; and
- Any other fiscal conditions of a school district deemed to have a detrimental negative impact on the continuation of educational services by the Decatur School District.

The Arkansas State Board of Education (SBE) will be requested by the Department to classify the Decatur School District as being in fiscal distress at its meeting of July 14, 2008, to be held at 9:00 a.m. in the Auditorium of the Arch Ford Education Building, #4 Capitol Mall in Little Rock. I have attached to this letter a copy of Ark. Code Ann. § 6-20-1901 et seq., and the Department Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program. These attached documents will provide information and details on the process concerning an appeal of the identification status. An appeal would be heard at the July 14, 2008, SBE meeting.

Ark. Code Ann. § 6-20-1907 states that no school district identified by the Department as being in fiscal distress may incur any debt without prior written approval from the Department. "Any debt" includes any employment contract, vendor contract, lease, loan, purchase, or any other obligation that will increase the district's financial obligation, accounts payable or its liabilities. The district is required to obtain prior written approval from the Department, effective with its receipt of this letter. Please retain this notice in your district's audit file.

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

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Letter to Mr. Smith and Mr. Wilkins

Page 2

June 4, 2008

Should the district have any questions or comments, please contact Scott Smith, General Counsel, at 501-682-4227.

Sincerely,

A handwritten signature in cursive script that reads "T. Kenneth James". The signature is written in black ink and is positioned above the typed name.

T. Kenneth James, Ed.D.
Commissioner of Education

TKJ:law
Attachments

cc: Scott Smith, General Counsel
Dr. Bobbie Davis, Assistant Commissioner, Fiscal & Administrative Services
The Honorable Bill Pritchard, State Senator
The Honorable Kim Hendren, State Senator
The Honorable Mike Kenney, State Representative

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

Dave Smith, Supt.
Decatur School District
1498 Stadium Avenue
Decatur, AR 72722

2. Article Number

(Transfer from servi

7946 2946 0000 0160 2002

PS Form 3811, February 2004

Domestic Return Receipt

451-M-M-02-965201

COMPLETE THIS SECTION ON DELIVERY

- Signature: *x Sherry Smith*
- Received by (Printed Name): *Sherry Smith*
- Date of Delivery: *6-20-04*
- Is delivery address different from item 1? Yes No

If YES, enter delivery address below:

- 3. Service Type
 - Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.
- 4. Restricted Delivery? (Extra Fee) Yes No

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
OFFICIAL USE

Postage	\$ 76
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.22
Restricted Delivery Fee (Endorsement Required)	5.68

Mike Wilkins, President
Decatur School Board
20021 Chicken Drive
Decatur, AR 72722

Postmark Here

For Instructions

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mike Wilkins, President
Decatur School Board
20021 Chicken Drive
Decatur, AR 72722

- 3. Service Type
 - Certified Mail
 - Registered
 - Insured Mail
 - Express Mail
 - Return Receipt for Merchandise
 - C.O.D.
- 4. Restricted Delivery? (Extra Fee) Yes No

- A. Signature: *Mike Wilkins*
- B. Received by (Printed Name): *Mike Wilkins*
- C. Date of Delivery: *6-20-04*
- D. Is delivery address different from item 1? Yes No

If YES, enter delivery address below:

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com®
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Postage	\$ 76
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.22
Restricted Delivery Fee (Endorsement Required)	5.68

Total: *5.68*

Dave Smith, Supt.
Decatur School District
1498 Stadium Avenue
Decatur, AR 72722

City, St. or P.O. Box: *Decatur, AR 72722*

102595-02-M-1540

7007 0710 0000 3487 3474

Domestic Return Receipt

PS Form 3811, February 2004

7007 0710 0000 3487 3467

MEMORY TRANSMISSION REPORT

TIME : 06-04-2008 03:07PM
TEL NUMBER : +5016824249
NAME : ADE ATTORNEY

FILE NUMBER : 676
DATE : 06-04 03:06PM
TO : 14797522490
DOCUMENT PAGES : 003
START TIME : 06-04 03:06PM
END TIME : 06-04 03:07PM
SENT PAGES : 003
STATUS : OK
FILE NUMBER : 676

*** SUCCESSFUL TX NOTICE ***

ARKANSAS DEPARTMENT OF
Education
Office of General Counsel
#4 Capitol Mall, Little Rock, Arkansas 72201
501-682-4227

FACSIMILE
501-682-4249

TO: Dave Smith Fax No.: 479-752-2490
Decatur School District

FROM:

- | | | | |
|-------------------------------------|------------------|--------------------------|---------------|
| <input checked="" type="checkbox"/> | Scott Smith | <input type="checkbox"/> | Lisa Walters |
| <input type="checkbox"/> | Tripp Walter | <input type="checkbox"/> | Vivian Moore |
| <input type="checkbox"/> | Drew Blankenship | <input type="checkbox"/> | Sallie Robert |

RE: Notice Letter

DATE: 6-4-08 No. of Pages (inc. cover) 3

COMMENTS: Attachments not faxed.

This facsimile (and or the documents accompanying it) may contain confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

ORIGINAL TO FOLLOW BY MESSENGER OR MAIL: YES NO

West's Arkansas Code Annotated Currentness
 Title 6. Education
 Subtitle 2. Elementary and Secondary Education Generally (Chapters 10 to 39)
 ▣ Chapter 20. Finances
 → Subchapter 19. Arkansas Fiscal Assessment and Accountability Program

§ 6-20-1901. Title

This subchapter shall be known as and may be cited as the "Arkansas Fiscal Assessment and Accountability Program".

§ 6-20-1902. Purpose

The purpose of this subchapter shall be to establish and implement a program by which the Department of Education shall identify, assess, and address school districts in fiscal distress.

§ 6-20-1903. Definitions

As used in this subchapter:

- (1) "Annexation" means the joining of an affected school district or part of the school district with a receiving district pursuant to § 6-13-1401;
- (2) "Consolidation" means the joining of two (2) or more school districts or parts of the districts to create a new single school district pursuant to § 6-13-1401;
- (3) "Department" means the Department of Education;
- (4) "Fiscal distress status" means a public school district determined by the department and classified by the State Board of Education as being placed in fiscal distress status pursuant to this subchapter;
- (5) "Fiscal integrity" means to comply with financial management, accounting, auditing, and reporting procedures and facilities management procedures as required by state and federal laws and regulations in a forthright and timely manner;
- (6) "Reconstitution" means the reorganization of the administrative unit or the governing school board of directors of a school district, including, but not limited to, the replacement or removal of a current superintendent or the removal or replacement of a current school board of directors or both;
- (7) "School district" means a public school district created or established pursuant to this title; and
- (8) "State board" means the State Board of Education.

§ 6-20-1904. Indicators of fiscal distress

Any school district meeting any of the following criteria may be identified by the Department of Education to be a school district in-fiscal-distress upon final approval by the State Board of Education:

(1)(A) A declining balance determined to jeopardize the fiscal integrity of a school district.

(B) However, capital outlay expenditures for academic facilities from a school district balance shall not be used to put the school district in fiscal distress;

(2) Any act or violation determined to jeopardize the fiscal integrity of a school district, including, but not limited to:

(A) Material failure to properly maintain school facilities;

(B) Material violation of local, state, or federal fire, health, or safety code provisions or law;

(C) Material violation of local, state, or federal construction code provisions or law;

(D) Material state or federal audit exceptions or violations;

(E) Material failure to provide timely and accurate legally required financial reports to the department, the Division of Legislative Audit, the General Assembly, or the Internal Revenue Service;

(F) Insufficient funds to cover payroll, salary, employment benefits, or legal tax obligations;

(G) Material failure to meet legally binding minimum teacher salary schedule obligations;

(H) Material failure to comply with state law governing purchasing or bid requirements;

(I) Material default on any school district debt obligation;

(J) Material discrepancies between budgeted and actual school district expenditures;

(K) Material failure to comply with audit requirements; or

(L) Material failure to comply with any provision of the Arkansas Code that specifically places a school district in fiscal distress based on noncompliance; or

(3) Any other fiscal condition of a school district deemed to have a detrimental negative impact on the continuation of educational services by that school district.

§ 6-20-1905. Notification and appeal

(a)(1) The Department of Education shall provide written notice, via certified mail, return receipt requested, to the president of the school board of directors and the superintendent of each school district identified as being in fiscal distress.

(2) Beginning in 2008, the department shall provide the notice required under subdivision (a)(1) of this section on or before March 30 of each year.

(b) Any school district identified in fiscal distress status may appeal to the State Board of Education by filing a written appeal with the office of the Commissioner of Education by certified mail, return receipt requested, ~~within thirty (30) days of receipt of notice of identified fiscal distress status from the department~~.

(c) The state board shall hear the appeal within sixty (60) days of receipt of the written notice of appeal from the school district.

(d) The written appeal shall state in clear terms the reason why the school district should not be classified as in fiscal distress.

(e) Notwithstanding any appeal rights in this subchapter, no appeal shall stay the department's authority to take action to protect the fiscal integrity of any school district identified as in fiscal distress.

(f) The decision of the state board shall be a final order, and there is no further right of appeal except that the school district may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

§ 6-20-1906. Classification of fiscal distress status

(a) Those school districts identified by the Department of Education as being in fiscal distress shall be classified as school districts in fiscal distress upon final determination by the State Board of Education.

(b) Any school district classified as in fiscal distress shall be required to publish at least one (1) time for two (2) consecutive weeks in a newspaper of general circulation in the school district the school district's classification as a school district in fiscal distress and the reasons why the school district was classified as being in fiscal distress.

(c) The provisions of subsections (a) and (b) of this section are effective after the school district's appeal rights have been exhausted.

§ 6-20-1907. Debt issuance

No school district identified in fiscal distress may incur any debt without the prior written approval of the Department of Education.

§ 6-20-1908. Fiscal distress plan

(a) Those school districts identified by the Department of Education as being in fiscal distress shall file with the department within ten (10) days after the final classification by the State Board of Education a written fiscal distress improvement plan to address any area in which the school district is experiencing fiscal distress as identified by the department.

(b) Each school district shall seek and obtain approval of its plan from the department and shall describe how the school district will remedy those areas in which the school district is experiencing fiscal distress and shall establish the time period by which the school district will remedy all criteria which placed the school district in fiscal distress status.

(c) A school district in fiscal distress may only petition the state board for removal from fiscal distress status after the department has certified in writing that the school district has corrected all criteria for being classified as in fiscal distress and has complied with all department recommendations and requirements for removal from fiscal distress.

(d) No school district shall be allowed to remain in fiscal distress status for more than two (2) consecutive school years from the date that the school district was classified as being in fiscal distress status.

(e) Any school district classified as being in fiscal distress status shall be required to receive on-site technical evaluation and assistance from the department.

(f)(1) The department shall evaluate and make recommendations to the district superintendent regarding staffing of the school district and fiscal practices of the school district.

(2) The recommendations of the department shall be binding on the school district, the superintendent, and the school board of directors.

(g) Every six (6) months, the department shall submit a written evaluation on the status of each school district in fiscal distress to the state board.

(h)(1) The department may petition the state board at any time for the consolidation, annexation, or reconstitution of a school district in fiscal distress or take other appropriate action as allowed by this subchapter in order to secure and protect the best interest of the educational resources of the state or to provide for the best interests of students in the school district.

(2) The state board may approve the petition or take other appropriate action as allowed by this subchapter.

(i) The state board shall consolidate, annex, or reconstitute any school district that fails to remove itself from the classification of a school district in fiscal distress within two (2) consecutive school years of receipt of notice of identification of fiscal distress status by the department unless the state board, at its discretion, issues a written finding supported by a majority of the state board, explaining in detail that the school district could not remove itself from fiscal distress due to impossibility caused by external forces beyond the school district's control.

§ 6-20-1909. Department fiscal distress actions

(a) In addressing school districts in fiscal distress, the Department of Education may:

(1) Require the superintendent to relinquish all administrative authority with respect to the school district;

(2) Appoint an individual in place of the superintendent to administratively operate the school district under the supervision and approval of the Commissioner of Education and to compensate nondepartment agents operating the school district from school district funding;

(3) Call for the temporary suspension of the local school board of directors;

(4) Require the school district to operate without a local school board of directors under the supervision of the local superintendent or an individual or panel appointed by the commissioner;

(5) Place the administration of the school district over to the former board of directors or to a newly elected school board of directors; or

(6) Take any other action allowed by law that is deemed necessary to assist a school district in removing criteria of fiscal distress.

- (b) The department may impose various reporting requirements on the school district.
- (c) The department shall monitor the fiscal operations and accounts of the school district.
- (d) The department shall require school district staff and employees to obtain fiscal instruction or training in areas of fiscal concern for the school district.

§ 6-20-1910. State board actions

- (a) After a public hearing, the State Board of Education shall consolidate, annex, or reconstitute the school district in fiscal distress to another school district or school districts upon a majority vote of a quorum of the members of the state board as permitted or required by this subchapter.
- (b) The state board has exclusive jurisdiction to determine the boundary lines of the receiving or resulting school district and to allocate assets and liabilities of the school district.
- (c) The decision of the state board shall be final with no further right of appeal except that a school district may appeal to Pulaski County Circuit Court pursuant to the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

§ 6-20-1911. Rules and regulations

- (a) The Department of Education shall promulgate rules and regulations as necessary to identify, evaluate, assist, and address school districts in fiscal distress.
- (b) The department may promulgate rules and regulations as necessary to administer this subchapter.

Current through end of the 2008 First Ex.Sess., including changes made by the Arkansas Code Revision Commission received through March 26, 2008.
END OF DOCUMENT

ARKANSAS DEPARTMENT OF EDUCATION
RULES IDENTIFYING AND GOVERNING
THE ARKANSAS FISCAL ASSESSMENT AND ACCOUNTABILITY PROGRAM
August 2003

1.00 AUTHORITY

- 1.01 The Arkansas State Board of Education's authority for promulgating these rules is pursuant to Ark. Code Ann. § 6-11-105, Ark. Code Ann. § 25-15-201 et seq. and Act 1467 of 2003.
- 1.02 These rules shall be known as the Arkansas Department of Education Rules Governing the Arkansas Fiscal Assessment and Accountability Program.
- 1.03 These rules will replace any former Arkansas Department of Education Rules Identifying and Governing School Districts in Fiscal Distress previously adopted.

2.00 PURPOSE

- 2.01 The purpose of these rules is to establish how the Department and State Board will evaluate, assess, identify, classify and address those school districts in fiscal distress.

3.00 DEFINITIONS – For purposes of these rules, the following terms mean:

- 3.01 “Annexation”– the joining of an affected school district or districts or parts thereof with a receiving district pursuant to § 6-13-1401.
- 3.02 “Consolidation” - the joining of two (2) or more school districts or parts thereof create a new resulting school district pursuant to § 6-13-1401.
- 3.03 “Current Year Expenditures” - the total expenditures accruing to the combined teacher salary, operating, and debt service funds.
- 3.04 “Current Year Revenues” - the total revenues accruing to the combined teacher salary, operating, and debt service funds.
- 3.05 “Day” – a calendar day, regardless of whether it is a day the Department is conducting official governmental business.
- 3.06 “Debt” – a legal liability, encumbrance or contract, to be paid out of future revenues or current reserves of the district.

- 3.07 "Declining Balance" - the current year expenditures exceeding current year revenues for the combined teacher salary, operating, and debt service funds with balances in the combined funds projected to be no greater than zero in no more than three years. The projected balance will be calculated by an analysis of balances for the previous three years.
- 3.08 "Department" - the Arkansas Department of Education.
- 3.09 "The Fiscal Distress Financial Improvement Plan (Plan)" - the written plan submitted by a district classified in fiscal distress and approved by the Department to be implemented by the district addressing each indicator of fiscal distress identified by the Department and the State Board with a specific corrective action plan and timeline.
- 3.10 "Fiscal Distress Status" - to be identified by the Department and classified by the State Board as being in fiscal distress.
- 3.11 "Fiscal Integrity" - to comply with financial management, accounting, auditing, and reporting procedures and facilities management procedures as required by state or federal laws and regulations in a forthright and timely manner.
- 3.12 "Jeopardize" - to expose to loss or injury or peril.
- 3.13 "Material Failure, Violation, Default, or Discrepancies" - an act, omission, event, circumstances or combination thereof that directly jeopardizes the fiscal integrity of a school district. In other words, but for the material failure, violation, default, or discrepancy, the district's fiscal integrity would not be jeopardized.
- 3.14 "Public School or School District" - a public school or school district created or established pursuant to Title 6 of the Arkansas Code and subject to the Arkansas Comprehensive Testing Assessment and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to A.C.A. §6-15-501; A.C.A. §9-28-205 and A.C.A. §12-29-301-310, or other provisions of Arkansas law.
- 3.15 "School Year" - a school year beginning July 1 of one calendar year and ending June 30 of the following calendar year.
- 3.16 "State Board" - the Arkansas State Board of Education.
- 3.17 "Reconstitution" - the reorganization of the administrative unit or the governing school board of a school district, including, but not limited to,

the replacement or removal of a current superintendent or the removal or replacement of a current school board or both.

