



# Report of the Special Review Team for Clayton County Public Schools

**Findings and Recommendations presented to:**

Dr. John Thompson, Superintendent

Ms. Michelle Strong, Board Chair

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**Review Dates:**

**August 14-15, 2008**

**Report Released:**

**August 28, 2008**

AdvancED is the parent organization of the North Central Association Commission on Accreditation and School Improvement (NCA CASI), Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI), and the National Study of School Evaluation (NSSE). NCA CASI and SACS CASI serve as accreditation divisions of AdvancED.

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## About AdvancED and SACS CASI

### Background

Founded in 1895, the Southern Association of Colleges and Schools Council on Accreditation and Schools (SACS CASI) and the North Central Association Commission on Accreditation and School Improvement (NCA CASI) accredit public and private schools and districts in 30 states, the Navajo Nation, Latin America, and the Department of Defense Schools worldwide.

In 2006, NCA CASI, SACS CASI, and the research and development arm of the accrediting associations, the National Study of School Evaluation, unified to form AdvancED. Dedicated to advancing excellence in education, AdvancED provides accreditation, research, and professional services to 23,000 schools in 65 countries, serving 15 million students.

NCA CASI and SACS CASI serve as accreditation divisions of AdvancED. Through AdvancED, NCA CASI and SACS CASI have defined shared, research-based accreditation standards that cross state, regional, and national boundaries. Accompanying these standards is a unified accreditation process designed to help schools, school districts, and educational service agencies continuously improve.

### The Accreditation Process

To earn and maintain accreditation from SACS CASI, school districts and their schools must:

- 1) Meet the AdvancED Standards for Quality School Systems.** School districts demonstrate adherence to the seven AdvancED standards that describe the quality practices and conditions that research and best practice indicate are necessary for school districts to achieve quality student performance and organizational effectiveness.
- 2) Engage in continuous improvement.** School districts and their schools implement a continuous improvement process that articulates the vision and purpose that the school district is pursuing (vision); maintains a rich and current description of students, their performance, school and district effectiveness, and the school community (profile); employs goals and interventions to improve student performance (plan); and documents and uses the results to inform what happens next (results).
- 3) Demonstrate quality assurance through internal and external review.** School districts and schools engage in a planned process of ongoing internal review and self-assessment. In addition, school districts host an external quality assurance review team once every five years. The team evaluates the school district's adherence to the AdvancED quality standards, assesses the efficacy of the school district's improvement process and methods for quality assurance, and provides commendations and recommendations to help the school district improve. The team provides an oral exit report to the school district and a written report detailing the team's recommendations. The school district acts on the team's recommendations and submits a progress report two years following the review.

SACS CASI accreditation engages the entire school district community in a continuous process of self-evaluation and improvement. The overall aim is to help school districts and their schools maximize student success and improve organizational effectiveness.

## Introduction to the Special Review Process

### Purpose

The purpose of the Special Review Team, which visited Clayton County schools August 14-15, is to:

1. Determine if the school district has completed and/or made substantive progress in addressing the recommendations from the original Special Review Team report dated February 15, 2008 and unanimously ratified by the national AdvancED Accreditation Commission on March 15, 2008.
2. Conduct an in-depth investigation of eligible and relevant complaints related to accreditation.
3. Evaluate the school district's submitted evidence related to the recommendations of the original report findings.
4. To provide recommendations, where and if appropriate, focused on areas/issues that need further attention and action.
5. Make an accreditation recommendation to the national AdvancED Accreditation Commission.

A key aim of the special review process is to verify that the school district is operating with institutional integrity – that it is fulfilling its vision and mission for its students and other stakeholders.

### Timeline of Events Associated with the Investigation

The following is a timeline of events that led and/or contributed to the investigation. It is important to note that the investigation was launched at the request of the school district. SACS CASI has followed its own policies in conducting the investigation.

- **January 2007.** Clayton County Board of Education and Superintendent invite SACS CASI President/CEO Dr. Mark Elgart to participate in their Board Retreat focused on roles/responsibilities to ensure effective board governance.
- **September 2007.** Clayton County Board of Education Chair asks SACS CASI to review a plan to provide professional training to Board members and to attend a meeting at which the training plan will be presented.
- **October 2007.** Representatives of the Board filed complaints against other Board members regarding their conduct.
- **November 12, 2007.** SACS CASI sent a letter to the Clayton County Public Schools requesting response, within 30 days, to the complaints and allegations filed.
- **December 12, 2007.** Clayton County Public Schools sent a response letter in which it did not dispute the allegations and complaints, but did provide additional information requested by SACS CASI.
- **December 14, 2007.** SACS CASI sent a letter to the Clayton County Board of Education advising that an onsite investigation would be conducted in January.

- **December 12, 2007 – January 16, 2008.** Various complaints from staff, Board members, and the community were received during this time. All information and complaints received were included in the investigation process.
- **December 12, 2007 - January 16, 2008.** SACS CASI conducted an in-depth review of documents submitted by the Superintendent, as requested by SACS CASI, as well as all other documentation received from other sources including those filed with official complaints.
- **January 16-17, 2008.** SACS CASI conducted an onsite investigation of Clayton County Public Schools. The visit included interviews with all members of the Board of Education, the Superintendent, district staff and community members. Additionally, the team made visits to local schools.
- **February 15, 2008.** SACS CASI provided the Clayton County Public Schools with the written report and findings from the January investigation.
- **March 15, 2008.** The AdvancED Accreditation Commission reviewed the findings of the Special Review Team and unanimously voted to revoke the accreditation of the schools in Clayton County on September 1, 2008 for failure to meet six of the seven standards for accreditation. The school district was given to September 1, 2008 to complete or substantively address the nine recommendations stated in the Special Review Team Report in order to retain accreditation.
- **March 18, 2008.** The Board and their attorney, Glenn Brock, stated in a Public Board meeting that they decided not to appeal the findings of the SACS CASI Special Review Team because the majority of the Board had admitted that the Board was dysfunctional.
- **August 1, 2008.** Clayton County Public Schools provided a detailed report on its progress toward meeting the nine requirements to maintain accreditation, set forth in the February 15 report.
- **August 14-15, 2008.** SACS CASI conducted an onsite investigation of the Clayton County Public Schools. The visit included interviews with members of the Board of Education, the Superintendent, district staff and community members.
- **August 28, 2008.** SACS CASI provided the Clayton County Public Schools with a written report of its investigation and an accreditation decision.
- **September 1, 2008.** The deadline date by which Clayton County Public Schools must “show cause” why they should not be dropped from accreditation for failure to meet the Standards required for accreditation.

### **Using the Report – Acting on the Recommendations**

The school district should use the Review Team report to guide its next steps in response to the findings and its improvement efforts. The school district is held accountable for addressing the recommendations identified in the report. SACS CASI is available to assist the school district in addressing the recommendations. The report is monitored at the state and national level to ensure the school district is addressing the recommendations.

### **Accreditation Recommendation**

The Special Review Team uses the findings from the onsite visit to make an accreditation recommendation that is reviewed by the national AdvancED Accreditation Commission. Accreditation recommendations are considered by the AdvancED Accreditation Commission and final actions are communicated to the school district following action by the Commission. The Commission held a meeting on August 26, 2008 to review the findings and report of the Special Review Team.

### **Overview of the Process**

A Special Review Team representing the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI), a division of AdvancED, visited Clayton County Public Schools on August 14-15, 2008.

During the visit, members of the Special Review Team interviewed: administrators, parents and community representatives, and the members of the current Board of Education, as well as newly elected members of the Board.

Throughout the investigation period, including the on-site visit, representatives and staff of SACS CASI examined documentation provided by the school district. The documentation included, but was not limited to, letters of concerns from citizens, teachers, Board members, and others; official minutes of meetings of the Board of Education and other appointed committees; the report provided by the school district on progress toward meeting the nine requirements, copies of the Clayton County Board Policies; and other relevant materials and documents.

In conducting the visit, the team examined the district's systems and processes in relation to the seven AdvancED standards (See Appendix A):

- Vision and Purpose
- Governance and Leadership
- Teaching and Learning
- Documenting and Using Results
- Resource and Support Systems
- Stakeholder Communications and Relationships
- Commitment to Continuous Improvement

The Special Review Team used the standards to guide its review of the school district, looking not only for adherence to individual standards, but also for how the school district and its schools function as a whole and embody the practices and characteristics of a quality school district.

## **Findings and Recommendations**

### **Activities of the Special Review Team**

The Special Review Team was commissioned by SACS CASI to conduct a review focused on identifying the results of the efforts of the Clayton County Public Schools to complete and/or provide evidence of substantive progress in addressing the nine mandates required for continued accreditation. Members of the Special Review Team reviewed the report of the Special Review Team that conducted the January 16 – 17, 2008 onsite review, studied the documentation provided by the Clayton County Public Schools, conducted interviews with a large number of stakeholders, examined additional documentation, and engaged in lengthy discussion as a team to develop consensus as to what the evidence indicated in terms of results. During the interview process, the Special Review Team met with the newly appointed Superintendent; the immediate past interim Superintendent; current and former members of the Clayton County Board of Education; newly elected Board members; candidates for the Board who are in a run-off election; members of the current staff; parents; community leaders and activists. The team also interviewed officers of the company that completed the forensic audit.

Additional interviews were conducted with former Board members, former Board attorney, and a member of the consultant group that participated in the planning process for indentifying processes and procedures to address the issues that led to the current accreditation status. Additionally, the team talked with a contact person for the “Archway Project,” which provides support from the University of Georgia for local community governmental agencies including the Board of Education.

