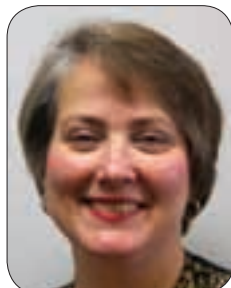


REPORTER

September 2007

Volume 26, Number 1



SET TO SPEAK — Dr. Ken James, education commissioner, right, will speak at the New Board Member Institute. Other participants include, top left, clockwise, Rich Carvell, Dr. Kathy Morledge, Kathy McFetridge, and Dr. Benny Gooden.

Rookies over here, veterans over there

New Board Member Institute to host separate afternoon programs

The annual workshop for new school board members has a new name and a new agenda, with separate afternoon meetings for new members and their veteran

counterparts.

Renamed the New Board Member Institute, the annual meeting will be October 16 at the Embassy Suites in Little Rock. Registration begins at 8 a.m., and the \$100 fee (which rises to \$120 for those who wait until October 10 to register) includes materials and

Regions to elect five directors

Elections for ASBA directors will be held at five regional meetings this fall.

Regions 4, 5, 9, and 10 will elect directors to three-year terms. The Region 7 position will be for a one-year term.

Persons desiring to be a director must have their local board submit a nomination form, available by calling ASBA at (800) 482-1212. Completed forms can be faxed or e-mailed, but they must be provided to Amy Daniel, president of ASBA, along with a copy to the executive director, Dan Farley, 14 days before the regional meeting at which the election will be held.

For an initial term, the nomination form shall include verification on behalf of a candidate that he/she has sufficient time remaining on his/her local board term to fulfill the obligation. Nominees will be presented at the regional meeting.

For more information, contact Dan Farley at dan@arsba.org or at (800) 482-1212.

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Institute

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lunch.

This year's workshop will feature a twist on past events – veterans and rookies will split off into two groups during afternoon sessions. That's because in recent years, more than half the participants have been experienced school board members in search of a refresher course as well as six hours of state-required professional development credit.

Headlining the morning session is a discussion of the general education landscape by Dr. Ken James, Arkansas commissioner of education. He will be followed by Kristen Gould, ASBA staff

attorney, who will describe a "blueprint for board service." Gould will be followed by Dr. Benny Gooden, Fort Smith School District superintendent, who will discuss school finance issues. Rich Carvell, ASBA Region 3 director and a Nettleton School Board member, will discuss how board members can connect with the public.

Afternoon sessions for veteran board members and administrators will begin with a discussion of hot topics in school law by Paul Blume, ASBA general counsel. Dr. Kathy Morledge, supervisor of special education for the Springdale School District, will discuss student achievement, and Dr. Bobbie Davis, Department of Education assistant commissioner

for fiscal and administrative services, will discuss current issues and trends in school finance.

Meanwhile, new board members and superintendents will be given an overview of why school boards exist by Dan Farley, ASBA executive director. Ann Marshall, ASBA special projects director, will describe resources available to school board members. Horace Smith, ASBA director of board development, will discuss "The Three R's of Board Work – Roles, Respect, and Responsibility." Following that is a panel discussion that includes Kathy McFetridge of the Springdale School Board, Maurice Porchia of the Stephens School Board, and Linda Miller of the Newport School Board. Kristen Gould will be the moderator.

Regional

Continued from page 1

The meetings will examine the 1931 law, A.C.A. 6-13-620, that enacted many of the powers and duties school boards have today.

Dates and locations are as follows.

• **Region 1** - October 22 at Owl Creek School, 375 North Ruppel Road, Fayetteville. The meeting will be hosted by the Fayetteville School District.

• **Region 2** - October 23 at the Marshall High School cafeteria, Highway 65 North, Marshall. Searcy County School District will host.

• **Region 3** - October 23 at the Greene County Tech Primary School cafeteria, 1300 South Rocking Chair, Paragould. Greene County Tech will host.

• **Region 4** - October 18 at the High School Student Union, 440 East Gary St., Greenwood. Greenwood School District will host.

• **Region 5** - October 23 at Pottsville High School, 500 Apache Drive, Pottsville. Pottsville School District will host.

• **Region 6** - October 25 at Heber Springs High School, 900 West Pine Street, Heber Springs. Heber Springs School District will host.

• **Region 7** - October 22 at the Rivercrest High School cafeteria, 1700 West State Highway 14, Wilson. South Mississippi County School District will host.

• **Region 8** - October 29 at the North Little Rock Administration Building, 2700 Poplar St., North Little Rock. North Little Rock School District will host.

