



ARKANSAS DEPARTMENT OF EDUCATION

Johnny Key
Commissioner

May 28, 2015

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of Education

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Dr. Jerry Guess, Superintendent
Pulaski County Special School District
P.O. Box 8601
Little Rock, AR 72216

Dear Dr. Guess,

On May 19, 2015, the Pulaski County Special School District Community Advisory Board heard the Certified and Classified PPC's opposition to the JNPSD Detachment Certified and Classified Personnel Policies. The Board also heard the Certified PPC's counter-proposal. The Board declined to make a recommendation as to which policies to recommend to my office.

This decision is a difficult one, as it requires one to consider a number of factors including the serious concerns of the faculty and staff regarding job security, the financial viability of PCSSD as it seeks to exit fiscal distress, and how both PCSSD and JNPSD will be positioned to provide for the academic success of the students.

After careful consideration, I approve the JNPSD Detachment Certified and Classified Personnel Policies as presented by the administration and reject the Certified PPC counter-proposal. I agree with Ms. Gustafson's description of the choices as "ugly". However, while not perfect, the administration proposal is the best option to avoid a significant ongoing cost that could hinder the efforts of PCSSD to address its issues of fiscal distress. It will also help avert potential negative impacts on PCSSD students that could result from the ripple effect of a district-wide RIF policy. Finally, it does not negatively impact the ability of JNPSD to employ, in accordance with Plan 2000, the appropriate level of faculty and staff as it prepares to operate as an independent school district in 2016.

Respectfully,

Johnny Key
Commissioner of Education

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PULASKI COUNTY SPECIAL SCHOOL DISTRICT

Community Advisory Board

May 19, 2015

Mr. Johnny Key, Commissioner
Arkansas Department of Education
Four Capitol Mall
Little Rock, AR 72201

Dear Commissioner Key:

The Pulaski County Special School District Community Advisory Board met on Tuesday, May 19, 2015. Superintendent Jerry Guess previously presented proposed policies entitled the JNPSD Detachment Certified/Classified Personnel Policies, which former Commissioner Tony Wood adopted as Board proposals by letter dated March 17, 2015.

During this evening's meeting, Pam Fitzgiven, chairman of the Certified Personnel Policies Committee, presented the certified PPC's counter-proposal to the JNPSD Detachment Certified Personnel Policy and also presented the certified PPC's opposition to the JNPSD Detachment Certified Personnel Policy. Clint Walker, chairman of the Classified Personnel Policies Committee, presented the classified PPC's opposition to the JNPSD Detachment Classified Personnel Policy.

After discussion, Lindsey Gustafson motioned and Daniel Gray seconded to refer the JNPSD Detachment Certified/Classified Personnel Policies and the certified PPC's proposal to you and also to inform you that the Board declines to make a recommendation as to which of these policies you should adopt. The motion passed with 4 votes for, 2 votes against (McMurray and Snider), and 1 abstaining vote (Byrd).

Sincerely,

A handwritten signature in black ink, appearing to read "Susie P. Marks", written in a cursive style.

Susie P. Marks
Chairman

JNPSD DETACHMENT – CLASSIFIED PERSONNEL POLICY

1. On September 16, 2014, a majority of voters in the proposed Jacksonville-North Pulaski area voted to detach that territory from the PCSSD to form a new school district. On November 13, 2014, the State Board of Education ordered the creation of the Jacksonville-North Pulaski School District (“JNPSD”).

2. There are ten existing PCSSD schools within the boundaries of the new JNPSD. They are: Jacksonville High, North Pulaski High, Jacksonville Middle, Adkins Pre-K, Arnold Drive Elementary, Bayou Meto Elementary, Dupree Elementary, Pinewood Elementary, Taylor Elementary, and Tolleson Elementary.