### **Findings of the Special Review Team**

As indicated, the team focused on identifying the results of the district’s efforts to address each of the nine mandates that are substantiated through multiple sources of information and evidence. The current status for each of the nine mandates was determined through all the processes used by the Special Review Team – including a detailed review of all available documentation provided by the school district, interviews with key stakeholders, and review of Board policies and minutes. It was the intent of SACS CASI to determine, through the review process of the nine mandates, whether or not a systemic, sustainable process of effective governance for Clayton County Public Schools is evident as a basis for making any changes in the recommended accreditation status.

In order to retain accreditation the school district must provide evidence that the school district has fully met or made substantive progress in addressing the recommendations cited below. The school district was given until September 1, 2008 to substantively address each mandate and provide appropriate evidence of such actions to SACS CASI.

The results of the review indicated that the Clayton County Public Schools has not made substantive progress in addressing each of the nine mandates necessary to retain accreditation. The school district has yet to establish a properly functioning Board of Education supported by stable and normal Board and Superintendent relations including respective role definitions and responsibilities.

Therefore, it is the recommendation of the Special Review Team that SACS CASI and the AdvancED Accreditation Commission uphold its decision to revoke the accreditation of the Clayton County Public Schools on September 1, 2008 for violating the Standards for Accreditation.

## Evaluation of the District's Efforts

### Nine Mandates to Retain Accreditation

1. **Establish a governing Board that is capable of fulfilling its roles and responsibilities.** Seven of the Board members interviewed stated that the current Board is dysfunctional. Evidence provided by Board members, staff, and community representatives clearly indicates the inability of the current Board of Education to provide effective leadership and ensure proper governance. This recommendation must be fully addressed or the school district will continue to suffer the consequences of dysfunctional governance.

#### *Evaluation*

There have been numerous changes in the membership of the Board of Education for the Clayton County Public Schools since the January 2008 visit. One board member was removed from office because the Board determined he was not a legal resident of the district he represented. Through resignations and the election process, six additional members of the Board who were in office during the January Review will not be in office January 2009. One of the Board members, defeated in the elections, has since resigned and the person elected for that position has been seated on the Board. The chair and vice chair were not up for reelection and will remain on the Board. However there has been a petition filed with the Governor's office to remove the remaining Board members. There is a pending State Administrative Hearing charged with making a recommendation to the Governor as to whether or not the Board members should be removed.

The changes in membership are a result of a significant period of conflict between and among the members of the Board of Education. The remaining Board members are the survivors of a conflict that escalated since the January 2008 evaluation. Since January, members of the Board have conspired to discredit each other through unethical conduct, intentional lies, and deceitful actions. Based upon information gathered by the Review Team, it appears that the current leadership of the board is comprised of individuals who were successful in manipulating the resignation of other board members through a series of questionable actions designed to discredit or coerce said resignations.

The Review Team noted at least two disturbing incidents that reflect a continued pattern of dysfunction and a lack of understanding as to their collective and respective roles and responsibilities as Board members. The first incident occurred in an executive session when one Board member distributed to other Board members unsubstantiated, derogatory, and inflammatory information about the chair of the Board that led to his resignation in disgust. There was no action taken on the part of the Board to censure the Board member. Not only was the Board member not censured, she was elevated to the position of vice-chair of the Board. Another Board member who was engaged in an altercation with a member of the press admitted that his actions were a violation of the Board's ethics policy and asked the Board to censure him. Again, no action was taken.

Additionally, the hiring process of the current superintendent was a result of deceptive action by the current chair and vice-chair of the Board. During an executive session of the Board, these two Board members brought forward, without the knowledge of the chair, a recommendation to hire the current superintendent. Not only was this action taken without

knowledge of the chair it was taken in an executive session that was not designated for such a purpose. This is another example of the Board misusing and abusing the legal parameters and purpose of the executive session.

Finally, the current Board chair and vice-chair conspired to agree to a contract with the current superintendent that includes provisions that are irresponsible. The current contract for the superintendent cedes the governing authority of the Board of Education to the superintendent. In addition, the contract gives the Superintendent unprecedented latitude to continue employment outside the district while continuing to receive remuneration from the school district.

In essence, the Board of Education, in the words of at least one current member, has moved from being dysfunctional to non-functional. The Board of Education meetings have been sanitized to provide the illusion that the district is operating in harmony. The Board has not only ceded its governing authority, but it also has removed the public's opportunity to provide feedback during meetings in which the Board will conduct its business. The Board's adoption of a policy to hold a separate meeting dedicated to public comment further removes the public from the work of the Board. Additionally, the Board continues to use the Executive Session as the vehicle to hold deliberations and discussions related to the work of the Board. The public sessions of the Board provide no authentic view of the governing responsibility of the Board.

It should be noted that new board members voiced a commitment to take a professional and positive approach to the work of the Board. They also are able to effectively articulate their roles and responsibilities. The training provided by the school district and other agencies has been targeted to help Board members fully understand their roles and responsibilities and the appropriate behavior expected of Board members. It is critically important that the new Board members help restore the governing authority of the Board and re-focus the Board's work.

