A Case Study of the State Takeover of the Sunflower County School District

Paula Allen Vanderford

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A CASE STUDY OF THE STATE TAKEOVER OF THE
SUNFLOWER COUNTY SCHOOL DISTRICT

By

Paula Allen Vanderford

A Dissertation
Submitted to the Faculty of
Mississippi State University
in Partial Fulfillment of the Requirements
for the Degree of Doctor of Philosophy
in Elementary, Middle, and Secondary Education Administration
in the Department of Leadership and Foundations

Mississippi State, Mississippi
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By

Paula Allen Vanderford
A CASE STUDY OF THE STATE TAKEOVER OF THE SUNFLOWER COUNTY SCHOOL DISTRICT

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The performance of the nation’s public schools continues to be a concern of policymakers, educators, and parents. Stakeholders cite the lack of academic achievement, disruptive student behavior, and failure to provide students with a safe and orderly school environment as evidence of being unsuccessful. To ensure school districts, schools, administrators, teachers, and students meet acceptable performance standards, states are implementing a variety of accountability policies. Two of the more controversial accountability approaches are state takeovers of local school districts and the reconstitution of schools.

At least 29 states have enacted policies that allow the takeover of a school district. Changes in statute during the 1991 legislative session authorized the first takeover (conservatorship) section of the law in the state of Mississippi. Sections 37-17-6 and 37-17-7 of the Mississippi Code of 1972, as amended, describes the rationale for the initiation of the takeover process. To date, the Commission on School Accreditation
(CSA) and the State Board of Education (SBE) have requested the Governor declare a state of emergency on 13 occasions in 12 Mississippi school districts.

The purpose of this study was to determine what led to the state takeover of Sunflower County School District (SCSD), determine the takeover process used by the Mississippi Department of Education (MDE), and make recommendations to the MDE that will improve the sustainability of the success of the state takeover process after the conservator is removed from the district and the district regains control.

The findings presented in this study are based on the analysis of data collected during the on-site evaluation of the school district. The SCSD was not fully compliant with any one of the 37 process standards as published in the *Mississippi Public School Accountability Standards, 2009*. Governor Haley Barbour signed a Proclamation in response to the Resolutions of the CSA and the SBE. The Proclamation declared that a state of emergency did exist in the SCSD that jeopardized the safety, security, and educational interests of the students enrolled in that district. The state of emergency was related to serious violations of accreditation standards, state law, and federal law.

Key words: accountability, takeover, state of emergency, conservator
DEDICATION

The author would like to dedicate this research to her parents, Reggie Harold and Cathy Burnham Allen; daughter, Cassie Elizabeth Means; and husband, Kenneth James Vanderford. The author is greatly indebted to her parents for the love, support, and opportunities that culminated in the attainment of this goal. The author would also like to recognize the love, encouragement, and patience given by her daughter and husband.
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The author is especially appreciative of the contributions made to the field of education by members of her family, in particular, her mother, Cathy; uncle, Tommy; and cousins, Betty and Mike. Not only have these individuals had a profound impact on the lives of children in our state, they have greatly influenced the personal and professional growth of the author.

Appreciation is also extended to Dr. Larry Drawdy, Interim Deputy Superintendent for the Office of School Improvement, Oversight, and Recovery at the Mississippi Department of Education, for his assistance and support in the completion of this study. The author also extends appreciation to the staff (too numerous to name) at the Mississippi Department of Education that contributed to this study.
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CHAPTER I
INTRODUCTION

According to the Education Commission of the States (ECS; 2004), the performance of our nation’s public schools continues to be a concern of policymakers, educators, and parents. Stakeholders cite the lack of academic achievement, disruptive student behavior, and failure to provide students with a safe and orderly school environment as evidence of being unsuccessful.

ECS (2004) indicated in *State Takeovers and Reconstitutions* there is a general consensus that the nation’s public schools must improve, especially the low performing. Examples of the nation’s focus on improving the educational system in the United States can be seen in the *Elementary and Secondary Education Act* (ESEA), as reauthorized by the *No Child Left Behind Act of 2001* (NCLB) and the recent release of *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act* by the Obama administration (United States Department of Education, 2010a).

The school systems of the United States were also the focus on the National Broadcasting Company (NBC) in a featured series entitled *Education Nation* (National Broadcasting Company Universal, 2010). According to the NBC News *Education Nation* mission statement, *Education Nation* sought to engage the public, through thoughtful dialogue, in pursuit of the shared goal of providing every American with an opportunity to pursue the best education in the world. Moore (2010) reported that the Education Summit was held at Rockefeller Plaza, in New York City on September 27-18,
2010. The conference discussed ways to improve education and turn the schools around for the better. According to Moore, NBC News aired special coverage spotlighting education issues for the entire week. On September 26, 2010, David Gregory, moderator on *Meet the Press*, debated the state of this nation’s public schools and educational system with the Secretary of Education, Chancellor of Washington D.C. Schools, Emergency Financial Manager of Detroit Public Schools, and President of the American Federation of Teachers, in a special *Education Nation* roundtable (NBC Video: Panel Eyes Reforming U.S Education System, 2010). On September 27, 2010, *Education Nation* began with a live interview with President Obama with Matt Lauer on the *Today Show* and continued with a nationally broadcasted town hall meeting on Sunday, October 2, 2010, moderated by Brian Williams, which discussed the challenges facing education in the United States, as well as ways to improve our educational system (Moore, 2010).

The ESEA, as reauthorized by the NCLB (2002), sought to hold schools accountable for their effectiveness in making academic progress and overcoming achievement gaps by meeting AYP. According to the USDE (2004), there are four pillars of NCLB: (a) Stronger Accountability for Results, (b) More Freedom for States and Communities, (c) Proven Educational Methods, and (d) More Choices for Parents.

On March 13, 2010, the Obama administration released *A Blueprint for Reform: The Reauthorization of the Elementary and Secondary Education Act*, a blueprint for revising the ESEA (USDE, 2010a). According to the USDE (2010b), as noted in the *Elementary and Secondary Education ESEA Reauthorization: A Blueprint for Reform*, “the blueprint challenges the nation to embrace education standards that would put America on a path to global leadership” (para. 2). The USDE (2010a) stated:
This blueprint builds on significant reforms already made in response to the *American Recovery and Reinvestment Act of 2009* (ARRA) around four areas: (1) Improving teacher and principal effectiveness to ensure that every classroom has a great teacher and every school has a great leader; (2) Providing information to families to help them evaluate and improve their children’s schools, and to educators to help them improve their students’ learning; (3) Implementing college- and career-ready standards and developing improved assessments aligned with those standards; and (4) Improving student learning and achievement in America’s lowest-performing schools by providing intensive support and effective interventions. (p. 3)

To ensure school districts, schools, administrators, teachers, and students meet the acceptable performance standards, states are implementing a variety of accountability policies. ECS (2004) indicated two of the more controversial accountability approaches are state takeovers of local school districts and reconstitutions of schools. The first state takeover of a school district occurred in 1989 when New Jersey took control of Jersey City Schools to eliminate fiscal mismanagement while improving student achievement (NASBE, n.d.). At least 29 states have enacted policies that allow the takeover of a school district, usually due to a combination of inept administration, poor fiscal mismanagement, corrupt governance, and recurring academic problems (ECS, 2004). However, ECS (2004), reported takeovers seem to yield more gains in central office activities such as improving administrative and financial management practices, upgrading the physical condition of the school district, and implementing innovative programs within the school district, rather than in classroom instructional practices.

This chapter is presented in six sections: (a) Statement of Purpose, (b) Questions to be Answered, (c) Justification of the Study, (d) Definitions of Terms, (e) Listing of
Acronyms, and (f) Limitations of Study. Chapter II, Literature Review, will present a full rationale for this case study.

**Statement of Purpose**

The NCLB and the Mississippi Code of 1972, as amended, provides the framework to ensure that children in the State of Mississippi receive a quality public education by providing the appropriate assistance to underperforming districts and schools. According to the State Superintendent of Education, Dr. Tom Burnham (personal communication, March 2, 2010), the number of state takeovers increased in Mississippi due to a history of low performance and/or severe fiscal mismanagement. Senate Bill 2405 (Commission on Restructuring the Mississippi Adequate Education Program) created a task force to study and report on the status of underperforming schools and school districts in the state of Mississippi. The task force was created to assist policymakers in shaping public policy to improve student outcomes and educational opportunities for all students in the state by improving the effectiveness of local leadership, increasing student achievement, and improving school/community relationships and parental involvement. The task force was also charged with studying and reporting the effectiveness measure for improving underperforming schools and school districts and the enhancement of accountability and sanctions imposed on underperforming schools and school districts. Research is needed to determine if a state takeover has a positive effect in any or all three of these areas. The purpose of this study was to determine what led to the state takeover of Sunflower County School District, determine the takeover process used by the Mississippi Department of Education (MDE), and make recommendations to the MDE that will improve sustainability of the success of
the state takeover process after the conservator is removed from the district, and the
district regains control.

Questions to be Answered

The following research questions directed the focus of this study:

1. What led to the state’s takeover of Sunflower County School District?
2. What process is used by the Mississippi Department of Education during a
formal investigation of a local school district and a state’s takeover?
3. What recommendations can be made to the Mississippi Department of
Education to improve the sustainability of the success of the state takeover
after the conservator is removed from the local school district?

Justification of the Study

The performance of public schools continues to be a priority of policymakers,
educators, and parents in the state of Mississippi. In addition, NCLB (2002) sought to
hold state and local educational agencies accountable for student achievement.
Mississippi is one of at least 29 states that have enacted legislation, as well as State Board
of Education (SBE) Policies, for state control of local school districts (ECS, 2004).
Section 37-17-6 of the Mississippi Code of 1972, as amended in 1991, delegated the
MDE the authority to assist local school districts by appointing an interim conservator or
a conservator to oversee the day-to-day operation of leadership and administration, fiscal
management, and instructional programs.

While the statue gives the MDE the authority to take control of local schools
districts, it does not prescribe the process. The process used by the MDE officials during
a formal investigation of a local school district and a state takeover is the responsibility of
the SBE, acting through the CSA (CSA) and is published in the current edition of the
Mississippi Public School Accountability Standards (Sections 37-17-1 and 37-17-6(1) of
the Mississippi Code of 1972, as amended; MDE, 2001). The results of this study will
assist the MDE officials, the SBE, conservators, and the local school district
administration in the sustainability of the takeover process by implementing effective
strategies for improving local leadership, increasing student achievement, and improving
school and community/parental relationships.

There is limited research on state takeovers; however, state takeovers seem to
yield more gains in central office activities than in classroom instructional practices
(ECS, 2004). Further study is needed to aid education officials in building capacity to
improve and sustain the gains made by the local school district during the state takeover
process.

Definitions of Terms

The following definitions were established for the purpose of implementing the
Mississippi Public School Accountability Standards, 2009, established by the SBE and
authorized under Sections 37-17-1 through 13 and 37-18-1 through 7 of the Mississippi
Code of 1972, as amended.

1. Accountability System: The entire process that holds all stakeholders
   (students, parents, teachers, principals, superintendents, and school
   boards) accountable for student achievement (growth and achievement).
The accountability system includes the statewide assessment system,
individual student accountability standards (grade level benchmarks and
graduation requirements), an accreditation model that includes a system of
rewards and sanctions for both school districts and individual schools, and procedures for interventions in Schools At-Risk and schools that fail to improve over time.

2. **Accreditation Record Summary**: A continuous record maintained on each school district in the state reflecting the extent to which accreditation requirements are met and used as the basis for assigning annual accreditation statuses. The Accreditation Record Summary is updated as citations of noncompliance with requirements are added or deleted, and the school district officials are notified in writing of such.

3. **Accreditation Standards**: The performance-based accreditation system for public schools that holds school districts accountable for process standards and individual schools accountable for performance standards (growth and achievement).

4. **Accreditation Status**: An annual status for a school district assigned by the CSA and approved by the SBE based on compliance with process standards using verified accreditation data from the previous school year. The accreditation statuses are Accredited, Advised, Probation, and Withdrawn (*Mississippi Public School Accountability Standards, 2009, Accreditation Policy 2.3*).

5. **Adequate Yearly Progress (AYP)**: The model or formula specified in NCLB for determining whether schools and school districts have met annual achievement criteria.
6. **Advised Accreditation Status**: An accreditation status assigned to a school district that has a verified process standard deficiency on record from the previous school year.

7. **Benchmark**: Standards for learning outcomes, what students should know and be able to do in order to meet the competencies in the curriculum frameworks.

8. **Commission on School Accreditation (CSA)**: The Commission is composed of fifteen (15) members, with three representatives from each of the five Congressional Districts, as established at the time the Commission was authorized in Section 37-17-3 of the *Mississippi Code of 1972*, as amended. The role of the CSA is to continually review and enforce the accreditation standards and to make recommendations to the SBE.

9. **Conservatorship**: A state of emergency in a district declared by the Governor, which gives the SBE several options for action as described in Section 37-17-6 of the *Mississippi Code of 1972*, as amended.

10. **Corrective Action Plan**: A plan to correct deficiencies on record that shall be developed by the MDE, when a district is assigned an Advised or Probation accreditation status.

11. **District Level Accreditation**: The accreditation status of all public school districts based on compliance with process standards as determined annually by the CSA. Annual accreditation statuses are assigned in the fall of each school year and are based on verified accreditation data from the previous school year.
12. **Evaluation**: Formal appraisal (assessment) of education experiences, including the performance of schools, education programs, personnel, and students. Evaluations are conducted to determine strengths and areas which need improvement and may involve the use of various measurements designed to appraise the effects of educational experiences.

13. **Failing School**: A school performance classification based on the Quality of Distribution Index (QDI) achieved by the school.

14. **Failing School District**: A district that fails to meet both the absolute student achievement standards and the rate of annual growth expectation standards as set by the SBE for two consecutive years. A school district that has been designated as Failing as defined by the SBE shall also establish a community-based pre-kindergarten through higher education council comprised of a broad spectrum of the community and is required to publicly report progress to the community as a whole.

15. **Growth Expectation**: A reasonable expectation for improved student academic achievement based on annual assessment data and using a psychometrically approved formula to track progress. The formula used to calculate the growth expectation will result in a composite score each year for each school.

16. **Hearing**: The process by which all controversies involving the accreditation levels of school districts are initially heard by a duly authorized representative of the CSA, for whom a complete record is made. 

*Mississippi Public School Accountability Standards, 2009, Accreditation Policy 5.0.*
17. **Highest Levels of Accreditation Standards:** A school or district with a QDI in the top two ranges of the accountability rating system will be identified as meeting the highest levels of accreditation standards.

18. **Investigative Evaluation (Complaint Against District):** An evaluation that is conducted in a school district in response to a formal written complaint. All formal complaints made against schools or districts must be submitted to the Commission in writing and bear the signature of the individuals(s) filing the complaint. The written complaint shall contain specific details concerning alleged violations. When the complaint is received, the superintendent of the school district is notified in writing of the nature of the complaint and informed that the district is subject to an unannounced audit to investigate the allegations. If the complaint addresses an area over which the Commission has no authority, the individual filing the complaint is notified.

19. **Lowest Performance Level of Accreditation Standards:** A school or district that is identified as Failing after one year or identified as At-Risk of Failing or Low Performing for two consecutive years will be identified as accredited at the lowest performance levels.

20. **Mississippi Statewide Assessment System:** A program of statewide assessment designed to improve the operation and management of public schools by providing educators, parents, students, legislators, and the general public with meaningful achievement data from the school, district, and state levels. The program consists of two components: (a) a norm-referenced achievement testing program to be administered in selected
grades and (b) a criterion-referenced testing program which assesses basic
skills and knowledge and application of selected high school subjects.

21. **On-Site Evaluations:** On-site evaluations or investigations of a school
district that the SBE, the State Superintendent of Education, or the CSA
has the authority to call at any time. If deficiencies are found in meeting
accreditation standards, the superintendent is notified in writing and given
30 days from the receipt of notification to provide a written response. The
report of findings is filed in the current accreditation records in the Office
of Accreditation.

22. **Performance Standards:** Standards for individual schools and districts
based on student achievement data using established proficiency levels
and reasonable expectation for annual growth in student achievement and
output or product standards that address selected components of the
statewide testing program and other outcome measures related to the
performance of a school or district.

23. **Personnel Accreditation Data Reporting System:** School district employee
information required by the MDE on an annual basis. This information is
transmitted electronically, reflects the daily schedule of each employee,
and is used to determine district compliance with a number of
accreditation standards.

24. **Policy:** A statement of official intent adopted by the school board and
recorded as official action in school board minutes. The district must
comply with all school board policies.
25. **Principal**: The individual who is responsible for the total program of a school, and who holds a valid and appropriate administrator certification.

26. **Probation Status**: An accreditation status assigned to a district that was assigned an Advised status the previous school year, and the district has not taken corrective actions or has not removed the process standard deficiencies that resulted in the Advised status. The district will be required to develop a corrective action plan to address the deficiencies.

27. **Process Standards**: Input standards that address accepted educational principles and practices believed to promote educational quality *(Mississippi Public School Accountability Standards, 2009, Accreditation Policy 2.2)*.

28. **Public Notice**: The public notice that the CSA files at least once a week for at least three consecutive weeks in a newspaper published with the immediate or general vicinity of the affected school district in accordance with Section 3-17-6(12), *Mississippi Code of 1972*, as amended, after a state of emergency has been declared for a school district.

29. **Quality of Distribution Index (QDI)**: The QDI measures the distribution of student performance on state assessment around the cut points for Basic, Proficient, and Advanced performance. The formula for QDI is \( QDI = \%Basic + (2\times\%Proficient) + (3\times\%Advanced) \).

30. **School At-Risk**: A school level performance classification, previously defined as Priority Schools. A school shall be identified as a School At-Risk and in need of assistance if the school: (a) does not meet its growth expectation and has a percentage of students functioning below grade level
as designated by the SBE (b) is designated as a Failing School; or (c) is designated as At-Risk of Failing or Low Performing for two (2) consecutive years.

31. **School Performance Classification:** A classification assigned to a school based on student achievement and growth (*Mississippi Public School Accountability Standards, 2009, Accreditation Policy 3.3*).

32. **Show Cause Hearing:** The hearing that the CSA conducts to allow the officials of the affected district to present evidence or other reasons as to why the accredited status should not be Withdrawn. This occurs before the CSA recommends to the SBE that the accredited status of a district be Withdrawn.

33. **Standards:** Criteria by which school districts and schools are assessed. The two types of standards used in the performance-based accreditation system are performance and process.

34. **State Board of Education:** The Mississippi State Board of Education is comprised of nine members who are appointed as prescribed by the Constitution of the State of Mississippi. The SBE appoints the State Superintendent of Education, sets public policy and oversees the MDE.

35. **Superintendent:** The school board employee who is responsible for administering the operations and activities of schools within the district and for implementing the decisions of the school board. The superintendent holds a valid Class AA license in school administration.

36. **Withdrawn Status:** The status of a school district when the accreditation of the school district is Withdrawn due to the noncompliance with its
corrective action plan. The status is listed as Accreditation-Withdrawn, and the record of that district shall continue to be maintained.

**Listing of Acronyms**

2. AYP: Adequate Yearly Progress
3. CFA: Children First Act of 2009
4. CSA: Commission on School Accreditation
5. DCT: District Curriculum Team
6. DTC: District Testing Coordinator
7. ECS: Education Commission of the States
8. EEF: Educational Enhancement Funds
9. ELL: English Language Learners
10. ESEA: Elementary and Secondary Education Act
11. FAPE: Free Appropriate Public Education
12. FLE: Functional Literacy Exam
13. GED: General Education Diploma
14. HACCP: Hazard Analysis Critical Control Points Plan
15. HSCI: High School Completer Index
16. IDEA: Individuals with Disabilities Education Act
17. IECP: Individual Education and Career Plan
18. IEP: Individual Education Program
19. IIP: Individual Instructional Plan
21. LEA: Local Educational Agency
22. MAARS: Mississippi Assessment and Accountability System
23. MCT2: Mississippi Curriculum Test
24. MDE: Mississippi Department of Education
25. MHSAA: Mississippi High School Activities Association
26. MOD: Mississippi Occupational Diploma
27. MSIS: Mississippi Student Information System
28. NASBE: National Association of State Boards of Education
29. NBC: National Broadcasting Company
30. NCLB: No Child Left Behind Act of 2001
31. NIMS: National Incident Management System
32. QDI: Quality Distribution Index
33. RFP: Request For Proposals
34. SATP: Subject Area Testing Program
35. SBE: State Board of Education
36. SEA: State Educational Agency
37. SES: Supplemental Educational Services
38. SIG: Student Improvement Grant
39. SRO: School Resource Officer
40. SSO: School Safety Officer
41. TIMS: Textbook Inventory Management System
42. USDE: United States Department of Education
43. USDJ: United States Department of Justice
Limitations of the Study

Limitations of this study may include, but not be limited to, the following:

1. The results generated from this study may be limited to the school district used in the study and may not necessarily be generalizable in all school districts in the state of Mississippi.

2. The data for this study were limited to the 2009-2010 school year.

3. Findings may not be generalized to another state, as only Mississippi data from one district will be used.

4. This study focused on an unprecedented action, which demanded urgent resolution by the MDE.
CHAPTER II

LITERATURE REVIEW

The Review of Literature for this case study included federal, state, and local school district information. This chapter is presented in 15 sections: (a) Perspectives on State Takeovers, (b) Effects of State Takeovers, (c) Relationship Between State Takeovers and Academic Performance, (d) NCLB and Federal Regulations Regarding Accountability and School Improvement, (e) State Takeovers Under NCLB, (f) NCLB and the Mississippi Accountability System, (g) CFA, (h) Mississippi Legislation on Performance, Accountability, and State Takeovers, (i) Effects of Voting Rights Act of 1965, (j) SBE Policies Regarding Accountability, (k) Accreditation, (l) Performance Standards and the Mississippi Accountability System, (m) History of State Takeovers in Mississippi, (n) Sunflower County School District and (o) Summary of the Literature Review.

According to Steiner (2005), NCLB changed the way many states and local school districts approach school accountability. Steiner also noted “with the reauthorization of ESEA and the passage of NCLB in 2002, the federal government revised the existing federal accountability framework” (p. 3). According to Steiner (2005) in School Restructuring Options Under No Child Left Behind: What Works When? State Takeovers of Individual Schools, although the revision relied heavily on existing law, it also introduced new measures designed to make schools more accountable for academic outcomes by requiring annual assessment of student learning, a timeline
specifying consequences for schools not meeting state-determined proficiency targets, consideration of significantly more dramatic school restructuring options, and a much stronger impetus for improvement from the federal, rather than state level; all critical aspects of the revised law.

Years after the passage of NCLB, there are persistently low-performing schools in every state that face increasingly strong consequences for failing to improve student achievement (Steiner, 2005). Steiner also noted that under NCLB, if a school receiving Title I funds fails to meet AYP for five consecutive years, the local education agency (LEA) or district must develop a restructuring plan to improve student learning. In The New Title I: The Changing Landscape of Accountability, Cowan (2007) discussed the sanctions for failing to improve student learning. According to Cowan, there are five options for restructuring; however, the option selected must be consistent with existing state law. Cowan defined the following five options:

(a) Reopen the school as a public charter school. (b) Replace all or most of the school staff (which may include the principal) who are relevant to the failure to make AYP. (c) Contract with an outside entity, such as a private management company, with a demonstrated record of effectiveness, to operate the school. (d) Turn the operation of the school over to the state educational agency, if permitted under State law and agreed to by the State. (e) Engage in another form of major restructuring that makes fundamental reforms, such as significant changes in the school’s staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make AYP. (p. 114)
This case study examined restructuring option (d) in which the state educational agency operates the school or school district.

In *School Restructuring Options Under No Child Left Behind: What Works When? State Takeovers of Individual Schools*, Steiner (2005) described the specific scenario envisioned under *NCLB* legislation. Steiner indicated an individual would initiate a *friendly* [emphasis added] takeover by inviting the state to take over and manage a persistently low-performing school, differs from the more typical *hostile* [emphasis added] school and district takeovers that some states have undertaken in recent years. Steiner (2005) also reported that the known takeovers are primarily state takeovers of school districts rather than individual schools. According to Steiner, in a few documented instances when states took over individual schools, the takeovers were hostile and involuntary on the part of the school district.

The National Association of State Boards of Education (NASBE; n. d.) indicated that the takeover process varies from state to state; however, school districts and schools generally receive warnings prior to takeover. Some states require that the school district or school undergo an academic and fiscal audit to identify areas in need of improvement. The NASBE also reported that many states provide technical assistance to districts or schools that fail to meet standards and require the district or school to develop and implement a comprehensive improvement plan. Typically, a takeover is an intervention of last-resort. According to NASBE, states generally configure a takeover in one of the following five ways:

(a) *State Management*. The state education department or SBE removes the local board and superintendent and takes over district management and policymaking, usually appointing a superintendent and/or board of trustees to manage day-to-day
operations. (b) *State/District Partnership.* The local board and many administrators remain on-the-job as advisors to a state appointed team or individual that oversees district improvement. (c) *Third Party Management.* The state contracts with a private company to manage the institutional improvement process. (d) *Mayoral Control.* Accountability shifts from the local school board to the mayor, who can hire a team of managers to turn the district around. (e) *Reconstitution of Individual Schools.* States remove the entire staff of a school and oversee the building of a new philosophy, a new curriculum, and a new staff.

Although NCLB changed the way many states and local school districts approach school accountability, years later, there are still persistently low-performing schools in every state. Many states face increasingly strong consequences for failing to improve student achievement. Of the five restructuring options under NCLB, only one option allows the state educational agency to operate the school or school district, if the option is consistent with state statute. This option was the focus of this case study. Most takeovers are of local school districts, rather than individual schools. The literature also discussed five ways a takeover may be configured, all of which are considered interventions of last resort.

**Perspectives on State Takeovers**

The NASBE (n. d.) reported that proponents view state takeovers as a critical component of the state’s constitutional responsibility to ensure a quality education for every child. According to ECS (2004), state takeovers: (a) provide an opportunity for state and local decision makers to combine resources and knowledge to accelerate
learning, (b) replace dysfunctional staff or local officials with highly qualified staff, which guides an uninterrupted and effective implementation of school improvement efforts, (c) are a catalyst for creating the appropriate environment for the community to address the school district’s problems, (d) allow for more radical, and necessary, changes in low-performing school districts, and (e) increase accountability.

The NASBE (n. d.) reported that opponents view state takeovers as an attempt to reduce local control over schools and increase state authority over school districts. As reported by the ECS (2004), opponents assert that state takeovers: (a) focus on superficial improvements in management, while ignoring the deep-rooted social problems that threaten the welfare of the children, (b) place poorly prepared state officials in the school district, with little possibility of meaningful change occurring in the classroom, (c) imply that the community has problems, and the state falsely assumes they have the ability to effectively run the school district, (d) claim narrow learning measures, such as standardized test scores, are the primary criterion for takeover decisions, (e) produce showdowns between state and local officials that slow the overhaul of management practices, (f) drain resources from educational reforms and reinforce community resentments, and (g) foster negative connotations and impressions that hinder the self-esteem of superintendents, school board members, administrators, teachers, students, and parents.

**Effects of State Takeovers**

There is limited, but increasing, research on the effects of state takeovers, and the consequences of the takeovers appear mixed. Most schools and districts that have been a target of a state takeover do improve but remain below average. In *School Restructuring:*
According to the NASBE (n. d.), many school districts continue to fall short of state expectations after a decade or more of state intervention. Research (ECS, 2004) indicated that state takeovers seem to yield more gains in central office activities than in classroom instructional practices. As evidence, takeovers are credited with eliminating nepotism within a school district’s decision making process, improving a school district’s administrative and financial management practices, upgrading the physical condition of schools within a school district, and implementing innovative programs within a school district, such as small schools programs and cooperative arrangements between schools and social service agencies.

Despite the positive results, state takeovers have produced results to the contrary, such as the $70 million deficit incurred by state-appointed administrators in Newark, New Jersey (ECS, 2004). More importantly, student achievement oftentimes has fallen short of expectations after a state takeover. In many cases, academic results have been
mixed, with increase in student performance in some areas and decreases in other areas. Ultimately, state takeovers have yet to produce dramatic and consistent increases in student performance, as is necessary in many of the school districts that are taken over (ECS, 2004).

As with most policies, the implementation of state takeovers has also produced unintended consequences. Certain states face questions concerning the federal Voting Rights Act of 1965. The USDJ (USDJ) views state takeovers as a violation of the local voters rights to elect local officials and is requiring certain states to obtain the department’s clearance before taking over a school district (ECS, 2004). Texas filed a lawsuit against the department with the intention of freeing Texas from obtaining department clearance for a state takeover. However, the United States Supreme Court refused to hear the suit, because there was no test case for them to review (ECS, 2004).

According to the USDJ (2008a), in *About Section 5 of the Voting Rights Act*, the preclearance requirement was enacted in 1965 as temporary legislation, to expire in five years, and applicable only to certain states; and, the covered jurisdictions were identified by a formula. Congress recognized the continuing need for these special revisions, and since 1970 have continued to extend the requirements. In 2006, Congress extended the requirements of Section 5 for an additional 25 years (USDJ, 2008a).

The State of Mississippi, in its entirety, is a covered jurisdiction under Section 5 of the Voting Rights Act of 1965 (USDJ, 2008b). The Voting Rights Act is discussed in greater detail in a later section of the Review of Literature.
Relationship between State Takeovers and Academic Performance

The ECS (2004) in *State Takeovers and Reconstitutions* discussed a study conducted by Vanderbilt University and Harvard University. As a result of the study, researchers produced four broad conclusions regarding the relationship between state takeovers and academic performance: (a) State takeovers placing mayors in charge of school districts are linked to increases in student achievement at the elementary grades, (b) Gains in achievement are especially large for the lowest-performing schools in these districts, suggesting that state takeovers involving mayors include a special focus on these failing schools, (c) State takeovers placing mayors in charge of school districts seem less effective for the upper grades, where the cumulative effects of many years of poor instruction are not easily reversible and (d) When state takeovers placing the State Department of Education in charge of school districts produce administrative and political turmoil, student achievement suffers (ECS, 2004).

According to Aarons (2010), the business community supports the mayoral control of schools in Ohio, as stated by the chief executive officer of the Rochester Business Alliance, Sandra A. Parker, in *Bid comes as mayor is tapped to run for N. Y. lieutenant governor*, “We support it (mayoral control) simply because we’ve gone through decades of trying many other options under the current governance structure, and none have been successful” (para. 23). Aarons also reported, “U. S. Secretary of Education, Arne Duncan, has advocated for mayors to take a more active role in leading school systems, famously saying last year that he’d consider his tenure as secretary as a ‘failure’ if more mayors don’t do so” (para. 16).
**NCLB and Federal Regulations Regarding Accountability and School Improvement**

According to Cowen (2007), in 2005 and 2006, the USDE undertook numerous initiatives affecting the implementation NCLB. This included new regulations, updating non-regulatory guidance, granting flexibility through pilot programs and strengthening enforcement of certain provisions of the law. According to Cowan, changes in accountability and school improvement included an array of new guidance on district improvement and supplemental educational services (SES): (a) a pilot program allowing school districts to reverse the order of two school improvement sanctions (public school choice and SES); (b) a pilot program to permit school districts to continue providing SES despite rules that would prohibit them from doing so; (c) a crackdown on lax enforcement of choice and SES; and (d) new developments in state NCLB accountability systems.

As reported by the USDE (2006) in the *LEA and School Improvement Non-Regulatory Guidance*, each state’s accountability system includes sanctions and rewards for schools that are tied to their performance relative to annual and long-term academic proficiency targets for all students. The State Educational Agencies (SEAs) and the LEAs are required to intervene in schools that persistently do not meet their targets. According to the USDE (2006), the interventions are identified as (a) School Improvement, (b) Corrective Action, and (c) Restructuring. Schools identified in need of these interventions receive assistance in identifying and addressing the instructional issues that prevent students attending that school from attaining proficiency in the core academic subjects of reading and mathematics. The school improvement process and timeline were designed to create a sense of urgency about reform and improving student outcomes (USDE, 2006).

A school that does not make AYP as defined by the state’s accountability system for two consecutive years must be identified for school improvement (Southeast
Comprehensive Center, 2007). Identifying a school for improvement serves as a formal acknowledgement that the school is not meeting the challenge of successfully teaching all of its students (USDE, 2006). This identification is the beginning of the school improvement process, a set of structured interventions designed to help a school identify, analyze, and address issues that prevent student academic success. The SEA and the LEA are to provide a school that is identified for improvement with extensive support and technical assistance in designing and implementing a plan to improve student achievement (USDE, 2006). A school identified for improvement must make AYP as defined in its state accountability system for two consecutive school years in order to exit school improvement status (Southeast Comprehensive Center, 2007).

The process of school improvement begins with the development of a two-year plan addressing the academic issues that caused the school to be identified for school improvement. The school may develop a plan or revise an existing one, but in either case, the plan must be completed no later than three months after the school has been identified (USDE, 2006). The school improvement plan provides a framework for analyzing problems, identifying underlying causes, and addressing instructional issues in a school that has not made sufficient progress in student achievement (USDE, 2006).

The Southeast Comprehensive Center (2007) noted that the SEA has specific responsibilities for providing technical assistance to a school in improvement. The technical assistance responsibilities of the SEA are (a) to reserve and allocate Title I, Part A funds for school improvement activities; and (b) to create and sustain a statewide system of support that provides technical assistance to schools identified for improvement.
According to the USDE (2006), the LEA bears the primary responsibility for ensuring that the school in improvement receives technical assistance as it develops or revises its school plan and throughout the plan’s implementation. The LEA is not required to provide the technical assistance directly, although it may choose to do so. Other technical assistance providers include the SEA; an institution of higher education; a private, not-for-profit or for-profit organization; an educational service agency; or another entity with experience in assisting schools improve academic achievement (USDE, 2006).

If a school in school improvement status for one school year does not make AYP during the course of that year, the LEA must identify it for year two of school improvement status (Southeast Comprehensive Center, 2007). During the second year of school improvement, an LEA must ensure that the school continues to receive technical assistance that was begun year one. That assistance should be focused specifically on the continued implementation of the school improvement plan (USDE, 2006).

