

# REPORTER

Fall 2005

Volume 24, Number 1

## ASBA Regional Meetings are Underway

The weather is finally turning cooler, and among other things, it means that it's time for ASBA Regional Meetings. Join colleagues in your region and ASBA staff from Little Rock to conduct the association's business, elect ASBA Regional Directors, and learn about issues facing Arkansas school districts during one of 14 regional meetings to be held from September 26 through November 3, 2005.



Executive Director Dan Farley and your regional director will bring you up-to-date on association programs and activities. To ensure that your regional meeting can accommodate you, including providing you with a meal, please confirm your attendance with your Superintendent. If you can't attend your own regional meeting, please attend another nearby meeting

- just confirm your attendance with Paulette at (800)482-1212. Regions 1, 3, 4, 7, 8, 12 & 14 will be electing Regional Directors to serve on the ASBA Board. Most regions have nominees slated for the election. The nomination requires that the nominee have ample time remaining on his/her local board term to fulfill the ASBA Board obligation, and that the nominee be supported in his/her candidacy by a majority vote of their local school board. See the full meetings schedule and list of candidates on page 3.

## ASBA Annual Conference...

The school year is in full swing and autumn is here. Every ASBA member knows what that means — no, not leaf raking — the annual ASBA Conference is right around the corner, so start marking your calendars now!

Scheduled for December 6 - 8, this year's conference will follow ASBA's long tradition of providing board members and school officials from around the state with relevant, valuable training and networking opportunities. With all the new initiatives in education and with the ever-changing standards for

*See Conference.... page 5*

## Lake View Ruling is Pending

The Supreme Court's special Masters have been analyzing the actions of the legislature to determine if the legislature met its constitutional mandate for public education. On Oct. 1, retired Supreme Court justices David Newbern and Bradley Jesson, submitted their findings to the court and the public.

In short, the masters have agreed with the 46 plaintiff school districts, led in court by Rogers attorney David Mathews, that the

*See Lake View..... page 14*

### In This Issue:

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- Building Communities - Just for the Kids
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## A Great Start for New Board Members, a Good Refresher for Others

New board members, and current members who could use a quick refresher course on the duties and responsibilities of school boards, will want to attend ASBA's annual New Board Member Workshop (NBMW) on Tuesday, Oct. 18, at the Embassy Suites Hotel in Little Rock.

The day-long event is a perfect chance to orient yourself to the work of school boards and to network with school board members from around the state. Registration information has been sent to all superintendents and board presidents, and a registration form is available on the ASBA website.

The workshop will begin at 9:00 a.m. and conclude at approximately 3:30 p.m. The training will focus on information that you can really use in your position as a school board member. The agenda will cover a wide range of topics relating to the duties and responsibilities of school boards, including: school finance, legal issues for boards, ethics for board members, student and employee matters for boards, how to conduct board meetings in accordance with the state Freedom of Information Act, and how to develop and maintain good board-superintendent relationships.

The day will wrap up with an open-floor question and answer session during which attendees may pose questions to any of the day's speakers.

Participants will receive a packet of useful materials, including, a Code of Ethics for School Board Members, a copy of the ASBA Standards for Arkansas School Boards, and the Arkansas Freedom of Information Handbook.

To register, contact your superintendent, call ASBA at (800) 482-1212, or visit our website at [www.arsba.org](http://www.arsba.org) for a downloadable registration form. The workshop costs \$100 per person.

## Honor Outstanding Service to Public Education

Every community has those outstanding advocates for public education that inspire us all. Honor that outstanding person in your community by nominating him/her for ASBA's highest citation, the Dr. Daniel L. Pilkinton Award for Outstanding Service to Public Education.

The "Dr. Dan Award," as it is affectionately known, is named for the first executive secretary of ASBA, who exemplified the caring, committed, and involved advocate for education that we all aspire to be.

Awarded at the ASBA Conference in December, the Dr. Dan Award recognizes the dedication, hard work and accomplishments of an outstanding board member,

administrator, teacher, principal, school employee, or community member whose service to public schools deserves special attention.

School boards, superintendents, or individual school board members may nominate special individuals by completing a brief nomination form and submitting it to ASBA by **Oct. 31**. Nominations will be reviewed by a special committee of the ASBA board, and an award winner will be selected.

Nomination forms for the award have been sent to all board presidents and superintendents. Nomination forms are also available on the ASBA website at [www.arsba.org](http://www.arsba.org), or by calling ASBA at (800) 482-1212.

### School Board BRIEFCASE

- ▲ Register now for New Board Member Workshop
- ▲ Submit ASBA Resolutions by November 6
- ▲ Administrators: Attend Workers' Comp Seminars
- ▲ Join "Building Communities - Just for the Kids" on November 15
- ▲ Nominate someone for the Dr. Dan Award
- ▲ Welcome new board members to the fold

## ASBA Regional Meetings

Region	Date / Host	Location	Region	Date / Host	Location
1*	<b>October 27</b> Springdale	Har-Ber High School 300 Jones Road Springdale	8*	<b>October 13</b> North Little Rock	Administration Office 2700 North Poplar Street North Little Rock
2	<b>November 1</b> Harrison	Harrison Middle School 1125 Goblin Drive Harrison	9	<b>October 11</b> Forrest City	Forrest City Junior High 1133 North Division Forrest City
3*	<b>October 20</b> Northeast Educ. Co-op	NEA Co-op Building 211 West Hickory Walnut Ridge	10	<b>October 4</b> Arkadelphia	Arkadelphia H.S. Commons 401 High School Road Arkadelphia
4*	<b>October 6</b> Greenwood	North Main Inter. Cafeteria 300 East Gary Greenwood	11	<b>October 3</b> Watson Chapel	Watson Chapel H.S. Cafe. Highway 79 South Pine Bluff
5	<b>Sept. 26</b> Dardanelle	Savanah's River Front Cafe 208 North Front Street Dardanelle	12*	<b>September 29</b> Prescott	McRae Middle School 1030 East 5th Street North Prescott
6	<b>November 3</b> Batesville	U of A, Independence Hall 2005 White Drive Batesville	13	<b>October 25</b> Camden Fairview	Camden Fairview H.S. 1750 Cash Road Camden
7*	<b>October 10</b> Wynne	Wynne H.S. Cafeteria 800 East Jackson Wynne	14*	<b>October 24</b> Drew Central	Admin. Building / Cafeteria 440 Highway 83 South Monticello

\*Denotes regional director election occurring.

