

Minutes of Mississippi Board of Education Meeting

September 14, 2017

The members of the Mississippi Board of Education met in a Board meeting at 10:00 a.m. on Thursday, September 14, 2017, in the Central High School Building, 359 North West Street, Jackson, Mississippi. Board members present: Ms. Rosemary G. Aultman, Mr. Buddy Bailey, Ms. Kami Bumgarner, Dr. Jason S. Dean, Dr. Karen J. Elam, Mr. Johnny Franklin, Dr. John R. Kelly, and Mr. Charles McClelland. Dr. Carey M. Wright was also present.

- I. Ms. Rosemary G. Aultman, Chair, called the Board meeting to order. Ms. Aultman noted the statement on the agenda that cellular telephones and pagers are not permitted during the meeting.
- II. Mr. Charles McClelland led the Pledge of Allegiance and Mr. Johnny Franklin gave the Invocation.
- III. On a motion by Mr. Johnny Franklin, seconded by Dr. Jason S. Dean, the Board voted unanimously to approve the minutes of August 17, 2017, Board meeting.
- IV. Mr. Johnny Franklin asked to add the following items to the agenda:
 1. Awarding of contracts
 2. Teacher supply lists in local districts
 3. Board procedures and practices

On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board unanimously approved adding these items; however, due to time constraints the Board never addressed these items.

Mr. Franklin asked to discuss Consent Agenda items A., B., D., E., F., and G.

On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved to discuss Consent Agenda items, A., B., D., E., F., and G.

Ms. Rosemary Aultman asked to add the following two items to the agenda:

04. Report from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Jackson Public School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools in this District

05. Discussion of determination and resolution by the State Board of Education that an extreme emergency situation exists in the Jackson Public 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, federal and state law, inappropriate standards of governance, and a pattern of poor academic performance

On a motion by Dr. Jason S. Dean, seconded by Mr. Buddy Bailey, the Board unanimously approved to discuss these items but requested to move them to the first of the agenda.

V. Recognition Ceremony

2017 PAEMST State Finalists

John Banks

Kosciusko High School

Carrie (Shae) Koenigsberger

Mississippi School for Mathematics and Science

Karen Lindsey

Germantown Middle School

Michelle Robinson

Madison Central High School

2017 September Employee of the Month

Verna Covington

Accounting Specialist, Senior

Office of Elementary Education and Reading

- VI. Due to time constraints, the State Board of Education skipped the Report of State Superintendent of Education.
- VII. Due to time constraints, the State Board of Education skipped the Report of Chair.
- VIII. Due to time constraints, the State Board of Education skipped the Report on State Board of Education Subcommittee Meetings.

IX. Discussion of Board Items

04. Report from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Jackson Public School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools in this District.

Dr. Paula Vanderford reported from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Jackson Public School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools in this District.

Dr. Vanderford reported that an unannounced accreditation audit conducted in the Jackson Public School District which began on April 4, 2016 and concluded on April 22, 2016 in twenty-two (22) of the fifty-eight (58) schools revealed that the Jackson Public School District was noncompliant with twenty-one (21) of the twenty-nine (29) process standards that the Mississippi Department of Education (MDE) evaluated during the audit process. On June 15, 2016, the MDE provided the District with the *Preliminary Report of Findings* with the recommendation to downgrade the District's accreditation status to PROBATION in accordance with Accreditation Policy 2.5.1. On August 16, 2016, the Office of Accreditation made a report to the Commission on School Accreditation in accordance with Accreditation Policy 2.5 of the *Mississippi Public School Accountability Standards, 2015*. Accreditation Policy 2.5 outlines the eight (8) areas for an immediate downgrade to PROBATION or WITHDRAWN, which are considered the most serious violations of process standards. In August 2016, the District was in violation of five (5) of these eight (8) areas. On August 16, 2016, the Commission on School Accreditation unanimously approved downgrading of the District's accreditation status from ACCREDITED to PROBATION. In accordance with Accreditation Policy 5.0 of the *Mississippi Public School Accountability Standards, 2016*, the Commission on School Accreditation called for a full investigative audit of the Jackson Public School District which the MDE conducted September 6, 2016 through July 31, 2017. The MDE provided the District with the *On-Site Investigative Audit Report* on August 31, 2017.