• **Region 9** - October 11 at the Brinkley High School cafeteria,

100 Tiger Drive, Brinkley. Brinkley School District will host.

• **Region 10** - October 30 at the Lakeside Middle School cafeteria, 2923 Malvern Avenue, Hot Springs. Lakeside School District will host.

• **Region 11** - October 25 at the Sheridan Freshman Academy cafeteria, 510 West Church, Sheridan. Sheridan School District will host.

• **Region 12** - October 18 at the Nashville Elementary School cafeteria, 200 Immanuel, Nashville. Nashville School District will host.

• **Region 13** - October 30 at Smackover High School, 701 Magnolia, Smackover. Smackover School District will host.

• **Region 14** - October 29 at the Monticello Middle School cafeteria, 180 Clyde Ross Drive, Monticello. Monticello School District will host.

Who's in charge here?

Poll shows slip in public support of local board authority

Americans support control of schools by school boards, but more are willing to shift that power to the state or federal government than in the past, according to the 39th annual Phi Delta Kappa/Gallup Poll of the Public's Attitudes Toward the Public Schools.

According to the poll, 49 percent of respondents said school boards should have the greatest influence in deciding what is taught in public schools, while 31 percent preferred the state govern-

ment and 20 percent the federal government. By comparison, in 2006, 58 percent preferred local school board control, while 26 percent favored the state government and 14 percent said they trusted the feds.

The numbers seem to reflect a long-term trend. In 1980, 68 percent favored school board control, while 15 percent favored control by the state government and nine percent the federal government.

A majority of Americans remain skeptical of their local school board

hiring private corporations to manage their schools. The idea was favored by 31 percent of respondents, a number that climbed from 24 percent in 2006 but was at 31 percent in 2002. However, 39 percent said they would favor a mayoral takeover if their community had a high percentage of low-performing schools, a 10 point jump from 2006.

As is often the case, Americans

and 24 percent gave it a "C."

Opinions regarding vouchers depended on the question that was asked. Sixty percent oppose "allowing students and parents to choose a private school to attend at public expense." Sixty-seven percent opposed the government paying for all of the tuition for a public, private, or church-related school. But 51 percent said they favored the government paying for part of the tuition.

The poll also found that 54 percent of respondents said they know a great deal or a fair amount about the federal No Child Left Behind law — up from 45 percent the year before. Forty percent had a somewhat or very unfavorable opinion about the law, while 31 percent had a very

favorable or somewhat favorable opinion;

In other results, the poll found:

- Seventy-two percent of respondents favor reforming the current system of public education, while 26 percent favor finding an alternative system — numbers that have moved little in recent years;

- 67 percent of respondents said schools should be responsible for dealing with students' "behavioral, social, and emotional needs."

Complete results are available at www.pdkintl.org.

In your opinion, who should have the greatest influence in deciding what is taught in the public schools here – the federal government, the state government, or the local school board?

Source: Phi Delta Kappa/Gallup Poll

	2007	2006	1980
The federal government	20	14	9
The state government	31	26	15
The local school board	49	58	68

Would you favor or oppose a plan in which your local school board would contract with private profit-making corporations to run the entire operations of the public schools in your community?

	2007	2006	1980
Favor	31	24	31
Oppose	66	69	65
Don't know	3	7	4

have more faith in their local schools — particularly those their children attend — than they do in the nation's education system. Only 2 percent gave the nation's schools an "A," while 14 percent gave them a "B" and 57 percent gave them a "C." When asked to grade their own community's schools, however, nine percent graded them an "A," 36 percent gave them a "B," and 34 percent gave them a "C." And 19 percent said their oldest child's school deserved an "A," while 48 percent gave it a "B"

Fitness center an employee perk

Helping teachers get fit is one of many benefits Fayetteville offers

Teachers and staff members with the Fayetteville Public Schools have one perk more often seen at large corporations than in the public schools – a fitness center stocked with a smoothie bar and staffed by helpful physical trainers.

The center grew out of a fitness program Chief Financial Officer Lisa Morstad started when she arrived on campus. After working in the corporate world, she asked herself, “Wouldn’t be nice if we had some of those kinds of benefits for our employees?”

Her “Get Fit with FPS” attracted a surprising number of teachers and staff members who saw their blood pressure and cholesterol significantly lowered, so Superintendent Bobby New decided to expand the program districtwide. The pieces fell into place when the Boys and Girls Club moved off campus and left its facility open, and a local gym closed and offered its like-new equipment to the district at bargain basement prices.

Care to dance the zumba?

