

MINUTES OF THE
MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD
Regular Monthly Meeting
Monday, December 16, 2013

The regular monthly meeting of the Mississippi Charter School Authorizer Board was held at 10:00 a.m. on Monday, December 16, 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. Carey Wright
Johnny Franklin
Dr. Karen Elam
Krystal Cormack

Board Chairman Tommie Cardin called the meeting to order at 10:10 a.m.

ITEM I.

A. Adoption of Agenda

A draft agenda was previously circulated to the Board members. Chairman Cardin suggested the addition of the conversion school property issue under Item IV. Old Business.

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

MOTION: Dr. Elam

SECOND: Dr. Wright

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

ITEM II.

A. Approval of Minutes

The minutes of the November 18, 2013 meeting were previously circulated to the Board members

Chairman Cardin requested a motion for approval to accept the Minutes of the November 18, 2013 Minutes.

MOTION: Mr. Franklin

SECOND: Mr. Wilson

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

ITEM III. CHAIR REPORT

A. Bank Account

Chairman Cardin reported that the Board now has an established bank account with Trustmark National Bank in the name of the Mississippi Charter School Authorizer Board. The Department of Finance and Administration was instrumental in providing guidance and approval in the establishment this account.

B. Bylaws

Chairman Cardin stated that the Bylaws had been amended to incorporate the suggestions offered by Mr. Sayer at the November meeting. One amendment consists of the addition of a provision directing the Board to provide the public with a copy of its meeting agenda three (3) days prior to the deadline for submission of public comments. This will be provided with the official notice of the meeting, which will now be posted eight (8) days prior to the meeting date. The second amendment to the Bylaws states that at least five (5) minutes will be allowed for any individual wishing to offer public comments during a Board meeting and allow the Chair the discretion to extend that time if necessary.

ITEM IV. COMMITTEE REPORTS

A. Fundraising Committee

Mr. Franklin reported that the committee is following up with potential donors and is working logistically to make those donations possible. Further, he announced that the Mississippi Association of Charter School Authorizers have secured a grant for the Board to have a membership in the National Association of Charter School Authorizers and have access to the training that is provided through that group. He thanked Erica Berry for her efforts in securing this grant. Thirdly, Mr. Franklin stated that the Committee has reached out to national organizations and those efforts are ongoing with hopes of having substantial progress made by the January meeting. Fourth, Mr. Franklin stated that overtures have been made to the legislative leadership in order to hopefully have the sustainability that we need to move forward and implement the responsibilities of the Board.

B. RFP and Application Committee

Ms. McCormack was running late and this item was postponed to later in the meeting.

C. Executive Director / Consultant Search Committee

Mr. Wilson stated that a draft position description for the Executive Director and General Counsel as well as a draft RFP for the consultant position. Discussion is ongoing to push for some immediate assistance from a consultant while simultaneously moving forward on a slower scale with the Executive Director search.

ITEM V. OLD BUSINESS

A. RFP, Application Toolkit and Application Evaluation Ratings and Sample Scoring Criteria

Chairman Cardin announced that the items under Old Business, RFP, Application Toolkit and Application Evaluation Ratings and Sample Scoring Criteria are under this heading simply because they are pending. They were each filed with the Secretary of State's office on November 26th and we are currently in the public comment period, which will end on December 23rd. No public comments have been received to date but the Chairman stated that he would provide each Board member with copies as they are received.

B. Conversion Schools Property Issue

Dr. Potter raised the question for discussion during the November meeting regarding what happens to property and facilities owned by an existing public school if that school chooses to convert to a public charter school. Kathy Boteler recommended that the Board seek an Attorney General's opinion on the topic. The only thing that speaks to this in our Act is the right of first refusal which gives the proposed charter school the right of first refusal on any publicly owned properties if the school board decides that it is going to sell or lease those properties and not use them in some form or fashion.

Chairman Cardin requested a motion to authorize the Chair to seek an Attorney General's opinion on the topic.

MOTION: Dr. Potter

SECOND: Dr. Elam

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

ITEM VI. NEW BUSINESS

A. RFP for Consultant(s)

A draft RFP was previously provided to the Board members for review. Chairman Cardin stated that the approach taken in preparing the RFP was to keep it as simple and straight forward as possible and to accurately include the appropriate scope of services that the Board would need from a consultant. Chairman Cardin requested a motion to adopt the RFP in substantially the format presented.

MOTION: Mr. Wilson

SECOND: Dr. Wright

Discussion: After extensive discussion concerning the track to follow in moving forward with a search for both a consultant, as well as an Executive Director and General Counsel, it was decided that there are some revisions to be made to the RFP form, specifically the addition of an EEO statement, professional services language, and a term provision such as "a term to be negotiated by the Board", as well as termination clause. Dr. Potter suggested language making it clear that it is a "time limited position" to ensure that any applicant understands that it is a temporary position and if the funding subsided or the need for the position ended, the position

would be terminated. Chairman Cardin pointed out that the RFP directs applicants to send inquiries to the Chair of the search committee and stated that language would be inserted to clarify that application can be made both in writing or by electronic means and an email address will be inserted.

Chairman Cardin requested a motion to adopt the RFP with the amendments discussed and to authorize the Chair to advertise the amended RFP through the MDE, IHL and DFA websites and to send it to our eight state universities seeking potential candidates there.

