

Minutes of Mississippi Board of Education Work Session

September 13, 2012

The members of the Mississippi Board of Education met in a work session at 10:00 a.m. on Thursday, September 13, 2012 in the 4th Floor Boardroom of the Central High School Building, 359 North West Street, Jackson, Mississippi. Board members present were: Ms. Kami Bumgarner, Mr. Hal Gage, Dr. O. Wayne Gann, Mr. William H. Jones, Dr. John R. Kelly, Mr. Charles McClelland, Mr. Richard Morrison, and Ms. Martha Murphy. Board member absent was: Mr. Simon R. Weir, II.

Dr. O. Wayne Gann welcomed Mr. Nathan Wells from Speaker Gunn's office and Ms. Kathryn Stewart from the Lieutenant Governor's office to the meeting.

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 work session.

Dr. Lynn House gave the following report from the State Superintendent of Education:

- Reported that she continues meeting with legislators to build relationships and discuss educational issues;
- Reported that Chairman Gray Tollison and Chairman John Moore attended the Accountability Task Force meeting held last week;
- Stated that Mr. John Gilbert and Dr. Paula Vanderford would give a report on the Accountability Task Force meeting;
- Noted that Dr. John R Kelly and Mr. Hal Gage also attended the Accountability Task Force meeting;
- Reported that Pass Christian Middle School in Pass Christian School District, Saucier Elementary School in Harrison County School District, and West Lincoln Attendance Center in Lincoln County were named as Blue Ribbon Schools recently by the U. S. Department of Education;
- Reported that damage from Hurricane Isaac was not as destructive as anticipated;
- Invited Board members to attend the six Regional Superintendent's meeting scheduled for the week of October 1 – 5 and noted that they would be provided the times and locations of the meetings;
- Stated that she plans to attend the Mississippi Association of School Superintendent's (MASS) Regional Legislative meetings that are scheduled in October; and,
- Reminded the Board of the MDE Legislative Budget Hearing scheduled for Wednesday, September 19 at 10:45 a.m. and invited Board members to attend if possible.

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Dr. John R. Kelly reported that the Educational Accountability Subcommittee met prior to the Board meeting.

Mr. John Gilbert and Dr. Paula Vanderford discussed the Report on Action of the Commission on School Accreditation concerning the assignment of district accreditation statuses. Dr. Vanderford stated that on September 12, 2012, the Commission on School Accreditation approved the assignment of district accreditation statuses (based on compliance with process standards and the current Accreditation Report Summary). Mr. Gilbert recommended approval on Friday.

Mr. Gilbert and Dr. Vanderford discussed approval of final action to hold districts and schools harmless for the Graduation/Dropout Component of the Statewide Accountability System for the 2012 Accountability Results. The item cleared the Administrative Procedures Act process with public comments that were presented to the Board. Dr. Vanderford stated the Graduation/Dropout Component of Statewide Accountability System will be calculated and reported; however, districts and schools will be held harmless for this component only in the 2012 Accountability Results. Mr. Gilbert recommended approval on Friday.

Dr. Kim Benton discussed approval of the Elementary and Secondary Education Act (ESEA) Flexibility Request, Principle 2, Differentiated Accountability as a final rule. Principal 2 of Mississippi's ESEA Flexibility Request will be an addendum to the *Consolidated State Application Accountability Workbook, 2010*. The item cleared the Administrative Procedures Act process with public comments that were presented to the Board. Dr. Benton recommended approval on Friday.

Mr. Gilbert and Dr. Vanderford discussed the 2012 Accountability Results. Mr. Tony Brooks with Horne, CPA, presented the results of their Information Technology (IT) audit of the 2012 Accountability Reports (copy on file). Mr. Gilbert recommended approval on Friday.

Dr. Larry Drawdy and Dr. Laura Jones gave a report of Student Performance in Conservator Districts, Schools At-Risk, and School Improvement Grant (SIG) Schools (copy attached).

The meeting was recessed for lunch at 11:45 a.m. and reconvened at 12:30 p.m.

Dr. Drawdy and Dr. Earl Watkins gave a report on Indianola School District (copy attached).

Dr. Drawdy and Mr. Charles Barron gave a report on Sunflower County School District (copy attached).

Dr. Drawdy and Ms. Toni Kersh gave a report on GED Option (copy attached).

Dr. Drawdy, Ms. Kathy Boteler, and Dr. Laura Jones gave a report on New Start Schools (copy attached). Dr. Jones reported that the East Oktibbeha County High School is the only school in the state to meet the definition of a New Start School due to receiving the performance classification of "Failing" for three consecutive years. Dr. Drawdy recommended that the Board approve on Friday to transform the East Oktibbeha County High School into a New Start School in accordance with law and in accordance with timelines determined by the Department of Education based on the best interests and educational benefits of the students.

