

MINUTES OF THE
MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD
Regular Monthly Meeting
Monday, October 21, 2013

The regular monthly meeting of the Mississippi Charter School Authorizer Board was held at 10:00 a.m. on Monday, October 21, 2013, at the office of the Board of Trustees of the Mississippi Institutions of Higher Learning located at 3825 Ridgewood Road, Jackson, Mississippi. In attendance were

Tommie Cardin, Chairman
Chris Wilson, Vice Chairman
Dr. Bonita Coleman-Potter
Dr. Lynn House
Johnny Franklin
Dr. Karen Elam
Krystal Cormack

Board Chairman Tommie Cardin called the meeting to order at 10:05

ITEM I.

A. Adoption of Agenda

The Agenda was circulated to board members along with the minutes from the previous month's meeting. Chairman Cardin announced the addition of one item under New Business which is the authorization to establish a post office box address for the Board.

Chairman Cardin requested a motion to adopt the agenda as amended.

MOTION: Mr. Franklin

SECOND: Dr. Potter

There being no discussion and following a vote in favor by all members present, the motion carries.

ITEM II.

A. Approval of Minutes

The minutes of the September 19, 2013 meeting have been previously distributed to the members of the Board for review and approval.

Chairman Cardin requested a motion for approval of the September 19, 2013 Minutes

MOTION: Dr. House

SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present, the motion carries.

ITEM III. CHAIR REPORTS

A. Inquiries

Chairman Cardin announced that he had received two inquiries for information and guidance. The first was from Mississippi Senator John Polk of Hattiesburg and the second from Ms. Cindy Adams with the Columbus School District. Both were general questions about the law establishing and governing the Board. Chairman Cardin responded to each of the inquiries and copies of same have been provided to the Board members.

B. AG and DFA Advice

At the previous meeting it was discussed that the Board would seek advice of the Attorney General's Office in terms of the authority of the Board to hire and contract with consultants to assist the Board with various aspects of its formation. The AG's office advised that the Board does have the authority to enter into performance contracts with consultants to assist with chartering activities pursuant to its statutes.

Chairman Cardin publicly thanked Kathy Boteler, in-house counsel to the Mississippi Department of Education, and Dr. House for their assistance in getting advice and direction from Attorney General's Office.

Assistance was also sought from the Department of Finance and Administration with regard to guidelines to follow in setting up a bank account for the Board and the protocol to follow for disbursements from that account. Diane Langham with DFA will continue to work with Chairman Cardin in this regard.

C. Ad Hoc Committees

Chairman Cardin announced the formation of three ad hoc committees within the Board. Each committee consists of three Board members appointed by the Chairman. Those committees are:

1. Fund Raising Committee: Members are Johnny Franklin, Chairman, Chris Wilson and Dr. Karen Elam.

2. RFP and Application Committee: Members are Krystal Cormack, Chairman, Dr. Bonita Coleman-Potter and Dr. Karen Elam. This committee is charged with the responsibility of preparing a draft RFP and application for the Board.

3. Executive Director / Consultant Search Committee: Members are Chris Wilson, Chairman, Tommie Cardin and Dr. Lynn House. This committee is charged with the responsibility of advising the Board and giving direction on the search for consultants and an executive director.

Chairman Cardin thanked each Board member for their cooperation and willingness to serve on these committees.

ITEM V. COMMITTEE REPORTS

A. Fundraising Committee

Committee Chairman Franklin reported that the committee had made overtures to prospective donors that had been received favorably. Work would continue in that regard, as well as working through the logistical and legal aspects receiving donations and funds from various sources.

B. RFP and Application Committee

Committee Chairperson Cormack was delayed in arriving at the meeting so this item was postponed until her arrival.

C. Executive Director / Consultant Search Committee.

Committee Chairman Wilson reported that the committee had met the previous week. They were pleased to announce that issues with the personnel board and statutory requirements were going to be met and followed carefully and that the committee had already received four applications for the executive director position. Reviewing those applications led the committee to the conclusion that they are not absolutely certain of the qualifications of the person the Board needs to hire other than being a member of the Bar. The recommendation of this committee is that we seek the advice of the Mississippi Association of Charter School Authorizers to come up with recommendations for consultants to assist and advise in the short term to get us started on the right path in preparing an application for the executive director position.