After two years of undergoing school improvement, implementing a school improvement plan, and receiving extensive technical assistance, if a school still does not make AYP, the SEA and the LEA must identify the school for corrective action (Southeast Comprehensive Center, 2007). Identifying a school for corrective action signals the LEA’s intention to take greater control of the school’s management and decision-making. The identification also signifies that traditional school improvement methods and strategies have been unsuccessful, and that more corrective action is needed to improve learning conditions for all students. Corrective action is a significant intervention that is designed to remedy the school’s persistent inability to make adequate progress toward all students becoming proficient in reading and mathematics. A school is
identified for corrective action if they have received Title I, Part A funds and did not achieve its annual progress targets for four years (two years missing AYP, and two years school improvement). The corrective action process is designed to increase substantially the likelihood that all students enrolled in the school will meet or exceed the State’s proficient levels of achievement (USDE, 2006).

According to the **LEA and School Improvement Non-Regulatory Guidance**, provided by the USDE (2006), the SEA and LEA have specific responsibilities when a school is identified for corrective action. If an SEA and LEA identify a school for corrective action, the LEA must (a) continue to ensure that all students have the option to transfer; (b) continue to ensure that supplemental educational services are available to eligible students in the school; and (c) continue to provide or provide for technical assistance to the school. In addition to the responsibilities noted above, the LEA must take at least one of the following corrective actions: (a) provide for all relevant staff, appropriate, scientifically research-based professional development that is likely to improve academic achievement of low-performing students; (b) institute a new curriculum grounded in scientifically based research and provide appropriate professional development that supports its implementation; (c) extend the length of the school year or school day; (d) replace the school staff who are deemed relevant to the school not making adequate progress; (e) significantly decrease the management authority of the school; (f) restructure the internal organization of the school; or (g) appoint one or more outside experts to advise the school how to revise and strengthen the improvement plan it created while in school improvement status; and how to address the specific issues underlying the school’s continued inability to make AYP (USDE, 2006). A school may be removed from corrective action if the school makes AYP, as defined by the State accountability
system, for two consecutive years after it is identified (Southeast Comprehensive Center, 2007).

A school that misses its annual achievement targets for five or more years is identified for restructuring. If a school does not make AYP for five years, the LEA must create a plan to restructure the school. If the school does not make AYP for six years, the LEA must implement this plan (USDE, 2006). Under NCLB (2002), when a school is in restructuring status, the LEA must utilize intensive and far-reaching interventions to completely revamp the operation and governance of that school. Restructuring means a major reorganization of a school’s governance structure arrangement by an LEA that: (a) makes fundamental reforms, such as significant changes in the school’s staffing and governance, to improve student academic achievement in the school; (b) has substantial promise to improve student academic achievement and enable the school to make AYP as defined by the state’s accountability system; and (c) is consistent with state law. A school is identified for restructuring if it does not make AYP after one school year of corrective action (USDE, 2006).

NCLB (2002) defines school restructuring as a two-step process. Under the first step, the LEA must prepare a restructuring plan and make arrangements to implement the plan, if a school does not meet its AYP targets after one full year of correction action (fifth year of not making AYP). The second step occurs if, during the school year in which the LEA is developing the restructuring plan, the school does not make AYP for a sixth year. In this case, the LEA must implement the restructuring plan no later than the beginning of the following school year (USDE, 2006).

According to the USDE (2006), the LEA is required to take specific action when a school is identified for restructuring. When a school is identified for restructuring, the
LEA must: (a) continue to ensure that all students have the option to transfer to another public school in the LEA that is not identified for improvement, corrective action, or restructuring; (b) continue to ensure that supplemental educational services are available to eligible students; and (c) prepare a plan to implement an alternative governance system for the school (USDE, 2006).

The USDE (2006) indicated that the restructuring plan that an LEA prepares must include one of the following alternative governance arrangements for the school, consistent with state law: (a) reopen the school as a public charter school; (b) replace all or most of the school staff, which may include the principal, who are relevant to the school’s inability to make AYP; (c) enter into a contract with an entity, such as a private management company with a demonstrated record of effectiveness, to operate the school as a public school; (d) turn the operation of the school over to the SEA if this action is permitted under State law and the State agrees; or (e) implement any other major restructuring of the school’s governance arrangement that is consistent with the NCLB principles of restructuring (USDE, 2006). The available alternative governance arrangements are meant to afford an LEA multiple options, so the LEA can choose the best one to address the needs of students in each identified school. Each of the available options leverages a significant shift in how the school is governed. The purpose of restructuring is for the school to improve its ability to teach all children and achieve annual academic performance targets. By achieving this purpose, the school is also removed from the restructuring status (USDE, 2006).

The USDE (2006) noted, if, after being identified for restructuring for one school year and continuing to receive technical assistance, a school still does not make AYP, the LEA must implement the restructuring plan no later than the beginning of the school year.
following the year in which the school was in the first year of restructuring. During the implementation of the plan, the LEA must also: (a) continue to provide all students with the option to transfer to another school in the LEA that is not identified for improvement, corrective action, or restructuring; and (b) continue to make supplemental educational services available to eligible students (USDE, 2006).

The LEA and School Improvement Non-Regulatory Guidance, published by the USDE (2006) noted that the restructuring options under NCLB are designed to change schools significantly; therefore, implementation is complex. All of the options require adjustments to schools’ financial operations, and some may require additional resources, particularly if the school must train staff to work together in new ways.

During year two of restructuring, while the LEA’s plan is being implemented, the LEA should continue to provide the school with quality technical support and assistance that address the complexities of implementation. This assistance is valuable in helping the school staff to remain focused on increasing student achievement while the school is adjusting to the radical alterations to its administrative and governance structures (USDE, 2006).

As purported by the USDE (2006), a school that undergoes the restructuring process for two years (one year of planning and one year of implementation) continues to be accountable for the academic achievement of its students. Although it might have changed curriculum, staff, and/or governance structure, the restructured school must continue to offer choice and supplemental services until it makes AYP for two consecutive years (USDE, 2006).

The USDE has enacted numerous initiatives affecting the implementation of NCLB, in hopes of increasing student performance and meeting established goals. The
USDE has also identified various interventions to assist schools and school districts so they do not suffer through years of school improvement and possible restructuring.

**Race to the Top**

On February 17, 2009, President Obama signed into law the ARRA (USDE, 2009). This historic legislation was designed to stimulate the economy, support job creation, and invest in critical sectors, including education. According to the USDE (2009), the ARRA laid the foundation for education reform by supporting investments in innovative strategies that are most likely to lead to improved results for students, long-term gains in school and school system capacity, and increased productivity and effectiveness.

The ARRA provided $4.35 billion for the Race to the Top Fund (USDE, 2009). The USDE (2009) defined *Race to the Top* as a competitive grant program designed to encourage and reward states that are creating the conditions for education innovation and reform, achieving significant improvement in student outcomes, including making substantial gains in student achievement, closing achievement gaps, improving high school graduation rates, and ensuring student preparation for success in college and careers, and implementing plans in the four core education reform areas. The four core education reform areas included: (a) Adopting standards and assessments that prepare students to succeed in college and the workplace and to compete in the global economy; (b) Building data systems that measure student growth and success, and inform teachers and principals how they can improve instruction; (c) Recruiting, developing, rewarding, and retaining effective teachers and principals, especially where they are needed most; and (d) Turning around our lowest-achieving schools.
According to Chennault (2010), Arne Duncan, Secretary of Education, was the former chief executive officer of Chicago Public Schools, the third-largest school district in the country, and one of the most dynamic, intricate, and challenging districts in the nation. Chennault noted some of Duncan’s biggest ideas so far are “more mayoral takeovers of local school districts, more performance-based-pay programs for teachers, longer school days or school years, increased routes to teacher certification, and larger number of charter schools” (para. 8).

According to Klein (2010), in *Stimulus-Aid Bonanza Proving Problematic Along Campaign Trail*, “The American Recovery and Reinvestment Act—the economic-stimulus law that included some $100 billion for public education—is taking a beating on the campaign trail this midterm election season” (para. 1). The $787 billion recovery act passed in winter of 2009, shortly after President Barack Obama took office. It included some $100 billion for education and created a host of new K-12 redesign programs, including the $4.35 billion *Race to the Top* competition (Klein, 2010).

According to Johnson (2010) in an entry on the USDE, *Race To the Top* blog, on September 29, 2010:

The *Race to the Top* program has fundamentally redefined the education landscape in America. With less than 1 percent of the annual K-12 education spending in our country, the program has given states the incentive to lead reform in a comprehensive and collaborative way. *Race to the Top* has helped advance reform more in the past 18 months than any other program in the history of the Department of Education.

To sustain the momentum established in other states, President Obama has proposed $1.35 billion for *Race to the Top* in fiscal year 2011. The money would
continue to support reforms in deserving states that were not funded in the first two phases of *Race to the Top*. It also could create a grant program that could drive reform at the local level for inviting districts to create their own roadmaps for reform. (para. 1-2)

Johnson (2010) in *Race to the Top Has Unique Role to Play in Reforming School for the Future* stated, “*Race to the Top* can support districts that are dedicated to creating comprehensive plans for reform that raise standards, improve the effectiveness of teachers and principals, use data and turn around schools” (para. 8). The article concludes:

*We are committed to promoting reform for the long haul. Race to the Top has laid the foundation to turn around our economy and ensure our country’s prosperity for decades. We must sustain that momentum and continue to provide the financial incentives and support for reform through Race to the Top and other programs.* (Johnson, 2010, para. 9).

**ESEA Reauthorization**

According to Alderman (2010), the federal *Race to the Top* initiative, while at times controversial, has been tremendously successful at spurring state education reforms. Alderman (2010) stated,

In 2009 and 2010, in response to the *Race to the Top*, 28 states made educational reforms—more than triple the number making changes in 2007 and 2008—all for the chance to share in a pot of money that’s less than 1 percent of the industry’s expenditures. (para. 2)
Alderman (2010) noted, even if Congress passed the additional $1 billion for Race to the Top, it will still be a short-term effort, and ignores the real lesson it has taught: “States will make slow progress on their own, but they will do more given the right incentives and flexibility” (para. 4). He also stated, “This is an important lesson and should be reflected in the upcoming reauthorization of the Elementary and Secondary Education Act, or ESEA” (para. 5). According to Alderman, the Obama administration has a bit of a timing problem:

While it attempts to reauthorize the ESEA, it must simultaneously balance the impending “proficiency for all by 2014” requirement in the last version of the ESEA (the law known as No Child Left Behind) with the requirements for the Race to the Top competition and the Title I School Improvement Grant money. (para. 5)

Alderman (2010) also noted, “These federal reform efforts all share much in common, but there are also significant differences. The administration has laid out a smart, balanced blueprint to deal with some of these issues, but it leaves the details to Congress” (para. 5).

The Race to the Top initiative has been successful at initiating state education reforms. While states are making slow progress on their own, they would do more if given the right incentives and flexibility. Therefore, consideration should be given to incentives and flexibility during the upcoming reauthorization of the ESEA.

State Takeovers Under the NCLB Act of 2001

Under NCLB (2002), if a school district receives Title I Part A funds for five consecutive years and fails to make AYP, the LEA or district must develop a
restructuring plan which will be implemented the following year. According to Cowan (2007), there are five restructuring options for LEAs. The fourth restructuring option is for the district to “turn the operation of the school over to the SEA, if permitted under State law and agreed to by the State” (p. 114). Further guidelines from the USDE (2006), published in the *LEA and School Improvement Non-regulatory Guidance*, indicated restructuring must involve a

major reorganization of a school’s governance arrangement by an LEA that: (1) makes fundamental reforms, such as significant changes in the school’s staffing and governance, to improve student academic achievement in the school; (2) has substantial promise of enabling the school to make AYP; and (3) is consistent with State law. (USDE, 2006, pp. 14-15)

Under the NCLB legislation, the LEA would initiate a *friendly* [emphasis added] takeover by inviting the SEA to take over and manage a persistently low-performing school. This differs from the more typical *hostile* [emphasis added] school and district takeovers that some states have undertaken in recent years (Steiner, 2005).

Steiner (2005) noted that NCLB does not explicitly address what the state should do after state officials have taken over a school; it merely suggests that under some circumstances the district might choose to turn the district over to the state. State officials would then select one of the restructuring options and manage the takeover process (Steiner, 2005). For example, the state may reopen the school as a charter school, or contract with an outside management organization to run the school (Steiner, 2005).

The *State and Local Implementation of the No Child Left Behind Act Volume III—Accountability Under NCLB: Interim Report* published by the USDE (2007), indicated that 71 schools (8%) in Mississippi were identified for improvement, during the 2004-
2005 school year. It also reported that 36 districts (24%) were identified for school improvement that same year. According to the report, the required interventions for schools identified for improvement under NCLB escalated as schools moved from Year 1 of improvement to Year 2 of improvement, and then to correction action and restructuring. Initial requirements include notifying parents as to the status of the school, joint planning for school improvement between the school and the district, and allowing parents to transfer their children to a non-identified school in the district with transportation provided. More serious interventions include replacing all school staff and state takeover of the operation of the school. States and districts must take at least one action on the mandated list against schools in corrective action and restructuring status (USDE, 2007).

According to the USDE (2007), “Few Title I schools in restructuring status reported experiencing any of the specific interventions listed in the law” (p. 99). Few principals of schools in the first or second year of restructuring status reported state takeover of the school (9%), reopening of the school as a public charter school (2%), or contracting with a private entity to manage the school staff (2%). Of the schools in restructuring status, 20% reported that a new principal had been appointed; similar percentages of schools in the other states of improvement status were also reported.

According to the USDE (2007), schools in restructuring status frequently reported interventions associated with the corrective action stage of school improvement, including implementing a new research-based curriculum or instructional program (72%) or appointment of an outside expert to advise the school (62%). The report noted that schools in the first year of restructuring are only required to plan for one of the interventions, which must be implemented in the second year (if the school misses AYP
again). Of the schools in restructuring during the 2004-2005 school year, 54% were in at least their second year of restructuring.

The limited use of the restructuring interventions may partly reflect that restructuring is implemented in two stages, with schools spending a year planning for restructuring and then a year implementing the restructuring plan. States reported that they rarely used the most serious NCLB intervention for schools in restructuring; only two states reported using the state takeover option for schools in restructuring status (USDE, 2007).

When a district is required to develop a restructuring plan, as mentioned earlier, there are five options under NCLB. The fourth restructuring option is for the district to turn the operation of the school over to the SEA, if permitted under State law and agreed to by the State. Restructuring must involve a major reorganization of a school’s governance arrangement by the LEA. Under NCLB, the LEA would initiate a friendly [emphasis added] takeover by inviting the SEA to take over and manage a persistently low-performing school. NCLB does not explicitly address what the state should do after state officials have taken over a school. However, it has been reported that only 9% of schools in the restructuring status are taken over by the SEA. It is believed that the limited use of restructuring interventions may be due to the fact that restructuring is implemented in two stages. Also, states reported that they rarely used the most serious NCLB intervention, with only two states using the state takeover option.
NCLB and the Mississippi Accountability System

According to the MDE (2009a), as published in the Mississippi Public School Accountability Standards, 2009, the development of the Mississippi Statewide Accountability System began in 1999. The new accountability system was designed for use within the achievement and growth models for district and school accountability. However, the system was also designed to comply with federal legislation, such as related to Title I (ESEA 1994) and to students with disabilities (IDEA 1997) (MDE, 2009a). When NCLB was signed into law in 2002, the legislation included additional student assessment requirements and mandated that states develop and implement a single statewide accountability system by the beginning of school year 2003-2004. The legislation also included specific requirements for calculating AYP for schools and school districts. According to the MDE (2009a), Mississippi’s assessment programs already incorporated many of the new federal assessment requirements. Every fall, school districts are assigned an annual accountability designation based on its accreditation status and the AYP model. Each school is assigned an annual accountability designation based on the School Performance Classification and the AYP Model (MDE, 2009a).

Children First Act of 2009

Senate Bill 2405 (Commission on Restructuring the Mississippi Adequate Education Program) of the 2008 Regular Session was enacted to create a task force to study and report the status of underperforming schools and school districts in Mississippi, effectiveness measures for improvement of those schools and school districts, enhancement of accountability and sanctions imposed on those schools and school districts, and for related purposes. Recommendations of the 15 member Task Force were released on November 19, 2008. The recommendations ranged from holding school
leaders more accountable to requiring better engagement from the community (MDE, 2008b).

As a result of the task force study and recommendations, Senate Bill 2628 (Accreditation of Schools), referred to as the CFA, was approved by Governor Haley Barbour on April 8, 2009. The law aims to ensure leaders in Mississippi schools are making responsible financial and academic decisions in order to provide all students with a quality education. The CFA will most directly impact school districts that are considered Failing [emphasis added], with a goal of turning them around before state takeover is necessary. A summary of the provisions of the CFA, as outlined in an April 8, 2009 news release from the MDE, CFA, as signed by the Governor included:

1) Remove superintendents and school board members when a school district has been considered Failing for two consecutive years,

2) Create a Mississippi Recovery School District to govern school districts that have been taken over by the state,

3) Require school district officials, when a financial advisor has been appointed to the district, to report to the State Board of Public Accountancy when a audit completed by a contracted firm is thought to be deficient in any manner,

4) Require school districts that are designated as Failing to establish a P-16 Council that includes representatives from the school, business, and local community,

5) Require all school districts to publish annually a report that includes specific achievement and financial data as set by the SBE. (MDE, 2009d)
Mississippi Legislation on Performance, Accountability, and State Takeovers

According to the MDE (2006), the Office of Accreditation is authorized under Section 37-17-6(6) of the Mississippi Code of 1972, as amended, and is a regulatory office charged with the primary responsibility of administering the state’s performance-based accountability system for public schools and the accreditation process for nonpublic schools electing to seek SBE approval.

The Mississippi Code of 1972, Title 37, Chapter 17, Sections 1 through 13 provides guidance for the Accreditation of Schools (Mississippi Code of 1972, as amended). Section 37-17-1 of the Mississippi Code of 1972, as amended, states:

The power and authority to prescribe standards for the accreditation of public schools, to ensure compliance with such standards and to establish procedures for the accreditation of public schools is hereby vested in the SBE. The Board shall, by orders placed upon its minutes, adopt all necessary rules and regulations to effectuate the purposes of this chapter and shall provide, through the state department of education, for the necessary personnel for the enforcement of standards so established. (para.1)

Section 37-17-6 of the Mississippi Code of 1972, as amended, requires the establishment and implementation of a permanent performance-based accreditation system; particular accreditation requirements; accreditation audits and reviews; development program for schools failing to meet standards; establishment of a Mississippi Recovery School District; and declaration of state of emergency in school district (Mississippi Code of 1972, as amended).

According to Sommerfeld (1996a), changes in statute during the 1991 legislative session authorized the first conservatorship section of the law in the state of Mississippi,
allowing the state to assume control of troubled districts. The law passed in 1991 allows the state of Mississippi to take over troubled districts if the Governor declares a state of emergency and then designates the State Department of Education as the intervening agency. According to Sommerfeld (1996b), in Takeover of Financially Strapped District in Miss. Sought, legislators expressed concern that it could take up to six months to implement a takeover in the troubled North Panola School District; therefore, they introduced two bills to expedite the process. This effort faced a temporary setback when Governor Kirk Fordice vetoed a bill that would have enabled the state to appoint a conservator immediately and bail out the North Panola School District with a no-interest loan (Sommerfeld, 1996b). The Governor’s veto forced legislators to suspend House and Senate rules in order to introduce a new bill. Since that time, the statute related to the state takeover process has been expanded and strengthened several times (Section 37-17-6, Mississippi Code of 1972, as amended).

According to Sections 37-17-6 and 37-18-7 of the Mississippi Code of 1972, as amended, the state takeover process (Conservatorship) may be initiated for a variety of reasons under several different sections of the law, including: (a) failure to resolve verified deficiencies during the probationary period; (b) when an extreme emergency that jeopardizes the safety, security, and educational interest of the children enrolled in that district; (c) when a school or district meets the SBE’s definition of a failing school district for two consecutive full school years; (d) or in the event a school continues to be designated a School At-Risk after three years of implementing a school improvement plan, or (e) in the event that more than 50% of the schools within the district are designated as Schools At-Risk in any one year.

Section 37-17-6(11)(a-b) of the Mississippi Code of 1972, as amended, states:
(11) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the CSA shall conduct a hearing to allow such affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Subsequent to its consideration of the results of such hearing, the CSA shall be authorized, with the approval of the SBE, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) If the SBE and the CSA determine that an extreme emergency situation exists in a school district which jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and such emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, or when a school district meets the SBE's definition of a failing school district for two (2) consecutive full school years, the SBE may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, such declarations of a state of emergency shall not be limited to those instances when a school district's impairments are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor student performance (Subsection 11, para. 1-2).

Section 37-18-7(6) of the Mississippi Code of 1972, as amended states:

(6) In the event a school continues to be designated a School At-Risk after (3) years of implementing a school improvement plan, or in the event that more than fifty percent (50%) of the schools within the school district are designated as
Schools At-Risk in any one (1) year, the SBE may request that the Governor declare a state of emergency in that school district. Upon the declaration of the state of emergency by the Governor, the SBE may take all such action for dealing with the school districts as is authorized under subsection (11) or (14) of Section 37-17-6, including the appointment of an interim conservator. (Subsection 7, para. 6)

According to Section 37-17-14 of the Mississippi Code of 1972, as amended, the SBE, at its discretion, may assign an interim conservator or an appropriate private entity to oversee district operations. The interim conservator has the authority to overrule any decision of the district superintendent and local school board. Section 37-17-6(14)(a) of the Mississippi Code of 1972, as amended, states:

(14) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (11) of this section, the SBE, in its discretion, may assign an interim conservator to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and non-licensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim conservator
shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

(ii) Supervising the day-to-day activities of the district's staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the conservator, will best suit the needs of the district;

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff;

(iv) Attending all meetings of the district's school board and administrative staff;

(v) Approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities;

(vi) Maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations;

(vii) Reporting periodically to the SBE on the progress or lack of progress being made in the district to improve the district's impairments during the state of emergency; and

(viii) Appointing a parent advisory committee, comprised of parents of students in the school district, which may make recommendations to the conservator concerning the administration, management and operation of the school district.

Except when, in the determination of the SBE, the school district's impairment is related to a lack of financial resources, the cost of the salary of the conservator and any other actual and necessary costs related to the
conservatorship paid by the State Department of Education shall be reimbursed by
the local school district from funds other than adequate education program funds.
The department shall submit an itemized statement to the superintendent of the
local school district for reimbursement purposes, and any unpaid balance may be
withheld from the district's adequate education program funds. At such time as the
Governor, pursuant to the request of the SBE, declares that the state of emergency
no longer exists in a school district, the powers and responsibilities of the interim
conservator assigned to such district shall cease. (Subsection 14, para. 1-9)
Section 37-17-13 of the Mississippi Code of 1972, as amended, provides
guidance to the MDE regarding the abolition of school districts declared to be in a state
of emergency, the powers of the SBE, and the reconstitution of the abolished district.
Section 37-17-13 of the Mississippi Code of 1972, as amended, states:

[Until the date Laws of 2007, ch. 518, § 2, is effectuated under Section 5 of the
Voting Rights Act of 1965, this section will read as follows:]

(1) Whenever the Governor declares a state of emergency in a school district in
response to a certification by the SBE and the CSA made under Sections 37-17-6
(11) (b), the SBE, in addition to any actions taken under Section 37-17-6, shall
abolish the school district and assume control and administration of the schools
formerly constituting the district, and appoint a conservator to carry out this
purpose under the direction of the SBE. In such case, the SBE shall have all
powers which were held by the previously existing school board, and the
previously existing superintendent of schools or county superintendent of
education, including, but not limited to, those enumerated in Section 37-7-301,
and the authority to request tax levies from the appropriate governing authorities
for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq., and Section 37-57-105 et seq.

(2) When a school district is abolished under this section, loans from the School District Emergency Assistance Fund may be made by the SBE for the use and benefit of the schools formerly constituting the district in accordance with the procedures set forth in Section 37-17-6 (14) for such loans to the district. The abolition of a school district under this section shall not impair or release the property of that school district from liability for the payment of the loan indebtedness, and it shall be the duty of the appropriate governing authorities to levy taxes on the property of the district so abolished from year to year according to the terms of the indebtedness until same shall be fully paid.

(3) After a school district is abolished under this section, at such time as the SBE determines that the impairments have been substantially corrected, the SBE shall reconstitute, reorganize or change or alter the boundaries of the previously existing district; however, no partition or assignment of territory formerly included in the abolished district to one or more other school districts may be made by the SBE without the consent of the school board of the school district to which such territory is to be transferred, such consent to be spread upon its minutes. At that time, the SBE, in appropriate cases, shall notify the appropriate governing authority or authorities of its action and request them to provide for the election or appointment of school board members and a superintendent or superintendents to govern the district or districts affected, in the manner provided by law.
[Until the date Laws of 2007, ch. 518, § 2, is effectuated under Section 5 of the Voting Rights Act of 1965, this section will read as follows:]

(1) Whenever the Governor declares a state of emergency in a school district in response to a certification by the SBE and the CSA made under Section 37-17-6 (11) (b), the SBE, in addition to any actions taken under Section 37-17-6, may abolish the school district and assume control and administration of the schools formerly constituting the district, and appoint a conservator to carry out this purpose under the direction of the SBE. In such case, the SBE shall have all powers which were held by the previously existing school board, and the previously existing superintendent of schools or county superintendent of education, including, but not limited to, those enumerated in Section 37-7-301, and the authority to request tax levies from the appropriate governing authorities for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq., and Section 37-57-105 et seq.

(2) When a school district is abolished under this section, loans from the School District Emergency Assistance Fund may be made by the SBE for the use and benefit of the schools formerly constituting the district in accordance with the procedures set forth in Section 37-17-6 (14) for such loans to the district. The abolition of a school district under this section shall not impair or release the property of that school district from liability for the payment of the loan indebtedness, and it shall be the duty of the appropriate governing authorities to levy taxes on the property of the district so abolished from year to year according to the terms of the indebtedness until same shall be fully paid.
(3) After a school district is abolished under this section, at such time as the SBE determines that the impairments have been substantially corrected, the SBE shall reconstitute, reorganize or change or alter the boundaries of the previously existing district; however, no partition or assignment of territory formerly included in the abolished district to one or more other school districts may be made by the SBE without the consent of the school board of the school district to which such territory is to be transferred, such consent to be spread upon its minutes. At that time, the SBE, in appropriate cases, shall notify the appropriate governing authority or authorities of its action and request them to provide for the election or appointment of school board members and a superintendent or superintendents to govern the district or districts affected, in the manner provided by law. (para. 1-6)

The Office of Accreditation is responsible for administering the state’s performance-based accountability system for public schools and the accreditation process for nonpublic schools electing to seek approval by the SBE. Changes in state statute in 1991 authorized the first conservatorship law in the state of Mississippi, allowing the state to assume control of districts. The state takeover process may be initiated for a variety of reasons under different sections of the law. When this happens, the SBE may assign an interim conservator or conservator, or may contract with a private entity to oversee the district until such time that a state of emergency no longer exists. If it is determined that a district should be abolished, the SBE shall assume control and administration of the school in the district and appoint a conservator to carry out this purpose. When the district has corrected the deficiencies, the SBE shall notify the
appropriate governing authority or authorities and request that they provide an election or appointment of a school board and a superintendent to govern the school district.

**Effects of Voting Rights Act of 1965**

According to the USDJ (2010), Civil Right Division, Voting Section, *Frequently Asked Questions*, Congress passed the *Voting Rights Act of 1965* to protect every American against racial discrimination in voting. This law also protects the rights of many people who have limited English skills. It stands for the principle that everyone’s vote is equal, and that neither race nor language should shut anyone out of the political process (USDJ, 2010).

According to the USDJ (2008a), as published in *About Section 5 of the Voting Rights Act*, the *Voting Rights Act of 1965* established extensive federal oversight of elections administration, providing that states with a history of discriminatory voting practices could not implement any change affecting voting without first obtaining the approval of the Department of Justice. This process is known as preclearance (USDJ, 2008a).

Section 5 is a special provision of the statute that requires state and local governments in certain parts of the country to get federal approval (preclearance) before implementing any changes in voting procedures (USDJ, 2008a). Mississippi is one of the 16 states that Section 5 applies to either all, or in part (USDJ, 2008b). In Section 5, a covered state, county, or local government entity must demonstrate to federal authorities that the voting change in question (a) does not have a racially discriminatory purpose; and (b) will not make minority votes worse off than they were prior to the change (USDJ, 2010). *The Encyclopedia of Mississippi Law* (2001) noted:
Preclearance is sought by submitting the proposed change to the United States Attorney General who may object to the change within 60 days of receiving the submission if he finds that the change a discriminatory effect or intent. In Mississippi education law practice, the need for a school district to obtain preclearance under Section 5 arises in three areas: (a) bond issue elections; (b) annexations; and (c) redistricting of school districts. (p. 510)

In an article, *State Takeovers Run Afoul of Voting Rights Act*, Olson (1996) stated: “States attempting to take over low-performing school districts are running into an unexpected obstacle: the Department of Justice” (para.1). Texas officials were so outraged about the situation that they filed a lawsuit in United States District Court. Officials from Texas, California, and New York met with Michael Cohen, the education adviser to President Clinton, to discuss the hang-up. At the center of the dispute was Section 5 of the federal *Voting Rights Act of 1965* (Olson, 1996). According to Olson (1996), “The Justice Department interpreted the provision to apply to state interventions, such as the appointment of a receiver to operate a school district, that might affect the responsibilities of locally elected officials.” (para. 5)

In the article entitled, *High Court Takes a Look at Takeovers*, Walsh (1998) noted that the United States Supreme Court encountered, for the first time, the growing trend of state intervention in troubled school districts. In a case involving a Texas intervention law, some justices expressed concern that the state’s appointment of temporary master or management team with powers over a district’s operation would require federal review under the *Voting Rights Act of 1965* (Walsh, 1998). According to Walsh, Texas challenged the Department of Justice’s view that certain intervention provisions of the state’s 1995 school reform law come under the *Voting Rights Act*, and that each attempt
to intervene would require federal approval on a case-by-case basis. Texas argued that the “provisions of its intervention law at issue in the case did not raise concerns under the Voting Rights Act” (Walsh, 1998, para. 5). Furthermore, the state contended that having to seek Justice Department approval severely hampered the education commissioner’s ability to act quickly to come to the aid of district with serious problems (Walsh, 1998).

According to Reinhard (1998), racial and voting rights skirmishes are complicating some government takeovers of troubled school systems and raising new questions about the wisdom of such intervention. Some takeovers strip power from elected boards, while others abolish them entirely, defying the American tradition of local control of schools. Reinhard stated:

Regardless of how the interventions work, state and city leaders say the reasons for them are clear: failing students, massive debt, abject mismanagement. In many cases, they note, state intervention has come after years or decades of inaction or incompetency by the local board. (para. 5)

But, to some people in the communities involved, “the perception underlying takeovers is that predominantly minority districts can’t be trusted to elect their own leaders and run their own schools” (Reinhard, 1998, para. 6).

Kathy Boteler, Special Assistant to the Attorney General, is assigned to the MDE. Within the MDE, Ms. Boteler provides legal counsel to the Office of Accreditation regarding SBE policy and state statute. Upon the declaration of a state of emergency in a local district in the state of Mississippi, the MDE, through the Attorney General’s Office, must file for preclearance with the USDJ (K. Boteler, personal communication, October 26, 2010). The change authorizing the removal of an elected school superintendent or
elected members of the school board must receive preclearance under Section 5 of the
Voting Rights Act of 1965 in order for the change to be legally enforceable by the MDE.

Congress passed the Voting Rights Act of 1965 to protect Americans against racial
discrimination in voting and to protect the rights of individuals with limited English
skills. Section 5 of the Voting Rights Act of 1965 is a special provision of the statute that
requires state and local governments in certain parts of the country to get federal approval
preclearance before implementing any changes in voting procedures. Mississippi is one
of the 16 states that Section 5 applies to, either in whole or part.

State Board of Education Policies Regarding Accountability

MDE (2001), SBE Policy 401, states that the Mississippi Public School
Accountability Standards is the current accreditation policy. According to the policy, it is
the responsibility of the MDE staff to review the accountability standards and request
approval by the SBE to make any necessary revisions. Following Board approval, MDE
staff will disseminate copies of the revisions to the appropriate members of the
educational community. An up-to-date copy of the Mississippi Public School
Accountability Standards is kept on file in the MDE.

According to Senate Bill 2628 (Accreditation of Schools), the CFA requires that
an annual report be complied by the Office of Research and Statistics at the MDE. SBE
Policy 2051, adopted on October 23, 2009, outlines the requirement of the Annual Report
(MDE, 2009b). CFA requires the report be printed in the newspaper, listed on the
district’s website, and made available in hard copy format, free of charge, at a location
within the school district. The report shall be made available no later than November 1 of
each year. There are three categories of information, which shall be included in the
Annual Reports: (a) District Profile Information, (b) Academic Achievement Information, and (c) Financial Data Information (MDE, 2009b).

**Accreditation**

According to the MDE (2006), the Office of Accreditation, authorized under Section 37-17-6 (6) of the *Mississippi Code of 1972*, as amended, operates under the umbrella of the SBE and serves as staff for the CSA. The purpose of the CSA is to continually review and enforce the accountability requirements and accreditation standards to make recommendations to the SBE (*Mississippi Code of 1972*, as amended).

Accreditation staff continuously monitor district and school compliance with accountability requirements and accreditation standards through (a) investigative evaluations (complaints against school districts), (b) annual data reports, (c) reports from other state and federal programs, and (d) scheduled visits for participating nonpublic schools (MDE, 2006). This monitoring system was implemented to comply with both state law, and SBE policy.

According to the MDE (2006), the staff in the Office of Accreditation also responds daily to numerous requests for information and technical assistance from public school districts, nonpublic schools, state agencies, legislators, parents/guardians, and the general public. Many of these requests require collaboration with other offices within the MDE and require a written response (MDE, 2009a).

The MDE (2006) noted that the *Education Reform Act of 1982* established a permanent performance-based accreditation system and made accreditation for all public schools mandatory. The accreditation requirements were published in *Bulletin 171*, and initial compliance procedures focused on mandatory on-site evaluations of process
standards conducted on a Five-Year Cycle. The majority of staff time was spent on planning, organizing, and conducting on-site evaluations and reporting compliance.