Dr. Kim Benton and Ms. Ann Moore recognized Ms. Nicole Akins Boyd, 2011-2012 Chairperson, Mississippi Special Education Advisory Panel and Ms. Jackie Washington, Parent on the Mississippi Special Education Advisory Panel, Dr. Armerita Tell who oversees the project, and Ms. Susan Davis in the Office of Special Education who works with parents. Ms. Boyd gave the Annual Report of the Mississippi Special Education Advisory Panel.

Dr. Kim Benton and Mr. James Mason discussed beginning the Administrative Procedures Act process to revise the *Testing Students with Disabilities Regulations*. Dr. Benton recommended approval to begin the Administrative Procedures Act process on Friday.

Dr. Benton and Mr. Mason discussed modifying the contract with Measured Progress for Fiscal Year 2013 to provide additional technical services for the Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF). Dr. Benton recommended approval on Friday.

Dr. Benton and Mr. Mason discussed modifying the contract with NCS Pearson, Inc., for Fiscal Year 2013 to include indemnification language for the Mississippi Subject Area Testing Program, Second Edition (SATP2). Dr. Benton recommended approval on Friday.

Dr. Benton and Mr. Mason discussed modifying the contract with NCS Pearson, Inc., for Fiscal Year 2013 to include indemnification language for the Mississippi Curriculum Test, Second Edition (MCT2). Dr. Benton recommended approval on Friday.

Dr. Daphne Buckley discussed modifying grant awards for the Teacher Incentive Fund (TIF) Grant to increase funds to assist TIF schools and support personnel positions outlined in the grant. Dr. Buckley recommended approval on Friday.

Dr. Buckley discussed the contract with SyLNx, Incorporated to streamline the braille and large print textbook management process for the Mississippi School for the Blind. Dr. Buckley recommended approval on Friday.

Mr. Gilbert and Dr. Vanderford discussed the appointment of Mr. John Paul Mistilis, Teacher, Congressional District 1, and Mr. Anthony Montgomery, Non-Education,

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Congressional District 5 to serve on the Commission on School Accreditation. Mr. Gilbert recommended approval on Friday.

Mr. Gilbert and Dr. Vanderford gave a report of the Accountability Task Force meeting held on September 5, 2012. Dr. Vanderford noted that Dr. John R. Kelly, Mr. Richard Morrison, and Mr. Hal Gage attended the meeting. She reported that Dr. Christy Hovanetz of the Foundation for Excellence in Education attended and gave a report.

Mr. Gilbert and Dr. Vanderford presented requests by school districts to operate schools for less than one hundred eighty (180) days as a result of Hurricane Isaac. The Board discussed operating districts for less than one hundred eighty (180) days as the result of Hurricane Isaac. Dr. Vanderford requested that this item be amended on the agenda for Friday for the Board to take action on the request presented by the school districts.

Dr. Gann gave the Board an opportunity to discuss the following consent items:

- A. Discussion of monthly contracts with former State Employees receiving retirement benefits (Kim Benton)
- B. Discussion to establish the *Guidelines for P-16 Community Engagement Councils* (Has cleared the Administrative Procedures Act process with no public comment) (Larry Drawdy)
- C. Discussion of Pupil Transportation Equipment Bids (Larry Drawdy)
- D. Report on Personnel Actions (Cassandra Moore)

Mr. William H. Jones moved that the Board consider making a closed determination of the need to go into Executive Session to discuss litigation, investigative proceedings regarding allegations of misconduct or violation of law and personnel issues in accordance with Mississippi Code Sections 25-41-7 (4)(a), (b), (d) and (k). The motion was seconded by Mr. Charles McClelland, and the motion passed on a vote of 7 to 0.

Mr. William H. Jones then moved in closed session that the Board go into Executive Session for the purpose of discussion of a strategy session or negotiations with respect to litigation involving the Department of Education in accordance with Mississippi Code Section 25-41-7 (4)(b), 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 and discussion of the employment of persons in specific positions and transaction of business related thereto in accordance with Mississippi Code Sections 25-41-7 (a) and (k). Mr. Charles McClelland seconded the motion, which passed on a vote of 7 to 0.

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Ms. Kathy Boteler informed the public of the Board's decision to go into Executive Session for the purpose of discussion of a strategy session and negotiations with respect to litigation involving the Department of Education in accordance with Mississippi Code Section 25-41-7 (4)(b), 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 and discussion of the employment of persons in specific positions and transaction of business related thereto in accordance with Mississippi Code Sections 25-41-7 (a) and (k).