Chairman Cardin advised that he had sought direction from the Attorney General's Office with regard to the Board's search and hiring for the executive director position and whether the Board is subject to the State Personnel Board's rules and regulations in its search for viable candidates for that position. The AG's office advised that we are not. We are free to move forward in our search and advertise as we see fit and to hire whomever we see fit assuming they meet the qualifications set out in the statute. The salary for that position will ultimately be subject to Personnel Board approval but we are not subject to Personnel Board requirements otherwise. As Mr. Wilson has pointed out, we will seek the direction of a consultant in the meantime until we feel we are in a position to advertise properly for that position.

ITEM VI. OLD BUSINESS

Chairman Cardin announced that the Bylaws adopted at the September meeting have been filed with the Secretary of State's Office pursuant to the Administrative Procedures Act and by law will remain on file for public comment for a period of 25 days. They were filed on October 17th,

and the public comment period will run until November 12th. The Bylaws will be effective December 13th. The Board is operating pursuant to those Bylaws now but must go through the APA process for their legal adoption.

ITEM VII. NEW BUSINESS

A. Authorization to Establish a Bank Account

In order to get the Board up and running, Chairman Cardin stated again that he had consulted with DFA as to procedures and protocol to follow in establishing and maintaining a bank account on behalf of the Board and will continue to see the advice of DFA in this regard.

Chairman Cardin requested a motion to authorize the establishment of a bank account on behalf of the Board pursuant to direction from DFA and in compliance with all state laws:

MOTION: Mr. Franklin

SECOND: Dr. House

There was further discussion regarding the safeguards that would be in place and protocol to follow for disbursements from that account as well as the legality of the Board to receive donated funds, the types of donations that could be accepted and the handling of those donations as public funds.

Following a vote in favor by all members present, the motion carries.

B. Authorization to Accept Private Donations

Chairman Cardin stated that the Board anticipates the offer of private donations prior to the next Board meeting. Donations will be accepted and handled pursuant to state statutes.

Chairman Cardin requested a motion to authorize the Board to receive private donations pursuant to statutory requirements.

MOTION: Mr. Wilson

SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present, the motion carries.

C. Draft RFP – This matter was postponed until the arrival of Krystal Cormack

D. Draft Application – This matter was postponed until the arrival of Krystal Cormack

E. Authorization for Executive Director Committee to Conduct Search

Committee Chairman Wilson moved that the Board allow the Committee to seek assistance from the Mississippi Association of Charter School Authorizers in finding a qualified consultant to

assist in the short term with chartering activities and to establish the parameters and job qualifications for the position of executive director so that the most qualified applicant can be hired in the long run.

MOTION: Mr. Wilson

SECOND: Mr. Franklin

There was further discussion regarding what was meant by "short term"; how the consultant would be compensated; whether the responsibilities of the consultant will include assisting with drafting and dissemination of the RFP and application and will those responsibilities be set out in detail in the performance contract; whether a consultant can be hired and the RFP and application be ready for dissemination by December 1st based on the given timeline; whether the Board has the ability to prepare the RFP and application with the assistance of IHL and MDE and without the use of a consultant for that aspect; whether an RFP can be fast tracked in an emergency situation to meet the timeline; and what exactly does the Board need assistance with in terms of the RFP and application in order to meet the deadline.

Chairman Cardin recommended that the Board defer consideration of this item until Krystal Cormack is able to give the report of the RFP and Application Committee.

F. Authorization to Acquire a Post Office Box Address

Chairman Cardin requested a motion authorizing the Board to establish a Post Office Box address.

MOTION: Mr. Franklin

SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present, the motion carries.

ITEM V. COMMITTEE REPORTS - CONTINUED

Chairman Cardin returned to the Item V. Committee Report to allow Krystal Cormack to report on the RFP and Application Committee's progress. Chairman Cardin further announced that a work session would be held following the close of this business meeting in order to go through the RFP and application draft prepared by this committee.

Committee Chairperson Cormack reported that the committee had been working hard since the last Board meeting. Beginning with a strong draft, the committee had collectively put in approximately 40 hours of work on editing and revising that draft including clarification of various pieces and altering language to ensure it represents the Charter School Act more transparently. Various timelines have been created that represent a variety of directions the Board can take in its next steps. The committee reviewed national best practices in charters and models of excellences from other states. Going forward, Chairperson Cormack stated that the committee needed specific assistance with the development of budget worksheets called for in

the RFP, development of the website and email address, and will need the Board to select the preferred timeline from those presented.

Chairman Cardin asked what official action, if any, the Board needed to take at this time with regard to the RFP and application draft. Chairperson Cormack suggested the need for the Board to select its preferred timeline. After some discussion it was agreed that a decision on that would be postponed until after the work session and full review and discussion of the draft application and RFP.