4.00 SCHOOL DISTRICT INDICATORS OF FISCAL DISTRESS PURSUANT TO FISCAL ASSESSMENT AND ACCOUNTABILITY PROGRAM

4.01 Any school district meeting any of the following criteria may be identified by the Department to be a school district in fiscal distress upon final approval by the State Board:

4.01.1 A declining balance determined to jeopardize the fiscal integrity of a school district; or

4.01.2 Any act or violation determined to jeopardize the fiscal integrity of a school district, including, but not limited to; or

- a. Material failure to properly maintain school facilities;
- b. Material violation of local, state, or federal fire, health, or safety code provisions or law;
- c. Material violation of local, state, or federal construction code provisions or law;
- d. Material state or federal audit exceptions or violations;
- e. Material failure to provide timely and accurate legally-required financial reports to the Department, the Division of Legislative Audit, the General Assembly, or the Internal Revenue Service;
- f. Insufficient funds to cover payroll, salary, employment benefits, or legal tax obligations;
- g. Material failure to meet legally binding minimum teacher salary schedule obligations;
- h. Material failure to comply with state law governing purchasing or bid requirements;
- i. Material default on any school district debt obligation;
- j. Material discrepancies between budgeted and actual school district expenditures;
- k. Material failure to comply with audit requirements of § 6-20-301; or
- l. Material failure to comply with any provision of the Arkansas Code that specifically places a school district in fiscal distress based on noncompliance;

4.01.3 Any other fiscal condition of a school district deemed to have a material detrimental negative impact on the continuation of educational services by that school district.

5.00 PROCESS AND PROCEDURE FOR CLASSIFICATION OF FISCAL DISTRESS STATUS

- 5.01 A school district identified by the Department as being in fiscal distress shall be classified as a school district in fiscal distress upon final classification by the State Board.
- 5.02 A district classified as in fiscal distress shall be required to publish at least one (1) time for two (2) consecutive weeks in a newspaper of general circulation in the school district the school district's classification as a school district in fiscal distress and the reasons why the school district was classified as being in fiscal distress.
- 5.02.1 The district shall publish this announcement within 30 calendar days of the final classification by the State Board.
- 5.02.2 The newspaper of general circulation may be either a daily or weekly newspaper.
- 5.03 The provisions of subdivisions 5.01 and 5.02 of this section are effective after the school district's appeal rights have been exhausted.
- 5.04 The decision of the State Board shall be a final order and there is no further right of appeal except the school district may appeal to circuit court in Pulaski County pursuant to the Arkansas Administrative Procedures Act, A.C.A. § 25-15-201, et seq.

6.00 PROCESS AND PROCEDURE FOR NOTIFICATION OF FISCAL DISTRESS STATUS AND APPEAL

- 6.01 The Department shall provide written notice, via certified mail return receipt requested, to the president of the school board and the superintendent of each school district identified as being in fiscal distress.
- 6.02 Any school district identified in fiscal distress status may appeal to the State Board by filing a written appeal, with the Office of the Director of the Department, by certified mail return receipt requested, within thirty (30) calendar days of receipt of notice of being identified in fiscal distress status from the Department.
- 6.03 The State Board shall hear the appeal within sixty (60) calendar days of receipt of the written notice of appeal from the school district.
- 6.04 The written appeal shall state, in clear terms, the reason why the school district should not be classified as in fiscal distress.

6.05 Notwithstanding any appeal rights in this subchapter, no appeal shall stay the Department's authority to take action to protect the fiscal integrity of any school district identified as in fiscal distress.

7.00 SCHOOL DISTRICT'S FISCAL DISTRESS IMPROVEMENT PLAN
PURSUANT TO FISCAL ASSESSMENT AND ACCOUNTABILITY
PROGRAM

7.01 Those school districts classified by the State Board as being in fiscal distress shall file, with the Department within ten (10) calendar days after the final classification, a written fiscal distress financial improvement plan to address any area in which the school district is experiencing fiscal distress as identified by the Department.

7.01.1 The plan shall contain, at a minimum, the following elements:

- a. Identification of each indicator
- b. Specific corrective action steps for each indicator
- c. Timeline for each corrective action step
- d. Additional action steps the district proposes to take
- e. Timeline for each additional action step the district proposed

7.01.2 The Department is authorized to review and amend the plan submitted by the school district.

7.01.3 The Department may edit, amend, update, or replace the plan at any time deemed appropriate.

7.01.4 The districts shall be given notice of the edited, amended, updated, or replacement plan criteria.

7.01.5 The district may appeal any edit, amendment or replacement of a plan by filing its written notice of appeal (which must include an explanation of its concerns) with the Director's Office within ten (10) calendar days of receipt of the notice required in 7.01.4. The appeal shall be heard at the next State Board meeting, and the State Board's decision shall be final.

7.02 Each school district shall first seek and obtain approval of its plan from the Department and shall describe how the school district will remedy those areas in which the school district is experiencing fiscal distress and shall establish the time period by which the school district will remedy all criteria which placed the school district in fiscal distress status.

- 7.03 A school district in fiscal distress may only petition the State Board for removal from fiscal distress status after the Department has certified in writing that the school district has corrected all criteria for being classified as in fiscal distress and has complied with all Department recommendations and requirements for removal from fiscal distress.
- 7.04 No school district shall be allowed to remain in fiscal distress status for more than two (2) consecutive school years beginning with the July 1 subsequent to the date the school district was identified as being in fiscal distress status.
- 7.05 Any school district classified as being in fiscal distress status shall be required to receive on-site technical evaluation and assistance from the Department.
- 7.06 The Department shall evaluate and make recommendations to the district superintendent regarding staffing of the district and fiscal practices of the district.
- 7.07 The recommendations of the Department shall be binding on the district, the superintendent, and the school board.
- 7.08 Every six (6) months, the Department shall submit a written evaluation on the status of each school district in fiscal distress to the State Board.
- 8.00 PRIOR APPROVAL OF DEBT
- 8.01 No school district classified in fiscal distress may incur any debt without the prior written approval of the Department.
- 9.00 DEPARTMENT ASSISTANCE AND INTERVENTION IN FISCAL DISTRESS:
- 9.01 In addressing school districts in fiscal distress, the Department may take any number of the following actions:
- 9.01.1 Require the superintendent to relinquish all administrative authority with respect to the school district;
- 9.01.2 Appoint an individual in place of the superintendent to administratively operate the school district under the supervision and approval of the Director of the Department, and to compensate non-department agents operating the school district from school district funding;

- 9.01.3 Call for the temporary suspension of the local school board;
 - 9.01.4 Require the school district to operate without a local school board under the supervision of the local superintendent or an individual or panel appointed by the Director of the Department;
 - 9.01.5 Place the administration of the school district over to the former board or to a newly elected school board; or
 - 9.01.6 Take any other action allowed by law that is deemed necessary to assist a district in removing criteria of fiscal distress.
- 9.02 The Department may impose various reporting requirements on the school district. The Department may review any and all school district records and documents.
 - 9.03 The Department shall monitor the fiscal operations and accounts of the school district.
 - 9.04 The Department shall require school district board members and employees to obtain fiscal instruction or training in areas of fiscal concern for the school district at the school district's expense.

10.00 STATE BOARD AUTHORITY:

- 10.01 After providing thirty (30) calendar days written notice, via certified mail return receipt requested, to a school district, the Department may petition the State Board or the State Board may on its own motion, at any time, take action for the consolidation, annexation, or reconstitution of a school district in fiscal distress or take other appropriate action as allowed by Act 1467 of 2003 in order to secure and protect the best interest of the educational resources of the state or provide for the best interests of students in the school district. The school district shall have a right of appeal to a public hearing before the State Board as provided herein.
- 10.02 The State Board may approve the petition or take other appropriate action as allowed by this subchapter.
- 10.03 The State Board shall consolidate, annex, or reconstitute any school district that fails to remove itself from the classification of a school district in fiscal distress within two (2) consecutive school years of receipt of notice of identification unless the State Board, at its discretion, issues a written finding supported by a majority of the board, explaining in detail that the school district could not remove itself from fiscal distress due to

impossibility caused by external forces beyond the school district's control.

10.03.1 The two (2) consecutive school years shall commence the July 1 subsequent to classification by the State Board.

10.04 After a public hearing, the State Board shall consolidate, annex, or reconstitute the school district in fiscal distress to another school district or school districts upon a majority vote of a quorum of the members of the State Board, as permitted or required by this subchapter.

10.05 The State Board has exclusive jurisdiction to determine the boundary lines of the receiving or resulting school district and to allocate assets and liabilities of the district.

10.06 The decision of the State Board shall be final with no further right of appeal, except a school district may appeal to circuit court in Pulaski County pursuant to the Arkansas Administrative Procedures Act, § 25-15-201, et seq.

Decatur School District

Fiscal Distress Indicators:

- * Following the 2006-07 school year, a declining balance determined to jeopardize the fiscal integrity of the the District.
- * Other fiscal conditions of the District deemed to have a detrimental negative impact on the continuation of educational services.

	2004-05	2005-06	2006-07
4 QTR ADM	556	565	577
Assessment	35,503,728	39,142,540	41,103,865
Total Mills	32.20	40.00	40.00
Total Debt Bond/Non Bond	937,922	4,953,106	6,471,092
Per Pupil Expenditures	7,908	9,097	8,802
Personnel-Non-Fed Certified FTE	48.53	53.17	43.77
Avg Salary--Non-Fed Cert Clsrm FTE	34,485	36,354	45,139
Unrestricted Legal Balance	521,946	353,935	**1,346,212

Additional Concerns:

- * Manual checks written but not recorded on District books for 2006-07 and 2007-08 total approximately \$2.4 million.
- * Appears that bank accounts have not been reconciled since September 2005.
- * 941 Quarterly Tax Report for the second quarter of 2007 which was due July 15, 2007 was not filed until June 2008.
- * 941 Quarterly Tax Report for the first quarter of 2008 which was due April 15, 2008 was not filed until June 2008.
- * FICA, Medicare and Federal Payroll Taxes for the months of February, March, April and May 2008 were not paid to IRS until June 2008.
- * State tax for the months of April and May 2008 were not paid to the Department of Finance and Administration until June 2008.
- * Amount of Late Fees, Penalties and Interest due to IRS and other entities is unknown.

**2006-07 Unrestricted Legal Balance does not include expenditures not recorded on District books.

**ARKANSAS DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FUND
FY09**

	FY08 PROPOSED BUDGET 7-14-08	FY09 PROPOSED BUDGET 7-14-08	FY09 BUDGET OVER OR (UNDER) FY08 BUDGET
ACADEMIC IMPROVEMENT TRAINING	500,000	500,000	0
ADVANCED PLACEMENT INCENTIVE	825,000	825,000	0
ALTERNATIVE LEARNING	19,968,837	19,968,837	0
ALTERNATIVE PAY	2,500,000	2,500,000	0
ARK LEADERSHIP ACADEMY - MASTER PRINCIPAL	500,000	500,000	0
ARK PUBLIC SCHOOL COMPUTER NETWORK	20,160,243	16,112,704	(4,047,539)
ARK TEACHER HOUSING DEV FOUNDATION	100,000	100,000	0
ARKANSAS EASTER SEALS	193,113	193,113	0
ARKANSAS TEACHER OF THE YEAR	125,000	125,000	0
ASSESSMENT/END OF COURSE TESTING	23,887,747	23,887,747	0
AT RISK	1,659,085	1,490,500	(168,585)
BETTER CHANCE GRANTS	111,000,000	111,000,000	0
CONSOLIDATION INCENTIVE	6,480,588	5,210,100	(1,270,488)
CONTENT STANDARDS AND CURRICULUM FRAMEWORKS	100,000		(100,000)
CONTENT STANDARDS REVISION	161,000	161,000	0
COOP ED TECH CENTERS OPERATIONS	1,200,000	1,200,000	0
COURT ORDERED DESEGREGATION	65,955,923	69,814,372	3,858,449
CRIMINAL BACKGROUND CHECKS	50,000	50,000	0
DEBT SERVICE FUNDING SUPPLEMENT	28,455,384	28,455,384	0
DECLINING ENROLLMENT DISTRICTS	13,070,165	13,963,389	893,224
DEPT OF CORRECTION	5,027,675	5,147,675	120,000
DISTANCE LEARNING	500,000	500,000	0
DISTANCE LEARNING DEMONSTRATION PROJECT	6,000,000	6,000,000	0
DISTANCE LEARNING OPERATING GRANTS	7,831,400	5,831,400	(2,000,000)
DISTRESSED SCHOOL DISTRICT SUPPORT	450,000	450,000	0
EARLY CHILDHOOD SPECIAL EDUC	14,870,625	15,316,744	446,119
ECONOMIC EDUCATION	350,000	350,000	0
EDUC SERVICE COOPERATIVES	5,529,270	6,129,270	600,000
ENGLISH LANGUAGE LEARNERS	8,803,208	10,231,111	1,427,903
GENERAL FACILITIES FUNDING	8,100,000	8,100,000	0
GIFTED & TALENTED	1,422,896	1,422,896	0
GRANTS TO SCHOOL DISTRICTS	50,000	50,000	0
HIGH PRIORITY DISTRICT TEACHER RECRUIT/RET INCTV	2,100,000	2,100,000	0
HOME SCHOOL TESTING	250,000	250,000	0
HUMAN DEVELOPMENT CTR EDUC AID	526,150	526,150	0
INTENSIVE SCHOOL SUPPORT	320,000	320,000	0
INTERVENTION BLOCK GRANTS	137,000	137,000	0
ISOLATED FUNDING	7,896,000	7,896,000	0
MASTER PRINCIPAL BONUS	45,000	90,000	45,000
NAT BD PROF TEACHING STANDARDS	4,843,500	6,093,500	1,250,000
NATIONAL SCHOOL LUNCH STUDENT FUNDING	154,442,992	157,142,907	2,699,915
NON - TRADITIONAL LICENSURE GRANTS	50,000	50,000	0
OFFICE OF EDUCATION RENEWAL ZONES	2,059,865	2,074,142	14,277
PROFESSIONAL DEVELOPMENT FUNDING	22,961,359	23,079,074	117,715
PUBLIC SCHOOL EMPLOYEES INSURANCE	37,066,600	37,273,600	207,000
PYGMALION COMMISSION	40,000	40,000	0
RES CENTERS/JUVENILE DET	13,385,831	13,516,231	130,400
SCHOOL FOOD - LEGISLATIVE AUDIT	75,000	75,000	0
SCHOOL FOOD SERVICES	1,650,000	1,650,000	0
SCHOOL WORKER DEFENSE	390,000	390,000	0
SERIOUS OFFENDER PROGRAM	1,120,358	1,050,946	(69,412)
SMART START/SMART STEP	10,502,118	10,252,118	(250,000)
SPECIAL ED - CATASTROPHIC	11,347,965	11,000,000	(347,965)
SPECIAL EDUCATION SERVICES	3,797,320	4,145,285	347,965
SPECIAL NEEDS ISOLATED	3,000,000	3,000,000	0
STATE FOUNDATION FUNDING AID	1,835,722,382	1,830,396,728	(5,325,654)
STUDENT GROWTH	53,180,000	54,851,000	1,671,000
SUPPLEMENTAL MILLAGE INCENTIVE FUNDING	10,000,000	10,000,000	0
SURPLUS COMMODITIES	630,000	630,000	0
TEACHER LICENSURE / MENTORING	7,508,758	7,508,758	0
TEACHER RETIREMENT MATCHING	6,050,000	6,655,000	605,000
TECHNOLOGY GRANTS	3,602,678	3,602,678	0
TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000	0

