



**Minutes of the
Commission on School Accreditation
Special-called Meeting
Central High School Building
Fourth Floor, Board Room
359 North West Street
Jackson, Mississippi
December 16, 2019
1:00 p.m.**

The special-called meeting of the Commission on School Accreditation (CSA or Commission) took place at 1:00 p.m. on Monday, December 16, 2019. The Commission members present in the Fourth Floor Board Room of the Central High School Building, 359 North West Street, Jackson, Mississippi included:

Heather Westerfield, Chair
Sean Brewer
Sarah Foster
Jefferson Hughes
Michael Lindsey
Dr. Valencia Martin¹
John Mistilis
Eddie Prather

Attending via teleconference:

Kelle Barfield, Vicksburg, MS
Roy Gill, Gulfport, MS
Brian Harvey, Oxford, MS
Anthony Montgomery, Gulfport, MS
Brad Stevens, Monroe County, MS

The following members did not attend:

Ingrid Williams

David Minton, Special Assistant Attorney General, served as legal counsel to the Commission.

The Mississippi Department of Education (MDE), Office of Accreditation staff members/representatives present included:

Dr. Paula Vanderford, Chief, Division of Accountability
Erin Meyer, Special Assistant Attorney General
Dr. Jo Ann Malone, Executive Director, Office of Accreditation/Executive Secretary
Melissa Biggs, Office of Accreditation

¹ At the time of the roll-call, Dr. Martin was in attendance via teleconference while in-route to the meeting. She was in attendance in person during voting and discussions.

Chris Haynes, Office of Accreditation
Shulawnda Johnson, Office of Accreditation
Angela Kitchens, Office of Accreditation
Ken Stamps, Office of Accreditation

Dr. Felicia Gavin, Chief Operating Officer, also attended.

I. Announcement of Quorum and Call to Order

Heather Westerfield, Chair of the CSA, opened the Commission meeting and conducted a roll-call of the Commission members.

Ms. Westerfield announced that a quorum of the Commission existed.

Ms. Westerfield called the meeting to order at 1:03 p.m.

Eddie Prather gave the invocation.

II. Adoption of Agenda

Ms. Westerfield asked the Commission members to review the agenda they received previously. On a motion by Sarah Foster seconded by Sean Brewer, the Commission unanimously approved the agenda.

III. Report on the existence of an extreme emergency situation regarding the safety, security, and educational interests of the children enrolled in the Wayne County School District

Dr. Jo Ann Malone reported to the Commission concerning the existence of an extreme emergency situation in the Wayne County School District which jeopardizes the safety, security, and educational interests of the children enrolled in the schools in this District.

Dr. Malone reported that Dr. Carey Wright, State Superintendent of Education, called for a full investigative audit of the Wayne County School District and in accordance with Accreditation Policy 5.0 of the *Mississippi Public School Accountability Standards, 2019*. This audit began on August 29, 2019 and concluded on December 10, 2019. Dr. Malone pointed out that the District has been on probation since 2014 and prior to this audit, the MDE conducted a limited legislative audit in February 2016. The limited audit revealed the District was noncompliant with 10 of the 25 process standards audited at that time. Additionally, the District failed to submit financial audit reports for five (5) Fiscal Years 2014, 2015, 2016, 2017, and 2018 by the March 31, 2015, 2016, 2017, 2018, and 2019 deadlines.

The MDE provided the District with the *On-Site Investigative Audit Report* on December 10, 2019. The report revealed that the Wayne County School District was noncompliant with twenty-two (22) of the thirty-two (32) process standards.

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. The District is in violation of seven (7) of these eight (8) areas:

- 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 financial accountability requirements;
- Failure to comply with graduation requirements;
- Failure to comply with state/federal regulations; and
- Failure to comply with standards that sustain a safe school climate.

