

OH WELL WHAT’S ANOTHER HALF-MILLION OR SO?



Gayle Murray

NOTE: Following is a condensed request to the DMPS Board (January 10, 2006) for a delay to the approval of more than half a million dollars in architectural fees in to the forced merger of Adams & Garton.

I’m Gayle Murray, a parent and member of the original site team for Adams Elementary. For more than a school year, I attended meetings in which the district attempted to persuade the Adams and Garton elementary schools to merge, all the while being told that merger would not happen if the two communities did not support it.

Finally, after being told “your voices have been heard,” we were directed to go to our individual schools and begin the site-team educational planning process for the upgrading of our individual buildings. Parents, teachers and community members met twice a month developing our educational plan throughout the rest of the second school year. We worked hard, we visited another schools that had already been remodeled, and we developed a vision for Adams Elementary based on the needs of students, programs, and families that make up our community. We set priorities for how the limited amount of money should be spent, knowing that sacrifices would be part of the process.

After the school board voted to close Adams school and force a merger on two communities clearly opposed to merger, after being promised by our School Board members and public officials such a merger would not happen, many community members joined together and appealed the district’s decision to the State Board of Education. Despite the fact that this appeal is still pending in court, this district has proceeded. as if the court action does not exist. There is no reason for this rushed, forced, and purposefully closed manner in which the educational plan before you was put together.

If Adams and Garton must be merged (which remains to be seen) then we deserve the same due process, the same quality plan-

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SOS MISSION

To return high quality to our D.M. schools:

by adding opportunities for a higher percentage of students in order to prepare for productive lives;

by requiring adequate research and open discussion prior to all major decisions;

by correcting the following problems:

- lack of planning
- fiscal extravagance
- lack of oversight
- inadequate staffing
- missing curriculum.

LEGAL UPDATE

SOS members are awaiting the decision of the Administrative Law Judge in our appeal to the State Department of Education challenging the failure of the Des Moines School Board to follow State agency rules: adequate public notice, public consideration & public involvement in the decision-making process prior to closure of attendance centers.

The hearing was held on October 5, 2005. Post-Hearing Briefs were subsequently filed. In its brief, the School Board claimed for the first time that the State Board of Education had no authority to adopt school closing rules (Barker Rules) and that, as a local Iowa school board, the DMPS District could not be required to follow such rules.

Regarding our appeal to the Polk County District Court, the SOS Legal Team is

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New SOS address :

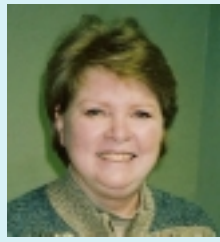
P.O Box 41362
Des Moines, IA 50311

now preparing our legal response to the filing by the DMPS attorney of a request for summary judgment. In that action we claim that —prior to substantial changes from those standards specified in the Ten Year Plan approved by the voters in 1999 pertaining to the use of local option sales tax (LOST) revenues — such changes must be submitted to the voters. Our response will be filed on January 26, 2006. The hearing on the summary judgment motion will be February 3, 2006.

We believe we have raised sound and substantial grounds to prevail in both actions. If you have further questions regarding legal actions, you may contact us at the addresses below::



Nelda Mickle



Suzette Jensen

- Nelda Mickle: nelda@shermanhill.org
- Suzette Jensen: sjensen@acsLtd.com
- Marc Wallace: marcrwallace@msn.com

We urge those hoping for improvement in our schools to support our legal challenges by making a contribution to:

Save Our Schools Legal Fund
c/o Cutler Law Firm Trust Account
Bruce E. Johnson, Attorney at Law
Cutler Law Firm
1307 50th Street
West Des Moines, Iowa 50266

Seven Barker Rules for Local School Boards:

1. A timeline should be established in advance for the carrying out of procedures involved in making an important decision. All aspects of such a timeline would naturally focus upon the anticipated date that the Board of Director would make its final decision in the matter.
2. All segments of the community in the school district should be informed that a particular important decision is under consideration by the Board of Directors.
3. The public should be involved in providing sufficient input into the study and planning involved in important decision making.
4. Sufficient research, study, and planning should be carried out by the board and groups and individuals selected by the board.
5. Such things as student enrollment statistics, transportation, financial gains and losses, program offerings, plant facilities and staff assignment need to be considered carefully.
6. There should be an open and frank public discussion of the facts and issues involved.
7. A proper record should be made of all the step taken in the making of the decision.
The final decision must be made in an open, public meeting and a record be made thereof.

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The applicable Supreme Court finding in Keeler vs. State Board of Public Instruction reads:

“We find no authority for making the welfare of the community a separate consideration from the welfare of all persons served by the school district. To the extent those interests may conflict, the welfare of all the people of the district must prevail.”

Scandal is not illegal; scandal is legal until discovered. What is illegal is criminal.

-- James Carville

OH WELL WHAT'S ANOTHER HALF-MILLION OR SO? *cont.*

ning, the same collaborative input that was afforded every other school that has gone before us.

Almost every person on the combined site team is a district employee. This is not collaborative/community planning. The majority of these district employees have not been through site team planning before and therefore are not even



aware of the discrepant process they are involved in.

I have worked in another building throughout their remodel-

ing process and I have talked with other individuals from around the city who have been through Schools First Site-Team experiences. What just happened at the combined site team meetings for Adams & Garton was painfully different than the typical process. While other buildings were given a full year to plan and to work with architects, this new Adam-Garton group was given a few weeks. While other buildings interviewed many different architects, this team was given two choices. While other site teams had time to make thoughtful, carefully planned decisions, this ad hoc team was forced to rush to meet arbitrary, unnecessary deadlines that have nothing to do with the needs of our students.



There is no educational sense or reason in the way this merger has been handled and continues to be handled.

I ask you to put this so-called educational plan and the con-

tract with an architect on hold just as you put the original educational plan on hold. Assume for one minute that the legal appeal is upheld by the State Board of Education.

Are you willing to sign away a half a million dollars tonight without knowing where the appeal stands? Such action is not fiscally responsible use of our tax dollars.

I mention the sacrifices our original site-team planned for because of the agenda item you just passed for additional money for Hubbell where they have already been through the Schools-First renovations. Their site team made budget decisions based on priorities they set and chose to spend their money on something other than a new gymnasium, yet now they are getting a new gymnasium. Some schools are being closed, others are getting no repairs at all, and some completely renovated schools are getting extras.

This favoritism doesn't add up to fiscally responsible behavior nor an equitable process in our public schools.

(NOTE: Board approved the half-million dollar item, 4-2, one abstention. Audio tape of this discussion, much of it pertaining to DMPS Board liability for expenditures in a matter involved in current litigation, is available. Contact: SOS, P.O. Box etc., etc.)

Photo Credit: Jennie Gervais

To help with expenses such as printing, audio/video expenses, cyber-services, and public-meeting expenses, you are encouraged to send donations to:

P. O. Box 48362, Des Moines, IA, 50311

SOS is a non-profit 504.org.
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