Dr. Vanderford summarized the final report that the Jackson Public School District is in violation of seven (7) of the eight (8) areas outlined in Accreditation Policy 2.5, which have the greatest impact on student achievement:

- Reporting false information;
- Failure to implement appropriate standards of governance;
- Failure to comply with school board policies that meet state and federal statutes, rules, and regulations;
- Failure to comply with graduation requirements;
- Failure to comply with test security procedures of the Mississippi Statewide Assessment System;
- Failure to comply with state/federal regulations; and
- Failure to comply with standards that sustain a safe school climate.

Dr. Vanderford stated, based on Miss. Code Ann. § 37-17-6 (12)(b), the State Board of Education must determine if an extreme emergency exists in the Jackson Public School District that jeopardizes the safety, security, or educational interest of the children enrolled in that District.

Ms. Rosemary G. Aultman recognized Dr. Freddrick Murray, Interim Superintendent of Jackson Public School District, and he addressed the Board. The Board asked questions of both Dr. Vanderford and Dr. Murray. The Board then heard closing statements from Jim Keith, legal representative for Jackson Public School District and Ms. Erin Meyer, legal representative of the Mississippi Department of Education.

The meeting recessed for lunch at 12:30 p.m. and reconvened at 1:30 p.m.

XI. Consideration of Executive Session

Dr. Jason S. Dean moved that the Board consider going into Executive Session for discussion and/or deliberations with respect to investigative proceedings regarding allegations of misconduct or violations of law in accordance with Miss. Code Ann. § 25-41-7 (4)(d). Specifically, regarding whether the Board finds there is sufficient cause to believe that an extreme emergency situation exists in the Jackson Public School District. And, if needed, for the discussion of discrete personnel matters related to the job performance of person holding specific positions in the Department of Education in accordance with Miss. Code Section § 25-41-7 (4)(a) and (k). Mr. Johnny Franklin seconded the motion, and the motion passed on a vote of 7 to 0.

Dr. Jason S. Dean, then moved that the Board go into Executive Session for discussion and/or deliberation with respect to investigative proceedings regarding allegations of misconduct or violations of law in accordance with Miss. Code Ann. § 25-41-7 (4)(d). Specifically, regarding whether the Board finds there is sufficient cause to believe that an extreme emergency situation exists in the Jackson Public School District. And, if needed, for the discussion of discrete personnel matters related to the job performance of persons holding specific positions in the Department of Education in accordance with Miss. Code Ann. § 25-41-7 (4)(a) and (k).

Ms. Rosemary G. Aultman asked Dr. Carey M. Wright, Ms. Raina Lee, and the Executive Leadership Team to move to Suite 311 for the Executive Session.

Minutes of the Executive Session

During the Executive Session, the Board discussed and/or deliberated with respect to investigative proceedings regarding allegations of misconduct or violations of law in accordance with Miss. Code Ann. § 25-41-7 (4)(d). Specifically, regarding whether the Board finds there is sufficient cause to believe that an extreme emergency situation exists in the Jackson Public School District. And, if needed, for the discussion of discrete personnel matters related to the job performance of persons holding specific positions in the Department of Education in accordance with Miss. Code Ann. § 25-41-7 (4)(a) and (k).

On a motion by Dr. Jason S. Dean, seconded by Mr. Charles McClelland, the Board voted 7 to 0 to come out of Executive Session.

The Board came back into the Boardroom and Ms. Aultman reported the action taken during the Executive Session.

05. On a motion by Dr. Jason S. Dean, seconded by Dr. John R. Kelly, the Board voted to approve the determination and resolution by the State Board of Education that an extreme emergency situation exists in the Jackson Public 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, federal and state law, inappropriate standards of governance, and a pattern of poor academic performance.

