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A PROGRESS REPORT
to the
LEGISLATIVE DELEGATION FROM DEKALB AND FULTON COUNTIES

by the
LOCAL EDUCATION COMMISSION OF
ATLANTA AND FULTON COUNTY

November, 1966

THE LOCAL EDUCATION COMMISSION OF
ATLANTA AND FULTON COUNTY

Purpose

This document reports progress made by the Atlanta and Fulton County Education Commission in developing detailed plans for creating a new school district to take the place of the Atlanta and Fulton County districts as instructed by the General Assembly of Georgia when it extended the life of the Commission in 1966. The document consists of decisions and plans which the Commission has made for creating a single school district, an outline of remaining tasks of the Commission, provisions which have been made for completion of these tasks, a statement of budget needs, and a time schedule.

Background

Reference to the previous work of the Commission is necessary for the purpose of understanding properly this report. The commission was created by an act of the General Assembly adopted by the 1964 session which gave the Commission responsibility "to study the desirability and feasibility of combining the school systems of Fulton County and the City of Atlanta, including the portion thereof lying in DeKalb County; to provide that said Commission may draft a plan or plans for the combining of such school systems and submit same to members of the General Assembly from Fulton and DeKalb Counties."

The tasks assigned to the Commission turned out to be difficult and complex requiring studies involving law, economics, public finance, school costs, population analysis, school personnel, welfare provisions, school district structure, educational needs, existing educational programs, and curriculum development. These studies analyze current status and project probable future developments. The studies provided the information required by the Commission to execute its assignment.

The first report of the Commission; an interim one, was released in January of 1965. It briefly reviewed the substantial history of local concern for how education should be organized in the Atlanta-Fulton County area as reported in various studies, some essentially educational in nature while others dealt broadly with problems and issues faced by the growing Atlanta metropolitan area. The major contribution of this report was the careful identification, description, and analysis of advantages and disadvantages of a single school district in place of the Atlanta and Fulton County districts. The report pointed out the difficulties to be overcome in creating a single district. It also described the proposed single district and suggested a tentative budget for completing the assignment of the Commission.

In February of 1966, the Commission released a report entitled, "District Reorganization for Better Schools in Atlanta and Fulton County." Building on the interim report summarized above, this document inquired into the effect on educational programs of transition to a single district, the effects on financing education and listed a number of important questions concerning the proposed district for which answers were provided. With the background thus developed, the

Commission was in position to reach a decision on whether or not it should recommend a single school district.

The decision of the Commission was that a single district should be created to take the place of the present Atlanta and Fulton County districts. It found that the consolidation of the Atlanta and Fulton County districts was less desirable than dissolving them and creating a new district in their stead inasmuch as the disadvantages of neither district would need to be perpetuated, while the advantages of each could be retained. The report included seventeen other recommendations which defined required legal steps to be taken in creating a single district, described how the new district should be organized, and suggested financial provisions. The report then defined twenty-nine transition tasks to be undertaken concerning primarily school programs of the present districts. A Public Information Services Program was suggested to help achieve broad public understanding of the proposed new district. The report ended with an analysis of recent developments of significance to the school district reorganization issue.

The report was presented to the Legislative Delegation of DeKalb and Fulton counties before it was released. The Delegation accepted the report and requested additional information on current and projected school revenues for the Atlanta and Fulton County School districts, a further analysis and comparison of expenditure patterns of the two districts, a projection of school revenue and expenditure patterns for the two districts, and comparisons of projected revenue patterns and expenditure patterns of the two districts with the proposed single district. Requested also was a comparison of current

educational programs of the two districts and the comparison of these programs with those projected for the new district. Finally, the Delegation asked that the necessary steps for establishing and placing in operation the proposed district be spelled out in a definite pattern which would serve as a blueprint for transition.

A report issued in January of 1966 provided the requested information except for the actual transition blueprint. The latter is the major concern of this report.

The first phase of the work of the Commission for the present year consisted of defining and outlining as specifically as possible the various tasks which should be undertaken and completed in establishing the proposed district. Responsibilities for completing these tasks were allocated and necessary authorizations were made accordingly. Using this outline as a guide, the Commission has reached important decisions and made substantial plans for creating the proposed new school district. These decisions and plans are presented in the remaining pages of this report.