The results clearly indicate that as of the dates of the review and issuance of this report, the Clayton County Board of Education remains outside the parameters of this mandate. It will take time and commitment for the new Board members, taking office in January, to develop the skills and knowledge to become a fully functioning effective Board of Education capable of fulfilling its proper roles and responsibilities.

2. **Remove the influence of outside groups/individuals that are disruptive to the work of the school district.** Throughout the investigation (as well as the previous investigation in 2002 and 2003) there is significant evidence that the work of the school district and, in particular, the actions of the Board is inappropriately influenced by outside groups/individuals. Once elected, every Board member must remove themselves from activities or influences that compromise their legal and ethical obligations to the school district and as a member of the Board of Education.

### ***Evaluation***

Steps have been taken to remove or limit access of outside groups and individuals to the work of the Board and in the schools. Such actions have been taken with regard to all organizations that have any connection to the school district. Specifically, two local teacher

unions, MACE and CCEA, have been targeted by the school district in these new policies and administrative procedures.

Of the two teacher unions, MACE was specifically identified in the Forensic Audit and Human Resource Review conducted by independent outside experts as having improper influence regarding the hiring and promotion processes of the school district as well as influencing other Board decisions and actions. Additionally, the school district enacted a policy to discontinue the use of the school district's communication processes by MACE and CCEA for sending out information and recruiting members. A principal officer in MACE has been removed from the Board. Although the removal was not related to his role in the organization, it removed the perceived influences on Board decisions by the organization in which he was employed. However the Board Chair has admitted that she remained a member of the organization and attended at least five private dinners with members of the organization and Board until this past summer. Therefore, it is unclear as to whether MACE continues to influence the operations of the school district.

There is not enough evidence to support a definitive determination as to whether the actions taken will remove the improper or disruptive influence of outside groups or organizations. The school district needs to be careful not to disenfranchise all outside groups by enacting policy and procedures that restrict and refrain efforts of outside groups that can and do have a positive impact on the work of the school district. Additional time and evidence is needed to determine whether the Board of Education can operate without the negative influence of outside groups or individuals.

3. **Enact and commit to an Ethics Policy that governs the actions and work of the members of the Board of Education and staff including appropriate steps when said policy is violated.** There is substantial evidence that members of the Board have repeatedly violated the current Ethics Policy and no action has been taken by the Board in response to such violations. Additionally, the decision making process is significantly tainted when members of the Board influence staff members in asking them to circumvent current policies. A strong and actionable Ethics Policy can have a sustainable, positive impact on the work of the Board and staff but only if it is adhered to and enforced.

### ***Evaluation***

The Clayton County Legislation Commission, at the request of the Board and former interim superintendent, introduced an ethics bill in the Georgia General Assembly for Clayton County that was passed by the State Legislature and signed into law by the Governor. In addition to the requirements for ethical behavior in the execution of their duties and responsibilities, the bill establishes an Ethics Commission to review complaints and impose punitive actions against any and all board members who come in conflict with the tenets of the legislation.

However, since the January 2008 report, the Board has continued to act without regard to their Code of Ethics policy. Several examples have been provided throughout this report. The current chair and vice-chair have committed the most egregious acts in their efforts to seize control of the Board. Their behavior continues to exhibit a pattern of disregard and disrespect for the ethical guidelines that they are responsible for adhering to as defined in policy.

When the Special Review Team made the visit in January, the Board had a viable Ethics Policy in place that, if followed, would have prevented many of the challenges and issues cited throughout the investigation. The primary issue was that individual members of the Board did not internalize the requirements of the policy and consequently the policy has no effect on their behavior and actions. It is hopeful that the provisions of the policy that allows for the Ethics Commission to take action on members of the Board who violate the policy will deter inappropriate behavior or, if necessary, provide a viable process to responsibly address such infractions and finally bring an end to the escalation of inappropriate behavior and conduct by members of the Board.

The enactment of ethics legislation has been completed. However the commitment and performance of the Board to the ethical tenets in the legislation cannot be assessed at this time.

4. **Implement a comprehensive review of board policies that includes training for Board members on the purpose and expectations of said policies.** The investigation clearly revealed that the Board either does not understand its policy role and responsibilities or that the Board deliberately chooses to ignore policies that interfere with their individual interests. The Board and administration should engage in a consistent, formal process of policy review that includes updating of policies when and where appropriate as well as the necessary training to enact said policies with effectiveness.

#### ***Evaluation***

It was evident in January that Board members were not aware or did not care that policies of the Board are designed to guide the work of the Board. It has been well documented as to the number of violations of Board policies that were taking place when the January report was developed. Further, there had not been any major updating of policies for several years.

There was a major revision of board policies initiated at the direction of the attorney hired by the Board to address the issues in the SACS CASI report and the interim superintendent. This revision has been continued and amplified by the current attorney for the Board. Hopefully, the Ethics Policy, approved through legislation, will provide appropriate steps for dealing with Board members who violate the policy.

