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Give a Little Bit

By Angela D. Peterman, RSBS

T

is the season for affiliate annual me-

etings and it’s been my privilege to

attend a number of them. Most

recently I participate in the Michigan

School Business Officials meeting in Detroit.

This was my first trip to Detroit and my first

opportunity to attend the MSBO meeting.

What a treat, on both counts.

The “Motor City,” also known as the

“Home of Motown,” is a remarkable place.

The area faces significant economic issues in

light of its historic dependence on the auto-

mobile industry and the downturn in that

industry. This downturn isn’t new to the

state, but is certainly magnified many times

over under current economic conditions.

Businesses are closing, people are fleeing, and

school districts are facing extraordinary

declines in student population. And yet,

hope sprang eternal with attendees of this

annual conference.

In spite of the economic difficulties, atten-
dance was outstanding. In many instances,

the attendees paid their own expenses or a

portion of those expenses. When I asked

many people about their decision to pay

some or all of the conference expenses, they

repeatedly told me that this is a critical time

for us to join with our peers and share expe-

riences, resources, and insights. They simply

weren’t willing to give up the opportunity to

do just that.

Networking discussions focused on what

participants could do to address the difficul-
ties facing their districts, how they could share

their past and present experiences, and how

they could support each other and MSBO.

During times of significant stress and up-

heaval, it’s amazing how a slight smile, head

nod, or pat on the back can help us through.

MSBO’s theme this year was “Give a Little

Bit” (based, I suspect, on the Supertramp hit

by the same name). As I reflect upon this

and other conferences I’ve attended recently,

I am even more convinced that it is our shar-
ing and caring that sees us through such dif-

ficult times. There are so many ways to lend

a helping hand and support our colleagues. I

want to challenge each one of us to “Give a

Little Bit” more.

These are extraordinary times and you are

each extraordinary individuals. We now

have an opportunity to re-invent or “re-

imagine” public education for the future, as

Michael Flannery, Michigan superintendent

of public instruction suggested. As a part of

the re-imaging, we can each offer a small bit

of our time to support our peers and the sig-

nificant work we do every day.

It really doesn’t need to be a big commit-

ment. Pick up the phone and call the new

SBO in the district next door. Maybe you

know a new food service director or support

person in the business office who is just get-

ting started in school business. A quick

email to a colleague across the country can

bring a smile and sense of wellbeing on an

otherwise dismal day.

We are all terribly busy in our daily lives

and careers. It sometimes feels like we’re the

only ant in the line trying to roll that boulder

up the mountain, but we’re not. I’ve found

that what I give in the way of support to oth-
ers, I get back 10 times over. The members

of this association are some of the kindest,

most caring people it’s been my privilege to

work with.

Angela Peterman

President, ASBO International

Executive Director, Oregon Association

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MANAGING RISK

Last month my kindergartner told me she had participated in her first drill. It took my mind back to my school days and the childish delight of a fire drill; everybody piling out of class, seeing your buddies from other classes and the one kid who was outside smoking trying to sneak back inside.

My daughter then went on to explain her drill. It wasn’t the fire drill I’d imagined, but a lock down drill. The 5-year-olds were huddled under their teacher’s desk, waiting for the OK from the principal to come out. She was very proud to have gotten a thumbs-up for being “very, very quiet.”

My stomach turned. We live in a quiet rural area. The idea of having to go on lock down had never entered my mind—although when I had time to think about it, I realized that no place is immune to a crisis situation.

This was yet another daily reminder of the responsibility the school business manager has within the school district.

Risk management involves so much more than ensuring every student, educator, and administrator on site is safe. It means protecting sensitive school data, combating fraud, ensuring the school buses are safe, and that someone is turning off the lights when the facility is not in use.

Above my desk, I have what I call my “happy wall.” All the items on this wall are guaranteed to make me smile: a picture of my husband and daughters, a drawing by my 5-year-old, a joke memo, a hilarious birthday card, the doctor up masthead of the SBA, and a thoughtful card from a member that was delivered with flowers.

When I look down at my desk, I have a To Do list: meetings to schedule, publications to approve, articles to review, phone calls to return. The never-ending Outlook reminders pop up on my screen to remind me of an upcoming meeting.

When I am feeling a bit overwhelmed—as am sure you do—I look up at my happy wall and can’t help but feel a sense of optimism, joy, and lightness. Then I am ready to tackle the next To Do.

I hope you all have something that makes you feel good in the midst of a stressful day. It could be a coffee break with a great co-worker, a five-minute walk from the car to the office, or a window through which you can enjoy the view.

As you sit down to read this issue on risk management, remember that being a proactive risk manager may keep you busy, but it also may afford you a little more time at the end of the day to sit and enjoy your happy wall.

—Siobhan McMahon, Managing Editor

Colophon: During production of this issue, Siobhan fell out with the Easter Bunny for leaving too much chocolate at her house; Lauren welcomed her sister back home from a semester abroad; and Pat visited her Mom in New Mexico.
When the Obama administration began rolling out the economic stimulus package, ASBO International representatives offered many suggestions. Much of what we brought forward was incorporated into the act. The voice of ASBO’s membership was heard and included as a part of history that will serve as a catalyst for revitalizing America’s economy.

Last winter, ASBO International participated in a conference hosted by the United States Department of Education during which representatives from ASBO described what we are doing to support the American Recovery and Reinvestment Act (ARRA) and to support our members as they moved through the murky waters of one of the most complex pieces of legislation we have ever seen.

Not only did we share best practices, we also were able to bring member issues forward at the request of the Department of Education as they prepared and finalized desperately needed guidance. We discussed our Economic Crisis Summit work as well as the many other activities we have undertaken in the past few months. ASBO members spoke and the Department of Education listened.

With ARRA, we have before us an opportunity that many of us will never see again: an opportunity to forever change what the critics of public education say; an opportunity to demonstrate that additional dollars do make the difference in educational reform; an opportunity to make the difference in the lives of millions of children across our nation.

While financial decisions are not new to ASBO members, until now, the impact of those decisions has been relatively local. Today, however, the global impact is forcing massive reductions in every area. Our decisions will be scrutinized from every direction. Every misstep will be called to our attention. Our success will require harnessing the collective minds of all of us to solve complex issues and implement the necessary reforms to make a difference. At times like these, having a network of support in our profession is mandatory.

ASBO International continues to provide opportunities for you to connect with your colleagues, including through the online membership directory and professional development events such as the Eagle Institute and the annual meeting. While cutting travel for professional development is an easy way to save money, isolating ourselves from others also isolates us from the new and innovative ideas and solutions being implemented in other school systems.

ASBO’s Annual Meeting and Exhibits will be held October 23–26 in Chicago, Illinois. There, you will be able to network with the best and the brightest in your field. You will be able to access sessions that will help you row through those murky waters. You’ll find an exhibit hall full of vendors able to provide solutions to the problems you are facing. And, you will be helping to stimulate America’s economy while providing a balance to your life that is so necessary to your personal and professional success.

At a time when other associations are declining in membership and participation, ASBO International continues to grow. We are the ones the media, other associations, and government officials turn to when they have questions about school business. With your continued support and participation, ASBO will maintain its place as the universally recognized and respected expert in the school business profession.
For most of us, a safety audit entails the completion of a long list of very routine, relatively mundane tasks because someone, somewhere, thought it was important. We usually comply grudgingly because it is yet another duty that has been added to our already full plate. We likely have no real ownership in the process, and we often question the effect it actually has on the safety of our schools.

Safety audits are usually required by our insurance companies or some other agency that is removed from the education environment. Do not get us wrong; all educators agree that conducting school safety audits is important. But have you ever stopped to consider the real effect of those universal lists on creating and fostering a safe environment?

Some states require safety audits. For example, Florida, Illinois, New York, Oregon, Pennsylvania, Texas, and Virginia have legislated the use of school safety audits. However, many of those audits, although thorough, are rather lengthy and may be considered a chore rather than the proactive safety initiative for which they were designed. In addition, evidence supporting the effectiveness of safety audits—whether conducted internally or conducted externally by an “expert”—is noticeably missing from the research literature.

In the absence of studies on the effectiveness of school safety audits, Folks (2008) researched school principals’ perceptions of being required to complete a school safety checklist. The principals interviewed in that study reported that conducting an audit by checking off items...
<table>
<thead>
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<th>Figure 1. School Safety Checklist for Allen County Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>School___________________________________________ Completed by______________________________</td>
</tr>
<tr>
<td>Date___________________________________ (to be completed once per semester)</td>
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</tbody>
</table>

**Section 1. Action Items to Be Completed in August and January**

- 1. The school's information in the County Pierce Responder System was reviewed in August and January.
- 2. School emergency procedures (including extracurricular activities) were reviewed with staff in August and January.
- 3. School facilities (including playgrounds, athletic facilities, etc.) were reviewed by walking the exterior of the building in August and January. Door numbers were in good repair and easy to read. Other apparent safety concerns were addressed.

**Section 2. Action Items to Be Completed Annually or Each Semester**

- 1. A lockdown drill has been scheduled with staff and students each semester.
  Dates of drills__________________________________________.
- 2. Crisis teams meet at least once a year.
  Date scheduled________________________.

