

OFFICE OF EDUCATIONAL ACCOUNTABILITY
Summary of State Board of Education Agenda Item
April 19-20, 2012

OFFICE OF ACCREDITATION

45. Approval of determination by the State Board of Education that an extreme emergency situation exists in the Aberdeen School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools in this District, and that this emergency situation is related to serious violations of accreditation standards, state law and federal law

Recommendation: Approval

Backup material attached

RESOLUTION

WHEREAS, pursuant to Section 37-17-6 (11)(b) of the Mississippi Code of 1972, as amended, the Mississippi Board of Education met in a regularly scheduled meeting on April 19, 2012 and April 20, 2012 to determine whether there was sufficient cause to believe that an extreme emergency situation exists in the Aberdeen School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools of this District; and

WHEREAS, the Office of Accreditation, Mississippi Department of Education, presented certain information to the Board regarding the Aberdeen School District's impairments related to serious violations of accreditation standards, violations of state and federal law, and a continued pattern of poor student performance a copy of which is attached as Exhibit "A" and incorporated by reference as though a part of this Resolution; and

WHEREAS, the Board is in receipt of a Resolution from the Commission on School Accreditation dated April 18, 2012, a copy of which is attached as Exhibit "B" and incorporated by reference as though a part of this Resolution, in which the Commission has determined that an extreme emergency situation exists in the Aberdeen School District brought on by serious violations of accreditation standards, violations of state and federal law, and a continued pattern of poor student performance;

NOW, THEREFORE, the Mississippi Board of Education finds the following:

1) The Board finds that there is sufficient cause to believe that an extreme emergency situation exists in the Aberdeen School District brought on by serious findings regarding serious violations of accreditation standards, violations of state and federal law, and a continued pattern of poor student performance, which jeopardizes the safety, security, and educational interests of the children enrolled in the schools of this District, and which, without intervention by the Mississippi Board of Education, could result in the continuation of an inadequate and unstable educational environment, thereby denying the students of this District the opportunity to learn, to excel, and to obtain a free and appropriate public education.

2) The Board further finds that Section 37-17-6 (11)(c)(vii) of the Mississippi Code of 1972, as amended, authorizes the Mississippi Board of Education to take such action as prescribed in Section 37-17-13 of the Mississippi Code of 1972, as amended, when a state of emergency is declared under Section 37-17-6 (11)(b); that Section 37-17-13 provides that the Board may abolish the school district and its existing school board and superintendent of schools; and, that Section 37-17-13 provides that, at such time as the impairments have been substantially corrected, the Board shall reconstitute, reorganize or change or alter the boundaries of the district and, in appropriate cases, shall notify the appropriate

governing authority of its action and request the election or appointment of school board members and a superintendent to govern the district in the manner provided by law.

BE IT RESOLVED THAT, based upon the extreme emergency situation that exists in the Aberdeen School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools of the District and such emergency is believed to be related to serious violations of accreditation standards, violations of state and federal law, and a continued pattern of poor student performance, which, without the intervention of the Mississippi Board of Education, could result in the continuation of the inadequate and unstable educational environment, thereby denying the students of this District the opportunity to learn, to excel, and to obtain a free and appropriate public education, the Mississippi Board of Education does hereby request of the Honorable Phil Bryant, Governor of the State of Mississippi, that a state of emergency be declared effective immediately in the Aberdeen School District pursuant to Section 37-17-6 (11)(b) of the Mississippi Code of 1972, as amended.

FURTHER, BE IT RESOLVED THAT, based upon the extreme emergency situation brought on by the serious violations of accreditation standards, violations of state and a federal law, and a continued pattern of poor student performance and contingent upon the Proclamation of the Honorable Phil Bryant, Governor of the State of Mississippi, declaring a state of emergency in this District, the Mississippi Board of Education does hereby abolish the Aberdeen School District pursuant to Section 37-17-13 of the Mississippi Code of 1972, as amended, effective on the date of the Proclamation of the Governor.

FURTHER, BE IT RESOLVED THAT, pursuant to Section 37-17-13 of the Mississippi Code of 1972, as amended, and contingent upon the Proclamation of the Honorable Phil Bryant, Governor of the State of Mississippi, declaring a state of emergency in the Aberdeen School District, the Mississippi Board of Education will exercise all powers which were held by the previously existing school board and the previously existing superintendent of schools.

WITNESS OUR SIGNATURES on this, the ____ day of April, A.D. 2012.

Charles McClelland, Chair
Mississippi Board of Education

Tom Burnham, Executive Secretary
Mississippi Board of Education

COUNTY OF HINDS

STATE OF MISSISSIPPI

This day personally appeared before me, the undersigned authority of law in and for the above named county and state, the within named Charles McClelland and Tom Burnham who acknowledged that they signed the above and foregoing instrument of writing on the day and year therein mentioned for the purposes therein shown as their voluntary act and deed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL on this, the ___ day of April, A.D. 2012.

NOTARY PUBLIC

MY COMMISSION EXPIRES:
