
Arkansas Division of Public School



Academic Facilities & Transportation

**COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC
FACILITIES AND TRANSPORTATION**

Dr. Ken James, Chair

MEETING AGENDA

January 7, 2009

1. Minutes September 2008 Commission Meeting
2. Transitional Program Update
3. Partnership Program Update
4. CMMS Contract Modification
5. Special Report: 9% Foundation Maintenance Expenditures
6. Special Report: Failed Millage Elections
7. Special Report: Hermitage Facility Distress Status
8. Special Report: Identification of Bus Drivers License Status
9. Appeal of the Division decision: Bauxite School District

ARKANSAS DEPARTMENT OF EDUCATION
PUBLIC SCHOOL ACADEMIC FACILITIES AND TRANSPORTATION
COMMISSION MEETING
January 7, 2009

Place: ADE Auditorium, Little Rock, AR
Time: 8:30 am

Attendees: Dr. Ken James, Commissioner of Arkansas Department of Education
Mr. Richard Weiss, Director Arkansas Department of Finance and Administration
Mr. Mac Dodson, President Arkansas Development Authority
Mr. Douglas Eaton, Director PSAFT
Dr. Charles Stein, Assistant Director PSAFT
Mr. Mike Simmons, Transportation Program Manager PSAFT
Ms. Barbara Dobbs, Admin. Assistant PSAFT

CHAIRMAN JAMES: Good morning, we're going to go ahead and call the Commission meeting to order. And let the minutes reflect that all Commission members are in attendance. And, Mr. Eaton, we'll turn it over to you. As we go through today's agenda, just one item for everyone's understanding, the appeal, the last item, the Bauxite School District has been pulled from the agenda for today and will be probably reconsidered at a later point in time.

Tab 1: September 2008 Minutes:

DIRECTOR EATON: There are two things with regard to the minutes that I would like to mention, and they don't show up in any of the reports. The first is the bus specification rule that was approved by the Commission in September, 2008 is going through the process for approval. And secondly, the annual reports were also approved by the Commission in September, 2008 and have gone to the Legislature on October 1, 2008 as required by law. Other than that, unless there are any questions on the minutes, we request that they be accepted as presented.

COMMISSIONER WEISS: Mr. Chairman.

CHAIRMAN JAMES: Yes.

COMMISSIONER WEISS: With the correction of the spelling of Commissioner Dodson's name I would -- I caught that. He's not the evangelist; he is one of our Commissioners. I would move that we pass on the minutes.

COMMISSIONER DODSON: Second.

CHAIRMAN JAMES: All right, we have a motion to approve the minutes as corrected, with the correct spelling so noted, and a second. Any further discussion?

Commission Action: Approved with the correct spelling on Commissioner Mac Dodson.

Tab 2: Transitional Program Update:

DIRECTOR EATON: In September, 2008 the Division reported to the Commission that 13 projects were still in progress, 200 were completed, and ten had been cancelled. As of this January, 2009 all 222 Transitional projects have been completed. The Division has inspected approximately 75 percent of these projects. The Division has seven projects that are waiting financial close out.

Commission Action: Approved the Transitional Program List as submitted.

Tab 3 Partnership Program Update:

The 2006 Partnership List has not changed appreciably from that reported in September, 2008. The Earle School District Catastrophic application was reviewed approved and has been added to the list of projects. To date 422 are under construction, 312 have been completed and closed out financially, and 422 still remain to begin. The list has been reduced by school districts withdrawing projects as they have been unable to fund them or as their requirements have changed.

To date we have distributed approximately 142 million dollars of the appropriation that was made during the Special Session of 2006, and we've completed an estimated 27 percent of the projects.

The Partnership Program 2007, the Division has suspended its project review process with the school districts until we complete the screening of the 2009-2011 Partnership projects.

To date 171 are under construction, 28 have been completed and closed out financially and 204 still remain to begin. The list has been reduced by school districts withdrawing projects as they have been unable to fund them or as requirements have changed.

CHAIRMAN JAMES: Excuse me, there's a question. Hang on.

COMMISSIONER WEISS: Could we go back to the 2006 Partnership. We have 422 still remaining to begin off of that?

DIRECTOR EATON: Yes, sir.

COMMISSIONER WEISS: Are any of those ever going to begin?

DIRECTOR EATON: Yes, sir. What is happening is they've deferred the projects because of higher priorities. They've deferred the projects because they've moved the money somewhere else. I will tell you that we are considering, just considering the possibility of putting a cap on those monies to where they must be spent, and initiate the spending by a certain date.

