

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

1. On April 10, 2014, during a regular meeting of the Arkansas State Board of Education (State Board), the State Board considered a petition made by the Augusta School District (Petitioner) to close the following isolated school:

Cotton Plant Elementary School (Grades K-3)

2. The petitioner was represented at the hearing by Superintendent Ray Nassar and Mr. Michael Manning. On behalf of the Cotton Plant Community, Mr. Jesse Jones appeared at the hearing to oppose the petition.

3. The State Board conducted the hearing pursuant to the legal authority and jurisdiction vested in it by Ark. Code Ann. § 6-20-602, the Arkansas Department of Education Rules Governing the Closure of Isolated Schools and the Arkansas Administrative Procedure Act (Ark. Code Ann. § 25-15-201 et seq.).

FINDINGS OF FACT

4. On February 18, 2014, by a vote of six (6) in favor and one (1) opposed, the Augusta School District Board of Directors voted to close the Cotton Plant Elementary School Campus.

5. On February 19, 2014, pursuant to Ark. Code Ann. § 6-20-602, the Augusta School District petitioned the State Board to close the Cotton Plant Elementary School Campus.

6. For the 2013-2014 school year, the Augusta School District has a total of 435 students.

7. There are currently two elementary schools in the Augusta School District: The Augusta Elementary School and the Cotton Plant Elementary School.

8. For the 2013-2014 school year, the Augusta Elementary School teaches 194 students in grades kindergarten (K) through six (6).

9. For the 2013-2014 school year, the Cotton Plant Elementary School teaches 33 students in grades kindergarten (K) through three (3).

10. Among other assertions, the representatives of the Augusta School District contend that the Cotton Plant Elementary School should be closed for the following reasons:

- a. For the 2012-2013 school year, the cost of operating the Cotton Plant Elementary School is \$483,798. The Cotton Plant Elementary School maintains class sizes of approximately nine (9) students in kindergarten and from six (6) to eleven (11) students in the first through third grades. The average class size in the Augusta Elementary School is substantially higher.

- b. The Augusta School District determined that it must cut its budget in order to avoid being placed into fiscal distress and to meet its future academic needs. The savings generated by the closure of the Cotton Plant Elementary School will allow the Augusta School District to have funds to build the infrastructure needed to support technology in the Augusta High School and the Augusta Elementary School. The savings generated by the closure of the Cotton Plant Elementary School will also allow the Augusta School District to reallocate resources to improve student achievement throughout the district.

11. Among other assertions, the parties opposing the closure of the Cotton Plant Elementary School contend the following:

- a. The numbers presented to the State Board by the Augusta School District appear to be inflated and the Cotton Plant Elementary School is not the reason that the Augusta School District could be placed in fiscal distress.
- b. While the number of students at the Cotton Plant Elementary campus is low, the students continue to learn and progress. The number of students at the Cotton Plant Elementary campus generates enough funds to keep the school open. Pre-K students should be included in the numbers counted at the Cotton Plant Elementary campus.
- c. Closing the Cotton Plant Elementary campus would present a hardship on transporting students to and from school.
- d. Closing the Cotton Plant Elementary campus would hurt the chances for community and business growth.
- e. The community did not know that on February 18, 2014, the Augusta School Board would be voting to close the Cotton Plant Elementary campus.

12. Arkansas Department of Education staff found reference to a desegregation case involving the former Cotton Plant School District. *United States of America v. Cotton Plant School, et al.*, Case No. 2:70-cv-00010-JMM, U.S. District Court for the Eastern District of Arkansas. The former Cotton Plant School District was terminated as a party in the case on or about October 29, 2001. On June 9, 2003, the presiding federal court issued an order granting unitary status to the former Cotton Plant School District and dismissed existing actions against the district.

CONCLUSIONS OF LAW AND ORDER

13. Pursuant to Ark. Code Ann. § 6-20-602(b)(2)(C)(ii), “[t]he state board shall only approve a motion to close isolated schools or parts thereof under [Ark. Code Ann. § 6-20-602(b)(2)(A)] if the closure is in the best interest of the students in the school district as a whole.”

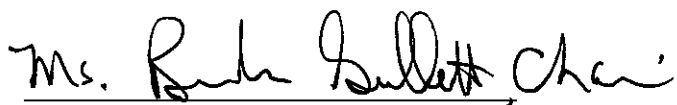
14. From the evidence and testimony received by the State Board pertaining to this matter, the State Board finds that the motion of the Augusta School District to close the Cotton Plant

Elementary School is in the best interest of the students in the Augusta School District as a whole.

15. The closure of the Cotton Plant Elementary School Campus will not have any negative impact on desegregation efforts, nor will it violate any valid court order from a court of proper jurisdiction.

16. Accordingly, the petition of the Augusta School District to close the Cotton Plant Elementary School Campus is **GRANTED**.

Signed this 11th day of April, 2014

A handwritten signature in black ink that reads "Ms. Brenda Gullett, Chair". The signature is written in a cursive style with a horizontal line underneath the name.

Ms. Brenda Gullett, Chair
State Board of Education