

RECORDS AND PROCEEDINGS

A regular meeting of the Board of Education of the Pulaski County Special School District was held at 925 East Dixon Road on the 14th day of April, 2009. The following business was transacted:

Opening

4/14/09

President Tim Clark called the meeting to order at 6:05 pm.

Present: Mrs. Shana Chaplin, Mr. Tim Clark, Mr. Danny Gililand, Mrs. Mildred Tatum, Mr. Bill Vasquez, Ms. Gwen Williams, Mr. Charlie Wood, and Acting Superintendent Rob McGill

Absent: None

Kayla Parker, a junior from Jacksonville High School, served as the student board member.

Jacksonville High School Band members Bryce Ward, Thayer Tucker, Briauna Montgomery, Scott Tinsley, and Shanice Wilson performed the National Anthem.

Special

Recognition

4/14/09

Business Partners

Twenty-four new Partners in Education were presented framed certificates for declaration of partnership with the District's schools. The schools that participated were; Scott Elementary, Mills High University Studies, Pine Forest Elementary and Chenal Elementary schools.

Certificates of Achievement

Bethany Walker, a fifth grade Alpha student at Tolleson Elementary School, was presented a Certificate of Achievement for winning first place in the Modern Woodmen of America's Speech Contest. The topic of her speech was about her ten-year old friend, which she presented to the Board.

Daniel Johnson, a 17-year old student from Sylvan Hills High School, received a Certificate of Achievement for being named one of Arkansas' top two youth volunteers for 2009 by the Prudential Spirit of Community Awards. He also will be receiving the Presidential Volunteer Award.

Ester Park, a seventh grade student at Robinson Middle School, was presented a Certificate of Achievement for winning the Arkansas Spelling Bee and will compete in the Scripps National Spelling Bee held in Washington in May.

Mrs. Chaplin congratulated the Robinson Middle School EAST Lab for receiving the Superior Rating for the second consecutive year by the judges at the National EAST Convention in Hot Springs. She thanked Mrs. Coy and Mrs. Shire for their hard work preparing the students for this event.

Mr. Gililand and Mr. Vasquez presented the North Pulaski and the Jacksonville High School basketball teams and coaches Certificates of Achievement and congratulated both teams on winning state.

Good Apple Award

Jane Ann Bilon, an ESL teacher, received the Good Apple Award.

Proclamations Proclamations were declared for: Public School Volunteer Week, April 19-25; Support Staff Appreciation Week, April 19-25; National Physical Education and Sport Week, May 1-7; and National Teacher Appreciation Week, May 3-9.

Minutes
4/14/09

Ms. Williams moved, seconded by Mrs. Chaplin, approval of the minutes of the March 3, 2009 (6:30 pm and 7:50 pm); March 11, 2009 and March 18, 2009 (4:50 pm and 6:05 pm) special school board meetings; and the March 10, 2009 regular school board meeting. The motion carried.

Reports
4/14/09

Jacksonville Bond Issue Carey Smith, Stephens, Inc., the District's fiscal advisor, gave an update and answered questions regarding the Jacksonville bond issue that was presented later in new business.

Oak Grove/ Maumelle High & Sylvan Hills Middle Schools An update regarding the construction status of the Oak Grove/ Maumelle High School and the Sylvan Hills Middle School was given by Brad Chilcote, Wittenberg, Delony & Davidson Architects, and Bob Shell, Baldwin & Shell Construction Co.

Scholastic Audit Reports - Jacksonville High/ Taylor Elementary Ken Clark, principal at Jacksonville High School, and Julie Davenport, principal at Murrell Taylor Elementary, presented solutions regarding the deficiencies reported in the Scholastic Audit for their schools.

Health Services Committee Dr. Brenda Bowles, Assistant Superintendent for Equity and Pupil Services, stated that on March 10, 2009 she met with representatives from PACT, PASS, Health Services, and Special Education to discuss the task of paraprofessionals performing invasive procedures. As a result of that meeting, she stated she was directed to form a committee and make recommendations to submit to the Board. Dr. Bowles presented recommendations made by the Health Services Committee.