The gym is open to all Fayetteville Public Schools certified and classified staff, as well as retired employees and, yes, school board members. It features a range of equipment as well as classes for aerobics, yoga, pilates, tai chi and even Latin dancing. A University of Arkansas emeritus professor of exercise science directs the center, while a nutrition sciences professor helps members



PUMP YOU UP — Members work out in a “Pig Iron Pump” class.

learn to eat right. Membership is dirt cheap – \$10 per month for an individual and \$15 for a family.

The center is one of many perks Morstad and the district have introduced at minimal cost to staff or to the district. Employees receive a discount card with 200 participating local businesses. A local dry cleaner picks up and drops off clothes at school. Employees enjoy discount shopping nights at local retailers and have access to services such as free massages and makeovers. Local financial professionals presented a free “Get Financially Fit” program.

The perks help keep teachers from migrating to other districts that have larger property tax bases and can offer more money. Morstad even hopes the fitness center will lower health insurance costs.

No university? No problem.

The fitness center is a relatively cheap perk thanks in part to the school’s relationship with the university, an advantage most cities don’t have. But Morstad said all districts can work with their community to offer low-cost perks like a fitness center. Used exercise equipment donated to schools is tax-deductible, and a district’s own physical education teachers can develop an exercise program.

Morstad said the fitness center has helped the district’s new gym rats get in shape, and at the same time feel valued by the district. It’s also given them a sense of camaraderie. “It’s really great to see teachers from different schools next to each other on a treadmill or an elliptical machine getting to know each other and kind of building a community,” she said.

Get help planning for public meeting

School boards preparing for their required annual public meetings have a resource to help them communicate with patrons: Just for the Kids.

The initiative provides data on school performance, helps school districts publicize the event, and even suggests a common date – October 16 – for school boards across the state.

A key component is the website, www.just4kids.org, which provides easy to understand comparisons of a patron's district with five demographically similar districts using data provided by the Arkansas Department of Education.

That's an invaluable resource, according to Rebecca Tennille with the marketing agency Cranford Johnson Robinson Woods, which is assisting the initiative in Arkansas.

"It's a very apples to apples comparison to see how your school is doing compared to other like schools," she said.

The site also includes "best practice" content featuring higher-performing schools using six years of data from more than 20 states. Another feature, best practice self audits, helps schools benchmark their practices to those of consistently higher-performing schools. It also helps them diagnose problems and gather feedback quickly from various members of the school community.

For more information, visit the website or contact Tennille at (501) 975-7210.



HYYYYY-YAHHH!!!! — Students practice their taekwondo at an afterschool class at Kickin' Kids in Benton.

Event spotlights afterschool activities

More than 7,500 communities took part in 2006 event

The eighth annual Lights on Afterschool celebration will be October 18.

Sponsored nationally by the Afterschool Alliance and statewide by the Arkansas Out of School Network, the event brings together local communities across Arkansas and the nation to showcase the importance of quality afterschool programs. More than 7,500 communities nationwide participated in 2006.

According to the alliance, more than 14 million school-age children are unsupervised after school, but only 6.5 million participate in afterschool programs during those dangerous

hours between 3 p.m. and 6 p.m. when they can be tempted to commit crimes or experiment with drugs, alcohol, tobacco or sex. In Arkansas, 18 percent of students through the 12th grade are unsupervised from the time school is out until their parents come home from work.

Organizers of local events are encouraged to showcase student-led demonstrations of afterschool activities, such as martial arts and basketball.

Attendees will be asked to support Afterschool for All: Project 2010, a movement to ensure all young people have access to quality, affordable afterschool programs by the year 2010.

More information is available at www.afterschoolalliance.org and at www.aosn.org.

Educating the educators

Consultants with JBHM Education Group are helping low-performing schools raise test scores, and soon they'll help school boards improve their performance as well.

An educational consulting group based in Mississippi is helping Arkansas students improve their test scores.

JBHM Education group, with headquarters in Jackson and operations in six Southern states, helps districts improve their performance by working with students, teachers, administrators, and soon, school boards.

Begun in 2001 by Dr. Mike Walters, the group has had impressive results. After one year of working with JBHM, five of Mississippi's 10 worst-performing schools were listed as "exemplary," that state's next to highest ranking. A sixth school improved to "successful," the third highest ranking.

The company is one of numerous private educational consulting services that include America's Choice, which has a statewide contract with the state of Arkansas.

JBHM last year worked with three Arkansas districts: Lakeside in Lake Village, Crossett, and McGehee. The client list this year has expanded to school districts in Blytheville, Helena-West Helena, El Dorado, Pine Bluff, and the Pulaski County Special School



CLASS IN SESSION — Dr. Debbie Chapman, a JBHM educational consultant, works with eighth-grade teacher Kevin Shumaker and students at Jacksonville Middle School for Boys.