**ARKANSAS DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FUND
FY09**

	FY08 PROPOSED BUDGET 7-14-08	FY09 PROPOSED BUDGET 7-14-08	FY09 BUDGET OVER OR (UNDER) FY08 BUDGET
TRAVELING TEACHERS	500,000	500,000	0
URT ACTUAL COLLECTIONS / STUDY	24,199,784	14,268,625	(9,931,159)
WORKERS COMPENSATION	450,000	450,000	0
YOUTH SHELTERS	165,000	165,000	0
	200,000	200,000	0
PULASKI CTY DESEG COST FUND TRNSFR (S34 A1420 OF 07)	750,000	-	(750,000)
REAL PROPERTY REAPPRAISAL COSTS TRANSFER	10,830,000	10,830,000	0
SURETY BOND TRANSFER	85,000	85,000	0
SCHOOL FUNDING CONTINGENCY			0
TOTAL PUBLIC SCHOOL FUND	2,588,707,819	2,578,880,984	(9,826,835)
PROJECTED FUNDING			
GENERAL REVENUE	1,818,647,072	1,857,415,212	38,768,140
EDUCATIONAL EXCELLENCE TRUST FUND	200,422,877	192,211,154	(8,211,723)
EDUCATIONAL ADEQUACY FUND	458,839,987	439,761,621	(19,078,366)
TRANSFER TO EGA PROFESSIONAL LICENSURE	(415,000)		415,000
TRANSFER TO EGA EDUCATIONAL ACCOUNTABILITY	(450,000)		450,000
TRANSIT TAX 949 OF 2001	910,000	910,000	0
TANF TRANSFER FROM DHS	7,500,000	7,500,000	0
TRANSFER FROM GEN REV ALLT RES - URT	10,435,165	11,268,625	833,460
URT ACTUAL COLLECTIONS / STUDY REFUNDS	1,675,124		(1,675,124)
TRANSFER FROM GEN REV ALLT RES - END TO END SEC	300,000		(300,000)
TRANSFER FROM EGA FOR ENHANCED PROF DEV	250,000		(250,000)
COURT ORDERED DESEGREGATION	65,955,923	69,814,372	3,858,449
FUND BALANCE FY07	24,636,671		(24,636,671)
TOTAL PROJECTED FUNDING	\$ 2,588,707,819	2,578,880,984	\$ (9,826,835)

**ARKANSAS DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FUND
FY08**

	FY08 APPROVED BUDGET 7-09-07	FY08 PROPOSED BUDGET 6-09-08	CHANGE
ACADEMIC IMPROVEMENT TRAINING	500,000	500,000	0
ADVANCED PLACEMENT INCENTIVE	825,000	825,000	0
ALTERNATIVE LEARNING	18,394,217	19,968,837	1,574,620
ALTERNATIVE PAY	2,500,000	2,500,000	0
ARK LEADERSHIP ACADEMY - MASTER PRINCIPAL	500,000	500,000	0
ARK PUBLIC SCHOOL COMPUTER NETWORK	16,160,243	20,160,243	4,000,000
ARK TEACHER HOUSING DEV FOUNDATION	100,000	100,000	0
ARKANSAS EASTER SEALS	193,113	193,113	0
ARKANSAS TEACHER OF THE YEAR	125,000	125,000	0
ASSESSMENT/END OF COURSE TESTING	23,887,747	23,887,747	0
AT RISK	1,490,500	1,659,085	168,585
BETTER CHANCE GRANTS	111,000,000	111,000,000	0
CONSOLIDATION INCENTIVE	12,550,000	5,101,588	(7,448,412)
CONTENT STANDARDS AND CURRICULUM FRAMEWORKS	100,000	100,000	0
CONTENT STANDARDS REVISION	161,000	161,000	0
COOP ED TECH CENTERS OPERATIONS	1,200,000	1,200,000	0
COURT ORDERED DESEGREGATION	65,955,923	65,955,923	0
CRIMINAL BACKGROUND CHECKS	50,000	50,000	0
DEBT SERVICE FUNDING SUPPLEMENT	28,455,384	28,455,384	0
DECLINING ENROLLMENT DISTRICTS	10,000,000	12,470,165	2,470,165
DEPT OF CORRECTION	5,027,675	5,027,675	0
DISTANCE LEARNING	500,000	500,000	0
DISTANCE LEARNING DEMONSTRATION PROJECT	6,000,000	6,000,000	0
DISTANCE LEARNING OPERATING GRANTS	5,831,400	8,831,400	3,000,000
DISTRESSED SCHOOL DISTRICT SUPPORT	450,000	450,000	0
EARLY CHILDHOOD SPECIAL EDUC	14,870,625	14,870,625	0
ECONOMIC EDUCATION	350,000	350,000	0
EDUC SERVICE COOPERATIVES	5,529,270	5,529,270	0
ENGLISH LANGUAGE LEARNERS	8,803,208	8,803,208	0
GENERAL FACILITIES FUNDING	8,100,000	8,100,000	0
GIFTED & TALENTED	1,422,896	1,422,896	0
GRANTS TO SCHOOL DISTRICTS	50,000	50,000	0
HIGH PRIORITY DISTRICT TEACHER RECRUIT/RET INCTV	2,100,000	2,100,000	0
HOME SCHOOL TESTING	250,000	250,000	0
HUMAN DEVELOPMENT CTR EDUC AID	526,150	526,150	0
INTENSIVE SCHOOL SUPPORT	320,000	320,000	0
INTERVENTION BLOCK GRANTS	132,000	137,000	5,000
ISOLATED FUNDING	7,896,000	7,896,000	0
MASTER PRINCIPAL BONUS	45,000	45,000	0
NAT BD PROF TEACHING STANDARDS	4,843,500	4,843,500	0
NATIONAL SCHOOL LUNCH STUDENT FUNDING	154,442,992	154,442,992	0
NON - TRADITIONAL LICENSURE GRANTS	50,000	50,000	0
OFFICE OF EDUCATION RENEWAL ZONES	2,059,865	2,059,865	0
PROFESSIONAL DEVELOPMENT FUNDING	22,961,359	22,961,359	0
PUBLIC SCHOOL EMPLOYEES INSURANCE	37,066,600	37,066,600	0
PYGMALION COMMISSION	40,000	40,000	0
RES CENTERS/JUVENILE DET	13,385,831	13,385,831	0
SCHOOL FOOD - LEGISLATIVE AUDIT	75,000	75,000	0
SCHOOL FOOD SERVICES	1,650,000	1,650,000	0
SCHOOL WORKER DEFENSE	390,000	390,000	0
SERIOUS OFFENDER PROGRAM	1,050,946	1,120,358	69,412
SMART START/SMART STEP	10,252,118	10,502,118	250,000
SPECIAL ED - CATASTROPHIC	11,000,000	11,347,965	347,965
SPECIAL EDUCATION SERVICES	4,145,285	3,797,320	(347,965)
SPECIAL NEEDS ISOLATED	3,000,000	3,000,000	0
STATE FOUNDATION FUNDING AID	1,835,722,382	1,835,722,382	0
STUDENT GROWTH	53,780,000	53,780,000	0
SUPPLEMENTAL MILLAGE INCENTIVE FUNDING	10,000,000	10,000,000	0
SURPLUS COMMODITIES	630,000	630,000	0
TEACHER LICENSURE / MENTORING	7,508,758	7,887,758	379,000
TEACHER RETIREMENT MATCHING	6,050,000	6,050,000	0
TECHNOLOGY GRANTS	1,602,678	3,602,678	2,000,000
TECHNOLOGY IMPROVEMENTS	1,000,000	1,000,000	0

**ARKANSAS DEPARTMENT OF EDUCATION
PUBLIC SCHOOL FUND
FY08**

	FY08 APPROVED BUDGET 7-09-07	FY08 PROPOSED BUDGET 6-09-08	CHANGE
TRAVELING TEACHERS	500,000	500,000	0
URT ACTUAL COLLECTIONS / STUDY	13,435,165	24,199,784	10,764,619
WORKERS COMPENSATION	450,000	450,000	0
YOUTH SHELTERS	165,000	165,000	0
ARKANSAS /STRIVE TRANSFER	200,000	200,000	0
PULASKI CTY DESEG COST FUND TRNSFR (S34 A1420 OF 07)		750,000	750,000
REAL PROPERTY REAPPRAISAL COSTS TRANSFER	10,830,000	10,830,000	0
SURETY BOND TRANSFER	85,000	85,000	0
TOTAL PUBLIC SCHOOL FUND	\$ 2,570,724,830	\$ 2,588,707,819	\$ 17,982,989
PROJECTED FUNDING			
GENERAL REVENUE	1,818,647,072	1,818,647,072	0
EDUCATIONAL EXCELLENCE TRUST FUND	200,001,683	200,422,877	421,194
EDUCATIONAL ADEQUACY FUND	458,839,987	458,839,987	0
TRANSFER TO EGA PROFESSIONAL LICENSURE	(415,000)	(415,000)	0
TRANSFER TO EGA EDUCATIONAL ACCOUNTABILITY	(450,000)	(450,000)	0
TRANSIT TAX 949 OF 2001	910,000	910,000	0
TANF TRANSFER FROM DHS	7,500,000	7,500,000	0
TRANSFER FROM GEN REV ALLT RES - URT	10,435,165	10,435,165	0
URT ACTUAL COLLECTIONS / STUDY REFUNDS		1,675,124	1,675,124
TRANSFER FROM GEN REV ALLT RES - END TO END SEC	300,000	300,000	0
TRANSFER FROM EGA FOR ENHANCED PROF DEV		250,000	250,000
COURT ORDERED DESEGREGATION	65,955,923	65,955,923	0
FUND BALANCE FY07	9,000,000	24,636,671	15,636,671
TOTAL PROJECTED FUNDING	\$ 2,570,724,830	\$ 2,588,707,819	\$ 17,982,989

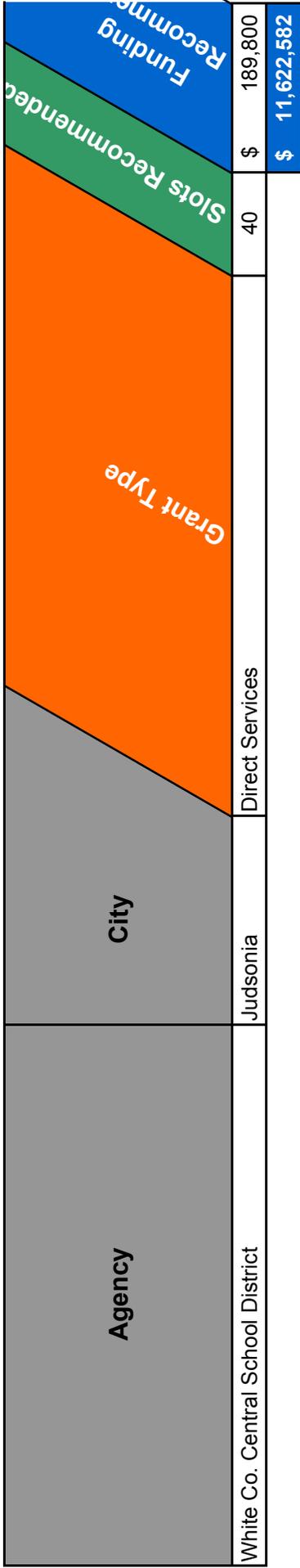
**2008-2009 Arkansas Better Chance
Recommendations for Funding - July 2008**

Agency	City	Grant Type	Slots Recommended	Funding Recommended
Arkansas Children's Hospital	Little Rock	Pre-K ELLA/INDEX	n/a	\$ 217,351
Arkansas Children's Hospital	Little Rock	HIPPY Tech. Assistance and Monitoring	n/a	\$ 377,615
ASU Childhood Services	Jonesboro	Pre-K ELLA/INDEX	n/a	\$ 536,494
ASU Childhood Services	Jonesboro	Quality Assurance Monitoring/Tech. Assistance	n/a	\$ 2,964,136
ASU Childhood Services	Jonesboro	Child Assessments	n/a	\$ 889,739
Bright Beginnings	North Little Rock	Direct Services	20	\$ 99,900
Brinkley School District	Brinkley	Direct Services	20	\$ 99,900
Busy Bee	Sherwood	Direct Services	20	\$ 99,900
Clarendon School District	Clarendon	Direct Services	6	\$ 29,970
Cleveland Co. School District	Rison	Direct Services	3	\$ 14,985
Community Outreach Partnership Enrich.	Hope	Direct Services	40	\$ 189,800
Community Preschool	Fayetteville	Direct Services	20	\$ 99,900
Cossatot Community College	De Queen	Direct Services	38	\$ 180,310
Crowley's Ridge Education Cooperative	Harrisburg	Direct Services	6	\$ 29,970
Dawson Education Cooperative	Arkadelphia	Pre-K ELLA/INDEX	n/a	\$ 82,586
DeQueen-Mena Education Cooperative	Gillham	Direct Services	20	\$ 99,900
Early Childhood Services	Hot Springs	Pre-K ELLA	n/a	\$ 14,934
Early Horizons	Salem	Direct Services	10	\$ 49,950
Emmanuel Learning Center	Jacksonville	Direct Services	20	\$ 99,900
Gurdon School District	Gurdon	Direct Services	5	\$ 24,975
Hazen School District	Hazen	Direct Services	4	\$ 19,980
Hot Springs Child Care Center	Hot Springs	Direct Services	60	\$ 299,700
Jefferson Comprehensive Care Systems	Pine Bluff	PAT Tech. Assistance and Monitoring	n/a	\$ 66,739
Leap Forward Academy	North Little Rock	Direct Services	12	\$ 59,940
Li'l Kim's Playhouse	Yorktown	Direct Services	10	\$ 49,950

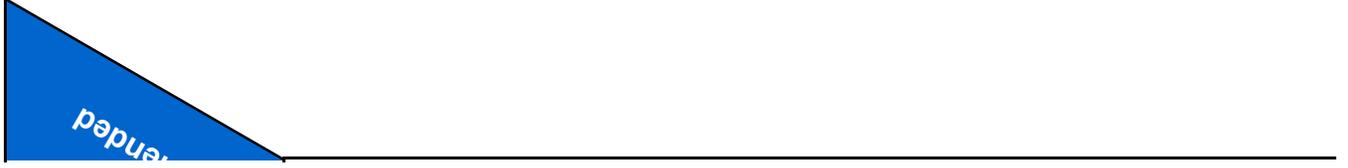
**2008-2009 Arkansas Better Chance
Recommendations for Funding - July 2008**

Agency	City	Grant Type	Slots Recommended	Funding Recommended
Little Kids Daycare	Springdale	Direct Services	4	\$ 19,980
Little Scholars of Maumelle	Maumelle	Direct Services	20	\$ 99,900
London Bridges Child Care, Inc.	North Little Rock	Direct Services	20	\$ 99,900
Marvell School District	Marvell	Direct Services	45	\$ 213,525
McCroory School District	McCroory	Direct Services	20	\$ 99,900
McGehee School District	McGehee	Direct Services	4	\$ 19,980
Ms. Christi's FHDC	Evening Shade	Direct Services	10	\$ 49,950
My First School	Conway	Direct Services	20	\$ 99,900
Nettleton School District	Jonesboro	Direct Services	20	\$ 99,900
OUR Education Cooperative	Harrison	Pre-K ELLA/INDEX	n/a	\$ 145,919
P.G. Academy	Marion	Direct Services	20	\$ 99,900
Quality Child Care	Little Rock	Direct Services	80	\$ 379,600
Rutgers University	Brunswick, NJ	Longitudinal Study	n/a	\$ 295,000
Scholastic Academy	Little Rock	Direct Services	12	\$ 15,600
Sisters of Our Lady of Charity (St. Michael's)	Hot Springs	Direct Services	15	\$ 25,635
Small Fry Child Care	Fayetteville	Direct Services	6	\$ 29,970
South Ark Dev Center for Children/Fam	El Dorado	Direct Services	40	\$ 189,800
South Mississippi Co. School District	Wilson	INDEX	n/a	\$ 15,875
Springdale School District	Springdale	Direct Services	20	\$ 99,900
Stuttgart School District	Stuttgart	Direct Services	35	\$ 174,825
The Exploration Station	Hackett	Direct Services	97	\$ 460,265
Town of Twin Groves	Twin Groves	Direct Services	8	\$ 39,960
University of Arkansas	Fayetteville	Pre-K ELLA/INDEX/Frameworks/SEL	n/a	\$ 1,361,306
University of Arkansas at Fort Smith	Ft. Smith	Pre-K ELLA/INDEX/Frameworks/SEL	n/a	\$ 323,043
Van Buren School District	Van Buren	Direct Services	55	\$ 274,725

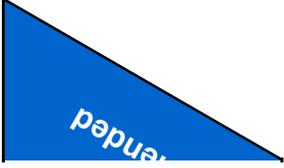
**2008-2009 Arkansas Better Chance
Recommendations for Funding - July 2008**



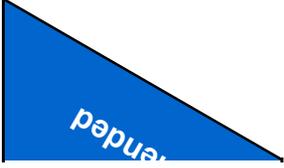
2008-2009 Arkansas Better Chance
Recommendations for Funding - July 2008



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Arkansas Department of Education Rules Governing the Requirement of Schools to Have Automatic External Defibrillators

1.00 REGULATORY AUTHORITY

- 1.01 This rule shall be known as the Arkansas Department of Education Rules Governing the Requirement of Schools to Have Automatic External Defibrillators.
- 1.02 This rule is promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-15-207, 25-15-201 et seq., 20-13-1301-1305 and 6-10-122.