In 1994, legislation strengthened and expanded the performance-based accreditation system to include levels above the minimum that demand exemplary performance, to establish strict measures for districts that fail to meet minimum standards, and to hold districts accountable for the educational progress of their students (Section 37-17-6, *Mississippi Code of 1972*, as amended). During this period of change, the emphasis of the accreditation process began to focus on the performance standards; rewards were established for Level 4 and Level 5 school districts; and the Five-Year Cycle of on-site visits was phased out. Compliance monitoring procedures were streamlined, and staffing was downsized (MDE, 2006).

According to the MDE (2006), additional legislation passed in 1999 and 2000 continued to strengthen and expand the performance-based accountability model for public schools. While the statewide assessment system was being redesigned and field-tested to focus on individual school performance, all school districts were held-harmless [emphasis added] and maintained their assigned performance levels from 1999 to 2003. During this period, there was a moratorium on accreditation audits and compliance monitoring was limited to desk audits of annual data reports submitted to the MDE.

The first edition of the *Mississippi Public School Accountability Standards* was published in 2001 (MDE, 2001). In the accountability model, public school accreditation was a two-fold process: (a) Accreditation Status and (b) Performance Level. Each school was awarded an accreditation status based on compliance with process standards, and individual schools were assigned a performance classification based on student achievement. During this time, a numerical performance level of 1-5 was assigned to
individual schools based on the school performance standards, which addressed selected components of the statewide testing program and other output measures related to the performance of individual schools. For the first time, all components of a school—students, teachers, principals, superintendents, and school board members were held accountable for student learning (MDE, 2009a).

In 2007, an Accountability Task Force began working on what a new accountability system should look like in light of the new curriculum frameworks and corresponding assessments that were being implemented. In 2008 the Accountability Task Force began developing recommendations for the new accountability system that aligned with the SBE’s Vision, Mission, and Goals (Section 37-17-6(6) of the Mississippi Code of 1972, as amended; MDE 2008a). The recommendations were finalized by the CSA and approved by the SBE on March 20, 2009. The new accountability system is discussed in detail later in this chapter (Section 37-17-6(6) of the Mississippi Code of 1972, as amended; MDE, 2009c).

The Mississippi Public School Accountability Standards, 2009, contains the accreditation policies, as well as the process and performance standards. Each of these will be addressed in detail in the following sections. The following information regarding the accreditation policies, process standards, and performance standards is published in the Mississippi Public School Accountability Standards, 2009 (MDE, 2009a).

**Accreditation Policies**

The following accreditation policies outlined in this section are published in the Mississippi Public School Accountability Standards 2009 (MDE, 2009a). Policy 1.0, Administrative Policy, outlines the membership of the CSA, which is authorized by
Section 37-17-3, of the *Mississippi Code of 1972*, as amended. The CSA is composed of 15 members, with three representatives from each of the five Congressional Districts as established at the time the CSA was authorized. The membership of the CSA consists of two classroom teachers, two principals of schools, two school district superintendents, two local school board members, and seven individuals who are not actively engaged in the education profession. All appointments to the Commission shall comply with Section 37-17-3 of the *Mississippi Code of 1972*, as amended. In addition to membership and appointment to the CSA, the Administrative Policy defines: (a) terms of office, (b) general duties of the CSA, (c) officers, (d) meetings, (e) expenses, and (f) staff.

Policy 2.0, District Administrative Policy, is the process for accountability at the public school district level. School districts are held accountable for process standards and receive an annual Accreditation Status. The CSA determines the annual accreditation of all public school districts in the fall of each school year based on verified accreditation data from the previous school year. An annual district accreditation status is assigned based on compliance with process standards. Information concerning district compliance with process standards is reported to the CSA on an annual basis (Policy 2.1).

The process (input) standards (Policy 2.2) address accepted educational principles and practices that are believed to promote educational quality. Any verified violation of a process standard is noted on the record of a school district at the time of discovery within any school year but does not affect the current accreditation status of the district. If a noted violation of a process standard has not been corrected by the following school year when accreditation statuses are assigned, the violation is reported to the CSA for appropriate action.
Each public school district is assigned an annual accreditation status based on compliance with process standards as follows (Policy 2.3): (a) ACCREDITED is assigned to a district that complies with 100% of the process standards, (b) Advised is assigned to a district that has process standard deficiencies. The district will be required to develop a corrective action plan to address the deficiencies, (c) Probation is assigned to a district that was assigned an Advised status the previous school year, and the district has not taken corrective actions or has not removed the process standard deficiencies that resulted in the Advised status. The district will be required to develop a corrective action plan to address the deficiencies, or (d) Withdrawn is assigned to a district that has previously been assigned a Probation status and still does not comply with its corrective action plan, and this applies to any school district placed in conservatorship.

After the annual assignment of a district's accreditation status, the process of determining statuses for the following school year begins (Policy 2.4). When information on file in the MDE indicates that a school district may be in violation of a standard, the superintendent of the district is informed in writing by appropriate staff in the MDE responsible for monitoring compliance with the standard. School district officials are given 30 days from the date of receipt of notification to provide a written response verifying accuracy or inaccuracy of the notice of possible noncompliance with the standard.

If the written response includes appropriate evidence to correct or refute the alleged violation, the superintendent of the district is notified by appropriate staff in the MDE responsible for monitoring compliance with the standard. Any verified violation of a standard is reported in writing to the Office of Accreditation, where it is noted on the current Accreditation Record Summary of the district. The appropriate staff member in
the Office of Accreditation notifies the superintendent of the district in writing of the verified violation. Although the accreditation status of the district may not be subject to change until the next assignment of annual district status, the superintendent is required to provide a written response specifying how and when the violation will be corrected.

According to Policy 2.5, Factors Affecting Change in Accreditation Status, an assigned accreditation status may remain unchanged during that school year except in those cases where verified noncompliance with: (a) financial standards, (b) testing standard, (c) standards for Safe and Healthy Schools, (d) continued noncompliance with federal regulations, or (e) reporting false information. Also, according to this policy, a district’s accreditation status may also be affected if one of its schools continues to be designated as a School At-Risk after three years of implementing a school improvement plan, or if more than 50% of the schools within the district are designated as a School At-Risk in any one year. Action by the CSA is required in any case.

The District Accreditation Policy (Policy 2.0) also addresses: (a) Resolving Accreditation Controversies, (b) Consolidations of School Districts or Transfer of Grades, and (c) Corrective Action Plan and Withdrawal of Accreditation. These are in addition to the policies previously discussed.

Individual schools and districts are held accountable for student growth and performance and receive an annual School Performance Classification and District Performance Classification. Policy 3.0, Performance Classification Policy defines the School and District Performance Classifications and Performance Standards. According to Policy 3.2, performance (output or product) standards address selected components of the statewide testing program and other outcome measures related to the performance of a school. The SBE may also take into account such factors as graduation rates, dropout
rates, completion rates, the extent to which the school or district employs qualified teachers in every classroom, and any other factors deemed appropriate by the SBE.

The performance classification (Policy 3.3) assigned to a school or district is determined by (a) the percentage of students who are performing at criterion levels (minimum, basic, proficient, and advanced) and (b) the degree to which student performance has improved over time (based on an expected growth value for the school).

The results from the Achievement Model and the Growth Model are combined to assign performance classification as follows:

- Star School
- High Performing
- Successful
- Academic Watch
- Low-Performing School
- At-Risk of Failing
- Failing

Following an analysis of data each school year, the MDE identifies those schools that are deficient in educating students and are in need of improvement. Policy 3.4, Schools At-Risk, states that a school shall be designated as a School At-Risk and in need of assistance if the school: (a) does not meet its growth expectation and has a percentage of students functioning below grade level, as designated by the SBE; (b) is designated as a Failing School; or (c) is designated as At-Risk of Failing or Low Performing for two consecutive years.

According to Policy 3.5, Recognition and Rewards, the SBE shall provide special recognition and/or rewards to individual schools or school districts meeting the highest
levels of accreditation standards as defined by the SBE. A school or district with a QDI in the top two ranges will be identified as meeting the highest level of accreditation standards.

Staff in the MDE continuously monitor school districts to verify compliance with applicable accreditation requirements and state and federal laws in accordance with Policy 4.0, Accreditation Monitoring Procedures. The SBE, the State Superintendent of Education, or the CSA has the authority to call for an on-site evaluation or investigation of a school district at any time (Policy 4.1, On-Site Evaluations). If deficiencies are found in meeting accreditation standards or state and federal laws, the superintendent is notified in writing and given 30 days from the receipt of notification to provide a written response. The report of findings is filed in the current accreditation records in the Office of Accreditation.

An investigative evaluation (Policy 4.2, Complaints Against Districts) is conducted in a school district in response to a formal complaint. All formal complaints made against schools or districts must be submitted to the Office of Accreditation in writing and bear the signature of the individual(s) filing the complaint. The written complaint shall contain specific details concerning alleged violations. When the complaint is received, the superintendent is notified in writing of the nature of the complaint and informed that the district is subject to an unannounced audit to investigate the allegations. If the complaint addresses an area over which the CSA has no authority, the individual filing the complaint is notified.

The Accreditation Monitoring Procedures (Policy 4.0) address audit information from various sources. Additional sources include: (a) Special Test Audits, (b) Summer
Program Audits, (c) Other State/Federal Program Audits/Evaluations, and (d) Analysis and Verification of Accreditation Information.

All controversies involving the accreditation of schools or school districts are initially heard by a duly authorized representative of the CSA before whom a complete record is made (Policy 5.0 Hearing and Appeal Procedures). According to Policy 5.1, Request for Hearing, the school board of a school district may request a hearing by filing written notice with the executive secretary of the CSA within 10 calendar days of the written notification of the recommended CSA action. Upon receipt of the written request for hearing, the chairman of the CSA assigns, in writing, a duly authorized representative previously appointed by the CSA to hear the controversy (Policy 5.2, Authorized Representative of the CSA). The Hearing and Appeal Procedures are described in Policy 5.3, Hearing Procedures, and Policy 5.4, Appeal Procedures.

**Process Standards**

As previously defined by Accreditation Policy 2.2, the process (input) standards address accepted educational principles and practices that are believed to promote educational quality. The following 37 process standards outlined are published in the *Mississippi Public School Accountability Standards 2009* (MDE, 2009a). The process standards are categorized as: (a) Administration and Personnel, (b) School Operations, (c) Instructional Practices, and (d) Safe and Healthy Schools.

Administrative and Personnel (process standards 1-11) is related to school board members, superintendents, local school board policies, and principals. These standards also address librarians, student support services, school business officers, professional positions within the district, personnel appraisal system, and budget and expenditures.
The focus of School Operations (process standards 12-22) includes enrollment requirements, policies for transfer students, permanent records and cumulative folders, strategic planning, Mississippi Compulsory Attendance Law, Dropout Prevention, community involvement and parental communication. In addition, instructional time, graduation requirements, professional development, and the statewide assessment system are targeted.

Instructional Practices (process standards 23-34) include requirements with all federal programs (i.e. Career and Technical Programs, Special Education, Child Nutrition, NCLB, etc.), library media centers, high school science laboratories, textbooks, and the instructional management system. Other areas include board policies for promotion/progression/retention of students, alternative education programs, teacher planning time, teacher course preparations, basic high school curriculum, basic curriculum of elementary and middle schools, and student teacher ratios.

Standards for Safe and Healthy Schools (process standards 35-37) address the district’s transportation program and school district facilities. The district and individual school safety plans and school wellness policies are also included in these process standards.

Performance Standards and the Mississippi Accountability System

Former State Superintendent of Education, Dr. Hank Bounds, appointed an Accountability Task Force in late 2007 to begin considering how the state accountability system should be revised in light of the new curriculum frameworks in language arts and mathematics and corresponding assessments that were being implemented (MDE, 2009c). The Accountability Task Force was composed of a diverse group of educators,
business, and community leaders. The first meeting of the Accountability Task Force was held in December 2007. The early work of the Task Force considered what defined a top performing school, that is, a school that could compete with any school in the country. The Accountability Task Force also considered what defined a failing school. After identifying a broad range of indicators for these two end points of a school performance continuum, the Task Force began the task of narrowing the indicators to those that were readily available to use in an accountability system.

According to the MDE (2009c), in the fall of 2008 the Accountability Task Force began to develop recommendations for the revised accountability system. These recommendations were shared with the CSA. The Accountability Task Force and CSA subsequently held several joint meetings in late 2008 and January 2009 to refine the recommendations for the accountability system. The CSA met on February 5, 2009, to review and finalize the recommendations to the SBE.

The preliminary recommendations of the Accountability Task Force and CSA were disseminated to district superintendents by Dr. Bounds on January 28, 2009. Dr. Bounds held meetings to share the final recommendations of the CSA and to receive input on February 10 and 12, 2009, in Hattiesburg, Ridgeland, and Grenada (MDE, 2009c).

The MDE (2009c) indicated the accountability system is designed to improve student achievement and to increase the level of accountability for both school districts and individual schools. The accountability model focuses on student achievement at each school and at the district level. Performance standards were established, and student assessment data from the statewide assessment program would be used to determine individual school performance classifications and district level performance.
classifications. The following information regarding performance standards and performance classifications of achievement and growth is published in the *Mississippi Public School Accountability Standards 2009* (MDE, 2009a).

**Performance Standards**

Information concerning school performance is reported to the CSA on an annual basis, and annual performance classifications are assigned in the fall of each school year. Each public school that has both achievement and growth data are assigned an annual performance classification. Available assessment data are reported for those schools that do not have both achievement and growth data, but a school performance classification is not assigned. An alternative school is not assigned a school performance classification. The results from the Achievement Model and the Growth Model (QDI) are combined to assign each school a school performance classification. A graduation rate or a High School Completion Index (HSCI) is also used for any school configuration of 9-12.

Information concerning district performance is also reported to the CSA on an annual basis, and annual performance classifications will be assigned in the fall of each school year. Each public school district is assigned an annual performance classification based on achievement, growth and graduation/dropout rate. The district rating is based on the performance of all students in the district (i.e., the district is treated as one K-12 school).

*According to the Mississippi Public School Accountability Standards, 2009,* (MDE, 2009a), the following specifications for establishing school and district performance standards and accountability requirements are addressed in Sections 37-18-1 through 7 of the *Mississippi Code of 1972,* as amended:
1. The SBE shall establish, design, and implement a program for identifying and rewarding public schools that improve. Upon full implementation of the statewide testing program, Star School, High Performing, or School At-Risk designation shall be made by the SBE as follows:

(a) Growth Expectation. A growth expectation will be established by testing students annually and, using a psychometrically approved formula, by tracking their progress. This growth expectation will result in a composite score each year for each school.

(b) Percentage of Students Minimal, Basic, Proficient and Advanced in each school and school district. A determination will be made as to the percentage of students minimal, basic, proficient and advanced in each school. The definition of minimal, basic, proficient and advanced shall be developed for each grade, based on a demonstrated range of performance in relation to content as reflected in the Mississippi Curriculum Frameworks. This range of performance must be established through a formal procedure including educators, parents, community leaders, and other stakeholders. A school shall be identified as a School At-Risk and in need of assistance if the school:

(i) does not meet its growth expectation and has a percentage of students functioning below grade level, as designated by the SBE;
(ii) is designated as a Failing School; or
(iii) is designated as At-Risk of Failing or Low Performing for two (2) consecutive years.

2. Any school designated as a School At-Risk which exceeds its growth expectation by a percentage established by the SBE shall no longer be considered a School At-Risk. (pp. 31-32)

Performance Classifications of Achievement and Growth

The following information regarding the performance classification of achievement and growth is published in the *Mississippi Public School Accountability Standards, 2009*. According to the MDE (2009a), as published in the *Mississippi Public School Accountability Standards, 2009*, the School and District Performance Classification is based on the Quality of Distribution Index (QDI) achieved by the school or district. The QDI measures the distribution of student performance on state assessments around the cut points for Basic, Proficient, and Advanced performance.

Algebra I and Biology I scores are combined across middle/junior high school, 9th grade school, and the corresponding high school. That is, the Algebra I and Biology I results for calculating the QDI are based on the performance of all students in middle/junior high school, 9th grade school, and the corresponding high school in a given year, and both the middle/junior high school, 9th grade school, and corresponding high school receive the same QDI for Algebra I and Biology I. Including the performance at both levels encourages middle schools, 9th grade schools, and high schools to work together to support students taking Algebra I and Biology I when they are ready for the course. A student contributes equally to the accountability based on his performance level
(Minimal, Basic, Proficient, or Advanced) on the assessment regardless of the grade level at which the assessment is first taken.

The Graduation/Dropout Component is the High School Completion Index (HSCI). The HSCI is included in determining the accountability rating of schools with grades 9-12 and districts and a school or district should demonstrate high performance on the HSCI to receive the highest rating in addition to meeting QDI performance and growth. Districts with schools where 9th grade is contained separate from 10-12 grades are issued a HSCI value based on the students who actually attended the school containing 9th grade, and the 10-12 grade school is issued a HSCI value based on the students who actually attended the school containing grades 10-12. The HSCI is based on the status of students five years after first entering ninth grade. Eventually the HSCI is based on the status of students seven years after first entering seventh grade.

The weights for the HSCI student statuses include:

- Standard Diploma (300)
- Met Requirements Except Graduation Test (150)
- Occupational Diploma (150)
- Certificate of Attendance (150)
- GED (125)
- Still Enrolled (50)
- Dropout (-300)

There were initially two levels for the HSCI. These levels corresponded to the two highest levels of performance on the QDI: (a) the highest level of the HSCI is a HSCI of 230 or a graduation rate of 80% or higher and (b) the second highest level of the HSCI is HSCI of 200 or a graduation rate of 75%.
A school’s achievement level is based on the current year performance of students who were enrolled in the school for a full academic year (at least 70% of instructional time). The Quality of Distribution Index (QDI) is used to measure achievement. As previously mentioned, the QDI measures the distribution of student performance on state assessments around the cut points for Basic, Proficient, and Advanced performance.

A multiple regression model is used to predict scale score growth on the Mississippi Curriculum Test (MCT2) and scale score on certain Subject Area Tests (SATP) for each student based on the student’s earlier MCT2 performance. Predictions are made only for students who were enrolled in the school for a full academic year. There are separate prediction equations for each grade level in each content area and each subject area test.

A student is included in the achievement and growth models for a school if the student was enrolled in the school for a *full academic year* [emphasis added], which is defined as at least 70% (approximately) of the instructional time. The percentage of time enrolled is determined from the monthly student level enrollment records in the *Mississippi Student Information System* (MSIS).

The Mississippi Statewide Assessment System also provides procedures to ensure the inclusion of all students in the assessment programs, including a wide range of testing accommodations, instructional level testing on the MCT2, and alternate assessments. The data for students using testing accommodations are treated no differently from any other test data. For students with disabilities taking instructional level tests or alternate assessments, their scores are included in the achievement model. The weighting procedures in the achievement model ensure that those students count equally within the achievement level assigned to the school.
School districts are allowed to exclude the academic achievement results only for first year English Language Learners (ELL) students (on a case-by-case basis) from determinations of state Achievement Model and Growth Model results. This policy is consistent with the requirements for calculating AYP.

A school must be included in both the achievement and growth models in order to be assigned a School Performance Classification. Schools with no assessment data at Grades 3-8 and no appropriate SATP data cannot be included in the achievement and growth models. Most of the schools that cannot be assigned a School Performance Classification are schools serving grades kindergarten and first grade and schools serving kindergarten through second grade.

**History of State Takeovers in Mississippi**

To date, the CSA and the SBE have requested the Governor declare a state of emergency on 13 occasions in 12 Mississippi school districts and to appoint a conservator or an interim conservator to be responsible for the administration, management, and operation of these school districts (MDE [board minutes], 1996-2011). The 12 Mississippi school districts are: North Panola School District, Oktibbeha County School District, Tunica County School District, North Bolivar School District, Holmes County School District, Jefferson Davis County School District, Hazlehurst City School District, Indianola School District, Tate County School District, Okolona Municipal Separate School District, Sunflower County School District, and Drew School District. According to the official minutes of the CSA and SBE, North Panola School District is the only district that was taken over by the state for a second time. Three districts were taken over due to severe finance issues (North Panola School District (first takeover), Indianola...
School District, and Tate County School District). Eight districts were taken over as a result of poor academic performance and/or safety concerns (Oktibbeha County School District, Tunica County School District, Holmes County School District, Jefferson Davis County School District, North Panola School District (second takeover), Hazlehurst City School District, Okolona Municipal Separate School District, and Sunflower County School District). One district (Drew School District) was taken over for a combination of poor academic performance and severe financial issues. One district (North Bolivar School District) was taken over for having more than 50% of the schools in the district designated as Priority Schools (Priority Schools are currently known as Schools At-Risk).

Although the law enacted in 1991 allowed the state to take over troubled districts, it was not until 1996 when the legislature passed a bill to expedite the process by giving the State Department of Education greater latitude to take over troubled districts quickly (Sommerfeld, 1996b). North Panola School District was the first state takeover in Mississippi.

Following is a summary of each of the takeovers in Mississippi and the issues related to the declaration of the state of emergency by the Governor. The information regarding each of the 13 takeovers was obtained from documentation on file at the MDE in the official minutes of the CSA and SBE from 1996-2011 and the Governor’s Proclamations from 1996-2011.

North Panola School District

Pursuant to Section 37-17-6(14) of the Mississippi Code of 1972, as amended, the CSA met on March 7, 1996, to determine whether there was sufficient cause to believe that an extreme emergency situation existed in the North Panola School District which
jeopardized the educational interests of the children enrolled in the schools of the district (MDE, 1996-2011a).

The State Superintendent, Dr. Tom Burnham, presented certain information to the CSA regarding the district’s impairments related to the lack of financial resources. Without intervention by the SBE, the schools of the district would be closed; thereby, denying the students a free public education.

The SBE met in a special called meeting on March 8, 1996, to consider the request made by the CSA on March 6, 1996 (MDE, 1996-2011b). Dr. Burnham and a representative from the State Auditor’s Office detailed the areas of concern such as internal controls, fund balances, cash projections and other information pertaining to the financial status of the district. The Board also approved a contract for an interim conservator responsible for the administration, management, and operation of the school district. A loan agreement not to exceed $1,400,000 between the North Panola School District and the Mississippi SBE was approved. Dr. Burnham told Education Week,

The district has put together a three-year recovery plan that requires cutting administrative positions and eliminating some extracurricular activities. The district’s plan may also entail firing other nonteaching employees, including food-service and transportation workers. We are going to protect the classroom.

(Sommerfeld, 1996b, para. 16-18)

In response to the certification and request of the SBE and the CSA, concurred by the State Auditor, and made under the authority of Section 37-17-6 of the Mississippi Code of 1972, as amended, Governor Kirk Fordice issued a Proclamation on March 8, 1996, to declare that a state of emergency existed in the North Panola School District (MDE, 1996-2011c).
At the February 20, 1997, meeting of the SBE, Mr. James Sardin and Ms. Frankie White discussed a procedure for reconstituting North Panola School District. Dr. Tom Burnham shared two facts: (a) A request had been submitted to the State Auditor to verify a clean audit of the school district, and (b) He had requested that Ms. White develop a Resolution for reconstituting the school district (MDE, 1996-2011b).

On April 17, 1997, in the meeting of the SBE, staff from the Attorney General’s office reviewed an opinion of the reconstitution of the North Panola School District. They advised the SBE that the July 1997 would be the latest date they could take action and effect an election in November 1997.

On July 18, 1997, the SBE unanimously approved a Resolution reconstituting the North Panola School District, which was forwarded to Governor Kirk Fordice advising that a state of emergency no longer existed in that district (MDE, 1996-2011b). The SBE also unanimously approved a request to the Attorney General to submit the reconstitution of the North Panola School District to the USDJ for preclearance under the Voting Rights Act of 1965.

Oktibbeha County School District

three test scores with 50% or more of the students in the bottom quarter, namely grades 5, 7, and 9 composite scores.

On February 21, 1997, the SBE concurred with the action of the CSA and voted to withdraw the accreditation status of the school district (MDE, 1996-2011b). Under authority of Section 37-17-6(11) of the Mississippi Code of 1972, as amended, a request was sent to the governor asking him to declare a state of emergency. On March 14, 1997, Governor Kirk Fordice signed the Proclamation declaring a state of emergency for the Oktibbeha County School District (MDE, 1996-2011c). On March 21, 1997, the SBE approved the appointment of an interim conservator to be responsible for the administration, management, and operation of the school district as authorized in Section 37-17-6(11)(c) of the Mississippi Code of 1972, as amended.

On February 14, 2002, following a report from the Oktibbeha County School District to the SBE, Ms. Frankie White, Special Assistant to the Attorney General, discussed the process of reinstatement of accreditation for the district, which included the CSA, SBE, Governor, and the USDJ (MDE, 1996-2011b). Dr. Richard Thompson, State Superintendent of Education, also discussed the role of the CSA in appointing a team to conduct a site visit in Oktibbeha County School District. The SBE agreed to the appointment of the site visit team and a scheduled visit to the district. The SBE requested that the CSA report their findings to the SBE at the March 14, 2002, meeting.

On February 21, 2002, Ms. Frankie White, addressed the CSA regarding the removal of the conservator from Oktibbeha County School District (MDE, 1996-2011a). The CSA established a subcommittee that would be responsible for visiting the district and reporting back to the SBE whether or not the deficiencies that resulted in the takeover were cleared.
On March 14, 2002, the CSA reported to the SBE on the site visit to the Oktibbeha County School District (MDE, 1996-2011b). The CSA presented the corrective action taken by the district and the remaining deficiencies. The CSA indicated that the deficiencies were sufficiently corrected and that an emergency situation no longer existed. Therefore, the CSA recommended the reinstatement of accreditation to the Oktibbeha County School District. Dr. Thompson stated that the next steps included consideration of a Resolution by the SBE on March 15, 2002, to be forwarded to the Governor requesting the Governor to lift the declaration of the state of emergency for the district, contingent upon approval from the USDJ (MDE, 1996-2011b).

On March 15, 2002, the SBE unanimously approved the reinstatement of accreditation status of Oktibbeha County School District (MDE, 1996-2011b). The Resolution was forwarded to Governor Ronnie Musgrove following the SBE meeting. On April 25, 2002, the Commission assigned Oktibbeha County School District an Advised status as a result of the district having deficiencies remaining on their Accreditation Record Summary (MDE, 1996-2011a). Ms. Frankie White informed the CSA that the Attorney General’s office would take the final steps toward the reinstatement of accreditation in Oktibbeha County School District.

Tunica County School District

On December 12, 1996, under authority of Section 37-17-6(11) of the Mississippi Code of 1972, as amended, the CSA voted to WITHDRAW the accreditation status of the school district (MDE, 1996-2011a). The following reasons were presented: (a) remaining at Accredited-1-Probation level for low test scores for seven of eight years (1988-1989, 1989-1990, 19991-1992, 1993-1994, 1994-1995, and 1995-1996); (b) failure to show significant progress on the Iowa Tests of Basic Skills and the Test of Achievement and
Proficiency for the 1995-1996 school year; (c) in 1994, 55% of the students taking the Functional Literacy Examination scored below the 25th percentile, and in 1996, 58% scored below the 25th percentile; and (d) from 1994-1995, Algebra I scores decreased from a scale score of 187.1 to scale score of 184.2, and the percentage of Algebra I students scoring below the 25th percentile increased from 47.0% to 61.8%.

On February 21, 1997, the SBE concurred with the action of the CSA and voted to withdraw the accreditation status of the school district (MDE, 1996-2011b). Under the authority of Section 37-17-6(11) of the Mississippi Code of 1972, as amended, a request was sent to the Governor requesting he declare a state of emergency for the Tunica County School District.

On March 14, 1997, Governor Kirk Fordice signed the Proclamation declaring a state of emergency for the Tunica County School District (MDE, 1996-2011c). On March 21, 1997, the SBE approved the appointment of an interim conservator to be responsible for the administration, management, and operation of the school district as authorized by Section 37-17-6(11)(c) of the Mississippi Code of 1972, as amended.

On February 14, 2002, following a report from the Tunica County School District to the SBE, Ms. Frankie White, Special Assistant to the Attorney General, discussed the process of reinstatement of accreditation for the district, which included the CSA, SBE, Governor, and the USDJ (MDE, 1996-2011b). Dr. Richard Thompson, State Superintendent of Education, also discussed the role of the CSA in appointing a team to conduct a site visit in the district. The SBE agreed to the appointment of the site team and a scheduled visit to the district. The SBE requested that the CSA report their findings to the SBE at the March 14, 2002, meeting.
On February 21, 2002, Ms. Frankie White, addressed the CSA regarding the removal of the conservator from the Tunica County School District (MDE, 1996-2011a). She explained that the subcommittee, established by the CSA would be responsible for visiting the district and reporting back to the SBE whether or not the deficiencies that resulted in the takeover of the district had been cleared.

On March 14, 2002, the CSA reported to the SBE on the site visit to the Tunica County School District on February 27, 2002 (MDE, 1996-2011b). The CSA presented the corrective action taken by the district and the remaining deficiencies. The CSA indicated that the deficiencies were sufficiently corrected and that an emergency situation no longer existed. Therefore, the CSA recommended the reinstatement of accreditation to the Tunica County School District. Dr. Thompson stated that the next steps included consideration of a Resolution by the Board on March 15, 2002, to be forwarded to the Governor requesting the Governor to lift the declaration of the state of emergency for the district, contingent upon approval from the USDJ (MDE, 1996-2011b).

On March 15, 2002, the SBE unanimously approved the reinstatement of accreditation status of the Tunica County School District (MDE, 1996-2011b). The Resolution was forwarded to Governor Ronnie Musgrove following the SBE meeting.

On April 25, 2002, the CSA assigned Tunica County School District an Advised status as a result of the district having deficiencies remaining on its Accreditation Record Summary (MDE, 1996-2011a). According to Ms. White, the Attorney General’s office would take the final steps toward the reinstatement of accreditation in Tunica County School District.
North Bolivar School District

In the fall of 2005, the MDE conducted two separate audits of the North Bolivar School District, an on-site investigative accreditation audit and a Priority Schools assessment. The results of the audits raised serious concerns. On November 18, 2005, under the authority of Section 37-18-7 of the *Mississippi Code of 1972*, as amended, the SBE approved a motion submitting a request to the Governor asking that the members of the board and the superintendent of North Bolivar School District be subject to recall and the Governor declare a state of emergency in North Bolivar School District (MDE, 1996-2011b).

On November 22, 2005, Governor Haley Barbour issued a Proclamation declaring that, based on continued low student performance and more than 50% of the schools in the district being designated as Priority Schools, a state of emergency existed in the North Bolivar School District (MDE, 1996-2011c). Also, the members of the district’s board and the superintendent were subject to recall.

On December 1, 2005, the CSA took action to downgrade the accreditation status assigned to North Bolivar School District to Advised for the 2005-2006 school year (MDE, 1996-2011a). The decision of the CSA was based on the verified noncompliance with accountability requirement and accreditation standards as noted in the evaluation report presented to the SBE on November 17, 2005, in accordance with Accreditation Policy 2.5. On December 16, 2005, the SBE approved the appointment of an interim conservator to be responsible for the administration, management and operation of the North Bolivar School District.

On September 8, 2006, MDE staff reported to the SBE the two schools (of the three in the district), which were designated as Priority Schools for the 2005-2006 school
year, were no longer Priority Schools, and these schools moved from Low Performing, Level 1, schools to Exemplary, Level 4 schools under the state’s accountability system performance classifications. The SBE approved the motion to request that Governor Barbour lift the state of emergency declared pursuant to Section 37-18-7 of the *Mississippi Code of 1972*, as amended, for the North Bolivar School District (MDE, 1996-2011b). On September 11, 2006, on behalf of the SBE, Chairman Claude Hartley made an official request to the Governor to lift the state of emergency.

**Holmes County School District**

On March 16, 2006, in the regularly scheduled work session of the SBE, Dr. Hank Bounds, State Superintendent of Education, reported that the MDE had recently conducted an accountability and accreditation audit of the Holmes County School District. Dr. Bounds reported that the results of the audit were presented to the CSA at its March 15, 2006, meeting along with an investigative report outlining serious safety and security issues in the district. Dr. Bounds noted that concerns raised by the accreditation audit and the investigative report required the CSA to consider its responsibility to determine whether an extreme emergency situation existed in the Holmes County School District and that this extreme emergency jeopardized the safety, security, and education interest of the children enrolled in the schools of this district. The emergency situation in this district was related to serious violations of accreditation standards and state and federal law (MDE, 1996-2011a).

On March 17, 2006, the SBE voted unanimously to adopt a Resolution requesting that the Governor declare a state of emergency in the Holmes County School District (MDE, 1996-2011b). The SBE also unanimously approved the request to the Governor that the Governor declare a state of emergency in the Holmes County School District.
The SBE approved, subject to the Governor’s declaration of a state of emergency, the appointment of an interim conservator to be responsible for the administration, management, and operation of the Holmes County School District.

Governor Haley Barbour signed a Proclamation stating in accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, on March 21, 2006, declaring that, because of accreditation deficiencies and safety and security issues, a state of emergency existed in the Holmes County School District (MDE, 1996-2011c).

On January 18, 2007, Dr. Beth Sewell, Associate State Superintendent, reported to the SBE that the concerns in Holmes County School District were addressed and corrected (MDE, 1996-2011b). Dr. Sewell noted that the MDE would continue to provide technical assistance to the district, as the district worked to address the remaining concerns regarding accreditation standards and local board policy. Dr. Sewell recommended that the SBE make a request to the Governor to lift the state of emergency in Holmes County School District.

On January 19, 2007, the SBE approved the request to the Governor that the Governor lift the state of emergency declared pursuant to Section MS 37-16-6 of the Mississippi Code of 1972, as amended, in the Holmes County School District (MDE, 1996-2011b). On January 19, 2007, on behalf of the SBE, Chairman Claude Hartley made an official request to the Governor to lift the state of emergency.