All meetings begin with registration at 6:00 p.m. and dinner at 6:30 p.m.

## Who's Running?

### ASBA Regional Director Candidates

**Region 1**    **Cathy Allen**  
Rogers School Board

**Region 3**    **Sandy Anders**  
Corning School Board

**Region 4**    **Ruth McConnell** (*elected 10/6*)  
Greenwood School Board

**Region 7**    **Gene Boeckmann**  
Wynne School Board

**Region 8**    **Carolyn Lewis**  
Conway School Board

**Region 12**   **Jim Kuykendall** (*elected 9/29*)  
Mineral Springs School Board

**Region 14**   **No Announced Candidates**  
(as of publication date)

# ASBA Annual Conference Speakers will Bring Information, Inspiration and Humor

The annual ASBA Annual Conference is known for its dynamic and engaging speakers. ASBA staff and directors search nationwide for outstanding speakers to inspire, entertain, and challenge us all during the conference's three general sessions. The 52nd Annual Conference will be no exception, as we've lined up some very distinguished speakers for the occasion.

One of the nation's most in-demand education speakers and researchers, Dr. Pedro Noguera, will open the conference with the first general session. A professor in the Steinhardt School of Education at New York University, Noguera is one of America's leading urban sociologists, whose scholarship and research focus on the ways in which schools are influenced by social and economic conditions. He is an expert on urban school reform, conditions that promote student achievement, and race and ethnic relations in American society.

Noguera combines his personal perspective as a minority student learning in public schools all the way



Dr. Pedro Noguera

to serving on the Berkley (CA) School Board, with his research on the issues of racial inequality and diversity in our schools. He challenges schools to create safe, secure, and academically rewarding environments for poor and minority students. He will demonstrate the problems

America faces in providing equal opportunity in education, and offer some of the solutions that are working across America.

Noted as a "charismatic speaker of great oratorical gifts," Professor Noguera is sure to have an academic and emotional impact on the conference. His most recent book is *City Schools and the American Dream: Reclaiming the Promise of Public Education*.

Ann White, whose first audience was the seventh and eighth graders in her middle school classroom,



Dr. Ann White

will engage us with her southern, folksy humor and practical ideas for education that she has developed throughout her career as a teacher, librarian, director of community relations, and assistant superintendent.

Since leaving her formal

position in education, White has developed her own engaging brand of inspiring others, *Laugh and Learn with Ann White*, in which she weaves together insights about growing up in the South, with her practical knowledge gained from schools and her formal knowledge gained while earning three degrees in education. Be prepared for a humorous, albeit informative, afternoon with one of the funniest and smartest ladies around. She has penned a serious, yet lighthearted, book that sums up her philosophy about the importance of teamwork in the workplace, *Twelve Commandments for People Who Work with People*.

Wrapping up the conference at the final general session and breakfast will be Brady Anderson. A native of Helena, Anderson has gone on to lead a globetrotting life of public service in the U.S. Navy, as a sociolinguist studying local languages and dialects in Africa, as Arkansas Assistant Attorney General, as the Administrator of the U.S. Agency for International Development (USAID), as the U.S. Ambassador to Tanzania, as Chairman of the Board of the Overseas Private Investment Corporation, and most recently as a business investor and consultant on international affairs.

Anderson has a strong education ethic that was molded by his education-oriented family. While growing up in Helena, his mother was the high school librarian and his father was the junior high principal. His sister, Jon Purifoy of Texarkana, went on to become a statewide leader in gifted and talented

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education. Anderson will share his insights about growing up in Helena and becoming a successful public servant and businessman, and he'll discuss his perspective on how education can impact many of the political and social issues facing the world in the 21st century.



Brady Anderson

## Prepare Resolutions Now for Consideration by the Delegate Assembly

The ASBA Delegate Assembly, the policy-making body of the association, will meet on Dec. 7 during ASBA's annual conference. At that time, the Assembly will consider reports and resolutions submitted by local boards, the ASBA Board, and/or the Resolutions Committee.

If you wish the Assembly to act on a report or resolution, you must submit the report or resolution to the executive director at least 30 days prior to the meeting of the Assembly. This year, that means by Nov. 6.

Proposals submitted after the deadline may only be considered

if two-thirds of the delegates present vote to consider them on the floor of the Assembly.

All ASBA-member boards must appoint a board member to represent them at the Delegate Assembly. Each board should report its delegate to the ASBA office by Nov. 6, as well. Board presidents will soon receive a reminder about assigning delegates to represent their board.

Copies of proposed beliefs and resolutions received by the deadline will be posted on the ASBA website, and they will be mailed to all member-board presidents for advance consideration.

## What is a Resolution?

A formal statement expressing the will, intent or opinion of the association can be considered by the Delegate Assembly. The Assembly will vote whether to support such resolutions. Resolutions can be proposed by any member board.

ASBA's Beliefs and Resolutions approved by the 2004 Delegate Assembly are posted on the ASBA website, [www.arsba.org](http://www.arsba.org).

## Conference...

Continued from page 1

schools, this conference is a real "don't miss" event.

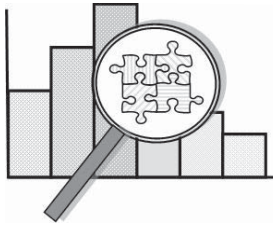
The conference will be held at the Peabody Hotel and Statehouse Convention Center in Little Rock.

A block of rooms with a special rate of \$99 per night (single & double) has been reserved for ASBA.

Conference registrations and other materials will be mailed to all ASBA members in the next few weeks, but you can start making your travel and lodging plans now.

To get the special hotel rates, just mention the ASBA Conference when you reserve your hotel room (800-PEABODY).

For additional information about the conference refer regularly to the ASBA website at [www.arsba.org](http://www.arsba.org).



# Careful Comparisons: Using Student Testing Data to Compare Schools

*(By James Gilson)*

Making comparisons comes naturally. In virtually every aspect of our lives we want to compare ourselves to everyone else. Are you taller than average, or shorter? Do you have a bigger house than your neighbor? Do you go to church more often than your cousin?