3. This is a new policy applicable to the staffing of the classified employees necessitated by the detachment of JNPSD, which is anticipated to become final on July 1, 2016. The overriding policy will be that each classified staff person will have the same assignment in the same building on June 30, 2016, that each person had on July 1, 2015. While JNPSD is a separate school district with its own school board, it presently operates for all purposes just as it did before detachment, *i.e.*, as a part of Pulaski County Special School District (PCSSD). This is anticipated to remain unchanged until July 1, 2016. Until that date, all classified staff members are and will remain subject to the classified policies of PCSSD. The contractions, expansions, and other movements of the classified staff between now and June 30, 2016, will be managed without regard to the detachment.

4. Beginning immediately, those schools that will become part of the new JNPSD (as identified in paragraph 2), on the one hand, and those schools remaining within PCSSD, on the other hand, shall be treated as separate seniority centers so that there will be no movement of personnel between the two seniority centers. The intent of this provision is that a person

assigned to one seniority center can exercise seniority only within the seniority center to which that person is assigned regardless of the purpose for exercising seniority.

5. The following shall be an exception to the preceding paragraph. A person displaced and unable to be placed by seniority in that person's seniority center, and therefore facing reduction in force, shall have a preferential right to interview for a vacancy for which otherwise qualified in the other seniority center.

6. On or before May 31, 2016, PCSSD will issue notice of non-renewal of the 2015-16 contract to all employees then assigned to the JNPSD schools identified in paragraph 2. The reason for the non-renewal will be to prevent the automatic renewal of such persons' PCSSD contracts. Employees subject to this non-renewal will not be placed on a recall list.

7. The uninterrupted employment of former PCSSD personnel by JNPSD will be a matter solely within the discretion of JNPSD and the former PCSSD employees. However, former PCSSD employees not employed by JNPSD will be eligible to apply for vacant positions for the 2016-17 school year in PCSSD.

8. To the extent this policy produces outcomes that conflict with or undermine PCSSD's efforts to comply with Plan 2000, and specifically Section L: Staffing, the administration shall have discretion to approve transfers from one seniority center to another if such a transfer would further PCSSD's efforts to obtain unitary status.

9. All provisions of the existing PCSSD classified personnel policies in conflict or inconsistent with this policy shall be considered amended to remove the conflict or inconsistency.

JNPSD DETACHMENT – CERTIFIED PERSONNEL POLICY

1. On September 16, 2014, a majority of voters in the proposed Jacksonville-North Pulaski area voted to detach that territory from the PCSSD to form a new school district. On November 13, 2014, the State Board of Education ordered the creation of the Jacksonville-North Pulaski School District ("JNPSD").
2. There are ten existing PCSSD schools within the boundaries of the new JNPSD. They are: Jacksonville High, North Pulaski High, Jacksonville Middle, Adkins Pre-K, Arnold Drive Elementary, Bayou Meto Elementary, Dupree Elementary, Pinewood Elementary, Taylor Elementary, and Tolleson Elementary.
3. This is a new policy applicable to the staffing of the certified employees necessitated by the detachment of JNPSD, which is anticipated to become final on July 1, 2016. The overriding policy will be that each certified staff person will have the same teaching, administrative, or other assignment in the same building on June 30, 2016, that each person had on July 1, 2015. While JNPSD is a separate school district with its own school board, it presently operates for all purposes just as it did before detachment, *i.e.*, as a part of Pulaski County Special School District (PCSSD). This is anticipated to remain unchanged until July 1, 2016. Until that date, all certified staff members are and will remain subject to the certified policies of PCSSD. The contractions, expansions, and other movements of the certified staff between now and June 30, 2016, will be managed without regard to the detachment.
4. Beginning immediately, those schools that will become part of the new JNPSD (as identified in paragraph 2), on the one hand, and those schools remaining within PCSSD, on the other hand, shall be treated as separate seniority centers so that there will be no movement of personnel between the two seniority centers. The intent of this provision is that a person

assigned to one seniority center can exercise seniority only within the seniority center to which that person is assigned regardless of the purpose for exercising seniority.