Jefferson Davis County School District

On May 9, 2007, SBE Chairman Claude Hartley, received a letter from the President of the Jefferson Davis County School District Board of Trustees requesting assistance from the SBE. Specifically, the board president asked that the SBE appoint a conservator to assist the district in addressing the multiple issues facing the district.
Pursuant to Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, the CSA met in a special called meeting on May 10, 2007, to determine whether there was sufficient cause to believe that an extreme emergency situation existed in the Jefferson Davis County School District which jeopardized the educational interests of the children enrolled in the schools of this district (MDE, 1996-2011a). Mr. Steve Williams, Director of Educational Accountability, presented certain information to the CSA regarding serious leadership and management issues in the district. Ms. Paula Means, Director of Accreditation, presented information related to the serious violations of accreditation standards pertaining to leadership, SBE policy, and state law.

On May 18, 2007, the SBE approved the determination by the CSA that an extreme emergency situation existed in the Jefferson Davis County School District which jeopardized the educational interest of the children enrolled in the school in the district, and that this emergency situation is related to leadership and management deficiencies in the district (MDE, 1996-2011b). The SBE also approved the request to the Governor that the Governor declare a state of emergency in Jefferson Davis County School District. In addition, the SBE approved the appointment of an interim conservator to be responsible for the administration, management and operation of the district. On May 21, 2007, Governor Haley Barbour issued a Proclamation in accordance with Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, declaring that a state of emergency existed in the Jefferson Davis County School District which jeopardized the educational interests of the children enrolled in the schools of this district (MDE, 1996-2011c).

On November 19, 2009, the Interim State Superintendent of Education, Dr. John Jordan, addressed the CSA regarding Jefferson Davis County School District (MDE, 1996-2011a). Dr. Jordan stated that the district was ready to re-establish themselves, and
he wanted the CSA’s support in recommending to the SBE that the state of emergency be lifted.

On November 20, 2009, the SBE unanimously approved submitting a request to the Governor that he lift the state of emergency declared pursuant to Section 37-17-6 of the *Mississippi Code of 1972*, as amended, in the Jefferson Davis County School District (MDE, 1996-2011b). On November 29, 2009, on behalf of the SBE, Chairman Bill Jones made an official request to the Governor to lift the state of emergency.

**North Panola School District**

The Office of Accreditation conducted an on-site investigative audit in the North Panola School District January 24 through February 8, 2008. Following the conclusion of the audit, the CSA met in a regularly scheduled meeting on April 3, 2008, to determine whether there was a sufficient cause to believe that an extreme emergency situation existed in the North Panola School District which jeopardized the safety, security, and education interest of the children enrolled in the schools in that district according to Section 37-27-6(11)(b) of the *Mississippi Code of 1972*, as amended (MDE, 1996-2011a). The State Superintendent of Education, Dr. Hank Bounds, presented information to the CSA regarding serious leadership, management, and instructional issues in the district. The Office of Accreditation presented information related to the serious violations of accreditation standards pertaining to leadership and instructional issues, SBE policy, and state law.

On April 18, 2008, the SBE approved the determination by the CSA that an extreme emergency situation existed in the North Panola School District which jeopardized the safety, security, and educational interests of children enrolled in the schools in the district, and this emergency situation is related to serious leadership,
management, and instructional concerns existing in the district. The SBE also approved a request to the Governor that the Governor declare a state of emergency in the North Panola School District (MDE, 1996-2011b). The SBE appointed an interim conservator to be responsible for the administration, management and operation of the District, contingent upon a declaration of a state of emergency in the District by the Governor. Governor Haley Barbour signed a Proclamation pursuant to Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, on April 21, 2008 (MDE, 1996-2011c). Currently, North Panola School District remains under conservatorship.

**Hazlehurst City School District**

State Superintendent, Dr. Hank Bounds, called a special meeting of the CSA on May 15, 2008 (MDE, 1996-2011a). The Director of Educational Accountability, Mr. Steve Williams, presented an overview of the history of performance and problems that were identified in Hazlehurst City School District, the basis for declaring that a state of emergency existed in the school district. Mr. Williams also informed the CSA that a letter from the State Auditor’s Office, indicating a negative fund balance had prompted the SBE to place a financial advisor in the district. The district had gone through several interim superintendents and was unable to hire a permanent superintendent. Additional information from the Hazlehurst audit, including specific violations of accreditation standards were also presented.

On May 16, 2008, the SBE unanimously determined that an extreme emergency existed in the Hazlehurst City School District which jeopardized the safety, security, and educational interests of the children enrolled in the school in this district, and this emergency situation was related to serious leadership, management, and instructional concerns existing in the district (MDE, 1996-2011b). The SBE also approved the request
to the Governor that the Governor declare a state of emergency in the Hazlehurst City School District and appointed an interim conservator, contingent upon a declaration of a state of emergency in the district by the Governor.

On May 20, 2008, Governor Haley Barbour, in response to the request of the SBE, made under the authority of Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, issued a Proclamation to declare that because of serious leadership, management and instructional concerns existing in the district and serious violations of accreditation standards, board policy, and state law, a state of emergency existed in the Hazlehurst City School District (MDE, 1996-2011c).

On October 24, 2008, the SBE approved the Resolution presented by State Superintendent, Dr. Hank Bounds, to abolish the Hazlehurst City School District based upon the extreme emergency situation brought on by the continuing and serious leadership and management concerns, pursuant to Section 37-17-13 of the *Mississippi Code of 1972*, as amended (MDE, 1996-2011b). Currently, the Hazlehurst City School District remains under conservatorship.

**Indianola School District**

The CSA met in a special called meeting on March 11, 2009, to determine if an extreme emergency situation regarding financial resources in Indianola School District existed. In accordance with Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, the CSA determined that an extreme emergency existed in Indianola School District, which jeopardized the safety, security, and educational interest of the children enrolled in that district (MDE, 1996-2011a). Without intervention by the CSA and the SBE, and the continuation of an inadequate and unstable education environment, the
students in this district would be denied the opportunity to learn, to excel, and to obtain a free and appropriate public education.

On March 20, 2009, the SBE determined that an extreme emergency existed in Indianola School District which jeopardized the safety, security, and educational interests of the children enrolled in the schools in the district, and this situation was related to serious concerns regarding the financial resources of the district (MDE, 1996-2011b).

The SBE also approved the request to the Governor that the Governor declare a state of emergency in the Indianola School District. The appointment of an interim conservator was also approved, contingent upon a declaration of a state of emergency by the Governor. In addition, the Board approved a $1,800,000 loan from the School District Emergency Assistance Fund to the Indianola School District.

On March 23, 2009, Governor Haley Barbour issued a Proclamation in accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, to declare that, because of serious financial management concerns existing in the district and serious violations of accreditation standards pertaining to financial issues, a state of emergency existed in the Indianola School District (MDE, 1996-2011c). Currently, the Indianola School District is still under conservatorship.

**Tate County School District**

In a special called meeting of the CSA on March 11, 2009, the CSA determined that an extreme emergency situation existed in Tate County School District, brought on by serious findings regarding the financial resources in the district, as well a violations of accreditation standards, SBE policy, and state law in accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended (MDE, 1996-2011a). Without intervention by the CSA and the SBE, the continuation of an inadequate and unstable
education environment, the students in this district would be denied the opportunity to learn, to excel, and to obtain a free and appropriate public education.

On March 20, 2009, the SBE determined that an extreme emergency existed in the Tate County School District which jeopardized the safety, security, and educational interests of the children enroll in the schools in the district, and this situation is related to serious concerns regarding the financial resources of the district (MDE, 1996-2011b). The SBE also approved the request to the Governor that the Governor declare a state of emergency in the Tate County School District, as well as the appointment of an interim conservator, contingent upon a declaration of a state of emergency by the Governor.

On March 23, 2009, Governor Haley Barbour issued a Proclamation in accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, to declare that, because of serious financial management concerns existing in the district and serious violations of accreditation standards pertaining to financial issues, a state of emergency existed in the Tate County School District (MDE, 1996-2011c). Currently, the Tate County School District remains under conservatorship.

Okolona Municipal Separate School District

On February 2, 2010, a letter from the superintendent of Okolona Municipal Separate School District was received at the MDE outlining concerns that the district may be unable to meet its payroll and accounts payable obligations for February 2010. A full accreditation audit was conducted in November 2007, and as of November 2009, there were still numerous issues of noncompliance still on the district’s Accreditation Record Summary (MDE, 1996-2011a). In addition, the district had a pattern of poor performance since the 1988-1989 school year.
The CSA held a special-called teleconference meeting on February 15, 2010. In accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, the CSA determined that an extreme emergency existed in the Okolona Municipal Separate School District, which jeopardized the safety, security, and educational interests of the children enrolled in the schools of the district (MDE, 1996-2011a). This determination was based on serious findings regarding financial resources, serious violations of accreditation standards, and a continued pattern of poor student performance.

During the regularly scheduled meeting of the SBE on February 19, 2010, the members heard presentations from the Office of School Financial Services and the Office of Accreditation related to the deficiencies in the district. The SBE unanimously concurred with the CSA’s recommendation and determined that an extreme emergency situation existed in the Okolona Municipal Separate School District which jeopardized the safety, security, and educational interests of the children enrolled in the school in the district, and this emergency situation was related to serious concerns regarding financial resources, serious violations of accreditation standards, and a continued pattern of poor student performance (MDE, 1996-2011b). The SBE also unanimously determined to officially abolish the Okolona Municipal Separate School District. In addition, the SBE approved a request to the Governor that the Governor declare a state of emergency in the Okolona Municipal Separate School District. A conservator was appointed, contingent upon a declaration of a state of emergency in the district by the Governor.

On February 24, 2010, Governor Haley Barbour issued a Proclamation declaring an extreme emergency in the Okolona Municipal Separate School District under the authority of Section 37-1706(11)(b) of the Mississippi Code of 1972, as amended, due to serious financial resource concerns, serious violations of accreditation standards, as well
as a continued pattern of poor student performance (MDE, 1996-2011c). Currently, the Okolona Municipal Separate School District remains under conservatorship.

**Drew School District**

Based on a series of complaints from parents, students and community leaders, State Superintendent of Education, Dr. Tom Burnham, requested the Office of Accreditation and other MDE program offices to coordinate and conduct a comprehensive on-site evaluation of the Drew School District to determine the district’s level of compliance with all accountability requirements and accreditation standards approved by the SBE as published in the *Mississippi Public School Accountability Standards, 2010* (MDE, 1996-2011a). The complaints consistently stated that the district had significant problems with discipline of students, including the inconsistent application of discipline policies, to the point of interfering with instruction. There were concerns over the lack of high expectation for students, high teacher turnover, the lack of poor finances, poor facilities, lack of stability in administration, and interference by the school board in the day-to-day operations of the district. The audit was conducted in the Drew School District from January 26, 2011, through February 9, 2011.

The CSA held a special called meeting on June 14, 2011. In accordance with Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, the CSA determined that an extreme emergency existed in the Drew School District, which jeopardized the safety, security, and educational interests of the children enrolled in the schools of the district (MDE, 1996-2011a). This determination was based on findings regarding serious violations of accreditation standards, state and federal law, pattern of poor academic performance, and lack of financial resources.
During the regularly scheduled meeting of the SBE on June 16, 2011, the SBE members heard presentations from the Office of Accreditation and the Office of School Financial Services related to the deficiencies in the district. On June 17, 2011, The SBE unanimously concurred with the CSA’s recommendation and determined that an extreme emergency situation existed in the Drew School District which jeopardized the safety, security, and educational interests of the children enrolled in the school in the district, and this emergency situation is based on findings regarding serious violations of accreditation standards, state and federal law, pattern of poor academic performance, and lack of financial resources (MDE, 1996-2011b). The SBE also unanimously determined to officially abolish the Drew School District. In addition, the SBE approved a request to the Governor that the Governor declare a state of emergency in the Drew School District. A conservator was appointed, contingent upon a declaration of a state of emergency in the district by the Governor.


**Sunflower County School District**

On March 8, 2010, the MDE received a telephone call from the superintendent of Sunflower County School District notifying the MDE that some of the parents and members of the community had organized a boycott of the schools in the district. On
March 9, 2010, State Superintendent of Education, Dr. Tom Burnham met with the organizers of the boycott and district administrative staff. Immediately following the meeting, the Office of Accreditation began conducting interviews and collecting documentation and determined that a full investigative audit was necessary.

In a special-called meeting of the CSA on April 15, 2010, the Office of Accreditation reported the findings of the investigative audit (MDE, 1996-2011a). The audit revealed serious violations of state and federal law and serious violations of accreditation standards, which included all five accreditation standards that could result in an immediate downgrade of an accreditation status as defined in Accreditation Policy 2.5 of the *Mississippi Public Schools Accountability Standards, 2009*. The school district was noncompliant with some portion of all 37 accreditation (process) standards. The CSA determined that an extreme emergency existed in Sunflower County School District which jeopardized the safety, security, and educational interests of the children enrolled in the district. The state of emergency was also believed to be related to serious violations of accreditation standards, state law and federal law (MDE, 1996-2011a).

Immediately following the CSA meeting, the results of the audit and the CSA’s determination was presented to the SBE during their regularly scheduled monthly work session on April 15, 2010. On April 16, 2010, the SBE unanimously determined that an extreme emergency existed that jeopardized the safety, security, and educational interest of the children enrolled in the schools in Sunflower County School District pursuant to Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended (MDE, 1996-2011b). The SBE also determined to officially abolish Sunflower County School District in accordance with Section 37-17-13 of the *Mississippi Code of 1972*, as amended (MDE, 1996-2011b). The SBE approved the request to the Governor that he declare a state of
emergency in the district and the appointment of a conservator responsible for the administration, management and operation of the district, contingent upon a declaration of a state of emergency in the district by the Governor.

On that same day, Friday, April 16, 2010, due to the urgency of the situation, Governor Haley Barbour signed a Proclamation in response to the SBE’s Resolution (MDE, 1996-2011c). The Proclamation made under the authority of Sections 37-17-6(11)(b) and 37-17-13 of the *Mississippi Code of 1972*, as amended, declared that a state of emergency did exist in Sunflower County School District due to the serious violations of accreditation standards, state law and federal law (MDE, 1996-2011c).

On Monday, April 19, 2010, the elected superintendent and five elected members of the Board of Trustees for Sunflower County School District were notified that the Governor had declared a state of emergency in the district and abolished the Sunflower County School District. For the first time in the history of state takeovers in Mississippi, six elected school district officials were removed from office (the superintendent, and five members of the Board of Trustees).

Currently, Sunflower County School District remains under conservatorship. The circumstances leading to the takeover and the process used by the MDE to takeover Sunflower County School District were the foci of this study.

**Summary of the Literature Review**

The review of literature included research related to federal and state accountability, takeovers, and other reform efforts. Federal accountability and reform efforts such as NCLB, *Race to the Top*, *NBC’s Education Nation*, and the blueprint for the upcoming reauthorization of the ESEA continue to be the focus of policymakers,
educators, and parents, as the nation seeks to improve the performance of our nation’s public schools.

In response to ensuring that children in the state of Mississippi receive a quality public education, policymakers and educators continue to hold districts and schools accountable for improving leadership capacity in the local school district, increasing student achievement, and improving school/community relationships and parental involvement. Recent evidence of the state’s focus on accountability is seen in legislation such as the CFA, and SBE policies, such as the *Mississippi Public School Accountability Standards*, and the new *Mississippi Accountability System*.

Although the review of literature indicates that the perspectives and effects of state takeovers are mixed, the state takeover process is one measure at least 29 states are implementing to improve leadership, fiscal management, and student achievement. Legislation was enacted in Mississippi in 1991; however, it was not enforced until 1996. Since that time, policymakers have sought to improve the process for providing assistance to local districts through the takeover process. Currently, the state takeover process may be initiated for a variety of reasons under several sections of the law, including: (a) failure to resolve verified deficiencies during the probationary period; (b) when an extreme emergency exists that jeopardizes the safety, security, and educational interest of the children enrolled in that district; (c) when a school or district meets the SBE’s definition of a failing school district for two consecutive full school years; (d) in the event a school continues to be designated a School At-Risk after three years of implementing a school improvement plan, or (e) in the event that more than 50% of the schools within the district are designated as Schools At-Risk in any one year.
Mississippi legislation allows for the abolishment of a school district during the takeover process. However, if a district is abolished, Mississippi is one of 16 states in which Section 5 of the Voting Rights Act of 1965 applies. The Voting Rights Act of 1965 established extensive federal oversight of elections administration, providing that states, such as Mississippi, with a history of discriminatory voting practices, could not implement any change affecting voting without first obtaining the approval of the USDJ.

The history of state takeovers in Mississippi includes 13 takeovers in 12 school districts. Only one district in Mississippi has been taken over for a second time. The takeover of Sunflower County School District was the first takeover in the State’s history that abolished the district, removing six elected officials (the superintendent and five members of the Board of Trustees) from office.

This case study presents what led to the state takeover of Sunflower County School District, examines the takeover process used by the MDE, and makes recommendations to the Mississippi Department of for improving sustainability of the success of the state takeover process after the conservator is removed from the district and the district regains control.
CHAPTER III

METHOD

This chapter focuses on the methods and procedures used in conducting the study. The chapter is presented in seven sections: (a) Research Design, (b) The Researcher, (c) Research Participants, (d) Study Setting, (e) Procedure for Data Collection, (f) Validity and Reliability, and (g) Analysis. Three research questions provide the framework for the investigation:

1. What led to the state’s takeover of Sunflower County School District?
2. What process is used by the Mississippi Department of Education during a formal investigation of a local school district and a state’s takeover?
3. What recommendations can be made to the Mississippi Department of Education to improve the sustainability of the success of the state’s takeover after the conservator is removed from the local school district?

Research Design

This case study describes the circumstances that led to the takeover of Sunflower County School District and the accountability process used by the MDE during the investigation of the local school district and the eventual takeover. Qualitative research seeks out the why, not the how, of its topic through the analysis of unstructured information, such as observation, interview transcripts, open-ended survey responses, field notes, emails, feedback forms, photos, and videos (QSR International, 2007).
Gay (1996) noted, “A case study is the in-depth investigation of one ‘unit,’ e.g., individual, group, institution, organization, program, document, and so forth. In education, a unit is likely to be a school” (p. 219). According to Yin (2003), “the case study method allows investigators to retain the holistic and meaningful characteristics of real-life events—such as individual life cycles, organizational and managerial processes, neighborhood change, international relations, and the maturation of industries” (p. 2).

Yin (2003) noted that case studies are preferred when asking *how* or *why*, when the investigator has little or no control over events and when the focus is on a contemporary phenomenon within some real-life context. In research, a case study is used in many situations to contribute to our knowledge of individual, group, organization, social, political, and related phenomena. The case study is preferred in examining contemporary events, when the relevant behaviors cannot be manipulated. As Yin (2003) noted, a case study relies on many of the same techniques as a history, but it adds two sources of evidence not usually included in the historian’s repertoire: direct observation of the events being studied and interviews of the persons involved in the events.

Yin (2003) also noted that case studies may be exploratory, descriptive, or explanatory. According to Yin, “the three conditions consist of (a) the type of research question posed, (b) the extent of control an investigator has over actual behavioral events, and (c) the degree of focus on contemporary as opposed to historical events” (p. 5). If research questions focus mainly on *what* questions, two possibilities arise. Some types of *what* questions are exploratory; if the goal is to develop pertinent hypotheses and propositions for further inquiry (Yin, 2003). The other type of *what* questions, the *who* questions, and the *where* questions are likely to be descriptive. Yin noted the goal of this type of case study is to describe the incidence or prevalence of a phenomenon or when it
is to be *predictive* about certain outcomes. The *how* and *why* questions are more explanatory because such questions deal with operational links needed to be traced over time, rather than mere frequencies or incidence. The case study of Sunflower County School District was an explanatory case study, focusing on *why* the investigative audit ended with a state takeover, and as a result of the investigative audit, *how* did the MDE used the accountability process to take over and abolish the Sunflower County School District.

Yin (2003) presented four types of designs for case studies: (a) single-case (holistic) designs, (b) single-case (embedded) designs, (c) multiple-case (holistic) designs, and (d) multiple-case (embedded) designs. A primary distinction in the design of a case study is between single and multiple case designs. Yin also described five rationales for a single case study when the case represents: (a) a critical case of a well formulated theory, (b) an extreme or unique case, (c) the representative or typical case, (d) the revelatory case, or (e) the longitudinal case. Selecting a single-case study is problematic in that the researcher is putting “all of one’s eggs in one basket” (p. 53).

Yin (2003) described an embedded case study as one that involves more than one unit of analysis, no matter how the units are selected. On the other hand, a holistic design is advantageous when no logical subunit(s) can be identified or when the relevant theory underlying the case study is itself of holistic nature. The case study of the takeover of Sunflower County School District is an holistic, single-case design.

Data collection strategies for qualitative research include document collection, participant observation, formal or informal interviews, and taking of extensive, detailed field notes (Gay, 1996). Data collection is guided by questions, educated hunches, and emerging findings (Merriam, 1998).
According to Gay (1996), both verbal and non-verbal techniques are involved in data collection. Verbal techniques involve interactions between the researcher and persons in the research environment, mainly interviewing. Non-verbal techniques are less intrusive and less likely to affect the behaviors being studied. Non-verbal techniques include such strategies as collection of written records.

Yin (2003) noted an important use of documents for case studies is to corroborate and augment evidence from other sources. Documents can provide other specific details to corroborate information from other sources. Documents also allow for inferences. The researcher must remember that every document was written for some specific purpose and some specific audience other than those of the case study being done. Documents refer to a wide range of written, visual, and physical material relevant to the study at hand (Merriam, 1998). According to Merriam, there are three major types of documents available for the researcher: public records, personal documents, and physical material.

Merriam (1998) stated “observation is a research tool when it (1) serves a formulated research purpose, (2) is planned deliberately, (3) is recorded systematically, and (4) is subject to check and controls on validity and reliability” (pp. 94-95). Yin (2003) discussed making field visits to the case study site in order to create an opportunity for direct observations, which can range from formal to causal data collection activities. Observational evidence is often useful in providing additional information about the topic being studied. Yin also noted:

to increase the reliability of observational evidence, a common procedure is to have more than a single observer making an observations—whether of the formal or casual variety. Thus, when resources permit, a case study investigation should allow for the use of multiple observers. (p. 93)
According to Yin (2003), one of the most important sources of case study information are interviews, which is an essential source of case study information. Throughout the interview process the researcher has two jobs: (a) to follow a line of inquiry, as reflected by the case study protocol, and (b) to ask actual (conservational) questions in an unbiased manner.

The written account of the observation constitutes the field notes, which are analogous to the interview transcript (Merriam, 1998). According to Merriam, field notes many come in many forms, but at a minimum should include descriptions, direct quotations, and observer comments.

This holistic, single-case study focused on the patterns or events in Sunflower County School District that led the MDE to take control of the district. The case study is descriptive, exploratory, and explanatory in nature. It sought to describe the patterns and events that led the state to takeover, as well as explored the reasons these patterns and events occurred. The case study also explained and supported the process; beginning with the rationale for a full, on-site investigative audit of the district, through the USDJ preclearance of the takeover and abolishment of the Sunflower County School District.

**The Researcher**

Yin (2003) noted case study research is among the hardest types of research to conduct because of the absence of routine formulas. Commonly required skills for case study research include the ability to ask good questions and be an unbiased listener, adaptability and flexibility, understanding of issues being studied, and freedom from bias by preconceived notions. According to Yin, the researcher should know why the study is being conducted, what evidence is being sought, what variations can be anticipated, and
what would constitute supportive or contrary evidence for any given propositions. The burden of producing a study that has been conducted and disseminated in an ethical manner lies with the individual investigator (Merriam, 1998).

During my professional career, I have worked as an alternative education teacher, regular education teacher, and assistant principal at the local school district level. (See Resume in Appendix A). I began working at the MDE as an auditor in the Office of Accreditation. My experience in accreditation also includes Division Director for Nonpublic School Accreditation and Bureau Director for the Office of Accreditation. At the MDE, I also served as the Bureau Director for the Office of Leadership and Professional Development and Special Assistant for the State Superintendent for Leadership and Professional Development and the Mississippi Virtual Public School. In March 2010, under the new leadership, I was transferred back to the Office of Accreditation as the Education Bureau Manager.

I have a Bachelor of Science degree from the University of Southern Mississippi in the Biological Sciences and obtained a Mississippi educator license through the alternate route certification process. After I began teaching, I received a Masters of Education in Administration and Supervision from William Carey College.

Currently, I serve as the Executive Secretary for the CSA, a member of the State Education Advisory Panel for Learning Forward (formerly the National Staff Development Council), a member of the Board of Directors for the Mid-South Education Research Association, and a member of the Board of Directors for Learning Forward Mississippi (formerly Mississippi Staff Development Council).
Research Participants

The state takeover and abolishment of the Sunflower County School District was an unprecedented action, which demanded urgent resolution by the MDE. The abolishment of the school district and the immediate removal of an elected superintendent and five elected school members of the Board of Trustees for Sunflower County School District was the first in the history of takeovers in Mississippi. The abolishment of the school district and the removal of elected officials resulted in a hostile takeover environment and involved litigation prior to the final ruling of the USDJ under the required preclearance filing in accordance with Section 5 of the Voting Rights Act of 1965. Therefore, purposeful sampling was used for this case study.

The participants in this study were the administration, personnel, parents, students, and members of the Inverness, Moorhead, Ruleville, and Sunflower communities located in Sunflower County, Mississippi. The education professionals, employed by the MDE, who were involved in the on-site investigative audit and the eventual takeover of Sunflower County School District, also were participants in this study.

Study Setting

The setting for this study is the Sunflower County School District, located in Sunflower County, in the Delta region of Mississippi. Sunflower County is situated about 100 miles south of Memphis, Tennessee, 100 miles north of Jackson, Mississippi, 30 miles east of the Mississippi River, and 60 miles west of Interstate 55.

The administrative office is located at 200 Main Street in Indianola, Mississippi, in the Sunflower County Courthouse. There are seven schools within Sunflower County School District: four elementary schools (East Sunflower Elementary, James C. Rosser...
Elementary, Ruleville Central Elementary, and Inverness Elementary), two middle schools (Ruleville Middle School and Moorhead Middle School), and one high school (Ruleville Central High School). The schools are located throughout the county, primarily in the communities of Inverness, Moorhead, Ruleville, and Sunflower.

According to the MAARS data for school year 2009-2010, the total enrollment, based on 2009-2010 data was 1,631. The student population was 50% male, and 50% female. The district was comprised of 95% African American, 3% White, and two 2% Hispanic (MDE, 2010).

**Procedure for Data Collection**

Several data collection techniques were used by the MDE during the audit and takeover process, including official documentation on file at the MDE and in the district, observations, interviews, checklists, field notes, etc. However, all data and documentation related to Sunflower County School District and the state takeover process used in this study are on file at the MDE. Such data and documentation include the Sunflower County School District audit report, official records and minutes of the CSA, SBE, and Attorney General, and information contained in the MSIS and MAARS.

The Institutional Review Board for the Protection of Human Subjects (IRB) in Research at Mississippi State University approved an application for this research study to be conducted (See IRB Approval in Appendix B). Permission was also granted by the State Superintendent of Education prior to accessing any data or documentation on file at the MDE related to the investigative audit and takeover process, other than data located in public access databases (See Approval of State Superintendent in Appendix C). After approval is obtained, I began the process of examining the data and documentation,
which was used to complete the final analysis and report findings, and make recommendations to the MDE.

Validity and Reliability

Producing valid and reliable knowledge in an ethical manner is a concern of all research (Merriam, 1998). Merriam indicated that internal validity is the extent to which research findings are congruent with reality. Explanatory case studies support that event A led to event B; making inferences occurs every time an event cannot be directly observed. Anticipation of these questions begin to deal with the overall problems of internal validity (Yin, 2003). However, according to Merriam (1998), one method of insuring validity is staying on-site over a period of time.

Yin (2003) noted the objective of reliability is to ensure if a later investigator followed the same procedure and conducted the same case study, the later investigator would arrive at the same findings or conclusions. Also, “the goal of reliability is to minimize the errors and biases in a study” (p. 37). A guideline to conduct the research so that an auditor could repeat the procedures and arrive at the same results would aid in this goal. According to Yin (2003), one prerequisite for allowing the later investigator to repeat an earlier case study is to document the procedures followed in the earlier case. Also, the general way of approaching the issue of reliability is to make as many steps as operational as possible and to conduct the research as if someone were always looking over your shoulder.

To enhance the validity and reliability of the study, triangulation was used. Triangulation is the use of multiple investigators, multiple sources of data, or multiple methods to confirm the emerging findings (Merriam, 1998). According to Yin (2003), a
major strength of case study data collection is the opportunity to use many different
sources as evidence. In case study research, the need to use multiple sources of evidence
far exceeds that in other research strategies, such as experiments, surveys, or histories.
Yin also explained how the use of multiple sources of evidence in case studies allows an
investigator to address a broader range of historical, attitudinal, and behavioral issues. As
Yin stated: “The most important advantage presented by using multiple sources of
evidence is the development of converging lines of inquiry, a process of triangulation” (p. 98).
Yin also discussed the four types of triangulation in doing evaluations—the
triangulation: (a) of data sources (data triangulation), (b) among different evaluators
(investigator triangulation), (c) of perspectives to the same data set (theory triangulation),
and (d) of methods (methodological triangulation). According to Yin, “With data
triangulation, the potential problems of construct validity also can be addressed because
the multiple sources of evidence essentially provide multiple measures of the same
phenomenon” (p. 99).

Analysis
In qualitative research, the process of data collection and analysis is ongoing;
therefore, the analysis of the data is not reserved until the research is completed.
According to Merriam (1998), data analysis is the process of making sense out of the
data. Making sense out of the data involves consolidating, reducing, and interpreting
what people have said, and what the researcher has seen and read—it is a complex
process of making meaning, moving back and forth between concrete bits of data and
abstract concepts, between inductive and deductive reasoning, between description and
interpretation. These meanings constitute the findings of a study (Merriam, 1998).
Yin (2003) stated that no matter what specific analytic strategy or techniques are used, the researcher must do everything to make sure that the analysis is of the highest quality. According to Yin, the researcher should:

(a) show that he or she has attended to *all the evidence*, (b) the analysis should address, if possible, *all major rival interpretations*, (c) the analysis should address *the most significant aspect* of the case study, and (d) the research should use their own prior, expert knowledge in the case study. (p. 137)

Each of the three research questions that provided the framework for the investigation were analyzed independently.

1. What led to the state’s takeover of Sunflower County School District?

To analyze the first research question, I reviewed the official documentation on file at the MDE such as the record of complaints, requests for technical assistance, and the performance data for the last decade. I also reviewed the official documentation on file at the MDE obtained from the school district during the audit, such as checklists and field notes from each of the MDE program offices participating in the investigative audit. The official report of audit findings was also reviewed. Following the review of the official report of audit findings, I reviewed the official minutes of the CSA and SBE. The Governor’s Proclamation declaring the state of emergency in Sunflower County School District was also reviewed. When I have completed the review of all documentation on file at the MDE related to Sunflower County School District and the investigative audit, I determined the circumstances that led the MDE to take over the control of Sunflower County School District.

2. What process is used by the Mississippi Department of Education during a formal investigation of a local school district and a state takeover?
In order to analyze the second research question, I reviewed Title 37, Chapter 17 of the *Mississippi Code of 1972*, as amended, to determine the statutory authority and requirements of the accreditation of public schools. Following the review of the state statute, I reviewed the SBE policies and the policies and procedures as published in the *Mississippi Public School Accountability Standards, 2009*. I also reviewed the directions from the Office of the Attorney General for preclearance filing procedures under Section 5 of the *Voting Rights Act of 1965*. Upon completion of the review of each of these documents, I outlined the process used by the MDE to conduct a formal, investigative audit of a school district that concluded with the state’s take over of the school district.

3. What recommendations can be made to the Mississippi Department of Education to improve the sustainability of the success of the state’s takeover after the conservator is removed from the local school district?

The review of official documents and files at the MDE for Sunflower County School District and the analysis of research question one and two aided in the development of recommendations that was made to the MDE to improve the sustainability of the success of the state’s takeover after the conservator was removed from the district. The review of the audit findings, the MDE corrective action plan for the district, the historical documentation of previous state takeovers in Mississippi, and my knowledge of the takeover process were also beneficial in data analysis and recommendations.
CHAPTER IV
RESULTS AND DISCUSSION

Chapter IV presents the results of the study based on the data procedures and methods described in Chapter III. This chapter will be presented in 12 sections: (a) Background, (b) Accreditation Monitoring Procedures, (c) Investigative Audit of Sunflower County School District, (d) Results, (e) Action of the CSA and SBE, (f) State Takeover, (g) Conservatorship, (h) Preclearance Filing and Final Ruling of the USDJ, (i) Litigation, (j) Research Question One (k) Research Question Two, and (l) Research Question Three. The purpose of this study was to determine what lead to the state takeover of Sunflower County School District, to determine the process used by the MDE during the takeover, and to make recommendations to the MDE to improve the sustainability of the success of a state takeover after the conservator is removed from the district.

Several data collection techniques were used by the MDE during the audit and takeover process. These included official documentation on file at the MDE and in the district, observations, interviews, checklists, and field notes. Documentation included the Sunflower County School District audit report and official records and minutes of the CSA, SBE, and Attorney General.

Additional student and school level data were used. These included data contained in the MSIS and MAARS.
The findings are presented in relation to the three research questions which guided this study:

1. What led to the state’s takeover of Sunflower County School District?
2. What process is used by the Mississippi Department of Education during a formal investigation of a local school district and a state’s takeover?
3. What recommendations can be made to the Mississippi Department of Education to improve the sustainability of the success of the state takeover after the conservator is removed from the local school district?

To analyze the first research question, I reviewed the official documentation on file at the MDE such as the record of complaints, requests for technical assistance, and the performance data for the last decade. I also reviewed the official documentation on file at the MDE obtained from the school district during the audit, such as checklists and field notes from each of the MDE program offices participating in the investigative audit. The official report of audit findings was reviewed. Following the review of the official report of audit findings, I reviewed the official minutes of the CSA and SBE. The Governor’s Proclamation declaring the state of emergency in Sunflower County School District was also reviewed.

