

Minutes of Mississippi Board of Education Meeting

July 19, 2018

The members of the Mississippi Board of Education met in a Board meeting at 10:03 a.m. on Thursday, July 19, 2018, in the Central High School Building, 359 North West Street, Jackson, Mississippi. Board members present: Ms. Rosemary G. Aultman, Mr. Buddy Bailey, Dr. Karen J. Elam, Mr. Johnny Franklin, Mr. Charles McClelland, Ms. Brittney Rye, and Mr. Sean Suggs. Board member absent: Dr. John R. Kelly. Dr. Jason S. Dean joined the meeting by teleconference at 2:20 p.m. Dr. Carey M. Wright was also present.

Ms. Rosemary G. Aultman welcomed the new State Board member, Ms. Brittney Rye. Ms. Aultman stated that Ms. Rye is the teacher representative for the Board. Ms. Aultman stated that Ms. Rye is from Starkville and is a Kindergarten Teacher.

- I. Ms. Rosemary G. Aultman, Chair, called the Board meeting to order. Ms. Aultman noted that cellular telephones and pagers are not permitted during the meeting. Ms. Aultman stated that the meeting was being live streamed.
- II. Mr. Charles McClelland gave the Invocation and Mr. Sean Suggs led the Pledge of Allegiance.
- III. On a motion by Mr. Johnny Franklin, seconded by Mr. Buddy Bailey, the Board voted unanimously to approve the minutes of the June 20, 2018, Budget meeting and the minutes of the June 21, 2018, Board meeting.
- IV. On a motion by Mr. Buddy Bailey, seconded by Mr. Sean Suggs, the Board voted unanimously to amend the agenda to add eight items from the Office of Accreditation, starting as items 01 through 08, about Noxubee County School District.
- V. Recognition Ceremony

Exemplary Inclusion Programs

Ocean Springs School District

Pascagoula-Gautier School District

- VI. Dr. Carey M. Wright gave the following report as the State Superintendent of Education.
 - Dr. Wright stated the Spotlight for this Board meeting is "KPMG Book Giveaway – Books Shape Young Scholars." Dr. Wright stated that KPMG is an auditing firm that provides free books to children in need. Dr. Wright stated that KPMG also provides books to teachers through their Family for Literacy Program. Dr. Wright stated that KPMG is working with Casey

Elementary School in the Jackson Public School District. Dr. Wright recognized Ms. Rhoda Byler Yoder, Principal, Casey Elementary School, Ms. Dayla Benez Tyler, INVOLVE Coordinator KPMG, Jackson Office, Ms. Ashley Willson, Office Managing Partner KPMG, Jackson Office, and Ms. Elizabeth Simmons, Mississippi Department of Education Library Specialist. Dr. Wright stated hats off to the KPMG for providing the students with free books.

VII. Due to time constraints, the State Board of Education skipped the Report of the 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

01. Dr. Paula Vanderford reported from the Commission on School Accreditation concerning the Commission's determination that an extreme emergency situation exists in the Noxubee 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 federal and state law and accreditation standards, serious concerns regarding financial resources, inappropriate standards of governance, and a continued pattern of poor academic performance [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].

Dr. Vanderford reported that on June 12, 2018, Dr. Felicia Gavin, Chief Operations Officer, received a letter from the Superintendent of the Noxubee County School District (NCSD) expressing the need for financial assistance for cash flow purposes. Upon receipt, Dr. Wright, State Superintendent, directed the Mississippi Department of Education (MDE) to conduct an investigative audit in accordance with Accreditation Policy 5.0, of the *Mississippi Public School Accountability Standards, 2018*. This audit began on June 25, 2018. Prior to this audit, the MDE conducted a limited legislative audit in February 2013.

All findings described in the report are based on the analysis of data collected during the on-site evaluation, including, but not limited to:

- interviews conducted with district staff,
- observations and completed evaluation forms,
- analysis of official documentation on file in the District, and
- analysis of official reports submitted to the MDE.

Dr. Vanderford gave some background information that in February 2013, the MDE conducted an unannounced accreditation audit in the NCSD. The limited audit evaluated 29 of 37 process standards that existed in 2013. The MDE found the District noncompliant with 18 of those 29 process standards. The Commission on School Accreditation downgraded the District to Probation in September 2013 when four (4) process standards remained on record. In 2014, the District cleared these four (4) process standards and the Commission upgraded the District to Accredited. Since 2015, the District has continually failed to comply with Process Standard 4.0 for failing to submit an audit for the respective fiscal years.

Dr. Vanderford stated the MDE provided the District with this *On-Site Investigative Audit Report* on July 13, 2018. The report included notice and the purpose of the meeting of the Commission on School Accreditation.

The report presented to the Commission on School Accreditation (CSA) in accordance with Miss. Code Ann. § 37-17-6(12)(b), based on the findings outlined in the *On-Site Investigative Audit Report* for the NCSD. The Commission on School Accreditation determined an extreme emergency exists in the Noxubee County School District that jeopardizes the safety, security, or educational interests of the children enrolled in that District, and that such emergency situation is believed to be related to:

- serious violations of federal and state law and accreditation standards,
- serious concerns regarding financial resources,
- inappropriate standards of governance, and
- a continued pattern of poor academic performance.

The *Report* indicates the Noxubee County School District is noncompliant with Accreditation Policy 2.1 and 26 of the 32 Process Standards that the MDE evaluated, as well as multiple state and federal laws. There is significant overlap between the noncompliance currently found and the noncompliance that existed at the time of the February 2013 audit.

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 accreditation standards. The Noxubee County School District is in violation of seven (7) of these eight (8) areas under Accreditation Policy 2.5.2:

- Reporting false information (Accreditation Policy 2.1);
- Failure to implement appropriate standards of governance (Process Standards 1, 1.1, 1.2, and 1.3);
- Failure to comply with school board policies that meet state and federal statutes, rules, and regulations (Process Standard 2);
- Failure to comply with financial accountability requirements of a serious nature (Process Standards 4 and 5);

- Failure to comply with graduation requirements (Process Standard 14);
- Failure to comply with federal programs whose regulations call for strong sanctions for continued pattern of noncompliance (Process Standards 17.1-17.8); and
- Failure to comply with standards that pose life-threatening conditions for students and staff (Process Standards 29, 30, and 31).

Additionally, based on communications with the District, their 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 Standards 4 and 5). Dr. Felicia Gavin, Chief Operations Officer, presented those findings and concerns.

The District also failed to implement a coherent, cohesive, high quality Instructional Management System that clearly defines the academic goals necessary for improving student achievement, has more than 50 percent of the schools in the District designated as an “F,” and the District has met the SBE’s definition of a failing school district for two (2) consecutive years, as evidenced by a continued pattern of poor academic performance.

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 Noxubee County School District that jeopardizes the safety, security, and educational interests of the students enrolled in the Noxubee County School District.

Ms. Aultman recognized Mr. Roger Liddell, Superintendent of Noxubee County School District and he addressed the Board about the academic, financial, and safety issues of the District. Mr. Albert Williams, Noxubee School Board President, and Ms. Pam Norris, Business Manager, also addressed the Board. Mr. Williams asked to withdraw the request for funds for the Noxubee County School District. After the State Board asked questions of both the Office of Accreditation and representatives from the Noxubee County School District, the Board then heard closing arguments from Mr. Julian D. Miller, attorney for the Noxubee County School District, and from Ms. Erin Meyer, Special Assistant Attorney General, counsel to the Office of Accreditation.

Dr. Karen J. Elam moved that the Board consider making a closed determination of the need to go into Executive Session. Mr. Sean Suggs seconded the motion, and the motion passed on a vote of 6 to 0. Ms. Rosemary G. Aultman asked Dr. Carey M. Wright, and the State Board’s legal counsel, Frank Spencer and Leah Kathryn Anzenberger, to remain in the Executive Session.

Dr. Karen J. Elam, moved that the Board go into Executive Session to discuss and/or deliberate with respect to investigative proceedings regarding allegations of misconduct or violations of law in accordance with Miss. Code Ann. § 24-41-7(4)(d). Specifically, regarding whether the Board finds there is sufficient cause to believe that an extreme emergency situation exists in the Noxubee County School District. The motion was seconded by Mr. Johnny Franklin. The motion passed on a vote of 6 to 0.

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. § 24-41-7(4)(d). Specifically, regarding whether the Board finds there is sufficient cause to believe that an extreme emergency situation exists in the Noxubee County School District.

On a motion by Mr. Charles McClelland, seconded by Dr. Karen J. Elam, the Board voted 6 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.