2.00 PURPOSE

- 2.01 The purpose of this rule is to require schools to have Automatic External Defibrillators if funds are available as required by 5.01.

3.00 DEFINITIONS

- 3.01 “Automatic External Defibrillator” - A device that is used to administer an electric shock through the chest wall to the heart; has built in computers within the device to assess the patient’s heart rhythm, judge whether defibrillation is needed, and then administer the shock; has audible or visual prompts, or both, to guide the user through the process; has received approval from the United States Food and Drug Administration of its premarket modification; is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia and is capable of determining without intervention by an operator whether defibrillation should be performed; and upon determining that defibrillation should be performed, either automatically charges and delivers an electrical impulse to an individual’s heart or charges and delivers an electrical impulse at the command of the operator.
- 3.02 “Cardiac arrest” means a condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying heart disease.
- 3.03 “CPR” means a combination of rescue breathing and chest compressions and external cardiac massage used to sustain a person’s life until advanced assistance arrives.
- 3.04 “Defibrillation” means administering an electrical impulse to an individual’s heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.
- 3.05 “Ventricular fibrillation” means the most common arrhythmia that causes cardiac arrest. It is a condition in which the heart’s electrical impulses suddenly become chaotic; often without warning, causing the heart’s pumping action to stop abruptly.

4.00 AUTOMATIC EXTERNAL DEFIBRILLATOR REQUIREMENTS

- 4.01 Schools are required to have an automatic external defibrillator if funds are available as required by 5.01.
- 4.02 Schools that acquire an automatic external defibrillator must ensure that expected automatic external defibrillator users complete appropriate knowledge and skills courses at least once every two (2) years in CPR and automated external defibrillator use based upon current American Heart Association scientific guidelines, standards, and recommendations for providing CPR and the use of automated external defibrillators as published in American Heart Association, American Red Cross, or equivalent course materials.
- 4.03 Schools that acquire an automatic external defibrillator must ensure that the defibrillator is

maintained and tested according to the manufacturer's operational guidelines and instructions.

- 4.04 Any person who renders emergency care or treatment on a person in cardiac arrest by using an automated external defibrillator activates the emergency medical services system as soon as possible and immediately reports any clinical use of the automated external defibrillator to the medical provider responding to the emergency.
- 4.05 Schools that acquire an automatic external defibrillator must notify an agent of emergency communications, 911, or vehicle dispatch center of the existence, location, and type of automatic external defibrillator.
- 4.06 Pursuant to Ark Code Ann. § 20-13-1305(a), any person who in good faith and without compensation renders emergency care or treatment using an automatic external defibrillator is immune from civil liability as a result of the care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment, if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.

5.00 FUNDING

- 5.01 Districts are required to comply with these Rules to the extent that appropriations have been made by the General Assembly to cover the expenditures required by the districts to purchase automatic external defibrillators.

ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING TEACHER LICENSURE BY RECIPROCITY

1.00 REGULATORY AUTHORITY

- 1.01** These rules shall be known as the Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity.
- 1.02** These regulations are enacted pursuant to the authority of the State Board of Education under Ark Code Ann. § 6-11-105 and 6-17-402 and 25-15-204.

2.00 PURPOSE

- 2.01** These rules amend the previous Rules and Regulations Governing the Certification Laws and Regulations. These rules govern provisional, initial, or standard licensure through reciprocity.

3.00 **DEFINITIONS-** For the purpose of these Rules, the following terms shall mean:

3.01 Additional Licensure Plan (ALP)- shall be the recognized process for allowing a licensed teacher to be employed in an out-of-field teaching position while meeting the program of study requirements at an Arkansas University/College and/or assessment requirements for said position.

3.02 Building Level Administrator- a principal, assistant principal or vice principal. (grade levels P-8 and/or 7-12)

3.03 Content/Standard Teaching Area- the specific subject areas listed under Integrated Curriculum Humanities, Integrated Science Curriculum, Integrated Visual and Performance Arts, Integrated Vocational Education, Integrated Physical Education and Health and Special Education as listed in the State Board Approved Levels and Areas of Licensure.

3.04 Curriculum/Program Administrator-an individual who is responsible for program development and administration, and/or employment evaluation decisions. Each Curriculum/Program Administrator license is limited to the following areas:

3.04.1 Special Education (grade levels P-4 and/or 4-12, or P-12)

3.04.2 Gifted & Talented Education (grade levels P-8 and/or 7-12)

3.04.3 Career and Technical Education (grade levels 4-8, 7-12 and/or Post Secondary)

3.04.4 Content Area Specialist (grade levels P-8 and/or 7-12)

3.04.4.1 The areas of licensure for Content Area Specialist are listed in Appendix A.

3.04.5 Curriculum Program Administrator (grade levels P-8, and/or 7-12)

- 3.05 District Level Administrator-** a superintendent, assistant or associate superintendent, or deputy superintendent. (grade level P-12)
- 3.06 Endorsement-** teaching or administrative licensure areas, which require an initial or standard teaching license, prior to the endorsement being added.
- 3.07 Induction-**the period of time beginning with a teacher's or administrator's first employment as the teacher of record or administrator in an Arkansas public school, cooperative, or agency that requires an Arkansas Initial teaching or initial administrator license.
- 3.08 Initial Teaching License-** a three (3)-year teaching license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.
- 3.09 Level and Area of Licensure:**
- a.) Level of licensure -** the grade/age level parameters of the teaching license, such as P-4, 4-8, P-8, P-12, 7-12 and PS (post-secondary).
 - b.) Area of licensure-** the particular content field, including but not limited to, Early Childhood, Middle Childhood Science/Mathematics, Social Studies, and Family and Consumer Sciences.
- 3.10 Mentoring-** the act of a certified mentor providing support and focused feedback to a novice teacher/administrator through the state-adopted mentoring model as a part of the Induction process.
- 3.11 Novice teacher-** any licensed teacher-of-record with less than one (1) year of public school, or accredited private school, classroom teaching experience, not including student internship or substitute teaching.
- 3.12 Performance Assessment-**an assessment tool used for evaluation of the classroom performance of a novice teacher, as part of the Induction process.
- 3.13 Program of Study** a state-approved teacher preparation curriculum offered at an Arkansas college or university, based on the *Arkansas Licensure Standards*. The program requires a candidate to demonstrate and document competency in the specific knowledge, skills, and dispositions for a particular licensure area and level.
- 3.14 Provisional License by Reciprocity-** one (1) year teaching license that (may be renewable or non-renewable) allows a teacher coming from out of state or out of country to be employed as a teacher while completing all requirements necessary for the Initial or Standard teaching license. Applicants who have participated in, but not completed, an alternate route to licensure in another state are excluded from provisional licensure.
- a. A non-renewable teaching license issued to applicants holding an out-of-state license and that have been required to test and/or take Arkansas History; or**
 - b. A non-renewable teaching license issued to applicant that have completed their degree in teacher preparation program out of state, but did not license, and that have been required to test and/or take Arkansas History; or**
 - c. A non-renewable teaching license issued to applicant out-of-country that have met the provisions of section 4.02.6 of this Rule and have been required to test and/or take Arkansas History; or**

d. A renewable teaching license issued to applicants from out-of-state when the teaching areas are not recognized by Arkansas, and they have been required to complete a program of study or additional coursework for Arkansas licensure. It may be renewed twice.

3.15 **Reciprocity-** the recognition of a teaching license from another state or country based on the terms of the interstate contract agreement and Arkansas rules governing licensure by reciprocity.

3.16 **Standard Non-Instructional License-** a five (5)-year renewable license, issued by the state, which allows one to practice in Arkansas public schools as a School Psychology Specialist or Speech Language Pathologist.

3.17 **Standard Teaching License-** a five (5)-year renewable license, issued by the State Board of Education, which allows the license holder to teach in Arkansas public schools.

3.18 **State Board Required Assessments-** specific performance –based assessments approved by the State Board of Education.

3.19 **Teacher-of-Record-** an instructional teacher employed under contract (in a licensed staff position) by a school district or other Arkansas agency or organization requiring an Arkansas teaching license.

3.20 **Teaching experience-**that experience earned while employed as a licensed teacher, administrator, librarian, or counselor for a public or private school, agency or organization in a pre-kindergarten through grade 12 setting.

4.00 REQUIREMENTS FOR OBTAINING INITIAL OR A STANDARD LICENSURE TEACHING LICENSE BY RECIPROCITY

4.01 Eligibility

4.01.1 Applicants shall hold or be eligible to hold a valid or expired provisional, initial or standard teaching license from another state or country.

4.01.1.1 Applicants licensing in Added Endorsement Areas as identified in the Areas and Levels of Licensure shall hold or have held a “content teaching area” of licensure.

4.01.2 Any applicant that has completed a teacher preparation program from another state or country but did not license.

4.02 General Requirements

4.02.1 Applicants for licensure through reciprocity shall complete the application form, criminal background check and provide a copy of a current or expired teaching license, verification of three years teaching experience, and/or copies of test scores required for out-of-state or out-of-country licensure and official transcripts reflecting the completion of Bachelor’s Degree (Master’s Degree when required) from a National Council for Accreditation of Teaching Education (NCATE) or regionally accredited institution of higher education state

approved teacher preparation program.

- 4.02.1** Applicants for licensure through reciprocity holding a current out-of-state or out-of-country teaching license and current certification from the National Board for Professional Teaching Standards (NBPTS), shall be eligible for the five-year standard teaching license upon submission of a completed application form, official transcripts, copy of current out-of-state or out-of-country teaching license and successful completion of the required background checks. A Praxis II Specialty Area assessment shall be required when the out-of-state licensure area is not recognized by Arkansas.
- 4.02.1** Teachers licensing through reciprocity with less than one year of teaching experience shall be issued an Initial / Provisional License and participate in the Induction Program (mentoring and the state mandated performance assessment). during the first three (3) years of teaching in Arkansas. The Praxis III Performance Assessment shall not be required for teachers holding a current or expired, standard out-of-state or out-of-country teaching license at the time they applied for their Arkansas teaching license
- 4.02.2** Any individual who holds a valid teaching license from another state, and who has not graduated from a college/university holding regional/national accreditation and/or a teacher preparation program that holds a national accreditation approved by the U.S. Department of Education, or that is a state approved an NCATE preparation program, or regionally accredited institution of higher education, is not eligible for licensure in Arkansas.
- 4.02.4 Candidates from countries not included in the National Association of State Directors of Teacher Education and Certification (NASDTEC) agreements may make application for admission into the Non-traditional Licensure Program.
- 4.02.3** Professional exams Specialty area assessments required for out-of state or out-of-country teacher licensure may be accepted for Arkansas teacher licensure.
- 4.02.4** Required assessments for Arkansas licensure through reciprocity shall be waived upon providing the following documentation:
- 4.02.4.1 Valid out-of-state or out-of-country teaching license as a teacher, administrator, librarian, counselor or in other compatible licensure areas as identified in the areas and levels of licensure as adopted by the State Board of Education.
- 4.02.4.2 Three years of teaching experience as documented on school district, agency or organization letterhead.
- 4.02.4.3 Teaching experience shall be defined as that experience earned while employed as a licensed teacher, administrator, librarian or counselor for a public or private school, agency or organization in a Pre-Kindergarten through grade twelve setting.
- OR**
- 4.02.4.3 Score report reflecting a passing score for the

Specialty Area Assessment(s) required for the out-of-state or out-of-country teaching license (OR) written verification from the licensing agency that the required Specialty Area Assessment(s) for licensure were successfully completed.

- 4.02.5** All out-of-country applicants shall have their credentials evaluated by one of the ADE approved private credential evaluation agencies located in the United States.
- 4.02.5.1** The private evaluation agency shall complete a course-by-course evaluation of the applicant's transcript, indicate the applicant's major area of study and document whether the applicant's degree is equivalent to one that would have been completed at an a regionally accredited institution or an institution of higher education in the United States that holds national accreditation that is approved by the U.S. Department of Education.
- 4.02.5.2** The private evaluation agency shall also document whether the professional preparation for teacher licensure out-of-country and the areas of teacher licensure represented by the out-of-country license are equivalent to the a teacher preparation program in the United States that holds national accreditation approved by the US Department of Education, or that is state approved. required for teacher licensure in the United States.
- 4.02.5.3** This evaluation will determine eligibility for teacher licensure in Arkansas.
- 4.02.6** Applicants from out of state or out of country with an expired license shall take and pass the Praxis II Specialty Area Test(s) for all areas of standard licensure and the Praxis II Principles of Learning and Teaching for the appropriate level of teacher licensure to be eligible for a standard Arkansas teaching license. Applicants with an expired license from out-of-state or out-of-country shall not be eligible for a provisional license.
- 4.02.7** Out-of-state and out-of-country applicants for teacher licensure whose current license was granted without professional exams, and a specialty area assessment or who cannot document at least three years of teaching experience shall take and pass the Praxis II Specialty Area Test for all areas of standard licensure and endorsements and the Praxis II Principles of Learning and Teaching for the appropriate one of their levels of teacher licensure.
- 4.02.8** All candidates with licensure areas/endorsements from other states or countries with reciprocity agreements through NASDTEC shall automatically receive the Arkansas equivalent licensure area(s)/endorsements, provided all other licensure requirements have been met.
- 4.02.9** Applicants from out-of-state or out-of-country with a license in special education or a related service area(s), i.e. Visual Specialist or Hearing Specialist, seeking a standard teaching license shall initially meet the standards established for

such licensure in Arkansas to receive a standard teaching license. A one year, renewable twice, provisional teaching license shall be available for those applicants not meeting the established standards for special education licensure. The applicant shall meet the standards established for special education licensure within three years of receiving a provisional license to be in keeping with the “highest standards” of the Individuals with Disabilities Education Act Amendments of 1997 pertaining to qualified personnel. The Office of Special Education will assist the Office of Professional Licensure in identifying the course of action for meeting Arkansas standards for licensure in special education or related service area(s). The provisional license shall be converted to a standard license upon meeting the established standards including the required Praxis II Specialty Area Assessments for Arkansas special education licensure.

4.02.10 Teachers and/or administrators being licensed in Early Childhood P-4, any Middle School Childhood 4-8 area or Secondary Social Studies, shall complete a three-hour course in Arkansas History before receiving a an initial / standard Arkansas teaching license. A one-year, non-renewable provisional teaching license shall be available for those that haven’t completed the three-hour Arkansas History course.

4.02.11 Applicants whose standard teaching area(s) are not recognized by compatible with an Arkansas standard teaching shall area be licensed for the shall receive the teaching area and level that most closely parallels their out-of-state or out-of-country licensure area(s).

When the standard teaching area(s) are not compatible, the applicant shall take and pass the required Praxis II Specialty Area Exam(s) for all parts of the licensure area(s) requested through reciprocity that are not compatible with the Arkansas licensure area(s).

4.02.12 Applicants whose endorsement(s) are not compatible with an equivalent to an Arkansas endorsement area, shall take the required Praxis II Specialty Area Exam(s) for the Arkansas endorsement area(s) that most closely parallels their out-of-state or out-of-country endorsement area(s) in order to add the Arkansas endorsement area(s) to their standard teaching license. In cases where the endorsement area does not have a subject specific Praxis II Specialty Area Exam, the applicant shall complete the prescribed program of study for the endorsement area and Praxis II Exam assigned to that endorsement area.

4.02.14 Provisional teaching license shall become effective for one year from the date the teacher/administrator is hired.

4.02.13 Standard teaching licenses will become effective January 1 of the year the license is issued and shall expire December 31 of the last year the license is valid. A Standard teaching license issued prior to January 1, 2002 shall be valid for six years if based on a Bachelor’s Degree and shall be valid for ten years if based on a Master’s Degree. A standard teaching license issued after January 1, 2002 shall be valid for five years.

- 4.02.15** Provisional license shall not be issued to any person possessing a valid Arkansas standard/initial teaching license.
- 4.02.14** Candidates who completed an out-of-state or out-of-country teacher preparation program but never licensed, shall meet the following requirements for their Initial Arkansas teaching license.
- 4.02.14.1** Submit an application for teacher licensure.
- 4.02.15.2** Submit an official transcript reflecting the completion of an NCATE or regionally accredited out-of-state or out-of-country teacher preparation program and a minimum of a Bachelor's Degree (Master's when required).
- 4.02.14.2** Submit documentation of having completed a teacher preparation program that holds national accreditation recognized by the U.S. Department of Education, or that is state approved.
- 4.02.15.3** When it has been longer than five years since program completion, the applicant shall have his/her transcripts evaluated by an Arkansas college or university against current requirements for Initial license.
- 4.02.14.3** Submit an official transcript(s) reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally accredited or that holds national accreditation that is approved by the U.S. Department of Education.
- 4.02.14.4** Document successful passing of the state required basic skills assessment(s), specialty area assessment(s) for each licensure/endorsement area, and pedagogical assessment for one of their levels of licensure.
- 4.02.14.5** Successfully clear complete a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann. § 6-17-410.
- 4.02.14.6** Successfully complete the three-hour, college level, Arkansas History course when required.
- 4.02.14.7** The initial teaching license shall be converted to the five-year, standard Arkansas teaching license upon successful completion of Induction (mentoring and Praxis III-Performance Assessment).
- 4.02.15** Only the areas of licensure and/or endorsement listed on an out-of-state or out-of-country license shall be recognized for licensure through reciprocity.
- 4.02.16** Candidates from out of state or out-of-country that have completed a teacher education program and hold an initial or provisional teaching license shall meet the following requirements for their Arkansas three-year initial teaching license.