To analyze the second research question, I reviewed Title 37, Chapter 17, of the Mississippi Code of 1972, as amended, to determine the statutory authority and requirements of the accreditation of public schools (Section 37-17-1 et. seq., Mississippi Code of 1972, as amended). Following the review of the state statute, I reviewed the SBE policies and the policies and procedures published in the Mississippi Public School Accountability Standards, 2009 (MDE, 2009a). I also reviewed the directions from the

The review of official document on file at the MDE for Sunflower County School District and the analysis of research questions one and two aided in the development of the recommendations made to the MDE to improve the sustainability of the success of the state takeover after the conservator is removed from the district. The recommendations made to the MDE are presented as a response to the third research question. The recommendations in Chapter V are for further research and for the MDE in researching their actions.

**Background**

Currently, I am the Education Bureau Manager of the Office of Accreditation at the MDE. The following background information is based on my involvement in the Sunflower County School District as the Education Bureau Manager of Accreditation. Documentation to support this information is publically available to individuals who complete a Public Records Request and submit the form with an original signature to the MDE Office of Accreditation.

During the months of January and February 2010, the MDE received several anonymous complaints from parents and citizens of the Sunflower County School District. The anonymous complaints included allegations of nepotism in hiring, poor academic performance, questionable employment of uncertified teachers, unprofessional conduct of the superintendent, poor management decisions made by the superintendent and members of his administrative team, failure to implement school board policies, harassment of personnel and students by the superintendent and some members of the
faculty, and concerns with discipline and school safety. The complaints warned the MDE of a potential boycott of the Sunflower County School District, but since the complaints were anonymous, the MDE staff could not contact these individuals to discuss these allegations and potential violations of accreditation standards.

On March 8, 2010, the MDE received a telephone call from the superintendent of Sunflower County School District notifying the MDE that parents and members of the community had organized a boycott of the schools in the district. On March 9, 2010, State Superintendent of Education, Dr. Tom Burnham met with the organizers of the boycott and district administrative staff at the Sunflower County Court House.

Immediately following the meeting, on March 10, 2010, the Office of Accreditation began conducting interviews and collecting documentation to determine whether a full investigative audit was of the district was necessary. At the MDE, the Education Bureau Manager of Accreditation, an Accreditation Auditor, the Interim Deputy Superintendent of the Office of School Improvement, Oversight, and Recovery, and the Director of Public Relations were assigned to conduct interviews with district staff, parents, and community members for three days.

At the conclusion of the interviews, based on the number and nature of the complaints, the MDE staff recommended to the State Superintendent of Education, Dr. Tom Burnham, that a full, investigative audit of the Sunflower School District be conducted. Immediately upon the recommendation, in accordance with Accreditation Policy 4.1, of the *Mississippi Public School Accountability Standards, 2009*, Dr. Burnham called for an on-site evaluation of the Sunflower County School District. Dr. Burnham instructed the Office of Accreditation to coordinate and conduct an unannounced, on-site evaluation of the district. The Office of Accreditation coordinated
the on-site evaluation and notified the MDE program offices of the dates of the audit and specific details related to the evaluation. The purpose of the comprehensive on-site evaluation was to determine the district’s current level of compliance with all accountability requirements and accreditation standards approved by the SBE as published in the *Mississippi Public School Accountability Standards, 2009*.

On March 15, 2010, the Education Bureau Manager of the Office of Accreditation met with the program office directors at the MDE responsible for monitoring one or more of the process standards published in the *Mississippi Public School Accountability Standards, 2009*. The purpose of the meeting was to notify the program offices of the scheduled on-site investigative audit of the Sunflower County School District, which was scheduled for March 22-31, 2010. During the meeting, the Office of Accreditation distributed audit packets to each program office. These packets included the standards checklist/evaluation forms, district demographic information, contact information for the MDE staff in charge of the audit, staff assignments, and timelines for reporting findings to the Office of Accreditation. Specific information related to the complaints received from the district was discussed, as well as audit protocol requirements and the importance of confidentiality.

**Accreditation Monitoring Procedures**

Section 37-17-6(1) of the *Mississippi Code of 1972*, as amended, states that the SBE, acting through the CSA, shall establish and implement a permanent performance-based accreditation system, and all public elementary and secondary schools shall be accredited under this system. Section 37-17-6(4) of the *Mississippi Code of 1972*, as amended, states that on or before December 31, 2002, the SBE shall implement the
performance-based accreditation system for school districts and for individual schools which shall include the following: (a) high expectations for students and high standards for all schools, with a focus on the basic curriculum; (b) strong accountability for results with appropriate local flexibility for local implementation; (c) a process to implement accountability at both the school district level and the school level; (d) individual schools shall be held accountable for student growth and performance; (e) set annual performance standards for each of the schools of the state and measure the performance of each school against itself through the standard that has been set for it; (f) a determination of which schools exceed their standards and a plan for providing recognition and rewards to those schools; (g) a determination of which schools are failing to meet their standards and a determination of the appropriate role of the SBE and the State Department of Education in providing assistance and initiating possible intervention; and (h) development of a comprehensive student assessment system to implement these requirements.

A Failing district is defined as a district that fails to meet both the absolute student achievement standards and the rate of annual growth expectation standards as set by the SBE for two consecutive years. The SBE shall establish the level of benchmarks by which absolute student achievement and growth expectations shall be assessed. In setting the benchmarks for school districts, the SBE may also take into account such factors as graduation rates, dropout rates, completion rates, the extent to which the school or district employs qualified teachers in every classroom, and any other factors deemed appropriate by the SBE.

According to Section 37-17-6(6) of the Mississippi Code of 1972, as amended, the SBE shall create an accreditation audit unit under the CSA to determine whether
schools are complying with accreditation standards. Section 37-17-6(11)(b) of the

*Mississippi Code of 1972*, as amended states:

If the SBE and the CSA determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, or when a school district meets the SBE’s definition of a failing school district for two (2) consecutive full school years, the SBE may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, the declarations of a state of emergency shall not be limited to those instances when a school district’s impairment are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards as evidenced by a continued pattern of poor student performance.

According to Section 37-17-6(11)(c) of the *Mississippi Code of 1972*, as amended, whenever the Governor declares a state of emergency in a school district in response to a request made under paragraph (a) or (b) of this subsection, the SBE may take one or more actions, which include, but are not limited to, overriding any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district, and assign an interim conservator, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school district, who will
have those powers and duties prescribed in Section 37-17-6(14) of the *Mississippi Code of 1972*, as amended.

*SBE Policy 401* states that the current edition of the *Mississippi Public School Accountability Standards*, is the current accreditation policy. The 2009 edition was the current edition during the time of the full investigative audit of the Sunflower County School District.

Accreditation Policy 4.0 of the *Mississippi Public School Accountability Standards*, 2009, outlines the monitoring procedures. The staff in the MDE continuously monitors school districts to verify compliance with applicable accreditation requirements and state and federal laws. Accreditation Policy 4.1 relates to On-Site Evaluations. The SBE, the State Superintendent of Education, or the CSA has the authority to call for an on-site evaluation or investigation of a school district at any time. If deficiencies are found in meeting accreditation standards or state and federal laws, the superintendent is notified in writing and given thirty (30) days from the receipt of notification to provide a written response. The report of findings is filed in the current accreditation records in the Office of Accreditation. According to Accreditation Policy 4.2 of the *Mississippi Public School Accountability Standards*, 2009, an investigative evaluation is conducted in a school district in response to a formal complaint. All formal complaints made against schools or districts must be submitted to the Office of Accreditation in writing and bear the signature of the individual(s) filing the complaint. The written complaint shall contain specific details concerning alleged violations. When the complaint is received, the superintendent is notified in writing of the nature of the complaint and informed that the district is subject to an unannounced audit to investigate the allegations. If the complaint addresses an area over which the CSA has no authority, the individual filing
the complaint is notified. Accreditation Policy 4.2 of the Mississippi Public School Accountability Standards, 2009, also outlines the procedures for conducting investigative audit. The procedures are as follows: (a) The auditors may arrive in the district without prior notification (4.2.1). (b) The auditors inform the superintendent of the purpose of the audit and of the procedures to be followed (4.2.2). (c) The auditors discuss procedures with the principal of the school if appropriate (4.2.3). (d) The auditors use various methods to collect the data needed to verify or discredit the complaint, including examination of official records, interviews with school personnel, and observations (4.2.4). and (e) Upon completion of the audit, the auditors compile a written report that is sent to the complainant, the superintendent, the chairman of the board, and the CSA (4.2.5).

Accreditation Policy 4.5 of the Mississippi Public School Accountability Standards, 2009, addresses audits/evaluations by other state or federal programs. According to the policy, when audits or evaluations of other state or federal programs reveal verified noncompliance with state or federal program regulations, the incidents of noncompliance are filed with the Office of Accreditation. Accreditation Policy 4.6 of the Mississippi Public School Accountability Standards, 2009 is related to the analysis and verification of accreditation information. Accreditation staff in the MDE reviews annual personnel/accreditation information and other annual reports submitted by school districts. The staff analyzes and compares this information with any other accreditation data on record and notifies responsible officials of any inconsistency in reporting or any apparent deficiency in meeting standards. Any information submitted by a school district may be verified through on-site visits. Upon request the school district must provide documentation necessary to validate compliance with accreditation requirements.
Investigative Audit of Sunflower County School District

On Monday, March 22, 2010, Mr. Pierce McIntosh, Superintendent of the Sunflower County School District, was notified in writing, by Superintendent Burnham, of the investigative audit. The Education Bureau Manager for the Office of Accreditation, Paula Vanderford (the researcher), and the Interim Deputy of the Office of School Improvement, Oversight, and Recovery, Dr. Larry Drawdy, held an on-site pre-conference with Mr. McIntosh. At the same time, the accreditation team and other members of the MDE staff arrived at all seven schools within the district (see Letter to Superintendent in Appendix D).

The MDE staff presented the district administration with a list of documents that would be needed for the on-site evaluation. Examples of the documents requested by the evaluators were: (a) School Board Minutes for the last 24 months, (b) Faculty Handbook and/or Personnel Manual, (c) Student Handbook, (d) Salary Scales for District Positions (professional and classified), (e) District Organizational Chart, (f) Criminal Background Checks and Child Abuse Registry Checks for all new hires after July 1, 2000, (g) Contracts and Job Descriptions for all Employees and Contractual Staff for 2008-2009, (h) Contracts and Job Descriptions for all Employees and Contractual Staff for 2009-2010, (i) Time Sheets for all Pro-rated Personnel, (j) Personnel Appraisal System Policy, (k) Blank Personnel Evaluation Forms, (l) Funds-By-Employee Printout (July 1, 2009 to Present), (m) Funds-By-Employee Printout (July 1, 2008-June 30, 2009), (n) Student Transfer Policy, (o) District Graduation Policy and Graduation Requirements, (p) Academic Promotion/Progression/Retention Policy, (q) District School Calendar for school year 2009-2010, (r) Listing of all Employees and Contractual Staff for each school in the district for school year 2008-2009, (s) Listing of all Employees and Contractual
Staff for each school in the district for school year 2009-2010, (t) Master Schedule with teachers and classes for each school, (u) Daily/Weekly Schedules for each teacher, (v) Approved Summer School/Extended School Year (ESY) Programs and Mississippi Student Information System (MSIS) Report(s), (w) Residency Verification Policy, Forms, and Procedures, (x) Strategic Plan with documentation of development and input, (y) Professional Development Plan, scheduled activities, documentation of development, etc., (z) Documentation of Community and Parental Involvement, (aa) List of 2008-2009 Graduates, and (bb) List of 2009-2010 Seniors.

Two MDE staff members were assigned to each of the seven schools within Sunflower County School District and began conducting confidential interviews with all certified staff within the seven schools on the first day of the on-site investigative audit. The interview questions were developed based on the concerns that were addressed during in the initial interviews conducted with parents, staff, and community leaders during March 10-12, 2010, by staff from the MDE. The following 15 questions were used to guide the interviews:

1. How many years have you been employed in the Sunflower County School District?
2. Do the teachers, staff and students of the school district feel that the school environment is safe? On a scale of 1 to 10, with 10 being the safest, how would you rate it?
3. Are teachers allowed to focus on educating students with a minimal amount of interruption?
4. Please describe any changes that have been made to the yearly or daily schedule for the 2009-2010 school year.
5. Do local school board members interfere with the day-to-day operation of the school district by failing to restrict their role to matters of setting policy and assessing results? If so, please give an example.

6. Is the local school district superintendent given full administrative authority and supervisory responsibility of the school district? If not, please give an example.

7. Does the local school district leadership enforce the local school district policies to promote a positive learning environment within the school district? If not, please give an example.

8. Are decisions by the school principal supported at the local school district level (central office)? If not, please give an example.

9. Do teachers have sufficient access to appropriate instructional materials and resources? If not, please give an example.

10. In general, please describe teacher morale in Sunflower County School District. On a scale of 1 to 10, with 10 being the best, how would you rate it?

11. Over the last year, there have been a number of changes in school and district administration. How have these changes affected the instructional practices within your school?

12. In your opinion, what attributes to the high turnover rate of teachers and administrators in the district?

13. Is there anything in the district that you would consider to be inappropriate?
14. What suggestions would you make to improve Sunflower County School District?

15. Are there any additional concerns that you would like to address?

The responses to the interview questions were consistent throughout the seven schools within the Sunflower County School District. There were concerns that the school environment was not safe for the staff or students based on the number of gang related instances within the schools and failure of the district to follow policy in addressing discipline related issues and threats of violence. Teachers reported that they were not able to educate the students due to the number of interruptions and changes to their teaching schedules by the district administrative staff. It was reported that the principals were not allowed to make decisions such as scheduling, hiring of personnel, purchasing, and addressing discipline issues at the building levels without interference from the district administrative staff. The superintendent controlled all decisions within the district, and failed to follow policy that was set by the local school board in a fair and consistent manner. The superintendent challenged decisions made by the board and often reversed the decisions after the meeting. Teachers reported that the superintendent operated the school district as a dictator, using intimidation and retaliation as his way of forcing those working with him to cooperate. The teachers also reported instances of misuse of funds by the superintendent. Many of the teachers reported that the low academic performance of the students was believed to be a result of the current leadership and the lack of focus on instructional practices. The recommendations made by the teachers and the building level principals for improvement were for the state to take control of the district and focus on areas of school safety, leadership, and instructional
practices. Interviews were also conducted with each building level administrator. Interviews with the building level administrators yielded similar results.

While the MDE staff members began collecting documentation at the central office and MDE staff were conducting interviews at each of the seven schools, other MDE program offices began monitoring compliance with the 37 process standards outlined in the *Mississippi Public School Accountability Standards, 2009*, using individual program office monitoring checklists and evaluation processes. More than 40 MDE staff members were spread throughout Sunflower County School District during the first three days of the investigation. On March 30, 2010, the superintendent was notified in writing that the investigative audit, initially scheduled to end on March 31, 2010, would continue until further notice.

On April 13, 2010, the district superintendent and the president of the Board of Trustees for the Sunflower County School District were provided a copy of the report of the on-site investigative audit conducted in the district. They were also notified that based on the audit finding addressed in the report and in accordance with Accreditation Policies, a special-called meeting of the CSA was being held on April 15, 2010, at 8:30 a.m. in the Second Floor Auditorium of the Central High School Building in Jackson, Mississippi. The purpose of the meeting was for the CSA to determine if, in accordance with Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, an extreme emergency existed that jeopardized the safety, security, and educational interests of the children enrolled in the Sunflower County School District. They were also notified that if the CSA made any recommendation(s) at the special-called meeting, the recommendation(s) would be presented to the SBE at the regularly scheduled meeting on April 15, 2010.
Results

All findings presented were based on the analysis of data collected during the on-site evaluation, including (a) confidential interviews conducted with district staff, (b) observations of instructional programs and staff, (c) analysis of official documentation on file in the district, (d) analysis of official reports submitted to the MDE, and (e) completed checklist/evaluation forms.

The following is a summary of compliance with all applicable accreditation policies and process standards contained in the *Mississippi Public School Accountability Standards, 2009*, for the Sunflower County School District. (See *Summary of Compliance with Accountability Requirements and Accreditation Standards* in Appendix E).

**Accreditation Policies 2.1 and 2.5**

Based on an analysis of the 2009-2010 *MSIS Personnel/Accreditation Data Report* and official documentation on file in the district for school year 2009-2010, the school district failed to report complete and accurate data to the MDE following established procedures concerning assigned duties, job titles, salaries, supplements and funding sources. A comparison of the 2009-2010 *MSIS Personnel/Accreditation Data Report* with other documents on file in the district, such as employee contracts, lists of staff, payroll reports, district publications and official school board minutes indicated that inconsistent information existed among personnel documents. It was impossible for evaluators to reconcile the information to construct a true and accurate picture of the Sunflower County School District employees.
Administration and Personnel (Process Standards 1-11)

Evidence gathered through a review of school board minutes and interviews conducted by accreditation staff indicated that members of the school board failed to restrict their role and function to matters of setting policy and assessing results.

A review of school board minutes and information gathered from interviews with district personnel and community members indicated that the school board was not in compliance with the *Mississippi Open Meetings Act*, Section 25-41-1 of the *Mississippi Code of 1972*, as amended, pertaining to policies and procedures regarding special called meetings, executive sessions, and regularly scheduled school board meetings. The school district could not provide evidence of school board training and bond information for all school board members.

The local school board did not follow or enforce rules and regulations of the SBE and state laws for their own government or for the government of the schools. The policies being used by the district were not current; therefore, school board policies that comply with state and federal statutes, rules and regulations did not serve as the basis of operation for the district. Some policies, procedures and information published in the student handbook and employee handbook were not consistent with approved local school board policies or with SBE policies and state law.

Based on a review of documentation on file in the district and interviews with the administrative staff, the evaluation team determined that the superintendent did not provide educational leadership in key areas including management of district personnel, effective implementation of policies and the development of board and community relations. The superintendent did not ensure that the school district was operated according to school board policies and procedures that complied with state and federal
statutes and SBE policies and standards. The superintendent did not ensure that schools and/or other facilities were maintained according to standards required for safe and orderly schools, including the implementation of an effective system of student discipline that was applied consistently to all students, or support the role of principals as school administrators. Based on interviews with administrative staff, it appeared that the superintendent interfered with principals’ efforts to assume the primary leadership roles at the building level concerning discipline and instruction. Based on numerous confidential interviews with school board members, administrative staff, teachers, and parents, it also appeared that the superintendent managed the district in a dictatorial manner through the use of retaliation and intimidation, including reassigning personnel as a method of retaliation. In interviews with school board members, administrative staff, teachers, and parents, the superintendent was portrayed as being unprofessional in dealing with both students and staff.

Some schools in the district were not operating according to the school configurations approved by the local school board and reported to MDE. The 2009-2010 MSIS Personnel/Accreditation Data Report indicated that there were no librarians on staff at Inverness Elementary, Moorhead Middle School, Ruleville Elementary, Ruleville Middle School, or Ruleville Central High School. The district reported that librarians were shared between two or more schools, but the 2009-2010 MSIS Personnel/Accreditation Data Report did not confirm their schedules. The district had certified counselors; however, both student contact and access were limited.

The district had not ensured that all professional staff members were highly qualified and properly licensed. Compliance with the standards related to personnel could not be verified and thoroughly evaluated due to the extensive deficiencies in the reporting
of data by the Sunflower County School District. Since evaluators were unable to verify that all assigned duties were reported for all district employees, the appropriate, required licenses could not be verified for all district employees.

Evaluators were unable to identify current school board policies addressing the personnel appraisal system in the local school board policy manual. A formal personnel appraisal system had not been implemented.

At the time of the audit, the most recent audit report conducted by the Office of the State Auditor had not been released. However, the MDE staff identified irregularities in the district’s implementation of a fixed asset system of accountability, accounting practices, record keeping, and appropriate use of funds. There were also irregularities in the accuracy, validity, and timely reporting of all reports, including student data, submitted to the MDE.

The district was unable to provide documentation verifying the tracking of Educational Enhancement Fund (EEF) amounts for each teacher. Federally funded teachers were allowed to spend EEF funds, and several teachers overspent their EEF allocation.

School Operations (Process Standards 12-22)

The residency policy in the 2005 School Board Policy Manual did not conform to SBE Policy 6600 for residency verification. Registration procedures for enrolling students in Sunflower County School District did not comply with federal and state law. Registration forms, the student handbook, and the district’s website stipulated that a social security number was required for entrance into the school district.
The district was not in compliance with the standards for immunization requirements due to the lack of a current, approved local school board policy. The student handbook referred to a blue slip that must be picked up from the health department. A review of student records throughout the district did not indicate that documentation of immunization was on file for all students.

The district was not in compliance with the standards of age entry requirements due to the lack of a current, approved school board policy. A review of records throughout the district indicated that birth certificates were not verified on cumulative folders.

Although the district had an approved school board policy that addressed student transfers from non-accredited schools, evaluators could not verify compliance with this standard due to incomplete and altered student records. Cumulative folders and permanent records were incomplete and inconsistent. Incomplete data were noted for such items as age of entry requirements, attendance records, courses taken, grades, mailing addresses, enrollment and withdrawal dates. Grades had been changed on the permanent record grade labels but not on the cumulative folders. Grade changes were not initialed by staff, and there was no indication as to how the passing grade was earned, such as summer school, credit recovery, etc. Confidential student data were not secured and protected in the district.

Evaluators were unable to obtain a copy of the district’s strategic plan. There was no evidence that a needs assessment or comprehensive analysis of school district needs had been conducted. There was no evidence that the district annually reviewed the educational status of each school. The board minutes did not document any short-term or long-range plans to address the instructional programs or school improvement plans.
The district did not comply with the reporting guidelines for Compulsory School Attendance as outlined in Section 37-13-91 of the *Mississippi Code of 1972*, as amended.

The district was not compliant with the state law regarding unlawful absences. In some schools, suspensions were coded as excused absences. Reporting practices were inconsistent throughout the district. Suspensions and expulsions were not reported in a timely manner.

The district did not ensure that the measures outlined for dropout prevention were disseminated to all schools and staff. The district did not ensure that the implementation of the plan was executed. The district did have a dropout plan; however, the plan had not been implemented. The most recent district data (graduation rate 67.1% and dropout rate 18.4%) indicated that implementation was necessary and must address the three major goals of increasing the district’s graduation rate, reducing the district’s dropout rate, and reducing the district’s truancy rate.

Evaluators were unable to verify that the district had developed and implemented an organized system that effectively encouraged community involvement, parental communication, and business partnerships in school district decision-making.

Although school schedules and calendars indicated adequate instructional time, evaluators observed that non-instructional activities such as lunch and loading of buses were occurring during instructional time. The alternative school schedule (9:00 a.m. to 1:00 p.m.) did not provide adequate instructional time. The district also failed to accurately and completely report all instructional programs and amounts of time, including all after school, before school, and extended school day programs.

The graduation requirements published in the 2009-2010 student handbook provided to evaluators included inconsistent information concerning the district’s
graduation requirements. Local school board policies had not been changed to include the graduation requirements for a standard high school diploma approved by the SBE as specified as Appendix A of the *Mississippi Public School Accountability Standards, 2009*. Evaluators were unable to determine if the graduating seniors of 2008-2009 met the minimum graduation requirements because grade labels for the 10\textsuperscript{th} grade year were missing on both the permanent record and cumulative folder for all students.

Evaluators identified at least two graduating seniors for school year 2008-2009 that had failed to pass all of the Subject Area Tests. Evaluators were also unable to determine if the seniors for the 2009-2010 school year had met the minimum graduation requirements. Grade labels for the end of the first semester were on the permanent records, but neither grade labels nor schedules were on, or inside, the cumulative folders. The labels on the seniors’ permanent records indicated that students were enrolled in and were receiving credit for Dual Credit/Dual Enrollment, but, the label did not indicate if the students were receiving course credit in English, Math, Science, etc.

The district had not implemented a professional development program that complied with the guidelines published in *Professional Development for the New Millennium*. Evaluators were not provided a copy of the district’s professional development plan. The district was unable to provide sufficient evidence to verify that the district implemented a comprehensive, site-based professional development plan that addressed the needs of the school district. Documentation was not sufficient to verify that professional development days were utilized in a manner that would enhance the professional growth of all staff members.

The district failed to meet the requirements for test security. At Ruleville Central High School, an individual who was identified as the district consultant on a document
entitled *Test Security Sheets* (collected during the audit) was observed by the auditor as entering the secure storage area along with the School Test Coordinator; furthermore, she oversaw the distribution and collection of secure test materials. On the *Test Security/Confidentiality Agreement*, the consultant provided her signature but left the space for her position blank. The consultant did not fulfill one of the positions listed in the Ruleville Central High School *Test Security Plan*.

**Instructional Practices (Process Standards 23-34)**

The majority of assistant teachers interviewed stated that they were utilized as substitute teachers in classrooms to which they were not assigned. A kindergarten class in the district was being taught by a teacher assistant.

During the audit it was evident that some teachers who were being reimbursed to teach career and technical education courses were in fact teaching remedial courses. A reimbursement in the amount of $23,566.06 was requested by the Office of Career and Technical Education. Other findings related to Career and Technical Education included: labs not properly equipped, curriculum not fully implemented (teachers were tutoring during class time), appropriate instructional materials not available, current approved career plans not available for all students, staff not participating in the appropriate professional development, plans not fully implemented, and inappropriate facilities. There was no evidence that the district supported the program, no evidence of an active advisory committee, no evidence of active student organizations, no evidence of completed training plans, and no evidence of instructor evaluations by students.

IEPs for each child with a disability were not developed, reviewed, and revised in a meeting accordance with the *Individuals with Disabilities Education Act (IDEA)*. A free
appropriate public education (FAPE) was not provided to all children between the ages of 3 and 20, inclusive, including students with disabilities who had been suspended or expelled. A continuum of alternative placements was not available to meet the needs of children with disabilities for special education and related services. The parents of a child with a disability were not afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child, and the provision of FAPE to the child. School personnel did not consider any unique circumstances on a case-by-case basis when determining whether a change in placement was appropriate for a child with a disability who violated a code of conduct. The Mississippi Occupational Diploma (MOD) requirements were implemented in accordance with the MOD guidelines for students with disabilities who were working toward completion of a MOD. IDEA funds had not been expended in accordance with IDEA regulations and were not used for the excess cost of providing special education and related services to children with disabilities. The FY10 IDEA project application and budget had not been approved by the school board; thus, the district had no spending authority for IDEA regular and IDEA ARRA funds.

The Office of Child Nutrition noted differences between the number of students listed on rosters in the central office and the rosters from the point of service (school level). Several errors were found in the review of the 2009-2010 verification process. The School Food Service Administrator was only receiving one quote for produce purchases. The Hazard Analysis Critical Control Points Plan (a management system in which food safety is addressed through the analysis and control of biological, chemical, and physical hazards) had been developed but was not being properly implemented. Two internal control issues regarding the handling of cash were noted at various schools within the
district: (a) Not all schools were requiring two signatures on the daily reconciliation worksheets and (b) Cashiers were not entering transactions for extra food sales. They would place cash under the change drawer without a transaction.

The citations noted in the report from the Office of Federal Financial Management resulted in questioned costs of $101,792.00. A review of the reimbursement documentation revealed that there were no established policies and procedures for requesting reimbursements. The district did not demonstrate budgetary control over expenditures. The district was not following state and federal guidelines regarding the purchase and inventory of equipment. During the audit of fixed assets, it was noted that management did not have the required documentation to support a physical inventory review within the last two years. A review of Title I, Part A expenditures revealed a number of activities that suggested the presumption of supplanting. A considerable number/amount of expenditures appeared to be general and only met the basic needs of the district. The district did not have policies and procedures in place for contracts and agreements.

The library media specialists did not provide a proposed budget reporting the needs of the library media center with input from the teachers and administrators. The acquisitions of the library budget/funding were not evident in meeting the needs of updating the collection of materials and equipment. The collection of materials at each media center was below standard and did not represent a broad range of current learning media. The library media specialists did not provide written plans with current up-to-date long-range and short-range goals with input from the school community. The collection at each media center contained out-of-date materials that were in poor condition. The
library system at each media center was not working properly, and the collection was not completely automated.

Ruleville Central High School had one biology laboratory. The former chemistry laboratory housed the child development classes. The biology lab appeared to be set up as a computer lab. No basic safety equipment or first aid kits were found. There were no storage closets. The key was not available for the locked cabinet. There were no chemicals currently available for use. Teachers and students confirmed that there were no laboratory activities taking place at Ruleville Central High School.

In some storage areas, there were brand new, 12-year-old textbooks that could have been used at another school site. At one elementary school, there was an abundance of textbooks for all grades; however, at another elementary school site, the students were not allowed to take textbooks home due to a shortage. New textbook purchases had not been entered into the Textbook Inventory Management System under the active file. The Textbook Inventory Management System report indicated that some schools did not have surplus textbooks available; however, there was a large supply of textbooks that should have been placed on the surplus list and/or the request for disposal list.

The district was not able to provide an instructional management system for grades K-12 that had been adopted by the school board. The instructional guides were not readily available for review. Approximately 50% of the teachers were not able to provide copies of the framework for their respective discipline(s). Some teachers had lesson plans; however, most teachers indicated that that the lesson plans were kept electronically on the computer. Since district testing occurred every 3-4 weeks in state test format, all classes were disrupted for one day in each 3-4 week cycle. A complaint voiced by several teachers involved the constant changing of teacher and student schedules. Assistant
teachers were being used as substitute teachers. Master schedules for most of the schools were not correct. The master schedule at the high school did not reflect what was being taught. Some teachers indicated that they had been put on improvement plans, but they were not aware that formal evaluations had been conducted. Teachers complained about the lack of basic supplies such as paper, white board markers, and ink cartridges. Teachers expressed concerns about the District Curriculum Team (DCT) and other central office staff. The DCT did not provide an instructional management plan for grades K-12. The instructional guides did not reference the *Mississippi Curriculum Framework* competencies and objectives. Many classrooms observed lacked best practices and instructional methods that invited meaningful development of critical thinking skills and higher level thinking about the content. The district failed to provide each school with a standard curriculum; thereby, denying them the appropriate teaching strategies, resources and assessment strategies. The district had provided no clear guidance for curriculum and instruction for grades K-12.

The policies published in the 2009-2010 student handbook for promotion, retention, or transfer of students were not current or consistent with SBE policy or state and federal law. There were no current policies for promotion and retention of students or the transfer of students, and the grading policy in the current policy manual was inconsistent with the 2009-2010 student handbook.

The school district did not provide an Alternative Education Program for the categories of students identified in Section 37-13-92 of the *Mississippi Code of 1972*, as amended. The alternative school program was not defined through written board approved policies. The alternative school was not administered by a full-time, appropriately licensed, administrator who was located at the school site and operated the
school in accordance with established policies and procedures. The board minutes did not document any short-term or long-range plan to address the instructional programs or school improvement plans. The alternative education program did not have a committee to develop and review Individual Instructional Plans (IIPs) for students, nor did they have an IIP for each student. The alternative education program facilities were not clean, safe, functional and commensurate with facilities provided to other students by the local school district.

The school district did not appear to have a committee of school staff that recommends placement in the General Education Diploma (GED) program. There was no evidence of consent for placement in the GED program by the superintendent and no evidence of parental consent for placement. The GED program did not appear to be under the supervision of the alternative education administrator. Evidence of Individual Education and Career Plans (IECP) developed for students was not provided.

The district failed to report complete and accurate data to the MDE in the 2009-2010 MSIS Personnel/Accreditation Data Report. As a result, compliance with standards for unencumbered planning time, course preparations, and student teacher ratios could not be verified.

The MSIS Personnel/Accreditation Data Report indicated that basic curriculum of the high school did not consist of required and approved courses that generate at least 33-1/2 units annually, as required by Appendix B of the Mississippi Public School Accountability Standards, 2009. Most schools did not include the arts and health education on the master schedule. There was a great concern that the instruction for grades K-8 did not include social studies and science. Teachers indicated that they were
told to focus on mathematics and language arts even in cases where the grade levels were departmentalized.

**Safe and Healthy Schools (Process Standards 35-37)**

A number of buses had emergency doors that did not open properly. The traffic flow and congestion on the Ruleville Elementary and Ruleville Central High School campuses had to be addressed immediately due to the potential of students being struck by cars during loading and unloading. It was strongly recommended that the school district solicit the services of a crossing guard. The alternative school students arrived at school later than the normal start time. State required records, such as evidence of evacuation drills and bus driver in-service training, were not found on file in the district.

There were numerous findings related to the district facilities. The playgrounds did not meet Consumer Product Safety Commission’s Guidelines. All windows did not meet Life Safety Code requirements. Second means of egress windows were not labeled, and many were blocked. The main utility cut-offs were not identified by signage, and no campus maps existed to identify their location. Staff had not received fire safety training. Fire extinguishers were not located in all required areas. Evacuation maps were not posted. Electrical extension cords were being used as permanent power sources. An Asbestos Management Plan was not on file. Exhaust fans were not in the restrooms. Doors in some facilities were padlocked. Panic hardware was not on all doors. There were exposed electrical wiring and unprotected electrical outlets. Visitor and handicapped parking were not identified. At most schools within the district there was no signage to direct visitors to the office. Exit lights and emergency lighting were inoperative. Some classrooms did not meet the minimum square footage requirements.
There were inoperative faucets, water fountains, windows, etc. The gymnasium was used for classroom instruction but was not air-conditioned.

Neither the district, nor any school, had an adequate crisis management plan. No plans were National Incident Management Systems compliant, and staff had not been trained in crisis response as required by Section 37-11-5 of the *Mississippi Code of 1972*, as amended. The staff was not National Incident Management Systems certified. Overall, the district was noncompliant with Section 37-9-17 of the *Mississippi Code of 1972*, as amended for employee fingerprint checks. This finding represented a possible threat to students’ safety. No school in the district was current on drills required by this legislation. The district did not possess a restraint policy as recommended by the School Safety Manual. The district was using School Resource Officers (SRO) and School Safety Officers (SSO) with no policy guidance. The district’s student search policy was out of date with administrators displaying little or no knowledge of search procedures. Neither the district, nor any schools had an internet use policy. The code of conduct and discipline plans were not consistently utilized or enforced with a corresponding inequity in student discipline.

Only two schools, Inverness Elementary and James C. Rosser Elementary, were able to provide copies of wellness policies. At Ruleville Central High School, fitness equipment that was purchased with Bower Foundation dollars had been moved and placed in an unused classroom next to the nurse’s station.

The Sunflower County School District was not fully compliant with any one of 37 process standards as published in the *Mississippi Public School Accountability Standards, 2009*. The Office of Accreditation and other MDE program offices noted serious violations of process standards such as safe and healthy schools, instructional
management, statewide assessment system, expenditure of funds, following state and federal rules and regulations, and reporting accurate information to the MDE.

