

Minutes of Mississippi Board of Education Meeting

February 6, 2014

The members of the Mississippi Board of Education met in a work session at 2:00 p.m. on Thursday, February 6, 2014 via teleconference pursuant to Section 25-41-5 of the Mississippi Code for the purpose of determining if an extreme emergency situation exists that jeopardizes the safety, security, or educational interests of the children enrolled in the Scott County School District. The location of the meeting available to the public was the 4th Floor Boardroom of the Central High School Building, 359 North West Street, Jackson, Mississippi. Board members present were: Dr. O. Wayne Gann (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), Ms. Rosemary G. Aultman (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), Ms. Kami Bumgarner (Madison, Mississippi), Mr. Hal Gage (Jackson, Mississippi), Dr. John R. Kelly (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), Mr. Charles McClelland (Jackson, Mississippi), Mr. Richard Morrison (4th Floor Boardroom, Central High School Building, Jackson, Mississippi), and Mr. Simon F. Weir, II, (Olive Branch, Mississippi). Dr. Carey M. Wright, State Superintendent, was present in the 4th Floor Boardroom of the Central High School Building, 359 North West Street, Jackson, Mississippi.

The work session was called to order by Dr. O. Wayne Gann, Chair. Dr. Gann noted the statement on the agenda that cellular telephones and pagers are not permitted during the Board meeting.

Dr. Gann noted that the meeting of the Board of Education was being held via teleconference pursuant to Section 25-41-5 of the Mississippi Code and that the notice of this meeting made at least five days prior to the hearing included the date, time, place, and purpose of the meeting and identified the location of the meeting available to the public. Dr. Gann also stated that an audio recording was being made of the meeting. Dr. Gann announced that a quorum of the board was present at the locations stated for the purpose of conducting a meeting through teleconference means.

Dr. Paula Vanderford reported from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Scott County School District which jeopardizes the safety, security, or 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 or state or federal law.

Dr. Vanderford reported that an accreditation audit conducted in the Scott County School District on September 24-27, 2013 revealed that the Scott County School District was not fully compliant with 27 of the 31 process standards evaluated in the *Mississippi Public School Accountability Standards, 2012* and that these violations jeopardize the safety and security of the students in the school district. Dr. Vanderford further provided evidence that these violations were related to serious violations of accreditation

standards, state law, and federal law. Dr. Vanderford stated that the Scott County School District is in violation of all eight provisions of the Accreditation Policy 2.5 of the *Mississippi Public School Accountability Standards, 2012* that outline areas for an immediate downgrade to PROBATION or WITHDRAWN, which are considered the most serious violations of the process standards.

Dr. Vanderford reported that the school district had subjected special needs children to unsafe conditions in violation of federal law and state law, requiring all vehicles transporting students to and from schools to be safe. Dr. Vanderford reported the superintendent failed to report, as required by state law, a case of a student who reported being physically abused and who displayed evidence to support the student's claim and failed to report license holders who engaged in unethical conduct relating to an educator/student relationship. She further reported that the district continues to have no law enforcement presence. Dr. Vanderford presented the Board with a full and complete account of the condition in the Scott County School district and the Resolution of the Commission on School Accreditation documenting that the Commission had determined that an extreme emergency situation exists in the Scott County School District which jeopardizes the safety security and educational interests of the children enrolled in the schools in the District and that this emergency situation is related to serious violations of federal law, state law and accreditation standards. (See the Executive Summary and Reports from the Office of Accreditation attached as back-up material.)

Dr. Gann recognized Mr. Bingham Moncrief, Superintendent of Scott County School District and he addressed the Board. Dr. Gann recognized Dr. Locord Wilson, Board President of Scott County School District, and Mr. Jim Keith, school board attorney, and both addressed the Board.

