

DATE: TUESDAY, JUNE 21, 2016  
TIME: 4:00 P.M.  
KIND OF MEETING: SPECIAL MEETING OF THE BOARD OF TRUSTEES OF  
THE JACKSON PUBLIC SCHOOL DISTRICT  
WHERE HELD: 621 SOUTH STATE STREET JACKSON, MS 39201

PRESIDING OFFICER: DR. CEDRICK GRAY, SUPERINTENDENT

MEMBERS PRESENT: MS. BENETA D. BURT, BOARD PRESIDENT  
DR. RICHARD LIND, VICE PRESIDENT  
MR. JED OPPENHEIM, SECRETARY  
MRS. CAMILLE S. SIMMS, MEMBER  
MR. RICKEY D. JONES, MEMBER

UPDATE ON THE EXCEPTIONAL EDUCATION DEPARTMENT  
by  
Dr. Joseph Fisher and Mr. Larry Greer

Introduced

Dr. Mario Miller, Exceptional Education Director 2016-2017 SY

ATTORNEYS AND ADMINISTRATIVE STAFF

Dr. Cedrick Gray	Ms. Dorian Turner, Esq.
Dr. Jason Sargent	Dr. Margarit Wallace
Mrs. JoAnne N. Shepherd	Ms. Sharolyn Miller
Dr. Michelle King	Dr. Freddrick Murray
Mr. Sherwin Johnson	Dr. Bishop Knox

*Mrs. Vikki D. Mumford, Board Secretary, was keeper of record for this board meeting.*

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The June 21, 2016, Special Meeting of the Board of Trustees of the Jackson Public School District was called to order by Dr. Cedrick Gray, Superintendent, at 4:00 P.M. JPS Consultants, Dr. Joseph Fisher and Mr. Larry Greer presented a thorough timeline report of the exceptional education department from their entry into the district and where the department stands now, on the eve of their departure. Their report outlining the department's history, program improvements, services to and for students along with a summary of their last four years, 2012-2016 was received. The new Department Director Dr. Mario Miller was introduced by the two consultants. He was receptive to their recommendation and stated that he is eager to begin to work for the district.



**For Release: Monday, June 20, 2016**

**Subject: School Board Meetings, June 21, 2016**

**Contact: Sherwin Johnson, JPS Public and Media Relations, 601-960-8935**

The Board of Trustees of Jackson Public Schools will hold a regular meeting at 5:30 p.m. on **Tuesday, June 21, 2016**, in the School Board meeting room at 621 South State Street. The agenda will be available prior to the meeting.

Prior to the regular meeting, the Board will discuss updates regarding the Exceptional Education Department beginning at 4:00 p.m.

Both meetings will take place in the School Board Meeting Room located at 621 South State Street. The Board will also take into consideration any other matter properly coming before the Board.

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# Special Education Report to Jackson Public Schools Board of Trustees

## INTRODUCTION

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Our association with Jackson Public Schools (JPS) began in the summer of 2012 when Dr. Cedrick Gray contacted us regarding special education issues. The Mississippi Department of Education (MDE) had imposed a Corrective Action Plan on Jackson Public Schools as a result of legal action taken by Southern Poverty Law Center (SPLC) against MDE for the its alleged failure to enforce compliance with the Individuals with Disabilities Education Act (IDEA). Although the lawsuit was against MDE, the focus was on special education issues in JPS. Consequently, MDE developed a Corrective Action Plan to be implemented in JPS.

Recently appointed to the position of Superintendent, Dr. Gray requested an independent external review of special education services in JPS, and we were employed by the Board of Trustees in September of 2012 to provide that service. Our review included visits to approximately one-third of the schools and meetings with all principals and the Exceptional Education Services central office staff to identify needs and priorities for program improvement in special education. The findings were summarized in a written report to the Superintendent and Board of Trustees.

## 1 HISTORY

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Following the review, we were employed by MDE as administrators of a revised Corrective Action Plan. Because of the action initiated by Southern Poverty Law Center and MDE's subsequent response, relations between MDE and JPS were strained. Our immediate plan was to begin the process of establishing mutual trust between the state department and the school district. The tension heightened when state accreditation was threatened.

Because of our neutrality and the fact that we had established positive relationships with both JPS and MDE in our separate roles with each, we had the unique opportunity to be catalysts in the process of bringing both entities into collaborative working relationship. MDE had provided significant financial and human resources prior to employing us as administrators, but the lack of trust between JPS and MDE inhibited progress. Our knowledge of the concerns of both JPS and MDE was critical to the process of establishing trust and open communication.

