

Board of Education

Minutes of Regular School Board Meeting
The Board of Education

A Regular School Board Meeting of the Board of Education of Fort Smith Public Schools was held Monday, October 23, 2017, beginning at 5:30 PM in the Service Center, Bldg B.

Ms. Susan McFerran, president, called the meeting to order and welcomed new board member Greg Magness. Other Board members present were Ms. Jeannie Cole, Ms. Talicia Richardson, Ms. Yvonne Keaton-Martin, and Mr. Wade Gilkey. Mr. Hanesworth arrived at 5:45 p.m. Dr. Doug Brubaker, Superintendent, Dr. Gordon Floyd, Deputy Superintendent, Mr. Terry Morawski, Chief Operations Officer, Mr. Martin Mahan, Executive Director of Human Resources, Dr. Barry Owen, Chief Academic Officer, Mr. Charles Warren, Chief Financial Officer, Ms. Zena Featherston Marshall, Executive Director of Communication and Community Partnerships, and Ms. Nadine Brooks, Secretary to the Superintendent were present.

The Pledge of Allegiance was recited and Ms. Yvonne Keaton-Martin gave the Invocation.

The consent agenda included the minutes of the September Regular School Board Meeting, the September Financial Report and the October Student Services Report. Ms. Cole made a motion, seconded by Ms. Keaton-Martin to approve the consent agenda as presented. The vote passed 6/0.

SUPERINTENDENT'S REPORT

Dr. Brubaker yielded to Mr. Mahan to present the professional staff recommendations.

Professional Staff Recommendations

Resignation

Strunk, Stephanie

Ms. Cole made a motion, seconded by Mr. Magness to approve the resignation. The vote passed 6/0.

Employment

Wallace, Dominique

Mr. Gilkey made a motion, seconded by Ms. Cole to approve the recommendation for employment. The vote passed 6/0.

Presentations

Dr. Brubaker and Ms. McFerran recognized the following students and teacher.

Nine elementary students were introduced as Superintendent's Stars for October: Margarita Alfaro Martinez, sixth-grader at Sunnymede Elementary; Larry Arnaud, sixth-grader at Tilles Elementary; Michael Barwick, sixth grader at Barling Elementary; Dalesandro Flores, fifth-grader at Pike Elementary; Brad Kelchen, sixth-grader at Orr Elementary; Trish Le, fifth-grader at Ballman Elementary, Dipa Patel, sixth-grader at Cavanaugh Elementary; Jessie Seaton, third-grader at Beard Elementary; and Sophia Sierra, sixth-grader at Beard Elementary.

Ms. Natasha Shoate, a third-grade teacher at Cavanaugh Elementary was named a finalist for Arkansas Teacher of the Year. She was recognized on August 30th by Governor Asa Hutchison and Arkansas Commissioner of Education, Johnny Key. Ms. Shoate gave a brief presentation on teaching and learning in her classroom.

Dr. Brubaker presented the 2017 Annual Report to the Public. His report included the awards and recognitions of schools and staff in 2017, Vision 2023 Five-Year Strategic Planning Process, and the launch of new logo.

COMMITTEE OF THE WHOLE

Fairview Elementary Canopy Bid

Mr. Morawski reported that the District released a bid for the construction of a bus canopy for Fairview Elementary School. The bid was advertised on August 6 and 13, 2017, and was received on August 24, 2017. Wear Construction Management submitted the low bid of \$168,697. Mr. Morawski reported that Wear Construction verified that they and their suppliers will honor that price even though the project approval date was beyond the 30-day guaranteed bid price. Mr. Morawski reported that Wear Construction has been in Fort Smith since 1955 and completed more than 40 projects for the District as well as many other projects for districts and businesses in the area.

Mr. Morawski stated that administration recommends the acceptance of the low bid from Wear Construction Management.

Ms. Richardson made a committee motion to accept the bid of \$168,697 from Wear Construction Management to construct a bus canopy at Fairview Elementary School. The vote passed 7/0.

Act 1120 5% Increase

Mr. Mahan reported that Act 1120 of 2013 (A.C.A. 6-13-635) requires a resolution by the School Board whenever an employee's compensation is increased by 5% or more over the previous year. This resolution is presented to the auditor as part of the annual audit review. The list of employees include those who were in part-time positions and moved to full time employment within the District. Others assumed extra duties which carry a stipend. Some simply advanced

on the salary schedule based on education and experience while others got new jobs within the district with greater responsibility and higher pay. Departing employees receive severance pay as provided by policy which sometimes puts them into the 5% category. Although the wording of the law raises some questions as to who should be included on this list, Mr. Mahan reported that the District has always listed everyone whose compensation increased by 5% or more regardless of the circumstance.