Old Business
4/14/09

Revision of Board Policies IJJ, IJJ-R, IJJ-E/ Second Reading Mrs. Tatum moved, seconded by Mrs. Chaplin, approval of the revision of board policies IJJ, IJJ-R, and IJJ-E, Textbook Selection and Adoption. The motion carried.

Revision of Board Policies IJL, IJL-R, IJL-E /Second Reading Mrs. Chaplin moved, seconded by Ms. Williams, approval of the revision of board policies IJL, IJL-R, and IJL-E, Library/ Media Center Materials. The motion carried.

Revision of Board Policy JEA /Second Reading Mr. Gililand moved, seconded by Mrs. Tatum, approval of the revision of board policy JEA, Compulsory Attendance Ages. The motion carried.

Revision of Board Policy JEB / Second Reading Mrs. Tatum moved, seconded by Mrs. Chaplin, approval of the revision of board policy JEB, Entrance Age Requirements. The motion carried.

Revision of Board Policy JLCC/
Second Reading Mrs. Tatum moved, seconded by Mr. Gililland, approval of the revision of board policy JLCC, Communicable/Infectious Diseases. The motion carried.

Revision of Board Policy JLCC-R/
Second Reading Mrs. Tatum moved, seconded by Mrs. Chaplin, approval of the revision of board policy JLCC-R, Communicable Diseases (HIV Infection AIDS). The motion carried.

Revision of Board Policy JLCE/
Second Reading Ms. Williams moved, seconded by Mr. Gililland, approval of the revision of board policy JLCE, First Aid. The motion carried.

New Business
4/14/09

Resolution Second Lien Bonds Mr. Wood moved, seconded by Ms. Williams, to table the resolution regarding repayment of second lien bonds until after the Board Budget Workshop.

A roll call vote was requested.

Roll Call Vote

Yes: Williams, Wood, Clark
No: Chaplin, Gililland, Tatum, Vasquez

The motion failed.

Mr. Vasquez moved, seconded by Mrs. Tatum, approval of the resolution regarding repayment of second lien bonds. After a lengthy discussion, Mr. Gililland called for the question.

A roll call vote was requested.

Roll Call Vote

Yes: Chaplin, Gililland, Tatum, Vasquez, Clark
No: Williams, Wood

The motion carried. (See attached resolution).

2007-2008 Annual Audit Mr. Vasquez moved, seconded by Mrs. Tatum, approval of the 2007-2008 Annual Audit conducted by Hudson, Cisne & Co., LLP. The motion carried.

Mr. Vasquez moved, seconded by Ms. Williams, to suspend the rules to approve the Corrective Action Plan – Audit 2007-2008. The motion carried.

Mr. Vasquez moved, seconded by Ms. Williams, approval to accept the Corrective Action Plan – Audit 2007-2008. The motion carried.

Activity Fund Account Balance Mr. Vasquez moved, seconded by Mrs. Chaplin, approval of Activity Fund account balance to be carried forward from the 2008-2009 school year to the 2009-2010 school year for the

following elementary schools: Arnold Drive in the amount of \$7,400.00; Baker in the amount of \$22,000.00; Lawson in the amount of \$7,551.00; Robinson; Taylor in the amount of \$10,000.00; Sherwood; and Clinton. The motion carried.

Resolution to
Adopt the Post-
Issuance
Compliance Manual

Mr. Vasquez moved, seconded by Mrs. Chaplin, approval of the resolution to adopt the Post-Issuance Compliance Policy Manual for Pulaski County Special School District. The motion carried. (See attached resolution).

Secondary ESL
Textbook

Mr. Vasquez moved, seconded by Mrs. Tatum, approval to adopt the Secondary ESL Textbook. The motion carried.

Secondary Foreign
Language Textbook

Ms. Williams moved, seconded by Mr. Gililland, approval to adopt the Secondary Foreign Language Textbook. The motion carried.

Adoption of Board
Policies BHC-R
and GBD-R /
First Reading

Adoption of board policies BHC-R and GBD-R, Board Communication with Staff. First Reading – No action required.