- 4.02.16.1** Submit an application for teacher license.
- 4.02.17.2** Submit an official transcript reflecting the completion of an NCATE or regionally accredited out-of-state or out-of-country teacher preparation Program and a minimum of a Bachelor's Degree (Master's when required).
- 4.02.16.2** Submit an official transcript reflecting the completion of a teacher preparation program with a minimum of a bachelor's degree (Master's degree when required), from an institution of higher education that is regionally accredited or that holds national accreditation recognized by the U.S. Department of Education, or that is state approved. The specific program, as well as the institution shall meet this criteria.
- 4.02.17.3** When it has been longer than five-years since program completion, the applicant shall have his/her transcripts evaluated by an Arkansas college or university against current requirements for initial licensure.
- 4.02.16.3** Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally accredited or that holds national accreditation that is recognized by the U.S. Department of Education iH.
- 4.02.16.4** Document testing that was required for the out-of-state or out-of-country initial or provisional teaching license. When it cannot be documented that the applicant has met the requirements of Section 4.02.75 of these Rules, the applicant shall successfully complete the state required basic skills assessments(s), specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.
- 4.02.16.5** Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.
- 4.02.16.6** Candidates shall provide a copy of their out-of-state teaching license to the Office of Professional Licensure.
- 4.02.16.7** Candidates receiving the Initial Arkansas teaching license shall complete Induction (mentoring and Praxis III-Performance Assessment).
- 4.02.16.8** Candidates shall successfully complete the three-hour, college level, Arkansas History course when required.
- 4.02.16.9** The initial teaching license shall be converted to the five-year, standard Arkansas teaching license upon the successful completion of mentoring and the Praxis III – Performance

Assessment.

- 4.02.17** The Office of Professional Licensure, as authorized by the State Board of Education, reserves the right to amend and/or rescind any Arkansas teaching license that has been issued in error.
- 4.02.18** Candidates from out of state that have completed a teacher preparation program and hold a standard teaching license shall meet the following requirements for their five-year, standard Arkansas teaching license.
- 4.02.18.1** Submit an application for teacher licensure.
- 4.02.18.2** Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally accredited or that holds national accreditation that is recognized by the U.S. Department of Education iH.
- 4.02.18.3** Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.
- 4.02.18.4** Provide verification of three years of teaching experience or verification of having successfully passed testing a specialty area assessment(s) required for the out-of-state teaching license.
- 4.02.18.5** Candidates that cannot verify experience or testing shall successfully pass the state required specialty area assessment(s) for each licensure/endorsement area and pedagogical assessment at one of their levels of licensure.
- 4.02.18.6** Candidates shall provide a copy of their out-of-state teaching license.
- 4.02.18.7** Candidates shall pass the three-hour Arkansas History course when required.
- 4.02.19** Candidates from out-of –state that have completed a teacher preparation program and hold either an expired initial or expired standard teaching license, shall complete the following requirements for their initial or standard teaching license.
- 4.02.19.1** Submit an application for teacher licensure.
- 4.02.19.2** Submit an official transcript reflecting the completion of a Bachelor's Degree (Master's Degree when required), from an institution of higher education that is regionally accredited or that holds national accreditation that is recognized by the U.S. Department of Education.
- 4.02.19.3** Successfully clear a background check through the Arkansas State

Police and the Federal Bureau of Investigation as required by Ark. Code Ann 6-17-410.

- 4.02.19.4** Submit a copy of their expired out-of-state-teaching license.
- 4.02.19.5** Successfully pass the state required specialty area assessment for each licensure/ endorsement area, and the state required pedagogical assessment for one of their levels of licensure.
- 4.02.19.6** Candidates shall successfully pass a three-hour, Arkansas history course when required.
- 4.02.19.7** Candidates receiving the initial Arkansas teaching license shall complete Induction (mentoring and Praxis III-Performance Assessment).
- 4.02.19.8** The initial license shall be converted to the five-year, standard Arkansas teaching license upon the successful completion of mentoring and the Praxis III- Performance.
- 4.02.19.9** Candidates holding an expired teaching license are not shall be eligible for a provisional teaching license.
- 4.02.20** Candidates who completed an out-of-country teacher preparation program shall meet the following requirements for their initial, Arkansas teaching license.
 - 4.02.20.1** Submit an application for teacher licensure.
 - 4.02.20.2** Document successful passing of the state required basic skills assessment, specialty area assessment(s) for each licensure/ endorsement area, and pedagogical assessment at one of their levels of licensure.
 - 4.02.20.3** Successfully clear a background check through the Arkansas State Police and the Federal Bureau of Investigation as required by Ark. Code Ann § 6-17-410.
 - 4.02.20.4** Meet the requirements of section 4.02.6 of these rules.
 - 4.02.20.5** Successfully pass the three-hour college level Arkansas History course when required.
 - 4.02.20.6** The initial teaching license shall be converted to the five-year, standard Arkansas teaching license upon successful completion of Induction (Mentoring and Praxis III-Performance Assessment).
- 4.02.21** Candidates adding additional licensure/endorsement areas by reciprocity to a current Arkansas teaching license, shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement.

- 4.02.22** Candidates that choosing not to transfer all licensure/endorsement areas by reciprocity when licensing initially in Arkansas, shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement if/when the candidate chooses to add those licensure/endorsement areas at a later date.
- 4.02.23** All candidates for licensure by reciprocity shall clear the required State Police and Federal Bureau of Investigation background checks regardless of previous background checks already completed.
- 4.02.24** Effective May 1, 2007, teachers licensing in P.E./Wellness/Leisure by reciprocity, shall be given the licensure code numbers of 227 and/or 228 upon documentation of one year or more of prior coaching experience or eligibility to be employed as a coach.
- 4.02.24.1** A coaching endorsement will not be added automatically to license with these codes, but the teacher will be allowed to coach.
- 4.02.25** Then prior coaching experience or eligibility to be employed as a coach cannot be documented, the new licensure code numbers for P.E./Wellness/Leisure of 235 and/or 236 shall be assigned.
- 4.02.25.1** Teachers holding the new licensure code numbers of 235 and/or 236 shall not be automatically approved to be employed as a coach in the public schools of Arkansas.
- 4.02.25.2** Teachers holding the new licensure code of 235 and/or 236, employed as coaches shall work under the ALP (Additional Licensure Plan) for the coaching endorsement (7-12).
- 4.02.26** Individuals licensing as a Speech Language Pathologist shall meet the following requirements.
- 4.02.26.1** Document completion of a Master's Degree in Speech Language Pathology from a regionally accredited college/university.
- 4.02.26.2** Document successful passing of the required specialty area assessment.
- 4.02.26.3** Successfully clear the required State Police and FBI background checks.
- 4.02.27** Individuals licensing as a School Psychology Specialist shall meet the following requirements.
- 4.02.27.1** Document completion of an advanced degree specialist degree in School Psychology from a regionally accredited college/university or
- 4.02.27.2** Document completion of a Master's Degree in Counseling/

Psychology with a graduate level program of study in School Psychology from a regionally accredited college/university.

4.02.27.3 Document successful passing of the required Specialty area assessment.

4.02.27.4 Successfully clear the required State Police and FBI background checks.

4.02.28 The Office of Professional Licensure reserves the right to license individuals by Reciprocity that have met their state's degree/program of study requirements and testing requirement but have not fulfilled other ancillary requirements for licensure.

5.00 REQUIREMENTS FOR OBTAINING A PROVISIONAL TEACHING LICENSE BY RECIPROCITY

5.01 A one-year non-renewable, provisional teaching license shall be available to out-of-state or out-of-country applicants that have completed a teacher preparation program but have not licensed or hold an initial, or provisional license, upon providing the following documentation.

5.01.1 A completed application for licensure.

5.01.2 Official transcripts reflecting the completion of a Bachelor's Degree (Master's Degree where required) from a regionally and/or NCATE accredited out-of-state or out-of country teacher preparation program.

5.01.3 Successful completion of both parts of the required background checks (Arkansas State Police and Federal Bureau of Investigation).

5.01.4 Out-of-country applicants shall present documentation of transcript evaluation by an independent evaluation agency in the United States as specified in section 3.02.8.

5.01.5 Proof of employment on the verification of provisional licensure eligibility form indicating employing school district and hire date.

5.01.6 Copy of out-of-state or out-of-country teaching license.

5.01.7 All coursework assessed because it has been longer than five years since program completions, shall be completed prior to receiving a provisional teaching license.

5.02 A one-year renewable (two times) provisional teaching license shall be available to out-of-state or out-of-country applicants whose licensure area(s) are incompatible with an Arkansas licensure area upon providing the following documentation.

5.02.1 A completed application for licensure.

- 5.02.2** Official transcripts reflecting the completion of a Bachelor's Degree (Master's Degree where required) from a regionally and/or NCATE accredited out-of-state or out-of-country teacher preparation program.
 - 5.02.3** Successful completion of both parts of the required background checks (Arkansas State Police and Federal Bureau of Investigation).
 - 5.02.4** Copy of valid, a provisional, initial, or standard out-of-state or out-of-country teaching license. This will not be required when applicant did not license out-of-state or out-of-country.
 - 5.02.5** Out-of-country applicants shall present documentation of transcript evaluation by an independent evaluation agency in the United States as specified in section 3.02.86.
 - 5.02.6** Applicants wishing to renew the provisional teaching license shall submit a new application for licensure requesting the renewal of their provisional teaching license and shall provide proof of employment on the verification of provisional licensure eligibility form indicating the employing school district and hire date.
 - 5.02.7** Proof of employment on the verification of provisional licensure eligibility form indicating employing school district and hire date.
- 5.03** one-year non-renewable provisional teaching license shall be available for out-of-state and out-of-country applicant that cannot document the following.
- 5.03.1** Three years of teaching experience or completion of required testing for the out-of-state or out-of-country teaching license.
 - 5.03.2** Three-hour Arkansas History course when required.
- 5.04** he one-year non-renewable provisional teaching license shall be issued upon providing the following documentation:
- 5.04.1** A completed application for licensure.
 - 5.04.2** Official transcripts reflecting the completion of a Bachelor's Degree (Master's Degree where required) from a regionally and/or NCATE accredited out-of-state or out-of-country teacher preparation program.
 - 5.04.3** Successful completion of both parts of the required background checks (Arkansas State Police and Federal Bureau of Investigation).
 - 5.04.4** Copy of valid, standard teaching license from out-of-state or out-of-country.
 - 5.04.5** Proof of employment on the verification of provisional licensure eligibility form indicating employing school district and hire date.
 - 5.04.6** Out-of-country applicants shall present documentation of transcript evaluation

by an independent evaluation agency in the United States as specified in section 3.02.8.

5.01 A one year non-renewable provisional teaching license shall be issued to:

5.01.1 Out-of state or out-of country applicants who:

5.01.1.1 Have completed a teacher preparation but have not licensed or,

5.01.1.2 Hold a provisional, initial, or standard teaching license and,

5.01.1.3 Have been required to take Arkansas History or State- required licensure assessments.

5.02 The one-year non-renewable provisional teaching license shall be issued upon providing the following documentation, to the Office of Professional Licensure.

5.02.1 A completed licensure application form

5.02.2 Written documentation of transcript evaluation by a State approved, independent Evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

5.02.3 Successfully clear the Arkansas State Police and Federal Bureau of Investigation background checks required by Ark. Code Ann. § 6-17-410.

5.02.4 Official transcripts

5.02.5 Copy of out-of state or out-of country teaching license.

5.02.6 Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

5.03 Eligibility for a one-year renewable (two times) provisional teaching license:

5.03.1 Out-of-state or out-of-country applicants who

5.03.1.1 Completed a teacher preparation program but have not licensed or,

5.03.1.2 Holds an initial, provisional, or standard teaching license and,

5.03.1.3 Holds licensure/endorsement area (s) that are not equivalent with Arkansas licensure/endorsement areas and,

5.03.2 Completion of one-third of the program of study (coursework) shall be completed before renewing the provisional license for each of the two renewals allowed.

5.03.3 Completion of the program of study (coursework and testing) is required to convert the provisional to a standard Arkansas license.

5.04 The one-year renewable (two times) provisional teaching license shall be issued upon providing the following documentation.

5.04.1 A complete licensure application form.

5.04.2 Written documentation of transcript evaluation by a state approved, independent evaluation agency located in the United States that meets the requirements of Section 4.02.6 of these rules.

5.04.3 Successfully clearing the State required, Arkansas State Police and Federal Bureau of Investigation background checks.

5.04.4 Official transcripts reflecting completion of one-third of required coursework with no less than six hours per year.

5.04.5 Copy of out-of -state or out-of -country teaching license.

5.04.6 Proof of employment on the Verification of Provisional Licensure Eligibility Form that reflects the employing school district and hire date.

5.05 Applicants wishing to renew the provisional teaching license shall submit the following.

5.05.1 A completed application form

5.05.2 Proof of employment on the Verification of Provisional Licensure Eligibility that reflects the employing school district and hire date.

5.05.3 Verification of having completed the required coursework the preceding year.

5.06 A provisional teaching license shall become effective for one year from the date the teacher/administrator is hired.

5.07 A provisional license shall not be issued to any person possessing a valid Arkansas standard/initial teaching license.

6.00 REQUIREMENTS FOR CONVERTING A PROVISIONAL TEACHING LICENSE TO AN INITIAL OR STANDARD TEACHING LICENSE BY RECIPROCITY

6.01 The one-year non-renewable provisional teaching license shall be converted to the three-year Initial or five year Standard teaching license when the following documentation has been submitted to the Office of Professional Licensure.

6.01.1 A completed application for licensure requesting the conversion of the provisional teaching license.

6.01.2 Score reports reflecting successful completion of the state required basic skills assessment (all parts), specialty area assessment(s) and pedagogical assessment when required.

6.01.3 Official transcript(s) reflecting the successful completion of a three (3)- hour Arkansas History course when required.

6.02 The one-year renewable provisional teaching license shall be converted to the three-year initial or standard five-year teaching license when the following documentation has been submitted.

6.02.1 A completed application for licensure requesting conversion of the provisional to the three-year initial or five-year standard teaching license.

6.02.2 Official transcript reflecting successful completion of a three (3) hour Arkansas History course when required.

6.02.3 Score report reflecting successful completion of state required content assessment(s), pedagogical assessment and basic skills assessments (all parts) when required.

6.02.4 Official transcript and documentation of successful completion of program of study (coursework) when required.

6.03 The one-year non-renewable provisional teaching license shall be converted to a standard five-year teaching license when the following documentation has been submitted.

6.03.1 A completed application for licensure requesting the conversion of the provisional license.

6.03.2 Official transcript reflecting the successful completion of a three (3) hour Arkansas History course when required.

6.03.3 Score report reflecting successful completion of the state required specialty area assessment(s) and pedagogical assessment (OR) written documentation reflecting three-years of teaching experience or completion of required testing for the out-of-state or out-of-country teaching license.

7.00 REQUIREMENTS FOR CONVERTING AN INITIAL TEACHING LICENSE TO A STANDARD TEACHING LICENSE.

7.01 The three-year, initial teaching license shall be converted to the five year standard teaching license upon providing the following documentation.

7.01.1 Verification of the successful completion of Induction (Mentoring and the Praxis III-Performance Assessment).

8.00 REQUIREMENTS FOR OBTAINING AN INITIAL BUILDING LEVEL OR CURRICULUM PROGRAM ADMINISTRATOR LICENSE BY RECIPROCITY

8.01 ELIGIBILITY

8.01.1 The applicant shall hold or have previously held a standard “teaching area” of

licensure in another state or country.

8.01.2 The applicant shall hold a valid Initial Administrator license or its equivalent in another state or country.

8.01.2.1 There are two Initial Administrator licenses.

8.01.2.1.1 Building Level Administrator,

AND

8.01.2.1.2 Curriculum Program Administrator

8.01.3 Applicants shall have completed a graduate degree from a college/university holding regional/national accreditation recognized by the U.S. Department of Education.