Dr. Gavin reported that based on communication with the District, the District's cash flow statement, and the most recent report from the Office of the State Auditor, there are serious concerns related to financial resources and failure to comply with financial accountability requirements (Process Standard 4). Dr. Gavin referenced a call on June 18, 2019, from Mr. Patrick Busby, Business Manager for the District. He stated that the District was delinquent in 16th Section Loan payments and that the District would be receiving an unfavorable audit report. On August 20, 2019 the MDE's Office of School Financial Services visited the District to review the District's financial records. At the conclusion of the review, the MDE noted several violations:

- Delinquent Audit Reports – The last audit report issued for the District was FY2016 in which the Office of the State Auditor issued a qualified opinion. The FY2017 audit was incomplete but was being finalized by the external audit firm.
- Coding Issues – Per a review of the payroll registers for May and June 2019, payroll fluctuated by \$23,162.02 for Title I. The business manager stated that for July 2018 – May 2019, they had federal employees coded to a state/local fund. During the month of June 2019 these employees were identified, and funding source corrected. As a result of coding issues, the District had been incorrectly paying expenses that should not have been paid with state or local funds
- Bank Reconciliation – The District could not provide any reconciled bank statements. MDE staff verified with McKenzie CPA, PLLC that the last month reconciled was June 2017, over two years ago.
- Fund Balance/Cash Balance – The District could not verify their cash balance nor fund balance as of June 30, 2019. Several deposits were posted per the bank statement; however, they were not posted to the financial accounting system for FY2019. As a result, the true cash balance was unknown. When comparing the cash balance for June 2019 to cash balance per the bank statement, the bank statement showed \$31,000.00. The cash balance per the financial accounting system reported a \$7.7 million deficit and the statement of fund balances reports \$13.2 million deficit.

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- Federal budgets in Marathon financial software are not aligned with approved federal budgets in MCAPs. Therefore, the District could not determine carryover by year, function, or object.

Dr. Gavin stated that on November 22, 2019, State Auditor, Shad White, as required by Miss. Code Ann. §37-9-18(2), notified the State Board of Education and State Superintendent, that the Office of the State Auditor determined that a serious financial condition exists in the Wayne County School District.

Dr. Malone stated, based on Miss. Code Ann. § 37-17-6(12)(b), the Commission on School Accreditation must determine if an extreme emergency exists in the Wayne County School District that jeopardizes the safety, security, or educational interest of the children enrolled in that District.

Ms. Westerfield recognized Mr. Bobby Jones, Superintendent of Wayne County School District. Mr. Jones, along with Mr. Tommy Branch, Incoming Superintendent, addressed the Commission.

The Commission asked questions of both Dr. Malone and Dr. Gavin and the representatives from the Wayne County School District.

The Commission took a short break at 2:36 p.m.

The Commission resumed business at 2:48 p.m.

Following recess, an additional question was posed by the Commission of MDE.

The Commission heard closing arguments from Mr. Jim Keith, legal representative for Wayne County School District and Erin Meyer, Special Assistant Attorney General, Counsel to the Mississippi Department of Education/Office of Accreditation.

IV. Discussion and action request for the need to declare a state of emergency in the Wayne County School District.

Sarah Foster moved that the Commission make a closed determination to 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 Commission finds there is sufficient cause to believe that an extreme emergency situation exists in the Wayne County Public School District. Sean Brewer seconded the motion. The Motion passed unanimously and only Commission members and counsel, David Minton remained in the meeting.

John Mistilis moved that the Commission 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 Commission finds there is sufficient cause to believe that an extreme emergency

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situation exists in the Wayne County School District. Sarah Foster seconded the motion. The Motion passed unanimously and only commission members and counsel, David Minton remained in Executive Session.

During the Executive Session, the Commission discussed whether there is sufficient caused to believe that an extreme emergency situation exists in the Wayne County School District.

On a Motion by John Mistilis, seconded by Eddie Prather, the Commission unanimously voted to come out of Executive Session.

On a motion by John Mistilis, seconded by Sarah Foster, the Commission voted unanimously² that there was not sufficient cause to believe that an extreme emergency situation exists in the Wayne County School District.

V. Adjournment

On a motion by Eddie Prather, seconded by Michael Lindsey, the Commission unanimously voted to adjourn the meeting at 4:01 p.m.

APPROVED BY THE COMMISSION:

Feb 16, 2020
(Month) (Day) (Year)


Chair of the Commission


Executive Secretary of the Commission

² Mr. Harvey left the teleconference call before the Commission entered into Executive Session due to extreme weather conditions across the state and the need to seek emergency shelter.