2008-2009 Board
Team for Negotia-
tions with PACT -
Revision

Mr. Clark stated that he did not think principals should be involved with the negotiations and recommended that only administrators from the District office be on the negotiation team. Mr. Clark moved, seconded by Mr. Vasquez, approval of the appointment of the 2008-2009 board team for negotiations with PACT with the exception that only district office administrators be on the team. A roll call vote was requested.

Roll Call Vote

Yes: Vasquez, Williams, Clark

No: Chaplin, Gililland, Tatum, Wood

The motion failed.

Mr. Gililland moved, seconded by Mrs. Chaplin, approval of the appointment of the 2008-2009 board team for negotiations with PACT. The recommendations were: Deborah Coley, Chief Negotiator, Tracy Allen, Dr. Tommy Broyles, Shawn Burgess, Bobby Cole, John Pearce, Anita Farver, Dr. Beverly Ruthven and Dr. Janice Walker. A roll call vote was requested.

Roll Call Vote

Yes: Chaplin, Gililland, Tatum

No: Vasquez, Williams, Wood, Clark

The motion failed.

Executive Session

4/14/09

At 9:25 pm, Mr. Vasquez moved, seconded by Ms. Williams, to go into executive session to discuss personnel. The motion carried. The meeting reconvened at 9:50 pm.

Mr. Wood moved, seconded by Ms. Williams, approval to include district central office administrators only for the 2008-2009 board team for negotiations with PACT. Mr. Vasquez requested that Mr. McGill give a rationale regarding the building principals being on this committee. Mr. McGill stated that building principals have a unique perspective which is important for the District. He said their input is valuable because they are in the schools and see and understand issues with students, parents, and teachers on a daily basis that central office personnel may not see or understand. He stated he thought that it would be a mistake if they were not included on the negotiation team. A roll call vote was requested.

Roll Call Vote

Yes: Williams, Wood, Clark

No: Chaplin, Gililand, Tatum, Vasquez

The motion failed.

Mr. Vasquez moved, seconded by Mrs. Tatum, approval of the appointment of the 2008-2009 board team for negotiations with PACT. The recommendations were: Deborah Coley, Chief Negotiator, Tracy Allen, Dr. Tommy Broyles, Shawn Burgess, Bobby Cole, John Pearce, Anita Farver, Dr. Beverly Ruthven and Dr. Janice Walker. A roll call vote was requested.

Roll Call Vote

Yes: Chaplin, Gililand, Tatum, Vasquez

No: Williams, Wood, Clark

The motion carried.

2008-2009 Board
Team for Negotia-
tions with PASS

Mr. Gililand moved, seconded by Mrs. Chaplin, approval of the appointment of the 2008-2009 board team for negotiations with PASS. The recommendations were: Deborah Coley, Chief Negotiator, Anita Farver, Veronica Perkins, Brenda Hiegel, Kyrion Jones, Brad Montgomery, Danny Ebbs, Kim Riegler and James Warren. A roll call vote was requested.

Roll Call Vote

Yes: Chaplin, Gililand, Tatum, Vasquez, Wood, Clark

No: Williams

The motion carried.

Adoption of Board
Policy KB/
First Reading

Adoption of board policy KB, Parent Involvement Policy.
First Reading – No action required.

Support Staff
Allocations for
2009-2010

Mr. Vasquez moved, seconded by Mr. Wood, approval of the support staff allocations for 2009-2010 recommendation that the following positions be cut for the 2009-2010 school year:

Cyber Academy Specialist, one (1) Instructional Technology Specialist and Director of Community Affairs.

A roll call vote was requested.

Roll Call Vote

Abstain: Chaplin
Yes: Gililand, Tatum, Vasquez, Williams,
Wood, Clark
No: None

The motion carried.

Revision:
Certified Staffing
for 2009-2010

Mrs. Chaplin moved, seconded by Mr. Wood, approval to accept the recommendation if reductions are needed, authorization to notify certified staff by May 1, 2009, that two (2) days will be cut from all contracted certified employees for the 2009-2010 school year. Ms. Williams requested a friendly amendment to add "subject to negotiations with PACT". Mr. Vasquez moved, seconded by Ms. Williams, to accept the friendly amendment.