8.01.4 If the graduate degree is not in Educational Leadership, the applicant shall have completed in addition to the degree. a graduate level Educational Leadership program of study holding regional/national accreditation recognized by the U.S. Department of Education in addition to the degree.

8.01.5 If the applicant's graduate degree and program of study are not from a college/university holding NCATE or TEAC national accreditation as recognized by the US Department of Education then.

8.01.5.1 An applicant with at least one year of administrative experience, in the licensure area sought, shall receive an appropriate (Initial / Standard) Administrator's License.

8.01.5.2 An applicant with less than one year of administrative experience, in the licensure area sought, shall complete an Administrator Licensure Completion Plan (ALCP) of study from an approved Arkansas College/University.

8.01.6 The applicant seeking licensure as an Initial Building Level Administrator shall have a minimum of four years of teaching experience, with three years of classroom teaching experience at the level of licensure being sought.

8.01.7 The applicant seeking licensure as an Initial Curriculum Program Administrator shall have a minimum of four years of teaching experience with at least three years of teaching experience at the level or in the area in which the applicant is seeking licensure.

8.01.8 Applicants for licensure as an Initial Curriculum Program Administrator shall also hold Arkansas licensure in the specialty area where applicable.

8.01.8.1 If the specialty area is an added endorsement area gained without a program of study, it will not serve as a platform for gaining the Curriculum Program Administrator License.

9.00 CONVERTING THE INITIAL BUILDING LEVEL ADMINISTRATOR LICENSE TO A STANDARD BUILDING LEVEL ADMINISTRATOR LICENSE

9.01 The Initial Building Level Administrator License shall be converted to a Standard Building Administrator license when:

9.01.1 A minimum of one year work experience as a Building Level Administrator is verified.

9.01.2 The applicant has completed one year of the state mentoring program for Building Level Administrators.

9.01.3 The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

9.02 If experience and/or testing and/or mentor were completed out of state, and/or verified, they shall be waived in Arkansas.

10.00 CONVERTING THE INITIAL CURRICULUM PROGRAM ADMINISTRATOR LICENSE TO A STANDARD CURRICULUM PROGRAM ADMINISTRATOR LICENSE

10.00 The Initial Curriculum Program Administrator license shall be converted to a Standard Curriculum Program Administrator license when:

10.00.1 A minimum of one year work experience as a Curriculum Program Administrator is verified.

10.00.2 The applicant has completed one year of the state mentoring program for Curriculum Program Administrator.

10.00.3 The applicant has passed and submitted a score report for the School Leaders Licensure Assessment.

10.02 If experience and/or testing and/or mentor were completed out of state, and/or verified, they shall be waived in Arkansas.

11.00 REQUIREMENTS FOR OBTAINING A STANDARD BUILDING LEVEL OR CURRICULUM PROGRAM ADMINISTRATOR LICENSE BY RECIPROCITY

11.01 ELIGIBILITY

11.01.1 The applicant shall hold or shall have previously held a Standard teaching area of licensure in another state or country.

11.01.2 The applicant shall hold a valid current Standard Building Level or Curriculum Program Administrator license or the equivalent in another state or country.

11.01.3 Applicants shall have satisfied all requirements in Section 8.01 of these Rules.

11.01.4 The applicant shall have successfully completed a specialty area assessment in Educational Leadership.

11.01.4.1 If no assessment was required out of state, but the applicant has completed three years of employment as an administrator, the Arkansas-required assessment shall be waived.

11.01.4.2 If no assessment was required out of state and the applicant has completed **less than** three years of employment as an administrator, he/she shall take and successfully complete the Arkansas-required assessment for these areas of administration.

11.01.5 When licensed as an Administrator in Arkansas, and employed as such, the administrator shall attend the Beginning Administrator Induction and Follow-up training sessions conducted as part of the State Mentoring Program for Administrators.

12.00 REQUIREMENTS FOR OBTAINING A STANDARD DISTRICT LEVEL ADMINISTRATOR LICENSE BY RECIPROCITY

12.01 Applicants shall hold or shall have previously held a Standard teaching area of licensure in another state or country.

12.02 Applicants shall hold a valid Standard District Level Administrator license in another state or country.

12.03 Applicants shall hold a valid Standard Building or Curriculum Program Administrator license in another state or country, or

12.03.1 Document a minimum of five years experience as a District Level Administrator

12.04 Applicants shall have satisfied all requirements contained in Section 8.01 of these Rules.

12.04.1 The preparation for District Level Administrator shall consist of an advanced degree in Educational Leadership, or a graduate level degree with an advanced program of study in Educational Leadership.

12.05 District Administrator licensure requires the School Superintendent's Assessment. This test may be waived if:

12.05.1 The applicant successfully completed an assessment out-of-state for this area.

OR

12.05.2 The applicant has completed three years or more of employment as a District Administrator.

**13.00 REQUIREMENTS FOR ADDING ADDITIONAL AREAS OF LICENSURE/
ENDORSEMENT BY RECIPROCITY**

13.01 Applicants shall submit a completed application requesting the addition of the area (s) of licensure or endorsement.

13.02 Applicants shall meet the requirements of the Rules Governing the Addition of Areas of Licensure or Endorsement and/or rules governing a particular licensure/endorsement area.

13.02.1 Applicants shall meet degree, program of study (coursework), Praxis Assessment and experience requirements when required for adding areas of licensure/endorsement.

13.03 Arkansas required Praxis Assessment(s) shall be waived upon providing documentation of having completed the specialty area assessment required for the out-of-state licensure area.

13.03.1 When testing was not required for the out-of-state teaching license, or the licensure area being added by reciprocity is incompatible with the equivalent Arkansas licensure/endorsement area, the applicant shall successfully complete the required Arkansas Praxis Assessment(s).



ARKANSAS DEPARTMENT OF EDUCATION

PROTOCOL FOR THE REVIEW AND APPROVAL OF PROGRAMS OF STUDY LEADING TO EDUCATOR LICENSURE OR ENDORSEMENT IN ARKANSAS

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ARKANSAS DEPARTMENT OF EDUCATION

PROTOCOL FOR THE REVIEW AND APPROVAL OF PROGRAMS OF STUDY LEADING TO EDUCATOR LICENSURE AND ENDORSEMENT IN ARKANSAS

Arkansas Department of Education (ADE) approval is required for any Institution of Higher Education (IHE) prior to implementing a new program of study that prepares candidates for any professional educator license or endorsement in Arkansas or revising an existing program for licensure. This protocol shall be utilized by IHEs intending to offer or revise any program that leads to educator licensure or endorsement. The review process described herein is to ensure that programs fulfill state licensure requirements and conform to the standards of the National Council for Accreditation of Teacher Education (NCATE). The ADE is responsible for oversight of the program review and approval process at the state level. (Ark. Code Ann. §6-11-105 and §6-17-402) The Arkansas Higher Education Coordinating Board (AHECB) must grant approval prior to implementation of any professional education program at Arkansas public universities (Ark. Code Ann. §6-61-208) or at postsecondary institutions certified to operate in Arkansas (Ark. Code Ann. §6-61-301).

NOTE: An IHE must be accredited by a regional agency in order to receive ADE or AHECB approval to offer a program for educator licensure. In addition, the professional education unit within the IHE must be accredited by NCATE, or, if submitting a program for the first time, meet the preconditions and be designated as a candidate for NCATE accreditation in order to receive ADE or AHECB approval to offer a program for educator licensure.

Section I. New Educator Licensure or Endorsement Programs

A. Procedure for Approval of New Educator Licensure Programs

1. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301, including out-of-state colleges and universities, that wish to offer a program of study intended to prepare candidates for an educator license in Arkansas shall complete the following steps:
 - a. Submit to the Arkansas Department of Higher Education (ADHE) the appropriate *Letter of Intent* (See ADHE website <http://www.adhe.edu>) informing the AHECB that it seeks to offer the program. The ADHE will forward a copy of the *Letter of Intent* to the ADE upon receipt.
 - For a program with an intended **fall semester implementation date**, the *Letter of Intent* should be submitted to the ADHE by **December 15**.
 - For a program with an intended **spring semester implementation date**, the *Letter of Intent* should be submitted to the ADHE by **June 15**.
 - b. Prepare a *Professional Education Program Proposal* (Appendix I, Section A) and submit the proposal electronically to the ADHE by the established deadlines. The proposal will be forwarded to the ADE to determine if the program requires an ADE review prior to AHECB approval.
 - For a program with an intended **fall semester implementation date**, the proposal must be submitted by **February 1**.
 - For a program with an intended **spring semester implementation date**, the proposal must be submitted by **August 1**.
2. Arkansas independent colleges and universities that wish to offer a program of study intended to prepare candidates for educator licensure in Arkansas shall prepare a *Professional Education Program Proposal* (Appendix I, Section A) and submit the proposal electronically to the ADE by the established deadlines.
 - For a program with an intended **fall semester implementation date**, the proposal must be submitted by **February 1**.
 - For a program with an intended **spring semester implementation date**, the proposal must be submitted by **August 1**.

3. Within two weeks of receipt of the program proposal, the ADE determines whether or not the proposed program is intended for licensure and requires ADE approval. If the proposed program is for licensure, the ADE convenes a *Program Proposal Review Panel* (Panel) for the purpose of reviewing the program proposal. If the proposed program is not intended for licensure, the IHE is notified that no further review is required by the ADE. The ADHE also is notified regarding proposals submitted by Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301 so that the AHECB approval process can continue.
 - a. The Panel is comprised of at least 3 members from Arkansas' public and independent higher education institutions with similar state-approved programs, a P-12 educator in the content or specialty area and if available, an ADE content area specialist.
 - b. A representative from the ADHE also serves on the Panel as an ex-officio member.
 - c. A program advisor from the ADE coordinates and facilitates the work of the Panel.
 - d. A representative from the institution submitting the proposal is invited to meet with the Panel to explain details of the proposed program as needed.
4. The Panel reviews the program proposal and supporting documentation. Additional or clarifying information may be requested from the IHE. The Panel's comments/requests are recorded and sent to the IHE via the ADE program advisor. The IHE then responds to the Panel's comments/requests through this program advisor.
 - a. Upon receipt of the program proposal by the ADE, the Panel is recruited and scheduled to convene within four (4) weeks.
 - b. Within one (1) week after the Panel's review of the proposal, the ADE program advisor sends the Panel's comments/requests to the IHE.
 - c. Upon receipt of the Panel's comments/requests, the IHE has two (2) weeks to submit a response to the ADE program advisor.
 - d. Within two (2) weeks after the institution submits its response, the Panel determines whether or not the proposed program meets the necessary standards and requirements.

(Note: The timeline for the review process is dependent on the availability and scheduling of reviewers and the time for institutions to respond to the Panel's comments and/or requests for additional or clarifying information. The entire review process should take less than three months from the date that the ADE receives the proposal.)
5. If the Panel determines that the proposed program does not meet the necessary standards and requirements and the ADE does not approve the proposed program, the ADE sends written notification of the disapproval to the IHE and ADHE within one week.
6. When the Panel determines that the proposed program of study meets all applicable standards and requirements, the ADE grants initial approval for the program, and the appropriate IHE, ADE and ADHE personnel are sent written notification of the approval within one week. (AHECB approval must be granted to the implementation of a new program at any Arkansas public university or other institution certified under Ark. Code Ann. §6-61-301. ADE approval must be granted prior to the implementation of a new program for licensure at any Arkansas independent institution.)
7. The program may operate with initial approval until the next NCATE review of the institution's professional education unit. During the initial approval period, the program is authorized to admit students; implement assessments; collect, aggregate and utilize data for program improvement; and recommend program completers to the ADE for licensure.

B. Procedure for Approval of New Licensure Endorsement Programs

1. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301, including out-of-state colleges and universities, that wish to offer a program of study for an educator licensure endorsement, shall submit to the Arkansas Department of Higher Education (ADHE) the appropriate *Letter of Notification* (<http://www.adhe.edu>) and a *Professional Education Program Proposal* (Appendix I, Section B). The ADHE will forward the *Letter of Notification* and the proposal to the ADE

upon receipt.

2. Arkansas independent colleges and universities that wish to offer a program of study for an educator licensure endorsement shall submit to the Arkansas Department of Education (ADE) a *Professional Education Program Proposal* (Appendix I, Section B).
3. The ADE reviews the proposal and the supporting documentation submitted by the IHE. A panel review is not required. Additional or clarifying information may be requested.
4. If the ADE determines that the curriculum for the proposed endorsement program does not include all of the competencies necessary for ADE approval, the ADE shall provide written notification to the IHE and ADHE within two weeks.
5. When it is determined that the proposed program includes all of the competencies required for the endorsement, the ADE approves the program, and the appropriate IHE, ADHE and ADE personnel are sent written notification within two weeks. (AHECB approval must be granted prior to implementation of an endorsement program at any Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301. ADE approval must be granted prior to implementation of a licensure endorsement program at any Arkansas independent institution.)

C. Procedure for New Licensure or Endorsement Programs with Distance Learning Technology

6. The procedure for approving new educator licensure programs to be delivered via distance learning technology (on-line) is the same as in Section I.A.
7. The procedure for approving new educator licensure endorsement programs to be delivered via distance learning technology (on-line) is the same as in Section I.B.
8. Proposals for either new licensure or endorsement programs to be delivered via distance learning technology (on-line) shall include responses to Section D of the *Professional Education Program Proposal* template. (Appendix I)

Section II: Revisions to Existing Educator Licensure or Endorsement Programs

A. Conditions Requiring ADE Approval of Revisions to Existing Educator Licensure Programs

1. New or revised licensure or program requirements from the ADE.
2. Major revisions from the IHE
 - a. Changes that involve 25% or more of a program's curriculum (courses, experiences, etc.) (Prepare a proposal according to instructions in Appendix I, Section C.); and/or
 - b. Changes in the program's delivery structure (e.g., converting 50% or more of the courses in a program from a traditional format to a distance learning technology format) (Prepare a proposal according to instructions in Appendix I, Section D.)
3. Minor revisions from the IHE (Submit documentation outlined in Section II.C. below)
 - c. Changes involving up to 25% of a program's curriculum;
 - d. Change of title for program or degree;
 - e. Changes of course numbers, titles or credits;
 - f. Changes in the delivery structure that involve less than 50% of the program's curriculum;
 - g. Expansion of programs to other sites. (does not apply to individual courses)

Note: Prior approval by AHECB is required for Arkansas public institutions and institutions certified under Ark. Code Ann. §6-61-301 to offer programs at off-campus sites.

B. Procedure for Approval of Major Program Revisions (25% or more of program)

1. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301, including out-of-state colleges and universities, that wish to revise an approved program of study for educator licensure, shall submit to the Arkansas Department of Higher Education (ADHE) the appropriate *Letter of Notification* (<http://www.adhe.edu>) and a *Professional Education Program Proposal* (Appendix I, Section C) for the program revisions. The ADHE will forward the *Letter of Notification* and the proposal to the ADE upon receipt.

2. Arkansas independent colleges and universities that wish to revise an approved program of study for educator licensure shall submit to the Arkansas Department of Education (ADE) a *Professional Education Program Proposal* (Appendix I, Section C) for the program revisions.
3. Proposals for revising existing programs of study to incorporate distance learning technology shall include responses to Section D in the *Professional Education Program Proposal* template (Appendix I).
4. The ADE reviews the proposed revisions and the supporting documentation submitted by the IHE. A panel review is not required. Additional or clarifying information may be requested.
5. If the ADE determines that the proposed revisions do not comply with all of the standards and requirements necessary for ADE approval, the ADE shall provide written notification to the IHE and ADHE within two weeks.
6. When it is determined that the proposed revisions are in compliance with all appropriate standards and requirements, the ADE approves the revisions, and the appropriate IHE, ADHE and ADE personnel are sent written notification within two weeks. AHECB approval must be granted prior to implementation of program revisions at Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301.
7. The IHE may implement the proposed revisions upon receipt of the notification of approval and continue to operate the program until the next regularly scheduled NCATE review.

C. Procedure for Reporting Minor Program Revisions (less than 25% of program)

1. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301 shall submit to the Arkansas Department of Higher Education (ADHE) the appropriate *Letter of Notification* (<http://www.adhe.edu>) delineating the minor programmatic revisions. The ADHE will forward the *Letter of Notification* to the ADE.
2. Arkansas private colleges and universities shall submit to the Arkansas Department of Education (ADE) a *Letter of Notification* delineating the minor programmatic revisions and accompanied by the appropriate documentation.
 - a. If a revision includes new program or degree titles, indicate this information in the documentation.
 - b. If a revision includes course numbers and/or titles, accompanying documentation shall include a revised plan of study that indicates the new numbers/titles and syllabi for the new course(s).
 - c. If a revision includes additional sites for offering the program, they should be indicated in the documentation.
3. Minor programmatic revisions do not require a panel review.
4. The ADE Teacher Preparation Program Advisor responds in writing to IHE, ADHE and other ADE personnel confirming the revisions.