**Section 3. Training Requirements to Be Completed at the Start of Each School Year**

- 1. Staff members are trained to greet, challenge, and/or report strangers in the building.
- 2. Students are trained to not open doors for strangers and to report strangers they see to school personnel.
- 3. A staff member has been assigned to check daily to ensure that doors that should be locked are locked.
- 4. Staff members have been trained on when and how to call 911 from their classroom phone.
- 5. All staff members have been informed of the location of the automated external defibrillator.
- 6. At least one school safety–related in-service session/staff meeting is scheduled for staff members during the school year.

**Section 4. Ongoing Action Items**

- 1. The school has established drug, alcohol, and violence prevention and intervention programs.
- 2. Adult supervision is evident when students are in the hallways, cafeteria (commons), bus pickup zone, or any other area where students gather in the building.
- 3. The school has established and maintains communication equipment and procedures between the school office and classrooms. Two-way radios are provided for communication with the school office to staff who supervise students outdoors during the school day (physical education classes, recesses, etc.).
- 4. Security features are planned in building and remodeling projects.
- 5. Emergency response kits are maintained. One kit should be kept in the office area and another should be kept in a secure location in a separate area of the building, in case one of the areas is inaccessible during an emergency situation.
- 6. Emergency responders have been invited into the building at every opportunity to familiarize them with the facility as well as with the staff members.
- 7. Background checks have been performed.
- 8. The number of unlocked doors during the school day is limited to the minimum required.
- 9. A procedure for visitor sign-in and identification badges, including signs directing visitors to the school office, has been implemented and maintained.
- 10. A school crisis team has been organized, trained, and maintained.

Submit to District School Safety Specialist by September 30 and January 31.

forces them to focus on school safety because the process is intentional. The more educators are aware of school safety issues, the more proactive they can be in providing a safe, secure environment for students and staff.

**Why Conduct Safety Audits?**

When students feel safe in their learning environment, it seems logical that their test scores will improve. This premise is a major component in the teachings of psychologist Abraham Maslow, who professed that basic needs must be met before higher-order processes such as learning can occur.

**Research on the link between a safe school environment and student achievement is sparse.**

Although Maslow’s theory makes sense to most educators, research on the link between a safe school environment and student achievement is sparse. A study by Gronna and Chin-Chance (1999) provided empirical evidence that there was indeed a link between the two. In their study of 46 middle schools, those researchers found a statistically significant effect between school safety and eighth-grade reading and mathematics scores as measured using the Stanford Achievement Test. The study showed that students who attended schools with fewer reported disciplinary offenses, and fewer reports of crimes, had higher test scores than students who attended schools with higher crime rates and more numerous reports of disciplinary offenses.

Although safety is on the minds of principals, it is not usually given the daily attention necessary. Only when an incident occurs does it reappear on the radar screen and receive attention to ensure that the school is safe and secure.

**A Model to Consider**

In 1999, the Indiana Legislature enacted IC 85–2-10.1–9, which, among other things, established county school safety commissions in every Indiana county. The Allen County School Safety Committee (ACSSC) continues to be one of the most active and respected county school safety commissions in the state.

In May 2007, after a rash of high-profile school shootings across the country the previous year, the ACSSC adopted a one-page checklist based on school safety best practices. These best practices were cited at a national safety conference convened by President Bush in October 2006 and included (a) establishing a school safety plan, (b) exercising the plan on a regular basis, (c) establishing prevention and recognition programs for students, and (d) conducting tabletop exercises.

Each school principal in Allen County completes the checklist adopted by the ACSSC twice each school year, during August and January. The short, concise list includes practical, basic strategies that focus on quality versus quantity (see Figure 1).

**Step by Step**

Awareness is the first step in adopting new practices. Many states require safety audits, but even if audits are not a state requirement, school administrators should realize their value and importance. The ACSSC checklist is short and easy to complete. However, for it to be an effective tool, district leaders must provide the impetus and emphasize the importance of completing the checklist at the required intervals.

**References**


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School districts are held accountable not only for the monies that contribute to the education system but also for mitigating any issues that threaten student learning.

Some school districts are fortunate to have professional risk managers on staff who can identify and control the many risks that are unique to school systems. Most schools, however, place that responsibility on the shoulders of the school business manager or chief financial officer, who may not have the experience to identify and address those risks.

Whether certified or not, school risk managers are responsible for a wide range of issues, including property and casualty insurance; benefits, such as health care, workers’ compensation, and unemployment; facility and environmental safety; crisis management; and the personnel training associated with these programs. What’s more, the school risk manager must be knowledgeable about issues ranging from IRS 403(b) changes to wellness programs and the effects of the Medicare, Medicaid, and SCHIP Extension Act on liability claims.

The Importance of Teamwork

To be effective, the school risk manager must have the support of the administration and a well-thought-out risk management team. Members of the team may include representatives from district support services, school administrators, insurance agents and brokers, consultants, and a multitude of other specialists who bring a level of expertise rarely found inside the school environment. The district should have a system in place to ensure that the risk management team is aware of potential risks. That system can be as simple as ensuring that all district personnel have the risk manager’s contact information.

The range of risks in a school district is extensive, and so are the risk management team’s responsibilities. The team can develop and implement action plans to identify, address, and avert potential threats to the safety and security of the learning environment. On the other side of the coin, the team can work to ensure that sound financial decisions lead to strong fiduciary responsibility, ensuring that all decisions are based on the students’, the staff’s, and the public’s expectations for good faith and ethical practices.

The risk management team should meet regularly—at least four times a year, or more often if necessary. Meetings give the team an opportunity to review results of audits and assessments, to discuss current and potential issues, and to develop any necessary plans of action.
Identifying and Addressing Risks

Methods used to identify and classify potential risks include such tools as checklists, flowcharts, surveys, and personal inspections. Gathering data with these tools will help the school risk manager and team develop a qualitative and quantitative report outlining a course of action. Qualitative assessment includes reading the insurance policies and vendor contracts and performing safety audits. These strategies are not measurable, but they are important for determining tolerance for risk. Quantitative assessment helps better predict future losses based on past loss data. With that information, school risk managers can determine retention, deductible, and transfer levels for decision making and can decide which loss control projects to fund.

When addressing risks, team members should refrain from thinking that they have an immediate obligation to address them. Of course, any risks that are life threatening should be dealt with as soon as possible, but others may benefit from a thoughtful long-range plan that shows various phases of completion—especially if mitigation will be costly. A task time line demonstrates the school’s willingness to resolve risks as budget funds become available.

Depending on the severity of the risks, mitigation can sometimes be funded by bond money earmarked for such work. Other means of funding may come from fund balances, certain reserving practices, fund-raisers, or special grants.

Other solutions may simply involve changing policies or procedures. For example, changing the district’s drivers’ safe driving habits may not be easy to do until there is a change of policy. Requiring postaccident drug testing, quarterly motor vehicle checks, and mandatory postaccident driver’s training on the employee’s own time and at his or her expense will encourage safe driving habits immediately.

No Better Time

Now more than ever, schools need to turn to risk management practices to generate short- and long-range planning for losses that affect the schools’ budgets. That money can be better served by contributing to the education process, not by paying claims.

There has never been a more critical time for our public entities to join the private sector in recognizing the importance of having clearly defined risk strategies in place. Schools and their districts increasingly understand the importance of successfully managing risks, since each risk can be viewed as both a threat and an opportunity.

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The tiny town of Niangua, Missouri, made national headlines in 2008 when a rare cluster of winter tornadoes tore across the state on an unseasonably warm January night. The twisters killed a Niangua woman in her trailer home and destroyed numerous other structures.

News photos of the trailer debris were a sobering reminder of the vulnerability of the town’s youngest residents: preschoolers who regularly attended class in a double-wide trailer only one mile away.

Just a little over a year later, the town is making national headlines again, but this time the news is good. The Niangua R-V School District is building a revolutionary steel-reinforced concrete dome that will serve as the district’s new preschool classroom and double as the town’s disaster shelter. The building’s unique shape and ability to offer near-absolute protection from tornadoes is noteworthy. But what gives this project national prominence is that the dome building is being constructed with a $300,000 grant from the Federal Emergency Management Agency (FEMA).

The project’s federal funding is sparking hope among superintendents in other disaster-prone school districts that more government money may soon be in the pipeline to fund what is known as predisaster mitigation efforts. Those are funds earmarked to help a community before disaster strikes, and could become more of a priority in the Obama administration.

“During the Clinton years, the focus was on predisaster mitigation and the mantra of the time was that $1 spent on mitigation saved $4 on recovery costs,” says Bill Waugh, who teaches disaster management at Georgia State University. “Bush changed the focus first to terrorism and then to response, which led to the end of what was called the Disaster-Resistant Community program. All indications are that the Obama administration intends to go back to the more proactive approach focused on predisaster activities and making communities better able to respond.”

