LEADING REFORM

EDUCATION ADVOCACY CHALLENGES & OPPORTUNITIES IN MISSISSIPPI

Jacob Faber, Researcher, CSI
Brittny Saunders, Senior Advocate, CSI
Cassandra Welchlin, Director of Southern Programs, CSI
Maya Wiley, Executive Director, Center for Social Inclusion, CSI

CENTER FOR SOCIAL INCLUSION
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It was the best of times; it was the worst of times. This may be how history remembers the current period of American history. The American people elected the first Black President of the United States to preside over an unprecedented economic crisis. Education remains one of the most important social infrastructure investments this nation can make in producing democratic citizens and economic prosperity. And the economic crisis has both crippled state education budgets and prompted a huge influx of federal dollars into secondary education—two critically important opportunities this complex moment provides. This report describes the landscape of the continuing struggle for educational excellence in Mississippi and identifies opportunities and challenges that reformers must navigate in order to transform one of the nation’s most unsuccessful school systems. Including data, research, and news reports, along with interviews with education reformers (see Appendix), this report draws on the context and the experiences of those working for transformation of Mississippi’s schools.

Mississippi mirrors and is influenced by the national context. Both declining faith in public schools and the current economic crisis make this an important moment in which to discuss reform. But the discussion is marred by tension and contradictions. The National Civic Index and research by Lake Research Associates indicate that in 2008 education had decreased in importance for Americans, eclipsed by rising gas prices and massive job losses.\(^1\) This is true even as Americans grow more disappointed with the quality of public education: 32% reported a decline in the quality of their local schools in 2008, compared to 27% in 2006.\(^2\)

At the same time, two factors are increasing federal influence on state education reform strategies. The federal government has increased education spending to the states by almost $50 billion in American Reinvestment and Recovery Act (Recovery Act) dollars. And the nation’s first African American President, an incredibly popular figure with strong views on public education, has also affected the debate on reform. A poll conducted by Stanford University, the Hoover Institution and Harvard University in February 2009 showed that knowledge of the President’s support for charter schools and merit pay for teachers increased support for those strategies by 11% and 13%, respectively.\(^3\)

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2 Id. at 13.
Many Mississippi elected officials on both sides of the aisle, like the President, support charter schools. Some of the state education advocates strongly oppose expansion of charter schools in Mississippi. They believe charters raise the threat of racial segregation and allow state officials to avoid discussion of systemic failures. This is not a trivial debate, nor one that is only relevant to Mississippi. But it is a particularly poignant debate in a state with a high percentage of Black residents, a high percentage of poor residents, and historic opposition to educational reform and racial equity. Together, racial segregation, concentrated poverty and local funding make the cracked foundation upon which the state’s schools are built. Success for all of Mississippi’s children must address the gap in educational opportunity based on race.

Building on existing work in Mississippi and supporting its communities most in need of systemic education reform might lead to innovations that may work across the state, the region and the nation. Stakeholders concerned with educational excellence in Mississippi are a broad and varied group. They range from students, parents, and educators to business leaders and policy makers. The interests of and relationships between these stakeholders are often mediated by non-profit organizations. These groups are themselves diverse, ranging from community-based “concerned citizen” groups to regional training and policy centers and legal organizations. Like many other resources in this poor, rural state, these organizations are spread thin and receive too little support. Nonetheless, powered by creative and committed staff and supporters, they have proven resilient and have produced surprising results despite their challenges.  

These community-based organizations often struggle to take advantage of promising opportunities, while also maintaining ongoing work and relationships. Addressing this difficulty requires building these organizations up, strengthening their resource bases and supporting their financial independence from local power brokers. With a more stable and independent presence, such groups can take full advantage of training programs, federal dollars and other new opportunities for reform.

THE MISSISSIPPI CONTEXT

The Economy

Today, the economic crisis is the most pressing issue in Mississippi, changing the educational reform landscape in dramatic ways. The recession has exacerbated long-standing inequities with respect to nearly every socioeconomic indicator. In addition, the state’s historic poverty has affected its capacity to weather current economic challenges.