There have also been several training sessions for members of the current Board and those who were seeking election to the Board. Participants in the training sessions indicated that the training was effective in helping them develop an understanding of the relationship of policies to the work of the Board. The training also strengthened their understanding of their roles and responsibilities.

In addition, the Governor appointed two State Board of Education members to help the Board develop an understanding of the roles and responsibilities and to have that understanding reflected in the actions and behaviors of the Board. These liaisons have the knowledge, skills, and experience to be a great source of support and guidance for the Clayton County Board of Education. However, they resigned because their efforts were not accepted or respected by the Board.

The intent of this mandate is being addressed – but there is much more work needed. The Board needs to demonstrate over a sustained period of time that their understanding of the policies of the school district is reflected appropriately in their performance in carrying out the governing role and responsibilities defined by such policies. This mandate cannot be satisfactorily assessed at this time.

5. **Conduct a full, forensic audit of financials by an independent, certified accounting firm and take appropriate steps to address the findings of such an audit.** Throughout the investigation, numerous allegations were made by members of the Board of Education, individual staff members, and community representatives that identified serious concerns regarding the financial fidelity of the school district. Many of these allegations raise potential, legal concerns regarding financial matters pertaining to the school district (e.g. land deal controversy, awarding of government contracts, and hiring practices).

Throughout the investigation numerous allegations were made by members of the Board of Education, individual staff members, and community representatives that identified serious concerns regarding the financial fidelity of the school district. These allegations were discussed in detail in the January report.

### ***Evaluation***

The district hired a certified accounting firm that specializes in conducting forensic audits. The results of the audit indicated that there was no evidence of illegal activity however the results including recommendations validated most of the concerns of the Special Review Team in the areas audited. The school district has begun to take steps to address the challenges identified in the audit report. However, the school district must fully address each of the recommendations in the audit report. The mandate for conducting the audit was not simply to determine if there were any illegal actions but also to ensure the district was conducting its financial and related personnel activities in accordance with district policies.

There are lingering concerns related to the hiring practices and processes that were not adequately addressed in the forensic report. An outside consultant reviewed the Human Resource functions of the school district and noted several areas of concern. The school district needs to continue to address these concerns including, if necessary, conducting a forensic audit of the Human Resource and Transportation departments. The school district needs to monitor and ensure that the proper internal financial controls are adequate and sufficient.

6. **Conduct a comprehensive audit of student attendance records and take appropriate steps to ensure that attendance records are accurate and meet legal requirements.** During the course of the investigation, several allegations were made that indicated a lack of confidence in the accuracy of student attendance records. In addition, members of the Board and staff expressed significant concern regarding attendance problems in the district including allegations that attendance records have been altered to avoid legal actions or sanctions. Such concerns have been dismissed or not addressed by the Board and staff. Student attendance records must be maintained in an accurate and secure manner as well as meet all legal requirements.

### ***Evaluation***

The Governor's Office of Student Achievement in collaboration with an outside, independent firm conducted an attendance audit to determine the accuracy and effectiveness of the attendance records in terms of meeting the intent of the legal requirements for attendance. There was no compelling evidence revealed in the audit of illegal or deliberate improprieties in the attendance records. However the audit did identify areas of concern that need to be addressed to ensure the accuracy and effectiveness of the attendance records processes and procedures.

The school district has begun to provide the training and proper internal controls to ensure the accuracy of the attendance record keeping throughout the district. The school district needs to continue to monitor and ensure that the internal controls are adequate and sufficient.

7. **Ensure that each member of the Board is a legal resident of the county and is eligible to hold the elected seat on the Board.** The investigation raised significant questions regarding the eligibility of certain Board members to hold their elected seat. Although such questions have been shared with the Board of Education no substantive and formal efforts have been enacted by the Board to ensure that all members of the Board meet the residency requirement for the seat on the Board. If there is evidence that any member of the Board does not meet the residency requirement the individual should be removed from the Board immediately and the legal process to replace said Board member should be initiated.

### ***Evaluation***

In response to the January Special Review Team Report, the Board chair and interim superintendent (at that time) asked the Clayton County Police Department to conduct an investigation to determine if all members of the Board lived in the district for which they were elected to a seat on the Board. The police investigation determined that one Board member did not live in the district for which he was elected. That Board member was removed by Board action following the results of the police investigation and the corresponding action of the County Clerk's Office of Elections.

Appropriate action was taken and this mandate has been appropriately addressed.

8. **Secure the services of outside consultant(s) with expertise in conflict resolution, governance and organizational effectiveness.** The investigation clearly revealed that the current Board and administration operate in a state of chaos. The school district does not have the internal capacity to adequately and effectively address this major challenge. It is imperative that outside professional support be secured and maintained for a prolonged period of time. Such support should remain in place until the school district can demonstrate sustainable organizational and governing practices that support a healthy and effective educational system.

### ***Evaluation***

The results of the initial investigation included documented actions and behaviors of the Board that reflected a complete inability to work together to develop the harmonious relationships essential to a quality and effective Board of Education. The bickering,

posturing, and disharmony on the Board continued for several months after the January 2008 report was made public. In fact one Board member stated to the Special Review Team during this review that the Board has moved from being “dysfunctional” to “non-functional.”

