

OFFICE OF STATE SUPERINTENDENT
Summary of State Board of Education Agenda Items
February 20-21, 2014

OFFICE OF STATE SUPERINTENDENT

04.B. Discussion of extension of March 14, 2014 Memorandum of Agreement deadline to September 12, 2014 State Board meeting in order to have Statewide Test results and final financial/budget results

Recommendation: Approval

Back-up material attached

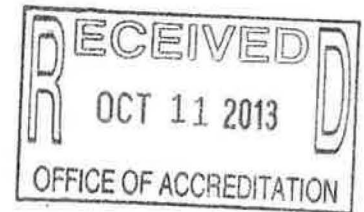
Memorandum of Agreement

Between the

STATE OF MISSISSIPPI
DEPARTMENT OF EDUCATION

and the

YAZOO CITY MUNICIPAL SCHOOL DISTRICT



I. INTRODUCTION

1. This Memorandum of Agreement (“MOA” or “agreement”) is made by and between the Mississippi Department of Education (“MDE”) and the Yazoo City Municipal School District (“District”) in order to ensure that a free and appropriate public education is provided to all children that attend a school in the District.

2. The Commission on School Accreditation (“Commission”) met in a regularly scheduled meeting on September 10, 2013 to determine whether there was sufficient cause to believe that an extreme emergency situation exists in the District which jeopardizes the safety, security and educational interests of the children enrolled in District schools. The MDE’s Office of Accreditation presented certain information to the Commission regarding District impairments related to serious violations of accreditation standards and state law and a continued pattern of poor student performance.

3. After considering all the evidence before it, the Commission found sufficient cause to believe that an extreme emergency exists in the District brought on by a continued pattern of poor student performance resulting in Yazoo City High School failing for three (3) consecutive years (and thus a new start school per Miss. Code Ann. Section 37-167-1) and 100% of District schools being designated as failing per 2013 accountability results. The Commission further found that the situation jeopardized the educational interests of the children enrolled in District schools, and without intervention by the Commission and the Mississippi Board of Education, there would be a continuation of an inadequate and unstable educational environment thereby denying the students of the District the opportunity to learn, to excel, and to obtain a free and appropriate public education. The Commission unanimously passed a Resolution memorializing its findings, and directing the Commission’s Executive Secretary to immediately distribute a copy of such Resolution to the Interim State Superintendent of Education (“State Superintendent”) and the Mississippi Board of Education (“State Board”).

4. The State Board considered the matter of the District at its regularly scheduled meeting on September 12-13, 2013. The District appeared before the State Board and presented a comprehensive plan it was implementing to bring its schools into full compliance with state law and state accreditation standards. The District further requested that the State Board delay state intervention in the District so as to allow sufficient time for the District to fully implement its plan.

5. The State Board, finding the District’s compliance plan and its request for sufficient time to implement same to have merit, voted unanimously to delay state intervention in the District, and directed that an agreement be put in place imposing certain requirements on the District. Should the District fail to meet any of the requirements imposed upon it by such agreement, the State Board shall go forward with the determination as to whether or not an extreme emergency exists in the District.

II. TERMS

6. Based on the Plan of Action presented by the District, the State Board granted a delay until March 14, 2014 for the transformation of the Yazoo City High School into a New Start School as authorized by Miss. Code Ann. Section 37-167-1(4). The State Board further allowed until March 14, 2014 for the District to come in full compliance with all accreditation standards and state and federal laws for all schools in the District before the State Board would take further action on the situation of the District. Such delay was contingent upon the execution of an agreement on or before October 4, 2013 as presented by MDE, without any negotiation, that requires the following:

(a) That the accreditation of the District will be withdrawn for a minimum of the 2013-2014 school year and the District will waive any right to a hearing;

(b) That the State Superintendent will appoint an Administrator of the Corrective Action Plan, a Financial Advisor and external consultants deemed necessary by the State Superintendent, who report directly to MDE, but who are paid by the District;

(c) That the Administrator of the Corrective Action Plan, Financial Advisor and external consultants will monitor compliance, including but not limited to, accreditation standards, state and federal law and safety, academic and instructional practices. The Administrator will assist the District in developing and implementing a comprehensive strategic plan, instructional management system and professional development program;