**Action of the Commission on School Accreditation and State Board of Education**

The CSA held a special called meeting on Thursday, April 15, 2010, at 8:30 a.m. in the second floor auditorium of the Central High School Building, 359 North West Street, Jackson, Mississippi. The meeting was held to determine if an extreme emergency situation existed in Sunflower County School District that jeopardized the safety, security, or educational interests of the children enrolled in that district. The Office of Accreditation reported findings that revealed serious violations of state and federal law and serious violations of accreditation standards, which included all five accreditation standards that may result in an immediate downgrade of an accreditation status as defined in Accreditation Policy 2.5 of the *Mississippi Public Schools Accountability Standards, 2009*. The school district was noncompliant with some portion of all 37 accreditation (process) standards. The CSA determined that an extreme emergency did exist, and that the emergency situation was related to serious violations of accreditation standards and state and federal law. The CSA adopted a Resolution that would be presented to the SBE for consideration.

The regularly monthly meeting of the SBE was scheduled for April 15-16, 2010. Immediately following the CSA meeting, the Executive Secretary of the CSA presented the CSA’s determination to the SBE during the regularly scheduled work session on April 15, 2010. On April 16, 2010, the SBE unanimously determined that an extreme emergency existed that jeopardized the safety, security, and educational interest of the children enrolled in the schools in Sunflower County School District. The SBE adopted a
Resolution pursuant to Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended. The SBE unanimously voted to abolish Sunflower County School District in accordance with Section 37-17-13 of the *Mississippi Code of 1972*, as amended. The SBE also approved the request to the Governor that he declare a state of emergency in the district.

On that same day, Friday, April 16, 2010, due to the urgency of the situation, Governor Haley Barbour signed a Proclamation in response to the SBE’s Resolution. The Proclamation made under the authority of Sections 37-17-6(11)(b) and 37-17-13 of the *Mississippi Code of 1972*, as amended, declared that a state of emergency did exist in Sunflower County School District due to the serious violations of accreditation standards, state law, and federal law.

On Friday, April 16, 2010, contingent upon the Governor’s signed *Proclamation* declaring a state of emergency in the Sunflower County School District, the SBE appointed a conservator to be responsible for the administration, management and operation of the Sunflower County School District. Also, the SBE approved the appointment of a Community Liaison, funded by the Kellogg Foundation, to assist the conservator in the areas of parental and community involvement.

**State Takeover**

At 8:00 a.m. on Monday, April 19, 2010, the elected superintendent and five elected members of the Board of Trustees for Sunflower County School District were notified in person and in writing, by the Education Bureau Manager of the Office of Accreditation and the Interim Deputy Superintendent for the Office of School Improvement, Oversight, and Recovery that the Governor had declared a state of
emergency in the district and abolished the Sunflower County School District. For the first time in the history of state takeovers in Mississippi, six elected school district officials were removed from office. At 10:00 a.m., the MDE staff members met with the district office administration to inform them of the circumstances that led to the takeover and to outline the takeover and conservatorship process. At 1:00 p.m., MDE staff members met with all the principals in the district to provide the information that was shared with the district office administration earlier that day. The conservator and community liaison were also introduced to the district office administration and principals at this time. Following the discussion of what led to the state takeover and the introductions of the conservator and community liaison, the district office and administration and principals were allowed to ask questions or express concerns to staff from the MDE.

Community meetings were held on Monday and Tuesday nights in the Moorhead and Ruleville communities to provide the same information regarding the state takeover and introduce the conservator and community liaison to all district staff, parents, students, and interested members of the community. The meetings with district personnel and the members of the community were designed for individuals to gain a better understanding of what led to the state takeover and what to expect during the state takeover process.

Conservatorship

Section 37-17-6(14)(a) of the Mississippi Code of 1972, as amended, states that whenever the Governor declares a state of emergency in a school district in response to a request made under Section 37-17-6(11) of the Mississippi Code of 1972, the SBE, in its
discretion, may assign an interim conservator to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities: (a) approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and non-licensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim conservator shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105 of the Mississippi Code of 1972, as amended; (b) supervising the day-to-day activities of the district’s staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the conservator, will best suit the needs of the district; (c) reviewing the district’s total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff; (d) attending all meetings of the district’s school board and administrative staff; (e) approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities; (f) maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations; (g) reporting periodically to the SBE on the progress or lack of progress being made in the district to improve the district’s impairments during the state of emergency; and (h) appointing a parent advisory committee, comprised of parents of students in the school district that may make
recommendations to the conservator concerning the administration, management and operation of the school district.

On April 16, 2010, the SBE appointed Robert Strebeck as the conservator of the Sunflower County School District. The SBE approved an initial contract for Mr. Strebeck in the amount of $55,900, which included $45,900 Personnel Services and $10,000 Travel. The term of service for the contact was April 19, 2010 through June 30, 2010. The conservator (contractor) was to be responsible for the administration, management and operation of the school district. The contractor also agreed to perform the duties in accordance with Section 37-17-6(14)(a) of the Mississippi Code of 1972, as amended, and previously discussed.

Mr. Strebeck has over 37 years of experience in the field of Education. He retired as the Deputy Superintendent of Newton County School District in Decatur, Mississippi, in June 2006. After retiring, Mr. Strebeck served as a consultant for JBHM Education Group, LLC, and the Louisiana Department of Education. In May 2007, he was appointed by the SBE as the conservator of Jefferson Davis School District (May 2007-December 2007). In May 2008, he was later appointed by the SBE to serve as the conservator in North Panola School District (May 2008-March 2010). During the months of March 2009 through June 2009, the SBE revised Mr. Strebeck’s contract to also serve as the conservator of Tate County School District (in addition to the North Panola School District) until a full-time interim conservator could be placed in the Tate County School District.
Preclearance Filing and Final Ruling of the United States Department of Justice

Following the Governor’s Proclamation, a submission was made to the USDJ by the Mississippi Attorney General’s Office, in accordance to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. The submission was made on June 21, 2010, and supplemental information was provided through July 30, 2010, as requested.

The MDE, Office of Accreditation is responsible for providing the documentation to the Mississippi Attorney General’s Office for the submission to the USDJ. The following documentation is required for the submission: (a) formal documentation of complaints, if applicable, (b) names and addresses of individuals who are non-educators and knowledgeable of the ongoing issues in the district (must be minorities, if it is a majority minority district), (c) accreditation site visit report and/or financial audit report, if applicable, (d) CSA special called meeting notice, if applicable, (e) copy of the CSA agenda, (f) Notice of CSA action (declaration of a state of emergency) from the executive secretary of the CSA to the state superintendent, (g) CSA Resolution for the declaration of a state of emergency, (h) signed copy of the CSA minutes, (i) notice of the special called meeting of the SBE, if applicable, (j) SBE meeting agenda, (k) SBE Resolution, (l) letter from the state superintendent to the Governor, (m) signed copy of the SBE minutes, (n) copy of the Governor’s Proclamation, (o) letter from the state superintendent to the local district superintendent and board of trustees of notification that the district has been abolished and the superintendent and board of trustees have been removed from office, (p) affidavit of publication of public notice of declaration of emergency, and (q) copies of newspaper article(s) related to the district.

Following the initial submission to the USDJ on June 21, 2010, the Mississippi Attorney General’s Office provided supplemental information upon request through July
30, 2010. The USDJ has 60 days to review the submission and make any objection to the specified changes.

On August 18, 2010, the Attorney General’s Office was notified by the USDJ, Civil Rights Division, that they did not interpose any objection to the specified changes, which was the temporary dissolution of the Sunflower County School District in Sunflower County, Mississippi, and the transfer of power to an appointed conservator. Section 37-17-13(c) of the Mississippi Code of 1972, as amended, provides that after a school district is abolished under this section, the SBE may reconstitute, reorganize, or change or alter the boundaries of the previously existing district. Therefore, any changes affecting voting that are adopted pursuant to that provision will also be subject to Section 5 of the Voting Rights Act of 1965 review (28 C.F.R 51.15).

Litigation

On April 27, 2010, The Executive Secretary of the CSA was notified in writing that the law firm of Bailey & Griffin, P.A. had been retained to represent the plaintiff, Mr. Pierce McIntosh, Superintendent of the Sunflower County School District. The MDE was also informed that the superintendent, duly elected by the people of Sunflower County, was appealing the decision of the SBE to abolish the position of elected superintendent of Sunflower County and remove him as superintendent. On April 28, 2010, the Executive Secretary of the Commission was notified that the plaintiffs, three of the five members of the Board of Trustees for Sunflower County School District were also appealing the decision of the SBE to abolish the district and remove the Board of Trustees from office.
On June 10, 2010, the MDE received notice that Haley Barbour, in his official capacity as Governor of the State of Mississippi, James Hood, in his official capacity as Attorney General of the State of Mississippi, and the MDE were named in a cause filed for the plaintiffs. The plaintiffs, Mr. McIntosh and three members of the Board of Trustees for the Sunflower County School District, were in support of the motion for a preliminary injunction to enjoin the continued implementation and enforcement of unprecleared proclamations, orders, regulations and standards, practices and procedures by the Governor of the State of Mississippi and the MDE, in Sunflower County, Mississippi, in violation of Section 5 of the Voting Rights Act of 1965. The plaintiffs argued that the standard practice and procedures implemented by the State of Mississippi, including but not limited to, the ones used to abolish the Sunflower County School district, its superintendent and school board, had not been pre-cleared under Section 5 of the Voting Rights Act of 1965. They also argued that Governor Barbour and MDE were required to obtain preclearance under Section 5 before implementation.

**Research Question One**

The first research question that provided the framework for the investigation was: What led to the state takeover of Sunflower County School District? The following provides the rationale for the state’s takeover and the answer to the first research question. The rationale for the declaration of a state of emergency in the Sunflower County School District was based on (a) Safety, Security, and Educational Interests, (b) Serious Violations of Accreditation Standards, and (c) Violations of State and Federal Law.
Safety, Security, and Educational Interests

The findings related to Safety were related to process standards 35, 36, and 37 of the Mississippi Public School Accountability Standards, 2009. The school district failed to report unlawful activity (sex offenses), which occurred on educational property as required by Section 37-11-29 of the Mississippi Code of 1972, as amended. The school district also failed to adequately investigate and report threats of harm to self and others that jeopardized the safety of students. In addition, the school district failed to conduct background checks on all new hires as required by Section 37-9-17 of the Mississippi Code of 1972, as amended.

The findings related to Security were also associated with process standards 35, 36, and 37 of the Mississippi Public School Accountability Standards, 2009. The following were areas of concern: (a) no crisis management plan, (b) no crisis management training for district and school staff, (c) no emergency evacuation plans, and (d) no district School Resource Officer (SRO) and School Safety Officer (SSO) programs that were compliant with the generally accepted standards of school safety.

The rationale related to Educational Interests was based on the findings that there was no evidence of strategic planning to address instructional programs and student achievement in the district, the district had not implemented a professional development program that complies with guidelines published in Professional Development for the New Millennium, and the district was designated as At Risk of Failing. Two schools in the district were designated as Failing, two as At Risk of Failing, and four schools were on Academic Watch, based on the 2008-2009 Accountability Results. Table I presents the accountability results for Sunflower County School District for School Year 2008-2009.
Table 4.1 2008-2009 Accountability Results for Sunflower County School District

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<th>Growth Status</th>
<th>Graduation Rate</th>
<th>HSCI</th>
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<td>Met</td>
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<td>Not Met</td>
<td>72.4</td>
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</tbody>
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**Serious Violations of Accreditation Standards**

The findings related to serious violations of accreditation standards published in the *Mississippi Public School Accountability Standards, 2009*, were based on (a) noncompliance with standards for safe and healthy Schools (Process Standards 35, 36, and 37), (b) noncompliance with instructional management (Process Standard 27), (c) noncompliance with the testing standard (Standard 22 and Appendix F), (d) noncompliance with financial standards (Standards 10 and 11; Appendix H), and (e) reporting false information (Accreditation Policies 2.1 and 2.5). Violation may be repeated below to serve as a summary of serious violations.

The district was unable to provide an instructional management system for grades K-12 that had been adopted by the school board. Approximately 50% of the teachers were not able to provide a copy of the framework for their respective discipline(s). Also, the instructional guides did not reference the *Mississippi Curriculum Framework* competencies and objectives.

At Ruleville Central High School, an individual identified as the District Consultant on a document entitled *Test Security Sheets* collected during the audit was
observed by the auditor entering the secure storage area along with the School Test Coordinator; furthermore, the consultant oversaw the distribution and collection of secure test materials. The consultant did not fill one of the positions listed in the Ruleville Central High School Test Security Plan.

The most recent audit report conducted by the Office of the State Auditor had not been released at the time of the audit. However, MDE staff identified irregularities in the district’s implementation of a fixed asset system of accountability, accounting practices, record keeping, and appropriate use of funds. There were irregularities in the accuracy, validity, and timely reporting of all reports, including student data, submitted to the MDE.

The district was also unable to provide documentation verifying they were tracking Educational Enhancement Funds (EEF) amounts for each teacher. In addition, federally funded teachers were allowed to spend EEF, and several teachers overspent their EEF allocation. The funding elements of the sales tax diversion into the EEF are administered in accordance with Section 37-61-33 of the Mississippi Code of 1972, as amended. Classroom supply funds may not be expended for administrative purposes. These funds may only be used to supplant, not replace, other local and state funds available for the same purpose.

Each local school district must allocate classroom supply funds equally among all classroom teachers in the school district. The term teacher is defined as any employee of the school district who is required by law to obtain a teacher's license from the SBE and is assigned to an instructional area of work, but shall not include a federally funded teacher.
According to Policies 2.1 and 2.5 of the *Mississippi Public School Accountability Standards, 2009*, the district reported false information to the MDE. Based on an analysis of the 2009-2010 *MSIS Personnel/Accreditation Data Report* and official documentation on file in the district for school year 2009-2010, the school district failed to report complete and accurate data to the MDE following established procedures concerning assigned duties, job titles, salaries, supplements and funding sources. A comparison of the 2009-2010 *MSIS Personnel/Accreditation Data Report* with other documents on file in the district, such as employee contracts, lists of staff, payroll reports, district publications and official school board minutes indicates that inconsistent information exists among personnel documents. It was impossible for evaluators to reconcile the information to construct a true and accurate picture of Sunflower County School District employees.

**Violations of State and Federal Law**

The evidence of violations of state law included the district’s failure to report unlawful activity (sex offenses) which occurred on educational property as required by Section 37-11-29 of the *Mississippi Code of 1972*, as amended. The district also failed to conduct background checks on all new hires as required by Section 37-9-17 of the *Mississippi Code of 1972*, as amended. Violation may be repeated below to serve as a summary of serious violations.

The evidence of violations of federal law was associated with: (a) Career and Technical Education (Process Standard 23.2), (b) Special Education (Process Standard 23.3), and (c) Federal Programs (Process Standard 23.5). During the audit, it was evident that some teachers who were being reimbursed to teach vocational courses were in fact
teaching remedial courses. A reimbursement in the amount of $23,566.06 was requested by the MDE. The overall findings for the Career and Technical Education program included the labs not being properly equipped, the curriculum not being fully implemented, the appropriate instructional materials not being available, current approved career plans unavailable for all students, nonparticipation of staff in the appropriate professional development, inappropriate facilities, the district not supporting the Career and Technical Education program, no active advisory committee, no evidence of active student organizations, no evidence of completed training plans, and no evidence of instructor evaluations by students.

The findings of the Office of Special Education were related to noncompliance with Section 300, Title 34 CFR of the IDEA. The IEP for each child with a disability were not developed, reviewed, or revised in accordance with IDEA. A FAPE was not provided to all children between the ages of 3 and 20, inclusive, including students with disabilities who had been suspended or expelled. And, IDEA funds had not been expended in accordance with IDEA regulations.

The violations noted in the Office of Federal Programs, Division of Federal Financial Management, resulted in questioned costs of $101,792. A review of the reimbursement documentation revealed that there were no established policies and procedures for requesting reimbursements. The district did not demonstrate budgetary control over expenditures and did not follow state and federal guidelines regarding the purchase and inventory of equipment. During the audit of fixed assets, it was noted that management did not have the required documentation to support a physical inventory review within the last two years. A review of Title I, Part A expenditures revealed a number of activities that suggested supplanting. A considerable number/amount of
expenditures appeared to be general in nature and appeared to only meet the basic needs of the district. The district did not have policies and procedures in place for contracts and agreements. The expenditures for Title I Section 1003(a) and Section 1003(g) funds were improperly coded and were not aligned with the approved applications file.

Based on the nature of the violations and the extent to which the violations jeopardized the safety, security, and educational interest of the students enrolled in the Sunflower County School District, in accordance with Section 37-17-6(11)(b) of the *Mississippi Code of 1972*, as amended, the MDE determined it was necessary to intervene and appoint a conservator to be responsible for the administration, management and operation of the Sunflower County School District. The SBE also determined it was necessary to officially abolish Sunflower County School District in accordance with Section 37-17-13 of the *Mississippi Code of 1972*, as amended. A community liaison was assigned to assist the conservator in addressing the unrest in the community and communicate with the community regarding the takeover process.

**Research Question Two**

The second research question that provided the framework for the investigation was: What process is used by the MDE during a formal investigation of a local school district and a state takeover? The following outlines the investigative process and guidelines for a state takeover to answer the second research question.

Title 37, Chapter 17, of the *Mississippi Code of 1972*, as amended, defines the statutory authority and requirements of the accreditation of public schools. Section 37-17-6(1) of the *Mississippi Code of 1972*, as amended, states that the SBE, acting through the CSA, shall establish and implement a permanent performance-based accreditation.
system, and all public elementary and secondary schools shall be accredited under this system. According to Section 37-17-6(6) of the Mississippi Code of 1972, as amended, the SBE shall create an accreditation audit unit under the CSA to determine whether schools are complying with accreditation standards.

SBE Policy 401 establishes the Mississippi Public School Accountability Standards as the current accreditation and accountability policy. Accreditation Policy 4.0 of the Mississippi Public School Accountability Standards, 2009, outlines the monitoring procedures. The staff members in the MDE continuously monitor school districts to verify compliance with applicable accreditation requirements and state and federal laws. Accreditation Policy 4.1 relates to On-Site Evaluations. The SBE, the State Superintendent of Education, or the CSA has the authority to call for an on-site evaluation or investigation of a school district at any time.

The Office of Accreditation coordinates the on-site evaluation and notifies the MDE program offices of the dates of the audit and specific details related to the evaluation that has been requested. The purpose of the comprehensive on-site evaluation is to determine the district’s current level of compliance with all accountability requirements and accreditation standards approved by the SBE as published in the Mississippi Public School Accountability Standards.

If necessary, the state takeover process may be initiated in Mississippi for a variety of reasons under several sections of the law, including: (a) failure to resolve verified deficiencies during the probationary period; (b) when an extreme emergency exists that jeopardizes the safety, security, and educational interest of the children enrolled in that district; (c) when a school or district meets the SBE’s definition of a Failing school district for two consecutive full school years; (d) in the event a school
continues to be designated a School At-Risk after three years of implementing a school improvement plan, or (e) in the event that more than 50% of the schools within the district are designated as Schools At-Risk in any one year.

If the Office of Accreditation determines that initiating the state takeover process is necessary, a meeting of the Commission of School Accreditation is held to present the findings related to the cause of the takeover. The CSA is required to adopt a Resolution outlining the district’s deficiencies. The Executive Secretary of the CSA forwards the Resolution to the State Superintendent of Education and requests that the SBE take action on the CSA’s recommendation. The Office of Accreditation presents the findings related to the SBE. At that time, if the SBE agrees with the CSA’s recommendation, the SBE adopts a Resolution, which is forwarded to the Office of the Governor, along with a request that the Governor declare a state of emergency in that district.

According to Section 37-17-6(11)(c) of the Mississippi Code of 1972, as amended, whenever the Governor declares a state of emergency in a school district in response to a request made by the SBE, the SBE may take one or more actions. These actions include, but are not limited to, overriding any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district, and assign an interim conservator, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school district, who will have those powers and duties prescribed in Section 37-17-6(14) of the Mississippi Code of 1972, as amended.

Upon the signed Proclamation by the Governor, the State Superintendent notifies the district of the action that has been taken. If the SBE also took action to abolish the
district, the superintendent and members of the Board of Trustees are notified in writing. If the district is abolished, the Office of the Attorney General provides the directions to the Office of Accreditation for the preclearance filing procedures under Section 5 of the Voting Rights Act of 1965.

Immediately upon the signing of the Proclamation by the Governor, the MDE, Office of Conservatorship, along with the appointed conservator, take control of the district. At that time, the MDE is responsible for the administration, management and operation of the district.

Mississippi state law defines the statutory authority and requirements of the establishment of a performance based accreditation system; however, it does not prescribe the process. One such process for fulfilling this requirement is the on-site evaluation and investigative audit. As authorized by policy, the SBE, the State Superintendent of Education, or the CSA may call for an evaluation of a school district at any time. Through policy, the CSA and the SBE outline the process for conducting evaluations or investigations to determine the district’s compliance with the accreditation system. To ensure that the process is fair and equitable among all school districts, MDE staff members adhere to the established process and procedures identified in the Mississippi Public School Accountability Standards. These procedures have proven to provide valid and reliable results in determining the school district’s compliance with accountability and accreditation requirements.

If an extreme emergency situation is found to exist in a district, it may be necessary to initiate the state takeover process. Upon the Governor’s Proclamation of a State of Emergency, the administration, management, and operation of the district become the responsibility of the MDE.
Research Question Three

The third research question that provided the framework for the investigation was: What recommendations can be made to the MDE to improve the sustainability of the success of the state takeover after the conservator is removed from the local school district? The following are recommendations to the MDE to improve the sustainability of a successful state takeover.

1. Consider a team approach to takeovers; appoint (at a minimum) a conservator, financial advisor, and community liaison in each district. Rationale: The district that is the subject of this case study was noncompliant with all 37 process standards, presenting an immense task for any one individual to develop and implement a corrective action plan. A team approach would not only provide the conservator assistance in developing a corrective action plan for resolving the numerous deficiencies, but also would allow the implementation of the corrective action to proceed in a expeditious and effective manner.

2. A mandatory requirement of the takeover process for states of emergency declared under Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, would be to abolish all districts going into conservatorship to include the removal of the superintendent and all members of the local board from office. Rationale: Historically, state takeovers that did not abolish districts in this manner have been adversely affected by a superintendent and school board members who continued to interfere with the takeover process. In some instances, problems related to this situation have required the SBE to abolish a school district as late as a year after the
original takeover occurred. Abolishing the district at the onset of the takeover, including the removal of the superintendent and the school board, would limit unnecessary turmoil and remove many of the obstacles that hinder the successful transition of a district into a conservatorship.

3. Require intensive training that specifically includes a mentoring component for school board members (beyond the minimum training requirements) when the district is reconstituted. Rationale: Takeover districts are consistently characterized by a school board comprised of members who do not understand their role or fail to perform their duties in the manner prescribed by law, even after receiving the minimum training required by law. Training that requires a mentoring component would allow the mentor to assist school board members in understanding the limitations of their roles and the importance of performing their duties according to the law.

4. Obtain approval from the SBE for the Exit Criteria to end the takeover process. Rationale: Currently, the Mississippi Recovery School District, Office of Conservatorship implements an Exit Criteria procedure that is not established in policy, nor approved by the SBE. Consequently, this practice might be viewed as a subjective requirement whose conditions for release could vary. Approval of a policy by the SBE that addresses the Exit Criteria procedures for a takeover district would require that exit criteria (a) be established in policy and (b) have its conditions consistently met by all takeover districts before being released from conservatorship.
Furthermore, established exit conditions would provide consistency in developing and implementing the district’s *Corrective Action Plan.*

5. Form support teams at the MDE consisting of approximately eight members, including experts in all areas of school operations to assist the Office of Conservatorship and the conservators. Rationale: The history of takeovers in the State of Mississippi has disclosed that conservators report that progress has been hindered by the lack of support and resources from the MDE that are necessary to successfully implement the corrective action. Forming support teams at the MDE that include the obligation of accompanying supporting funds would increase the technical assistance and guidance available to the conservator.

6. Request technical amendments during the upcoming legislative session to allow for types of takeovers other than those currently allowed in state statute. Rationale: The MDE continually examines and evaluates the process for school district takeovers to ensure the most successful options are available to improve the current takeover process. It was noted during the review of literature conducted for this study, that many states have additional options available to their approach to state takeovers. For example, some states allow for the privatization of a takeover district, such as contracting with an outside entity to take over the operation of the district. If state law was amended to allow for other types of takeovers, Mississippi would have the opportunity to implement additional methods that may prove more successful than the process currently implemented.
7. Consider abolishing takeover districts, eliminating the option of reconstitution, and consolidating the district with a local school district or districts as an alternative to implementing the conservatorship process. Rationale: Immediately upon the takeover of some districts, it has become obvious that the districts are unable to sustain themselves, and there is little or no evidence that the districts have the ability to improve academically. There would be no advantage or reason to reconstitute these districts; therefore, the districts should be consolidated with a neighboring district or districts.

8. Require staff members in the Office of Accreditation and the Office of Conservatorship to collaborate and review the status of the district’s corrective action plan on a quarterly basis for each district under conservatorship. Rationale: A large number of deficiencies in takeover districts continue to remain on the district’s Accreditation Record Summary. This situation has become a major concern of the CSA and the SBE. Collaboration between the Office of Accreditation and the Office of Conservatorship within the MDE would increase the likelihood of takeover districts clearing the deficiencies on record in accordance with their corrective action plans and projected timelines, as well as increasing the amount of technical assistance provided to the district.

9. Exercise the section of the state statute that allows for an external agency to operate the school district and issue a Request for Proposals (RFP) to establish a pool of service providers. Rationale: The MDE continually seeks better ways to improve the effectiveness of the conservatorship
A review of the literature for this study, noted that many states allow for contracts to be extended to external agencies to operate a takeover school district. Currently, Mississippi state statute provides for this option; however, the SBE has not exercised this choice. In April, 2011, the SBE approved the release of a RFP to establish a pool of service providers of external agencies, but to date, this RFP has not been released.

10. Provide more frequent reports of progress and challenges of districts under conservatorship to the CSA and the SBE. Rationale: Currently, each conservator provides a progress report to the SBE on a quarterly basis; no reports are given to the CSA. More frequent reports to the SBE should be required. The reports should also focus on the challenges the conservators face in an effort to improve the state takeover process and gain knowledge of how to address those same issues if they arise in another district that is under conservatorship.

11. Provide adequate staff and funding to the Office of Conservatorship positioned within the Mississippi Recovery School District (authorized by Section 37-17-6(11)(f) of the Mississippi Code of 1972, as amended) to allow for bi-monthly, on-site visits and technical support to districts under conservatorship. Rationale: The Office of Conservatorship is staffed by one Bureau Director who serves as a liaison between the seven districts in conservatorship and the MDE. The tremendous amount of technical assistance and support (attending board meetings, budget hearings, community meetings), and the coordination of services provided by MDE program offices makes it difficult for one individual to provide the
appropriate amount of support and technical assistance needed by these
districts.

12. Revise the 2012-2013 Legislative Priorities to include an appropriation of
resources to reinstate the Five-Year Accreditation Monitoring Cycle.
Rationale: Recent investigative audits conducted by the Office of
Accreditation have led to a number of state takeovers of low performing
districts; however, audits have also revealed that violation of process
standards are not limited to low performing districts. While the audits of
many of those low performing districts have resulted in state takeovers, it
has become evident that higher performing districts are not complying
with all the accreditation process standards. The reinstatement of the Five-
Year Accreditation Monitoring Cycle would aid in decreasing the number
of deficiencies and identify before hand districts headed for takeover.

13. Establish eligibility criteria for conservators listed in the Pool of Service
Providers that requires extensive training prior to approval. Rationale: It
is documented that the position of conservator requires extensive
knowledge and expertise of all areas of school operations, including, but
not limited to, policy, personnel appraisal, budgeting and expenditures,
strategic planning, professional development, dropout prevention,
instructional time and practices, assessment, state and federal programs,
instructional management, and safe and healthy schools. It has also
become evident that the position contains elements of stress, including
time away from home, for which many applicants are not prepared or have
considered. Currently, the MDE does not have established (approved) criteria to determine eligible conservators.

14. Provide quality professional development to administrators and teachers in districts under conservatorship based on district-wide needs assessment, which includes a mentoring component for both teachers and administrators. Rationale: The audit of the district in this research study revealed that the professional development provided to the teachers and administrators in the Sunflower County School District was not based on a needs assessment nor was it tied to any short term or long range plans for the district. Quality professional development is essential to the success of any school district. The teacher is central to student learning and must be enabled to improve their delivery of instruction by professionals who further their expertise in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards. Only when professional development is based on the individual needs of the school and/or district will it be successful. Furthermore, it is imperative that professional development contain a mentoring component where teachers and administrators are coached by specialists to insure sustainability.

15. Change Accreditation Policy in the *Mississippi Public School Accountability Standards*, so that the accreditation status of all districts placed under conservatorship is automatically Withdrawn. Rationale: Based on the reaction of parents and the community when districts are under a takeover or even rumored as in danger of a takeover, it has
become evident that their greatest concerns are related to the effect a
Withdrawn status has on extracurricular activities and scholarships. If the
accreditation status of all districts placed under conservatorship is
automatically Withdrawn, the community would be more apt to become
involved in the improvement process.

16. Utilize federal funding sources to institute Pre-K programs and extended
day and/or extended school year options for students enrolled in districts
under conservatorship. Rationale: In the case of the Sunflower County
School District, federal funds were not allocated and expended
appropriately or based on an approved plan or needs assessment. Upon
review of the history of state takeovers, the districts involved have not
maximized the use of federal funding to ensure that all children have a
fair, equal, and significant opportunity to obtain a high quality education.

17. Utilize the reports and data collected from the districts and schools
receiving School Improvement Grant (SIG) funds for decision-making.
Rationale: Historically, decisions affecting a district takeover were not
required to be based upon research. It appears that the MDE staff members
utilize the data collected from other offices with the MDE to make
decisions. Extensive research is being conducted through the Office of
School Recovery regarding the utilization of SIG funds that can be useful
in improving low performing schools.
Chapter V presents a summary of the study and findings, conclusions, and recommendations. The summary of the study includes a restatement of the purpose and questions answered, review of literature, methodology, and findings. This chapter is presented in three sections: (a) Summary, (b) Conclusions, and (c) Recommendations.

Summary

Statement of Purpose and Questions to Be Answered

The NCLB and the Mississippi Code of 1972, as amended, provide the framework to ensure that children in the State of Mississippi receive a quality public education by providing the appropriate assistance to underperforming districts and schools. Senate Bill 2405 (Mississippi Legislature, 2008) created a task force to study and report on the status of underperforming schools and school districts in the state of Mississippi. The task force was created to assist policymakers in shaping public policy to improve student outcomes and educational opportunities for all students in the state by improving the effectiveness of local leadership, increasing student achievement, and improving school/community relationships and parental involvement (Mississippi Legislature, 2008). The task force was also charged with studying and reporting the effectiveness measure for improving underperforming schools and school districts and the enhancement of accountability and sanctions imposed on underperforming schools and school districts (Mississippi
The purpose of this study was to determine what led to the state takeover of Sunflower County School District, determine the takeover process used by the MDE, and make recommendations to the MDE that will improve sustainability of the success of the state takeover process after the conservator is removed from the district and the district regains control.

The following research questions directed the focus of this study:

1. What led to the state takeover of Sunflower County School District?
2. What process is used by the Mississippi Department of Education during a formal investigation of a local school district and a state takeover?
3. What recommendations can be made to the Mississippi Department of Education to improve the sustainability of the success of the state takeover after the conservator is removed from the local school district?

**Review of Literature**

The Review of Literature for this case study included federal, state, and local school district information. It also included research related to federal and state accountability, takeovers, and other reform efforts. Federal accountability and reform efforts such as NCLB, Race to the Top, NBC’s Education Nation, and the blueprint for the upcoming reauthorization of the ESEA will continue to be the focus of policymakers, educators, and parents, as we seek to improve the performance of our nation’s public schools.

In response to ensuring that children in the State of Mississippi receive a quality public education, policymakers and educators will continue to hold districts and schools accountable for improving leadership capacity in the local school district, increasing
student achievement, and improving school/community relationships and parental involvement. Recent evidence of the state’s focus on accountability was seen in legislation such as the CFA, and SBE policies, the *Mississippi Public School Accountability Standards*, and the new *Mississippi Accountability System*.

The review of literature indicated that the perspectives and effects of state takeovers are mixed; however, the state takeover process is one measure at least 29 states have implemented to improve leadership, fiscal management, and student achievement. Legislation was enacted in 1991 that allows the state to take control of local districts in Mississippi; however, it was not enforced until 1996. Since that time, policymakers have sought to improve the process for providing assistance to local districts through the takeover process. Currently, the state takeover process may be initiated in Mississippi for a variety of reasons under several sections of the law, including: (a) failure to resolve verified deficiencies during the probationary period; (b) the existence of an extreme emergency that jeopardizes the safety, security, and educational interest of the children enrolled in that district; (c) when a school or district meets the SBE’s definition of a Failing school district for two consecutive full school years; (d) in the event a school continues to be designated a School At-Risk after three years of implementing a school improvement plan, or (e) when more than 50% of the schools within the district are designated as Schools At-Risk in any one year.

Mississippi legislation allows for the abolishment of a school district during the takeover process. However, if a district is abolished, Mississippi is one of 16 states in which Section 5 of the *Voting Rights Act of 1965* applies. The *Voting Rights Act of 1965* established extensive federal oversight of elections administration, providing that states,
such as Mississippi, with a history of discriminatory voting practices, could not implement any change affecting voting without first obtaining the approval of the USDJ.

The history of state takeovers in Mississippi includes 13 takeovers in 12 school districts. Only one district in Mississippi has been taken over for a second time. The takeover of Sunflower County School District was the first takeover in the State’s history that abolished the district, removing six elected officials (the superintendent and five members of the Board of Trustees) from office.