The district has developed a civility policy that is designed to provide guidelines on how to work in harmony as a Board. As with the other policies that are designed to guide the work of the Board there has to be a commitment to internalize the policy. The recent history of the Board reflects the absence of respect for each other. The use of qualified consultants is crucial to the Board’s ability to establishing a healthy working relationship among current and future Board members. The idea of a Board that acts in a civil manner does not preclude the Board from engaging in healthy debate regarding the policies and governance of the school district. However, the Board needs guidance and training in establishing guidelines and strategies for engaging in healthy, public debate of the issues facing the school district.

A group of consultants who have been identified by the Superintendent as having skills in the various areas of governance, leadership and Board relations met with the Superintendent. It is the understanding of the Special Review Team that these consultants were unfortunately focused on developing recommendations to address the mandates of SACS CASI with the Board and not for specific training in conflict resolution.

There has been professional training provided for the Board in terms of the Board’s roles and responsibilities. However there is no evidence that training needs related to conflict resolution have been effectively addressed.

The Board has provided the Superintendent with significant financial resources to hire consultants at his discretion without the need to report such appointments including costs to the Board.

The Board and administration need the support and guidance of outside consultants to restore effective Board governance as well as Board and administration role clarity and definitions. This is a critical strategy designed to help the Board and administration achieve the level of effectiveness that is expected and needed.

9. **Appoint a permanent superintendent with the experience and expertise to lead the school district and establish the proper conditions for effectiveness.** The first step to renewal and transformation of the school district is securing the proper leadership. It is imperative that the community, staff, and Board of Education aggressively and appropriately seek and secure the service of a qualified and capable superintendent of schools. Additionally, it is critical that the school district, its Board of Education, and the community support and build collaborative relationships with the new superintendent, his or her staff, and other stakeholders. The school district must conduct a legitimate, professional search that results in securing the services of the best available candidate as the next superintendent of schools for Clayton County.

### ***Evaluation***

The intent of this mandate was to employ a strong, experienced, knowledgeable, and permanent superintendent who has the skills to work with the Board and the community in developing a strong program of education for the students in the Clayton County Public Schools. This mandate is the foundation piece for bringing the work of the Board back in line with its stated mission and purposes. The Board contracted a professional search firm to conduct a national search for a superintendent for Clayton County Public Schools. The series of events leading to the appointment of a corrective superintendent were filled with missteps and deliberate deception.

The search firm identified two candidates who were interested in the job of superintendent for Clayton County Public Schools. The two candidates were interviewed and the current superintendent was selected. However, his salary requirements and other stipulations as to additional persons and monies needed created concerns for some Board members and the negotiations discontinued. Additionally, some of the Board members, including the Board Chair (at that time) were under the impression that the candidate was no longer interested. The Board then decided to hire a “Corrective Superintendent” and the current superintendent was again contacted to determine his interest in the job. He expressed an interest in the position of corrective superintendent and contract negotiations were restarted. The negotiations were apparently being conducted by two or three Board members along with the Board Attorney. According to the Board Chair no official action of the Board had been taken to authorize these individuals to negotiate on behalf of the Board.

The immediate past chair of the Board informed the Special Review Team that he did not have knowledge of the negotiation taking place and was surprised in an executive session meeting that the superintendent’s name was presented for an informal vote. The executive session was added to the agenda to discuss the search process – not for discussing a particular candidate. At the beginning of this executive session, a Board member distributed the derogatory blog about the Chair of the Board, which was discussed in a previous section of this report. The Board took an informal vote in executive session (not legal) to hire the corrective superintendent. The Board convened following the executive session, and a vote to elect the current superintendent as a corrective superintendent was passed. It was determined that an official vote could not be taken on the corrective superintendent as the item was not on the agenda. The Chair of the Board indicated that he planned to resign from the board, but did not resign that night.

The next day a called meeting of the Board was planned to vote on the Superintendent. The Board Chair did not call for the meeting and he did not attend, and a second Board member did not attend. Apparently the Vice-Chair called the meeting and a vote to offer a contract to the corrective superintendent was taken and passed. However the Board had to rescind the vote because the meeting was not called appropriately and therefore could not be considered a legal meeting of the Board. The Board appointed the Superintendent at its next regularly scheduled meeting.

In the interview process, a majority of current Board members indicated that the current superintendent was hired as a corrective superintendent and not as a permanent superintendent. The documentation received by SACS CASI suggests that the superintendent was permanent because the length of his contract met the legal definition for

permanent. However, the Board minutes clearly reflect that the superintendent was hired as a corrective superintendent. This is another example of the inability of the Board to function effectively and is reflected in the actions and confusion over the hiring of the corrective superintendent or permanent superintendent.