If that prediction proves true, Niangua could serve as a useful case study of how other districts could apply for grant funding, but also of how the money could be
put to the best use after the grant is awarded. The town’s qualifying for the FEMA grant under the Bush administration also illustrates that, regardless of presidential policies, it is possible for school districts to qualify for federal funding. However, the community must meet FEMA’s risk and needs criteria, and the grant application should be spearheaded by someone with enough determination and persistence to navigate the requisite red tape.

**Overcoming Hurdles**

In Niangua, which is located in Webster County, Missouri, Linda Watts, the county’s assistant emergency management director, did most of the legwork for the grant. She started the process in 2005 by documenting the town’s history of natural disasters, along with their frequency and devastation, in a national hazard mitigation analysis. The analysis showed that tornado activity in Niangua surpassed the national average by 26%.

The next step was to prove the community’s financial need. With a population of fewer than 500 people, a high unemployment rate, and relatively low tax revenues, Niangua easily qualified as an impoverished community. The grant application then had to go through a review process at the state, regional, and finally national level, where a 10-member FEMA panel voted on its merits.

Butch Kinerney, a spokesman for FEMA’s mitigation department, estimates that the FEMA panel votes on about 450 such grant applications every year, and only about 80 to 100 are actually funded. Of those, just 12 to 20 are school projects.

“We like to see schools used as storm shelters,” Kinerney says. “And it’s a big honor to have a community that is able to clear all the hurdles and meet the series of specifications that have to be met.”

Niangua appeared to have cleared all the hurdles in 2006 when it qualified for a FEMA predisaster mitigation grant of $313,000 designed to cover 90% of the construction costs for a new building. But when the project went out for bids, school officials found that there was one major hurdle still left to clear. “It went up for bid the conventional way, and every single bid came in well over the limit. We thought we were going to have to give back our grant,” Watts recalls.

Then, Niangua Superintendent Andy Adams remembered seeing a brochure about unconventional dome school buildings that met FEMA standards for near-absolute protection from tornadoes. In fact, the buildings—known as Monolithic Domes—were touted for withstanding winds of up to 300 miles per hour (100 more than required by FEMA). They were also described as energy efficient and less costly to build than a conventional structure. After doing further research, Adams and the school board were sold.

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Turning to the Dome

David South, who coinvented and patented the process for building Monolithic Domes and now heads the Monolithic Dome Institute in Texas, was among those who talked to Adams about the benefits of a steel-reinforced concrete dome school building that could double as a community disaster shelter.

“It’s difficult to construct buildings that can withstand a direct hit by tornado winds,” explains South. “Block walls have a heavy mass, but tornadoes can push with 100 to 400 pounds of pressure per square foot, and conventional walls typically cannot withstand that kind of pressure.”

In contrast, the curved, steel-reinforced concrete walls of a Monolithic Dome can withstand pressure of up to 2,000 pounds per square foot, South says. This attribute has been confirmed not only by the institute’s consulting engineers but also by anecdotal evidence, including the fact that domes have been built 30 feet underground where the pressure can reach one ton per square foot.

“Concrete in a curved shape reinforced with rebar naturally becomes stronger than any other building built,” says Arnold Wilson, professor emeritus of civil engineering at Brigham Young University and a consulting engineer for the Monolithic Dome Institute. “I have personally engineered approximately 1,400 Monolithic Domes in nearly every state and many foreign countries. Many of them have been subject to hurricane forces and a few to tornado forces, and all have withstood these forces in an excellent manner.”

FEMA agreed that the buildings were safe and approved the use of a Monolithic Dome for the Niangua school district. Even better, the grant money paid for 90% of the building’s construction. That’s because a Monolithic Dome typically costs less to build than a conventional building of the same size. Niangua chose a general contractor that ensured the project came in within the budget.

Under Construction

Once construction began, school officials discovered that the method used to build Monolithic Domes is as unusual as the buildings themselves. The process begins with the placement of a ring beam footing and the pouring of a circular steel-reinforced concrete slab floor. In many cases, a stem wall is then erected to give the building straight walls and a more conventional look. Next, crews attach an Airform, a tarp made of tough, single-ply roofing material, which is inflated using giant fans.

Once the Airform is inflated, work moves to the interior, where treated wood is attached to frame the windows and doors. Three inches of polyurethane foam is then sprayed on the rest of the Airform, and a grid of steel rebar is attached to the foam. In the final step, crews spray on a layer of shotcrete that ranges from four inches at the top to eight inches at the base. The result is a permanent and virtually indestructible structure.

Because the insulation is between the Airform and the concrete, which lines the interior and has thermal properties that help it maintain more constant temperatures inside the dome, Monolithic Domes can cost 50% less to heat and cool than traditional buildings of the same size. “The energy savings along with usually pay for the total cost of the structure within the first 20 years,” says Monolithic Dome Institute’s David South.

In Niangua, school officials are not waiting on the energy savings to cover the 10% of the construction costs not covered by the grant money. A portion of the funds has come from the city and county, and the school district’s share is largely in sweat equity. “I, along with a couple of others, did all the painting on the inside of the dome and we’re going to do the floor tile,” says Adams, the superintendent. “We’re doing everything we possibly can to get this building ready.”

Worth the Work

Despite the building’s novelty for the town and many of those who have heard about the project through the news media, the dome school in Niangua is actually not the first Monolithic Dome school to be built in Missouri. That honor goes to Pattonsburg, which built four domes to house students in kindergarten through 12th grade in 1998. Dome schools or university buildings have also been constructed in Rockport, Caldeonia, and Parkville, Missouri, as well as in 11 other U.S. states and seven countries around the world.

But Niangua is the only school district in the nation to have its Monolithic Dome funded by FEMA, which even a spokesman for the agency concedes is no small feat. “It’s a lot of hoops to jump through,” says FEMA’s Kinerney. “But at the end of the day, if you are able to save lives, it’s worth it.”

Carol Lanham has worked for the Associated Press, Reuters and Newsweek. She now is with Dallas-based BWG Agency and writes frequently on the topic of Monolithic Domes. Email: carol@bwagency.com. Freda Parker contributed to this article.
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On December 8, 2008, USA Today published the article “The Smokestack Effect: Toxic Air and America’s Schools.” The article reported that as a result of computer modeling of the potential dispersion of contaminants into the air (not actual tests of air samples) done by the University of Maryland and Johns Hopkins University, 128,000 American schools were ranked according to air quality issues based on the schools’ proximity to industrial pollution.

The Port Washington–Saukville School District’s Saukville Elementary School was rated in the bottom 1%. The study indicated that two businesses in the area—a steel manufacturing company and a plastic products producer—were potentially emitting particulates in amounts that could present possible health risks for students. Because the district was 20 miles north of Milwaukee, industries in Milwaukee were also factors in our rating. Saukville Elementary made the bottom 1%, and the district’s other four schools ranked in the bottom 3%.

When informed about the ranking, the district’s leadership team, which consisted of Superintendent Michael Weber, Special Services Director Gary Myrah, and me, the director of business services, met to plan a course of action.

Under Investigation
The Port Washington–Saukville School District contracts with an environmental management consulting company in Fort Atkinson to oversee the district’s safety certification. On January 6, 2009, our leadership team met with Dan Krueger, district maintenance supervisor; Kathy Tubbs, Saukville’s principal; and the consulting firm’s president, Bill Freeman, to outline a plan for conducting our own testing and for communicating our plans to the parents and the community.
Freeman researched the model that was used to create the list of potential school “toxic hot spots” that were identified in the article. The particulate listed as being of the greatest concern was manganese, a metal used in the casting of steel. For our purposes, air quality was to be tested for a 72-hour period, with two monitoring meters set up outside the buildings in the air intake manifolds and six tests conducted inside the building. We estimated the cost for the tests at $2,000–$3,000, with the potential for testing more than once.

We knew that the health of our students was in question. If we received unfavorable results from outside the building, but not inside, we might need to limit outdoor activities. If both sets of tests were unfavorable, we knew that we could beef up the school’s air filtration system to trap the unwanted particulates before they entered the building. If all the tests came back negative, the village and the local companies would appreciate that we tested.

During this process, the district worked to be transparent with regard to the testing. The local paper, the Ozaukee Press, and the Milwaukee Journal ran informative articles about the process we were undertaking. As a district, we needed to do what was best and we needed to do it in a timely fashion.

The tests were sent to the Wisconsin Department of Natural Resources (DNR) state lab for results. Before the lab received the results, the Wisconsin DNR called a meeting of representatives from the state and county health departments, state environmental protection staff, DNR modelers, local government officials, one of the manufacturers’ safety directors, and school district personnel, including the environmental consulting firm.

The DNR modelers reported that the computerized testing model used in the first study had deficiencies. Their preliminary model indicated that there should be no detectible sign of the manganese particulate in question. Saukville Elementary’s distance from the manufacturing facilities should not yield results that exceeded acceptable levels.

In a follow-up telephone conference with the same group two days later, the district shared its similar findings. Having results that were in step with the Wisconsin DNR modeling was reassuring to the district and the community. In concluding our session, I asked if anyone would like to pay for our testing, since it benefited us all. I was pleasantly surprised that the DNR said that it would cover the lab costs of the tests that were processed through its labs. (It never hurts to ask.)