Under the Corrective Action Plan, MDE had employed an Educator-in-Residence, a fiscal consultant, and a behavioral group to assist with discipline issues. With this team of professionals, we were able to make significant progress on the issues of main concern, and the accreditation status was cleared. In addition to the support from the Corrective Action Plan Team, MDE provided ongoing technical assistance including fiscal management, data management, IEP development, and evaluation of meaningful educational benefit. Monitoring activities were conducted frequently to ensure that adequate progress was occurring.

After the satisfactory completion of the Corrective Action Plan in March of 2014, MDE extended its support through a Transition Plan, continuing to employ us as consultants on a more limited basis to oversee its implementation. When funds from MDE were no longer available to provide this level of support, JPS employed us to continue to provide oversight and consultation. Following the completion of the Transition Plan, a Sustainability Plan was developed by JPS to ensure that the positive changes resulting from the Corrective Action Plan would be instituted as routine practice. We were contracted by JPS to continue to provide consultative support. When the Executive Director retired in December of 2014, our contract was extended to provide oversight in the interim pending the employment of a permanent replacement. During this time, the District continued to be under MDE scrutiny due to the Settlement Agreement entered into by MDE to bring the initial lawsuit to a close. Early in the 2015-16 school year, it was determined that JPS and MDE had satisfied the requirements of the settlement agreement. Although MDE was no longer required to continue its frequent monitoring of JPS activities, MDE staff continued to provide technical assistance in several areas.

## 2 PROGRAM IMPROVEMENT

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During much of the past four years, JPS has been under scrutiny through a succession of corrective action plans and media attention, forcing the primary focus of work to be on compliance. During the past year and a half, however, an increased emphasis has been placed on program improvement. Exceptional Education Services staff have focused on improving services for students with disabilities, especially those with significant needs, both academic and behavioral. With the increased availability and use of technology, EES has concentrated on using that resource in the improvement of instruction in addition to providing instructional staff time-saving programs for management of instruction as well as collection and reporting of student data.

Recently implemented data management systems will facilitate better enforcement of accountability. In a district of more than sixty schools, it is possible for pockets of non-compliance to remain undetected until a complaint is filed or faulty data is submitted to report to the state. With appropriate implementation and sufficient oversight, the data systems currently in use will be a useful tool in identifying warning signs and taking proactive measures to avoid serious compliance issues. Accurate reporting is important not only for the sake of accuracy but also to ensure that the District receives all of the funding to which it is entitled.

More important, however, is the fact that full use of the programs available will result in improved instruction for students with disabilities from the time of eligibility determination to IEP (Individualized Education Program) development, delivery of instruction, and evaluation of progress.

## 3 SERVICES FOR STUDENTS

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To appropriately meet the needs of students, it is necessary to maintain a practice of continuous review of services and instructional settings. In this vein, JPS has moved to serve students in their home schools or as close to their home schools as possible. This practice is a major component of *least restrictive environment* or LRE. IDEA requires that students with disabilities remain in their home schools unless the students' needs cannot be met there. The unique needs of some students, however, require

interventions that cannot be provided in the home school, necessitating placement in other schools in the District, home/hospital instruction, or contracting with other agencies for placement outside the District.

During the past two years, JPS has taken steps to place students with significant needs (those who spend a majority of the school day in a special education setting) in their home schools or in schools near their home schools whenever possible. In a large district, such as JPS, with a high mobility rate among students, meeting this requirement of LRE demands constant review.

Another requirement of LRE is that students are educated with their age peers to the extent appropriate. In view of the need for specialized services for older students with significant cognitive disabilities, a class for students aged 19-21 with a focus on community-based instruction was established.

To provide better services to students with severe behavioral issues, a behavior support class was established at the middle school level. An additional class at the elementary level made it possible to serve some students closer to their home schools. Previously, there had only been two such classes in the District, one elementary and one high school.

Approximately thirty students are placed outside the District in a typical year because of their unique and severe needs. District staff have developed a plan to establish a day treatment program within the District so that most of the students needing this intense level of service can remain in the District rather than be placed in outside facilities. This plan would give the District greater oversight of the delivery of services and promote a smoother transition for this population to and from their home schools.

During the ongoing review of services to all students with disabilities, particular attention has been given to the needs of students whose classification is on the spectrum of autism. These students exhibit a wide range in educational needs and some require a uniquely designed approach to instruction. Utilizing the specialized training of existing staff, plans are currently underway to improve the assessment process and ensure that both instructional programs and settings for these students are appropriate. A continuum of instructional placement options commensurate with student needs should be available to students with autism spectrum disorder, as well as all students with disabilities.

