

**STATE BOARD OF EDUCATION
STATE OF GEORGIA**

IN RE: *
SUSPENSION OF THE BOARD *
MEMBERS OF THE DEKALB COUNTY *
BOARD OF EDUCATION *

**RECOMMENDATION OF THE STATE BOARD OF EDUCATION
TO THE GOVERNOR OF THE STATE OF GEORGIA**

The Georgia State Board of Education (“State Board”), having met under the provisions of O.C.G.A. § 20-2-73(a)(1), hereby makes the following findings, conclusions and recommendation to the Governor of the State of Georgia regarding the Members of the Dekalb County Board of Education (“Local Board”):

FINDINGS

1.

The DeKalb County School System (“School System”) is governed by the Local Board. The School System is accredited by the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (“SACS”). SACS is an accreditation agency as defined in O.C.G.A. § 20-3-519(6)(A)(i).

2.

On December 17, 2012, the School System was placed on the status of “Accredited Probation” by SACS and Advance Education (AdvancED) (hereinafter collectively referred to as “SACS”). “Accredited Probation” is the level of accreditation immediately preceding loss of accreditation. The School System was placed on Accredited Probation for school board

governance reasons. The School System remains on the status of Accredited Probation until December 31, 2013.

3.

Specifically, SACS found the following violations:

Based upon the information collected and reviewed, the Special Review Team found sufficient evidence to support a finding that the actions and behaviors of the DeKalb County Board of Education are in violation of AdvancED standards and policies and its own established policies.

...

Multiple instances of violations of the following Standards and Indicators by the DeKalb County Board of Education are outlined below.

Standard 2

The system operates under governance and leadership that promote and support student performance and school effectiveness.

Indicator 2.1: The governing body establishes policies and supports practices that ensure effective administration of the system and its schools.

Indicator 2.2: The governing body operates responsibly and functions effectively.

Indicator 2.3: The governing body ensures that the leadership at all levels has the autonomy to meet goals for achievement and instruction and to manage day-to-day operations effectively.

Indicator 2.4: Leadership and staff at all levels of the system foster a culture consistent with the system's purpose and direction.

Indicator 2.5: Leadership engages stakeholders effectively in support of the system's purpose and direction.

Standard 4: Resources and Support Systems

Indicator 4.1: The system engages in a systematic process to recruit, employ and retain a sufficient number of qualified professional and support staff to fulfill their roles and responsibilities and support the purpose and direction of the system, individual schools, and educational programs.

Indicator 4.2: Instructional time, material resources, and fiscal resources are sufficient to support the purpose and direction of the system, individual schools, educational programs, and system operations.

Indicator 4.3: The system maintains facilities, services, and equipment to provide a safe, clean, and healthy environment for all students and staff.

Indicator 4.4: The system demonstrates strategic resource management that includes long-range planning in support of the purpose and direction of the system.

Indicator 4.6: The system provides a technology infrastructure and equipment to support the system's teaching, learning, and operational needs.

4.

SACS concluded its report stating:

The DeKalb County Board of Education has been afforded ample opportunity to come into compliance with the AdvancED Standards and Indicators as well as their own policies. **Despite attempts of various experts and organizations to bring about sustained change in the culture and operation of the Board of Education, the extensive efforts, costs and resources expended in this endeavor appear to have been wasted.** By admission of the very board members that received the training and opportunity to change the culture and pattern of behavior, the efforts of the members have been in vain. While the system was in a state of monitoring and consultation, some progress was noted. However, as soon as the monitoring concluded and the members were left to self-regulate, their old patterns of behavior re-emerged. The failure of the Board to effectively govern the system is having severe consequences on the system's current and future operation. **If this pattern of poor governance is not corrected immediately, thousands of DeKalb County students will be negatively impacted for years to come.**

(Emphasis added).

5.

At the time the School System was placed on "Accredited Probation", the Members of the Local Board were Eugene P. Walker, Thomas E. Bowen, Nancy Jester, Donald E.

McChesney, Sarah Copelin-Wood, H. Paul Womack, Jr., Jesse "Jay" Cunningham, Donna Edler, and Pamela A. Speaks.

6.

Because the Local Board was placed on the status of “Accredited Probation” by SACS for school board governance related reasons, pursuant to O.C.G.A. § 20-2-73(a)(1), the State Board issued notice to the Local Board Members that a hearing would be held on January 17, 2013, to determine whether the State Board should recommend to the Governor that he suspend, with pay, the Members of the Local Board pursuant to O.C.G.A. § 20-2-73 and Ga. Comp. R. & Regs. R. 160-5-1-.36.

7.

At the hearing on January 17, after hearing testimony and evidence, the State Board and the Local Board entered into a Consent Order and Agreement, in which the State Board agreed to suspend the hearing but reserved the right to reschedule the hearing at its discretion.

8.

The State Board scheduled the next hearing for Thursday, February 21, 2013. At that time, the Members of the Local Board were provided the opportunity to present additional evidence as to why the State Board should not recommend to the Governor that he suspend, with pay, the Members of the Local Board pursuant to O.C.G.A. § 20-2-73 and Ga. Comp. R. & Regs. R. 160-5-1-.36.

9.

At the conclusion of the February 21st hearing, the State Board unanimously voted to recommend to the Governor to suspend the eligible¹ Members of the Local Board. Those individuals are Eugene P. Walker, Nancy Jester, Sarah Copelin-Wood, Jesse “Jay” Cunningham, Donna Edler, and Pamela A. Speaks.

CONCLUSIONS AND RECOMMENDATION

1.

On April 20, 2011, Senate Bill 79 (2011), passed by the Georgia General Assembly and signed by Governor John Nathan Deal (“Governor Deal”), became effective. On June 28, 2011, the United States Department of Justice precleared Senate Bill 79 in accordance with Section 5 of the Voting Rights Act of 1965.

2.

On December 17, 2012, the School System was placed on the status of “Accredited Probation” by SACS for school board governance related reasons, which resulted in the State Board scheduling a hearing pursuant to O.C.G.A. § 20-2-73(a)(1).

3.

On January 17, 2013, the State Board agreed to provide the Local Board additional time to rectify the issues raised by SACS. After hearing testimony from all the Local Board


¹ The phrase “eligible members,” as used in O.C.G.A. § 20-2-73(a), refers to Local Board Members who were in office at the time that the school system was put on accreditation probation.

Members, the hearing was continued until February 21. Additional evidence and testimony was heard at that time.

4.

Based upon evidence presented at the two (2) hearings before the State Board, it is the recommendation of the State Board to the Governor that he suspend suspend the eligible Members of the Local Board. Those individuals are Eugene P. Walker, Nancy Jester, Sarah Copelin-Wood, Jesse "Jay" Cunningham, Donna Edler, and Pamela A. Speaks.

Adopted by the State Board of Education, this 21st day of February, 2013.



BARBARA HAMPTON, CHAIR
STATE BOARD OF EDUCATION