- In Mississippi, 36% of Blacks live in concentrated poverty areas (along with 18% of Latinos, 14% of Whites, 9% of Asians, and 34% of all people of color).  
- More than 38,000 Mississippians have lost their jobs since April 2008, and the state unemployment rate was 9.3% in first quarter of 2009.  
- The manufacturing sector has had a 10% decline in payroll employment. This is a significant loss since manufacturing jobs pay better than service sector jobs and are more likely to provide benefits.

6 MARIANNE HILL, MISSISSIPPI ECONOMIC REVIEW AND OUTLOOK (June 2009).
7 Id. at 13.
The construction sector had a 6.5% drop in payroll employment between the first quarter of 2008 and the same point in 2009.8

In the Gulf Coast portion of the state, construction remains high as public and private firms continue rebuilding post-Hurricanes Katrina and Rita. Despite these major development projects, however, homeowners, renters, and small businesses continue to struggle with the rising cost of insurance and other barriers to rebuilding and resettling.9

At the close of the second quarter of 2008, 6.22% of prime and 25.71% of sub-prime mortgage loans in Mississippi were past due. Among sub-prime adjustable rate mortgages, 31.48% of loans were not current.10

Hinds and Desoto counties have experienced the highest number of foreclosures in the state, with between 1,328 and 3,046 borrowers affected. Rankin and Madison counties have the next highest number of foreclosures, ranging between 622 and 1,328.11 As Bill Bynum, CEO of the Enterprise Corporation for the Delta, notes, families that have lost these assets have fewer resources to finance education and health care.12

While the state is slated to receive nearly $2.5 billion in stimulus funds, Mississippians of color are not likely to benefit equally from these federal investments, a development that is likely to hurt the recovery of the region as a whole. Much of the money will create construction jobs. Stimulus dollars will in turn flow to state businesses, reinforcing existing patterns of privilege. Roughly 52% of businesses and firms in Mississippi are owned by White males; 6% are owned by Black males and another 5% are owned by Black females.13 In 2006, of those working in construction and extraction occupations in the state, 95.8% were male, 22.2% were Black and 70.9% were White. These trends are striking in a state where 32% of the population is Black, and 65% is White.14

Mississippi’s Policy-Making

Advocates for education excellence find themselves in a policy context that includes budget battles and posturing. The Governor’s office refused $56 million in Recovery Act funds that would have extended unemployment benefits to part-time employees,15 arguing that accepting these monies would result in higher taxes for employers and reduced unemployment benefits over the long term.16 Advocates argued that these funds would assist some 40,000 people and generate more than $120 million in economic activity in the state.17 The Mississippi state house voted to override the Governor’s office decision by joint resolution, but the motion failed to pass in the Senate.18

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8 Id. at 18.
11 “Estimated # of Foreclosures by County Map” Source: US Department of Housing and Urban Development, Mississippi Economic Policy Center Analysis.
12 See supra note 6.
13 Id.
14 2006 US Census American Community Survey.
17 See Institute for Policy Studies, supra note15.
18 Id.
In addition to battling over stimulus aid, the Governor’s office and the legislature have clashed on the state budget. A major budget showdown over the summer of 2009 was rancorous.\textsuperscript{19} Education, like other public sectors, felt the pinch as teachers worked without contracts and school districts were unable to plan for 2009-2010 school year. Education groups like the Parents Campaign responded by asking members to demand that the Governor call a special session of the legislature to hammer out a budget agreement.\textsuperscript{20} The state was able to resolve the impasse at the eleventh hour.\textsuperscript{21} However, it has left distrust between advocacy groups and the Governor’s office, since some believe that the Governor’s office was consolidating its power to erode historic victories, hard won by advocates in recent years.