The manner in which the district actively tested and shared information with interested parties fostered positive relations with residents and manufacturers that may help create educational opportunities for our students.

In February and March, I learned that our insurance company might pick up a portion of our costs. The DNR said it would have done the same thing, and the U.S. Environmental Protection Agency said in a statement on March 2, 2009, that it would become more involved in helping with testing at school sites.

Jim Froemming is director of business services for the Port Washington–Saukville School District in Wisconsin. Email: jim.froemming@pwssd.kl2.wi.us
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Angela Eisert, CPA
President Nassau Chapter of New York State ASBO
The Art of Labor Relations: Knowing Your Best Move

By Dixie M. Pope, Ed.D.

In many school districts, business managers—not superintendents—are the ones who deal with labor relations, negotiating or participating on the negotiations team. Business managers who oversee the human resources department may find themselves dealing with labor relations on a regular basis.

As a superintendent who also has the duties of business manager, I equate my labor and community relations responsibilities with a game of cards. From my perspective, the trick to labor relations is not to look at the cards I have been dealt by the employees, but to look at how I must play those cards to win, not only for myself but also for my district.

During my first year in this dual role, I learned when I could play my hand alone and when I should “ask my partner for help” (call in the experts) regarding an issue.

Labor Relations Strategies
In this card game of labor relations, the four strategies I became familiar with were (a) negotiation, (b) mediation, (c) arbitration, and (d) court injunction and declaratory judgment.

Negotiation, the most common method used to resolve differences, is a process by which the parties attempt to reach an agreement on issues about which they might disagree. The goal of negotiating an issue or issues is to reach an agreement that will positively influence the workplace. Negotiations give those involved—both management and labor—the opportunity to voice their opinions and to help develop a solution that benefits everyone.

A good negotiator should gather the facts, evaluate the situation, and focus on the issue, not on the person or position. My role as the board’s head negotiator for support staff negotiations was a win–win situation for the board and for me. Although this process was time consuming, I built a rapport with the support staff that ultimately led to the resolution of two outstanding grievances that I had inherited from my predecessor.

Mediation is negotiation with the assistance of a third party. The mediator does not have the power to decide the outcome, however. The effective mediator is a good listener and works from a sound, basic approach (Ray, Hack, and Candoli 2000). Both parties must agree to mediation as the means to reach a voluntarily acceptable resolution. The mediation process emphasizes problem solving and resolution.

Last year, I was in a position to resolve a parent–student issue regarding schools of choice. The family lived in our school district; however, as a result of some incidents, the mother chose to send her older four children to schools in another district. She wanted her youngest child (kindergarten age), who had special needs, to also enroll outside our school district. Because of the possible expense of the child’s needs, the other district was unwilling to absorb those costs.

I knew when to “ask my partner for help.” The mother and I met with a state mediator who facilitated our discussions. In addition, I invited the mother to meet with the elementary school principal and staff and visit
the building several times to observe instruction.

In the end, not only did she enroll her kindergartner in our district elementary school, she also enrolled her other four children in our district.

Arbitration is “a procedure in which an impartial third party actually renders a decision that can be binding or nonbinding in a labor dispute” (Geisert and Lieberman 1994, p. 63). Before turning to arbitration for dispute resolution, both parties must agree that mediation and negotiation have failed.

When I began my current position, I inherited four issues slated for arbitration and added another. Again, I turned to others for assistance. While continuing to have an open dialogue with the grieving parties, I also involved legal counsel. Three of the five issues were settled before the arbitration dates.

One of the arbitration issues would have, in my opinion, caused severe financial harm to the district. In that case, I knew when to “fold ’em” and considered the court injunction and declaratory judgment option available to employers. The 1932 Norris-LaGuardia Act (29 U.S.C. § 101) limits the reasons courts can issue injunctions. The act states:

No court of the United States, as defined in this chapter, shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case involving or growing out of a labor dispute, except in a strict conformity with the provisions of this chapter; nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this chapter.

However, in the end, the issue was settled without going to arbitration or through the court injunction and declaratory judgment process because of the rapport that was established during the negotiation process.

Right of Due Process
Regardless of the strategy employers choose to resolve a dispute, they must ensure that due process was followed and documented. The Constitution grants certain rights to all U.S. citizens. Included in the protection of citizens’ rights are their employment rights. The Fourteenth Amendment protects people by stating that government shall not deprive anyone of life, liberty, or property without due process of law—and employment certainly affects life, liberty, and property.

Employees are entitled to a procedural due process hearing before retribution or termination. The Fifth Amendment provides certain protections to people accused of an infraction. If due process is not followed, the plaintiff loses the case. Labor relations cases are no exception. If cases claiming a due process violation progress to arbitration or the court system, the arbitrator or court will determine whether the proper process for protecting employees’ rights was followed before terminating the employee.

School districts should ensure that due process procedures are incorporated into their policies and that those policies coincide with the constitutions and statutes of the federal and state governments. In employment master agreements with school district unions, it is best to have due process and just-cause procedures outlined so both parties know what to expect. In addition, the contract should outline what issues can be taken to arbitration.

Before having a case progress to an arbitration hearing, the employer should ensure that the traditional steps in disciplining the employee were followed. In most cases, the traditional steps include (a) an oral warning, (b) a written warning, (c) a written reprimand, (d) suspension, and then (e) discharge. Depending on the severity of the misconduct, some issues may require skipping a step.

Always add the following or a similar disclaimer to documented warnings and reprimands: “If further incidences take place, the district will consider the infraction(s) and severity of the infraction(s) and it could result in further discipline that may lead up to and include dismissal.”

Be Prepared
Sometimes in the collective-bargaining process, an agreement is not reached without mediation, arbitration, or other form of dispute resolution. The district must determine which form of alternative dispute resolution will work for it for each issue.

If labor relations are normally collaborative, a dispute resolution forum of negotiation, facilitation, mediation, fact-finding, peer review, open-door policy, or early neutral evaluation may be the solution. If labor relations are more adversarial, a dispute resolution forum of arbitration or court injunction and declaratory judgment may be the best avenue.

The issue itself may determine the forum to be used. If the issue results from a grievance, one resolution strategy may be used; if the issue results from a First Amendment right, another resolution strategy might be employed.

With the shrinking funds available to school systems, it is important for all administrators, including business managers, to understand labor relations. Any administrator may be given the added duty of handling negotiations, parental concerns, and/or grievances.

References

Dixie M. Pope, Ed.D., is superintendent and director of business for Lakeview Community Schools in Lakeview, Michigan. Email: poped@lakeviewschools.net
Portable Classrooms: Immediate Solutions to a “Growing” Problem


In 1999, 36% of schools reported that they used portable classrooms and 20% reported that they created temporary instructional spaces, according to the National Center for Education Statistics (Lewis and others 2000). Those percentages translated into about 28,600 schools that used temporary classrooms and 15,700 schools that created temporary instructional spaces.

State capital outlay funding for new facility construction is always behind the stated need and is not available for immediate expenditure. School districts often fall two to three years behind schedule in their building programs because of this funding delay (Odden and Picus 2008). Class-size reduction can also affect overcrowding, even in schools that are initially undercrowded (Ready and Welner 2004).

Portable classrooms will most certainly continue to be used temporarily to bridge the gap between immediate need and availability of construction funding. Projecting the need for portable classrooms is straightforward when it is based on student enrollment forecasts. When you know the capacity of a school building and the student enrollment projections, calculating the number of portable classrooms needed in each school by year is relatively easy: subtract the school capacity from the projected student enrollment and divide the remainder by the class size. This simple mathematical approach gives a dependable guide to the number of portable classrooms needed.
Financing Portable Classrooms

Most states do not allocate state capital outlay funds for the purchase of temporary facilities, so local school districts end up assuming the costs of providing portable classrooms by using school district reserve funds and the special-purpose local-options sales tax (Harben 1997).

Growing school districts must consider a number of factors when making decisions about the use of portable classrooms. First and foremost, they need a detailed plan that justifies the district’s investment in portables—whether new or pre-owned. The longer a school district makes efficient use of the portables, the more money the district can save. Keep in mind, however, that like automobiles, these temporary facilities devalue over time.

Purchasing portable classrooms can become a point of contention among taxpayers, board of education members, and school district financial and facility planners if all stakeholders are not fully informed about the need for those temporary classrooms. One effective way to plan for and manage the purchase of portable classrooms at the school district level is to organize a district portable classroom committee (DPCC). DPCC members might include school administrators, district planning directors, finance officers, and maintenance directors, along with teacher representatives and community representatives.

Before meeting with community members, school administrators must be prepared to address public concerns for portable classrooms.

The work of the DPCC would include but not be limited to assessing portable classroom needs, keeping inventory, identifying funding, determining placement, and ensuring maintenance. The DPCC should develop and share a time line to display the phasing in and eventual phasing out of portable classrooms when they are no longer necessary.

As it considers placement of portable classrooms on the school campus, the DPCC should ensure that the staff and students have easy access to the main building. The DPCC should plan for all the support facilities associated with portable classrooms, including furniture, equipment, technology access, intercom connection, and handicapped accessibility.