02. On a motion by Mr. Buddy Bailey, seconded by Dr. Karen J. Elam, the Board unanimously approved the determination by the Mississippi Board of Education that an extreme emergency situation exists in the Noxubee 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 federal and state law and accreditation standards, serious concerns regarding financial resources, inappropriate standards of governance, and a continued pattern of poor academic performance [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].
03. On a motion by Mr. Sean Suggs, seconded by Ms. Brittney Rye, the Board unanimously approved the determination by the Mississippi Board of Education to officially abolish the Noxubee County School District contingent upon a declaration of a state of emergency in the District by the Governor [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].
04. On a motion by Mr. Buddy Bailey, seconded by Dr. Karen J. Elam, the Board unanimously approved the request to the Governor that a state of emergency be declared in the Noxubee County School District [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].

05. On a motion by Ms. Brittney Rye, seconded by Mr. Sean Suggs, the Board unanimously approved a short-term contract for a temporary Interim Superintendent, Dr. George Gilreath, for the Noxubee County School District contingent upon a declaration of a state of emergency in the District by the Governor [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].
06. On a motion by Mr. Buddy Bailey, seconded by Ms. Brittney Rye, the Board unanimously approved the appointment of Mr. Rodriguez Broadnax, Interim Superintendent for the Noxubee County School District contingent upon a declaration of a state of emergency in the District by the Governor [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].
07. On a motion by Dr. Karen J. Elam, seconded by Mr. Sean Suggs, the Board unanimously approved the employment agreement for the Interim Superintendent for the Noxubee County School District contingent upon a declaration of a state of emergency in the District by the Governor [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].
08. On a motion by Mr. Buddy Bailey, seconded by Mr. Charles McClelland, the Board unanimously approved up to \$2,500,000.00 from the School District Emergency Assistance Fund to the Noxubee County School District contingent upon a declaration of a state of emergency in the District by the Governor [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan].

On a motion by Mr. Sean Suggs, seconded by Dr. Karen J. Elam, the Board unanimously approved the resolution to send to the Governor.

The meeting recessed for lunch at 1:35 p.m. and reconvened at 2:12 p.m.

09. Dr. Nathan Oakley discussed beginning the Administrative Procedures Act process: To establish the Textbook and Instructional Materials Administration Handbook [Goals 1 and 2 – MBE Strategic Plan]. Dr. Oakley recommended approval.
10. Dr. Oakley discussed beginning the Administrative Procedures Act process: To revise the Mississippi Kindergarten Guidelines (2018) [Goal 3 – MBE Strategic Plan]. Dr. Oakley recommended approval.
11. Dr. Oakley and Mr. Mike Kent discussed the resolution declaring the consolidation of the Holmes County School District and the Durant School

District into the Holmes County Consolidated School District [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]. Dr. Oakley recommended approval.

12. Dr. Felicia Gavin and Ms. Donna Nester discussed the Preliminary estimate of the Mississippi Adequate Education Program Base Student Cost for Fiscal Year 2020 [Goals 4 and 5 – MBE Strategic Plan]. Dr. Gavin recommended approval.
13. Dr. Gavin and Ms. Nester discussed the Preliminary estimate of the Mississippi Adequate Education Program for Fiscal Year 2020 [Goals 4 and 5 – MBE Strategic Plan]. Dr. Gavin recommended approval.
14. Dr. Gavin discussed the Fiscal Year 2020 Budget Request [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]. Dr. Gavin stated that the budget request had been revised to reflect what was discussed at the June Board meeting. Mr. Johnny Franklin requested to move Teacher Shortage Initiatives and Teacher/Leadership Professional Learning and Development to bullet two on pages 7 and 8 under 2020 Legislative Priorities.

On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board unanimously voted to renumber the 2020 Legislative Priorities as requested for pages 7 and 8.

Dr. Jason S. Dean joined the meeting by teleconference at 2:20 p.m.

15. Dr. Gavin discussed approval of the Mississippi Department of Education Contracts [Goals 1, 2, 3, 4, and 5 – MBE Strategic Plan].

Mr. Johnny Franklin had a question about item 15.C. and Mr. Quentin Ransburg answered the question.

Dr. Gavin recommended approval.