Dr. O. Wayne Gann stated the following to remain in the Executive Session: Dr. Lynn House, Mr. John Gilbert, Dr. Larry Drawdy, and Ms. Kathy Boteler. Ms. Heather Deaton, Ms. Ann Moore, Mr. Justin Matheny and Mr. Wilson Minor participated in the Executive Session for the discussion of litigation.

Minutes of the Executive Session

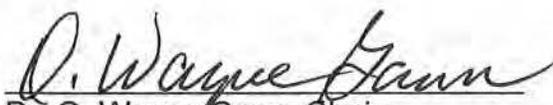
During the Executive Session, the Board discussed a strategy session or negotiations with respect to litigation involving the Department of Education in accordance with Mississippi Code Section 25-41-7 (4)(b), discussed with respect to investigative proceedings regarding allegations of misconduct or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

Mr. Charles McClelland moved that the Board adjourn from Executive Session. The motion was seconded by Mr. William H. Jones and the motion passed on a vote of 7 to 0.

Upon returning to regular session, Dr. O. Wayne Gann announced that no action was taken in Executive Session. No other business was discussed.

The meeting adjourned at 2:30 p.m.

Approved:


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


Lynn J. House, Ph.D.
Interim Executive Secretary
Mississippi Board of Education

Minutes of Mississippi Board of Education Meeting

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The regular meeting of the Mississippi Board of Education was held at 8:30 a.m. on Friday, September 14, 2012 in the 4th Floor Boardroom of the Central High School Building, 359 North West Street, Jackson, Mississippi. Board members present were: Ms. Kami Bumgarner, Dr. O. Wayne Gann, Mr. William H. Jones, Dr. John R. Kelly, Mr. Charles McClelland, Mr. Richard Morrison, and Ms. Martha Murphy. Board members absent were: Mr. Hal Gage and Mr. Simon F. Weir, II.

- I. The meeting 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.
- II. Mr. Charles McClelland led the Pledge of Allegiance to the Flag and Mr. Richard Morrison gave the Invocation.
- III. On a motion by Dr. John R. Kelly, seconded by Ms. Martha Murphy, the Board unanimously approved the minutes of the meeting of August 16-17, 2012.
- IV. On a motion by Mr. Richard Morrison, seconded by Mr. William H. Jones, the Board unanimously approved to amend the agenda to add the following items:
 11. Approval to transform the East Oktibbeha County High School into a New Start School in accordance with law and in accordance with timelines determined by MDE based on the best interests and educational benefits of the students
 21. Approval to deny requests of school districts to operate schools for less than one hundred eighty (180) days as the result of Hurricane Isaac
 23. Approval of appointment of Chief Systems Information Officer of the Office of Management Information Systems
 24. Approval of appointment of Education Bureau Director II to serve as Interim Executive Assistant to the State Superintendent
 25. Approval of salary adjustment of Education Bureau Manager for the Office of Communication and Legislative Services

On a motion by Mr. William H. Jones, seconded by Dr. John R. Kelly, the Board unanimously approved the agenda as amended.
- V. There was no report from the Chair.

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VI. Approval of Action Items

(Items below are numbered to correspond to the items as discussed on Thursday, September 13, 2012.)

03. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board unanimously approved the Report on Action of the Commission on School Accreditation concerning the assignment of district accreditation statuses (copy attached).

(Office of Educational Accountability)

04. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board unanimously approved a final action to hold districts and schools harmless for the Graduation/Dropout Component of the Statewide Accountability System for the 2012 Accountability Results. The item cleared the Administrative Procedures Act process with public comments that were presented to the Board (copy attached).

(Office of Educational Accountability)

05. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved the Elementary and Secondary Education Act (ESEA) Flexibility Request, Principle 2, Differentiated Accountability as a final rule. The item cleared the Administrative Procedures Act process with public comments that were presented to the Board (copy attached).

(Office of Instructional Enhancement & Internal Operations)

06. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison the Board unanimously approved the 2012 Accountability Results (copy attached).

(Office of Educational Accountability)

11. On a motion by Mr. Richard Morrison, seconded by Ms. Martha Murphy, the Board unanimously approved to transform the East Oktibbeha County High School into a New Start School in accordance with law and in accordance with timelines determined by MDE based on the best interests and educational benefits of the students (copy attached).

(Office of School Improvement, Oversight and Recovery)

13. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board voted unanimously to begin the Administrative Procedures Act process to revise the *Testing Students with Disabilities Regulations* (copy attached).