**Methodology**

This holistic, single-case study focused on the patterns or events in Sunflower County School District that led the MDE to take control of the district. The case study was descriptive, exploratory, and explanatory in nature. It sought to describe the patterns and events that led the state to takeover, as well as explored the reasons those patterns and events occurred. It also sought to explain and support the process, beginning with the rationale for a full, on-site investigative audit of the district, through the USDJ preclearance of the takeover and abolishment of the Sunflower County School District.

The participants in this study were the administration, personnel, parents, students, and members of the Inverness, Moorhead, Ruleville, and Sunflower communities located in Sunflower County, Mississippi. The education professionals employed by the MDE, who were involved in the on-site investigative audit and the eventual takeover of Sunflower County School District, also participated in this study.

Several data collection techniques were used by the MDE during the audit and takeover process, including official documentation on file at the MDE and in the district, observations, interviews, checklists, field notes, etc. However, all data and documentation
related to Sunflower County School District and the state takeover process used in this study are on file at the MDE and available for public review upon request. Each of the three research questions that provided the framework for the investigation were analyzed independently.

**Findings**

Based on an analysis of the 2009-2010 *MSIS Personnel/Accreditation Data Report* and official documentation on file in the district for school year 2009-2010, the school district failed to report complete and accurate data to the MDE following established procedures concerning assigned duties, job titles, salaries, supplements and funding sources. A comparison of the 2009-2010 *MSIS Personnel/Accreditation Data Report* with other documents on file in the district, such as employee contracts, lists of staff, payroll reports, district publications and official school board minutes indicated that inconsistent information existed among personnel documents. Therefore, it was impossible for evaluators to reconcile the information to construct a true and accurate picture of Sunflower County School District employees.

The Sunflower County School District was not fully compliant with any of 37 process standards as published in the *Mississippi Public School Accountability Standards, 2009*. The Office of Accreditation and other MDE program offices noted serious violations of process standards such as deficiencies noted by safe and healthy schools, instructional management, state wide assessment system, school financial services, federal financial management, and other state and federal rules and regulations. The district was also cited for failure to report accurate information to the MDE.
Based on the nature of the violations and the extent to which the violations jeopardized the safety, security, and educational interest of the students enrolled in the Sunflower County School District, in accordance with Section 37-17-6(11)(b) of the Mississippi Code of 1972, as amended, the MDE determined it was necessary to intervene and appoint a conservator to be responsible for the administration, management and operation of the Sunflower County School District. The SBE also determined it was necessary to officially abolish Sunflower County School District in accordance with Section 37-17-13 of the Mississippi Code of 1972, as amended. A community liaison was assigned to assist the conservator in addressing the unrest in the community (primarily in the northern portion of the county in the Ruleville community) and communicate with the community regarding the takeover process.

Conclusions

Based on the limitations noted in Chapter I and the analysis of data presented in Chapter IV, the following conclusions were supported by the findings of the study:

1. Through the evaluation and investigative audit process, the MDE questioned the integrity of data submitted to the MDE. It was determined that some of the local school district did not report true and accurate data to the MDE as required by Accreditation Policy 2.1 of the Mississippi Public School Accountability Standards, 2009.

2. The local school district did not have the supporting evidence on file in the school district to verify that all data reported to the MDE were true and accurate as required by Accreditation Policies 2.1 and 4.6 of the Mississippi Public School Accountability Standards, 2009.
3. Based on data reports at the MDE, such as MSIS and MAARS, the MDE determined that a district’s performance was not quantifiable based on actual observations during on-site evaluations or investigations.

4. The deficiencies and required corrective actions are enormous. It is easy to show fairly significant gains and progress initially, but with the complexity of the problems and how deeply engrained they are, showing long-term, sustainable improvements is very difficult.

5. Some district personnel and members of the community questioned the integrity of the state takeover process.

6. Within the course of one administration, a successful district can move to a point of state takeover due to the lack of effective leadership.

7. Because there was no longitudinal data available, it could not be determined if the MDE had made any long-term, sustainable improvements within the district while under conservatorship.

8. Through the investigative audits, the accreditation process was validated. Compliance with the process standards gave a clear picture of what was occurring in a district.

9. The USDJ found no objection to the process used to takeover and abolish the Sunflower County School District. As a result of multiple and extended inquiries by policy makers, the preclearance filing required by Section 5 the Voting Rights Act of 1965, was the most scrutinized in the history of filings in the state of Mississippi.

10. During the takeover process, the district showed fairly significant gains in student achievement and correcting process standard deficiencies (school
house door in); but gains in the community (school house door out) are fewer, and tend to show little progress. The culture of the community is difficult to change because what is presented is “this is the way we do things around here.”

**Recommendations**

Based on the findings of this research study, the following recommendations are made to the MDE, in addition to the recommendations presented in Chapter IV, to improve the sustainability of the success of the state takeover after the conservator is removed from a district.

1. This study should be replicated in other school districts that are involved in the state takeover process in Mississippi using the same methodology and procedures to ascertain the validity and reliability of these findings.

2. A longitudinal study should be conducted in Sunflower County School District to determine whether the changes that were successfully implemented were sustainable after the conservator was removed from the district.

3. Programs/Processes/Procedures implemented by MDE employees or contractual employees in districts involved in a state takeover should be researched based and proven to be best practices for improving low performing schools.

4. Additional research beyond the scope of this study related to the state takeover process should be conducted in the state of Mississippi.
5. MDE should continue to research the effectiveness and best practices of the state takeovers.

6. Data collection by the MDE staff and contractual employees should be ongoing when on-site in local school districts. This data will aid in useful and further research, data collection efforts, and decision-making processes.

7. If a school district fails to maintain a successful performance classification after the conservator is removed from the district, the MDE should consider technical amendments to the state statute that would allow a district to be abolished and consolidated with a neighboring district(s).

8. Prior to the state takeover of a school district, the MDE should consider the withdrawal of the district’s accreditation status in accordance with Policy 2.3 of the *Mississippi Public School Accountability Standards, 2009*, and the suspension of participation of all extra-curricular activities, in accordance with the Mississippi High School Activities Association policies on accreditation.
REFERENCES


Accreditation of Schools, Miss. Code Ann. § 37-17-6.


Commission on Restructuring the Mississippi Adequate Education Program (MAEP), Miss. Code Ann. § 37-152-3.


Klein, Alyson. (2010, October 27). Stimulus-Aid bonanza proving problematic along campaign trail. Education Week, pp. 16-17.


APPENDIX A

RESUME
SUMMARY OF QUALIFICATIONS

An education leader with outstanding decision-making ability, excellent organizational and interpersonal skills, and the ability to build consensus and move an organization forward. A teacher who understands teaching and learning, loves children, and appreciates the opportunity of having worked in an alternative program with children who have both academic and behavioral problems. A highly motivated individual who is focused on the success of children and schools served by the Mississippi Department of Education. A team leader with the ability to work collaboratively within the MDE and with external organizations who believes that outstanding leaders lead highly effective organizations. An educator with personal and professional experiences as well as educational training who is prepared for increasing levels of responsibility within the MDE.

PROFESSIONAL SUMMARY

Mississippi Department of Education, Jackson, MS  (March 2010 – Present)

Bureau Manager, Office of Accreditation

- Plans, directs, coordinates, and evaluates the activities of the Office of Accreditation to achieve Bureau and State Department of Education goals
- Implements the vision and initiatives of the Mississippi Department of Education and the Office of Accreditation
- Serves on the Strategic Planning Committee for the Mississippi Department of Education
- Reviews, revises, and implements the State Board of Education Policies and Procedures
- Manages and supervises the review and publication of regulatory documents such as the Mississippi Public School Accountability Standards, the Mississippi Nonpublic School Accountability Standards, and the Accountability Standards for Schools Governed by the State Board of Education
- Administers the State’s performance-based accreditation system for public schools
- Administers the State’s accreditation system for nonpublic schools electing to seek accreditation by the State Board of Education
- Monitors school districts to verify compliance with applicable accreditation requirements through investigative audits, annual personnel data reporting and reports from other state or federal programs
• Verifies and reports to the Commission on School Accreditation and the State Board of Education the extent to which public school districts and nonpublic schools comply with accreditation standards
• Serves as the Executive Secretary of the Commission on School Accreditation and completes all tasks generated by the Commission during official meetings
• Organizes agenda items for the Commission on School Accreditation and the State Board of Education
• Interprets and implements State and Federal Laws and Regulations
• Communicates the accountability and accreditation requirements to MDE staff, local school district personnel, state agencies, and private entities
• Collaborates with MDE program offices to implement the Accountability System
• Assists the State Superintendent and the Director of Education Accountability to provide information, recommendations, and testimony regarding the accreditation process of both public and nonpublic schools during the legislative session
• Supervises and manages MSIS data collection and Annual Personnel Data Reporting
• Performs the personnel management and financial management functions for the Office of Accreditation
• Promotes parental involvement through the Division of Parent Relations
• Supervises and manages the selection process for the Parent of the Year Award
• Provides technical assistance to superintendents, school board members, administrators, teachers, parents, and students
• Develops and conducts In-Service Training for Mississippi Department of Education, Mississippi Association of School Superintendents, Mississippi School Boards Association, Mississippi Counseling Association, etc.
• Supervises and manages the annual School Board Meeting Attendance Report
• Supervises and manages the intra-agency grant for the delivery of the Leadership Training Modules for Superintendents and Principals at the Regional Education Service Agencies
• Supervises and manages the Wallace Grant funding for the implementation of the Redesign of Administrator Preparation Programs
• Serves as the State Educational Agency representative on the Board of Directors for the Mid-South Education Research Association
• Serves as a member of the State Education Advisory Panel for Learning Forward (formerly National Staff Development Council)
• Serves as the State Education Agency representative for the Board of Directors for the Mississippi Staff Development Council
• Serves as a member of the E-Learning for Educators Leadership Team

Mississippi Department of Education, Jackson, MS  (October 2007 – February 2010)

Special Assistant to the State Superintendent, Office of Leadership and Professional Development
• Provided leadership, guidance and training for the staff of the Office of Leadership and Professional Development and the Mississippi Virtual Public School
• Served as a member of the State Education Advisory Panel for the National Staff Development Council
Served as the State Educational Agency representative on the Board of Directors for the Mississippi Staff Development Council
Supervised the E-Learning for Educators Initiative
Served as a member of the E-Learning for Educators Leadership Team
Planned and coordinated the annual Mississippi Department of Education Summer Conference
Coordinated meetings and agendas for the School Executive Management Institute Advisory Board
Coordinated the Blue Ribbon Commission for the Redesign of Administrator Preparation Programs
Coordinated the delivery of the Leadership Training Modules for Superintendents and Principals
Implemented the Mississippi Coaches Academy
Monitored and provided technical assistance on the Mississippi Professional Development Model
Coordinated training and work sessions with Southeast Educational Development Laboratory (SEDL) to revise the current Professional Development Model and develop a monitoring instrument to evaluate the implementation of the Professional Development Plan
Supervised and managed federal grant projects such as Wallace Foundation Grants, AmeriCorps, Learn and Serve America and Incarcerated Youth Offenders Program
Coordinated training for professional development with schools and school districts
Completed other special projects for the Office of Leadership and Professional Development as assigned by the State Superintendent of Education or the Executive to the State Superintendent within established timelines
Provided technical assistance for the Office of Accreditation to school districts as assigned by the Executive to the State Superintendent
Prepared and organized State Board of Education (SBE) items and back-up materials and maintains SBE files
Prepared Request for Proposals (RFP) for the Office of Leadership and Professional Development and the Mississippi Virtual Public School
Prepared contracts and proposals for workshops and training sessions
Served as an MDE representative on the Response to Intervention (RtI) Coordinating Council
Served as an MDE representative on the Statewide System of Support (SSOS) Coordinating Council
Coordinated the Subject Area Test Program (SATP) remediation logistics
Facilitated Dropout Prevention Professional Development sessions

Mississippi Department of Education, Jackson, MS  (March 2007 – September 2007)

Bureau Director, Office of Accreditation

- Planned, directed, coordinated, and evaluated the activities of the Office of Accreditation to achieve Bureau and State Department of Education goals
- Implemented the vision and initiatives of the Mississippi Department of Education and the Office of Accreditation
Managed and supervised the review and publication of regulatory documents
Administered the State’s performance-based accreditation system for public schools
Administered the State’s accreditation system for nonpublic schools electing to seek accreditation by the State Board of Education
Monitored school districts to verify compliance with applicable accreditation requirements through investigative audits, annual personnel data reporting and reports from other state or federal programs
Verified and reported to the Commission on School Accreditation and the State Board of Education the extent to which public school districts and nonpublic schools complied with accreditation standards
Served as the Executive Secretary of the Commission on School Accreditation and completed all tasks generated by the Commission during official meetings
Organized agenda items for the Commission on School Accreditation and the State Board of Education
Interpreted and implemented State and Federal Laws and Regulations
Communicated the accountability and accreditation requirements to MDE staff, local school district personnel, state agencies, and private entities
Collaborated with MDE program offices to implement the Accountability System
Performed the personnel management and financial management functions for the Office of Accreditation
Supervised the Nonpublic School Accreditation Process
Managed and supervised the Conservatorship Process
Managed and supervised the Charter School Process
Promoted parental involvement through the Division of Parent Relations
Provided technical assistance to superintendents, school board members, administrators, teachers, parents, and students
Developed and conducted In-Service Training for Mississippi Department of Education, Mississippi Association of School Superintendents, Mississippi School Boards Association, Mississippi Counseling Association, etc.

Mississippi Department of Education, Jackson, MS (October 2006 – February 2007)

Bureau Director, Office of Leadership and Professional Development
- Provided leadership, guidance and training for the staff of the Office of Leadership and Professional Development
- Coordinated training and work sessions with Southeast Educational Development Laboratory (SEDL) to revise the current Professional Development Model and develop a monitoring instrument to evaluate the implementation of the Professional Development Plan
- Attended meetings and work sessions as assigned by the Special Assistant to the State Superintendent
- Collaborated with the Mississippi Staff Development Council
- Coordinated training for professional development with schools and school districts
- Completed other special projects for the Office of Leadership and Professional Development as assigned by the Executive to the State Superintendent within established timelines
• Provided technical assistance for the Office of Accreditation to school districts as assigned by the Executive to the State Superintendent
• Assisted with planning the Mississippi Department of Education Summer Conference
• Prepared and organized State Board of Education (SBE) items and back-up materials and maintained SBE files
• Prepared Request for Proposals (RFP) for the Office of Leadership and Professional Development
• Prepared contracts, proposals, and meeting spaces for workshops and training sessions

Mississippi Department of Education, Jackson, MS  (December 2005 – September 2006)

Division Director, Office of Accreditation
• Coordinated, planned, and organized Commission on School Accreditation meetings, files, and correspondence
• Maintained and published regulatory documents and managed annual revisions of these documents
• Coordinated and supervised on-site visits and follow-up visits for public school districts and nonpublic schools
• Coordinated and supervised the personnel data reporting process and accreditation edits
• Prepared and organized State Board items and backup materials and maintained SBE files
• Coordinated and organized the APA process and maintained files and correspondence
• Coordinated and supervised the Nonpublic School accreditation process
• Coordinated, organized, and maintained the Accreditation Record Summary database
• Coordinated and supervised training for school district personnel, superintendents, and school board members
• Assisted the Bureau Director in an informative role at state and regional meetings
• Completed other special projects for the Office of Accreditation as assigned by the Bureau Director within established timelines following standard operational procedures

Mississippi Department of Education, Jackson, MS  (December 2004 – November 2005)

Accreditation Auditor, Office of Accreditation
• Provided technical assistance and training regarding accountability requirements and accreditation standards for public school districts, State Board governed schools, and nonpublic schools
• Planned, coordinated, and conducted on-site evaluations to verify compliance with the accountability requirements and accreditation standards for public school districts and nonpublic schools
• Prepared and mailed detailed reports of findings for each assigned on-site evaluation and analyzed district/school responses to resolve identified deficiencies
• Scheduled, coordinated, and conducted follow-up visit activities to resolve deficiencies on record in public school districts and nonpublic schools
• Analyzed data reports (annual Personnel Data Report, personnel/accreditation edit reports, Summer School/Extended Year Data Reports) and reported compliance with accreditation standards for districts/schools
• Analyzed data and compiled reports for the Commission on School Accreditation and the State Board of Education
• Collaborated with other departments within the Department of Education in order to solve complex issues, recommended corrective action plans, school improvement plans, planned conferences and workshops
• Researched issues that required implementation of state and federal law
• Provided information to school districts, attorneys, legislators, and the general public as information was requested

**Rankin County School District, Brandon, MS  (July 2001-June 2002)**
**Administrative Internship, Rankin County School District**
• Established and maintained a safe, orderly, and effective learning environment
• Assumed responsibility of the school in the absence of the principal
• Prepared and supervised fire drills and emergency response program
• Maintained high standards of student conduct and enforced discipline policy
• Arranged parent/teacher conferences
• Fostered good interpersonal relations among staff and students
• Supervised the guidance program to enhance student education and development
• Planned, organized, and directed implementation of school activities
• Initiated, designed, and implemented programs to meet specific needs of the school
• Established and maintained favorable relationships with local community groups and individuals and solicited support for the school and school programs
• Interpreted board policies and administrative directives
• Evaluated staff regarding individual performance
• Prepared and supervised the accurate preparation of reports, records, and other work required or appropriate to the school’s administration
• Participated in district wide principal’s meetings, professional development sessions and other workshops as required by principal
• Prepared and submitted budgetary request and monitored expenditures of funds
• Conducted staff meetings to inform employees of program and/or policy changes

**Rankin County School District, Brandon, MS  (August 2000-May 2001)**
**High School Science Teacher, Puckett Attendance Center**
• Taught skills, knowledge, and scientific methods through courses in general science, physical science, biology and anatomy and physiology to pupils using the course of study adopted by the State Board of Education
• Planned a science program involving demonstrations, lectures, discussions, and student experiments
• Provided individual and small group instruction in order to adapt the curriculum to the needs of the students
• Instructed students in the proper use, care, and safe handling of chemicals and science equipment
• Established and maintained standards of pupil behavior for a productive learning environment
• Evaluated students' skills and growth in knowledge of courses being taught
• Maintained professional competence through in-service education activities provided by the district
• Participated in curriculum and other developmental programs
• Communicated with school counselors and parents regarding student progress
• Supervised students in extracurricular activities during the assigned work day
• Participated in faculty committees and sponsorship of student activities

EDUCATION

Mississippi State University   Starkville, MS (2000 – Present)
College of Education
Doctorate of Philosophy Candidate in Elementary, Middle, and Secondary Education Administration
Expected Graduation Date: August 2011

Dissertation Topic:  A Case Study of the State Takeover of the North Sunflower County School District

William Carey College   Hattiesburg, MS (1996 – 1997)
College of Education
Masters of Education in Administration and Supervision
August 1997

University of Southern Mississippi   Hattiesburg, MS (1989-1993)
Bachelor of Science in Biological Science
May 1993
APPENDIX B
IRB APPROVAL
November 10, 2010

Paula Means Vanderford
116 High Point Cir
Brentwood, TN 37027

RE: IRB Study #10-319: Study of a School District Takeover by the State

Dear Ms. Vanderford:

The above referenced project was reviewed and approved via administrative review on 11/09/2010 in accordance with 45 CFR 46.101(b)(4). Continuing review is not necessary for this project. However, any modification to the project must be reviewed and approved by the IRB prior to implementation. Any failure to adhere to the approved protocol could result in suspension or termination of your project. The IRB reserves the right, at anytime during the project period, to observe you and the additional researcher on this project.

Please note that the MSU IRB is in the process of seeking accreditation for our human subjects protection program. As a result of these efforts, you will likely notice many changes to the IRB's policies and procedures in the coming months. These changes will be posted online at http://www.cop.mississippi.edu/humanethics.

Please refer to your IRB number (#10-319) when contacting our office regarding this application.

Thank you for your cooperation and good luck in conducting this research project. If you have questions or concerns, please contact me at cwilliams@research.mississippi.edu or call 662-325-5220.

Sincerely,

Christine Williams, CIP
IRB Compliance Administrator

c: Dwight Hare (Advisor)
APPENDIX C

APPROVAL OF STATE SUPERINTENDENT
November 8, 2010

Mississippi State University
Institutional Review Board
P. O. Box 6223
Mississippi State, MS 33764

To Whom It May Concern:

Paula A. (Means) Vanderford is employed by the Mississippi Department of Education (MDE) as the Bureau Manager for the Office of Accreditation. In her work with Accreditation, Mrs. Vanderford is responsible for monitoring district and school compliance with accountability requirements and accreditation standards. She is also in charge of the monitoring process leading to the state takeover of a local school district. Her work is vital to the state in ensuring educational opportunities for all students in Mississippi.

Mrs. Vanderford has discussed with me her research study for her dissertation at Mississippi State University, and I am in full support of her research. Her findings will be a valued contribution to the effective operation of the MDE in the process of state takeover of local school districts.

Sincerely,

Tom Burnham
State Superintendent of Education
APPENDIX D

LETTER TO SUPERINTENDENT
March 19, 2010

Mr. Pierce McIntosh, Superintendent
Sunflower County School District (6700)
P.O. Box 70
Indianaola, MS 38751

Dear Mr. McIntosh:

In response to numerous formal complaints submitted to the Mississippi Department of Education (MDE), a full investigative evaluation will be conducted in your school district. In the enclosed Mississippi Public School Accountability Standards, 2009, accreditation policy 4.1 states that the State Board of Education, the State Superintendent of Education, or the Commission on School Accreditation has the authority to call for an on-site evaluation or investigation of a school district at any time.

Accreditation policy 4.2 requires that the superintendent be notified in writing regarding the nature of complaints, which includes, but is not limited to, issues that would jeopardize the safety, security, and educational interest of the children enrolled in the district. Accreditation policy 4.2.1 states that auditors may arrive in the district without prior notification.

The Office of Accreditation will evaluate compliance with accreditation standards during the weeks of March 22 through March 31, 2010, and other MDE program offices will evaluate compliance with applicable accreditation standards during the weeks of March 22 through March 31, 2010. A compliance report will be provided to the district within 30 days of completing the on-site evaluation. If deficiencies are found in meeting accreditation standards or state and federal laws, you will be notified in writing and given 30 days from the receipt of notification to provide a written response.

The Office of Accreditation will manage the on-site evaluation. Paula Vanderford, Director of Accreditation, will conduct an entrance conference with you on Monday, March 22, 2010. Mrs. Vanderford will also contact you at the close of the evaluation. If you have any questions throughout the evaluation, please contact Paula Vanderford at (601) 359-3764 (Office), (601) 559-8099 (Cell) or pvanderford@mds.k12.ms.us.
Mr. Pierce McIntosh  
March 19, 2010  
Page 2

If you have concerns regarding the evaluation process or procedures used by MDE staff, please do not hesitate to contact Dr. Larry Drawdy at (601) 798-9351 or John Gilbert at (601) 359-5254.

Sincerely,

Tom Burnham  
State Superintendent of Education

Enclosure

cc: Paula A. Vanderford  
John O. Gilbert  
Larry Drawdy
APPENDIX E

SUMMARY OF COMPLIANCE
### SUMMARY OF COMPLIANCE WITH ACCOUNTABILITY REQUIREMENTS AND ACCREDITATION STANDARDS
SUNFLOWER COUNTY SCHOOL DISTRICT (6700)
April 13, 2010

<table>
<thead>
<tr>
<th>Standard or Policy</th>
<th>Compliance Verified</th>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 2.1 and Policy 2.5</td>
<td>NO</td>
<td>Required Personnel and Financial Data Reports</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>▪ The district superintendent and school principals have not ensured that all data reported to the MDE are true and accurate.</td>
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<td>▪ The district’s assigned accreditation status for school year 2009-2010 was based on incomplete and inaccurate data reported to the MDE.</td>
</tr>
<tr>
<td>Standard 1</td>
<td>NO</td>
<td>Local School Board</td>
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<td></td>
<td>▪ The school board has failed to effectively perform its duties in the manner prescribed by law.</td>
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<td>▪ The school district has not provided evidence of training or bond information for all board members.</td>
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<td>▪ Evidence gathered through a review of school board minutes and interviews conducted by accreditation staff indicates that members of the school board have failed to restrict their role and function to matters of setting policy and assessing results.</td>
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<td>▪ Evaluators reviewed official school board minutes and official records on file for school board meetings held between January 2008 and February 2010. Based on a review of documentation on file in the district and additional information provided by the district, as well as confidential interviews with personnel and members of the community, it is a determination of the evaluation team that the school board has failed to effectively perform its duties in the manner prescribed by law.</td>
</tr>
</tbody>
</table>

Note: Reporting false information is a violation of the SBE accountability requirements and may result in the immediate downgrading of the district’s accreditation status.
A review of school board minutes and information gathered from interviews with district personnel and community members indicates that the school board is not in compliance with the Mississippi Open Meetings Act, MS Code 25-41-1, pertaining to policies and procedures regarding special called meetings, executive sessions, and regularly scheduled school board meetings.

**SUMMARY OF FINDINGS**

<table>
<thead>
<tr>
<th>Standard or Policy</th>
<th>Compliance Verified</th>
<th>Area/Item Evaluated</th>
<th>Additional Information</th>
</tr>
</thead>
</table>
| Standard 1 NO      | Local School Board (Continued) | Evaluators reviewed the official board minute book in the district office to verify that minutes of each regularly scheduled meeting were included. Evaluators noted that the November 2009 minutes were not included in the board minute book. However, when evaluators received copies of the January 2008 through February 2010 board minutes, a copy of the November 2009 minutes were included.
In a letter dated October 20, 2009, to the Superintendent, and signed by four of five board members, the board members addressed concerns about the operation of the Sunflower School Districts such as: (1) money collected at football games at Ruleville High School; (2) the curriculum used in all schools in the district; (3) employees, job titles, and duties at the schools; (4) teachers teaching out of their areas of endorsement; (5) job titles being changed without board approval; and (6) grading of teachers who have been licensed by the state.

**The school board is not in compliance with the Open Meetings Law, including Special Called Meetings and Executive Sessions.**

| Standard 2 NO | School Board Policies | The local school board is not following or enforcing rules and regulations of the State Board of Education and State laws for their own government and for the government of the schools.
- The policies being used by the district are not current (A 2005 Board Policy Manual was provided to evaluators). Therefore, school board policies that comply with state and federal statutes, rules, and regulations do not serve as the basis of operation for the district.
- All positions are not listed on the organizational chart that was provided to evaluators. Other documentation presents inconsistencies within the hierarchy of supervisory positions. The organizational chart does not identify the names of district employees that serve in each capacity.
- The current organizational chart has not been approved by the school board.
- Some policies, procedures and information published in the student handbook and employee handbook are not consistent with...
approved local school board policies or with SBE policies and State law.

- Evaluators were provided a district organizational chart. However, based on a review of the organizational chart, school board minutes, contracts, district payroll reports, MSIS Personnel/Accreditation Data Reports and interviews with staff members, it is unclear who holds each position listed in the chain of command.

<table>
<thead>
<tr>
<th>Standard or Policy</th>
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</tr>
</thead>
</table>
| Standard 3         | NO                   | Executive and Administrative Authority of the Superintendent | • Based on review of documentation on file in the district, and interviews with the administrative staff, the evaluation team determined that superintendent does not provide educational leadership in key areas including management of district personnel, effective implementation of policies and the development of board and community relations.  
• The superintendent does not ensure that the school district operates according to school board policies and procedures that comply with state and federal statutes and SBE policies and standards.  
• The superintendent does not effectively communicate with the school board.  
• Based on a review of board minutes and interviews with district personnel, it appears that the superintendent handles the hiring of personnel rather than presenting the recommendations of individual principals to the school board.  
• The superintendent does not present all contracts and hiring of contractual personnel and funding requests to the school board for approval.  
• The superintendent will recommend an individual to the school board for one position, but after board approval will reassign the individual to another position without presenting the reassignment to the school board.  
• The superintendent does not ensure that schools and/or other facilities are maintained according to standards required for safe and orderly schools, including the implementation of an effective system of student discipline that is applied consistently among all students and supports the role of principals as school administrators.  
• Based on interviews with administrative staff, it appears that the superintendent interferes with principals’ efforts to assume the primary leadership roles at the building level concerning discipline and instruction.  
• Based on numerous confidential interviews with school board members, administrative staff, teachers, and parents, it appears that the superintendent manages the district in a dictatorial manner through the use of retaliation |
and intimidation, including reassigning personnel as a method of retaliation.

- In interviews with school board members, administrative staff, teachers, and parents, the superintendent is portrayed as being unprofessional in dealing with both students and staff.
- Evaluators obtained written documentation in the district of the superintendent's request for personnel to change grades for athletes.

<table>
<thead>
<tr>
<th>Standard or Policy</th>
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<th>Area/Item Evaluated</th>
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</table>
| Standard 3         | NO       | Executive and Administrative Authority of the Superintendent (Continued) | - It was reported in numerous confidential interviews with teachers that half of any funds acquired through fundraisers was required to go to the superintendent, and the person employed as the Disciplinarian/Special Assistant to the Superintendent/ Interim Athletic Director, who is not a licensed administrator, collected the funds.
- Confidential interviews with community members, district personnel and board members question numerous issues related to the district’s finance and expenditures. For example, they question the proceeds from the Superintendent’s concession stand at athletic events, the $100 cash only fee paid to the Superintendent and Principal at Ruleville Central High School for students to enroll in summer school last year, the money paid to students by the superintendent as rewards, the all expense paid field trips to college athletic games, the money that was raised for the Haiti Relief Fund, and the turkeys that were distributed at Thanksgiving at each school. |
| Standard 4         | NO       | Full-time Principal Employed for Each School | - Some schools in the district are not operating according to the school configurations approved by the local school board and reported to the MDE.
- According to the MSIS Personnel/Accreditation Data Report, there is a full time principal assigned to Ruleville Central High School; however, interviews with district personnel indicate that a district consultant is in charge of the high school and, according to the superintendent, she serves as a mentor to the named principal.
- According to the MSIS Personnel/Accreditation Data Report, the alternative school is not assigned a separate school number, and there is no principal assigned to the Alternative Learning School. The person listed in the MSIS Personnel/Accreditation Data Report as Alternative Director is not properly certified as an administrator and is not located at the alternative school site.
- The assistant principal for Ruleville Central High School is not listed on the MSIS Personnel/Accreditation Data Report. |
The principal listed in the MSIS Personnel/Accreditation Data Report at Ruleville Middle School is also listed in the student handbook as being responsible for Curriculum 7-12. Her contract indicates that she is also responsible for professional development, is an assistant with state testing, and is paid an additional supplement of $5,000.

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<tbody>
<tr>
<td>Standard 4</td>
<td>NO</td>
<td>Full-time Principal Employed for Each School (Continued)</td>
<td>The principal of East Sunflower Elementary indicated that he also serves as the director of the alternative school and his contract indicates the same; however, the MSIS Personnel/Accreditation Data Report identifies another person as alternative program director. The principal of East Sunflower Elementary stated he is not allowed to make any decisions related to the alternative school. Interviews with the special education teacher at the alternative school indicate that he makes the day-to-day decisions of the alternative school.</td>
</tr>
<tr>
<td>Standards 5, 5.1, 5.2</td>
<td>NO</td>
<td>Licensed Librarian Employed for Each School</td>
<td>The 2009-2010 MSIS Personnel/Accreditation Data Report indicates that there is no librarian on staff at Inverness Elementary, Moorhead Middle School, Ruleville Elementary, Ruleville Middle School, or Ruleville High School. The FINDINGS of Standard 24/Library Media Centers indicates that librarians are shared between two or more schools, but the 2009-2010 MSIS Personnel/Accreditation Data Report does not confirm their schedules.</td>
</tr>
<tr>
<td>Standard 6, 6.1, and 6.2</td>
<td>NO</td>
<td>Student Support Services for All Students Provided by Qualified Professional Staff</td>
<td>The district has certified counselors, however, student contact and access is limited. At Ruleville Elementary, Ruleville Middle School, Ruleville Central High School, East Sunflower Elementary and James C. Rosser Elementary, it was reported that the counselor is unable to provide student support services due to a substantial amount of non-counseling duties and responsibilities. At the alternative school, students are not provided student support services by at least a half-time appropriately licensed guidance counselor.</td>
</tr>
<tr>
<td>Standard 7</td>
<td>NO</td>
<td>School Business Officer</td>
<td>The district does not employ a school business officer/administrator. Board minutes indicate the board approved an individual as “a temporary assistant until a replacement for the business manager is appointed.” The individual that served as the business manager for a portion of 2009-2010 is not reported in the MSIS Personnel/Accreditation Data Report.</td>
</tr>
<tr>
<td>Standard 8, 8.1, 8.2, and 8.3</td>
<td>NO</td>
<td>Employment of Licensed Professional Staff and Highly Qualified Professional Staff</td>
<td>The district has not ensured that all professional staff are highly qualified and properly licensed.</td>
</tr>
</tbody>
</table>
No More Than 5% Professional Staff Working Out of Field
Secondary Endorsed Teachers
Assistant Principals

- Compliance with these standards could not be verified and thoroughly evaluated due to the extensive deficiencies related to the FINDINGS for Accreditation Policies 2.1 and 2.5.
- Since evaluators were unable to verify that all assigned duties have been reported for all district employees, the appropriate, required licenses could not be verified for all district employees.

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<td></td>
<td>Secondary Endorsed Teachers</td>
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<td></td>
<td>Assistant Principals (Continued)</td>
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<td>The 2009-2010 MSIS Personnel/Accreditation Edit Report indicates that a number of teaching staff are not appropriately certified and/or that some professional employees' certificates are not on file.</td>
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<td>Since evaluators were unable to verify that all assigned duties have been reported for all district employees, the appropriate, required licenses could not be verified.</td>
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<td>One kindergarten class does not have a licensed teacher.</td>
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<td>A professional license on file for the social worker.</td>
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<td>The Parent Center coordinators (requires a license) are reported as aides (does not require a license).</td>
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<td>It appears that assistant principals are reported/coded in the MSIS Personnel/Accreditation Data Report as administrative assistants. Also refer to the FINDINGS for Standards 8.1 and 8.2 in this report.</td>
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<tr>
<td>Standard 9</td>
<td>NO</td>
<td>Implementation of the Personnel Appraisal System</td>
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<td>Evaluators were unable to identify current school board policies addressing the personnel appraisal system in the local school board policy manual.</td>
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<td>A formal personnel appraisal system has not been implemented.</td>
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<td>According to confidential interviews with district administrators, principals have the authority to evaluate teachers; however, the final evaluation outcome is provided by the curriculum team.</td>
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<td>Since approved job descriptions are not on file for every job title/position in the district, the evaluation of job performance cannot be implemented. Due to lack of contracts for all district staff, the</td>
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</table>
evaluators were unable to match job
descriptions with accurate data in the MSIS
Personnel/Accreditation Data Report.