Other considerations include expenses associated with providing sufficient electrical power to support lighting and heating, ventilating, and air-conditioning units; technology; traffic safety; and both internal and external safety and security.

An inventory process should systematically code the portables by type, size, age, condition, and location. Accompanying this information should be inspection reports, licenses, insurance contracts, and pest treatment certifications for each portable classroom. That information is essential when portable classrooms must be moved to another campus or considered surplus by the district.

Working with the Community

Before meeting with community members, school administrators must be prepared to address public concerns for portable classrooms, such as aesthetics, safety, security, health, maintenance, and equity issues.

Aesthetics: Many complaints about portable classrooms are centered on their unattractive appearance (Taylor, Vasu, and Vasu 1999). School administrators should request that the exterior of the portable classrooms be attractively yet conservatively landscaped. Although portable classrooms require more maintenance than permanent classrooms (Fickes 1998), timely repairs and maintenance are critical to positive community perceptions.

Safety and security: School administrators must assure interested parties that the portable classrooms will meet all building codes. Safety concerns also dictate that emergency procedures (fire, tornado, intruder, etc.) be clearly defined, understood, and practiced by teachers and students.

Because portable classrooms are often placed behind school buildings, they are vulnerable to vandalism. School administrators should work with the community and residents in nearby neighborhoods, as well as with local police and fire departments, to organize community watch programs and establish an emergency communications procedure.

Health conditions: Administrators should consider that students or faculty with respiratory, allergy, or other health conditions may find their conditions exacerbated if heating, cooling, and ventilation are inadequate. Locations of portable classrooms must be free of toxic contamination. Air quality and water quality for portable classrooms must be tested regularly to ensure that they meet the acceptable standards approved by the local health department (Stewart 2002).

Effect on students: The greatest concern that parents have about the use of portable classrooms is their potential negative effect on student achievement. Parents often harbor perceptions that portable classrooms are inferior and assume that instruction will be as well. School administrators must be prepared to respond to parental concerns by carefully citing current related research about portable classrooms. Studies by Chan (2005, 2006), Chan and others (2003), and Krawitz...
(1987) indicate no significant effect of portable classrooms on student achievement.

**Negative to Positive**

School districts that can turn negative associations of portable classrooms into positive images of effective planning and management will garner community support, parental acceptance, and continued student achievement.

**References**


Judith Patterson, Ed.D., Mary Chandler, Ed.D., and Binbin Jiang, Ed.D. are associate professors of educational leadership, and T. C. Chan, Ed.D. (Email: tchan@kennesaw.edu) is professor of educational leadership at Kennesaw State University in Kennesaw, Georgia.

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Standing down is an action the military takes to review, regroup, and reorganize. Unfortunately, it often comes after an accident or other tragic event. To stop losses, the military will “stand down” until they are confident they can resume safe operations.

Standing down is good for everyone, not just the military. In today’s fast-paced world, we seldom take time to stop and reflect on what is happening in our lives. Instead, we tell ourselves that we are too busy today. Tomorrow will be better. Inevitably, we will be even busier tomorrow.

Under the guise of having too much to do, we avoid standing down. Yes, we are busy. We’re even accomplishing a lot. However, we are not taking time to determine if we are doing things effectively, efficiently, or with the right priority.

I am an advocate of standing down. Whether it is organizationally or individually, we need to stop periodically to take stock of where we are and where we’re headed. Rather than slowing progress, standing down may help us discover that we are not even moving in the right direction.

Standing down may be a formal activity, time purposely set aside for planning and assessment. It is often done as annual goal setting and performance review. Or formal standing down may rise from an unexpected significant event. In either case, formal standing down is generally done in accordance with organizational standards, forms, and instructions. It is the process we use to determine how we are doing and what we plan to do.

We may also stand down informally. We do so when our gut tells us that things are out of control. Although we’re busy and we’re accomplishing the work is getting
done, the nagging feeling that everything is not okay, or not as good as it could be, will not go away.

Informal standing down is generally not guided by standards, forms, and instructions. It involves closing your door for uninterrupted personal analysis and review. It is a brief team meeting to get everyone on the same track. It entails lunch with a coworker to discuss needs. It is whatever it takes to get that little voice in your head to stop screaming, “Stand down! You’re losing control.”

Making It Work
Standing down effectively requires four key components: (a) a vision of where we want to go, (b) the best route to reach our destination, (c) confirmation that we are on course, and (d) breaks.

A vision of where we want to go: Try routing a trip without a destination. It’s impossible. All routes lead to chaos.

Organizations and individuals must know where they’re headed to determine the best way to get there. The destination may change along the way, but without a vision, we can’t effectively start the journey.

The best route to reach our destination: Effective mapping considers distance, conditions, resources, and contingencies. We will only find the most appropriate route to our final destination with effective mapping.

We map with goal setting, processes, and procedures. These key elements help us move toward our desired destination. Without them, we have neither the direction nor the resources to get there.

Confirmation that we are on course: By making one or two wrong turns, we can seriously veer off course. The sooner we discover the error, the more quickly we can correct it. The more quickly an error is discovered and corrected, the sooner we are back on course toward our destination.

We confirm our course through measurement. We have our vision. We have our goals, processes, and procedures. Now, we must periodically determine if those goals, processes, and procedures are moving us toward our vision. We do that by measuring the results of our activities. If measurement indicates that we are achieving the goals, we are on course. If measurement indicates that we are off course, we must make the appropriate changes to get back on track. Additionally, if measurement reveals a better course, we must remap the trip and take advantage of the better solution.

Breaks: Some destinations require long journeys. Traveling nonstop can be unsafe and ineffective. Breaks may be planned for specific intervals or locations or they may be spur-of-the-moment when an inviting rest stop appears at the side of the road. Either way, breaks are essential for remaining alert and on course.

We take breaks in a number of ways. Coffee breaks and lunch periods are often planned into the workday. Brief conversations to catch up on what is happening can be effective breaks. We also have weekends, personal days, vacation days, and holidays that give us a break from the action. Taking advantage of these opportunities is essential to organizational and personal well-being.

There are also unplanned breaks. When you feel overwhelmed, taking a few minutes for yourself or asking the boss for a few minutes of his or her time can help eliminate stress or reveal a solution. However, always respect organizational rules and the chain of command in those situations.

A Life Change
We also need to stand down in our personal lives. The demands of family and friends, extracurricular activities, meetings and appointments, and unforeseen situations can be overwhelming. Combining work stress with personal stress can be too much for anyone. Taking time to stand down is good for both the individual and the organization.

Standing down . . . are you doing it? I hope so because you are the most valuable asset to your organization and your family. They, and you, will benefit greatly from the physical, mental, and professional health achieved from periodically standing down.

Tom Peeler, CPPB, is executive director of Arizona-based Mohave Educational Services Cooperative, Inc. Email: tom@mesc.org

Congratulations to Shirley Broz
ASBO Board of Directors member Shirley A. Broz, CPA, RSBA, was recently appointed chief financial officer for Rockwood School District in Missouri. Shirley, who has been serving as Rockwood’s executive director of finance, received unanimous approval by the board of education, and will begin her new duties on July 1.

Shirley has been with the Rockwood School District for 13 years. She has a CPA, RSBA, and master’s degree in business. In addition to her responsibilities with the Rockwood School District, she teaches accounting at Webster University.

In announcing the appointment, Rockwood’s superintendent, Craig Larson, said, “Few people in Missouri have Ms. Broz’s qualifications and none of them understand Rockwood’s financial structure or have the relationships with Rockwood’s stakeholders that she has developed over the past 13 years.”
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Showcasing Unsung Heroes: Positive PR/Positive Relationships

By Robert Ruder, Ed.D.

As Glades Middle School Principal Krista Herrera noted: “We’re in big trouble without them. They are the first line of defense with the public. They give the Band-Aids and kiss the boo-boos, if you will.”

The five employees profiled in Sun Sentinel were:

Lily Stevenson, assistant cafeteria manager at the Glades Middle School. Stevenson and her food service staff serve lunch to 1,400 children over a two and a half hour time frame. Concerned about the economy, Stevenson realizes that members of her department will be the first fired if additional budget cuts are needed to preserve teaching positions and classroom learning. Without adequate food service personnel, Stevenson says, the students will suffer.

Jimmy Murrow, facilities supervisor at the Hallandale Adult Community Center. In addition to his assigned duties, Murrow gets to know most of the 580 students in the school. Many of the school’s students have not realized academic success at other middle and high schools. Among the high-risk student population are chronic truants and juvenile offenders. Others have difficulty learning. As he greets students every day, Murrow gleans a sense of the students’ moods. Those who respond to him positively move on to their classes. Those who do not, receive extra attention from Murrow until a smile appears on their faces.

Dottie Reid, secretary to the principal at Palmview Elementary School. A constant stream of students, teachers, and parents assure...
that Reid’s days are never the same. As the first person to greet visitors to the school, she believes she is instrumental in shaping the public’s perception of the school. Butterflies adorn her desk to remind her “of a child’s potential to emerge from awkward adolescence and become a beautiful young adult.”