Following successful efforts to redraw district lines in the early 1990s, the number of Black elected officials in Mississippi doubled in a single election cycle. There are now a total of 122 members in the Mississippi House of Representatives. Thirty-seven sit on the Legislative Black Caucus, and 27 Caucus members chair House committees. Notably, Representative Reecy L. Dickson, a Democrat and Black Caucus member, sits on the education committee which has jurisdiction over charter school issues. Members of this Caucus played a key role in the fight to override the Governor’s decision to reject stimulus funds. The Senate, in contrast, has a total of 52 members, 13 of whom are members of the Mississippi Legislative Black Caucus. These Caucus members have relatively little influence over the Senate education committee. It is widely believed, however, that the Governor and Lieutenant Governor exercise considerable influence over the state Senate.

A number of other stakeholders exert influence over the Mississippi State Legislature.

\textbf{State Agencies:} State Department of Education; Secretary of State, the Institutions of Higher Learning; Department of Finance and Administration.

\textbf{Government-Related Organizations:} Mississippi Association of Supervisors, Mississippi; Municipal League; Mississippi Sheriff’s Association; Mississippi Association of School Superintendents (MASS).

\textbf{Business Interests:} Entergy; Mississippi Power; Farm Bureau; Nissan; Construction companies.

\textbf{Associations:} Mississippi Economic Council; Mississippi Association of Educators; Mississippi Manufacturers Association.

\textbf{Non-Profit Advocacy Organizations:} Mississippi State Conference NAACP (MS NAACP); Southern Echo; Mississippi ACLU (MS ACLU); Children’s Defense Fund (CDF); Mississippi Center for Public Policy (MCPP); Mississippi Youth Justice Project (MYJP); Parents’ Campaign.

Many of these organizations—several of which have large constituencies—have access to lawmakers through relationships with members and staff or hired lobbyists who are able to make critical connections. Others exercise influence because they are well-financed.


\textsuperscript{20} Id.


\textsuperscript{22} Mississippi Center for Public Policy is a conservative, evangelical policy group.
Our analysis indicates that non-profit policy and advocacy capacity in the state is limited. While there are a number of coalitions, they are generally composed of varying combinations of the same groups. Non-profits are not as well resourced as other organizations, associations and interests. For-profit associations have considerable resources to hire lobbyists and to persuade legislators to vote against their own constituents’ interests, according to Derrick Johnson, President of the MS NAACP.

**Demographics: Race, Poverty, and Academic Opportunity**

The fact that too many Mississippi residents are poor hardly needs stating. The Magnolia State is one of the most impoverished in the country, and the situation is getting worse. Median household income in Mississippi has *declined* from inflation-adjusted 2000 levels, by 10.1%, to $32,938. Mississippi is also among the top five states in the nation for declining median household income, ranking fifth overall. These decreases in income are not race-neutral. Black Mississippians experienced the greatest drop in median household income—an astonishing 39.2% since 2000. Median income levels for Black Mississippians were down 34.3% from 2000 figures, to $24,069. In contrast, White residents, as a group, had a 71.1% *increase* in median income. The median household income for White Mississippians was $43,781 in 2005—19.4% greater than the corresponding figure in 2000. According to the

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**Mississippi Poverty and People of Color**

Source: U.S. Census Bureau, EDR, Inc.

[Map of Mississippi showing poverty and people of color]

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24 *Id.*
2000 U.S. Census, Asian headed households in Mississippi have median household incomes of $47,300—29% greater than the median for all households in the state. American Indian and Alaska Native headed households reported a median income of $31,453, 14.2% less than the state median.25

Most of the state’s high-poverty areas are in the rural western part of the state. The area adjacent to the Gulf of Mexico is also dotted with several high-poverty areas. This mapping suggests that the following counties are high poverty: Holmes, Coahoma, and Bolivar. Strikingly, areas with a people of color majority, whether urban or rural, overlap almost exclusively with high-poverty areas. Most of the areas with the highest poverty rates (over 40%) are also over 80% people of color.