(d) That the District will ensure that academic, attendance, safety and accreditation concerns of the Administrator of the Corrective Action Plan will be addressed and resolved, including any revisions of the current Corrective Action Plan deemed necessary by the Administrator of the Corrective Action Plan;

(e) That the District will ensure that district personnel will work collaboratively with and adhere to the recommendations of the Administrator of the Corrective Action Plan, the Financial Advisor, MDE personnel and MDE consultants;

(f) That the District will give sufficient notice to MDE of all local school board meetings so as to allow MDE to attend such meetings. The District shall also provide MDE with copies of all board minutes, both unofficial and official, as soon as same becomes available. Further, the District will have no more than one (1) regular local board meeting per month, and no more than one (1) special-called local school board meeting per month;

(g) That the District shall make monthly reports to the State Board that contain such information as may be required by MDE, including, but not limited to, information on the current status of student achievement, student attendance, teacher attendance, discipline, professional development, instructional and assessment strategies, and progress monitoring/data analysis, and efforts to improve same. The District Superintendent shall personally submit all reports to the State Board at its regular monthly meetings or as may be required by the State Board;

(h) That all expenditures by the District must be approved by the State Superintendent's appointed Financial Advisor.

(i) That the District will maintain ninety-four (94%) average student attendance at all schools. The District will take all appropriate measures to ensure children are in attendance at least sixty-three percent (63%) percent of the instructional day; and

(j) That the District will conduct formal written progress monitoring of each grade and subject, and will provide current reports on same to MDE at a minimum of each nine (9) weeks or as otherwise directed by the Administrator of the Corrective Action Plan;

(k) That the District's progress monitoring instrument indicates that every school in the District is progressing on an upward trajectory regarding student achievement by March 14, 2014; and

(l) That the District will develop, implement and execute a formal evaluation system for all certified personnel, including administrators.

7. If an agreement is not entered into on or before October 4, 2013, then the State Board will proceed with a determination as to whether an extreme emergency situation exists in the District.

III. ENFORCEMENT AND TERMINATION OF MOA

8. If the State Board determines that the District has breached this agreement, then the District recognizes that the State Board may nullify this agreement in its entirety or any part thereof and may proceed with any and all remedies available to it.

9. If the District fails to reach compliance with all requirements imposed upon it by March 14, 2014, then the District recognizes that the State Board may exercise its full authority under Miss. Code Ann. §§ 37-17-1 et seq. and Mississippi Public School Accountability Standards 2012, up to and including declaring an extreme emergency in the District and abolishing the District without further notice or hearing based upon the previous findings of the Commission and the State Board.

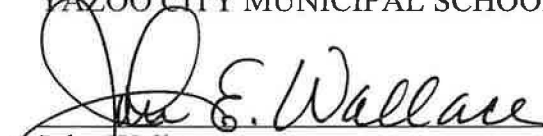
10. This agreement shall terminate at such time that the District is able to demonstrate to the satisfaction of the State Board that it has fully corrected all areas of noncompliance with state law and accreditation standards or as otherwise provided herein. Further, the terms of this agreement may be amended as may be necessary based on any subsequent findings of the State Board.

11. The parties shall bear their own attorney and consultant costs and fees in the execution and enforcement of this agreement.

12. This agreement shall become effective upon execution by the Parties.

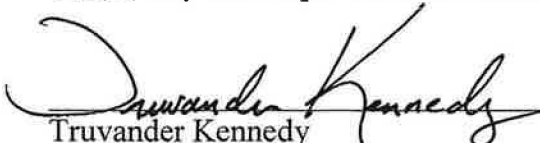
IN WITNESS WHEREOF, the individuals executing this Agreement assert that they have the authority to bind the parties hereto and therefore duly-execute this Agreement on the day, month, and year set forth below:

BOARD OF TRUSTEES FOR
YAZOO CITY MUNICIPAL SCHOOL DISTRICT



John Wallace
President, Board of Trustees
Yazoo City Municipal School District


10/02/2013
Date



Truvander Kennedy
Secretary, Board of Trustees
Yazoo City Municipal School District