Douglas Dorsett, Olsen Middle School’s campus security monitor. Having served in the army and air force, Dorsett dresses elegantly. He believes dress is about “pride in presentation” as he goes about his security responsibilities while teaching students about respect and caring for others. Dorsett wants to afford students protection and the same chance that he had. As for the students’ parents, Dorsett states, “I meet their parents; I meet their relatives; and I’m able to send them off to their daily jobs with a smile, good hope, and a blessing.”

Carolyn Wallace, school bus driver. Wallace has been a school bus driver for 30 years. She asks her passengers the same question every day, “Where are we going when we graduate from high school?” to which the students enthusiastically reply, “College!” The students on Wallace’s bus are not dropped off at the front door of the school; they are presented “to the school, minds alert, ready to learn.” Often dealing with children who come from foster care or broken homes, Wallace provides her students with soothing motherly care. In return, she’s able to peek at newly lost teeth, to comb messy morning hair, and to enjoy a private conversation with a child in need of a loving ear.

**Behind the Scenes**

The *Sun Sentinel*’s report featured on the first page of the newspaper’s local section was entitled “Unsung Heroes.” They don’t provide classroom instruction, but these employees working behind the scenes are vital, and beloved, in Broward County schools. Written at a time when $94 million was removed from this year’s budget with the possibility that another $160 million may be lost for the 2009–2010 school year as a result of reduced state funding, there is a strong likelihood that additional noninstructional staff members, like those included in the week-long report, may lose their jobs.

By providing snippets of what noninstructional staff members do within the parameters of the Broward County school district, the newspaper gave readers a chance to draw their own conclusions about the importance of noninstructional staff and the effect that budget cuts have had or will continue to have in south Florida.

School districts can learn valuable lessons from the *Sun Sentinel* as they think about how they can form positive relationships with the media and the community. See the series at www.SunSentinel.com/unsung.

Robert Ruder, Ed.D., is a retired school administrator living in Lancaster, Pennsylvania. Email: rruder@aol.com

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Educating Immigrant Students in Urban Districts

By Shurki Nur and Richard C. Hunter, Ed.D.

Immigrant children constitute the fastest-growing population in the United States, and their presence is rapidly changing the demographics of American public schools—especially in cities where they typically settle with their families.

Because these students’ languages, cultures, and values differ from those of educators—and indeed from one another—school districts face challenges and opportunities as they strive to meet every student’s diverse needs.

To educate immigrant and refugee students effectively, districts must first meet their psychological and social needs. For example, many immigrant children who attend American schools are from war-torn developing countries. Many of these children were exposed to the traumas of war, witnessed violence and killings, and lived in refugee camps. As such, they have special issues that must be addressed before they can learn.

Even within the immigrant and refugee student population, there is diversity regarding English-language ability and educational background. Thus, it is vital that school districts create successful learning experiences for these students that recognize their linguistic, psychological, socioeconomic, and cultural needs.

School districts are responsible for distributing resources to schools, but their decisions are restricted by their boards of education. For example, in New York, the federal gov-
If immigrant and refugee students are to be educated effectively, school districts must change the way they do business.

Since the No Child Left Behind Act requires school districts to disaggregate data according to ethnicity, socioeconomic status, and gender, districts can report on the achievement of a variety of subgroups. However, disaggregating data into subgroups does not permit educators to examine data based on immigrant and refugee students’ status or allow them to report these students in a separate category.

For example, African immigrant students are reported under the subgroup of African American students, which leads to a generalization that prohibits districts from identifying the needs of African refugee and immigrant students (Clarkson 2008). Asian immigrant students, such as Hmong, Vietnamese, Cambodian, and others from Southeast Asia, are reported as Asian. That broad category leads to a generalization of immigrant students whose educational experiences and needs are different.

What Are Urban Districts Doing?

Some school districts respond to the needs of immigrant and refugee students by creating “newcomer” programs. Hertzberg (1998) conducted an ethnographic study of Redwood Elementary School, an elementary school in a wealthy neighborhood that serves fourth- to eighth-grade refugee and immigrant students from low-income immigrant families as part of the district’s newcomer program. Hertzberg learned that the school recognizes the students’ backgrounds and cultures by weaving elements of their cultures into the curriculum and promoting an atmosphere of respect and tolerance.

Hertzberg’s findings show that the school’s nurturing environment was evident in the way the teachers cared for their students’ well-being. For example, when a fourth-grade teacher noticed that one of her students needed dental care, she discussed the matter with the nurse and got him the dental care he needed. When she discovered that another student’s glasses were broken, she discussed with his parents the importance of getting him another pair of glasses.

By attending to the general well-being of her students, she created an environment in which they were better prepared to learn. The teachers in the home school that the students attend after completing the newcomer program say that students who come from Redwood arrive well adjusted and motivated to learn.

The success of such programs also depends on how the district implements them. Providing the funding to create positive programs that facilitate and enhance English-language acquisition and that mainstream immigrant children into the regular school is vital. Hertzberg’s example also depicts how schools can attend to the diverse educational needs of immigrant students by focusing on their cultural orientation and connecting the home and school.

Houston Independent School District took another course, adopting the First Things First model developed by the Institute of Research and Reform in Education. The model divides large schools into smaller learning environments that support individual students (Hood 2003). Lee High School is one of the schools that provide immigrant students with a small learning environment, grouping 12–18 students to work with a counselor, teachers, a coach, and an administrator. Grouping immigrant students into a small learning community enables the district to provide individualized programs that focus not only on academics but also on English-language acquisition skills and personal needs.

The model is reported to increase students’ academic performance (as evidenced, for example, in increased scores on the Preliminary Scholastic Aptitude Test) and to enhance parental involvement. The Houston Independent School District model illustrates a positive approach to addressing the variety of needs of immigrant students.

Other urban districts use a more holistic approach for attending to the needs of immigrant and refugee students by creating multicultural and bilingual educational programs, emphasizing multicultural education, creating dropout prevention programs geared toward these students, and employing a psychologist to provide support service.

Recommendations

To educate immigrant and refugee children successfully, districts must hire teachers that are knowledgeable about
the students’ diverse cultural backgrounds and can weave their cultures into the curriculum. Delpit (2001) emphasizes the importance of educators’ understanding differences in educational attainment, achievement, and school experiences. By understanding these factors, teachers can be aware of limitations, expectations, cultural backgrounds, and educational goals that will affect the outcome of their students.

Also, having a curriculum that reflects and encourages “home language and cultural skills that maintain connections to family and community and at the same time support the development of linguistic and cultural skills that are appropriate to the new society” is important to validating immigrant students’ language and culture (Feinberg 2000, p. 224). In other words, educating immigrant students more effectively requires an approach that encompasses valuing diversity and building strong connections between the students’ culture and the school culture (Clarkson 2008).

Fullan (1995) raises the notion of moral purpose in which he prescribes that teachers be committed to making a difference in the lives of all students. That calls for a change in the traditional role of teachers to one in which teachers are also counselors and mentors as opposed to just teachers. Fullan’s notion of teacher leadership is a vital and brilliant idea because teachers have an effect on learning in the classroom as well as in the community.

Beyond academics, many teachers feel unprepared or unable to adequately meet the psychosocial needs of students (Stewart 2007). School districts should create experts from the ranks of district personnel, such as psychologists, counselors, and others who are familiar with the educational needs of children exposed to wars, and thereby establish effective programs that focus on the psychological, social, and academic needs of the immigrant children (Feinberg 2000).

School leaders must ask whether students of diverse backgrounds are receiving adequate education that is culturally relevant while meeting the educational needs of each child. Shields (2003) suggests that school leaders examine the inequities in schools and address those inequities by creating a democratic school and classrooms. That requires school leaders to be transformative and to create spaces where voices of marginalized groups are heard and where schools value and nurture the diverse cultures of all groups within the school and community.

If immigrant and refugee students are to be educated effectively, school districts must change the way they do business. Indeed, if public schools are to prepare all our young people to participate in and contribute fully in our society, school districts must create policies and procedures that specifically address the educational needs of refugee and immigrant students.

References


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Compensatory Services and Students with Disabilities

By Allan G. Osborne, Jr., Ed.D., and Charles J. Russo, J.D., Ed.D.

Students with disabilities are entitled to a free appropriate public education (FAPE) under the Individuals with Disabilities Education Act (IDEA). If school officials fail to provide students with a FAPE, the courts may grant appropriate relief (20 U.S.C. § 1415[I][2]).

Courts often direct educators to provide students with disabilities with a FAPE and to compensate parents for expenses associated with obtaining the services that their children lost, such as tuition. Courts have also granted awards of compensatory educational services to students whose parents were unable to pay for placements in advance.

Judicial awards of compensatory services have extended students’ eligibility for years after they graduated or reached the maximum age of eligibility under the IDEA or state laws, have included extra services during academic terms, and have added services during vacation periods. Moreover, as reflected by a case from Georgia, Draper v. Atlanta Independent School System (2008), the Eleventh Circuit affirmed that a school board had to place a student in a private school since officials failed to provide him with a FAPE.