COMMISSIONER WEISS: It seems to me that we ought to even be reviewing the need on those things if we can languish around for three or four years, there's no urgency in the thing, or there's various structural components out there that keep us from doing that.

COMMISSIONER WEISS: I really think we need to take a strong look at that.

DIRECTOR EATON: I'd like to do this, I'd like to screen the 422 and perhaps let the Commission know separately what the bulk of those projects are.

COMMISSIONER WEISS: I would like that, yes.

COMMISSIONER WEISS: Thank you.

DIRECTOR EATON: The first portion of the 09-11 Partnership Project Applications were received on May 6, 2008. This was 60 days later than programmed due to the necessity to modify the Partnership rules. The district was required to submit the remainder of the application, schematic drawings, by August 1, 2008.

There were 470 applications received. Of those 295, or 63% of the applications related to warm, safe, and dry (non-space projects) and 175 or 37% of the applications related to facilities and additions. The Division has completed its preliminary screening of the projects and comparison to the school districts' Master Plans and the field verifications using architect and engineer teams to determine validity and defined scope for estimating purposes. A projected state financial participation at this stage of review would be premature, until all the reviews have been validated and estimated.

Commission Action: Approved with Mr. Weiss's notation that the Division will also break out those 422 projects.

Tab 4: Computerized Maintenance Management System (CMMS) Contract

DIRECTOR EATON: The Division is proposing to amend the SchoolDude contract to add two modules that track the school district progress in recording and tracking work orders and preventative maintenance schedules.

The CMMS best meets the needs of establishing a current status of the condition of Arkansas public schools. The Division's ability to extract this information is paramount in keeping current on the condition of the facilities in the Arkansas Public School System. Specialized reports contained within the SchoolDude global modules will allow the State to assist school districts in setting up and implementing both the work order tracking system and the preventative maintenance system. This will allow the Division to pull reports that can be used to analyze the condition of the public school facilities.

The Division has received a proposal from SchoolDude for this modification which totals \$52,500 annually for both of these modules. The Division considers this to be a fair and reasonable price of the modules. Funds are available because we overestimated the initial contract costs and those funds are available. And we, of course, will program for the future years.

CHAIRMAN JAMES: You've heard the presentation. I think we have some questions on this particular item. Mr. Weiss.

COMMISSIONER WEISS: Mr. Eaton, thank you for that report. I would -- I guess my concern on this is you touched on it when you likened this to ASIS. And I guess I want to know and make sure if, you know, we went up and went through all the proper procedures and got SchoolDude, and I'm satisfied with that. But have we fully implemented SchoolDude, and the answer is, no, we have a lot of districts that chose not to do it. Have we worked all of the glitches out of SchoolDude as we presently have it? I need to know that, I guess. Before we start moving into new modules I want to make sure that what we've got actually is working, is actually providing what it was represented to us that it would provide before we start making any modifications or any expansion of it.

Commission Action: Motion is to not approve the recommendation as submitted.

Tab 5: Special Report 9% Maintenance and Repair Expenditures.

DIRECTOR EATON: Tab five is the special reports of the Commission dealing with the nine percent maintenance repair expenditures.

Arkansas Code Annotated 6-21-808(b)(1)(a), which is also the Public School Facilities Custodial Maintenance Repair and Renovation Manual, states in part that each school district shall dedicate nine percent of its foundation funding exclusively to payment of utilities and cost of custodial maintenance repair and renovation activities. It further states that should any school district have any amount of the dedicated nine percent unspent the fund shall carry over and the school districts shall transfer the remaining amount into a public school facilities escrow account. It then goes on to state the parameters by which those funds may be expended.

Expenditure reports for the previous FY reveal that 14 school districts failed to expend the required nine percent M and O. Each of the school districts was contacted and it was ascertained that nine school districts had miscoded the M and O expenditures to the wrong account. Working with the Arkansas Department of Education Financial Office, the expenditures have been corrected and that office has verified that the expenditures were in fact authorized but charged to the wrong account. The remaining five school districts were required to establish escrow accounts. The remaining 5 school districts were required to establish the escrow accounts. They are: 1. Mayflower School District (\$219), Greenbrier School District (\$2,869), Omaha School District (\$430), Poyen School District (\$561) and Bismarck School District (\$9,190).

COMMISSIONER DODSON: Mr. Chairman, I would note there's no motion required or action required on this but I compliment the Division on making this a priority and encourage you to keep doing that and making sure that the school districts are really using their money for the maintenance and upkeep purposes as intended. So good job on that.

Commission Action: No action required. File report.

Tab 6: Special Report Failed Millage Elections.