Ms. Cole made a motion, seconded by Mr. Hanesworth, to waive the reading of the resolution. The vote passed 7/0. Ms. Richardson made a committee motion to approve the resolution by the Board of Education as required by Act 1120 of 2013 (A.C.A. 6-13-635). The vote passed 7/0.

School Board Election

Dr. Brubaker presented the results of the 2017, Fort Smith Public Schools Annual School Board Election certified on September 27, 2017, by the Sebastian County Board of Election Commissioners. He reported that the administration recommends that the Board acknowledge receipt of the certification of the election.

Ms. Richardson made a committee motion to acknowledge receipt of the certification of the September 2017 School Board Election for the Special School District of Fort Smith. The vote passed 7/0.

Election of Officers

Dr. Brubaker reported that the Arkansas Code §6-13-618 (2016) indicates that election of officers is to take place "At the first regular meeting following the later of the certification of the results of the annual school election or the certification of the results of a runoff election, the board of directors of each school district shall organize by electing:

- (1) One (1) of their number president;
- (2) One (1) of their number vice president; and
- (3) A secretary who may be, but need not be, a member of the board of directors

The discussion about the election of officers should be conducted at a public meeting of the Board in compliance with the Arkansas FOIA and based on advice from counsel, the administration recommends that the Board elect its officers by taking nominations from the floor for each office.

Mr. Gilkey made a motion, seconded by Mr. Magness, to nominate Ms. McFerran as president. The vote passed 7/0.

Ms. Richardson made a motion, seconded by Mr. Gilkey, to nominate Mr. Hanesworth as Vice President. The vote passed 7/0.

Ms. Richardson made a motion, seconded by Mr. Gilkey, to nominate Ms. Yvonne Keaton-Martin as secretary. The vote passed 7/0.

ASBA Delegate Assembly Representative

Dr. Brubaker reported that The Arkansas School Boards Association Delegate Assembly, which is the policy making body of ASBA, will meet at 4:45 PM, Wednesday, December 6, 2017, at the Annual ASBA Conference in Little Rock. All ASBA-member school boards are allotted one voting representative at that meeting.

ASBA requests that the Board choose the name of one board member who will serve as its delegate at this meeting. The representative should be someone who plans to attend the conference. The delegate must be a current board member and should not be a member of the ASBA Board of Directors. Dr. Brubaker stated that the administration recommends that the Board select one of its members who will attend the conference on December 6 to serve as its voting delegate.

Ms. Keaton-Martin made a motion, seconded by Mr. Hanesworth, to designate Ms. McFerran as the voting representative at the ASBA Annual Conference in Little Rock. The vote passed 7/0.

Designation of Board Disbursing Officers

Dr. Brubaker reported that Act 671 of 2003 requires that at the first regular meeting following the annual school election, the Board of Education of each school district must designate one of its members who shall serve as the primary board disbursing officer of the District. In addition, the Board may designate one or more of its members as an alternate board disbursing officer in the absence of the designated primary board officer. The President and Vice-President have traditionally been designated as the primary and alternate board disbursing officers, respectively.

The administration recommends that the Board designate a Primary Board Disbursing Officer and Alternate Board Disbursing Officer and adopt the resolution at this regular October Board meeting on October 23, 2017.

Ms. Cole made a motion, seconded by Mr. Gilkey, to waive the reading of the resolution. The vote passed 7/0.

Ms. Richardson made a motion, seconded by Mr. Gilkey, to nominate the president as primary Board Disbursing Officer and vice president as Alternate Board Disbursing Officer to serve until the next annual election. The vote passed 7/0.

Ms. Keaton-Martin made a motion, seconded by Ms. Richardson, to adopt the resolution designating the president as primary Board Disbursing Officer and vice president as Alternate Board Disbursing Officer to serve until the next annual election. The vote passed 7/0.

Ballman Elementary Canopy Bid

Mr. Morawski reported that the District released a bid for the construction of a canopy for Ballman Elementary School. The canopy design was completed by MAHG Architecture. Mr. Galen Hunter was in attendance.

The bid was advertised on September 3 and September 10, 2017, and bids were received on September 26, 2017. Two companies submitted bids with Wear Construction Management submitting the low bid of \$157,708. The administration recommends the acceptance of the low bid from Wear Construction Management.

Mr. Hanesworth made a motion, seconded by Ms. Cole, to accept the bid of \$157,708 from Wear Construction Management to construct a canopy at Ballman Elementary School.