Members voting aye: Ms. Kami Bumgarner
Mr. Buddy Bailey
Dr. Jason S. Dean
Dr. Karen J. Elam
Dr. John R. Kelly

Member voting nay: Mr. Johnny Franklin
Mr. Charles McClelland

Members absent: None

01. On a motion by Mr. Johnny Franklin, seconded by Dr. Jason S. Dean, the Board unanimously approved the appointment of Mr. Edwin Butler as Education Bureau Director II to serve as Statewide Coordinator of JROTC in the Office of Secondary Education at a salary of \$75,000.00.
02. On a motion by Dr. John R. Kelly, seconded by Dr. Karen J. Elam, the Board unanimously approved the appointment of Dr. Margie Pulley as an Interim Superintendent for the Jackson Public School District, contingent upon a declaration of a state of emergency in the Jackson Public School District by the Governor.
03. On a motion by Dr. Karen J. Elam, seconded by Mr. Johnny Franklin, the Board unanimously approved the contract for Dr. Margie Pulley as Interim Superintendent for the Jackson Public School District at a cost of \$222,300.00 (personnel services and travel), contingent upon a declaration of a state of emergency in the Jackson Public School District by the Governor.
04. On a motion by Dr. Jason S. Dean, seconded by Dr. Karen J. Elam, the Board unanimously approved the appointment of Mr. John M. Curlee, III as Interim Superintendent for the Tunica County School District, contingent upon a declaration of a state of emergency in the Jackson Public School District by the Governor.
05. On a motion by Dr. John R. Kelly, seconded by Mr. Buddy Bailey, the Board unanimously approved the contract for Mr. John M. Curlee, III as Interim Superintendent for the Tunica County School District at a cost of \$199,950.00 (personnel services and travel), contingent upon a declaration

of a state of emergency in the Jackson Public School District by the Governor.

On a motion by Mr. Buddy Bailey, seconded by Dr. Jason S. Dean, the Board voted 7 to 0 to come out of Executive Session.

01. Dr. Nathan Oakley discussed the *Every Student Succeeds Act* state plan [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]. Dr. Oakley stated that Governor Phil Bryant had signed the plan. Dr. Oakley recommended approval.

Mr. Johnny Franklin thanked everyone for all the work and reaching out to the different groups to get input.

Dr. John R. Kelly thanked Dr. Oakley and the team for all their work on the plan.

02. Dr. Kim Benton and Ms. Gretchen Cagle discussed contracting with Public Consulting Group (PCG) to provide a Special Education Data Management System [Goals 1, 2, and 4 – MBE Strategic Plan]. The Board discussed and asked questions about the program. Dr. Benton recommended approval.
03. Dr. Benton, Ms. Jean Massey, and Ms. Cagle discussed revising Standard 14, Appendix A, and Appendix G of the *Mississippi Public School Accountability Standards, 2016: Graduation Requirements* effective school year 2018-2019 [Goals 1, 2, and 4 – MBE Strategic Plan]. The item has cleared the Administrative Procedures Act process with public comments. The Board asked questions and thanked the team for listening to the public comments that were received. Dr. Benton recommended approval.
06. Dr. Benton presented the 2017-2018 ACT Results [Goals 1 and 2 – MBE Strategic Plan] (copy attached). The Board asked questions.
07. Ms. Aultman gave the Board an opportunity to discuss the following consent agenda items. The Board had approved to discuss items A., B., D., E., F., and G.

Dr. Benton answered questions about item A.

Dr. Felicia Gavin answered questions about item B.

Ms. Massey answered questions about item D.

Mr. Franklin stated he was okay with item E.

Dr. Bill Welch answered questions about item F.

Mr. Franklin stated he was okay with item G.