A roll call vote was requested to accept this amendment.

Roll Call Vote

Yes: Gililand, Vasquez, Williams, Clark
No: Chaplin, Tatum, Wood

The motion carried.

A roll call vote was requested to accept this motion with the amendment.

Roll Call Vote

Yes: Chaplin, Gililand, Tatum, Vasquez, Williams,
Wood, Clark
No: None

The motion carried.

Revision:
Certified Staffing
for 2009-2010

Mr. Gililand moved, seconded by Mr. Wood, approval to suspend the rules to add new business item #13. The motion carried.

Mr. Gililand moved, seconded by Mr. Vasquez, approval if reductions are needed, authorization to notify certified staff by May 1, 2009, that one (1) additional day will be cut from all contracted certified administrators for the 2009-2010 school year. A roll call vote was requested.

Roll Call Vote

Yes: Vasquez, Wood, Williams, Clark
No: Chaplin, Gililand, Tatum

The motion carried.

North Pulaski High
School Restroom
Renovations

Mr. Gililand moved, seconded by Mr. Wood, approval to suspend the rules to add new business item; GMP submitted by Baldwin & Shell Construction plans for the North Pulaski High School restrooms renovations. The motion carried.

Mr. Gililand moved, seconded by Ms. Williams, to approve the GMP submitted by Baldwin & Shell Construction priced based on W.E.R. plans and specifications dated 3-16-09 with work scheduled to take place over the 2009 summer break with the base bid of \$298,220.00. A roll call vote was requested.

Roll Call Vote

Yes: Chaplin, Gililand, Vasquez, Tatum, Williams,
Wood, Clark

No: None

The motion carried.

Crystal Hill
Elementary
Roof-System
Replacement

Mr. Gililand moved, seconded by Mr. Wood, approval to suspend the rules to add new business item regarding the Crystal Hill Elementary Roof system replacement. The motion carried.

Mr. Gililand moved, seconded by Mr. Clark, approval to approve the base bid price per Witsell Evans Rasco plans and specifications dated 3-16-09 with work scheduled to take place over the 2009 and 2010 summer breaks. Additionally, this pricing is contingent upon the Construction Manager being released not later than April 17, 2009 in order to insure delivery of materials as well as begin the submittal/shop drawing process so that construction may begin immediately at the end of the school year with the base bid of \$3,567,276.00. The motion carried.

Public Comments

4/14/09

Risa Briggs, a teacher at Cato Elementary, stated that the District did not have their priorities in order. She said she did not support the building of the new schools and suggested the District take care of what they already have and not exchange personnel for bricks and mortar. Ms. Briggs voiced concerns regarding the condition of Cato Elementary and several schools in the District.

PACT

Marty Nix, President of PACT, asked that Harold Treadway, a teacher at Sylvan Hills High School, be remembered in prayers for his safety. Mr. Treadway will be deployed to Iraq for the third time. She wished Carole Provin at Northwood a speedy recovery after hip surgery. She stated that Ms. Provin was injured in an incident at the school and she asked the Board to make sure the staff was taken care of with regard to these situations. She congratulated Ms. Williams on her recent win of Southeast Regional Director of Black Caucus at the National School Board Association Conference. Ms. Nix congratulated Jane Ann Bilon on

being named the Sherwood Educator of the Year. She congratulated Casey Stephens, a parent from Sylvan Hills High School, for receiving the PACT Friend of Education Award. Ms. Nix referred to a letter she had submitted to Mr. McGill regarding negotiations and stated that she looks forward to amicable conditions that will be favorable to all. She stated the goal is to stay away from the classrooms with these cuts as much as possible. She said PACT has a MOU regarding the combining of the Jacksonville Middle Schools and asked the Board to insure that the implementation process that was agreed to is followed. Ms. Nix said the IMS Committee is scheduled to meet tentatively on April 27th.

PASS

Emery Chesterfield, President of PASS, welcomed the Board and stated he was looking forward to working with Ms. Coley regarding the PASS negotiations.