DIRECTOR EATON: The next item, item six is a special report to the Commission on the failed millage elections. In September the Division reported that elections had been held throughout the state for increased millages to support the construction and other financial initiatives.

It was additionally reported that the Division would be contacting the school districts to ascertain whether or not as a result of the failed millage the district is able to fulfill its obligations under the school district's facilities master plan. The nine school districts that millage elections were unsuccessful are: Blytheville School District, Caddo Hills School District, Clarksville School District, Clarendon School District, Genoa Central School District, Greenwood School District, Harmony Grove School District, Helena-West Helena School District, and Westside Consolidated School District. Based on questions that Mr. Weiss asked last time I included the districts whose millages had failed the year before, they are: Mountain Home School District, Huntsville School District, Strong-Huttig School District, Quitman School District, Green Forest School District, Mena School District, Sheridan School District, Twin Rivers School District, Harrison School District and Bryant School District.

Of the remaining districts, going down the list, I should point out that three of those districts have special elections set for January 13th of this year. And that's in Huntsville, Bryant and Quitman. Two of those districts, Green Forrest and Mena have already had elections and have passed and they're on the way to do those projects.

Commission Action: No action required. File report.

Tab 7: Special Report Hermitage School District Facility Distress.

DIRECTOR EATON: In July of 2008, you conducted a hearing regarding the determination of action taken by the Division to place the Hermitage School District in Academic Facility Distress. The result of that hearing was concurrence by the Commission and the Hermitage School District was placed in facility distress effective that month. Pursuant to the Commission decision the Division met with the Hermitage School District and notified them of that designation as being a district in facility distress. The district was required to submit an improvement plan and to submit that plan to the Division for review. The plan submission and review was completed in August, 2008.

The school district had submitted -- at the time two monthly status reports. They have since submitted the third, which have been verified by inspections by our office, the Department of Health and the code officials from the Department of Labor in that area. The inspections show that the school district is progressing in correcting their deficiencies identified in both the construction and compliance inspection by the Division and other state agencies. With one exception the school district has corrected all of the construction deficiencies. The remaining deficiency requires building design and fire marshal approval prior to being completed. It has been verified that the design is underway and contact has been made with the State Fire Marshall's Office. This pertains to the construction deficiency that the hallways in the school are not constructed according to the fire code. And the district then had to make a decision, a financial decision, do they complete that construction or do they sprinkle the building. And that's what they've been working with the fire marshal on. Either method meets the fire code. The corrective actions, policies and training to be initiated by the school district with regard to the procurement deficiencies identified by the Office of Legislative Audit were submitted to the Division in January 2009.

The Hermitage School District has met all of its requirements to date. We're keeping them on facility distress until such time as their policy is accepted by the board after the corrections and they have conducted the training, and the final construction dealing with the hallways has been completed. Once we review -- it is anticipated that the school districts will meet all the requirements of their improvement plan by the summer of 2009.

COMMISSIONER WEISS: Thank you, Mr. Eaton. I know that at least on my part when this all came before us and we voted to put them on distress there was some concern on my part that we had really taken the right course of action. I think this is an excellent report.

Commission Action: No action required. File report.

Tab 8: Special Report Bus Driver Identification Program.

DIRECTOR EATON: Research into recent bus accidents in the state of Arkansas have indicated that some bus drivers have been driving school buses after having been ticketed for driving offenses. The Division is working with the Department of Finance and Administration and the Information Network of Arkansas to develop a procedure where the State will be notified on a weekly or monthly basis of any permanent or substitute bus driver employed by any school district that is ticketed or convicted of a driver related offense. The information would then be made available to the school districts for appropriate action.

The procedures now in place mandate that school districts will conduct background drivers' checks on all of its licensed personnel every six months. Driver checks made by the Division have shown that school districts have very diligently performed this and are sticking to that plan. However, there are instances where a driver may be ticketed or convicted of a driving related felony and that information is not made known to the school district until the next records day. Even though the employee is required to notify the school district if they are ticketed or convicted of a felony. This procedure here proposed by the Division would identify all drivers in the state of Arkansas currently employed by school districts and provide for automatic updates as new drivers are hired. The data base would then remain current and weekly reports by exception would be forwarded to the Division by the Information Network of Arkansas as it relates to any driving offense tied to a school district employee.

Commission Action: No action required. File report.

CHAIRMAN JAMES: We have a motion to adjourn.

COMMISSIONER DODSON: Second.

CHAIRMAN JAMES: We have a second. Any further discussion?

CHAIRMAN JAMES: All those in favor, aye.

CHAIRMAN JAMES: We are adjourned.

For a complete transcript of today's meeting please contact the Division of Public Schools Academic Facilities and Transportation.