

IOWA STATE DEPARTMENT
OF PUBLIC INSTRUCTION

(Cite as 2 D.P.I. App. Dec. 31)

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| In re Pame Carrott | : | |
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| Pame Carrott, Appellant | : | DECISION |
| | : | |
| v. | : | |
| | : | |
| Rudd-Rockford-Marble Rock Community School District, Appellee | : | [Admin. Doc. 471] |

The above entitled matter was heard on March 12, 1979, by a hearing panel consisting of Dr. Robert Benton, state superintendent and presiding officer; Dr. LeRoy Jensen, associate superintendent, administration; and Mr. Gayle Obrecht, director, administration and finance division. The hearing was held pursuant to Chapter 290, The Code 1979, and Chapter 670--51, Iowa Administrative Code. Ms. Carrott was present and represented herself. The Rudd-Rockford-Marble Rock Community School District (hereinafter District) was represented by Attorney Edgar Bittle.

I.
Findings of Fact

The Hearing Panel finds that it and the State Board of Public Instruction have jurisdiction over the parties and subject matter.

The issue before us here is not new to the District. The District was formed in 1958 as a reorganization of several previously independent school districts. Elementary attendance centers are currently maintained in all three of the communities whose names have been incorporated in the District name.

For the past several years, the District has been experiencing declining student enrollment and related budgetary problems. In October, 1976, the District Board received short- and long-range enrollment projections for the District, and a study of the District's organizational pattern was officially begun. The Board took several actions during the 1977-78 budget year to help alleviate the financial problem. They included reduction of staff, Board passage of the site levy provided under Section 297.5, and the attempted acquisition of voter approval for a schoolhouse tax levy under Section 278.1. The latter failed by 18 votes.

A Citizen's Advisory Committee was also established to study the problem during the 1977-78 school year. The twenty-four Committee members were chosen independently of the District Board and Administration through community organizations in each of the communities of Rudd, Rockford and Marble Rock. The Advisory Committee studied and discussed the available reports and data and made written recommendations to the District Board in January, 1978. Committee members also met with the Board in January to discuss their

recommendations. (The District Board has subsequently adopted several of the Committee recommendations and they are not at issue here.) As part of its report, the Committee recommended that for the 1980-81 school year, grades K-4 should be maintained at each elementary attendance center, grades 5 and 6 be transported from Rockford to Marble Rock and Rudd, and the oldest portion of the school facility in Rockford be closed.

The Combination of declining enrollment, inflation and the growing need for repairs to older buildings continued to cause District officials a good deal of concern. As work was progressing on the 1978-79 school budget, it became apparent to District officials that major adjustments were needed for the 1979-80 school year and the 1980-81 budget would be even more difficult to work with without the proposed adjustments.

The District Board and Administration studied alternatives, informed the District patrons and held patron and employee meetings on the subject. The District "R.R.M.R. Newsletter" was used as a regular communication channel to the District patrons regarding developments on the organizational planning, and the local press was active in reporting the events. During 1977 and 1978, at least seven public meetings were held at which the issue involved here was discussed by Board members and at which the public was granted the opportunity to give input into the Board decision.

On December 13, 1978, the District Board of Directors, by unanimous vote, approved a new organizational plan for the District. Among other elements of the plan, the Board voted to reduce the Rockford elementary attendance center to grades K-4, transport Rockford students in grades 5 and 6 to Rudd and Marble Rock and to close the West (older) portion of the Rockford attendance center. The only major difference between the Board decision and the Advisory Committee recommendation in this regard was that, due to financial considerations, it was implemented one year earlier than suggested. On January 10, 1979, the Appellant filed her appeal of the December 13 decision with the State Board of Public Instruction.

II.

Conclusions of Law

The Appellant has made it clear in the record that she does not challenge the District Board's lawful authority to make the decision at issue here. It is well that she did not. Sections 274.1, 279.8 and 279.11, The Code 1979, provide adequate authority for such decisions.

The basis of her challenge to the District Board's December 13 decision is that the decision was "hasty" and made with insufficient information, study, and consideration. We do not agree with the Appellant's position.

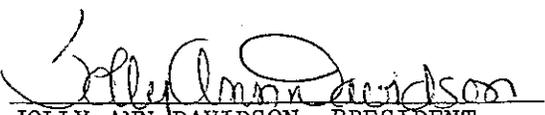
For several years, the District officials have considered the underlying facts and potential resulting ramifications of the December 13 decision. Attempts to gain input from an advisory committee, the school staff and the public are well documented as are the District's attempts to keep the District's patrons informed. While the specific plan of organization to which the Appellant objects may not have been placed before the public prior to August, 1978, the underlying problems and facts have remained largely unchanged for several years.

The Appellant would have our ruling here follow the State Board of Public Instruction ruling in Barker v. Van Buren Community School District, 1 D.P.I. App. Dec. 145. We do not find anywhere near the deficiencies of adequate consideration here that the State Board found in that Decision.

III.
Decision

The decision of the Rudd-Rockford-Marble Rock Community School District Board of Directors in this matter is hereby affirmed. Appropriate costs under Chapter 290, if any, are hereby assigned to the Appellant.

May 11, 1979
DATE


JOLLY ANN DAVIDSON, PRESIDENT
STATE BOARD OF PUBLIC INSTRUCTION

April 23, 1979
DATE


ROBERT D. BENTON, Ed.D.
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
AND
PRESIDING OFFICER