



NEWS RELEASE

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ARKANSAS DEPARTMENT OF EDUCATION FILES NOTICE OF APPEAL

The Arkansas Department of Education (ADE) today filed in Pulaski County Circuit Court a notice of appeal to the Arkansas Supreme Court that will object to the recent ruling by Circuit Judge Jay Moody in the matter of Ron Crawford et al. against the Arkansas State Board of Education and ADE. That is the case concerning the closure of Paron High School by the Bryant School District, in which Judge Moody on May 12 granted a request by patrons of Paron High School for a temporary restraining order to prevent the school's closure and ordered the Arkansas State Board of Education to rehear the school district's petition following criteria delineated in the state's Administrative Procedures Act.

On May 8, the Arkansas State Board of Education reviewed and approved the petition by the Bryant School District to close Paron High School. Under Arkansas law, school districts have the right to make the local decision to close schools within their boundaries.

The only exception to that local control, ADE general counsel Scott Smith explained, occurs when the school is an isolated campus in a district that has been created through an annexation or consolidation of two districts.

Local control is still key, but if the local board's vote to close an isolated campus is not unanimous, the State Board of Education must determine that the action does not create

concerns regarding desegregation and that it is in the best educational interest of students in the district before closure can occur.

The Bryant School Board voted during its April 3, 2006, meeting to close Paron High School and transfer its approximately 110 students to Bryant High School. Because the vote was 4-1, the single dissenting vote required the Bryant School Board to petition the State Board of Education for approval to close the school.

"In May, the State Board heard the concerns of the Bryant School Board and administration as well as those of Paron High School parents and other concerned parties. After listening to both groups, the State Board members approved the Bryant School District's petition because they deemed it the best alternative for the education of the high school students in Paron as well as the students in the entire district," said Dr. Ken James, Arkansas Commissioner of Education.

"These obviously are not easy decisions, either at the local or the state level," Dr. James continued. But, at the end of the day, the Department and the State Board must make sure that every child in Arkansas has access to the best education possible. If we don't do that, we are not being true to our mission and we are not fulfilling our obligation to Arkansas students and their families."

As it did in Circuit Court, ADE contends that the Arkansas Legislature would have specified in ACA 6-20-602 that the Administrative Procedures Act applied to the hearings concerning the closure of isolated schools if it intended for that to be the case. Instead, Smith said, the law created a process for a third-party review of the closing of isolated schools by a local school board – an action that supercedes a district's local control only when the vote by the local school board is not unanimous. "The streamlined process was put in place to avoid the situation that now exists in the Bryant School District," Smith says, "in which school is about to start and students, parents, educators and administrators are all hampered in their decision-making process in the days leading to the start of the school year."

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