- A. Monthly contracts with former State Employees receiving retirement benefits (Felicia Gavin)
 - B. Modify contract with CliftonLarsonAllen, LLP to conduct the FY 2017 Financial and Single audit on four Federal programs, Schedule of Compensated absences, and the MAEP Fund #22230000 as requested by the Office of the State Auditor (Felicia Gavin)
 - C. Approval of Accredited Nonpublic-Status for Millcreek School – Kosciusko (Paula Vanderford)
 - D. Revise State Board Policy Rule 36.5 to reflect approved dual enrollment and Armed Services Vocational Aptitude Battery (ASVAB) requirements as assessment options in lieu of passing the end-of-course assessments effective school year 2017-2018 (Has cleared the Administrative Procedures Act process without public comment) (Paula Vanderford)
 - E. Modify a discretionary grant to the Rankin County School District for the purpose of contracting with Educators in Residence to provide consultative services and technical assistance concerning statewide assessments and educator effectiveness (Paula Vanderford)
 - F. Approval of Pupil Transportation Equipment Bids (Paula Vanderford)
 - G. Approval of Accredited-Temporary Status for Brentwood – Crossroads School (Paula Vanderford)
- X. Approval of Action Items
- 01. On a motion by Dr. Jason S. Dean, seconded by Dr. Karen J. Elam, the Board unanimously approved the *Every Student Succeeds Act* state plan [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan] (copy attached).
(Office of Chief Academic Officer)

02. On a motion by Mr. Johnny Franklin, seconded by Dr. Jason S. Dean, the Board unanimously approved to contract with Public Consulting Group (PCG) to provide a Special Education Data Management System [Goals 1, 2, and 4 – MBE Strategic Plan] (copy attached).
(Office of Chief Academic Officer)
(Office of Chief of Technology and District Transformation)
03. On a motion by Dr. John R. Kelly, seconded by Dr. Karen J. Elam, the Board unanimously approved to revise Standard 14, Appendix A, and Appendix G of the *Mississippi Public School Accountability Standards, 2016: Graduation Requirements* effective school year 2018-2019 [Goals 1, 2, and 4 – MBE Strategic Plan] (copy attached). The item has cleared the Administrative Procedures Act process with public comments that were presented to the Board.
(Office of Chief Accountability Officer)
07. On a motion by Dr. John R. Kelly, seconded by Mr. Buddy Bailey, the Board voted 6 to 1 to approve consent agenda item A. (copy attached).

Members voting aye:

Mr. Buddy Bailey
Ms. Kami Bumgarner
Dr. Jason S. Dean
Dr. Karen J. Elam
Dr. John R. Kelly
Mr. Charles McClelland

Member voting nay:

Mr. Johnny Franklin

Member absent:

None

- A. Monthly contracts with former State Employees receiving retirement benefits

(Office of Chief Operations Officer)

On a motion by Dr. Jason S. Dean, seconded by Dr. John R. Kelly, the Board voted 5 to 2 to approve consent agenda item B. (copy attached).

Members voting aye:

Mr. Buddy Bailey
Ms. Kami Bumgarner
Dr. Jason S. Dean
Dr. Karen J. Elam
Dr. John R. Kelly

Member voting nay: Mr. Johnny Franklin
Mr. Charles McClelland

Member absent: None

- B. Modify contract with CliftonLarsonAllen, LLP to conduct the FY 2017 Financial and Single audit on four Federal programs, Schedule of Compensated absences, and the MAEP Fund #22230000 as requested by the Office of the State Auditor
(Office of Chief Operations Officer)

On a motion by Dr. Karen J. Elam, seconded by Mr. Johnny Franklin, the Board unanimously approved consent agenda item C. (copy attached).

- C. Approval of Accredited Nonpublic-Status for Millcreek School – Kosciusko
(Office of Chief Accountability Officer)

On a motion by Dr. Jason S. Dean, seconded by Mr. Buddy Bailey, the Board unanimously approved consent agenda item D. (copy attached).

- D. Revise State Board Policy Rule 36.5 to reflect approved dual enrollment and Armed Services Vocational Aptitude Battery (ASVAB) requirements as assessment options in lieu of passing the end-of-course assessments effective school year 2017-2018
(Has cleared the Administrative Procedures Act process without public comment)
(Office of Chief Accountability Officer)

On a motion by Dr. Jason S. Dean, seconded by Mr. Johnny Franklin, the Board voted to approve consent agenda item E. (copy attached).