- Confidential interviews with staff
revealed that the procedures outlined
in the employee handbook are not followed by the
principals or by the superintendent. Principal
interviews indicate that the superintendent does
not give them the authority to follow
the procedures.

<table>
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</tr>
</thead>
<tbody>
<tr>
<td>Standard 10, 10.1, 10.4, and 10.5</td>
<td>PENDING</td>
<td>Financial Accounting System and Annual Audit</td>
<td>Compliance with Standards 10, 10.1, 10.4, and 10.5 is pending. The most recent audit report, conducted by the State Auditor’s Office, has not been released. However, MDE staff identified irregularities in the district’s implementation of a fixed asset system of accountability, accounting practices, record keeping, and appropriate use of funds.</td>
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<tr>
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<td></td>
<td>Fixed Asset System of Accountability</td>
<td>Refer to FINDINGS for Accreditation Policies 2.1 and 2.5, Vocational Education and Workforce Development (Standard 23.2), Special Education (Standard 23.3), Child Nutrition (Standard 23.4), Innovative Support (Standard 23.5), Safe and Orderly Schools (Standard 37.1) and Healthy Schools (Standard 37.2) for additional information regarding this standard.</td>
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<tr>
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<td>Accurate, Valid, and Timely Reporting of Student Data Submitted to MDE</td>
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<tr>
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<td></td>
<td>Accurate and Timely Reporting of all Reports Required by MDE</td>
<td></td>
</tr>
<tr>
<td>Standard 10.2</td>
<td>YES</td>
<td>Zero Fund Balance</td>
<td>Based on a review of Standard 11.1 by the Office of School Financial Services, the district budgets and expends a minimum of $20.00 per pupil from the District Maintenance Fund for instructional/library supplies, materials and equipment, including adequate textbooks. However, in confidential interviews with district staff conducted by the Office of Accreditation, it was repeatedly reported that they have a lack of resources and/or instructional supplies.</td>
</tr>
<tr>
<td>Standard 10.3</td>
<td>YES</td>
<td>Unqualified Opinion on the General Purpose Financial Statement</td>
<td>Also, the FINDINGS for Standard 24, Library Media Centers, indicate that the acquisitions of the library budget/funding were not evident in meeting the needs of updating the collection of materials and equipment in the library/media centers. The report also indicates that the collection at each media center contains out-of-date materials that are in poor</td>
</tr>
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</table>
condition. Evaluators also reported a lack of appropriate textbooks (Standard 26) and basic classroom supplies and materials (Standard 27). Refer to the report from the Office of Curriculum and Instruction for additional FINDINGS for Standards 24, 26, and 27).

<table>
<thead>
<tr>
<th>Standard</th>
<th>Compliance</th>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard 11.1</td>
<td>YES</td>
<td>Budget and Expenditures</td>
<td>▪ Based on a review of Standard 11.1 by the Office of School Financial Services, the district budgets and expends a minimum of $20.00 per pupil from the District Maintenance Fund for instructional/library supplies, materials and equipment, including adequate textbooks. However, in confidential interviews with district staff conducted by the Office of Accreditation, it was repeatedly reported that they have a lack of resources and/or instructional supplies. Also, the FINDINGS for Standard 24, Library Media Centers, indicate that the acquisitions of the library budget/funding were not evident in meeting the needs of updating the collection of materials and equipment in the library/media centers. The report also indicates that the collection at each media center contains out-of-date materials that are in poor condition. Evaluators also reported a lack of appropriate textbooks (Standard 26) and basic classroom supplies and materials (Standard 27). Refer to the report from the Office of Curriculum and Instruction for additional FINDINGS for Standards 24, 26, and 27).</td>
</tr>
<tr>
<td>Standard 11.1</td>
<td>YES</td>
<td>Budget and Expenditures</td>
<td>District Maintenance Fund (#1120) (Continued)</td>
</tr>
<tr>
<td>Standard 11.3</td>
<td>YES</td>
<td>Public School Health Insurance Plan</td>
<td>The district was unable to provide documentation verifying they were tracking EEF amounts for each teacher. Federally funded teachers were allowed to spend EEF funds. Several teachers overspent their EEF allocation.</td>
</tr>
<tr>
<td>Standard 12 and 12.1</td>
<td>NO</td>
<td>Residency Verification Policy and Procedures</td>
<td>The residency policy in the 2005 School Board Policy Manual does not conform to SBE Policy 6600 for residency verification.</td>
</tr>
<tr>
<td>Standard 12 and 12.1</td>
<td>NO</td>
<td>Residency Verification Policy</td>
<td>Registration procedures for enrolling</td>
</tr>
</tbody>
</table>
12 and 12.1 and Procedures (Continued) students in Sunflower County School District do not comply with federal and state law. Registration forms, the student handbook and the district’s website stipulate that a social security number is required for entrance into the school district.

Standard 12 and 12.2 NO Immunization Requirements The district is not in compliance due to the lack of a current, approved local school board policy. The student handbook refers to a “blue slip” that must be picked up from the health department. A review of student records throughout the district did not indicate that documentation of immunization is on file for all students.

Standard 12 and 12.3 NO Age of Entry Requirements The district is not in compliance due to the lack of a current, approved school board policy. A review of records throughout the district indicated that birth certificates were not verified on cumulative folders.

Standard 13 NO Implementation of Student Transfer Policies and Procedures Although the district has an approved school board policy that addresses student transfers from non-accredited schools, evaluators could not verify compliance with this standard due to incomplete and altered student records. Also, refer to FINDINGS for Standard 14.

<table>
<thead>
<tr>
<th>Standard or Policy</th>
<th>Compliance Verified</th>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
</table>
| Standard 14        | NO                  | Student Records     | • Cumulative folders and permanent records were incomplete and inconsistent.  
• Incomplete data were noted for such items as age of entry requirements, attendance records, courses taken, grades, mailing addresses, enrollment and withdrawal dates.  
• Evaluators obtained evidence that grades were changed on student records. Grades were changed on the permanent record grade labels, but not on the cumulative folders. Grade |
changes were not initialed by staff, and there was no indication as to how the passing grade was earned, such as summer school, credit recovery, etc.
- Confidential student data are not secured and protected in the district.

<table>
<thead>
<tr>
<th>Standard 15</th>
<th>NO</th>
<th>Implementation of an Ongoing Strategic Planning Process</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Evaluators were unable to obtain a copy of the district's strategic plan.</td>
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<td></td>
<td></td>
<td>There was no evidence that a needs assessment or comprehensive analysis of school district needs had been conducted.</td>
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<td>There was no evidence that the district annually reviews the educational status of each school.</td>
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<td></td>
<td>The board minutes do not document any short-term or long-range plan to address the instructional programs or school improvement plans.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Standard 16</th>
<th>NO</th>
<th>Compulsory School Attendance Law</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>The district does not comply with the reporting guidelines as outlined in MS Code 37-13-91.</td>
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<tr>
<td></td>
<td></td>
<td>The district is non-compliant with state law regarding “unlawful” absences. Suspensions in some schools are coded as “excused.”</td>
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<tr>
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<td></td>
<td>Reporting practices are inconsistent throughout the district.</td>
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<tr>
<td></td>
<td></td>
<td>Suspensions and expulsions are not reported in a timely manner.</td>
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<tr>
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<td></td>
<td>Out-of-school suspensions and in-school suspensions are reported inaccurately to the school attendance officer.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Standard 17</th>
<th>NO</th>
<th>Dropout Prevention Plan and Program of Services</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>The district does not ensure that the measures outlined for dropout prevention are disseminated to all schools and staff.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The district does not ensure that the implementation of the plan is executed.</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Standard 17.1</th>
<th>YES</th>
<th>Dropout Prevention Plan Submitted to MDE</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>The district does have a dropout plan; however, the implementation of the plan has not been performed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The most recent district data (graduation rate 67.1 and dropout rate 18.4) indicates that implementation is necessary and must address the 3 major goals of increasing the district's graduation rate, reducing the district's dropout rate, and reducing the district's truancy rate.</td>
</tr>
</tbody>
</table>

| Standard 17.3 | YES | Dropout Prevention Plan Submitted and Reviewed According to the Schedule Set Forth by the MDE State Plan for Dropout Prevention |
| Standard 18 | NO | Organized System to Encourage Community Involvement, Parental Communication, and Business Partnerships | Evaluators were unable to verify that the district has developed and implemented an organized system that effectively encourages community involvement, parental communication, and business partnerships in school district decision-making. |
| Standard 19 | NO | 180 Teaching Days and 60% Days | Refer to FINDINGS for Standard 19.2 and 19.4. |
| Standard 19.1 | N/A | STANDARD DELETED. |
| Standards 19.2, 19.3, 19.4, 19.5, and 19.6 | NO | Instructional Time, 180 Teaching Days, 60% Days, Summer School/Extended Year |
| | | • 330 Minutes per day or 27.5 hours per 5-day Week |
| | | • Early Release Schedule and 60% Days |
| | | • Instructional Time for Carnegie Unit Credit |
| | | • Required Attendance for Seniors and Preparation for Graduation Ceremonies |
| | | • Summer School/Extended Year Programs |
| | | • Although school schedules and calendars indicate adequate instructional time, evaluators observed that non-instructional activities such as lunch and loading of buses are occurring during instructional time. |
| | | • The alternative school schedule (9:00 a.m. to 1:00 p.m.) does not provide adequate instructional time. |
| | | • The district has failed to accurately and completely report all instructional programs and amount of time, including all after school, before school, and extended school day programs. |
| | | • The district calendar indicates seventeen (17) early release days scheduled for the 2009-1010 school year. Alternate schedules were not available to document that instructional time had been extended to compensate for instructional time lost on the shortened days. |
| | | • The 1st semester had only 88 days; thus, given the number of early release days, the district did not provide at least 70 hours of instruction for each 1/2-unit course. |
| Standards 20, 20.1, 20.2, and 20.4 | NO | Graduation Requirements |
| | | • Minimum Carnegie Units in Appendix A |
| | | • High School Exit Exams |
| | | • Participation in Graduation Exercises |
| | | Graduation requirements published in the 2009-2010 student handbook provided to evaluators includes inconsistent information concerning the district’s graduation requirements. |
| | | • Local school board policies have not been to include changes in graduation requirements for a standard high school diploma approved by the State Board of Education as specified as Appendix A of the Mississippi Public School Accountability Standards, 2009. |
| | | • The district has not implemented a professional development program that complies with the guidelines published in Professional Development for the New Millennium. |
| | | • Evaluators were unable to determine if the graduation seniors of 2008-2009 met the minimum graduation requirements because grade labels for
The 10th grade year were missing on both the permanent record and cumulative folder for all students.

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</thead>
<tbody>
<tr>
<td>Standards 20, 20.1, 20.2, and 20.4</td>
<td>NO</td>
<td>Graduation Requirements</td>
<td>Evaluators identified at least two graduating seniors for school year 2008-2009 that had failed to pass all of the Subject Area Test. Evaluators were also unable to determine if the seniors for the 2009-2010 school year had met the minimum graduation requirements. Grade labels for the end of the first semester were on the permanent records, but neither grade labels nor schedules were on, or inside, the cumulative folders. The labels on the seniors’ permanent records indicate that students are enrolled in and receiving credit for “Dual Credit,” but, the label does not indicate if the students are receiving course credit in English, Math, Science, etc.</td>
</tr>
<tr>
<td>Standard 20.3</td>
<td>YES</td>
<td>Special Diploma or Certificate</td>
<td>The district has not met all requirements for issuing Mississippi Occupational Diplomas. Refer to the FINDINGS from the Office of Special Education (Standards 20.5 and 23.3).</td>
</tr>
<tr>
<td>Standard 20.5</td>
<td>NO</td>
<td>Mississippi Occupational Diploma Requirements</td>
<td>The district has not implemented a professional development program that complies with the guidelines published in Professional Development for the New Millennium. Evaluators were not provided a copy of the district’s professional development plan. The district was unable to provide sufficient evidence to verify that the district implements a comprehensive, site-based professional development plan to address the needs of the school district. Documentation was not sufficient to verify that professional development days were utilized in a manner that would enhance the professional growth of all staff members.</td>
</tr>
<tr>
<td>Standard 21</td>
<td>NO</td>
<td>Professional Development Plan and Implementation of an Effective Professional Development Program</td>
<td>At Ruleville Central High School, an individual who was identified as the district consultant on a document entitled Test Security Sheets (collected during the audit) was observed by the auditor as entering the secure storage area, along with the School Test Coordinator; furthermore, she oversaw the distribution and collection of secure test materials.</td>
</tr>
<tr>
<td>Standard 22</td>
<td>NO</td>
<td>Mississippi Statewide Assessment System</td>
<td></td>
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201
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<thead>
<tr>
<th>Standard</th>
<th>Compliance</th>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.1</td>
<td>NO</td>
<td>Early Childhood Programs (Kindergarten)</td>
<td>On the Test Security/Confidentiality Agreement, the consultant provided her signature, but left the space for her position blank. The consultant does not fulfill one of the positions listed in the Ruleville Central High School Test Security Plan.</td>
</tr>
<tr>
<td>Standard 23.2</td>
<td>NO</td>
<td>Vocational-Technical Education</td>
<td>The majority of assistant teachers interviewed stated that they were utilized as substitute teachers in classrooms to which they were not assigned. A kindergarten class in the district is being taught by a teacher assistant.</td>
</tr>
<tr>
<td>Standard 23.3</td>
<td>NO</td>
<td>Special Education (State and Federal Regulations for Students with Disabilities and the Mattie T. Consent Decree)</td>
<td>During the audit it was evident that some teacher who are being reimbursed to teach vocational courses were in fact teaching remedial courses. A reimbursement in the amount of $23,566.06 is requested. Overall FINDINGS in the district include: labs were not properly equipped, the curriculum was not fully implemented (teachers were tutoring during class time), appropriate instructional materials were not available, current approved career plans were not available for all students, staff did not participate in the appropriate professional development, plans were not fully implemented, facilities were inappropriate, there was no evidence that the district supports the program, there was no active advisory committee, no evidence of active student organizations, no evidence of completed training plans, and no evidence of instructor evaluations by students.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Individual Education Programs (IEPs) for each child with a disability were not developed, reviewed, and revised in a meeting accordance with 300.320 through 300.324. A free appropriate public education (FAPE) is not provided to all children between the ages of 3 and 20, inclusive, including students with disabilities who have been suspended or expelled. A continuum of alternative placements is not available to meet the needs of children with disabilities for special education and related services. For example, a student with disabilities was recommended for placement in a private facility; however, this placement was not made. The parents of a child with a disability are not afforded an opportunity to participate in meetings with respect to the identification,</td>
</tr>
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</table>
evaluation, and educational placement of the child, and the provision of FAPE to the child.

- School personnel do not consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of conduct.
- Mississippi Occupational Diploma (MOD) requirements are not implemented in accordance with the MOD guidelines for students with disabilities who are working toward completion of a MOD.
- IDEA funds have not been expended in accordance with IDEA regulations and are used for the excess cost of providing special education and related services to children with disabilities. For example, staff that is not assigned to work with students with disabilities have been paid with IDEA funds.

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</thead>
</table>
| Standard 23.3      | NO                  | Special Education (State and Federal Regulations for Students with Disabilities and the Mattie T. Consent Decree) (Continued) | • A computer lab was approved in the project application but the lab and equipment could not be located.  
• Time sheets are not on file for prorated personnel.  
• The FY10 IDEA project application and budget have not been approved by the school board; thus, the district has no spending authority for IDEA regular and IDEA ARRA funds. |
| Standard 23.4      | NO                  | Child Nutrition     | • Differences were noted between the number of students listed on rosters in the central office, and the rosters form the point of service (school level).  
• Several errors were found in the review of the 2009-2010 verification process.  
• The School Food Service Administrator is only receiving one quote for produce purchases.  
• The Hazard Analysis Critical Control Points (HACCP) Plan (a management system in which food safety is addressed through the analysis and control of biological, chemical, and physical hazards) has been developed but is not being properly implemented. |
| Standard 23.4      | NO                  | Child Nutrition (Continued) | • Two internal control issues regarding the handling of cash were noted at various schools within the district: 1) not all schools are requiring two signatures on the daily reconciliation worksheets, and 2) cashiers were not entering transactions for extra food sales. They would place cash under the change drawer without |
The following deficiencies were noted in the report from Innovative Support:

- The school district did not provide the monitors with an inventory/database of the equipment purchased with federal funds or documentation that an annual inventory of equipment purchased with federal funds had been conducted.
- The school district did not have a copy of school board minutes with the date the Schoolwide Plans were approved or any other approval process documenting that the district had approved each school’s Schoolwide Plan.
- The school district did not provide the monitors with documentation of the internal monitoring system to ensure that the components were being implemented as required by NCLB.
- The district does not have a written Parental Involvement Policy; however, the documentation provided by the district to the monitoring team did not include evidence of the development of the required components of the Parental Involvement Policy with parental involvement as required by Section 1118 of NCLB.
- The district did not provide the monitors with attestations documenting the Highly Qualified status of teachers at each school.
- The district has a board-approved policy concerning English Language Learners (ELLs); however, they did not provide the monitors with an approved ELL Plan with policies and procedures directing the school personnel on the procedures to provide services to ELLs.
- The district did not provide the monitors with verification that Title IV funds were used to address needs identified through a needs assessment survey.
- The district did not provide the monitors with documentation to support that they used a scientifically research-based curriculum.
- The district did not provide the monitors with verification that the district has developed security procedures for students while at school and on the way to school.
- The district did not provide the monitors with documentation that the prevention activities are being implemented as approved and described in the Consolidated Federal Programs Application.
- The district did not provide the monitors with documentation indicating that drug and violence prevention activities are ongoing.

The citations noted in report from the Office of Federal Financial Management resulted

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</thead>
</table>
| Standard 23.5     | NO                  | No Child Left Behind Act of 2001: Titles I, II, IV, VI and Other Federally Funded Program Grants (Continued) | • The district did not provide the monitors with attestations documenting the Highly Qualified status of teachers at each school.  
• The district has a board-approved policy concerning English Language Learners (ELLs); however, they did not provide the monitors with an approved ELL Plan with policies and procedures directing the school personnel on the procedures to provide services to ELLs.  
• The district did not provide the monitors with verification that Title IV funds were used to address needs identified through a needs assessment survey.  
• The district did not provide the monitors with documentation to support that they used a scientifically research-based curriculum.  
• The district did not provide the monitors with verification that the district has developed security procedures for students while at school and on the way to school.  
• The district did not provide the monitors with documentation that the prevention activities are being implemented as approved and described in the Consolidated Federal Programs Application.  
• The district did not provide the monitors with documentation indicating that drug and violence prevention activities are ongoing. |
in questioned costs of $101,792.00.
- A review of the reimbursement
documentation revealed that there were no
established policies and procedures for
requesting reimbursements.
- The district did not demonstrate budgetary
control over expenditures.
- The district is not following state and
federal guidelines regarding the purchase and
inventory of equipment.
- During the audit of fixed assets, it was
noted that management did not have the
required documentation to support a physical
inventory review within the last two years.
- A review of Title I, Part A expenditures
revealed a number of activities that suggest the
presumption of supplanting.
- A considerable number/amount of
expenditures appear to be general in nature and
appear to only meet the basic needs of the
district.
- The district does not have policies and
procedures in place for contracts and
agreements.
- Expenditures for Title I Section 1003(a)
and Section 1003(g) funds were improperly
coded and were not aligned with the approved
applications file.

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</thead>
<tbody>
<tr>
<td>Standard 23.6</td>
<td>YES</td>
<td>Technology in the Classroom</td>
<td></td>
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<tr>
<td>Standard 23.7</td>
<td>NO</td>
<td>Driver Education</td>
<td>Documentation was not on file in the district to verify that students were enrolled in the Driver’s Education Program.</td>
</tr>
<tr>
<td>Standard 23.8</td>
<td>N/A</td>
<td>Pre-Kindergarten Programs</td>
<td></td>
</tr>
</tbody>
</table>
| Standard 24        | NO                  | Library Media Center and Services    | - The library media specialists did not provide a proposed budget reporting the needs of the library media center with input from the teachers and administrators.  
- The acquisitions of the library budget/funding were not evident in meeting the needs of updating the collection of materials and equipment.  
- The collection of materials at each media center is below standard and did not represent a broad range of current learning media.  
- The library media specialists did not provide a written plan with current up-to-date long-range and short-range goals with input from the school community. |
<p>| Standard 24 (Continued) | NO               | Library Media Center and Services (Continued) | - The collection at each media center contains out-of-date materials that are in poor condition. |</p>
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<tr>
<th>Standard</th>
<th>Compliance</th>
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<th>SUMMARY OF FINDINGS</th>
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</thead>
<tbody>
<tr>
<td>Standard 25</td>
<td>NO</td>
<td>High School Science Laboratory and Implementation of the Lab-Based Science Curriculum</td>
<td>- The library system at each media center is not working properly, and the collection is not completely automated.</td>
</tr>
<tr>
<td>Standard 26, 26.1, and 26.2</td>
<td>NO</td>
<td>Textbook Requirements (Student Access, Inventory, Reporting, etc.)</td>
<td>- Ruleville Central High School currently has one biology laboratory. The former chemistry laboratory now houses the child development classes. - The biology lab appears to be set up as a computer lab. - The basic safety equipment and first aid kit were not found. - There is no storage closet. The key was not available for the locked cabinet. - There are no chemicals currently available for use. - Teachers and students confirmed that laboratory activities are not taking place at Ruleville High School.</td>
</tr>
<tr>
<td>Standard 27 and 27.1</td>
<td>NO</td>
<td>Effective Implementation of the Instructional Management System</td>
<td>The district was not able to provide an instructional management system for grades K-12 that had been adopted by the school board. - The instructional guides were not readily available for review. - Approximately 50% of the teachers were not able to provide a copy of the framework for their respective discipline(s). - Some teachers had lesson plans; however, most teachers indicated that the lesson plans are kept electronically on the computer. - Since district testing occurs every 3-4 weeks in state test format, all classes are disrupted for one day in each 3-4 week cycle. - A complaint voiced by several teachers involved the constant</td>
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changing of teacher and student schedules.
- Assistant teachers are being used as substitute teachers.
- Master schedules for most of the schools were not correct.
- The master schedule at the high school does not reflect what is being taught.
- Some teachers indicated that they had been put on an improvement plan, but they were not aware that a formal evaluation had been conducted.
- Teachers complained about the lack of basic supplies such as paper, white board markers, and ink cartridges.
- Teachers expressed concerns about the District Curriculum Team (DCT) and other central office staff.
- The DCT did not provide an instructional management plan for grades K-12.
- The instructional guides do not reference the Mississippi Curriculum Framework competencies and objectives.
- Many classrooms observed lacked best practices and instructional methods that invited meaningful development of critical thinking skills and higher level thinking about the content.

<table>
<thead>
<tr>
<th>Standard 27 and 27.2</th>
<th>NO</th>
<th>Suggested Teaching Strategies, Resources, and Assessment Strategies Available to Teachers</th>
<th>The district has failed to provide each school with a standard curriculum, thereby denying them of the appropriate teaching strategies, resources and assessment strategies. The district has provided no clear guidance for curriculum and instruction for grades K-12.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard 28</td>
<td>NO</td>
<td>Promotion/Retention Policies</td>
<td>The policies published in the 2009-2010 student handbook are not current or consistent with SBE policy or state and federal law. There are no current policies for promotion and retention of students or the transfer of students, and the grading policy in the current policy manual is inconsistent with the 2009-2010 student handbook.</td>
</tr>
<tr>
<td>Standard 29 and 29.1</td>
<td>NO</td>
<td>Alternative Education Program Meets the Program Guidelines</td>
<td>The school district does not provide an alternative education program for the categories of students identified in MS Code 37-13-92. The alternative school program is not defined through written board approved policies.</td>
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</tr>
</thead>
<tbody>
<tr>
<td>Standard</td>
<td>NO</td>
<td>Alternative Education Program</td>
<td>The Alternative School is not</td>
</tr>
<tr>
<td>Standard</td>
<td>NO</td>
<td>Unencumbered Planning Time</td>
<td>The district has failed to report complete</td>
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</table>

29 and 29.1 Meets the Program Guidelines (Continued) administered by a full-time, appropriately licensed, administrator who is located at the school site and operates the school in accordance with established policies and procedures. The board minutes do not document any short-term or long-range plan to address the instructional programs or school improvement plans.

- According to the alternative school schedule, students arrive at 9:00 a.m. and leave at 1:00 p.m.
- According to the alternative school handbook for parents and students, students may lose credits when placed in the alternative school.
- Students do not appear to have access to their classroom books, calculators or any other materials needed to access the general curriculum.
- The alternative education program does not have a committee to develop and review Individual Instructional Plans (IIPs) for students, nor do they have an IIP for each student.
- There is no evidence of counseling being provided to students.
- Student files did not appear to provide information regarding the evaluation of student’s academic or behavioral progress.
- Alternative school students are not separated from the regular student body.
- The alternative education program facilities are not clean, safe, functional and commensurate with facilities provided to other students by the local school district.

29 and 29.2 GED Options Program Meets Program Guidelines

- The school district does not appear to have a committee of school staff that recommends placement in the GED program.
- There appears to be no evidence of consent for placement in the GED program by the superintendent and no evidence of parental consent for placement.
- The GED program does not appear to be under the supervision of the alternative education administrator.
- Evidence of Individual Education and Career Plans (IECP) developed for students was not provided.
- Students appear to be isolated from the regular student body.
- The GED instructor does not appear to have adequate instructional materials.
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</tr>
</thead>
<tbody>
<tr>
<td>Standard 30 and 30.1</td>
<td>NO</td>
<td>for Secondary Teachers</td>
<td>and accurate data to the MDE in the 2009-2010 MSIS Personnel/Accreditation Data Report; therefore, compliance with these standards could not be verified. Refer to FINDINGS for Accreditation Policies 2.1 and 2.5.</td>
</tr>
<tr>
<td>Standard 30 and 30.2</td>
<td>NO</td>
<td>Unencumbered Planning Time for Elementary Teachers</td>
<td>The district has failed to report complete and accurate data to the MDE in the 2009-2010 MSIS Personnel/Accreditation Data Report; therefore, compliance with these standards could not be verified. Refer to FINDINGS for Accreditation Policies 2.1 and 2.5.</td>
</tr>
<tr>
<td>Standard 31</td>
<td>NO</td>
<td>Limit on Course Preparations</td>
<td>The district has failed to report complete and accurate data to the MDE in the 2009-2010 MSIS Personnel/Accreditation Data Report; therefore, compliance with these standards could not be verified. Refer to FINDINGS for Accreditation Policies 2.1 and 2.5.</td>
</tr>
<tr>
<td>Standard 32</td>
<td>NO</td>
<td>Implementation of the Basic Secondary Curriculum</td>
<td>The MSIS Personnel/Accreditation Data Report indicates that basic curriculum of the high school does not consist of required and approved courses that generate at least 33-1/2 units annually.</td>
</tr>
</tbody>
</table>
| Standard 33 | NO | Implementation of the Basic Elementary Curriculum K-8 | • Based on observations and interviews conducted, most schools do not include the arts and health education on the master schedule.  
• There is a great concern that the instruction for grades K-8 does not include social studies and science.  
• Teachers indicated that they were told to focus on mathematics and language arts even in cases where the grade levels were departmentalized. |
| Standard 34, 34.1, 34.2, 34.3, 34.4, and 34.5 | NO | Student Teacher Ratios | The district has failed to report complete and accurate data to the MDE in the 2009-2010 MSIS Personnel/Accreditation Data Report; therefore, compliance with these standards could not be verified. Refer to FINDINGS for Accreditation Policies 2.1 and 2.5. |
| Standard 35 and 35.1 | NO | Transportation Program and Quarterly Inspection of Buses | • A number of buses had emergency doors that did not open properly.  
• The traffic flow and congestion on the Ruleville Elementary and Ruleville Central High School campuses must be addressed immediately due to the potential of students being struck by cars during loading and unloading.  
• It is strongly recommended the |
<table>
<thead>
<tr>
<th>Standard 35.2</th>
<th>YES</th>
<th>Valid Bus Driver's Certificate and Commercial Driver's License</th>
<th>The Alternative School students arrive at school later than the normal start time.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard 35.3</td>
<td>NO</td>
<td>Bus Schedules/Arrival Times</td>
<td>State required records such as evidence of evacuation drills and bus driver in-service training were not found on file in the district.</td>
</tr>
<tr>
<td>Standard 35.4</td>
<td>NO</td>
<td>Emergency Evacuation Drills</td>
<td></td>
</tr>
<tr>
<td>Standard 36 and 36.1</td>
<td>YES</td>
<td>School District Facilities are Clean</td>
<td></td>
</tr>
</tbody>
</table>
| Standard 36 and 36.2 | NO  | School District Facilities are Safe | • The playgrounds do not meet Consumer Product Safety Commission’s Guidelines.  
• All windows do not meet Life Safety Code requirements. |
| Standard 36 and 36.3 | NO  | School District Facilities are Operational and Meet the Needs of Students | • Second means of egress windows are not labeled, and many are blocked.  
• Main utility cut-offs were not identified by signage, and no campus maps exist to identify their location.  
• Staff has not received fire safety training.  
• Fire extinguishers are not located in all required areas.  
• Evacuation maps are not posted.  
• Electrical extension cords are being used as a permanent power source.  
• An Asbestos Management Plan is not on file.  
• Exhaust fans are not in the restrooms.  
• Doors in some facilities were padlocked.  
• Panic hardware was not on all doors.  
• There was exposed electrical wiring and unprotected electrical outlets. |
| Standard 36 and 36.4 | NO  | Air Conditioned Classrooms | The gymnasium is used for classroom instruction, but is not air-conditioned. |
| Standard 37 and | NO  | School Safety Plan | • Neither the district, nor any school, had an adequate crisis management |

<table>
<thead>
<tr>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
</table>
| School District Facilities are Safe (Continued) | Second means of egress windows are not labeled, and many are blocked.  
Main utility cut-offs were not identified by signage, and no campus maps exist to identify their location.  
Staff has not received fire safety training.  
Fire extinguishers are not located in all required areas.  
Evacuation maps are not posted.  
Electrical extension cords are being used as a permanent power source.  
An Asbestos Management Plan is not on file.  
Exhaust fans are not in the restrooms.  
Doors in some facilities were padlocked.  
Panic hardware was not on all doors.  
There was exposed electrical wiring and unprotected electrical outlets. |
| School District Facilities are Operational and Meet the Needs of Students | Visitor and handicapped parking was not identified.  
At most schools within the district there was no signage to direct visitors to the office.  
Exit lights and emergency lighting was inoperative.  
Some classrooms do not meet the minimum square footage requirements.  
There were inoperative faucets, water fountains, windows, etc. |
| Air Conditioned Classrooms | The gymnasium is used for classroom instruction, but is not air-conditioned. |
| School Safety Plan | • Neither the district, nor any school, had an adequate crisis management |
No plans were National Incident Management Systems (NIMS) compliant, and staff had not been trained in crisis response as required by 37-11-5.
- Staff is not NIMS certified.
- Overall, the district was noncompliance with 37-9-17 (Employee Fingerprint Checks). This finding represents a possible threat to students’ safety.
- No school in the district was current on drills required by this legislation.
- The district did not possess a restraint policy as recommended by the School Safety Manual.
- The district is using School Resource Officers (SRO) and School Safety Officers (SSO) with no policy guidance.
- The districts student search policy was out of date, with administrators displaying little or no knowledge of search procedures.
- Neither the district, nor any schools, have an internet use policy.
- The code of conduct and discipline plan were not consistently utilized nor enforced with a corresponding inequity in student discipline.
- Neither administrators nor the district superintendent were reporting crimes on campus in accordance with the provisions of 37-11-29.

<table>
<thead>
<tr>
<th>Standard or Policy</th>
<th>Compliance Verified</th>
<th>Area/Item Evaluated</th>
<th>SUMMARY OF FINDINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard 37 and 37.1</td>
<td>NO</td>
<td>School Safety Plan (Continued)</td>
<td>Overall, the district was negligent in property accountability.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>The district SRO and SSO program was non-compliant with generally accepted standards of school safety as well as accreditation standards in that staff were not certified or trained.</td>
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<td></td>
<td>Investigations were not conducted consistent with generally accepted standards of law enforcement practice; and staff were inappropriately assigned and utilized.</td>
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<td></td>
<td></td>
<td>The SRO should be utilized at the district level for all schools. Credible evidence suggests that while the SRO has made appropriate recommendations, those recommendations have been soundly rejected by both district staff and principals.</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>The individual at the district level charged with school safety planning does not possess certification, training,</td>
</tr>
</tbody>
</table>
or experience in school safety nor has she done any research to familiarize herself with such issues.

- Neither the district nor any schools had staff trained in crisis response.
- No liaison had been initiated with the local emergency operations center, fire services, or law enforcement at the county level.
- Very little documentation was found to indicate that criminal and administrative investigations were conducted in a professional manner.
- The district does not have an established procedure for dispersing daily medication when the nurse is not on campus.

The Alternative School is located on the same campus with East Sunflower Elementary and these students share restrooms and outside are with the elementary.

- Also, the Alternative School and East Sunflower Elementary have no intercom or other communication system.
- The schools did not have emergency evacuation kits.

<table>
<thead>
<tr>
<th>Standard 37 and 37.2</th>
<th>NO</th>
<th>School Wellness Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Only two schools, Inverness Elementary and James C. Rosser Elementary, were able to provide copies of a wellness policy.</td>
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<td></td>
<td>At Ruleville Central High School, fitness equipment that was purchased with Bower Foundation dollars had been moved and placed in an unused classroom next to the Nurse Station.</td>
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<td></td>
<td>Items not found on the inventory list included an exercise bike and small items, such as bands and ankle weights.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The RCA flat-screen TV that was supposed to be in the workout room was found mounted to the wall in another room.</td>
</tr>
</tbody>
</table>