District.

The company's primary school improvement service comes at a flat rate of \$97,000 per school, a hefty price tag that buys a consultant with experience in the education field who guides districts to make changes, meets with the principal two days a week, and helps teachers with lesson plans and instruction.

Eudora sees success

Results at Lakeside Eudora Elementary are hard to argue. After one year under JBHM's tutelage, third grade math scores on state benchmark exams shot up from only 13 percent proficient and advanced in 2006 to 73 percent in 2007. Literacy scores rose from 14 percent to 51 percent in the same

grade. This year, Lakeside is using the service in four schools.

Meanwhile, after Crossett's Anderson Elementary worked itself off the school improvement list in one year, superintendent Janice Warren moved the service to a junior high school.

State director Albert Brown, a former superintendent of the Corning School District and a 36-year teacher, coach and administrator, said JBHM tries to build capacity systemically within a few years so that districts can change their processes and build on their progress without JBHM's help.

JBHM operates under four critical indicators: a guaranteed viable curriculum; an atmosphere conducive to learning; students

actively engaged in learning; and frequent monitoring and assessing to determine progress.

The guaranteed viable curriculum is perhaps the most important. Arkansas has some of the most rigorous educational standards of any state in the nation. But according to Walters and Brown, textbooks don't exist to help teachers meet those standards, and teachers often don't know how to align their instruction to the standards. In other words, they often teach to the lowest level of learning – knowledge – despite the fact that state exams test at higher levels, such as application. In math, for example, that would be a word problem rather than simple arithmetic.

Acting as the school board's "agent," Walters said JBHM gives weekly reports to superintendents based on daily data that shows how well schools are meeting objectives. Some of these reports aren't always pleasant, particularly in the early stages. "We're going to tell him the good, we're going to tell him the bad, and we're going to tell him the ugly," Walters said.

Brown said some parents in one district complained because of the new high expectations for their children, but test scores improved. "In addition to capacity-building, we're culture-confronting," he said.

An assistant principal for nine years, Brown said frequent monitoring and assessing helps prevent students from falling behind. While many districts try to keep students' noses above water

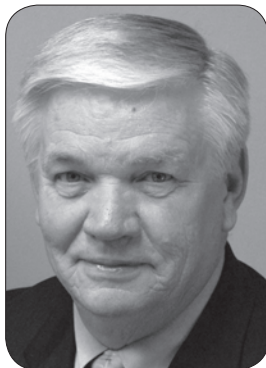
and then help them catch up with six weeks of summer school, JBHM consultants help districts determine when students begin to struggle so that it can be addressed immediately — a strategy he called "point in time remediation."

"I don't think there's a kid out there that doesn't want to learn," he said. "I think there are a lot of kids out there who have given up, and some give up as early as the second grade."

In addition to the school improvement offering, JBHM provides other services, such as curricula for sixth through eighth grade math and for Algebra I.

School boards are next

JBHM is finalizing the process that will allow consultants to turn the microscope onto school boards – a strategy it believes will help ensure one-year improvements become long-term realities. That means determining that policies are



Brown

in place that will help a district meet standards, that those policies are actually implemented by administrators, and that board members will have access to data to determine the effectiveness of that implementation.

Consultants also will help school board members understand their roles and ask superintendents the right questions. One sample: "Do we have a districtwide lesson plan format that speaks to the rigor of classroom instruction and the delivery of the curriculum that we have adopted as a board?" And they will help boards develop a calendar of events to help them do

their jobs effectively.

While the company has specialized in low-performing schools, it will seek new markets with mid-performing schools that aren't in danger of a state takeover but are simply treading water. "This thing's going to work whether a school's broken or not broken," Brown said.

Not everyone is convinced JBHM is worth the price. McGehee dropped the service after it lost half a million dollars in school lunch funding when it fell below the 70 percent bubble, and when it changed superintendents. New superintendent Dr. Barbara Wood praised the company's professionalism but said the district couldn't afford to pay for the services it was receiving in three schools. She said JBHM's school improvement plan was not completely aligned with McGehee's needs as identified through the benchmark exams, and that scores improved in some areas but did not in others. Believing it would take consultants several years to change a culture at a price her district couldn't afford, she ultimately decided to drop the program after it had been in existence for a year and a semester.

Brown agreed that this is a multi-year process. "We can spike scores in one year, but we're not sure that we could be in there one year and then walk out and them have the tools they need to continue," he said. "We'd love to be able to keep taking people's money forever, but if we're doing our job, in two years or three years, we ought to be able to walk out of there, and they ought to then have the capacity to sustain and even build upon what has occurred."