- 15.A. Action: Monthly contracts with former State Employees receiving retirement benefits [Goal 4 – MBE Strategic Plan] (Felicia Gavin)
- 15.B. Action: Contract with ACT, Inc. for Fiscal Year 2019 to administer the ACT to all juniors in the state [Goals 1 and 2 – MBE Strategic Plan] (Paula Vanderford)
- 15.C. Action: Contract with META Associates, Inc. to update the State of Mississippi Migrant Education Program (MEP) Service Delivery Plan

(SDP) and complete an evaluation of its 2017-2018 statewide program [Goals 1, 2, 3, and 5 – MBE Strategic Plan] (Nathan Oakley)

- 15.D. Action: Purchase a used bus for the Mississippi School of the Arts as per Miss. Code § 37-41-101(4) [Goals 2 and 3 – MBE Strategic Plan] (Nathan Oakley)
- 15.E. Action: Contract with North Atlantic Security to provide security services on the campus of the Mississippi School of the Arts for Fiscal Year 2019 [Goal 4 – MBE Strategic Plan] (Nathan Oakley)
- 16. Dr. Gavin and Dr. Oakley discussed approval of the Mississippi Department of Education grant award [Goal 3 – MBE Strategic Plan]. Dr. Gavin recommended approval.
 - 16.A. Action: Award competitive grants to school districts to support pre-kindergarten programs [Goal 3 – MBE Strategic Plan] (Nathan Oakley)
- 17. Ms. Aultman gave the Board an opportunity to discuss the following consent agenda items.
 - A. Approval of the 2018-2019 Crisis Management Plans for the State Schools (Nathan Oakley)
 - 1. Mississippi School of the Arts
 - 2. Mississippi Schools for the Blind and Deaf
 - B. Approval to establish the Mississippi Early Learning Standards for Classrooms Serving Infants through Four-Year-Old Children (2018) (Has cleared the Administrative Procedures Act process without public comment) (Nathan Oakley)
 - C. Approval to establish the Mississippi College- and Career-Readiness Standards for the Social Studies (Has cleared the Administrative Procedures Act process with public comments) (Nathan Oakley)

Mr. Johnny Franklin requested that at the next Board meeting a comprehensive plan for teacher shortage and teacher preparation be discussed. Dr. Wright stated that this is a part of our Every Student Succeeds Act (ESSA) plan and it could be an item at the next Board meeting.

X. Approval of Action Items

09. On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board unanimously approved to begin the Administrative Procedures Act process: To establish the Textbook and Instructional Materials Administration Handbook [Goals 1 and 2 – MBE Strategic Plan] (copy attached).
(Office of Chief Academic Officer)
10. On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board unanimously approved to begin the Administrative Procedures Act process: To revise the Mississippi Kindergarten Guidelines (2018) [Goal 3 – MBE Strategic Plan] (copy attached).
(Office of Chief Academic Officer)
11. On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board unanimously approved the resolution declaring the consolidation of the Holmes County School District and the Durant School District into the Holmes County Consolidated School District [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan] (copy attached).
(Office of Chief Academic Officer)
12. On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved the preliminary estimate of the Mississippi Adequate Education Program Base Student Cost for Fiscal Year 2020 [Goals 4 and 5 – MBE Strategic Plan] (copy attached).
(Office of Chief Operations Officer)
13. On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved the preliminary estimate of the Mississippi Adequate Education Program for Fiscal Year 2020 [Goals 4 and 5 – MBE Strategic Plan] (copy attached).
(Office of Chief Operations Officer)
14. On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved the Fiscal Year 2020 Budget Request [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan] (copy attached).
(Office of Chief Operations Officer)

15. On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved the Mississippi Department of Education Contracts [Goals 1, 2, 3, 4, and 5 – MBE Strategic Plan] (copy attached).
(Office of Chief Operations Officer)
- 15.A. Action: Monthly contracts with former State Employees receiving retirement benefits [Goal 4 – MBE Strategic Plan]
(Office of Chief Operations Officer)
- 15.B. Action: Contract with ACT, Inc. for Fiscal Year 2019 to administer the ACT to all juniors in the state [Goals 1 and 2 – MBE Strategic Plan]
(Office of Chief Accountability Officer)
- 15.C. Action: Contract with META Associates, Inc. to update the State of Mississippi Migrant Education Program (MEP) Service Delivery Plan (SDP) and complete an evaluation of its 2017-2018 statewide program [Goals 1, 2, 3, and 5 – MBE Strategic Plan]
(Office of Chief Academic Officer)
- 15.D. Action: Purchase a used bus for the Mississippi School of the Arts as per Miss. Code § 37-41-101(4) [Goals 2 and 3 – MBE Strategic Plan]
(Office of Chief Academic Officer)
- 15.E. Action: Contract with North Atlantic Security to provide security services on the campus of the Mississippi School of the Arts for Fiscal Year 2019 [Goal 4 – MBE Strategic Plan]
(Office of Chief Academic Officer)
16. On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously approved the Mississippi Department of Education grant award [Goal 3 – MBE Strategic Plan] (copy attached).
(Office of Chief Operations Officer)
- 16.A. Action: Award competitive grants to school districts to support pre-kindergarten programs [Goal 3 – MBE Strategic Plan]
(Office of Chief Academic Officer)
17. On a motion by Dr. Karen J. Elam, seconded by Mr. Sean Suggs, the Board unanimously approved the consent agenda items A., B., and C. (copy attached).