Overall, the state has very low educational attainment (measured by high school or college completion). Only 78% of the state’s adult population holds a high school degree, compared to 84% of the United States as a whole. Only 26% have earned college degrees, compared to 34% nationally. The charts below show that people of color, especially Blacks and Latinos, are not being offered the same educational opportunity as others in Mississippi. Only 59% of Latinos and 70% of Blacks in the state have a high school diploma. The percentage of adults with a high school degree is the lowest in the country (below 80%). Since 1980, the college graduation gap between Mississippi and the rest of the country has widened from 76% of the national rate to below 70%.26

As the maps below show, areas with the lowest educational attainment are largely communities of color. For example, Noxubee County, in the east, is almost 70% people of color, and only 57% of residents have a high school diploma. Fewer than 15% of residents have a college degree. Issaquena County, in the west, is 64% people of color. In Issaquena County, only 59% of people have a high school diploma, and only 12% of residents have completed college.

25 Id.
26 Southern Education Fund “Update – Miles to go: Mississippi” 2009 and “Miles to go: Mississippi” 2006
Incomes in Mississippi were well behind the rest of the country even before the current downturn. A study by the Southern Education Foundation (SEF) found that 53% of this per capita income gap ($10,037) was due to lower levels of education.\textsuperscript{27} The graph below shows that differences in income are felt by Mississippians at all levels of educational attainment. Those working in Mississippi with only a high school diploma earn almost $4,000 less than the national average for similarly educated workers. The gap widens as educational attainment increases: Mississippi residents with graduate or professional degrees earn at least $10,000 less than those in the rest of the country.

\begin{figure}
\centering
\includegraphics[width=\textwidth]{poverty_rate_by_education.png}
\caption{Poverty Rate by Educational Attainment (2007)}
\end{figure}

Mississippi students regularly rank last or close to last in reading and math. Within the state, there are striking differences in performance between groups. Poverty alone cannot explain these trends: the gap between students of color and White students is much wider than the gap between paid lunch and free/reduced-price lunch students and has not changed significantly in recent history. These performance gaps may well be rooted in inequitable funding. Districts with the highest rates of poverty have $181 less funding per student than districts with the lowest poverty rates. This translates to $4,525 more per classroom and $63,350 per school in the wealthiest public school districts. As the following map shows, counties with high numbers of Black residents also have lower home values. As a result, Black counties cannot raise the millage of other counties with higher home values and, therefore, higher property tax bases.

Student-teacher ratio (measured on the school-district level) varies widely across the state, ranging from 9.4 to 19.9 students for each teacher. Mississippi’s northernmost districts and those along the coast benefit from the lowest ratios, while the highest tend to be in the central and western parts of the state. By simply looking at the maps, it’s hard to see a very strong relationship between this ratio and racial makeup of districts.

\textsuperscript{27} Id. at 6.
Mississippi Property tax capacity and communities of color

Home value per person
- $10,517 - $17,280.57
- $17,280.58 - $19,505.17
- $19,505.18 - $21,882.57
- $21,882.58 - $23,785.88
- $23,785.89 - $36,035.88

Majority people of color

Mississippi Student/Teacher Ratio

Student/teacher ratio (school districts)
- 0.4 - 12.7
- 12.8 - 14.7
- 14.8 - 15.9
- 15.4 - 16.2
- 16.3 - 19.9

Education Advocacy Challenges & Opportunities in Mississippi

[9]
NON-PROFIT CAPACITY

It is critical to look at the non-profit capacity across the state, to understand both where and how capacity for educational excellence is distributed. The map below shows the distribution of education non-profits in the state. This map, based on US Internal Revenue Service 990 filings, does not include religious organizations or subsidiaries of foundations. Neither does it capture volunteer and other informally organized efforts. It does, however, show that organized non-profit capacity is not distributed evenly throughout the state.

ISSUE AREAS

Mississippi’s education-oriented non-profits have focused their efforts in five key areas.