Healthy kids: Can schools help?

A comprehensive report says Arkansas children are less healthy than their (also unhealthy) fellow American kids, and that schools have a role in changing that.

The report, “Natural Wonders: The State of Children’s Health in Arkansas,” recommends strategies for addressing the underlying causes of youth health problems. It was developed by a partnership of healthcare providers, state agencies, and other entities concerned with children’s health issues. Arkansas Children’s Hospital is the ongoing project’s facilitating organization and primary sponsor.

According to Scott Gordon, chief operating officer at Children’s, the report is a first step toward addressing children’s health issues and will be updated and released annually. The UAMS College of Public Health is refining the statewide data so that it reflects local realities. Families are being surveyed regarding health issues, and focus groups involving providers and payers are being hosted. A pediatric injury prevention institute and two studies on childhood obesity are being funded.

“What we’re looking at are the things we can do, and the things we

can encourage others to do, and the things we can sing harmony on,” Gordon said.

Several of the report’s strategies would impact schools, including the adoption of a coordinated school health strategy in which multiple programs and providers

report also recommends that schools partner with communities and physicians to screen children for various health problems, and it recommends increasing licensed social workers in schools.

Arkansas School Boards Association will have its own role to play after being asked by one of

the partners, Arkansas Advocates for Children and Families, to host study circles involving 10-12 community members. As many as 10 study circles at each of five sites in Arkansas will gather participants to discuss how to create communities where all children can thrive. School board members will be asked to participate.

Arkansans are accustomed to studies ranking their state behind the national average in a variety of areas, and this report is no

exception. Infant mortality in Arkansas is 20 percent higher than the national average. Arkansas fifth-graders are overweight at a significantly higher rate than those in the rest of the nation. Arkansas



would work together in a school setting. The effort would involve physical and health education, counseling, health promotion for faculty and staff, and parent and community involvement. Additional funding would allow schools to hire a staff person to coordinate the strategy. The

Healthy

Continued from page 8

teens are more likely to smoke cigarettes than their national counterparts, and Arkansas children die in auto accidents at higher rates, in large part because of less frequent seat belt use.

Economic and cultural factors

contribute to a less healthy climate for many Arkansas children. All but two of the state's 75 counties are medically underserved. Four Arkansas counties do not have a single dentist. Almost 25 percent of Arkansas' youngest children live below the poverty line, compared to a national average of 18 percent.

The good news? Thanks to ARKids First, the percentage of

uninsured children below 18 years of age has dropped from 23 percent from 1996-98 to 10 percent today. Moreover, Arkansas is the only state in the nation dedicating 100 percent of its tobacco settlement funds to public health, including prevention.

The report is available at www.archildren.org/pdf/resources/Natural_Wonders_2007.pdf.

Nominees needed for Dr. Dan Award

Is there someone special in your school or community who has contributed significantly to promoting public education?

Nomination forms for the Dr. Daniel L. Pilkinton Award for Outstanding Service to Public Education are available by calling ASBA at (800) 482-1212.

The award will be presented at the annual conference on December 5. The conference will be December 4-6 at the Peabody Hotel and Statehouse Convention Center.

The award honors an outstanding board member, administrator, teacher, principal, school attorney, or other school employee or community member whose service to public schools deserves special recognition.

The deadline for nominations for the award is October 31. A committee will review the nominees and select the recipient. Nominations may be made by ASBA-member boards, or by individual school board members or superintendents.

Smith to lead ASBA board training effort

Horace Smith has joined the Arkansas School Boards Association as director of board development.

Smith has extensive experience in training and development. At his last position with the Office of Desegregation Monitoring in Little Rock, he helped train school personnel on desegregation issues. Prior to that, he worked for the Department of Education as program advisor for

multicultural and sex equity. In that position, he helped school districts comply with federal and state civil rights issues.

Born and raised in Lexington, Ken., he came to Arkansas from the Seattle public school system, where he worked as an intercultural specialist and a professional development specialist. He also taught two graduate courses regarding intercultural and gender issues.

He is a husband and a father of two sons.

ASBA offers help for school boards searching for a superintendent

Need help hiring a superintendent?

Contact our office, and we will post the opening and a brief explanation on our website and list it in each issue of the *Reporter*.

School boards also can take advantage of ASBA's collaborative

relationship with McPherson & Jacobson L.L.C. Executive Recruitment and Development, which uses Arkansas-based consultants to assist in recruiting, selecting, and hiring a new superintendent.

Let us help!


