

Minutes of Mississippi Board of Education Meeting

July 8, 2015

The members of the Mississippi Board of Education met in a work session at 2:43 p.m. on Wednesday, July 8, 2015 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, and educational interests of the children enrolled in the Tunica 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. John R. Kelly, Chair (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), Dr. Karen J. Elam (Oxford, Mississippi), Mr. Johnny Franklin (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), Dr. O. Wayne Gann (Corinth, Mississippi), Mr. William H. Jones (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), Mr. Charles McClelland (4th Floor Boardroom of the Central High School Building, Jackson, Mississippi), and Mr. Richard Morrison (4th Floor Boardroom, Central High School Building, Jackson, 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. Kelly. Dr. Kelly noted the statement on the agenda that cellular telephones and pagers are not permitted during the Board meeting.

Dr. Kelly 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. Kelly also stated that an audio recording was being made of the meeting. Dr. Kelly announced that a quorum of the board was present at the locations stated for the purpose of conducting a meeting through teleconference means.

Dr. Kelly stated that Dr. O. Wayne Gann is authorized under Mississippi Code Section 37-1-1 to continue in his position as a Board member of the State Board of Education until a successor has been appointed and qualified.

Dr. Paula Vanderford reported from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Tunica County 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.

Dr. Vanderford reported that an accreditation audit conducted in the Tunica County School District on February 10 – March 20, 2015 revealed that the Tunica County School District was not fully compliant with 25 of the 31 process standards evaluated in the *Mississippi Public School Accountability Standards, 2014* 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, federal and state law, inappropriate standards of governance, and a pattern of poor academic performance. Dr. Vanderford stated that the Tunica County School District is in violation of six (6) of the eight (8) provisions of the Accreditation Policy 2.5 of the *Mississippi Public School Accountability Standards, 2014* that outline areas for an immediate downgrade to PROBATION or WITHDRAWN, which are considered the most serious violations of the process standards.

Dr. Vanderford summarized the final report that was given to the Tunica County School Districts as:

- The District remains in violation of 22 of the 31 process standards.
- The District is in violation of six (6) of eight (8) process standards that allow the Commission on School Accreditation to withdraw a District's accreditation status;
- The District has violated federal and state law, such as Individuals with Disabilities Education Act (IDEA) and Family Education Rights and Privacy Act (FERPA), specifically related to students with disabilities;
- The District has failed to implement an Instructional Management System to improve student achievement;
- The District has failed to implement appropriate standards of governance;
- The District has failed to provide a safe and orderly environment for staff and students; and
- The District has reported inaccurate data and other information to the Mississippi Department of Education.

Dr. Kelly recognized Ms. Tomeka Cotton, Board President of Tunica County School District and she addressed the Board. The Board then heard closing statements from attorneys for the Office of Accreditation and the Tunica County School District. The Board then asked questions of both the Office of Accreditation and representatives from the Tunica County School District.

Mr. William H. Jones moved that the Board consider making a closed determination of the need to go into Executive Session with respect to prospective litigation, personnel issues, and investigative proceedings in accordance with Mississippi Code Sections 25-41-7 (4)(a), (d), and (k). The motion was seconded by Mr. Johnny Franklin. The motion passed on a vote of 8 to 0.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Members voting nay: None

Mr. William H. Jones then moved that the Board go into Executive Session for the purpose of discussion with respect to investigative proceedings regarding allegations of misconduct or violation of law in accordance with Mississippi Code Section 25-41-7 (4)(d) and discussion of discrete personnel matters related to the job performance of persons holding specific positions in the Department of Education in accordance with Mississippi Code Sections 21-41-7 (4)(a) and (k) and transaction of business related thereto. Mr. Charles McClelland seconded the motion, which passed on a vote of 8 to 0.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Members voting nay: None

Dr. Kelly stated the following to remain in the Executive Session: Dr. Carey M. Wright, Executive Leadership Team, Dr. Paula Vanderford, Mr. Nathan Oakley, Ms. Gretchen Cagle, Mr. Mike Kent, Ms. Raina Lee, Ms. Heather Deaton, and Ms. Beebe Garrard.

Minutes of the Executive Session

During Executive Session, the Board discussed investigative proceedings regarding allegations of misconduct or violation of law in accordance with Mississippi Code Section 25-41-7 (4)(d) and discussion of discrete personnel matters related to the job performance of persons holding specific positions in the Department of Education in accordance with Mississippi Code Sections 21-41-7 (4)(a) and (k) and transaction of business related thereto.

Approval of Action Items

(Items below are numbered to correspond to the items as discussed during the Work Session.)

01. On a motion by Mr. Johnny Franklin, seconded by Ms. Richard Morrison, the Board unanimously approved the determination by the State Board of Education that an extreme emergency situation exists in the Tunica County 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 the following roll-call vote:

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

02. On a motion by Mr. Charles McClelland, seconded by Dr. Karen J. Elam, the Board unanimously approved the determination by the State Board of Education to officially abolish the Tunica 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 Chief School Performance Officer)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

03. On a motion by Mr. Charles McClelland, seconded by Mr. Richard Morrison, the Board unanimously approved to submit a request to the Governor that the Governor declare a state of emergency in the Tunica County School District on the following roll-call vote:
(Office of Chief School Performance Officer)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

05. On a motion by Mr. Richard Morrison, seconded by Mr. Charles McClelland, the Board unanimously approved the appointment of Dr. Margie Pully as the Conservator for the Tunica 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 Chief School Performance Officer)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

06. On a motion by, Mr. Richard Morrison and seconded by Mr. Charles McClelland, the Board unanimously approved the contract for Dr. Margie Pulley as the Conservator for the Tunica County School District on the following roll-call vote:
(Office of Chief School Performance Officer)

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner

Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

On a motion by Ms. Rosemary G. Aultman and seconded by Mr. Richard Morrison, the Board moved to come out of Executive Session.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Dr. Karen J. Elam
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

Member voting nay: None

I. Dr. Kelly called the Board meeting to order.

Dr. Karen J. Elam left the teleconference call meeting at 4:42 p.m.

II. On a motion by Mr. Johnny Franklin, seconded by Ms. Rosemary G. Aultman, the Board unanimously approved the agenda. Dr. Kelly reported to the public the actions taken by the Board in Executive Session.

III. Adjournment

On a motion by Mr. McClelland, seconded by Mr. Johnny Franklin, the Board unanimously approved to adjourn the meeting at 5:01 p.m.

Members voting aye:

Ms. Rosemary G. Aultman
Ms. Kami Bumgarner
Mr. Johnny Franklin
Mr. William H. Jones
Dr. O. Wayne Gann
Mr. Charles McClelland
Mr. Richard Morrison

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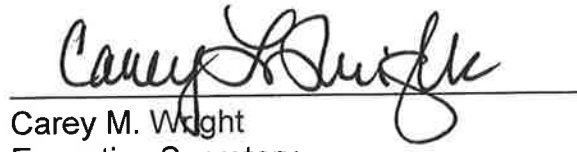
Member voting nay: None

Member absent: Dr. Karen J. Elam

Approved:



John R. Kelly, Chair
Mississippi Board of Education



Carey M. Wright
Executive Secretary
Mississippi Board of Education