Education Funding

Mississippi is one of many states with a FY 2009 budget shortfall. The shortfall, as of October 2008, was approximately $42 million. The Revenue Estimating Committee projected that the shortfall would grow to $78.6 million by the end of the FY 2009 (June 30, 2009). As a result, the state cut the budget, including funding for K–12 education, which had accounted for 45% of the total Mississippi budget.28 In a statement dated June 2, 2009,

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the Governor asserted that the state had increased education spending every year since 2006 and, though planning nearly $100 million in cuts for 2009, would raise spending by $200 million in 2010.\footnote{Office of the Governor, “What You Should Know About Education Funding in Mississippi in Fiscal Year 2010” 1 available at http://www.governorbarbour.com/news/2009/jun/documents/AMessagefromGovernorBarbour.pdf.}

Despite these claims, Mississippi education advocates argue for greater investment in the state’s public schools. Much more must be done, they insist, in order to achieve equity. Budget cuts have resulted in the failure to fund the Mississippi Adequate Education Program (MAEP). The Mississippi Adequate Education Program is the result of a long, hard-fought battle by education reformers in the state. In 1953, the Minimum Education Program was established, instituting a formula for education funding at the district level. Because this formula relied largely on local resources in racially segregated districts, it institutionalized long-standing education inequities. The Mississippi Adequate Education Act of 1994 not only required an increase in education spending but also changed the way state funds are allocated to districts. The Act mandated appropriate pupil-based funding so that schools would have the resources required to operate at an “adequate education level”—defined as the average performance of a level III (on a 1 to V scale) accredited school.\footnote{\textit{Miss. Code Ann.} § 37-151-5 (1972).}

Schools have three primary sources of funding: state revenue, local school revenue, and tax and spending revenues. State revenue is calculated through the MAEP funding process. A base figure that captures the cost of educating a student is determined using a sample of school districts with average performance (level III school districts). This base cost figure is then multiplied by the number of students in the district. Additional state aid is provided to local school districts based on the number of at-risk students in the district, special education, vocational education, gifted education and transportation needs within the district. In order to participate in MAEP and receive state money under the program, districts must levy a local property tax of 28 mills.\footnote{See \textit{Joint Legislative Committee on Performance Evaluation and Expenditure Review} (PEER), \textit{A Review of the Mississippi Adequate Education Program Funding Process} 1, 14 (2002).} Under the MAEP, the state’s share is approximately 81% and the local share 19%.\footnote{\textit{National Access Network at Teachers College, Mississippi Fact Sheet}, available at http://www.schoolfunding.info/states/ms/costingout_ms.php.} The largest share of local school revenue is revenue the ad valorem tax on property. Additional sources of local revenue include revenue from bond and interest fund receipts, and other local sources.

The next round of fights centered on appropriations for MAEP. The Mississippi State Legislature did not make appropriations to implement MAEP until 1997, and even then made only partial funding available. After much struggle, full funding of the Mississippi Adequate Education Program was approved early in 2003 for implementation the following school year and again in 2007. In 2009, however, MAEP was once again unfunded.

Students of color and poor students bear the burdens created by this failure to make consistent investments in education. While a 2003 study by CSI and Southern Echo found that poor, predominantly Black schools receive slightly more education funding than others—most likely as a result of Title I expenditures—\footnote{\textit{See Center for Social Inclusion, Education Inequity in Mississippi ii} (2003) available at http://www.centerforsocialinclusion.org/PDF/Mississippi_Report.pdf.}—these resources are probably insufficient to meet actual needs. Given the high levels of poverty in these communities and the state’s long history of underfunding public education in such areas, it is probable that these schools may, in fact, require \textit{more} resources in order to achieve desired outcomes.
However, even if it were fully funded, it is doubtful that MAEP, in its current form, would bring about greater educational equity in Mississippi. This is because the formula itself is flawed. MAEP arbitrarily sets the standard for educational adequacy at that of a level III accredited school (accredited on a scale of I to V). However, the quality of Mississippi-accredited schools is low. As a result, “adequate education level” is defined as a mid-range goal in a relatively poor quality system. Eliminating racial disparities in outcomes will require establishing a more ambitious goal. Similarly, the MAEP assumes that level I or level II accredited schools (poor performers) need only the funding equivalent to an existing level III school to become a level III school. This may well prove to be an incorrect assumption.