AMY DANIEL, ASBA PRESIDENT

New board members face challenges, responsibilities



After a long, hot summer, fall is finally in the air. Football games have started, students have new teachers, and a new school year is under way. By the time you read this column, many of you also will have new board members on your school board. Many of them may already be asking themselves, “What have I gotten myself into?”

Hopefully, all of you new board members ran for office for the purpose of doing what is best for the students in your school district, because ultimately that is why we are all here. We may get bogged down at times with budgets, construction decisions, personnel

We may get bogged down at times ... but the bottom line in all our decisions should be what is best for kids.

matters, and a myriad of other issues that confront local school districts, but the bottom line in all our decisions should be what is best for kids.

As you enter into your new role as a school board member, and as we veteran board members enter into the process of helping you become a good board member,

there are a few things we all need to consider. Board members have a distinct role to play in ensuring a quality education for the students in our districts, and with that role come some responsibilities. Just as the students in your district have a responsibility to learn and become proficient in the things they are taught, you as board members also have a responsibility to learn what it takes to be a good board member.

The first thing you need to realize as you begin your school board service is that you are a single member of a body, and alone

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DAN FARLEY, ASBA EXECUTIVE DIRECTOR

New member workshop, other ASBA training gets overhaul

A line from an old song recently ran through my head: “Everything old is new again.” It seemed fitting that I thought of it in light of work we are doing in regard to professional development opportunities for you, our members.

Horace Smith joined the staff this summer as director of board development, and his main charge initially is to help us develop a logical, sequential menu of board training offerings. Many of you

who have been through one of our ASBA Board Academies will remember Horace and his special facilitator skills. We’re proud to have him as a full-fledged member of our team.

Since school elections are upon us, there will be lots of newly elected school board members from around the state. Our first focus has been to re-think and enliven what we previously have called the New Board Member Workshop. Change

#1 is a new title: the ASBA New Board Member Institute, which, by the way, will be held at the Embassy Suites in Little Rock on October 16.

With the wave of education reform measures enacted during the past few years, it is more vital than ever that board members are well-informed and know what their duties and responsibilities are – and

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Editor

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PAUL BLUME, ASBA GENERAL COUNSEL

'Private' e-mails on school computers? No such thing

Ready for a pop quiz this month? Well, you're in luck. Here goes: How are school e-mails and billboards alike?

I know what you're thinking: "Paul, that's stoopid, and so are you. They ain't nothin' alike!"

Well, I can't confirm or deny the first part of that reaction, but e-mails and billboards are, indeed, at least similar in one, very important respect. They're both capable of being viewed by the public. By law.

The law I'm talking about is the Arkansas Freedom of Information Act, or FOIA, which makes all documents retained by a public entity available to the public, with a few exceptions. E-mails are not one of those exceptions. And when the FOIA refers to "documents," it doesn't limit itself just to paper documents, but documents in any form, including electronic documents.

Okay. So what? The "so what" is that you're wrong if you think that when an e-mail is sent from one person to another and the contents are deleted by the recipient, it's gone. For reasons that I don't even pretend to understand, e-mails never seem to go away. Even if they've been deleted from your inbox and from your "deleted items" file, some Bill Gates wannabe can find it, print it out and embarrass you with it. Without going into any detail, you wouldn't believe some of the school e-mails I've seen produced in response to an FOIA request, or from the tech guy just checking on something when he stumbled across ... it.

A few "don'ts" to keep you out of trouble

So, what does all this mean? Well, from a practical standpoint, it means that you had better not send an e-mail that you don't want anyone other than the recipient to see. At least, don't send it from or to a

Contact ASBA

Arkansas School Boards Assoc.
808 Dr. Martin Luther King Dr.
Little Rock, AR 72202-3646
Telephone: (501) 372-1415

Toll Free: (800) 482-1212
Fax: (501) 375-2454
E-mail: arsba@arsba.org
www.arsba.org

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E-mails

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school (or other public entity's) computer. Do your naughty stuff from home. And to a home.

From a legal standpoint, it can get serious. If someone is using school computers for his (or her) naughty business, the contents can, and may, be located, printed and used for discipline of that employee, including termination. Most of you have computer-use policies that put everyone on notice that they shouldn't use their school computers for other than school business, and those policies explain that there are possible consequences for a violation. So, people can get fired for that, and the newspapers, television stations and radio people can make an FOIA request, get a copy of what the employee is in trouble for, and publish it everywhere.

As this column is being written, there is active litigation in Arkansas regarding an employee of a county and his purported expressions of admiration for a woman, with his affection for her being, apparently, requited. She has sent him e-mails, and one or the other – or both – has sent titillating photos. There is an attempt on the part of the county (and, I presume, the employee) to withhold the more lurid of the e-mails on the basis that they are personal and have no relation to county business. Monkey business, I suppose, but not county business. No final decision has been made at this time.