Decisions and Plans

Once the Commission decided to recommend a single district, it then turned its attention to the tasks which would have to be completed in carrying out this recommendation. These tasks may be categorized as follows:

1. The legal work required to dissolve the present districts and to create the proposed new district.

2. The educational planning necessary in order to assure effective transition from the present districts to the proposed new district.
3. Suggestions on the election, terms of office of board members, and initial role of the Board of Education for the new district.
4. A program for developing adequate public understanding of the proposed new district and the reasons which support its creation.
5. Allocations of responsibilities for getting done the necessary tasks.

Legal Work

Mr. A. C. Latimer, Attorney for the Atlanta Board of Education, and Mr. James P. Groton, Attorney for the Fulton County Board of Education, have been retained by the Commission to be responsible for the necessary legal work. The logic of this decision is obvious since their experience and present responsibilities will serve them well in this undertaking.

Extensive research for the purpose of identifying, analyzing, and clarifying a voluminous body of legislation of both general and local dimensions regarding education in the Atlanta and Fulton County school districts is underway. Relevant court decisions are being subjected to the same type of study. There is no other way to ascertain the requirements for dissolving the two present districts. When this has been done, legislation will be prepared for dissolving the districts.

Then, new legislation essential to establishing and maintaining the proposed district will be prepared along with required constitutional provisions.

Attorneys Latimer and Groton have prepared a detailed outline of work which must be done before the new constitutional provisions and legislation can be drafted. This outline consists of fourteen different subjects which are being considered separately. The study of each subject involves:

1. identifying and analyzing existing laws and regulations pertaining to the Atlanta and Fulton County school systems which will have to be considered, amended, or repealed;
2. determining the legal problems which require special attention, and
3. establishing the end results to be accomplished by the new legislation.

The fourteen subjects and a brief paragraph on progress achieved follow:

1. General powers.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified as have problem areas to be considered. The new legislation is to cover powers generally appropriate to school systems under the Georgia Constitution and such other powers as are required to borrow, to contract with other governmental bodies, to sue and be sued, to operate school buses, to accept donations, bequests, and so forth, to operate educational programs from kindergarten through college, including vocational schools, relationships with adjoining school systems, and

to establish a new district that is a political subdivision of the State.

2. Local taxation for schools.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified as have problem areas to be considered. The new legislation is to cover uniform property tax assessments throughout the district, provide for elimination of homestead exemptions, establishment of annual millage, tax levies, tax collections, and tax sources other than the property tax.

3. Revenues from sources other than local school tax.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified as well as problem areas to be considered. The new legislation is to cover authorization of appropriations from city and county governments, intangible taxes, transportation funds, and escheats.

4. Power to increase bonded debt and assumption of bonded debt.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. Problem areas which have to be dealt with have been defined. New legislation is to cover power to levy property tax, millage limitation, restrictions on retirement of debt, assumption of county school debts, and assumption of city school debts.

5. Repealer.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. Problem areas to be considered have been defined. The new legislation is to repeal or amend the Fulton County one and one-half mill constitutional amendment and Fulton County constitutional amendments on millage limitation, bonded debt limitation, and pensions.

6. Method of adoption.--Questions to be considered include whether or not a single constitutional amendment will suffice or if multiple amendments will be required; provision for courses of action if multiple amendments are required and some are adopted while others are not; whether the amendment(s) is to be general or local, what vote is required, who is eligible to vote, and how the ballot should be worded.

7. Succession to school property and contract rights.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. Problem areas to be considered have been defined. New legislation is to cover the transfer of county school properties to the new district and the transfer of city properties to the new district.

8. Assumption of liabilities and contract obligations. --Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. It has been ascertained that no notable problem areas exist under this subject. New legislation to be passed is to cover debts other than bonds, obligations, liabilities, and State School Building Authority lease payments.

9. Personnel.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. It has been determined that no notable problem areas exist under this subject. New legislation is to cover contracts, pay scales, tenure, and fringe benefits.

10. Boundaries of the new district.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. It has been ascertained that no notable problem areas exist under this subject. The new legislation is to provide that all of Fulton County and the part of Atlanta which is in DeKalb County are to be included in the new district. Provision for the addition of new territory and other schools is to be included.

11. Board of Education.--The present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. Problem areas to be considered have been defined. The new legislation is to cover composition of the Board, eligibility for Board membership, term of office, election districts, powers, duties, responsibilities, compensation, and changes in composition and size of election districts. Provision is to be made for terms of office of initial board members.