Mr. Buddy Bailey did not vote on this item.

- E. Modify a discretionary grant to the Rankin County School District for the purpose of contracting with Educators in Residence to provide consultative services and technical assistance concerning statewide assessments and educator effectiveness
(Office of Chief Accountability Officer)

On a motion by Dr. Karen J. Elam, seconded by Dr. John R. Kelly, the Board unanimously approved consent agenda item F. (copy attached).

F. Approval of Pupil Transportation Equipment Bids
(Office of Chief Accountability Officer)

On a motion by Dr. Jason S. Dean, seconded by Mr. Johnny Franklin, the Board unanimously approved consent agenda item G. (copy attached).

G. Approval of Accredited-Temporary Status for Brentwood – Crossroads School
(Office of Chief Accountability Officer)

XII. State Board of Education

1. There were no meetings attended.
2. There were no requests to attend meetings.

XIII. Other Business

The October Board meeting will be held October 19, 2017 in Jackson, Mississippi at the Central High School Building starting at 10:00 a.m.

Dr. Jason S. Dean moved that the Board consider making a closed determination of the need to go into Executive Session. Mr. Buddy Bailey seconded the motion, and the motion passed on a vote of 7 to 0. Ms. Rosemary G. Aultman asked Dr. Carey M. Wright, Ms. Raina Lee, and the Executive Leadership Team to remain in the Executive Session.

Dr. Jason S. Dean, then moved that the Board go into Executive Session to discuss with respect to investigative proceedings regarding allegations of misconduct or violation of law in accordance with Miss. Code § 25-41-7 (4)(d). Dr. Karen J. Elam seconded the motion which passed on a vote of 7 to 0.

Minutes of the Executive Session

During the Executive Session, the Board discussed with respect to investigative proceedings regarding allegations of misconduct or violation of law in accordance with Miss. Code § 25-41-7 (4)(d).

On a motion by Mr. Charles McClelland, seconded by Dr. Jason S. Dean, the Board voted 7 to 0 to come out of Executive Session.

The public came back into the Board meeting and Ms. Aultman reported the action taken during the Executive Session.

01. On a motion by Dr. Jason S. Dean, seconded by Mr. Buddy Bailey, the Board voted to approve the determination by the State Board of Education to officially abolish the Jackson Public School District contingent upon a declaration of a state of emergency in the District by the Governor.

Members voting aye:
Mr. Buddy Bailey
Ms. Kami Bumgarner
Dr. Jason S. Dean
Dr. Karen J. Elam
Dr. John R. Kelly

Member voting nay:
Mr. Johnny Franklin
Mr. Charles McClelland

Member absent: None

02. On a motion by Mr. Buddy Bailey, seconded by Dr. Karen J. Elam, the Board voted to approve to submit a request to the Governor that the Governor declare a state of emergency in the Jackson Public School District.

Members voting aye:
Mr. Buddy Bailey
Ms. Kami Bumgarner
Dr. Jason S. Dean
Dr. Karen J. Elam
Dr. John R. Kelly

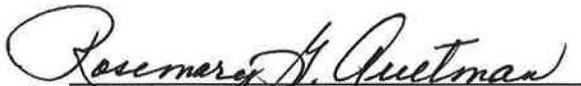
Member voting nay:
Mr. Johnny Franklin
Mr. Charles McClelland

Member absent: None

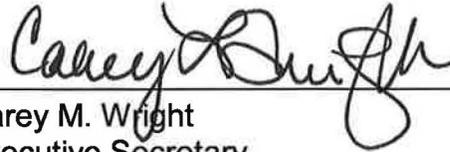
XIV. Adjournment

On a motion by Dr. Jason S. Dean, seconded by Mr. Charles McClelland, the Board unanimously voted to adjourn the meeting at 5:04 p.m.

Approved:



Rosemary G. Aultman, Chair
Mississippi Board of Education



Carey M. Wright
Executive Secretary
Mississippi Board of Education