Cynicism alert!!! Judges, being elected, might be believed, by

some, to give every benefit of the doubt to, say, a newspaper's FOIA request, knowing that the newspaper could support or sabotage his re-election based on how he rules on FOIA cases.

Finally, this is a caution to all board members and, especially, administrators: DO NOT, under any circumstance, prepare discipline documents for an employee to be sent by e-mail. Those things are confidential. We may make the argument that the confidential portions of a given e-mail should

“All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.”
– Arkansas Freedom of Information Act

be withheld or redacted, as the law provides. However, we have no confidence that e-mails will not be required to be produced in toto, regardless of the contents (see county cautionary tale, above).

In addition, when a paper write-up is placed in an employee's personnel file, we have some confidence that those without access to the personnel files will not see the writeup. We can have no such confidence when it comes to e-mails. Those things seem to go everywhere, just with the touch of the wrong key. Or, if someone has a password he shouldn't, especially students. About the same as renting a billboard on the freeway.

WE GOOFED: Yearly background checks not required for non-certified employees

The word “erratum,” loosely translated, is Latin for “oops!”

In the June 2007 issue of the *ASBA Reporter*, both in an article on the front page and in my column, we told you about one of the effects of Act 823 of 2007. Specifically, we warned you that a provision in the new law requires criminal background checks for all noncertified employees, both as a condition of their initial employment and every time they are re-employed.

Unfortunately that was, well, wrong. Act 823 does, indeed, require that, but Act 1573 of 2007, section 24, undoes what Act 823 did.

That is, Act 1573 puts everything back as it was, pretty much. All new hires must have a criminal background check, and all those whose employment in your district is not continuous must be checked when they are re-hired.

But – good news – not all noncertified employees must have a criminal background check every year.

I was going to try to find a way to blame this on my favorite canine, Mary Margaret, but she's having none of it. She reminded me that there is a term for when we mess up: “human error.” “But,” she pointed out, “you have never heard the term, ‘dog error.’ There's a reason for that!”

So, with respect to our alerts about good ol' Act 823 and criminal background checks, as Miss Emily Litella used to say, “Oh. That's quite different. Never mind!”

We apologize.

Training

Continued from page 10

are not. One of the first things we all realized is that one day of information is simply inadequate, so we intend to provide logical follow-up offerings during our annual conference (December 4-6 at the Peabody Hotel and Statehouse Convention Center).

The workshops and breakout sessions will be clearly identified as recommended for new school board members. But I'm getting ahead of myself.

When we analyzed the past few new board member events, we saw that veteran board members comprised more than half of the registrants. Because of that, we are doing something brand new at this year's Institute. We'll begin the day with all of us together, and then we'll break up the audience for the afternoon so that new members will be in one room and veteran members in another. There's no point in hearing the same thing year after year because there are many things board members need to know and be able to do.

Dr. Ken James, commissioner of education, will join us that morning. We'll look at board duties and responsibilities, paying special attention to statutory ethics and the Freedom of Information Act. Dr. Benny Gooden, superintendent of the Fort Smith School Board, will present one of the day's most important sessions: "An Overview of School Finance" and the board's role in that aspect of school governance. Then, we'll wind up the morning with a session we're calling "Working with the Public," where we'll take a look at vision

With the wave of education reform measures enacted during the past few years, it is more vital than ever that board members are well-informed and know what their duties and responsibilities are – and are not.

and policy and practical problem-solving. That will be presented by long-time Nettleton School Board member Rich Carvell, a past president of ASBA who is currently serving as our Region 3 director. Rich is the immediate past chair of the Department of Radio and Television at Arkansas State University and is a past president of the Arkansas Chapter of the National School Public Relations Association.

After a networking lunch where you'll have a chance to visit with other board members, we'll divide into two groups for the afternoon sessions.

We're developing what we're calling a "tool box" for everyone that will be filled with all kinds of information that will help you to be a smart and focused school board member. ASBA's Ann Marshall will kick off the afternoon with an orientation to the resources available in your tool box.

Following that, Horace Smith will present "The 3 Rs of Board Work: Roles, Respect, and Responsibilities." The session's focus will be on what boards do, which is:

- Clarify the district's purpose;
- Connect with the community;
- Employ a superintendent;

- Delegate authority;
- Monitor performance.

Then we'll talk about school board member ethics and view the short film called *Ethics and the Board Member*. (For you veterans, it's the "Andy" tape.) All of that will be followed by a question and answer session featuring a panel made up of veteran board members from districts across the state.