12. Superintendent of schools.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. It has been established that no notable problem areas exist under this subject. New legislation is to cover criteria of eligibility, provide for appointment by the Board, determine the term of office, and enumerate powers, duties, and responsibilities.

13. Transition provisions.--New legislation is to provide for an interim board of education to consist of the Atlanta and Fulton County boards, interim administration provisions, and an effective date for the new district to become operative. The legislation is to prescribe a schedule of steps to be taken if the constitutional amendment(s) is adopted.

14. Pensions.--Present statutes, regulations, and court decisions to be considered, amended, or repealed have been identified. Problem areas which must be considered have been defined. New legislation is to prescribe for either a new pension system or membership in the State teachers' retirement system, merging of the county school pension system into the new system, transition of city school employees from the city general pension system, and authority to receive contributions for pension funds from city and county governments.

Educational Planning Necessary to Assure
Orderly and Effective Transition from
the Present Two Districts to the
Proposed Single District

The transition from two districts to one is to be as orderly and systematic as is possible without interruption or dislocation of educational programs and personnel (student, professional, and other). To achieve this purpose requires a great amount of planning involving the development and approval of new policies and procedures. Major areas of decision and policy development have been defined as outlined below. It should be noted that much of this planning is to be expressed in the legal framework of the proposed new district, some of which is

reflected in the legal work as reported above. Certain other aspects of planning and policy are not necessary for the legal framework, some of which appropriately wait until a decision is reached on whether or not the proposed district is to be established. If voters reject the new district, this planning will not be necessary; if they approve, there will be time to complete such planning before the new district becomes operative. The areas for policy and procedure development and achievements under each area are listed below. Minor repetition occurs because of the need to give direction to the legal work already described.

District organization and administration.--The new district is to include all of Fulton County and that part of Atlanta which lies in DeKalb County. The district is to have a board of education of nine members elected at large by the qualified voters of the district in a non-partisan election for terms of six years, one from each of nine subdivisions of the district of approximately the same number of persons. The legislation is to prescribe how the subdivisions are to be formed and how they are to be re-divided as population changes require. Three members of the initial board shall serve full six-year terms, three members shall serve four-year terms, and three members shall serve two-year terms as determined by the Fulton County Grand Jury. Thereafter, board members are to be elected for six-year terms in regular school board elections as existing terms of members expire. Vacancies in board membership are to be filled by appointment of the board until the next regular school board election at which time unexpired terms will be filled by the voters.

In the event the constitutional amendment(s) is approved, the Atlanta and Fulton County School District board members are to serve as the board of education for the new district until the new board is elected and can take office.

Board members are to be paid \$300 per month with the chairman being paid an additional \$50 per month.

Provision for transition.---If the proposed new district is approved by the electorate, a transition committee is to be established immediately by the Atlanta and Fulton County School District boards acting as a single board upon the joint recommendation of the superintendents of the two districts. This committee is to be responsible for the many plans and procedures concerned with education programs which a smooth transition will require. The committee is to include the two superintendents of schools, the chairman of each board of education, the fiscal officers of each school system, the assistant superintendent for instruction of each school system and such other individuals as may seem appropriate. The transition plans worked out by this committee are to be approved by the boards of education.

If the single school district is approved, the two school systems are to continue as at present for the balance of the school year in which approval occurs and an additional calendar year in order to allow time for completion of needed transition plans.

The board of education for the new district, if approved, is to be elected as soon as possible after approval and should formally organize itself without delay and proceed at once with the selection of a superintendent of schools. The superintendent is to be employed and is to

begin his work as far in advance of the creation of the new school district as is possible.

The superintendent of schools.--The superintendent is to be appointed by the board of education and given such powers as are necessary to act as the chief executive officer of the school district. His term of office, compensation, and other benefits shall be established by the board of education.

Financial provisions.--The proposed new district is to be fiscally independent. While major local support is to come from the property tax, provision is to be made for local support from other forms of taxation.

Bonding capacity of the new school district is to be 10 per cent of the assessed valuation of taxable property.

The homestead exemption in Fulton County is to be abolished.

Assessments of property for school tax purposes is to be uniform and in accordance with legal provisions.

Legal provisions and policies of the new school district are to permit full utilization of financial support from state, federal, and other sources.

Dr. R. L. Johns of the University of Florida has been employed to recommend provisions for financing the proposed new school district and to develop guides and procedures for purchasing and financial accounting and for preparation of the annual school budget. Dr. Johns is now working on this assignment.