For additional information regarding programs for educator licensure, contact Dr. J. Mike Lucas, Teacher Preparation Program Advisor, by phone (501-683-1524) or email (mike.lucas@arkansas.gov).

Appendix I

Arkansas Department of Education
Professional Education Program Proposal

COVER SHEET

Institution: _____ Date Submitted: _____

Program Contact Person: _____ Position/Title: _____

Phone: _____ Email: _____

Name of program: _____ CIP Code _____

Degree or award level (B.S., M.A.T., post-baccalaureate, etc.): _____

Is this program intended to prepare candidates for educator licensure in Arkansas? [] Yes [] No

If yes, indicate the title and grade range of the license for which candidates will be prepared:

Title: _____ Grade Range: _____

Proposal is for:

- ___ New Educator Licensure Program (Traditional) (Complete Section A)
___ New Licensure Endorsement Program (Complete Section B)
___ Revision(s) to an Approved Program (Complete Section C)
___ New Distance Learning Technology Program* (Complete Sections A and D)
___ Revision(s) to an Approved Distance Learning Technology Program* (Complete Section C)
___ Converting a Traditional Program to a Distance Learning Technology Program* (Complete Sections C and D)

* At least 50% of the curriculum is delivered via distance learning technology.

Indicate the portion of the proposed program to be delivered via distance learning technology (on-line). _____ %

Proposed starting date for the program: _____

Will this program be offered at more than one site? ___Yes ___No

Note: Prior approval by AHECB is required for Arkansas public institutions and institutions certified under Ark. Code Ann. §6-61-301 to offer programs at off-campus sites.

If yes, list the sites where the program will be offered. _____

A. New Program for Licensure

Proposals for new programs should be prepared as Microsoft Word documents with each section clearly identified, appropriately labeled and paginated. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301 shall submit proposals to the ADHE via e-mail as attached documents. Independent institutions shall submit proposals to the ADE via e-mail as attached documents. Proposals shall include the following components:

1. Cover sheet (contains basic information about the proposed program)
1. Table of Contents
2. Needs summary
 - b. Provide a brief statement of the program's purpose.
 - c. Explain the need for the program based upon supporting data (e.g., data from supply and demand studies, institutional surveys, etc.).
 - d. Provide an estimate of the number of candidates expected to enter and complete the proposed program each year for a five-year period.
 - e. List other Arkansas institutions offering a similar program.
3. Institutional approval Supporting documentation for the program shall include:
 - f. A letter from the chief academic officer acknowledging that the program has been approved by the institution's appropriate authorizing entity;
 - g. Board of Trustees approval date (required for public institutions only)
4. Program description
 - a. Provide a general description of the program (2-3 paragraphs).
 - b. Provide a copy of the degree plan and/or plan of study for the program.
 - c. Provide a curriculum matrix that shows alignment of the program's prescribed courses and experiences with the corresponding NCATE Specialized Professional Association (SPA) standards and/or state standards for the content area or category of licensure.
 - d. Provide descriptions and syllabi for courses in the proposed program. Do not include general education or institutional core courses.
 - i. All courses must conform to ADHE criteria for the number of contact hours required for academic credit. (<http://www.arkansashighered.com/pdfs/BookAppNewProgramCriteriaandProceduresRevised2005.pdf>)
 - ii. Syllabi for professional education courses should be uniformly formatted and contain learning objectives linked to associated SPA and/or state standards where appropriate. (<http://www.arkansased.org/teachers/competency.html>)
 - iii. Syllabi for professional education courses in **teacher preparation** programs should correlate learning objectives with Pathwise® domains and criteria where appropriate. (See Appendix B)
 - iv. Syllabi for courses in **administrator preparation** programs should cite and clearly identify evidences of Arkansas administrator licensure requirements (http://www.arkansased.org/admin/admin_beginning.html) to be included in candidates' comprehensive portfolios. (ADE Rules governing Initial and Standard Administrator licensure)
 - v. Administrator programs also must clearly identify where and how the program addresses the preparation of administrators to guide faculty in their efforts to address the needs of all learners in compliance with NCLB guidelines.
 - e. Describe the assessments required in the program (Six to eight assessments are required for the associated NCATE SPA.)

- i. Provide samples of the assessments and their scoring rubrics.
 - ii. Indicate the relative places within the program where the assessments occur.
 - iii. Explain how data from the assessments will be collected and used for program improvement.
 - f. Describe the field experiences (practicum, student teaching, internship) required for candidates in the program including:
 - i. The amount of time (e.g., clock hours, weeks, etc.) that candidates are expected to participate in each of the experiences (A minimum of 12 weeks or 360 clock hours is required for student teaching; 6 months or approximately 216 clock hours for an administrator internship.); **and**
 - ii. The settings in which the experiences will be accomplished (Candidates must have opportunities to interact with diverse student populations.)
 - g. Describe the competencies expected of program candidates regarding their knowledge and use of instructional technology. (Competencies should emulate National Educational Technology Standards for Teachers.)
5. Admission requirements
- h. Indicate requirements for admitting students to the program.
 - i. Minimum 2.5 GPA on a 4.0 scale (state requirement)
 - ii. Passing score on Praxis I assessment (state requirement)
 - iii. Institutional criteria (e.g., letters of recommendation, demonstration of English proficiency, prerequisite coursework, etc.)
 - i. Provide a summary of the admission procedures (e.g., submit application; submit curriculum plan; interview with teacher education committee, etc.)
6. Retention procedures
- j. Describe any mid-program benchmarks or transition points for evaluating candidates in the program. (NCATE standards require at least one mid-program benchmark.)
 - k. Describe any intervention strategies (e.g., advising, mentoring, tutoring, etc.) to be employed to assist candidates who struggle to succeed in the program. (The program is expected to have more than one strategy for assisting candidates.)
7. Exit requirements
- l. List program exit criteria. (e.g., final assessments, performances, portfolio preparation, etc.)
 - m. For administrator preparation programs, describe the candidate portfolio review process.
 - i. Explain how candidate portfolios will be reviewed and assessed. (Provide rubric)
 - ii. Explain how the external portfolio evaluator (required by ADE Rule 161.3.12) will be selected and prepared.
8. Candidate Follow-up Procedures
- Describe the program's plan for obtaining and reporting data from program graduates if different from other programs in the professional education unit.
9. Faculty
- Provide a roster of program faculty that includes their academic preparation (degrees), professional experience and indication of Pathwise® certification. List all professional education faculty, including adjunct faculty, who teach or supervise candidates in the program. Do not include general studies faculty.
- Note:** IHE professional education faculty and P-12 cooperating teachers in **teacher** preparation programs must be trained in Pathwise®.
10. Institutional resources dedicated to program support
- n. Describe the available resources (human, fiscal, physical) to support the program.
 - o. Identify the availability of any specific or special needs that are essential to the program (e.g., science

laboratory; special equipment; specific technology; etc.).

- p. If any courses or academic support services will be provided by other institutions or organizations, include a copy of the signed *Memorandum of Understanding* (MOU) that outlines the responsibilities of each party and the effective dates of the agreement.

11. Implementation plan

- q. Describe how the program will be implemented.
- r. If an old program is being phased out and replaced with the proposed program, indicate how students in the old program will be accommodated.

B. New Program for Licensure Endorsement

Proposals for licensure endorsement programs should be prepared as Microsoft Word documents with each section clearly identified, appropriately labeled and paginated. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301 shall submit proposals to the ADHE via e-mail as attached documents. Independent institutions shall submit proposals to the ADE via e-mail as attached documents. Proposals shall include the following components:

1. Cover sheet (contains basic information about the proposed program)
2. Table of Contents
3. Needs Summary
 - a. Explain the need for the program based upon supporting data (e.g., data from supply and demand studies, institutional surveys, student requests, etc.).
 - b. List other Arkansas institutions offering a similar endorsement program.
4. Institutional approval Supporting documentation for the program shall include:

Submit documentation from the chief academic officer acknowledging that the program has been approved by the institution's appropriate authorizing entity.
5. Program description
 - a. Provide a general description of the program (2-3 paragraphs).
 - b. Provide a copy of the plan of study for the program.
 - c. Provide a curriculum matrix that shows alignment of the learning objectives in the prescribed courses with the competencies required for the endorsement.
 - d. Provide syllabi for the courses in the proposed endorsement program.
 - i. All courses must conform to ADHE criteria for the number of contact hours required for academic credit. (<http://www.arkansashighered.com/pdfs/BookAppNewProgramCriteriaandProceduresRevised2005.pdf>)
 - ii. Syllabi should contain learning objectives linked to competencies required for the endorsement in the corresponding Additional Licensure Plan (ALP). (http://www.arkansased.org/teachers/adding_licensure.html).
6. Institutional resources dedicated to program support
 - a. Describe the available resources (human, fiscal, physical) to support the program.
 - b. Identify the availability of any specific or special needs that are essential to the program (e.g., science laboratory; special equipment; specific technology; etc.).

C. Major Revisions to an Existing Program (25% or more of program)

Proposals for revising existing programs should be prepared as Microsoft Word documents with each section clearly identified, appropriately labeled and paginated. Arkansas public universities and institutions certified under Ark. Code Ann. §6-61-301 shall submit proposals to the ADHE via e-mail as attached

documents. Independent institutions shall submit proposals to the ADE via e-mail as attached documents. Proposals shall include the following components:

1. Cover sheet indicating a proposed revision to the program
2. Rationale for the revision(s)
3. Institutional approval for the revision documented by a letter or memo from the chief academic officer acknowledging that the proposed revision has been approved by the institution's appropriate authorizing entity;
4. Program documentation
 - a. Provide a new plan of study for the program indicating the proposed revisions.
 - b. Provide course descriptions and syllabi for any new professional education courses in the program.
 - c. Provide samples and scoring rubrics for any new or revised assessments that will be implemented for candidates in the program.
5. Transition plan

If the revision creates new or additional requirements for current program candidates, indicate how they will be accommodated in the revised program.
6. If revisions include distance learning technology courses comprising at least 50% of the program's curriculum, complete Section D of this template.

D. Distance Learning Technology (On-Line) Programs

This section must be completed for proposals for which 50% or more of the program's curriculum is to be delivered via distance learning technology.

NOTE: An institution that has been approved by the Arkansas Department of Higher Education (ADHE) or the Higher Learning Commission (HLC) of the North Central Association of Colleges and Schools to offer licensure and degree programs via distance learning technology may submit documentation of ADHE or HLC approval in lieu of completing this section.

1. Institutional Readiness And Commitment

- a. Describe the internal organizational structure that coordinates distance courses/programs. (development, technical support, oversight)
- b. Summarize the policies and procedures to keep the technology infrastructure current.
- c. Summarize the procedures that assure the security of students' personal information.
- d. Provide a list of services (course materials, course management and delivery, technical services, etc.) to be outsourced to other organizations if applicable.

2. Curriculum and Instruction

- e. Identify courses in the program to be delivered via distance learning technology.
- f. Describe the delivery mode for the distance learning technology courses. (Web-based, CIV, synchronous, asynchronous, etc.)
- g. Describe the method(s) for instructor-to-student and student-to-student interaction in the courses for the program (electronic bulletin boards, e-mail, phone, fax, chat room, etc.)

3. Faculty and Instructional Support

- h. Indicate the faculty who will be teaching distance learning courses in the program.
- i. Describe the training required of faculty and support staff working directly with students enrolled in distance technology courses/programs.

- j. Describe the role of the technologist(s) for the distance learning technology program in terms of assistance provided to faculty and students.

4. Student Support

- k. Describe how students are informed of course/program requirements (e.g., registration, costs, schedule of courses, technical competencies, access to library and learning services, course/program withdrawal, etc.).
- l. Describe the online student services provided (e.g., academic advising, financial aid, program/course orientation, technology applications, interventions, learning resources, helpdesk, etc.).

5. Evaluation and Assessment

- m. Describe how the institution reviews the effectiveness of its distance technology programs.
- n. Describe how assessment activities related to distance delivery are integrated into the institutional assessment process. What are the administrative and procedural links between the evaluation of distance technology courses/programs and other academic programs?
- o. Describe the assessment process used in the courses to determine students' achievement of intended outcomes. If proctoring is used, what are the procedures for selecting proctors, establishing student identity, assuring security of test instruments, administering examinations, and assuring secure and prompt evaluation.

Appendix II

Pathwise[®] Domains and Criteria

Domain A: Organizing Content Knowledge for Student Learning

- A1. Becoming familiar with relevant aspects of students' background knowledge and experiences
- A2. Articulating clear learning goals for the lesson that are appropriate for the students
- A3. Demonstrating an understanding of the connections between the content that was learned previously, the current content, and the content that remains to be learned in the future
- A4. Creating or selecting teaching methods, learning activities, and instructional materials or other resources that are appropriate for the students and that are aligned with the goals of the lesson

Domain B: Creating an Environment for Student Learning

- B1. Creating a climate that promotes fairness
- B2. Establishing and maintaining rapport with students
- B3. Communicating challenging learning expectations to each student
- B4. Establishing and maintaining consistent standards of classroom behavior
- B5. Making the physical environment as safe and conducive to learning as possible

Domain C: Teaching for Student Learning

- C1. Making learning goals and instructional procedures clear to students
- C2. Making content comprehensible to students
- C3. Encouraging students to extend their thinking
- C4. Monitoring students' understanding of content through a variety of means, providing feedback to students to assist learning, and adjusting learning activities as the situation demands
- C5. Using classroom instructional time effectively

Domain D: Teacher Professionalism

- D1. Reflecting on the extent to which the learning goals were met
- D2. Demonstrating a sense of efficacy
- D3. Building professional relationships with colleagues to share teaching insights and coordinate learning activities for students
- D4. Communicating with parents or guardians about student learning

Appendix III

Questions for the Evaluation of Distance Learning Programs (NCATE)

The following ten questions have been approved by NCATE's Unit Accreditation Board (UAB) as guides for Board of Examiner (BOE) teams and institutions in the assessment of distance learning programs. These questions were developed to assist teams and units in determining whether distance learning offerings meet NCATE standards to the same degree as other programs offered by the unit through traditional means.

1. Standard 1: What assessments are used to monitor candidate performance and determine that proficiencies in standards are being met by candidates in the distance learning program?
2. Standard 2: What evaluations of the distance learning program provide systematic and ongoing data for use in program improvement?
3. Standard 3: How does the distance learning program ensure that field experiences and clinical practice are well sequenced, supervised by trained personnel and monitored by unit faculty, and integrated into the program's curriculum?
4. Standard 4: How does the distance learning program ensure that the curriculum reflects diversity and prepares candidates to work with diverse student populations? How does the program ensure that candidates interact with diverse faculty and peers?
5. Standard 5: What are the qualifications of faculty members who teach the distance learning courses? How does the program ensure that they are proficient in the methods of delivery?
6. Conceptual Framework and Standard 6: How are the design and delivery of the distance learning program consistent with the mission of the institution and the unit, as well as the unit's conceptual framework, knowledge base, and long range plan, as compared to traditional programs within the unit?
7. Standard 6: How is the distance learning program (including one that is delivered through contract with an outside vendor) controlled, coordinated, and evaluated by the unit?
8. Standard 6: How are distance learning candidates provided advisement by and personal access to faculty?
9. Standard 6: To what extent is the balance of requirements for teaching, scholarship, service and evaluation processes for part-time and full-time faculty members who teach in the distance learning program equivalent to that of other faculty members?
10. Standard 6: What technology system is in place to ensure consistent and reliable delivery of the distance learning program and provide necessary security for testing and assessments (e.g., verifying that the person completing the assignments is actually the person enrolled in the program while protecting the identity of the person)?

Appendix IV

Glossary of Terms

For the purposes stated in this document, the following terms are defined.

Accreditation – Recognition by a government-approved agency that an institution has met certain standards for quality.

ADE – The Arkansas Department of Education

ADHE – The Arkansas Department of Higher Education

AHECB – The Arkansas Higher Education Coordinating Board

Asynchronous – describes a distance-learning venue in which there is a separation between the time that instruction is delivered by the instructor and the time that it is received by the learner

Benchmark – A description or example of candidate performance that serves as a standard of comparison for evaluation or judging quality

Blended course – A course in which the instruction is delivered via both face-to-face and distance learning technology

Candidate – A student who has been admitted into a professional education program

Chat room – An electronic application through which participants may communicate via personal computers

CIV – Compressed Interactive Video; a medium for delivering distance learning instruction

Clinical practice – Field-based experiences including student teaching or other internships performed under the supervision of clinical faculty

Distance learning – An approach to learning in which the majority of instruction occurs with a separation of place or time between the instructor and the student

Distance learning technology – Electronic media including the Internet, e-mail, telecommunications, and other audio-visual communication devices used to deliver instruction

In-person – describes a setting where individuals are physically present at the same time.