For you veteran board members, afternoon sessions will focus on "Student and Employee Matters," "Student Achievement" (which will include vision, data-driven decisions, and alignment), and a session on "Current Issues and Trends in School Finance."

The day begins with registration and networking at 8 a.m. The Institute will begin at 9 a.m. and conclude at 3:30. We think it will be a beneficial day for everyone, and we ask that you encourage your newly elected colleagues to attend. It will be a good start at orientation to board service. You'll be receiving more information from us soon.

The fall regional meetings will begin on October 11. A schedule of this year's meetings is posted on our website. At those meetings, we're going to take a look at the 1931 statute that defines the duties and powers of school boards (A.C.A. 6-13-620).

School board service isn't what it used to be. It's serious business. If you don't think so, you're not paying attention.

All of our work in developing more and better professional development opportunities for you is to disprove Mark Twain's 1897 comment: "In the first place God made idiots. This was for practice. Then He made school boards."

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Grants for AP courses offered

Arkansas is one of seven states each awarded a \$13.2 million grant by the National Math and Science Initiative to fund teacher training and financial incentives for AP and pre-AP students and teachers.

The Arkansas Advanced Initiative for Math and Science (AAIMS), a nonprofit organization at the University of Arkansas at Little Rock, will administer the grant to 21 districts during the next two years, with more possible later. Tommie Sue Anthony of Conway, former coordinator of UALR's Arkansas Advanced Placement Professional Development Center, is AAIMS president.

The program will attempt to increase the number of students who score a "3" or higher on their AP English, math, and science exams. Between 2002 and 2006, Arkansas led the nation with a 15.5 percent per capita increase in the number of students passing those exams. All districts will be required to offer AP courses in math, science, English, and history by the 2008-09 academic year.

The program is being funded by a \$125 million grant from Exxon Mobil Corp., by the Bill and Melinda Gates Foundation, and by the Michael and Susan Dell Foundation.

New

[Continued from page 10](#)

you have no power or authority. You must never attempt to act as an administrator of your school system. The board you serve on has the responsibility for setting the policies of the district, but it does not have the power to execute those policies. That is why you hire a superintendent.

As school board members, it is our responsibility to comply with the laws and regulations of the state, to determine the educational philosophy and goals of our local school districts, to choose the superintendent to help achieve those goals, to work harmoniously with that choice, to improve educational opportunities for all the children in our districts, to develop and adopt policies that will attract and retain personnel needed to realize the district's objectives, to see that finances are efficiently

utilized, to provide an efficient physical plant, and to evaluate the activities of the district in light of the goals and objectives that previously have been established.

Whew!!! That sounds like an overwhelming responsibility, and it is. However, you will not be in this alone. You will have many opportunities to attend workshops and seminars that will enable you to learn to do the job for which you have been elected. ASBA provides many different avenues for you to obtain the nine hours of in-service training that you as newly elected school board members are required to obtain in your first 15 months on your local board. We also help you obtain the six hours that are required annually for the remainder of your term. The New Board Member Institute on October 16, will give you a jump start in learning about your role and responsibilities as a school board member. I look forward to seeing you there.



Students, teachers can win cash

Essays sought on being an American

Arkansas students can earn up to \$5,000 for themselves and their teachers in the “Being An American” essay contest sponsored by the Bill of Rights Institute.

Students are asked to answer the following question: “What civic value(s) do you believe are most essential to being an American, and how can you personally put those values into practice?”

Arkansas students will compete against students from Louisiana, Oklahoma and Texas. In addition to the \$5,000 first place prizes,

students and teachers also can earn \$2,500 for second place; \$1,250 for third place; and \$250 for an honorable mention. Deadline for entry is December 3, 2007.

Winners will be announced in the spring of 2008.

The contest is being held in 18 states and the District of Columbia, with cash prizes totaling more than \$60,000. It is supported by a grant from the John Templeton Foundation.

The contest is open to students in grades 9-12 who are no older than 19 years of age. Contestants must be U.S. citizens or legal residents and either attending public, private, religious, or charter schools, being

home-schooled, or participating in a GED or correspondence school program. Essays must be no longer than 3,300 characters – about 500 words.

The Bill of Rights Institute has created a lesson plan and supplemental materials about the contest topic and has tied the contest to state and national academic standards.

Further information, including complete contest rules, submission details, lesson plans, and background information on the Constitution, Bill of Rights, Founding Fathers and other important Americans, is available at www.BeingAnAmerican.org.



Arkansas School Boards Association
REPORTER
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