The current House position is to fully fund all portions of the MAEP for the coming fiscal year, including the base student cost (the MAEP formula proper), add-ons (Special Education, Vocational Education, Gifted Education, etc.), National Board Certified Teacher supplements, and other aspects of education funding. The current Senate budget appears to fully fund the base student cost but underfunds add-ons and other aspects of education funding. The House and Senate positions differ by about $20 million. Governor Barbour’s budget funds education at a level approximately that is $20 million below the Senate position.

A number of state advocacy groups have joined the House in supporting full funding of MAEP. These include Children’s Defense Fund, Mississippi State Conference of the NAACP, Mississippi Youth Justice Project, Parents’ Campaign, Southern Echo, the Human Welfare Coalition and the Mississippi American Civil Liberties Union. Parents, students, communities and advocacy groups want transformative education reform, which according to Southern Echo requires the “quality first-rate education to which the children and their families are entitled from legal, moral and common-sense points of view.”

Many of the groups interviewed for this report have pushed for quality education, not only by advocating for reform of the school finance system and tax structure but also by focusing on leadership and accountability, efforts to “grow” talented educational professionals, and investments in early childhood education or pre-kindergarten programs.

Stimulus

The U.S. Department of Education (DOE) has awarded over $965 million worth of funding under the Recovery Act to support public education in Mississippi. Much of this money, such as Title I and Individuals with Disabilities Education Act (IDEA) funds, has been awarded through pre-existing formulas.

Several Mississippi advocacy groups have already begun to advocate for strategic uses of these funds. The Mississippi Youth Justice Program (MYJP), for example, has launched a campaign urging school districts to use stimulus funds to implement Positive Behavioral Interventions and Supports (PBIS) an evidence-based framework proven to reduce disciplinary incidents, increase a school’s sense of safety and support improved academic outcomes. PBIS has also been endorsed by the Department of Education. To this end, MYJP

34 “Dismantling the Achievement Gap: Creating and Implementing Education Policy to Provide a Quality Education for Children At-Risk, reduce Dropout and Maximize Graduation rates, and Generate State Revenue Sufficient to Fully fund Public Education.” Dismantling the Achievement Gap Conference, November 12, 2007 at MS Valley State.

is sending informational materials to all school districts and state education advocates. Funds could come from through the Recovery Act’s IDEA distribution, since these dollars can be used to implement PBIS for students with disabilities. Likewise, the MS NAACP is working with district superintendents to identify opportunities to use stimulus funds for green development projects as well as strategies for leveraging Title I funds and Professional Development Grants under Title II. The Mississippi Economic Policy Center has provided an online resource to help members of the public understand where stimulus money is going.

One fact has become eminently clear: many rural communities will have a tough time competing for funds that could help strengthen local economies and create a more robust local revenue base for schools. Communities like Gunnison (Bolivar County), Itta Bena, Coahoma, and Jonestown, for example, were unable to apply for stimulus funds. Several policy makers interviewed for this report pointed out that small rural municipalities lack the capacity and organizational infrastructure to apply for funds to promote the development of broadband, smart electricity grids, Superfund cleanups, health information systems, renewable energy and greener transportation.

Charter Schools

Charter schools have become both popular and controversial. In the seventeen years since the first charter school opened its doors, the numbers of these non-traditional public schools have swelled. Today some 1.4 million students are enrolled in 4,500 charter institutions around the country, and the number of names on the nation’s charter school waitlists is estimated at 365,000. Yet whether charter schools outperform their traditional counterparts is still unclear. While some see them as a strategy to improve public education by providing the flexibility necessary for innovative and high-achieving education, others worry that they drain public resources away from already underfunded public school systems.

The academic track record of charter schools is also mixed. As a 2004 DOE report found:

1. Charter schools are more likely to serve minority and low-income students than traditional public schools but less likely to serve students in special education;

2. Overall, charter schools are less likely than traditional public schools to employ teachers meeting state certification standards; and

3. In five state case studies (Texas, Colorado, Illinois, Massachusetts, and North Carolina), charter schools were less likely to meet state performance standards than traditional public schools, although the report was careful to state that its findings were not indicative of student achievement.