Face-to-face interaction – Communication, either in person at the same physical location or electronically, during which the participants can see and hear each other

Field experiences – A variety of field-based events in which candidates have opportunities to observe, assist, instruct, and/or conduct research

GPA – Grade point average based on a 4.0 scale

Internship – A form of field-based supervised clinical practice

NCATE – National Council for Accreditation of Teacher Education

On-line course – A course of study that utilizes an electronic communications medium for the delivery of instruction

Preconditions – Requirements undergirding NCATE's standards that must be met before a professional education unit is permitted to achieve candidacy for its first accreditation

Professional Education Unit (PEU) – The college, school, department or other administrative body in institutions of higher education or other organizations with the responsibility for managing or coordinating programs for the preparation of school professionals

Rubrics – Criteria that indicate levels of quality or performance

SPAs – Specialized Professional Associations. The national organizations that represent teachers,

administrators, and other professional educators who teach a specific subject (e.g., English, mathematics, science, etc.), or teach children at a specific developmental level (i.e., early childhood, elementary, middle childhood, or secondary), or teach children with special needs (i.e., bilingual or special education), or serve as school administrators (i.e., principals, superintendents), or provide services to students (i.e., counselors, psychologists)

Student teaching – Clinical practice in P-12 schools for candidates preparing to teach

Synchronous – describes a distance learning technology venue in which instruction is delivered and received simultaneously

Technology – Electronic media including the Internet, e-mail, telecommunications, and other means of audio-visual communication

Traditional program – A program that provides face-to-face instruction to learners in real time in a classroom setting

Transition point – A key point in a program when candidates are assessed for their knowledge, skills and/or dispositions to determine if they are ready to proceed to the next stage in the program

WebCT – A distance learning format in which instruction is delivered via a computer based Web site

Institution:

Initial Panel Review Date:

Proposed Program:

License/Grade Range:

Proposal for: ___ New Program ___ On-Line Program

ADE Facilitator:

Program Proposal Elements	Panel's Comm
New Programs	
1.	<p>Cover Sheet Information requested on Cover Sheet is complete ___ Yes ___ No</p>
2.	<p>Table of contents included? ___ Yes ___ No</p>
3.	<p>Needs Summary a. Program's purpose clearly stated? b. Need for the program clearly explained with c. Estimate provided of the number of candidates to complete the proposed program each year for a d. Listing of other Arkansas institutions offering</p>
4.	<p>Documentation of Institutional Approval ___ CAO ___ Board of Trustees</p>
5.a.	<p>General description of program provided?</p>
5.b.	<p>Degree plan and/or plan of study</p>
5.c.	<p>Curriculum matrix is provided Evidence of alignment of prescribed courses with corresponding NCATE SPA standards and/or state standards or category of licensure.</p>
5.d.	<p>Descriptions and syllabi included for all courses in the program. i. Courses conform to ADHE criteria for number of credit hours for academic credit. ii. Syllabi for professional education courses clearly identify learning objectives linked to associated standards where appropriate. iii. Syllabi for professional education courses clearly identify learning objectives with field experiences where appropriate. iv. Syllabi for courses in administrator preparation clearly identify evidences of Arkansas administrator preparation to be included in candidates' competencies. v. Administrator programs clearly identify who addresses the preparation of administrators and how they address the needs of all learners in completion of the program.</p>

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Institution:

Initial Review Date:

Proposed Program:

Endorsement/Grade Range:

Proposal for: ___ **New Endorsement Program** ___ **On-Line Program** **ADE Facilitator:**

Program Proposal Elements	Panel's Comments
New Licensure Endorsement Programs	
1.	Cover Sheet Information requested on Cover Sheet is provided. ___ Yes ___ No
2.	Table of contents included? ___ Yes ___ No
4.	Documentation of Institutional Approval ___ Yes ___ No
5.a.	Description of Program provided
5.b.	Plan of Study is provided
5.c.	Curriculum matrix is provided Evidence of alignment with competencies
5.d.	Syllabi included for all proposed courses i. Courses conform to ADHE criteria for credit. ii. Syllabi contain learning objectives and competencies in corresponding ALP.
6.	Resources for Program Support a. Evidence of adequate resources to support program. b. Evidence of specific or special needs (e.g., specific technology; etc.)
Distance Learning Technology (On-line)	
1.	Institutional Readiness and Commitment a. Description of the structure that coordinates distance programs. (development, tech support, etc.) b. Evidence of policies and procedures that are current. c. Evidence of procedures to assure the accuracy of information.
2.	Curriculum and Instruction a. List of courses to be delivered via distance learning. b. Description of the delivery mode for each course. (Web-based, CIV, synchronous, etc.) c. Description of method(s) for instruction.

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ARKANSAS DEPARTMENT OF
Education

Dr. T. Kenneth James, Commissioner

4 State Capitol Mall • Little Rock, AR 72201-1019
(501) 682-4475
<http://ArkansasEd.org>

June 12, 2008

Mark Keith
Superintendent
Stephens School District
315 West Chert
Stephens, AR 71764

RE: Request to Petition the State Board of Education for a Reduction in the Number of Board Members

Dear Mr. Keith:

I am in receipt of the Stephens School District's petition to reduce the number of school board members from seven (7) to five (5).

Pursuant to Ark. Code Ann. § 6-13-606(b), a newspaper notice shall be published within ten (10) days following the filing of the petition with the State Board of Education (State Board). Therefore, please provide such documentation to my office by Monday, June 23, 2008. In addition, please provide a copy of the board minutes reflecting the school board's action regarding the petition. A copy of the statute is enclosed for your information.

Pending our receipt of the above documentation, please be advised that the Stephens School District's petition will be heard before the State Board on Monday, July 14, 2008, at the Board's regularly scheduled monthly meeting. The meeting will begin at 9:00 a.m. in the Auditorium of the Arch Ford Education Building. A representative(s) of the school district should plan to be in attendance at the meeting in the event of any questions from the State Board.

If you have any questions, please call my office at your convenience.

Sincerely,



Scott Smith
General Counsel

SS:law

Enclosure

cc: Charles Watson, State Board Office

STATE BOARD OF EDUCATION: Chair: Diane Tatum, Pine Bluff • Vice Chair: Randy Lawson, Bentonville
Members: Sherry Burrow, Jonesboro • Jim Cooper, Melbourne
Brenda Gullett, Fayetteville • Dr. Tim Knight, Arkadelphia • Dr. Ben Mays, Clinton
MaryJane Rebick, Little Rock • Dr. Naccaman Williams, Springdale

An Equal Opportunity Employer

6-13-606. School districts with more than five directors — Decrease in number.

- (a) The board of directors of any school district in this state that now has authorized or which is authorized to have seven (7) or nine (9) directors may file a petition with the State Board of Education requesting a decrease in the number of directors for that school district to five (5) or seven (7).
- (b) Notice of the filing of the petition shall be published within ten (10) days thereafter by one (1) insertion in some newspaper having a general circulation in the school district.
- (c) Upon a showing that such decrease will not be detrimental to the school district petitioning for it, the state board is authorized to decrease the number of directors for the school district to five (5) or seven (7).
- (d) The order directing such decrease shall be entered not more than sixty (60) days after the publication of notice.
- (e) Pursuant to the order and as soon as possible thereafter, the members of the board of directors shall draw by lot for the number of positions determined.
- (f) The remaining directors shall continue to serve their unexpired terms.
- (g) All boards of directors shall be made up of five (5), seven (7), or nine (9) members as allowed by law.
- (h) (1) No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts that comprise the school district incident to a consolidation or an annexation of the former school districts.
- (2) No less than ninety (90) days prior to the next annual school election, any school district with an even number of directors shall file a petition with the state board to establish the requisite odd number of directors.
- (3) If the number of board members needs to be reduced to create a required odd number of directors and the members cannot agree on the method of reduction, the board of directors in office on August 12, 2005 shall draw lots to determine which board positions will be eliminated.
- (i) Any change in the number of directors serving on the local school board of directors required under this section shall be effective upon the directors taking office following the 2005 annual school election.
- (j) (1) Except as otherwise provided by law, any school district that elects its board members from single-member zones shall be subject to the requirements of this section.
- (2) For those school districts that are subject to this subsection, "next annual school election" as used in subdivision (h)(2) of this section means the 2005 annual school election.

History. Acts 1967, No. 232, § 1; A.S.A. 1947, § 80-502.9; Acts 1999, No. 1078, §§ 32, 33; 2005, No. 2151, § 12.



STEPHENS PUBLIC SCHOOLS

315 West Chert
Stephens, AR 71764
Member: North Central Association

Mark Keith
Superintendent
870-786-5443

Wendell F. Colen
H.S. Principal
870-786-5442

Portia Jones
Elem. Principal
870-786-5402

June 12, 2008

Mr. Scott Smith, General Counsel
State Board of Education
#4 State Capitol Mall, Room 404-A
Little Rock, AR 72204

RECEIVED
ATTORNEY'S OFFICE

JUN 12 2008

DEPARTMENT OF EDUCATION
GENERAL DIVISION

Dear Mr. Smith:

Enclosed is a petition from Stephens School District to officially decrease the number of school board members from seven members to five members. The decrease will not be detrimental to the district in any way and will still allow equal representation to the merged districts. There will still be two board members in the McNeil community and three in the Stephens community as originally planned in the annexation.

The Stephens School Board feels this is an appropriate time to make this change because of the following circumstances:

- 1) One of our existing board members that are in the McNeil community is moving out of the district.
- 2) One of our existing board members that are living in the Stephens community is not going to run for re-election.
- 3) The Stephens School District's enrollment has fallen to 413 students. The existing board feels we are back to the size were five board members can properly manage our school.

The new school district election zones will be established and the remaining directors will continue to serve out their unexpired terms. I am requesting that the State Board of Education review this petition at its next meeting. Please contact me if there is anything else I need to submit or if you have any questions.

Sincerely,

Mark Keith
Superintendent
Stephens Public School

Stephens School Board Meeting
June 16th, 2008

Mr. Maurice Porchia called the regular monthly meeting of the Stephens School Board to order at 6:00 P.M. in the Stephens High School Library. Mr. James Cross called the roll and a quorum was declared. Board Members present were Maurice Porchia, Hurlen Cross, Duncan Grayson, Henry Blair and James Cross. Mrs. Sarah Green was absent due to knee surgery and Mrs. Erma Brown was absent due to the death of a friend. Mr. Henry Blair made a motion to approve the minutes from the last meeting and Mr. Hurlen Cross seconded the motion. Motion passed. Mark Keith, Superintendent, gave his monthly financial report to the board. Mr. Hurlen Cross made a motion to approve the superintendent's monthly report. Mr. Blair seconded the motion and the motion passed unanimously. There was no old business on the agenda. Under new business, Mr. Keith presented the new prices of school lunches for the board to approve. The new lunch prices will be \$1.25 for student's lunches and .65 for reduced. Breakfast will be .75 for regular and .35 for reduced. Adult lunches will be \$2.00 and Public Lunches will be \$4.00. Mr. Hurlen Cross made the motion to accept the Superintendent's recommendation for school lunch prices and Mr. Grayson seconded the motion. Motion passed. The contract for South Arkansas Regional Health Center was presented to the board. Mr. Blair made the motion to approve the SARHC contract. Mr. James Cross seconded the motion. Motion passed.

Mr. Keith presented the Proposed Budget of Expenditures and Tax Levy for Fiscal year of 2009-2010. Mr. Henry Blair made the motion to adopt the presented Proposed Budget of Expenditures with Tax Levy for Fiscal Year Beginning July 1, 2009 to and including June 30, 2010 as printed. Mr. James Cross seconded the motion. Motion passed unanimously. The Board did not go into executive session.

The Resource Officer's salary was discussed and Mr. Maurice Porchia recommended to Mr. Keith, to work out a step schedule for an increase similar to the step schedule of non-certified. The schedule will be presented at the next meeting. Mr. Hurlen Cross made a motion to give Mr. Bruce Porchia a 3% increase and Mr. Henry Blair second the motion. Motion passed unanimously.

Mr. Keith presented material to the board pertaining to the procedures required by state law 6-13-606 to reduce the size of the current board, which is seven board members, to five board members. Mr. Duncan Grayson stated that he would not be running for re-election this September. Mr. Henry Blair stated that he would eventually be moving out of the district and would resign to allow the board to return to five members. It was noted that there would still be equal representation of the two communities and new board boundary lines would be drawn. There would be two members in the McNeil Community and three in the Stephens Community. It was also suggested that the remaining terms be served out and elections be held as the terms expire. Mr. James Cross made the motion for the Stephens School Board to move from a seven-member board back to a five-member board. Mr. Henry Blair seconded the motion. Motion passed unanimously.

Mr. Keith read the resignation of Mrs. Amanda Swift as second grade teacher. Mr. Hurlen Cross made the motion to accept the resignation of Mrs. Swift and Mr. Blair seconded the motion. Motion passed.

Mr. Keith recommended that we hire Ms. Shaunta Williams to replace Mrs. Swift as second grade teacher. Mr. James Cross made the motion to hire Ms. Williams and Mr. Blair seconded the motion. Motion passed. There was no audience input and meeting adjourned at 7:20 P.M.

State of Arkansas
County of Ouachita

I, Kiandra Carr, do solemnly swear that I am Legal Clerk of the Camden News, a daily newspaper published in the said county, and that I was Legal Clerk at the date hereinafter states, and that said paper had a bona fide circulation in said county at said dates, had been regularly published in said county for a period of one month next before the date of the first publication of advertisement hereto annexed, and that said advertisement was published ONE times (s) for ONE week (s) consecutively, the first insertion having been made on the 18th day of JUNE, 2008, and the last on the 18th day of JUNE, 2008. Sworn and subscribed to me this 18th day of JUNE, 2008.

My Commission expires 08/20/2017

Total \$48.44

5974

Robert H. [Signature], Notary Public
Kiandra Carr, Legal Clerk



5974
This action from the State Board of Education is hereby given to officially announce the decrease in the number of school board members from seven members to five members. The decrease will not be detrimental to the district in any way and will allow equal representation to the merged districts as originally planned in the annexation. There will still be two board members in the McNeil community and three in the Stephens community. New school district election zones will be established and the remaining directors will continue to serve but their unexpired terms on the State Board of Education will review the Board at its next meeting on Monday, July 14, 2008. For more information citizens may contact the Superintendent's office at 870-766-2222.

6-13-606. School districts with more than five directors — Decrease in number.

- (a) The board of directors of any school district in this state that now has authorized or which is authorized to have seven (7) or nine (9) directors may file a petition with the State Board of Education requesting a decrease in the number of directors for that school district to five (5) or seven (7).
- (b) Notice of the filing of the petition shall be published within ten (10) days thereafter by one (1) insertion in some newspaper having a general circulation in the school district.
- (c) Upon a showing that such decrease will not be detrimental to the school district petitioning for it, the state board is authorized to decrease the number of directors for the school district to five (5) or seven (7).
- (d) The order directing such decrease shall be entered not more than sixty (60) days after the publication of notice.
- (e) Pursuant to the order and as soon as possible thereafter, the members of the board of directors shall draw by lot for the number of positions determined.
- (f) The remaining directors shall continue to serve their unexpired terms.
- (g) All boards of directors shall be made up of five (5), seven (7), or nine (9) members as allowed by law.
- (h) (1) No board of directors shall have an even number of directors whether or not the number of directors of a school district's board of directors was established by an agreement between or among the former school districts that comprise the school district incident to a consolidation or an annexation of the former school districts.
- (2) No less than ninety (90) days prior to the next annual school election, any school district with an even number of directors shall file a petition with the state board to establish the requisite odd number of directors.
- (3) If the number of board members needs to be reduced to create a required odd number of directors and the members cannot agree on the method of reduction, the board of directors in office on August 12, 2005 shall draw lots to determine which board positions will be eliminated.
- (i) Any change in the number of directors serving on the local school board of directors required under this section shall be effective upon the directors taking office following the 2005 annual school election.
- (j) (1) Except as otherwise provided by law, any school district that elects its board members from single-member zones shall be subject to the requirements of this section.
- (2) For those school districts that are subject to this subsection, "next annual school election" as used in subdivision (h)(2) of this section means the 2005 annual school election.

History. Acts 1967, No. 232, § 1; A.S.A. 1947, § 80-502.9; Acts 1999, No. 1078, §§ 32, 33; 2005, No. 2151, § 12.