Personnel.--Dr. Willard S. Elsbree, Teachers College, Columbia University, has been employed to develop salary schedules for professional and other personnel of the proposed school district, a retirement system or systems, policies regarding tenure, sick leave, vacation, leaves of absence for professional growth and others as needed, develop a system of personnel records for professional and other personnel, and propose a method of combining the two central office staffs. Dr. Elsbree is working on this assignment.

Curriculum.--It is necessary to determine the various curricula to be offered by the proposed school district, develop policies for selection and distribution of instructional materials, recommend policies regarding expansion of school programs with special reference to junior colleges, vocational and technical education, and adult education, determine the special professional personnel to be provided such as school librarians, school psychologists, counselors, and reading specialists, develop plans for kindergartens for schools now in the Fulton County District and make recommendations concerning teacher loads, including pupil-teacher ratio. Work in this area has not gone beyond definition of what is to be undertaken.

Pupils.--A system of records for pupil accounting is to be developed for the proposed district and recommendations concerning the visiting teacher program. These tasks are yet to be undertaken.

Services.--Decisions are to be made on the kinds and amounts of services to be provided by the school district in areas such as transportation, food and health. How these are to be provided is to be

suggested. The number and kinds of nonprofessional personnel to be employed by the new school district such as secretaries, lunchroom workers, and custodians is to be determined. Plans for storing and handling textbooks and other instructional supplies are to be worked out also.

This is another area of planning which, except for definition and direction, can await a decision on the fate of the proposed district.

Maintenance and operation.--Policies are to be developed regarding kinds, numbers, types, and levels of competence needed by personnel in maintenance and operation; policies and procedures concerning maintenance and operation programs; policies and procedures concerning work assignments and responsibilities.

These policies and procedures can await development until the fate of the proposed district has been established.

Initial Role of the Proposed New Board of Education

Early responsibilities of the new board of education have been touched on in the section above. The new board is to be elected as soon as possible and is to begin functioning as a board immediately thereafter. As indicated previously, its early major responsibility will be the selection of a school superintendent for the new district. When this has been done, the superintendent is to assume responsibility for recommending the many policies and procedures which must be worked out before the new district becomes operational. The transition committee referred to earlier will have done much preliminary work along

these lines and will undoubtedly recommend to the superintendent many of the needed policies.

Developing Public Understanding
of the Proposed New District

A well-informed public is essential to reaching a wise decision on the school district issue. Therefore, a systematic, comprehensive, carefully coordinated program to develop and distribute among all citizens adequate information on the district reorganization plan and the reasons which support it is needed. The Commission report which develops the arguments for and against a single school district should be made available to citizens and its contents widely publicized. Mass media of communication are to be employed to assist in developing interest and public understanding. Newspaper coverage is to be widely employed. Both radio and television are to be used extensively. Arguments for and against the proposed district should be presented through these media. Presentations to civic clubs, parent-teacher associations, and other formal groups are to be stimulated. Many informed citizens are to be employed in this program, citizens representing all walks of life. A committee of leaders in community affairs is to be charged with responsibility for organizing and coordinating this program. The committee is to be appointed by the boards of education upon recommendation of the superintendents of schools.

Remaining Tasks

The major unfinished task is completion of the necessary legal work. While a great deal of this has already been done, the needed legislation

remains to be drafted. This cannot be done until the extensive research on existing statutes, regulations, and court decisions has been completed and questions arising therefrom have been answered.

Roughly one year is needed for finishing this task.

The work in finance which Dr. R. L. Johns is doing should be completed within six months.

Retirement provisions, tenure, sick leave, leaves of absence, salary schedules, personnel records, and a plan for combining the two central office staffs being developed by Dr. Willard Elsbree should be completed within six months.

Curriculum studies, developing pupil accounting provisions, deciding on transportation, food, health, and other services to be provided, and provisions for maintenance and operation need not progress much beyond the present planning stages until it is known whether or not the proposed district is to be created. As indicated above, the machinery for discharging these steps has been defined and can be put in motion on short notice.

Budget

To be developed.

Motivating Assumption of the Commission

The first decision of the Commission was that the sole criterion by which it would determine its recommendation on the issue of school district organization in Atlanta and Fulton County is what will best serve the educational welfare of those to be educated in Atlanta and

Fulton County? Adhering to this fundamental guide has provided a source of confidence to the Commission.

TMP:jp
December 2, 1966