ITEM VIII. EXECUTIVE SESSION

There were no items for Executive Session.

ITEM IX. PUBLIC COMMENT

Mike Sayer, Senior Organizer and Training Coordinator with Southern Echo commented regarding the Bylaws filed with the Secretary of State's office and the public comment period. He questioned whether the Bylaws could be found on the Secretary of State's website and to whom the public comments should be directed. Chairman Cardin advised that the Bylaws can be found on the Secretary of State's website and stated that comments should be mailed to him as Chairman.

No further public comment.

ITEM X. SET NEXT MEETING

The third Monday of each month had previously been discussed as the regular meeting time for the Board. The next meeting is scheduled for Monday, November 18th at 10:00 a.m. in the same location, and the December meeting is scheduled for Monday, December 16th at 10:00 a.m.

Chairman Cardin announced that the Mississippi Charter Schools Association has graciously provided lunch for the Board to facilitate its continuation into the work session allowing it to accommodate everyone's schedule today.

Chairman Cardin requested a motion to recess the business meeting and to begin the work session.

MOTION: Dr. House
SECOND: Dr. Elam

There being no discussion and following a vote in favor by all members present, the motion carries.

In recess as of 10:50

Following the work session Chairman Cardin called the meeting back to order at 1:45 p.m.

ITEM VII. NEW BUSINESS – CONTINUED

1. RFP and Application Timeline

Chairman Carding requested a motion to insert proposed timeline if schools are open for planning in 2014 – 2015 school year with the addition of the language that MDE will notify all accredited existing Mississippi public school districts after the March 14, 2014 deadline set forth in the timeline.

MOTION: Dr. Potter

SECOND: Mr. Franklin

Following further discussion regarding the timeframe within which an announcement of the applications would be made to the existing school districts, a vote in favor by all members present was taken. Motion carries.

2. Timeline for Release of RFP and Application

Discussion was had regarding the options available to the Board for means of dissemination of the RFP and application to the public in light of the Board not yet having its own website. Those options include use of the IHL and MDE websites and posting at those two physical locations.

Chairman Cardin requested a motion for the committee to incorporate suggested revisions and a revised draft be made available to the public through means of IHL and MDE by November 1, 2013.

MOTION: Dr. House

SECOND: Dr. Elam

There being no further discussion and following a vote in favor by all members present, the motion carries.

3. National Association of Charter School Authorizers Membership

A suggestion has been made that the Board consider becoming a member of the National Association of Charter School Authorizers, provided the funds are available to pay for such membership.

Chairman Cardin requested a motion to become a member of the National Charter Authorizer Board contingent upon receiving funds to cover the membership fee.

MOTION: Dr. Elam

SECOND: Mr. Wilson

There being no discussion and following a vote in favor by all members present, the motion carries.

4. Consideration of Engaging a Consultant to Assist in Start Up Process

Following some discussion on the topic, Chairman Cardin requested a motion to authorize the committee to move forward with seeking a qualified consultant to perform a scope of services to be prescribed by the Board in carrying out our chartering activities and return to the Board with a recommendation on consultant(s) with which to contract.

MOTION: Mr. Wilson

SECOND: Ms. Cormack

Further discussion was had with regard to the committee deciding the scope of work to request from a consultant based, in part, on a list of services compiled by Krystal Cormack but allowing some flexibility in that so that the search could move forward immediately and the committee could hopefully return recommendations to the Board by the November meeting date.

There being no further discussion and following a vote in favor by all members present, the motion carries.

Dr. House requested the floor to make one last remark stating that Dr. Wright will be replacing her beginning in November as she is leaving the MS Department of Education. Dr. House thanked the Board for allowing her to participate in the formation of this organization. Chairman Cardin thanked Dr. House for her services and stated that her input and work to this point had been invaluable.

Dr. Elam requested the floor to state that it is imperative that as soon as funding is available a website be established because the RFP and application process refers to a website that is to date non-existent. Chairman Cardin stated that it is his plan to consult with IHL to allow the Board to come onto its website or for technical assistance in developing a website of our own, even if on a temporary basis.

Chairman Cardin requested a motion to adjourn.

MOTION: Mr. Franklin

SECOND: Dr. Elam

The meeting adjourned at 2:20 p.m.



TOMMIE S. CARDIN, Chairman

CHRIS WILSON, Vice Chairman