A study released in June 2009 by the Center for Research on Education Outcomes (CREDO) at Stanford University examined student performance on reading and math assessments at 2,403 charter schools in 15 states and the District of Columbia. The

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37 CENTER FOR RESEARCH ON EDUCATION OUTCOMES, MULTIPLE CHOICE: CHARTER SCHOOL PERFORMANCE IN 16 STATES 6 (2009).

CREDO researchers found that roughly half of charter schools produced results that were indistinguishable from traditional public schools, and another 37% had student outcomes that were significantly worse than traditional public schools. Just 17% outperformed traditional public schools.\(^3^9\) Black and Latino charter school students did less well than a comparison group of Black and Latino children in traditional public schools, while poor students appeared to do better in charter schools.\(^4^0\)

A subsequent study by researchers at the New York City Charter Schools Evaluation Project, which compared students who were selected by way of lottery to attend charter schools with those who entered such lotteries but were not selected, showed very different results. On average, students who attended charter schools from kindergarten through eighth grade closed 86% of the performance gap in math and 66% of the performance gap in English.\(^4^1\)

In Mississippi, some policy makers are seeking to increase the number of charter schools in the state. Currently, Mississippi has only one charter-like school, the Hayes Cooper Center in Merigold. It is an alternative school for students having difficulty in traditional schools. Although it does not receive state funding, it gets resources from the local district in which it resides. It has a Booster Club made up of many of the families of students from whom it frequently seeks financial support to the school.\(^4^2\)

Separate, but related to the charter-school debate is the Children First Act of 2009 (Children First). Children First is the result of a five-month process initiated by the Governor’s office and led by the Task Force to Study Underperforming Schools and School Districts. Among its members were Dr. Hank Bounds and Rep. Cecil Brown, Chair of the House Education Committee, and Senate Education Chairman Videt Carmichael.

Signed into law in April 2009 with bipartisan support, it gives the Mississippi Department of Education (MDE) the ability to remove superintendents and independently elected school board members when a school district has been considered “failing” for two consecutive school years. This particular provision made the law controversial for the Mississippi State Conference of the NAACP because many of the “failing” school districts are majority Black, as are the superintendents and elected board members. It would also:

- Create a Mississippi Recovery School District (RSD”) to govern school districts that have been taken over by the state;
- Require school district officials to report to the State Board of Public Accountancy when an audit is thought to be deficient by a financial advisor;
- Require school districts that are designated as “failing” to establish a council with representatives from the school, business and local community; and
- Require all school districts to publish an annual report that includes achievement data and financial data required by the State Board of Education.\(^4^3\)

\(^3^9\) Id. at 1.

\(^4^0\) Id. at 6. Other studies also raise questions about the benefits of charter schools. See, e.g., NATIONAL CENTER FOR EDUCATION STATISTICS, A CLOSER LOOK AT CHARTER SCHOOLS USING HIERARCHICAL LINEAR MODELS (2006).

\(^4^1\) NEW YORK CITY CHARTER SCHOOLS EVALUATION PROJECT, HOW NEW YORK CITY CHARTER SCHOOLS AFFECT ACHIEVEMENT viii (2009).


\(^4^3\) www.mde.k12.ms.us/Extrel/News/2008/08ChildrenFirstAct.html.
The MS NAACP, the only group to publicly oppose Children First, worried that charter schools in the state would continue educational segregation. Derrick Johnson, the state conference President, said the Children’s First Act penalizes underperforming schools in Mississippi rather than recognizing that they need resources to improve educational outcomes.\textsuperscript{44} The bill had a Charter School provision to encourage charter schools in the state, which the MS NAACP successfully convinced legislators to remove. Nonetheless, the MS NAACP views a Recovery School District (RSD) as no more than a charter school. There does not appear to be sufficient data to determine the impact of the RSD model on underperforming schools. In fact, many advocates in Mississippi look to what they deem the failed model of the New Orleans Recovery School District, upon which this provision was modeled.