It seems to be human nature to make comparisons.

We humans seem to be especially fond of easy comparisons, obvious comparisons, black and white comparisons. But good comparisons are almost never *really* black or white. They are mostly shades of gray that, for the astute observer, invite more analysis.

By way of example, I have a friend in California whose salary is more than double my own – six figures! Obviously he is much better off than me. It’s black and white.

But, on close inspection, one notes that the rent on his tiny apartment is more than double my house payment, and monthly parking costs him more than his car payment. He is barely making ends meet, and he can rarely afford a ticket home to visit Arkansas. Who’s better off? The answer is not so obvious. As my college statistics professor always warned, “Be careful of obvious comparisons...”

Comparing Schools	
Joseph’s	75% Proficiency
David’s	65%
Emily’s	59%

We especially love to compare schools. Parents & teachers, newspapers and TV stations, Republicans and Democrats, public school advocates and private school patrons, states and nations, all love to compare schools. Pick up any newspaper, and you’ll know it’s true. And the comparisons seem to always be presented as black and white, obvious, easy.

At the moment, however, we have very incomplete data to really compare schools. As Arkansas fully implements its student testing strategies over the next few years, we will be able to track progress for specific students from year-to-year, and from school-to-school. When available, this “longitudinal” data will allow us to more accurately and reliably evaluate the performance of schools.

Until then, we have only snapshot views of school test scores from year to year. Comparing schools using this data is a tricky prospect. Despite this, folks will still be making easy, obvious, and possibly inaccurate comparison of schools.

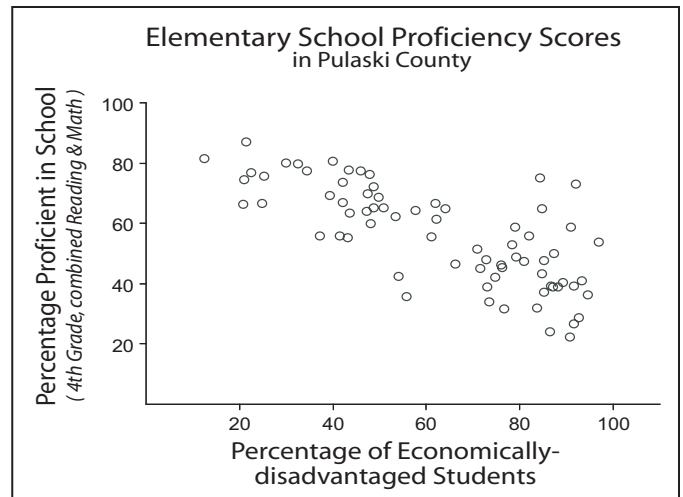
Last year at a family celebration, my siblings and I talked about our children’s schools. The 2004 Benchmark exam scores had been released and printed

in the newspaper for all to see. My nephew Joseph’s school, in an affluent part of the county had the highest score: 74% of students scored “proficient.” My son David’s school, a magnet school, was in the middle: 65% proficient. And my niece Emily’s school, located in an older part of Little Rock, was lowest with 59% proficient.

The results weren’t really surprising. The comparison seemed obvious. It was easy. It was expected. The suburban school is best. The inner-city school is worst. My son’s school was somewhere in the middle.

But, knowing that obvious, easy comparisons deserve more scrutiny, I decided to investigate further.

Research has shown that many social factors affect students’



abilities to learn and achieve at school. The education level of parents, the amount of time parents read to youngsters, whether a child attended preschool, and

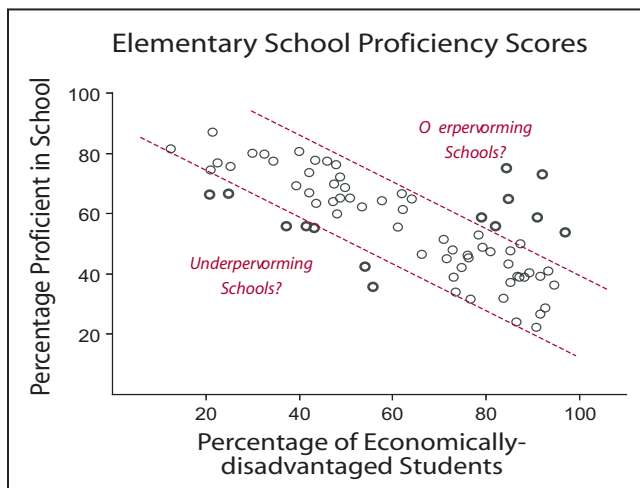
*Continued, Next Page*

even a child's diet affects their learning.

It is impossibly difficult to account for all these factors when comparing school scores. One closely-related factor reported with test scores, the percentage of economically disadvantaged students in the school, is an important and reasonable factor to consider when comparing schools' data.

Poor students typically haven't had as many experiences and opportunities to help them succeed in school. Of course, it's not that they're dumb, they are disadvantaged – both economically and educationally.

To begin my comparison I went



to [www.schoolmatters.com](http://www.schoolmatters.com) and downloaded 2004 benchmark school data from all 72 elementary schools in Pulaski County. Since it is hard to relate 72 schools' scores at the same time, I graphed the data by plotting each school's proficiency score against the percentage of students identi-

fied as economically disadvantaged (as determined by participation in the National School Lunch Program). In this case, a picture really is worth a thousand words.

As I looked at the graph, it was clear that schools with more poor students generally had lower test scores. To see the trend better, I placed two diagonal lines on the graph, leaving 10% (7) of schools below the trend lines and leaving 10% (7) of schools above the trend lines.