Tilles Elementary Canopy Bid

Mr. Morawski reported that the District released a bid for construction of a canopy for Tilles Elementary School. The canopy design was completed by Risley and Associates. Mr. Risley was in attendance.

The bid was advertised on September 15 and 23, 2017. Bids were received on October 10, 2017. SSI submitted the low bid of \$165,084. Mr. Morawski reported that bidders were also asked to submit alternate bid pricing for a deduction of construction of a new driveway and an addition for a sandstone finish on aluminum canopy. The administration recommends declining both alternates, thus maintaining the original price of \$165,084 from SSI. Mr. Morawski reported that SSI is a Fort Smith company founded in 1969 and has completed 15 projects for the District as well as many construction projects for area businesses.

Mr. Hanesworth made a motion, seconded by Ms. Richardson, to accept the bid of \$165,084 from SSI to construct a canopy at Tilles Elementary. The vote passed 7/0.

Kimmons Junior High Secure Vestibule

Mr. Morawski reported that the District released a bid for the construction of a secure vestibule for Kimmons Junior High School. The secure vestibule was designed by Studio 6 Architects.

The bid was advertised on October 8 and 15, 2017. Bids were received on October 19, 2017. Nabholz Construction submitted the low bid of \$37,440. Mr. Morawski reported that the work should be completed over winter break. Nabholz has been in business since 1949 and has 10 offices in five states. They have completed more than \$1 Billion in K-12 projects in the past 10 years. The administration recommends the acceptance of the low bid from Nabholz.

Ms. Keaton-Martin made a motion, seconded by Ms. Richardson, to accept the bid of \$37,440 from Nabholz Construction to construct a secure vestibule at Kimmons Junior High School. The vote passed 7/0.

2018/2019 FSPS Calendar

Dr. Floyd reported that Arkansas law (A.C.A. 6-10-106) provides that the first day of the school must be “on or after the Monday of the week in which August 19 falls.” Most years this means that school will start around the middle of August. August 19 falls on a Sunday in 2018, so the earliest school could begin under the law is Monday, August 20. This creates a number of disadvantages that include a short fall semester, reduces the number of teaching days before the state testing period, and extends the end of the school year later into the spring, increasing the chance of make up days due to inclement weather.

The District and other districts in our area’s education cooperative are petitioning the State Board of Education for a waiver allowing flexibility in scheduling the first day of school. The waiver would not require the District to begin earlier, but would offer the flexibility to choose the starting date that best fits the needs of the district. The waiver would allow classes as early as August 13. A resolution from the School Board would strengthen the petition as it would demonstrate support from our governing body. A letter of support has been secured from the Fort Smith Classroom Teachers Association.

The administration recommends the Board adopt the attached resolution.

Ms. Cole made a motion, seconded by Mr. Magness, to waive the reading of the resolution. The vote passed 7/0. Ms. Richardson made a motion, seconded by Mr. Magness, to adopt the resolution as presented. The vote passed 7/0.

District Treasurer Appointment

Dr. Brubaker reported that Arkansas Code §6-13-701 indicates that

- a) The board of directors of any school district in Arkansas is authorized to appoint a treasurer to handle the funds of the school district.
- b) The treasurer shall be appointed at a regular meeting of the board of directors.
- c) An executed certificate of appointment shall be filed with the county clerk, the county treasurer, and the Director of the Department of Finance and Administration.
- d) School district treasurers shall execute a surety bond in such amount as may be required by the director, who shall approve the bond. The premium on the bond shall be paid out of the funds of the school district.

Charles Warren, Chief Financial Officer, currently serves as treasurer for the district. He was most recently re-appointed to this role in October 2016 for one year.

According to counsel, once the board approves an appointment for this position, annual re- appointment is not required.

The administration recommends that the board appoint Charles Warren to serve as treasurer for the district. Mr. Hanesworth made a motion, seconded by Ms. Keaton-Martin, to appoint Mr. Charles Warren treasurer of Fort Smith Public Schools with annual re-appointment not required. The vote passed 7/0.

BOARD MEMBERS FORUM

Ms. Richardson reported that the UAFS College of Education has recently received accreditation with no areas cited for improvement. Mr. Hanesworth enjoyed attending a recent Woods assembly. Ms. McFerran stated that she was pleased to serve as president along with Vice President Bill Hanesworth and Secretary Yvonne Keaton-Martin.

CITIZEN PARTICIPATION

There was no one present for citizen participation.

ADJOURN

Mr. Hanesworth made a motion, seconded by Ms. Cole, to adjourn at 6:40 p.m.

Susan McFerran, Vice President

Yvonne Keaton-Martin, Secretary