ODM, Joshua
and Knight
Intervenors,
PCSSD Equity/
Pupil Services

No representative from ODM, Joshua and Knight Intervenors, or PCSSD Equity and Pupil Services expressed a desire to address the Board.

**Board Member
Comments**

4/14/09

Mrs. Tatum commented on the twenty-one scholarships received by Mills University Studies High School. She stated that the Rock Orchestra that performed last year at Mills with Mark Wood will be performing again on May 19th at 7:00 p.m. Mrs. Tatum said that Bates Elementary had a program called Jump Rope and had gone to Landmark and College Station to promote healthy weight loss. She congratulated Mr. Warren for his election to the Executive Board of the Arkansas School Plant Management Association as President. She thanked everyone for the cards and prayers during the recent death of her grandson.

Mr. Gililand thanked the Board for approving the repairs for the bathrooms at North Pulaski. He stated that North Pulaski had seventeen acceptances for Governor School this year, and he was proud because one of these recipients was his son. He commented on what a great experience it was for these students.

Mrs. Chaplin said she was excited that the Board workshop had been rescheduled. She stated that each zone had declining facilities and that this would continue to be addressed. She said that it was hopeful the Board would start meeting two times a month so that agenda business, reports, etc. could be addressed at one meeting and it would allow constituents to speak at the meetings. She said she did not like the format of the agenda tonight; that she liked parents to be able to speak and they could not be expected to stay for the late hours.

Ms. Williams thanked Mr. McGill for approving the after school care program at Harris Elementary. She thanked everyone for their support in her re-election as Southeast Regional Director for

the Black Caucus and stated that the regional meeting will be held in Little Rock this year. She said there was a rumor, and she wanted to inform her constituents that she did not vote to close Harris Elementary.

Mr. Clark thanked everyone for attending the meeting and for staying late. He stated he will not give up on these schools being built; that he will continue to push for these schools. He stated this was very important to him and as President of the Board he wants to see these schools built and all of the facilities repaired. He said he appreciated individuals being able to speak their minds, but please keep in mind that the Board is committed to this District, and please give them the respect they deserve.

Superintendents

Report

4/14/09

Mr. McGill expressed sympathy to Mrs. Tatum over the loss of her grandson; and to the family of Marie and Gabriel Dority, a teacher and student at Clinton Elementary, whose husband and father passed away on March 29th. He asked for everyone to keep Harold Treadway in their prayers during his deployment in Iraq; and for Ms. Provin during her recovery from hip surgery. Mr. McGill reported on the Blowing Bubbles for Autism event at Chenal Elementary on April 2nd; and congratulated Ms. Williams on her re-election.

Mr. Clark thanked Mr. McGill for doing a good job.

Consent Agenda

4/14/09

Mrs. Tatum moved, seconded by Mrs. Chaplin, approval of the consent agenda. The motion carried.

Those items included:

- expulsions
- personnel
- the bills for payment
- award of bids
- financial report

Hearings

4/14/09

Student – Closed

A recommendation was presented for the expulsion of a 13-year old, 8th grade student at Robinson Middle School. This student was charged with violation of Rule #45 of the Student Handbook, Assault/Battery on Staff. The Hearing Officer recommended the expulsion of the student for the remainder of the 2008-2009 school year.

Henry Osterloh served as the hearing officer at the board meeting.

At the request of the student, the Board heard the hearing in closed session.

After all testimony and debate, Mr. Clark moved, seconded by

Mr. Gililand, to allow the student to go back to school beginning the next day. The student will be on probation with a zero tolerance for disciplinary actions. Mrs. Tatum voted no. The motion carried.

Student - Open

A recommendation was presented for the expulsion of a 16-year old, 10th grade student at Jacksonville High School. This student was charged with violation of Rule #45 of the Student Handbook, Assault/Battery on Staff. The Hearing Officer recommended the expulsion of the student for the remainder of the 2008-2009 school year.

Henry Osterloh served as the hearing officer at the board meeting.

At the request of the student, the Board heard the hearing in open session.

After all testimony and debate, Mr. Gililand moved, seconded by Ms. Williams, to allow the student to go back to school with probation and be provided the help and testing he needs. The motion carried.