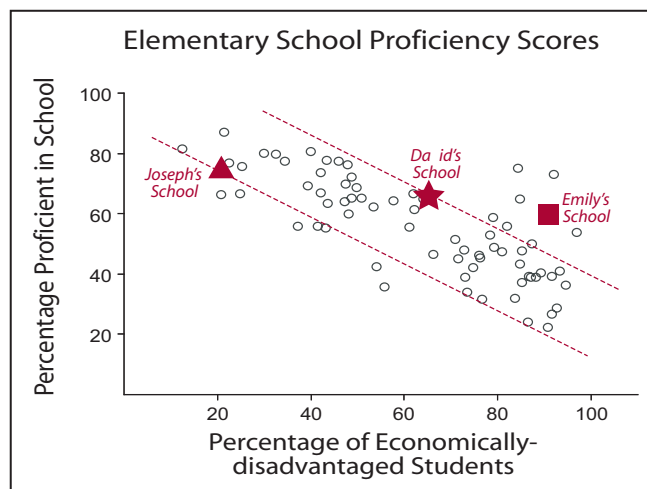
Schools between the trend lines appear to be performing "average," considering the portion of the student body that is poor. Schools appearing above the trend lines appear to be performing better than would be expected, and schools appearing below the trend lines appear to be performing worse than expected.

With this new-found insight, I looked again at the scores, and was surprised by my observations. Joseph's school, despite having the highest scores, appears to be no better than average, when considering that the school is relatively affluent.

David's school appears to be typical, solidly between the trend

lines, and maybe slightly above average.

Emily's school, however, appears to be doing the best job. Its scores appear to be exceptional,



considering the level of poverty in the school.

This new knowledge didn't shake my family's commitment to their local schools. If anything, I and my siblings are more committed than ever to our schools – whether they are already exceptional, or whether they are trying to be exceptional.

So it is that educational leaders must look carefully at data to determine its significance. The obvious comparisons – even when reported publicly by credible sources – should be suspect. Those easy, obvious conclusions may be hiding the real value of data.

And similarly, new-found understanding – even if it seems like bad news at the time – should not discourage leaders, but should inspire them to do even more to make every school exceptional.

## ASBA Reporter - Tell us what you need!

We at ASBA want to serve the needs of school boards and school board members. We want to provide you with information and ideas that you can use to improve education in your community. So, what do you need? Please contact James Gilson with your ideas and requests at (800)482-1212, or e-mail [jgilson@arsba.org](mailto:jgilson@arsba.org).

**JACK GARDNER, ASBA PRESIDENT****Welcome New Board Members,  
We'll Rise to meet the Challenge Together**

Many Arkansas board members must be saying to themselves, "Whew, October at last!" With September's school board elections behind them, they may feel like they can finally relax. But relaxation isn't an option for newly-elected board members, or for veterans like me.

I offer to newly elected board members a hearty welcome. I, the citizens of the state, and the children Arkansas applaud your willingness to serve your communities and your schools. You've agreed to take on a challenging task, in challenging times.

In times past many new board members had an opportunity to ease into the role of setting policy and guidance for local schools. Thankfully, in my own experience there were no looming controversies, no crises to respond to, and no crucial decisions to be made immediately when I first was elected in 1986. I got to learn the ropes of being a board member in a relatively relaxed atmosphere.

Few newly elected board members will have the same luxury.

Arkansas faces an education funding crisis being addressed by the courts; schools are being buffet-

ed by numerous new laws, regulations and legislative mandates; new accountability standards are keeping school administrators and board members on their toes, the press is more critical of schools, and parents are more willing than ever to abandon public schools if they aren't happy.

It's a challenging time in education, but board members – new and seasoned – can meet those chal-

*See Welcome... page 12*

**DAN FARLEY, ASBA EXECUTIVE DIRECTOR****There are  
so Many Things.....**

There are so many things to discuss right now it's hard to know exactly where to begin. Katrina and Rita have played havoc on our sister states to the south and the resulting catastrophes have changed the future for many people. Indeed all of us have felt and will continue to feel the impact for a long time to come. The strife and trauma are too enormous for most of us to comprehend, but the sense of community, the true acts of caring kindness, from these disasters make me proud. We are a thoughtful and giving people who have now seen what most thought was unthinkable.

We've seen the good, the bad, and the ugly and we've only just begun to understand the true cost of the disaster.

Now policymakers are wrestling with how we will pay for nature's assaults. The figures are astronomical and—another sobering reality—we still have several weeks left in the current hurricane season. All of this has fallen upon us in addition to a war in Iraq, record fuel prices, and many other huge needs that face us as a state and nation.

What we watched in New Orleans after Katrina was another assault, this time on our sensibili-

ties as a people. Just over a month ago, the U.S. Census Bureau reported that the poverty rate rose again last year, with 1.1 million more Americans living in poverty in 2004 than the previous year. The number of poor people in our country has risen 17 percent in the last five years. During that same period of time, the infant mortality rate in the United States has risen for the first time since 1958, placing us 43rd among the nations of the world. In fact, the number of infants who died prior to their

*See So Many..... page 11*

# REPORTER

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*Championing excellence in public education through training, advocacy, and service for local school boards.*

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**PAUL BLUME, ASBA GENERAL COUNSEL**

## Making Accommodations for Disabled Employees - and Not.

Mary Margaret (“the world’s most excellent canine,” a title coined by, and insisted on, by Miss Mary Margaret, herself), has told me that her duties as watch-pooch are no longer possible. She can no longer spend several minutes each night watching out windows or sniffing doors to ensure that Usama Bin Laden (or Osama whatever) is not out there, because she has a disability: She has, according to her, Sleep Deprivation Syndrome (SDS), which invariably occurs when a Lab does not get a minimum of 20 hours of sleep per day. I’m thinking about doing a telethon.

There are lots of employees, and potential employees, who have some sort of disability and who are as capable as any of your non-disabled employees (or potential employees). They can do the job, whatever it might be, as well as, or better than, your non-disabled employees, sometimes with some type of accommodation for the disability, and sometimes without that accommodation.

We’re not talking about those folks. Those folks are the same as your non-disabled employees, in that they do good work, and we love them. We’re talking about something else here.

Everyone knows that doctors (along with most other people) are, well, less than fond of lawyers. What is not as well known is that lawyers don’t buy into that whole doctor-as-god thing. Doctors have a better PR machine. (Just watch “ER,” as compared to, say, “Boston Legal.”) Most folks think that lawyers will say anything for their clients. (Not so. So there.) But doctors can tell some whoppers, and they usually put them in writing to an employer, on behalf of a patient.