5. The following shall be an exception to the preceding paragraph. A person displaced and unable to be placed by seniority in that person's seniority center, and therefore facing reduction in force, shall have a preferential right to interview for a vacancy for which licensed and otherwise qualified in the other seniority center.

6. On or before May 1, 2016, PCSSD will issue notice of non-renewal of the 2015-16 contract to all employees then assigned to the JNPSD schools identified in paragraph 2. The reason for the non-renewal will be to prevent the automatic renewal of such persons' PCSSD contracts on May 1, 2016. Employees subject to this non-renewal will not be placed on a recall list.

7. The uninterrupted employment of former PCSSD personnel by JNPSD will be a matter solely within the discretion of JNPSD and the former PCSSD employees. However, former PCSSD employees not employed by JNPSD will be eligible to apply for vacant positions for the 2016-17 school year in PCSSD.

8. To the extent this policy produces outcomes that conflict with or undermine PCSSD's efforts to comply with Plan 2000, and specifically Section L: Staffing, the administration shall have discretion to transfer employees from one seniority center to another if such a transfer would further PCSSD's efforts to obtain unitary status.

9. All provisions of the existing PCSSD certified personnel policies in conflict or inconsistent with this policy shall be considered amended to remove the conflict or inconsistency.

STAFFING PROCESS FOR THE SEPARATION OF PCSSD AND JNPSD

1. District Preference and Tentative Assignment Form

On **August 11, 2015**, teachers and administrators in the current PCSSD will be given a copy of the District Preference and Tentative Assignment Form (Preference Form). Only teachers and administrators desiring to move from either PCSSD to JNPSD or vice versa should complete the form. By completing the form, teachers and administrators will have a choice in which district they would like to be placed for the 2016-2017 school year and a choice of their assignment preference. All forms must be submitted to the Director of Certified Personnel by **August 31, 2015**.

2. Creation of Seniority Lists

After receiving the District Preference and Tentative Assignment Forms, the Human Resources department will have until **September 30, 2015** to create two lists—one list for those desiring a transfer from JNPSD to PCSSD ("PCSSD Seniority/Transfer List") and one list for those desiring a transfer from PCSSD to JNPSD ("JNPSD Seniority/Transfer List"). Each list will be arranged by seniority.

A copy of both lists will be sent to the PCSSD Community Advisory Board, the JNPSD Board of Directors, and the Chair of the PCSSD Certified Personnel Policies Committee.

The JNPSD Seniority/Transfer list will be sent to JNPSD and JNPSD will begin the planning and placement process of those on the JNPSD Seniority/Transfer List.

The PCSSD Director of Certified Personnel will begin the planning and placement process of those on the PCSSD Seniority/Transfer List.

3. Retaining Vacancies Pending Final Detachment

When a teaching or administrative vacancy arises during the 2015-2016 school year in either PCSSD or JNPSD after **September 30, 2015** the vacancy will not be filled with a regular or "permanent" replacement under a standard teaching contract, but will be filled with a temporary employee whose contract will state that they are not eligible for rehire in 2016-2017 for the position until all teachers on the applicable Seniority/Transfer list who are qualified for the position have been assigned based on their Preference Form.

4. Implementation

Beginning **October 1, 2015**, teachers and administrators who have completed the District Preference and Tentative Assignment Form will be assigned to vacancies for 2016-2017 based on preference of school district, seniority (as established in the PCSSD and JNPSD Seniority/Transfer Lists), certification, school, subject area, and grade before any new hires, any other voluntary transfers, or involuntary transfers are made. Implementation will continue until **June 30, 2016**.

5. Continuing Employment

Subject to reduction in force policies in the case of overstaffing and subject to performance based non-renewals or terminations:

- a. All JNPSD certified employees who have not submitted a Preference Form shall be offered a binding certified employment contract by JNPSD for the 2016-2017 school year

by March 30, 2016. A rejection of that offer shall be considered a resignation from PCSSD for the 2016-2017 school year.