Support Staff
Closed

Tasha N. Bolden, a cafeteria worker at Robinson High School, requested a hearing to appeal the Superintendent's recommendation of termination with PCSDD. At the request of Ms. Bolden the hearing was held during closed session. The reasons for this action being: conduct endangering the safety of others; failure to follow verbal or written directives; insubordination; and conduct unbecoming an employee. Henry Osterloh served as the Hearing Officer. Debbie Coley, Assistant Superintendent for Human Resources, presented Ms. Bolden's case and the recommendation of the Superintendent to the Board. Mrs. Tatum moved, seconded by Mr. Gililand, to uphold the Superintendent's recommendation. The motion carried.

All actions taken during the closed hearings were affirmed in open session.

Adjournment
4/14/09

Mr. Gililand moved, seconded by Mrs. Chaplin, to adjourn the meeting.

The meeting was adjourned at 2:25 am.

Board President

Board Secretary

New Business Item #1
RESOLUTION REGARDING REPAYMENT OF
SECOND LIEN BONDS

WHEREAS, on March 10, 2009, a majority of the Board of Directors of the Pulaski County Special School District ("PCSSD") passed that certain "Amended Resolution," which, among other things, acknowledged the Board's previous vote to consider and approve the detachment of territory currently within the PCSSD to create a new and independent Jacksonville School District; and

WHEREAS, the "Amended Resolution" instructed the District's fiscal agent, Stephens Inc., and the PCSSD's bond counsel, Mitchell, Williams, Selig, Gates & Woodyard to determine if and how the second lien bonds could be structured and issued to build replacements for Oak Grove High School and Sylvan Hills Middle School in a way that did not require a newly formed Jacksonville School District to assume more than its proportionate share of current bonded indebtedness now existing within the PCSSD and;

WHEREAS, the fiscal agent and bond counsel believe that the sentiments expressed in the paragraph above can be accomplished by appropriate and full disclosure to potential purchasers of the proposed 2009 second lien bonds.

IT IS THEREFORE RESOLVED that once (a) a new Jacksonville School District is formed and formally recognized as an entity and subdivision of the State of Arkansas by the State Board of Education and (b) any necessary Court approvals are obtained, then it is the resolve of the Board of Directors of the PCSSD that the newly formed and recognized Jacksonville District shall no longer be responsible for paying any portion of the debt service generated by the proposed 2009 second lien bond issue in the approximate amount of \$81,365,000.

IT IS FURTHER RESOLVED that should approval by the Arkansas State Board of Education prove necessary to ratify this provision exempting any new Jacksonville District from the debt service generated by the proposed 2009 second lien bond issue as well as all other provisions of this Resolution, that the PCSSD will seek such State Board approval at the appropriate point in time.

IT IS FURTHER RESOLVED that the PCSSD is now ready and resolved to proceed with the issuance and sale of the second lien bonds described in the Resolution adopted by the Board on February 10, 2009.

SO RESOLVED, this 13th day of April, 2009.

New Business Item # 4
RESOLUTION

WHEREAS, Pulaski County Special School District of Pulaski County, Arkansas (the "District") has outstanding tax-exempt obligations; and

WHEREAS, the Internal Revenue Service (the "IRS") has increased its efforts to examine the post-issuance compliance of issues of tax-exempt obligations; and

WHEREAS, in order to assist in protecting itself from adverse determinations in IRS audits, the Board of Directors of the District has determined that the District should adopt a Post-Issuance Compliance Policy Manual (the "Manual") which sets forth requirements for post-issuance compliance for federal income tax purposes and assigns responsibilities to ensure compliance with said requirements;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District that:

Section 1. The District hereby authorizes, accepts and adopts the Manual (attached hereto) as District policy. The Manual is approved and shall be in substantially the form presented at this meeting.

Section 2. The Responsible Party set forth in the Manual is authorized to do any and all things necessary to ensure the procedures and guidelines contained in the Manual are followed by the District.

Section 3. All resolutions and parts thereof in conflict herewith are repealed to the extent of such conflict.

Section 4. This Resolution shall be in full force and effect from and after its adoption.