So, over the years, it has become seemingly more frequent that we get notes from employees’ physicians, telling us that our employee can’t do a certain thing, often a thing that the employee has repeatedly complained about having to do. For example, my favorite was a note from a doctor that said that the employee was unable to do some work (that he already had told everyone within earshot that he didn’t want to do) because of a “medical illness.” Another said

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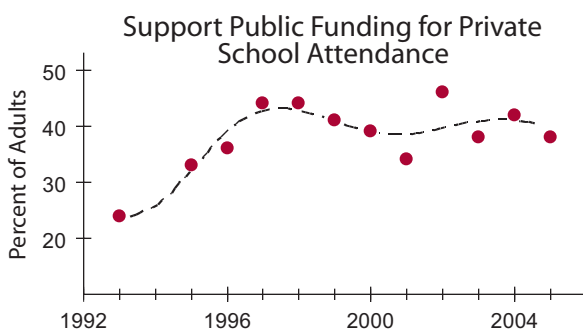
See *Accommodations.....* page 12

# Phi Delta Kappa 2005 Poll: The Public's Attitudes about Education

For 37 years the international association and honor society for educators, Phi Delta Kappa (PDK), has surveyed Americans' attitudes about public education. This year's poll reveals that the public still supports public education, and has high confidence in public schools.

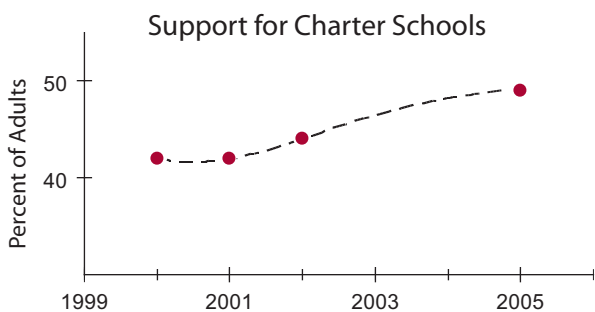
Among the 43 questions included in this year's poll, several reveal interesting trends in public opinion. Several are explored below. We hope that board members and other education leaders may find these helpful as we all work toward garnering citizen support for public education.

## Do you favor or oppose allowing students and parents to choose a private school to attend at public expense?



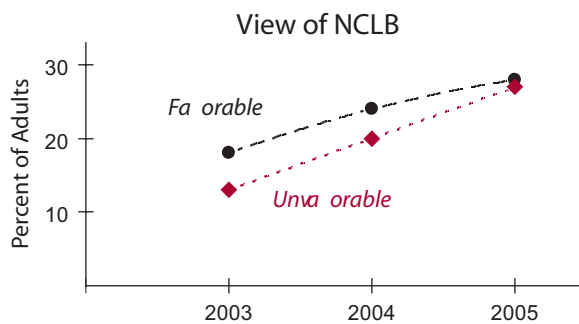
*Support for public funding of private schools grew dramatically in the 1990s. As public schools improve their performance, maybe we can expect this number to fall in the next few years.*

## Charter schools operate under a charter that frees them from many of the state regulations imposed on public schools. Do you favor or oppose the idea of charter schools?



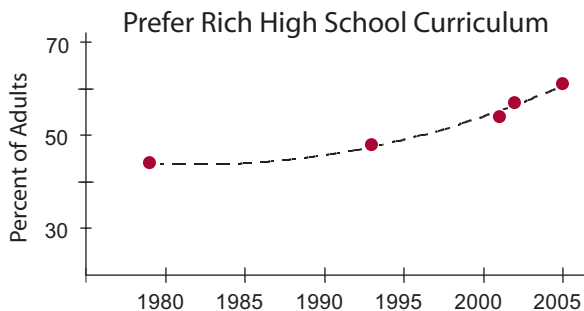
*Since their inception, public support for charter schools has grown steadily, despite the mixed educational record demonstrated by charters thus far.*

## From what you know or have heard about the No Child Left Behind Act (NCLB), do you have a very favorable, somewhat favorable, somewhat unfavorable, or very unfavorable opinion of the act?



*NCLB appears to be a polarizing initiative, with growing support for, and growing opposition to the Act.*

## Public high schools can offer students a wide variety of courses, or they can concentrate on fewer basic courses, such as English, math, history, and science. Which of these two policies do you think the local high schools should follow?



*In spite of some "back to the basics" advocates, a growing majority of Americans value a rich curriculum for students, knowing that it will ultimately provide a better education.*

## NSBA Conference Relocated

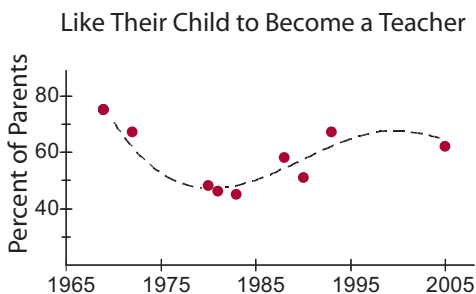
Due to the effects of hurricane Katrina, the 2006 NSBA Annual Conference has been relocated from New Orleans to Chicago.

The conference will still be held April 8-11, 2006. Conference registration will open Nov. 1 and housing will open on Nov. 29.

Details at [www.arsba.org](http://www.arsba.org)

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### Would you like to have a child of yours take up teaching in the public schools as a career?



*Although not at the historic highs of a generation ago, more parents support the idea of their children becoming teachers than during the 1970s and 1980s. Let's hope that this trend continues.*

As community leaders, board members are always trying to enlist the public's involvement in schools. The Phi Delta Kappa survey can be a tool to consider the public's opinions about schools when developing your plans to solicit support from the public. We encourage everyone interested in public education to explore the survey further.

The complete PDK/Gallop Poll, including data from previous years, is available for viewing and printing at [www.pdkintl.org](http://www.pdkintl.org).

## So Many...

Continued from page 8

first birthday in Washington, D.C., amounted to 11.5 per thousand live births in 2002, compared to Beijing with 4.6.

Dr. Nancy Cauthen, deputy director of the National Center for Children in Poverty, in an article entitled "A Poverty of Understanding," wrote: "Using the federal government's official poverty measure—which is about \$16,000 annually for a family of three and \$19,000 for a family of four—17% of the nation's children are living in poor families. That's 12 million children, and the number is increasing."