(Office of Instructional Enhancement & Internal Operations)

14. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board unanimously approved to modify the contract with Measured Progress for Fiscal Year 2013 to provide additional technical services for the Mississippi Alternate Assessment of Extended Curriculum Frameworks (MAAECF) (copy

attached).

(Office of Instructional Enhancement & Internal Operations)

15. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board unanimously approved to modify the contract with NCS Pearson, Inc., for Fiscal Year 2013 to include indemnification language for the Mississippi Subject Area Testing Program, Second Edition (SATP2) (copy attached).

(Office of Instructional Enhancement & Internal Operations)

16. On a motion by Mr. William H. Jones, seconded by Ms. Martha Murphy, the Board unanimously approved to modify the contract with NCS Pearson, Inc., for Fiscal Year 2013 to include indemnification language for the Mississippi Curriculum Test, Second Edition (MCT2) (copy attached).

(Office of Instructional Enhancement & Internal Operations)

17. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved to modify grant awards for the Teacher Incentive Fund (TIF) Grant (copy attached).

(Office of Quality Professionals & Special Schools)

18. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved the contract with SyLNx, Incorporated to streamline the braille and large print textbook management process for the Mississippi School for the Blind (copy attached).

(Office of Quality Professionals & Special Schools)

19. On a motion by Mr. William H. Jones, seconded by Mr. Richard Morrison, the Board unanimously approved the appointment of Mr. John Paul Mistilis, Teacher, Congressional District 1, and Mr. Anthony Montgomery, Non-Education, Congressional District 5 to serve on the Commission on School Accreditation (copy attached).

(Office of Educational Accountability)

21. On a motion by Mr. William H. Jones, seconded by Mr. Richard Morrison, the Board unanimously approved to deny requests of school districts to operate schools for less than one hundred eighty (180) days as the result of Hurricane Isaac (copy attached).

(Office of Educational Accountability)

22. On a motion by Ms. Martha Murphy, seconded by Ms. Kami Bumgarner, the Board unanimously approved the following consent items (copies attached):

- A. Approval of monthly contracts with former State Employees receiving retirement benefits

(Office of Instructional Enhancement & Internal Operations)

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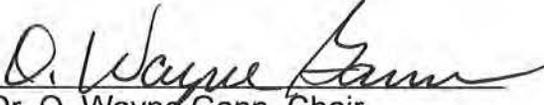
- B. Approval to establish the *Guidelines for P-16 Community Engagement Councils*
(Has cleared the Administrative Procedures Act process with no public comment)
(Office of School Improvement, Oversight and Recovery)
- C. Approval of Pupil Transportation Equipment Bids
(Office of School Improvement, Oversight and Recovery)
- 23. On a motion by Mr. Richard Morrison, seconded by Ms. Martha Murphy, the Board unanimously approved the appointment of Mr. Robert Massey to serve as Chief Systems Information Officer of the Office of Management Information Systems at an annual salary of \$ 108,000.00 (copy attached).
(Office of Educational Accountability)
- 24. On a motion by Ms. Kami Bumgarner, seconded by Ms. Martha Murphy, the Board unanimously approved the appointment of Mr. Washington Cole (Education Bureau Director II) to serve as Interim Executive Assistant to the State Superintendent at an annual salary of \$91,560.00 (copy attached).
(Office of State Superintendent)
- 25. On a motion by Ms. Kami Bumgarner, seconded by Ms. Martha Murphy, the Board unanimously approved the salary adjustment of Mr. Pete Smith to serve as Education-Bureau Manager for the Office of Communication and Legislative Services at an annual salary of \$98,560.00 (copy attached).
(Office of State Superintendent)
- VII. The Recognition Ceremony was held as follows:

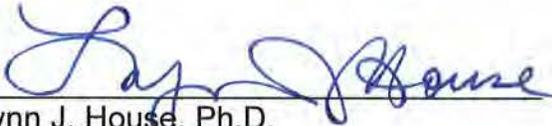
2012 September Employee of the Month
Tollie Thigpen
Staff Officer III
Office of Accreditation
- VIII. State Board of Education
 - 01. There were no reports on meetings attended.
 - 02. There were no requests for approval of attendance at meetings.
- IX. Mr. William H. Jones noted that the dedication service for the William M. McCoy building would be held at 10:00 a.m. following the Board meeting.

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- X. On a motion by Dr. John R. Kelly, seconded by Mr. Richard Morrison, the Board unanimously approved to adjourn the meeting at 9:05 a.m.

Approved:


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


Lynn J. House, Ph.D.
Interim Executive Secretary
Mississippi Board of Education