In light of Draper, this column reviews compensatory services awards. The first section reviews the types of compensatory services awards that courts have granted, while the second analyzes the Eleventh Circuit’s judgment in Draper. The final substantive section offers suggestions for school business officials and other education leaders who must plan and budget for such awards. The column rounds out with a brief conclusion.

Compensatory Services

In Burlington School Committee v. Department of Education, Commonwealth of Massachusetts (1985), the Supreme Court interpreted the IDEA as permitting parents to be reimbursed for unilaterally enrolling their children in private schools if education officials failed to provide a FAPE, as long as the placements were found to be appropriate. The Court reasoned that reimbursement essentially required boards to pay costs retroactively that they should have incurred initially, had educators developed appropriate individualized education programs (IEPs) for the students. If reimbursements were unavailable, the Court explained, the students’ rights to a FAPE would otherwise have been compromised.

Following Burlington, Congress amended the IDEA by including provisions that allowed for reimbursement awards as long as parents met certain conditions, such as giving school boards prior notice of their dissatisfaction with proposed IEPs (20 U.S.C. § 1412[a][10][C]). Lower courts have applied Burlington in upholding awards of compensatory educational services.

If school boards fail to provide a FAPE and parents lack the financial means to obtain alternate services, or for whatever reason have not procured them privately, children can remain in inappropriate programs for extended periods while administrative hearings are pending. As a result, since students can be denied a FAPE during the appeals process, judicial awards often provide the only viable remedy. The purpose of compensatory services, which are usually provided when students would otherwise have been ineligible for services, is to make up for what they lost and put them in the positions they would have been in had officials provided appropriate IEPs at the outset.

Compensatory services, like reimbursements, make up for the inappropriate edu-
cation students received while placement issues were in dispute. The theory behind awarding compensatory services is that appropriate remedies should not be limited to parents who can afford to provide their children with alternate educational placements while litigation is pending (Lester H. v. Gilhool 1990; Todd D. v. Andrews 1991; Manchester School District v. Christopher B. 1992). Although compensatory services must be generally equivalent to the services students were denied (equivalent to the services students pensatory services must be generally available while litigation is pending (Lester H. v. Gilhool 1990; Todd D. v. Andrews 1991; Manchester School District v. Christopher B. 1992). Although compensatory services must be generally equivalent to the services students were denied (Valerie J. v. Derry Cooperative School District 1991), parties can recover awards even after students pass the maximum age for eligibility under the IDEA (Pihl v. Massachusetts Department of Education 1993; State of West Virginia ex rel. Justice v. Board of Education of the County of Monongalia 2000).

An early case from the Eleventh Circuit treated tuition reimbursement and compensatory services awards as being similar. The court affirmed that such awards were analogous because both were necessary to preserve students’ rights to a FAPE (Jefferson County Board of Education v. Breen 1988). The court maintained that absent compensatory services awards, student rights under the IDEA would have depended on the ability of the parents to obtain services privately while due process hearings progressed.

Earlier, the Eighth Circuit upheld an award of compensatory services to a father who could not afford to pay for services during the lengthy court battle (Miener v. Missouri 1986). In granting the award, the court added that Congress did not intend for the rights of students to depend on parental ability to pay for the costs of placements. Later, an Ohio court commented that if compensatory services were unavailable, the parents would have won a Pyrrhic victory because the child’s right to a FAPE would have been illusory (Creameans v. Fairland Local School District Board of Education 1993).

Even though receipt of a high school diploma generally signals the end of students’ eligibility for special education, individuals may receive compensatory services after they graduate. For example, the federal trial court in Massachusetts awarded compensatory services to a student who earned a high school diploma, determining that she was denied a FAPE (Puffer v. Raynolds 1988). The court held that the student’s having earned a diploma was evidence that she succeeded despite the shortcomings in the education she received rather than that she had no need for services. The court thus ordered officials to provide the student with services equal to those she should have received before her graduation.

**Draper v. Atlanta Independent School System**

Draper v. Atlanta Independent School System (2008) began when a student in Georgia who had difficulty reading and writing entered the system in second grade. Even though his teachers recommended that he be tested, officials did not do so until the student was ready to enter the fifth grade.

After being evaluated, the student was placed in a self-contained special-education class for children with mild intellectual disabilities and was not reevaluated until he was in high school, almost five years later, even though the IDEA calls for annual and triennial reevaluations (20 U.S.C. §§ 1414[a][2][B][iii], 1414[d][4]). The reevaluation revealed that the student had learning disabilities rather than mild, intellectual disabilities. Officials then proposed an IEP calling for the student to be placed in a general education setting with an instructional computer program. However, the instructional computer program was not implemented in a timely manner, another violation of the IDEA.

Dissatisfied with their son’s placement, his parents requested a hearing at which an administrative law judge observed that school officials failed to provide him with a FAPE since he was misdiagnosed and not reevaluated in timely fashion. The administrative law judge awarded the parents reimbursement for the costs of a reading program that they provided privately along with compensatory services. Rejecting the offer of compensatory education, the parents chose a private school option.

The school board unsuccessfully challenged the administrative law judge’s order in a federal trial court in Georgia (Draper v. Atlanta Independent School System 2007). The court held that the student was entitled to an award to compensate him for the board’s denial of a FAPE. Deciding that the award had to offer the student the services he should have received at the outset, it agreed that the private school program was an appropriate option. Further, the court recognized that the student was entitled to attend the private school until the year 2011, or until he received a high school diploma, whichever came first.

On further review in Draper (2008), the Eleventh Circuit affirmed that because officials failed to provide the student with a FAPE, the private school was an appropriate setting. According to the court, if the judiciary were unable to make the prospective award, the student would have been worse off than he would have been with a retroactive award of reimbursement. The court pointed out that the IDEA does not require families that lack resources to place their children unilaterally in private schools to first prove that the public schools were unable to educate their children adequately before making such placements. Although the court acknowledged that the provisions of the IDEA preferred having special-education students placed in public schools, it wrote that the law does not foreclose compensatory awards in private schools.
The Eleventh Circuit ruled that compensatory damages awards differ from the educational programs ordinarily required by the IDEA. Put another way, the court thought that while an IEP need only provide some educational benefit, compensatory awards must do more: they should place students in the positions they would have been in but for the violations of their IDEA rights. In conclusion, the court upheld the private school placement as reasonably calculated to provide the educational benefits that the student would likely have had if officials initially offered him an appropriate IEP.

Discussion
When school boards fail to provide students with a FAPE, they must compensate them for not doing so. When parents unilaterally provide their children with special-education and related services privately, the solution is fairly straightforward: boards must reimburse them for their expenses. However, if parents cannot, or do not, obtain private services when officials fail to comply with the IDEA, parents, acting on behalf of their children, are entitled to awards of compensatory services.

Fashioning awards of compensatory services can be difficult. Providing the exact services in the future that should have been supplied in the past is not always feasible or even appropriate. By the time courts grant awards, student needs may have changed. In other words, several years down the road, it may take more to make students whole than it would have if the services had been provided from the outset since they may have fallen further behind. Consequently, courts try to mold awards to place students in the positions they would have been in had they received a FAPE initially.

Compensatory services awards for younger students may give them additional services in excess of what they would have received to make up for past deprivations. For example, if a student misses two years of occupational therapy, a court may order a school board to “double up” on the child’s therapy for the next two years. Other students may be given extended school year services so that their losses are made up during summer months and vacations. Older students may have their eligibility for special education extended beyond the normal limit to receive IDEA services. Even so, providing compensatory services may not be as expensive as might be feared since they can be provided by existing staff at minimal cost because those providing the services are already employed by the boards.

Draper highlights the fact that courts can order boards to pay for placements in private schools if they are necessary to remedy past deprivations. In Draper, the court treated the board’s failure to provide a FAPE as particularly egregious since educators failed to evaluate the student when he first exhibited difficulty, misdiagnosed him, offered incorrect services, and compounded the error by not reevaluating him pursuant to the IDEA’s mandates with the result that he was denied a FAPE for most of his school years. Thus, the courts agreed that the only way to remedy the situation was to provide the student with an intensive program that extended beyond his usual years of eligibility.

Conclusion
Awards of compensatory educational services, like those for tuition reimbursement, can catch school boards off guard since they are generally neither anticipated nor included in budgets.

Not surprisingly, since compensatory services awards can deplete special-education budgets, the most cost-effective means of providing special-education and related services is to make them available up front. To this end, school business officials and other education leaders need to work with both special-education administrators and school boards to ensure that the annual allocations for special-education services are adequate to meet the needs of all their students. Making sure that funds are available to meet those needs from the beginning may avert costly budget-breaking awards in the future.

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Daniel Pacos
Evans Brant (Lakeshore) Central (NY)
Surface Issues

Playground surfaces aren’t usually at the top of the critical issue list for school districts. Yet, the type of surface installed is important in terms of safety, maintenance, and finances. The following is an excerpt from an article published in *School Business Affairs* in 1936. Written by H. S. Mitchell, business manager for the Fordson (Michigan) Board of Education, it discusses the importance of a solid, economic playground surface.

That a playground should be easily accessible and properly equipped goes without saying. We are only concerned here with the type of playground surfacing which is most desirable.