She continued: "Perhaps most stunning is that 7% of children—5 million—live in families with incomes of less than half the poverty level. . . These are the official statistics. But just about everyone agrees that the feds' current measure is woefully out of date. We measure poverty by a standard set more than 40 years ago. Data collected in the 1950s indicated that families spent about one-third of their income on food. Poverty is still measured by multiplying the cost of the U.S. Department of Agriculture's 'economy food plan' by three."

"Our national poverty figures obscure dramatic variation by place and race. In New Hampshire, 7% of children are poor, whereas in Arkansas, the figure is 25%. About 10% of white children live in poverty, while roughly 30% of African-American and Latino children do," she continued.

These are serious statistics that provide us with a look at ourselves. It isn't difficult to see the need. It has been, however, unusual for us to examine those statistics. A close look reveals that most of us simply

haven't bothered to pay attention—until Katrina, that is.

So, what does all this have to do with public school governance? A great deal, I think.

In our state for the last few years, we have been trying to fix an education system that now has a particular focus on educating children of poverty, which virtually everyone agrees, plays a huge role in the achievement gap. It stands to reason that providing for those children in greatest need requires a larger effort, and we have begun taking steps to address that. That mission, however, cannot be accomplished overnight. Results will follow when we commit ourselves to a steady, long-term effort. These are policy issues that all too often are only sporadically dealt with and usually under pressure.

Are we doing a good job? Well, I think we're doing a better job than we were, but we still have a long way to go. That will require our focus to be sharp and our efforts to be sustained over time. That means that policymakers at every level must begin to look at the long term. That goes for local school boards as well as state and federal lawmakers. All of us have a role to play.

If we don't seriously address these problems in our nation and in our own state, they will continue to multiply. Ignoring them won't make them go away. We must confront them and work together to ensure a brighter future for all our citizens. Perhaps the shock and grief that followed the hurricanes will stir the public will—and the political will—to do what we as Americans and Arkansans have always done well: find solutions that work. When we do roll up our sleeves and fix what's wrong, we will strengthen our nation and our state.

## Accommodation...

Continued from page 9

that the employee couldn't stand for more than about 8 hours per day, "at certain times during the month." That, also, was designed to take the employee out of some undesirable task. I guess they're just trying to help, but some of these doctors' notes appear to be written by the patient.

The laws that are implicated in these situations are, usually, Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of disability in any "program" which receives federal funds; and/or the Americans with Disabilities Act (ADA), which prohibits discrimination against the disabled, generally. Usually, the review of the situation is the same for both: The employee cannot be dismissed, or otherwise harmed, if he can perform "the essential functions of the job," and he must be able to perform those essential functions "with or without reasonable accommodations."



The World's Most Excellent Canine

The first thing you need to look at is what the "essential functions" of a job are. For, say, a principal, they include things like dealing with discipline, visiting the classrooms, evaluating employees, etc. You should have a job description which can help you with this. Next, what is a reasonable accommodation? That's usually the big question.

Ordinarily, and in general terms, it's some, relatively minor, change in the job which enables the employee to do the job. Sometimes, you can even eliminate some functions of the job, if those functions aren't "essential." However, what you are not obligated to do is to hire someone else to do a job function which is, indeed, essential.

For example, if a principal can't do evaluations; or if he can't tolerate stress, then he's not able to carry out the essential functions of the job. You don't have to hire someone else, at thousands of dollars per

year, to do the evaluations that the principal's doctor says he can't do. And if you can figure out how to eliminate stress from any job, please let me know. In other words, it is not a "reasonable accommodation" to hire someone to do the job for your employee. If he can't do the essential functions of the job, then it's not discrimination to dismiss the employee or to refuse to hire him in the first place.

In short, look at the doctor's note with a jaundiced eye, or at least be skeptical. When the employee's malady is, according to the doctor, some general affliction (remember "medical illness"?), or if the note is just inadequate, ask for more information, from the employee and from the physician. You might have to insist that, unless more information is forthcoming (or if the information produced is not adequate), the employee will have to do the job. Or you might have to dismiss him.

As for Mary Margaret, I have a feeling that her problem will vanish about the time that I inform her that Milk Bones are only for active-duty watchpooches. Medical miracles do happen, you know. Besides, she didn't even give me a note from her vet.

## Welcome...

Continued from page 8

allenges. The cause of public education is too important to shrink from the task. There are too many people relying on us to get the job done.

Fortunately we have a wealth of experience and expertise that we can draw on to meet the challenges. We seasoned school board veterans must take new board members under our collective wings. We must reach out to, and support, our new colleagues.

I call on all board members to do their part. We must get to know each other as neighbors and friends so that we can understand each other. We must impress on our new friends the importance of training and education to develop the knowledge and skills to be a good board member. We must help them learn the proper role of boards. We must help them weigh information to make the best decisions. We must encourage them when things seem daunting, and we must buoy their spirits when they are down.

So it is that new board members face the challenge of becoming effective board members and experienced board members face the challenge of helping them transition into their new roles.

I wish you all well as we begin another school year, and remind you to seek out your experienced colleagues, your superintendent, and ASBA to help govern schools to the best of *our* ability.

# ASBA Workers Compensation Seminars: Maintaining Safe Learning and Working Environments

School district superintendents, assistant superintendents, safety managers, members of crisis management teams, principals, and other school administrators will want to attend one of the upcoming Workers' Comp. Seminars being presented through the state's education service co-ops.

Worker injuries and workers' compensation claims cost us all – from the pain and discomfort of the injured employee, to the staff who fill in during the employee's absence, to the administrators who

juggle everyone's responsibilities, to the students whose learning may be disrupted, to the board and community that pay more for workers' comp. premiums.

Risk Management Resources (RMR), the administrator of ASBA's workers' compensation program, is offering a series of informative and helpful seminars. The name says it all, "Maintaining Safe Learning Environments."

The seminar will examine:  
**School Violence Prevention**  
**Teacher/Student Conflict Resolution**

**Anti-Bullying & State Law**  
**Crisis Management Plans**  
**The Medcor Program**  
**Claims/Case Law Update**

The seminars will be held from 8:30 – 12 noon. Be certain to set aside time in your staff's schedule to attend the seminar at your local, or another nearby, co-op.