- A. Approval of the 2018-2019 Crisis Management Plans for the State Schools
 - 1. Mississippi School of the Arts
 - 2. Mississippi Schools for the Blind and Deaf**(Office of Chief Academic Officer)**

- B. Approval to establish the Mississippi Early Learning Standards for Classrooms Serving Infants through Four-Year-Old Children (2018)
(Has cleared the Administrative Procedures Act process without public comment)
(Office of Chief Academic Officer)

- C. Approval to establish the Mississippi College- and Career-Readiness Standards for the Social Studies
(Has cleared the Administrative Procedures Act process with public comments)
(Office of Chief Academic Officer)

XI. Consideration of Executive Session

Mr. Sean Suggs moved that the Board consider making a closed determination of the need to go into Executive Session. Dr. Karen J. Elam seconded the motion, and the motion passed on a vote of 7 to 0. Ms. Rosemary G. Aultman asked Dr. Carey M. Wright, Legal Team, Mr. Mike Kent, Ms. Sonya Amis, and the Executive Leadership Team to remain in the Executive Session.

Mr. Sean Suggs, then moved that the Board go into Executive Session to discuss discrete personnel matters, litigation and the issuance of an appealable order in accordance with Miss. Code Ann. § 25-41-7(4)(a), (b), (d), and (k). Mr. Johnny Franklin seconded the motion, which passed on a vote of 7 to 0.

Minutes of the Executive Session

During the Executive Session, the Board discussed discrete personnel matters, litigation and issuance of an appealable order in accordance with Miss. Code Ann. § 25-41-7(4)(a), (b), (d), and (k).

On a motion by Mr. Sean Suggs, seconded by Mr. Johnny Franklin, 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. Karen J. Elam, seconded by Mr. Buddy Bailey, the Board voted to approve the appointment of Ms. Wendy L. Rogers as Superintendent for the Mississippi Schools for the Blind and Deaf at a salary of \$120,000.00.
02. On a motion by Mr. Johnny Franklin, seconded by Dr. Karen J. Elam, the Board voted to approve the appointment of Ms. Dana Jeffcoat Seymour as Educ-Bureau Director II to serve as a Program Evaluator in the Office of Educational Accountability at a salary of \$84,000.00.

XII. State Board of Education

1. There were no reports on meetings attended.
2. There were no requests to attend meetings.
3. Dr. Karen J. Elam moved to nominate Dr. Jason S. Dean to serve as Board Chair from July 2018 to July 2019. The motion was seconded by Mr. Buddy Bailey and the Board unanimously approved Dr. Jason S. Dean to serve as Board Chair from July 2018 to July 2019.

Mr. Sean Suggs moved to nominate Mr. Buddy Bailey to serve as Board Vice-Chair from July 2018 to July 2019. The motion was seconded by Mr. Charles McClelland and the Board unanimously approved Mr. Buddy Bailey to serve as Board Vice-Chair from July 2018 to July 2019.

XIII. Other Business


The August Board meeting will be held August 16, 2018, in Jackson, Mississippi at the Central High School Building starting at 10:00 a.m.

Ms. Aultman stated that on October 10, 2018, from 2:00 p.m. until 5:00 p.m. the Board will meet to discuss the Board Strategic Plan.


XIV. Adjournment

On a motion by Mr. Johnny Franklin, seconded by Mr. Charles McClelland, the Board unanimously voted to adjourn the meeting at 3:10 p.m.

Approved:



Rosemary G. Aultman, Chair
Mississippi Board of Education



Carey M. Wright
Executive Secretary
Mississippi Board of Education