Dr. John R. Kelly moved that the Board consider making a closed determination of the need to go into Executive Session with respect to investigative proceedings in accordance with Mississippi Code Section 25-41-7 (4)(d). The motion was seconded by Ms. Rosemary G. Aultman. The motion passed on a vote of 8 to 0.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. Hal Gage
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

Dr. John R. Kelly then moved that the Board go into Executive Session for the purpose of discussion with respect to investigative proceedings of a school district regarding allegations of misconduct or violation of law in accordance with Mississippi Code Section 25-41-7 (4)(d), and investigative proceedings regarding allegations of misconduct or violations of law by an educator, specifically to protect the confidential nature of students' personally identifiable information and/or education records in accordance with federal law and Mississippi Code Sections 21-41-7 (4)(d) and (h) and transaction of business related thereto. Mr. Richard Morrison seconded the motion, which passed on a vote of 8 to 0.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. Hal Gage
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

Dr. Gann stated the following to remain in the Executive Session: Dr. Carey M. Wright, Mr. Todd Ivey, Dr. Paula Vanderford, Ms. Kathy Boteler and Susan Andrews.

Minutes of the Executive Session

Ms. Kathy Boteler informed the public of the Board's decision to go into Executive Session for the purpose of discussion with respect to investigative proceedings of a school district regarding allegations of misconduct or violation of law in accordance with Mississippi Code Section 25-41-7 (4)(d), and investigative proceedings regarding allegations of misconduct or violations of law by an educator, specifically to protect the confidential nature of students' personally identifiable information and/or education records in accordance with federal law and Mississippi Code Sections 21-41-7 (4)(d) and (h) and transaction of business related thereto.

During executive session, the Board discussed investigative proceedings of a school district regarding allegations of misconduct or violation of law in accordance with Mississippi Code Section 25-41-7 (4)(d), and investigative proceedings regarding allegations of misconduct or violations of law by an educator.

Mr. Gage left participation in the meeting prior to the vote on the following Board items. During the executive session, the Board voted on the following items:

02. On a motion by Dr. John R. Kelly, seconded by Mr. Simon F. Weir, II, the Board unanimously approved the determination by the State Board of Education that an extreme emergency situation exists in the Scott County School District which jeopardizes the safety, security, or 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 or state or federal law on the following roll-call vote:

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

03. On a motion by Dr. John R. Kelly, seconded by Mr. Simon F. Weir, II, the Board unanimously approved the determination by the State Board of Education to officially abolish the Scott County School District contingent upon a declaration of a state of emergency in the District by the Governor on the following roll-call vote: **(Office of Educational Accountability)**

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

04. On a motion by Ms. Rosemary G. Aultman, seconded by Dr. John R. Kelly, the Board unanimously approved to submit a request to the Governor that the Governor declare a state of emergency in the Scott County School District on the following roll-call vote: **(Office of Educational Accountability)**

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

05. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved the appointment of Dr. Michael B. Vinson as the Conservator for the Scott County School District contingent upon a declaration of a state of emergency in the District by the Governor on the following roll-call vote:
(Office of School Improvement, Oversight and Recovery)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

06. On a motion by Mr. Richard Morrison, seconded by Dr. John R. Kelly, the Board unanimously approved the contract for Dr. Michael B. Vinson as the Conservator for the Scott County School District on the following roll-call vote:
(Office of School Improvement, Oversight and Recovery)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. William H. Jones
Dr. John R. Kelly
Mr. Charles McClelland
Mr. Richard Morrison
Mr. Simon F. Weir, II

Members voting nay: None

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07. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved the contract with a former State Employee receiving retirement benefits on the following roll-call vote:

(Office of Instructional Enhancement and Internal Operations)

Members voting aye:

Ms. Rosemary G. Aultman

Ms. Kami Bumgarner

Mr. William H. Jones

Dr. John R. Kelly

Mr. Charles McClelland

Mr. Richard Morrison

Mr. Simon F. Weir, II

Members voting nay: None

On a motion by Richard Morrison and seconded by Dr. John R. Kelly, the Board moved to come out of executive session.

Dr. O. Wayne Gann reported to the public the actions taken by the Board in Executive Session.

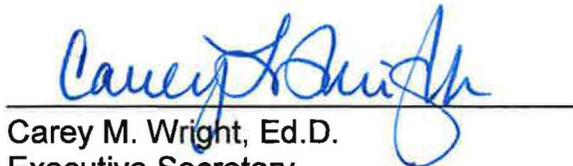
IV. Adjournment

On a motion by Mr. Richard Morrison, seconded by Dr. John R. Kelly, the Board unanimously approved to adjourn the meeting at 3:47 p.m.

Approved:



Dr. O. Wayne Gann, Chair
Mississippi Board of Education



Carey M. Wright, Ed.D.
Executive Secretary
Mississippi Board of Education