10/3/2013
Date


YAZOO CITY MUNICIPAL SCHOOL DISTRICT



Dr. Arthur Cartlidge
Superintendent
Yazoo City Municipal School District

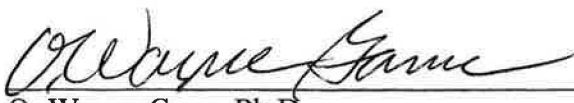
10/3/13
Date

MISSISSIPPI DEPARTMENT OF EDUCATION



Lynn J. House, Ph.D.
Interim State Superintendent of Education
Mississippi Department of Education

10/11/13
Date



O. Wayne Gann, Ph.D.
Chair
Mississippi State Board of Education

Date

BOARD OF TRUSTES FOR
YAZOO CITY MUNICIPAL SCHOOL DISTRICT
NOTARIZATION

STATE OF MISSISSIPPI
COUNTY OF Yazoo

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, John Wallace, who acknowledged himself to be the PRESIDENT OF THE BOARD OF TRUSTEES which oversees the Yazoo City Municipal School District, Yazoo City, Mississippi and acting as an agent of the Board of Trustees, and that he, as such officer, being authorized so to do, executed and delivered the foregoing instrument for the purposes therein contained, by signing as such officer.

In witness whereof, I hereunto set my hand and official seal on this the 3rd day of October, 2013.



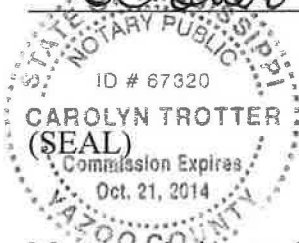
Carolyn Trotter
NOTARY PUBLIC

My commission expires: Oct. 21, 2014

STATE OF MISSISSIPPI
COUNTY OF Yazoo

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Truvander Kennedy, who acknowledged herself to be the SECRETARY OF THE BOARD OF TRUSTEES which oversees the Yazoo City Municipal School District, Yazoo City, Mississippi and acting as an agent of the Board of Trustees, and that she, as such officer, being authorized so to do, executed and delivered the foregoing instrument for the purposes therein contained, by signing as such officer.

In witness whereof, I hereunto set my hand and official seal on this the 3rd day of October, 2013.



Carolyn Trotter
NOTARY PUBLIC

My commission expires: Oct. 21, 2014

YAZOO CITY MUNICIPAL SCHOOL DISTRICT
NOTARIZATION

STATE OF MISSISSIPPI
COUNTY OF Yazoo

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Dr. Arthur Carlidge, who acknowledged himself to be the SUPERINTENDENT OF YAZOO CITY MUNICIPAL SCHOOL DISTRICT, Yazoo City, Mississippi and acting as an agent of the Board of Trustees, and that he, as such officer, being authorized so to do, executed and delivered the foregoing instrument for the purposes therein contained, by signing as such officer.

In witness whereof, I hereunto set my hand and official seal on this the 3rd day of October, 2013.



Carolyn Trotter
NOTARY PUBLIC

My commission expires: Oct. 21, 2014

MISSISSIPPI DEPARTMENT OF EDUCATION
NOTARIZATION

STATE OF MISSISSIPPI
COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Lynn J. House, who acknowledged herself to be the INTERIM STATE SUPERINTENDENT OF EDUCATION of Mississippi, and acting as an agent of the Mississippi Department of Education, and that she, as such officer, being authorized so to do, executed and delivered the foregoing instrument for the purposes therein contained, by signing as such officer.

In witness whereof, I hereunto set my hand and official seal on this the 11th day of October, 2013.



Eric A. Hollis
NOTARY PUBLIC

My commission expires:

MISSISSIPPI STATE BOARD OF EDUCATION
NOTARIZATION

STATE OF MISSISSIPPI
COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, O. Wayne Gann, who acknowledged himself to be the CHAIR OF THE MISSISSIPPI STATE BOARD OF EDUCATION of Mississippi, and acting as an agent of the Mississippi State Board of Education, and that he, as such officer, being authorized so to do, executed and delivered the foregoing instrument for the purposes therein contained, by signing as such officer.

In witness whereof, I hereunto set my hand and official seal on this the 15th day of October, 2013.

(SEAL)

My commission expires:



Eric A Hollis
NOTARY PUBLIC