For more information, contact Dwayne McAnally at (501) 614-1555; or Rhoda Parsons at (800)482-1212, or email [insure@arsba.org](mailto:insure@arsba.org).

## FALL 2005 ASBA WORKERS' COMPENSATION SEMINAR "Maintaining Safe Learning Environments"

PRESENTED BY RISK MANAGEMENT RESOURCES

Date	Location	City
Thursday, September 29	Northeast Arkansas Educational Co-op	Walnut Ridge
Tuesday, October 4	Wilbur Mills Educational Co-op	Beebe
Wednesday, October 5	Great Rivers Educational Co-op	West Helena
Friday, October 7	Northwest Arkansas Educational Co-op	Farmington
Tuesday, October 11	Crowley's Ridge Educational Co-op	Harrisburg
Wednesday, October 12	Northcentral Arkansas Educational Co-op	Melbourne
Friday, October 14	Dawson Educational Co-op	Arkadelphia
Tuesday, October 18	Arkansas River Educational Co-op	Pine Bluff
Tuesday, October 18	Ozarks Unlimited Educational Co-op	Harrison
Friday, October 21	South Central Arkansas Educational Co-op	Camden
Friday, October 21	Arch Ford Educational Co-op	Plumerville
Tuesday, October 25	Southeast Arkansas Educational Co-op	Monticello
Wednesday, October 26	Southwest Arkansas Educational Co-op	Hope
Friday, October 28	DeQueen-Mena Educational Co-op	Gillham
Wednesday, November 2	Western Arkansas Educational Co-op	Branch

## Workers' Comp. Seminar Agenda

8:30 a.m.	Welcome/Introductions	10:15 a.m.	Teacher/Student Conflict (cont'd)
8:40 a.m.	Medcor Program	10:45 a.m.	Crisis Management Plans
9:00 a.m.	School Violence Prevention	11:30 a.m.	Claims/Case Law Update
9:45 a.m.	Teacher/Student Conflict Resolution	12:00 noon	Dismiss
10:00 a.m.	BREAK		

## Building Communities - Just For the Kids

The Arkansas School Boards Association is always involved in exciting initiatives and right now is certainly one of those times. The Arkansas Affiliate for the **Just for the Kids** program was launched last year, and the website ([www.just4kids.org](http://www.just4kids.org)) was introduced to the state. The website is rich in school data that is clearly organized and displayed for transparency. It shows how every Arkansas school is performing on state tests in relation to five other Arkansas schools that have a comparable student population. Plus, a Best Practices section gives schools direction about how they can learn from one another.

However, all of this information is worthless unless it is used to build high performing public schools and raise student achievement. **Communities Just for the Kids** is an initiative to bring parents, business and education leaders and policymakers together to support their public schools by using proven Arkansas practices at the district, school

and classroom level. Starting with current school-by-school data on the **Just for the Kids** website, the program will equip communities to work in partnership with educators. Arkansas has been chosen to be part of a two-year national pilot project launching this program.

In Arkansas, we will kick off this program with a special **Building Communities Just for the Kids Day**. On Nov. 15 local communities will host meetings that feature two to three-hour structured discussions about how communities can support their public schools. We are

very pleased that over 50 school communities have already signed up to host a community meeting. The event was originally set for Sept. 27, but due to the effects Hurricane Katrina had on Arkansas and many Arkansas school districts, the event was rescheduled.

The objectives for this special event are to: (1) inform parents, community, and business leaders about current school laws and regulations so they understand what is required of public schools, (2) present school data so communities can be better informed about their schools' strengths and areas where improvement is needed, (3) inspire community collaboration that will ultimately support school improvement by clearly defining the roles people can play in supporting schools, and (4) create motivation for continued dialog in communities all across Arkansas.

The **Communities Just for the Kids** leaders are working closely with the Arkansas State Chamber of Commerce/Associated Industries of Arkansas, the Arkansas PTA, the Arkansas Department of Education, the Arkansas School Boards Association, the Arkansas Association of Educational Administrators, the Arkansas Rural Education Association, the Arkansas Education Association, and the Arkansas for Education Reform Foundation on the **Building Communities Just for the Kids Day**.

For more information about how you can be a part of **Building Communities Just for the Kids Day** contact Heather Detherow or Diane Vibhakar at 800-482-1212.

## Lake View Case Pending

Continued from page 1

state has not adequately funded education.

The court will review the Masters' findings and determine whether to re-enter the Lake View case. A copy of the Masters' full report is available through the ASBA website.

Stay tuned...

## Japanese Exchange Program Seeks Teachers

The Japan Fulbright Memorial Fund Teacher Program (JFMF) invites elementary and secondary teachers to take a fully-funded study tour of Japan.

Now in its 10th year, the program sends up to 600 teachers to Japan each year to increase understanding between the people of Japan and the United States.

JFMF participants travel to Japan with other outstanding educators, learn about Japanese culture and education, and return home to implement a self-designed plan to share their knowledge and experience with students, colleagues, and the community.

The deadline for application is Dec. 10. Encourage your teachers to apply at:

[www.fulbrightmemorialfund.jp](http://www.fulbrightmemorialfund.jp).

**Just for the Kids**

## ASBA Corporate Members 2005-2006

ASBA corporate members provide services and materials to schools and school boards throughout Arkansas.