- b. All JNPSD certified employees who have submitted a Preference Form but who have not been assigned to a position with PCSSD by June 30, 2016, shall be offered a binding certified employment contract by JNPSD for the 2016-2017 school year. A rejection of the offer shall be considered a resignation from the PCSSD for the 2016-2017 school year.
- c. All PCSSD certified employees who have not submitted a Preference Form shall have their contracts renewed by PCSSD for the 2016-2017 school year.
- d. All PCSSD certified employees who submitted a Preference Form but who have not been assigned to a JNPSD position by June 30, 2016 shall be offered a renewed certified employment contract with PCSSD for the 2016-2017 school year.

6. Reduction in Force

After **June 30, 2016** teachers and administrators will be subject to the Reduction in Force Policies of the respective districts.

7. Plan 2000 Compliance

To the extent that this policy produces outcomes that conflict with or undermine PCSSD's efforts to comply with Plan 2000, and specifically "Section L: Staffing," the administration shall have discretion to transfer employees to any school within the PCSSD or JNPSD if such a transfer would further PCSSD's efforts to obtain unitary status.

PCSSD PREFERENCE AND TENTATIVE ASSIGNMENT FORM

In order to effectively implement the separation process between PCSSD and JNPSD, it will be necessary to complete this form if desiring a change in school districts for the 2016-2017 school year. Send one copy to the Director of Certified Personnel by **August 31, 2015** and keep one copy for your records.

SECTION I

Full Name _____

Current School _____

Seniority Date _____ Home Phone _____

Current Teaching Assignment _____

Certification Areas _____

Approval Areas _____

SECTION II

School District Preference

_____ Pulaski County Special School District (PCSSD)

_____ Jacksonville North Pulaski School District (JNPSD)

Identify School Preference (see back for schools in each district)

Select your school choices by numbering them in order of preference. For example, place a **1** next to your first preference and so on.

Which of the following is more important to you?

Please indicate in order of preference with (1) being your first choice.

_____ School Preference

_____ Subject Area Preference

_____ Grade Preference

DO NOT SIGN BELOW THIS LINE

SECTION III

A) DISTRICT ASSIGNMENT _____

	<u>SUBJECT</u>	<u>GRADE LEVEL</u>	<u>SCHOOL</u>
B) TENTATIVE ASSIGNMENT	_____	_____	_____

Director of Certified Personnel

Teacher's Signature

Date

Jacksonville North Pulaski School District:

Secondary

_____ New Jacksonville High School (NPHS and JHS)
_____ Jacksonville Middle School

Elementary

_____ Adkins Pre-K Center	_____ Taylor Elementary
_____ Arnold Drive Elementary	_____ Tolleson Elementary
_____ Bayou Meto Elementary	_____ Pinewood Elementary
_____ Dupree Elementary	

Pulaski County Special School District:

High Schools

_____ Maumelle High School
_____ Mills High School
_____ Robinson High School
_____ Sylvan Hills High School

Middle Schools

_____ Fuller Middle School
_____ Maumelle Middle School
_____ Robinson Middle School
_____ Sylvan Hills Middle School

Elementary Schools

_____ Baker Elementary	_____ Landmark Elementary
_____ Bates Elementary	_____ Lawson Elementary
_____ Cato Elementary	_____ Oak Grove Elementary
_____ Chenal Elementary	_____ Oakbrooke Elementary
_____ Clinton Elementary	_____ Pine Forest Elementary
_____ College Station Elementary	_____ Robinson Elementary
_____ Crystal Hill Elementary	_____ Sherwood Elementary
_____ Harris Elementary	_____ Sylvan Hills Elementary

Teacher Signature _____ Date _____

Positions that become available after September 30, 2015 and prior to June 30, 2016 will be filled based on the teacher's preference of school district, seniority, certification, school, subject area, and grade.