During the interview process there were a number of people who supported the superintendent for his ability to bring order to the Board meetings, and set in place some strategies for improving the general operation of the schools. The role of the Special Review Team is not to evaluate the effectiveness of the superintendent – that is the role reserved for the Board. The role of the Special Review Team is to make a determination as to whether governance issues have been fully addressed in the formal procedures for conducting the business of the Board and the role of the superintendent.

In the documentation provided by the school district, a copy of the superintendent's contract was presented for review. There were concerns about some of the provisions of the contract, but the primary concern is a clause that gives the superintendent the power to by-pass board policies as long as no state or federal laws are violated. It could be referred to as an unusual transfer of power and authority. The power of the Board comes from the Board as a whole and is exercised through the development of policies and procedures that detail the work of the Board, superintendent and all employees. On the surface, it is unfortunate that the clause sends a message to the Board that in certain situations policies can be ignored or circumvented. One of the issues regarding accreditation is that the Board must follow its policies and procedures in conducting their roles and responsibilities. The power afforded the Clayton County Superintendent of Schools greatly exceeds the power required by state law and the standards for an accredited school system.

During the interview process, the superintendent indicated that the power was there but he didn't think he would have to use that power. The Special Review Team was made aware of two instances where this power has been exercised. Just before the 2008 graduation exercises the superintendent had the diplomas pulled from the folders and were ordered to be reprinted because his signature was not on the diplomas. The community reacted – as would be expected – with frustration and anger. The cost for replacement of the diplomas was estimated to be \$80,000, which exceeds the spending level authorized for the superintendent by Board policy. Fortunately, a vendor picked up the costs of reprinting the diplomas. This action could be construed to be more focused on name recognition than student welfare.

A second instance relates to the requirement for school uniforms in certain grade levels. According to the information provided to the Special Review Team, a study was conducted that indicated more than eighty percent of the parents surveyed wanted the uniform requirement. The Board is elected to represent the people and what they believe is important for the education of their children. Therefore the Board should have been presented with the opportunity to review the survey information and make the formal decisions regarding uniforms. This implementation of policy clearly circumvented their role and responsibility.

This information is presented not to be critical of the superintendent, but to make an important point that in the framework of the governance standard for accreditation both the

Board and the superintendent must work within their defined roles and responsibilities as stated in board policies and applicable laws.

### **Next Steps**

Based on an exhaustive review of all the documentation provided the Special Review Team in advance of the August visit, review of materials and documents during the onsite review, and the information obtained through the interview process, the Special Review Team finds that the Clayton County Public Schools has failed to fully and substantively address the mandates required for changing the decision that the accreditation of Clayton County Public Schools shall be revoked on September 1, 2008.

If the Clayton County Public Schools make the commitment to resolve the current problems, provide evidence that the district is meeting all the requirements for accreditation, and develop an effective systemic and sustainable process of continuous improvement, the Clayton County Public Schools can seek reinstatement prior to September 1, 2009. However, if this deadline for reinstatement is not met, the school district will need to reapply for accreditation.

Additionally, please note that the school district has the right to appeal the decision of the AdvancED Accreditation Commission. The Appeals Process can be accessed on-line at [www.advanc-ed.org](http://www.advanc-ed.org) or by request.

### **Conclusion**

AdvancED is the parent organization for the Southern Association of Colleges and Schools Council on Accreditation and School Improvement and other regional commissions that provide accreditation across the nation and around the world. The requirement for being recognized as an accredited institution or school is the same in Georgia as it is in Arizona or Brazil. Accredited schools must meet the standards for accreditation, engage in a process of continuous improvement and have in place a process for monitoring and ensuring the quality of the work. The standards provide the foundation for building quality schools and quality school districts. Without the foundation provided in the standards there is no assurance that the schools or school district can achieve the mission and goal needed for quality education.

Accreditation is not a right, but is provided for the schools and school districts that make the commitment and meet the requirements for accreditation. There are periodic visits and required self evaluations to ensure that the requirements for accreditation are continuously met. SACS CASI does not take accreditation from schools - it is revoked when there is a failure on the school and/or district's part to meet the requirements. Loss of accreditation is the result of the failure of the school system to maintain commitments for continuous improvement and adherence to the accreditation standards.

The January (2008) Special Review Team report clearly defined the problems that led to the recommendation that the Clayton County Public Schools' accreditation be revoked. During the current interview process there were individuals, including the current superintendent, who stated that the report was not clear as to what needed to be done. This is despite numerous meetings between representatives of the school district and the SACS CASI/AdvancED staff. Further, the report submitted by the District makes several references to the availability for discussion and dialogue between the Superintendent and his staff and the SACS CASI/AdvancED staff. The

school district has been given ample opportunity and time to understand what needs to be accomplished to address the nine mandates and retain accreditation. Further, the school district continues to spend considerable time and energy in attempts to repudiate some of the findings of the January 2008 report. They continue to pursue this course of action despite the prior stated decision by the Board and its special counsel to accept the report and its findings and allow the expiration of the 10 day appellate deadline. After the admission of seven of the Board members that the Board is dysfunctional, the school district would be better served seeking solutions than rehashing the initial report.