One of the most important requirements is that a playground should be in a usable condition as nearly 100% of the time as possible.

It is our opinion that this result will be accomplished when the field is properly graded, adequately drained, and surfaced with a suitable material.

In the matter of grading, we have found that one inch to ten feet is very satisfactory. It is important that the highest point be at the building, and that the fall of the ground be away from the building in all directions if possible; and, where the distance to the outer edge is more than three hundred feet, it is advisable that a drain tile be used to assist in taking the water away quickly.

The drain tile trench should be deep enough so that the tile at the shallowest point will be below the frost line, and the tile should be laid with a grade of one-half inch to ten feet. The tile drains on the playground proper empty into a main tile drain, which should be laid around the outer edge of the playground, and which should empty into the storm sewer through a stump at the most advantageous location. The tile ditch should be filled to the main grade with course aggregate such as stone or cinders, and well tamped so that there will not be any settling which will show the outline of the drain....

After the grading and drainage systems have been finished, and the ground has been properly settled or packed, the field is ready for top surfacing. A good playground surfacing material must provide a certain amount of resiliency to minimize damage when pupils fall; it must not absorb moisture; and it should be economical in cost. The only material which we have found that meets these requirements is limestone slag, which is the residue of limestone after it has passed through the steel-making process. Our material specifications require that the slag be from one-eighth to one-half inch in size with 50% passed through a one-quarter mesh screen and free from dust.

The limestone slag should be applied over the entire playground surface at an even depth of one inch.... We have found that this surface requires very little maintenance; however, where the playground activity is concentrated, as around apparatus, it is advisable to float the surface occasionally.

This type of surface reduces to a minimum the amount of cleaning work necessary because of playground dirt and dust. The material does not absorb moisture or adhere to the shoes or clothing, and, if the grading and drainage are properly constructed, the surplus water will be taken away almost immediately, so that the playground can be used very soon after a rain.

Due to the fact that limestone slag is a byproduct of the steel manufacturing process, and our proximity to the steel mill, we have found it to be exceptionally economical.
While the scope of their duties varies based on a number of factors, under any circumstance, the day of a school business official includes an array of challenges, each competing for the SBO’s time. Your understanding of what school business officials go through on any given day is central to your ability to position yourself as a solution to those challenges. So let’s take a look at a typical day:

5:30 a.m. – Trudging downstairs to start the coffee, she opens the newspaper to glance at the headlines, checks email to locate issues requiring immediate action, and then heads upstairs, past her slumbering husband, to the shower.

7:45 a.m. – She arrives to her desk. The voicemail reveals the main server at a high school has crashed again. Maybe new servers can’t wait for 2011 after all.

8:30 a.m. – Ten minutes on the phone with an irate parent who says her child’s special nutritional needs are not being taken seriously.

8:45 a.m. – She calls the superintendent to review progress on an upcoming renovation. Yes, the architect is on schedule. No, the school board hasn’t signed off on the expenditures.

9:00 a.m. – First teleconference on the 2009-10 budget and no one is buying the idea that synthetic-turf fields will recoup their costs within three years. Wait until she tells them healthcare costs will rise by 15%.

11:00 a.m. – She sets to work on the proposed bond issuance for the 2010 capital outlay and immediately feels her assistant’s glare: The performance appraisals. “I know accounting needs them today, but I really should read them first.”

12:00 p.m. – Over a tuna-sandwich lunch, she’s catching up on reading when a counselor breaks the serenity: A student has been classified “homeless,” requiring transportation and from his grandparents’ house 40 miles away. The phone rings. It’s Bill, a salesman for a scheduled call on modular furniture for the aforementioned renovation. “Sorry Bill,” she says, “reschedule for 3:00 p.m.?”

2:00 p.m. – Did she really just spend two hours on the transportation needs of one student? Closing the door, she pulls up the RFP for the furniture Bill had called about. She takes an inventory of specifications from personnel, realizing no one even considered costs. Why haven’t they created a system to track specifications and costs of past projects?

3:00 p.m. – Bill calls back, delivering great news. Material costs for the furniture have dropped substantially and he’s also found a federal grant rewarding the use of sustainable products. Bill will email the details.

4:00 p.m. – Three colleagues arrive for a meeting on a new drivers’ education facility. The phone rings. School’s letting out all over the district so she has to answer. It’s Phyllis from a paper company she isn’t familiar with. Phyllis wants to visit. It’s “not a good time.” She persists. Two of the colleagues step out of the room. End of meeting.

5:30 p.m. – She promised to meet her husband at the gym, but can’t leave before narrowing a stack of job applications to three. Then, she types email answers to three suppliers, another to accounting, begging for a one-day reprieve on the performance appraisals. She texts her husband for 10 minutes of grace, grabs her coat, and notices an email from Bill on the sustainable-product grant. She smiles: “Too bad Bill doesn’t sell computer servers.” She’s on her cell phone with the IT coordinator as she walks out the door.

There you have it. Now, where do you see your company fitting in?
Spotlight on Dave Janak: Overseeing School Finances in South Dakota

While Dave Janak has always been interested in education, the first 20 years of his career were spent in banking and financial services. After being elected to the Rapid City (SD) Board of Education in 2003, he served as chairman of the finance committee. When Dan Dryden (a former ASBO International director) retired from the district’s business office in 2006, Dave applied and was accepted to take over. He has been serving as the director of finance for budget and community development ever since.

The second largest school district in a primarily rural state, Rapid City Area Schools serves 13,151 students in K-12. Dave notes that he has not found many districts that also have to manage the post-secondary program, which in Rapid City includes 959 students. “This is very unique to South Dakota. It is hard for our board members to lobby the state legislators for funding because it often means that they take from one to fund the other. We walk a fine line at the state capitol,” Dave says.

Like the majority of American school districts, budget cuts are a reality. “In the three years since I took this position, we have faced budget cuts in two of them,” Dave explains, adding that in the 2008-09 budget, $2.6 million was removed, and in the proposed 2009-10 budget, an additional $2.9 million was cut. It has helped that the district developed a very open process to deal with the budget. “We work with building staff, the public, and budget managers before we present to the board,” Dave says. “The board establishes the priorities, and we make every effort to work within those. It is never easy, or unanimous, but we have managed to get the budget approved and supported by the staff, board, and public.”

Dave is very proud of the process that has been created to deal with the budget. Although they are still making changes, it is much more open than it had been. Dave and his staff are using the Meritorious Budget Award guidelines to redesign the document and make it more user-friendly. After putting many hours into this effort, it is slowly paying off.

“I have never been as challenged every day when I come to work as I am in this career,” Dave says. “I wish I had become a business manager 20 years ago—I love it!”

Students Speak Up about Technology

Although parents, teachers, and administrators support the notion that effective implementation of technology in schools is crucial to student success, students say they “step back in time” when they enter the school building each morning, according to the 2008 Speak Up survey by Project Tomorrow. Speak Up 2008 polled more than 280,000 K-12 students in all 50 states to better understand how emerging technologies.

The survey highlighted the frustration that many students have with school today. Only 39% of high students and only 32% of parents in the Speak Up poll said their school is doing a good job preparing them for the jobs of the future. Yet, a majority of school principals (56%) say their schools are doing a good job.

When asked how their schools could make it easier for them to work electronically, the number one response from the students was “let me use my own devices and tools in the school day.”

Through Speak Up, students consistently reported they are inhibited from effectively using computers or the Internet at school. Besides lack of time at school to use technology, students in grades 6-12 reported their technology use is impeded by the school filters or firewalls that block access to Websites they need (43%), teachers who limit their technology use (35%) and rules that limit their use of technology at school (26%).

One-third of the grades 3-12 students say that their inability to use their own mobile devices such as laptops, cell phones, and MP3 players, and communicate with their classmates via personal email accounts or IM while at school is also a significant obstacle in their learning lives.

One idea students and parents are both interested in is the digital textbook; almost 30% of middle and high school students said they are using some kind of online textbook or online curriculum as part of their regular schoolwork. Many of today’s print textbooks are heavy, costly, and difficult to carry back and forth from home to school. And for many students the idea of using a hard copy textbook that is out of date as soon as it is printed is as archaic in today’s world as the abacus in a math class.

For more information about the survey, visit www.tomorrow.org
Not all chocolate milk tastes the same. Especially if over time, tight budgets have impacted the quality of your school’s milk. There can be a big difference between the chocolate milk sold in stores and what many students are drinking in schools today.

Research shows that the richer the taste, the richer a school’s food service program. Investing in yummier milk means higher sales, less waste — and fewer kids drinking sugary sodas and fruit drinks. Plus, drinking flavored milk increases kids’ intake of vital nutrients without increasing added sugars or total fat.

For more healthy information about students and flavored milk, visit milkdelivers.org today.

Now taste for yourself. Sample what your school district is buying, compare it to the chocolate milk on store shelves. Then put your money where your chocolate milk mustache is. Talk to your local milk processor about better-tasting flavored milk for your school.
It’s never too early to begin learning about finances. That’s why we support programs that help kids and young adults begin their financial lives. We believe that the earlier they start saving for themselves and retirement, the earlier we can help them achieve their goals.