- A.C.C., Inc.**  
97 Gunn Place  
Russellville, AR 72802  
(479) 890-3884
- All-Clean, Inc.**  
P.O. Box 496  
Jonesboro, AR 72403  
(870) 972-1922
- American Fidelity**  
3805 McCain Park Drive  
North Little Rock, AR 72116  
(800) 688-4421
- Arkansas Electric Cooperatives**  
P.O. Box 194208  
Little Rock, AR 72219  
(501) 570-2271
- Bailey & Associates, Architect**  
P.O. Box 251756  
Little Rock, AR 72225  
(501) 224-7406
- Beardsley Public Finance**  
521 President Clinton Ave.,  
Ste 707  
Little Rock, AR 72201  
1-800-965-4844
- Paul Blume, Attorney at Law**  
808 Dr. MLK Drive  
Little Rock, AR 72202  
(501)375-7922
- Brazil, Adlong, Aydelott, & Winningham**  
1315 Main Street  
Conway, AR 72032  
(501) 327-4457
- Capital Business Machines**  
924 Main Street  
Little Rock, AR 72203  
(501) 375-1111
- Cobb and Suskie, Ltd.**  
One Financial Center, Ste.  
400  
Little Rock, AR 72221  
(501) 225-2133
- Commerce Bank**  
811 Main Street  
Kansas City, MO 64105  
(816) 760-8130
- Compass Learning**  
7878 North 16th Street,  
Ste.100  
Phoenix, AZ 85020  
(800) 422-4339
- Crafton, Tull & Associates**  
901 N. 47th Street, Ste. 200  
Rogers, AR 72756  
(479) 636-4838
- Crow Burlingame Co.**  
P.O. Box 111  
Little Rock, AR 72203  
(501) 375-1215
- DLR Group**  
7290 West 129th Street  
Overland Park, KS 66213  
(913) 897-7811
- Educational Benefits, Inc.**  
320 W. Capitol, # 700  
Little Rock, AR 72201  
(501) 378-3337
- David H. Frieze Associates, Inc.**  
P.O. Box 8398  
Hot Springs, AR 71910  
(501)624-8398
- Arthur J. Gallagher & Co.**  
#1 Riverfront Place, Ste. 707  
North Little Rock, AR 72114  
(501) 375-1000
- Gym Masters Basketball Courts**  
Longleaf Drive  
Searcy, AR 72143  
(501) 279-3799
- Hagerman New Urbanism**  
122 West Park Central Square  
Springfield, MO 65806  
(417) 869-6888
- Jackson Brown King, Architects**  
2228 Cottondale Ln., Ste. 320  
Little Rock, AR 72202  
(501) 664-8700
- Laidlaw Education Services**  
55 Shuman Blvd., #400  
Naperville, IL 60563  
(630)848-3000
- LifeTrack Services, Inc.**  
845 Port Way  
Clarkston, WA 99403  
1-800-738-6466
- RJ Love Enterprises, Inc.**  
P.O. Box 2939  
Little Rock, AR 72203  
(501) 988-5474
- Merl's Bus Sales Inc.**  
P.O. Box 531  
Van Buren, AR 72957  
(479) 474-2433
- Metro Builders & Restoration Specialists, Inc.**  
3500 Bay Oaks Drive  
North Little Rock, AR 72118  
(501) 758-2845
- Midwest Dairy Council**  
P.O. Box 3007  
Broken Arrow, OK 74013  
(918) 251-8616
- Midwest Risk Management Services, Inc.**  
5506 Walsh Lane, Ste. 202  
Rogers, AR 72758  
(479) 271-7475
- Missco Contract Sales**  
1601 Sammy Circle  
Hope, AR 71801  
(870) 777-3556
- Musco Sports Lighting, LLC**  
201 Lake Ridge Blvd.  
Norman, OK 73071  
(866)786-1841
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8649 South Regency Drive  
Tulsa, OK 74131  
(918) 224-1049
- NEARK Adjustment Company**  
P.O. Box 223  
Blytheville, AR 72316  
(870) 838-0097
- Performance Surfaces, LLC.**  
200 Richwoods Drive  
Bryant, AR 72022  
(501) 681-9438
- Post, Buckley, Schuh & Jernigan**  
11221 Otter Creek East Blvd.  
Mabelvale, AR72103  
(501) 455-9909
- Risk Management Resources.**  
Div. of Ramsey, King, Ferrell & Lensing  
P.O. Box 251510  
Little Rock, AR 72225  
(501) 614-1142
- Service Plus Telecommunications, Inc.**  
820 East 4th Street  
Russellville, AR 72811  
(479) 967-8888
- Sign Systems, Inc.**  
301 Burke Avenue  
Jonesboro, AR 72401  
(870) 931-1761
- Southern Bleacher Company**  
P.O. Box 1  
Graham, TX 76450  
(940)549-0733
- Sport Court**  
700 Minton Road  
Benton, AR 72015  
(501) 316-2255
- Stephens Inc.**  
111 Center Street, # 2300  
Little Rock, AR 72201  
(501) 377-2000
- Stevens-Dell & Associates**  
5312 West Markham  
Little Rock, AR 72205  
(501)664-6587
- TAPS School Purchasing**  
P.O. Box 1894  
Mt. Pleasant, TX 75456  
(866) 839-8477
- TKI Computer Center**  
103 North East Street  
Benton, AR 72015  
(501) 778-4869
- Trane Arkansas**  
1501 Westpark Drive, Ste. 9  
Little Rock, AR 72204  
(501) 661-0621
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4975 Malvern Avenue  
Hot Springs, AR 71901  
(501) 844-0245
- USABLE Life**  
320 W. Capitol Ave, Ste. 1100  
Little Rock, AR 72201  
(501) 378-3362
- Virco, Inc.**  
P.O. Box 5000  
Conway, AR 72032  
(501) 920-9348
- Ward Transportation Services Inc.**  
450 South Amity  
Conway, AR 72033  
(501)329-9874
- Wittenburg, Delony & Davidson Inc. Architects**  
400 West Capital, Ste. 1800  
Little Rock, AR 72201  
(501) 376-6681

# Job Bulletin

*A service of ASBA*

**Superintendent,  
North Little Rock School District**

*Qualifications:* Certification & Previous  
Superintendency, apply in writing

*Appl. Deadline:* Until Filled

*Commences:* July 1, 2006 or sooner

*Salary:* Negotiable

*Contact:*

Office of Superintendent,

Attn: Board of Education.

North Little Rock School District

P.O. Box 687 • North Little Rock, AR 72115

Phone (501)771-8006 • Fax (501) 771-8067

**Superintendent,  
Benton School District**

*Qualifications:* Certification & Strong Leadership  
Skills

*Appl. Deadline:* Jan. 13, 2006

*Commences:* July 1, 2006 or sooner

*Salary:* Negotiable

*Contact:*

McPherson & Jacobson L.L.C.

P.O. Box 7346 • Omaha, NE 68107

Phone (402) 991-7031 • Fax (402) 991-7168

Website: [www.macnjake.com](http://www.macnjake.com)

Email: [mail@macnjake.com](mailto:mail@macnjake.com)



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