The current superintendent was concerned about the money that would have to be spent to address the problems identified by the Special Review Team Report. Except for the required audits, professional consultant resources are available to the school district that can help address the concerns with minimal costs to the school district. The Georgia School Board Association has a cadre of trainers who can assist school boards with some of the training. Universities in the metro Atlanta area are within reasonable proximity to the Clayton County Public Schools. The school district and other local governmental agencies are members of the Archway Project that provides resources and support from Georgia Colleges and Universities to the governmental agencies in the County. Clayton County is one of four counties that currently have access to the Archway Project. The Governor of Georgia appointed two highly qualified and experienced State Board Members to assist the Clayton County Board of Education in addressing the problems. Whereas, the hiring and compensation of consultants by the school district has been a source of prior concern, any monies expended for consultants and other specialists should be carefully considered and effectively monitored by the Board.

While it is obvious that some costs will be incurred in responding to the SACS CASI report, it must be noted that there are alternatives for addressing the problems without incurring a significant expenditure of monies. Members of the Board of Education appear not to have attempted to gain a full understanding of the cost for consulting services, when they provided a blanket authorization to the Superintendent to employ consultants without board approval.

Citizens, parents and children need to be reassured that the commitment, infrastructure, resources and leadership of the educational system in their communities are in place. No organization can be successful without some degree of conformity to organizational norms and values such as those prescribed by the accreditation standards and the policies and procedures of the school district. Accreditation validates if indeed such conditions are in place and functioning properly. If these components and processes are not in place, it would be tragic to indicate they were – for the schools and the school district would be operating under false pretenses. Although there is a great desire throughout the community to retain accreditation, the current conditions throughout the school district do not substantiate that the district meets the requirements necessary to be accredited.

The Governor of the State of Georgia and the State Legislature took actions to protect the students when they provided an exemption from the accreditation requirement for high school graduates to receive the Hope Scholarship through June, 2010. However the school district must regain accreditation prior to this time to ensure eligibility for students in the future.

The Special Review Team would be remiss if it did not commend the principals, teachers, central office staff and administrators for their dedicated efforts on behalf of the young people served

during this difficult time. Because of the dedication of the staff, at both the school and district levels, the students will continue to be able to move forward.

However, it is time for the community to step forward and support the school district - not with angry tirades but with their time, talents, and their votes for Board members who will have the interest of the school district and its students as their central focus.

While there is no known secret to leadership, it is obvious that there are lessons, ideas and strategies already validated that are all too often ignored. The problems in Clayton County will not be resolved until a school board is in place that takes proper charge of the governance of the school district. The challenges faced by the school district will not be resolved via autocratic leadership from the school system superintendent and a governing board that does not engage in public deliberations on policies, procedures, and other matters entrusted to the Board. There appears to be an illusion projected in the district and the community that all is well and the problems identified in the last report from SACS CASI are minor and can be easily fixed. Accreditation will only be retained through corrective actions by a school board that is not controlled by its superintendent. Rather, the Board must establish itself as properly exercising its authority and ensuring that its policies and procedures are followed and supported through strategic and focused Board leadership while maintaining a collaborative relationship with its superintendent.

Trust with the citizens and parents of Clayton County can only be built as the Clayton County Board of Education becomes transparent. Reputation and transparency go hand in hand and public officials such as school Board members cannot ignore their responsibility of providing as much information as possible to their constituents and employees of the school district.

The Clayton County Public Schools are at a serious and historical crossroads. The path chosen in the coming days, weeks, and months must be guided by responsible decisions focused solely on the needs of students.

## Appendix A

### AdvancED Standards for Quality School Systems

The **AdvancED** Standards for Quality School Systems are comprehensive statements of quality practices and conditions that research and best practice indicate are necessary for school districts to achieve quality student performance and organizational effectiveness. As school districts reach higher levels of implementation of the standards, they will have a greater capacity to support ever-increasing student performance and organizational effectiveness. Each of the seven standards listed below has corresponding indicators and impact statements that can be accessed at [www.advanced.org](http://www.advanced.org).

#### **Vision and Purpose**

The system establishes and communicates a shared purpose and direction for improving the performance of students and the effectiveness of the system.

#### **Governance and Leadership**

The system provides governance and leadership that promote student performance and system effectiveness.

#### **Teaching and Learning**

The system provides research-based curriculum and instructional methods that facilitate achievement for all students.

#### **Documenting and Using Results**

The system enacts a comprehensive assessment system that monitors and documents performance and uses these results to improve student performance and system effectiveness.

#### **Resource and Support Systems**

The system has the resources and services necessary to support its vision and purpose and to ensure achievement for all students.

#### **Stakeholder Communications and Relationships**

The system fosters effective communications and relationships with and among its stakeholders.

#### **Commitment to Continuous Improvement**

The system establishes, implements, and monitors a continuous process of improvement that focuses on student performance.