In addition to the requirement to place students in the *least restrictive environment* in which they can be successful and receive educational benefit, IDEA requires the District to make available a *free appropriate public education* (FAPE) to all students with disabilities residing within its boundaries. Intensive technical assistance in the area of educational benefit determination has sharpened the staff's skills in evaluating the quality of IEPs and the appropriateness of instruction provided through special education. This training was provided through MDE.

## 4 SUMMARY

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The first four years of Dr. Gray's tenure have been punctuated by special education issues, some with marked severity. Among them, the most notable was the issue of state accreditation. Under his leadership and with the support of the Board of Trustees, the Exceptional Education Services staff has worked long and hard to bring the District into compliance with state and federal requirements related

to special education. Relations with MDE have moved from a tone of hostility to a spirit of collaboration. The work continues in a positive environment that strives for improvement rather than in a climate of frustration and defeat.

The huge amount of financial and human capital provided by MDE and continued by JPS brought about a major change in how special education is provided and how it is perceived within both the District and the community. To summarize, the following are the most notable achievements of the past four years:

- Attainment of an acceptable degree of compliance
- Establishment of a collaborative relationship with MDE
- Improvement in Annual Performance Report (APR) indicators
- Collaboration with advocacy groups
- Increased effort to involve parents, community groups and other stakeholders
- Responsible fiscal management
- Timely procedures for complaint resolution
- Decrease in formal state complaints.

While these achievements are noteworthy, challenges remain in these areas:

- Appropriate transition of students to and from Capital City Alternative School
- Accurate record-keeping and data reporting at the school level
- Continuous program evaluation and improvement
- Meeting the academic and behavioral needs of students with diverse levels of functioning.
- Alternatives to suspension/expulsion
- Recruitment and retention of a stable and qualified workforce.
- Use of specialized staff (i.e. behavior specialists) for non-special education duties in some schools

Specific recommendations for continued sustainability of acceptable practices and program improvement are included as an attachment to this document.

We respectfully submit this report with gratitude to the Board of Trustees of Jackson Public Schools for the opportunity to work with the District in the varying roles herein described and to Dr. Cedrick Gray and the Mississippi Department of Education for the confidence placed in us to coordinate the efforts of many to attain compliance and work toward program improvement.

*Joseph Fisher & Larry Greer, Education Consultants*

*June 21, 2016*

## RECOMMENDATIONS for SPECIAL EDUCATION

### JACKSON PUBLIC SCHOOLS

#### Programs and Services

1. Implement the plan for a day treatment program
2. Strengthen child find procedures at Henley-Young
3. Provide greater opportunity for community involvement of students with significant cognitive disabilities
4. Review services for students who have autism spectrum disorder on continuous basis
5. Review services and classes in the district, due to student mobility and changing enrollments on continuous basis
6. Conduct teacher recruiting activities earlier in the school year to increase the number of appropriately licensed staff to provide services for students with disabilities

#### Parent & Community Relations

1. Conduct parent meetings on a regular basis, with an emphasis on needs and concerns expressed by parents
2. Build relationships with community groups to increase opportunities for student involvement in the community

#### Accountability

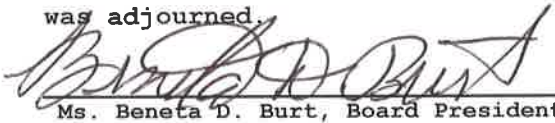
1. Develop and implement procedures for a systematic, district-wide review of student records, including IEPs, and related data reporting
2. Implement procedures for reviewing meaningful educational benefit for all students with disabilities
3. Establish consequences for teachers who fail to conduct IEP meetings in a timely manner or submit appropriate data
4. Improve systems for student data reporting and analysis to identify students in need of intervention
5. Strictly adhere to District policy on eligibility for district-wide behavior support classes (ensure that decisions are made by IEP committees, not administrators)
6. Continue training for all staff involved in making decisions regarding manifestation determinations and suspensions/expulsion

#### Fiscal

1. Continue monthly fiscal meetings with MDE
2. Ensure completion of PARS each month for all employees paid from a combination of IDEA funds with other sources

Adjournment  
June 21, 2016, Special Meeting  
Board File

There being no further business to discuss, by consensus, the meeting was adjourned.

  
Ms. Beneta D. Burt, Board President

  
Mr. Jed Oppenheim, Board Secretary