MOTION: Mr. Wilson

SECOND: Dr. Elam

Discussion: Dr. Elam suggested that the advertising be extended to the national association. Chairman Cardin agreed and amended the motion to include advertising with the National Association of Charter School Authorizers, as well as the Mississippi Association of Charter School Authorizers.

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

Chairman Cardin stated that he would make the modifications to the RFP and distribute it to the Board members for one last review and would then move forward with the advertising and distribution.

Chairman Cardin requested discussion concerning the deadlines for submitting proposals and suggested possibly moving that deadline up to some time in December. Following extensive discussion it was decided to set to the deadline for submission of consultant proposals for January 13, 2014.

In light of this deadline and the current deadline for submission of public comments on the RFP and Application on file with the Secretary of State, Chairman Cardin requested discussion concerning the scheduling of January Board meeting. He suggested adding a specially called Board meeting to be held telephonically on December 30th to discuss any public comments received through the APA process and to potentially formally adopt the RFP, Application Toolkit and Application Evaluation Ratings and Sample Scoring Criteria so that the final documents could be filed to begin the 30 day period for these documents to go into effect. The January meeting previously scheduled for January 13th is cancelled and moved to January 27th, the date of the webinar. Any consultant proposals received will be considered at that time. If consultant proposals are received and the committee has a recommendation to be considered prior to that time, a specially called meeting can be convened prior to the 27th. All proposals received from consultant applicants will be distributed to each of the Board members

Chairman Cardin reiterated the MOTION previously made and seconded to adopt the RFP for consultants in substantially the form presented with the inclusion of the amendments put on the table today with a deadline of January 13, 2014 for proposals to be submitted, and for the Chair's authorization to distribute the consultant RFP to the eight institutions of higher learning, the

National Association of Charter Authorizers, the Mississippi Association of Charter Authorizers and to the IHL, MDE and DFA websites for advertising.

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

B. RFP for Executive Director & General Counsel

There was discussion regarding the fact that this is actually a job description rather than an RFP and also regarding the title itself to include both Executive Director and General Counsel as is set out in the statute. Two other issues to be decided are the deadline for submission of applications and the proposed salary range. Chairman Cardin stated that he had confirmed with the personnel board that there is not a current salary range set for the position so it is within the discretion of the Board to propose a range to be approved by the State Personnel Board. It was discussed and decided that the proposed budget in the initial packet from the Governor's office, as well as comps from other states would be considered in deciding on a salary range. Language will also be added indicating that the salary would be commiserate with qualifications and experience, as well as EEO language. This topic will be made an agenda item for December 30th meeting and salary information will be distributed for consideration prior to that time.

There was extensive discussion regarding the requirement for any individual being considered for the Executive Director and General Counsel position be licensed to practice law in the State of Mississippi at the time of their application. Chairman Cardin, in reading from the statute, pointed out that the individual hired must be licensed to practice law in the State of Mississippi. Chairman Cardin accepted a motion authorizing the Chair to seek an Attorney General's Opinion on the question of whether someone has to be currently licensed to practice law in the State of Mississippi to satisfy the requirements set forth in the law for the Executive Director and General Counsel position.

MOTION: Mr. Wilson

SECOND: Dr. Elam

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

In terms of setting a deadline for submission of applications, it was decided that the deadline would be set at the December 30th meeting after everyone had a chance to review and discuss the salary ranges.

ITEM VII. EXECUTIVE SESSION

There were no items for Executive Session.

ITEM IV. COMMITTEE REPORTS

Chairman Cardin reviewed with Ms. Cormack the discussion had regard to the RFP and the public comment period prior to her arrival and asked if she had anything to add to that. Ms. Cormack stated that the way the RFP is currently written it is stated that the Board prefers that all

questions and communications regarding technical questions about the application for charter schools be directed to the Executive Director and not members of the Board. Inasmuch as neither a consultant nor executive director have been hired, should the RFP be amended to direct those inquiries to the Board's email or to herself as the Chair of the RFP/Application committee. Chairman Cardin suggested Ms. Cormack list herself and requested a motion that the RFP be amended to designate Ms. Cormack as the point person for inquiries on the RFP.

MOTION: Mr. Wilson

SECOND: Dr. Potter

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

ITEM VIII. PUBLIC COMMENT

Mike Sayer addressed the Board and asked if the Minutes would be posted on the website. Chairman Cardin stated that the minutes will be posted as soon as they are finalized.

ITEM IX. SET NEXT MEETING

Chairman Cardin reiterated that the next Board meeting would be noticed for December 30th and the notice will include the location of that meeting for the Board members who are in the Jackson area and the public, and those Board members outside of the area will participate telephonically.

The January meeting will be held on January 27, 2014, along with the webinar.

Ms. Cormack offered her email address for inquiries regarding the RFP.
krystalcormack@gmail.com

ITEM X. ADJOURN

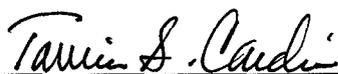
Chairman Cardin requested a motion to adjourn.

MOTION: Dr. Elam

SECOND: Ms. Cormack

There being no further discussion and following a vote in favor by all members present, the motion carried. The meeting adjourned at 11:25 P.M.

ADOPTED, this the 27th day of January, 2014.



TOMMIE S. CARDIN, Chairman