Apparently, many supporters of the Children First Act believed it would improve education based on the comparison of the experience of two school districts, Hazlehurst and Leland. The Hazlehurst and Leland school districts are widely perceived as the same in terms of their racial and poverty demographics. Both populations have a majority of poor and Black students. Yet Leland is viewed as performing adequately, while Hazlehurst is one of the lowest performing districts in the state.\textsuperscript{45} Some policy makers, looking at the similar demographics of the school district’s enrolled students, believe that exceptional school leadership explains the differences in performance between Leland and Hazlehurst. Although leadership surely matters, it does not appear that policy makers examine structural factors that might help explain differing educational outcomes between the Leland and Hazlehurst City School Districts.

Seeking an explanation for the differing educational outcomes, CSI examined factors such as resources, infrastructure and demographics of each district. CSI analyzed the structural underpinnings of the two school districts to see whether there might be structural differences that explain disparities in performance.

There are many demographic similarities between the two districts:

- Both have an overwhelmingly Black student population. Hazlehurst is 96\% Black, while Leland is 91\% Black.
- Public school students in both districts are very poor. Overall poverty rates are 28\% in Hazlehurst and 25\% in Leland. Hazlehurst is 93\% free or reduced lunch eligible, while Leland is 91\%.
- The districts have comparable student/teacher ratios—1:16 in Hazlehurst and 1:15 in Leland.

<table>
<thead>
<tr>
<th>County</th>
<th>Hazlehurst City School District</th>
<th>Leland School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>County population</td>
<td>27,878</td>
<td>55,862</td>
</tr>
<tr>
<td>County poverty rate</td>
<td>21%</td>
<td>32%</td>
</tr>
<tr>
<td>County % people of color</td>
<td>51%</td>
<td>69%</td>
</tr>
<tr>
<td>% of students in public school</td>
<td>85%</td>
<td>90%</td>
</tr>
</tbody>
</table>

\textsuperscript{45} “School Officials Discuss Consolidation Pros, Cons” ABC WAPT August 6, 2009 http://www.wapt.com/news/20298730/detail.html
Several key differences, however, exist:

- Hazlehurst is a little more than 50% larger than Leland.
- Leland has fewer students per guidance counselor (289.0) than Hazlehurst (428.5).
- Leland has more revenue per student and slightly more money for instructional expenditures. Leland gets almost $2,200 per student more than Hazlehurst in revenue ($1,100 more from the state and $850 more from the federal government).
- Although Leland is in a county with a higher poverty rate, there is actually more aggregate home value per person in the county ($64,203) than in Copiah ($54,399).
- Although Hazlehurst spends almost $2,300 more on instructional costs per teacher than Leland, this translates to spending less than 2/3 of what Leland does on support services per student.

These statistics may help account for the differing educational outcomes between Hazlehurst and Leland and signal to policy makers that school leadership is only partly responsible for improving student achievement. As the Hazlehurst/Leland comparison shows, resources that translate to critical services in schools are just as, if not more, important to improving educational outcomes. The fight over how to help failing school districts and the role of charter schools spotlights how capacity among education reformers is critical, including the capacity to offer data-driven information to explain differences and identify possible solutions.

<table>
<thead>
<tr>
<th></th>
<th>Hazlehurst City School District</th>
<th>Leland School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total revenue per student</td>
<td>$6,817</td>
<td>$8,995</td>
</tr>
<tr>
<td>Instructional expenditures per student (teacher salaries and benefits)</td>
<td>$4,029.75</td>
<td>$4,230.70</td>
</tr>
<tr>
<td>Support service expenditures per student (guidance counselors, nurses, school maintenance, staff support, librarians, etc.)</td>
<td>$2,103.27</td>
<td>$3,193.43</td>
</tr>
<tr>
<td>Employee benefits per student</td>
<td>$1,242.71</td>
<td>$1,448.98</td>
</tr>
<tr>
<td>Instructional expenditures per teacher</td>
<td>$29,965.29</td>
<td>$27,672.66</td>
</tr>
</tbody>
</table>

According to some interviewed for this report, many of the lobbying firms hired by Black school districts to advocate for them also lobby for groups and political interests that are inconsistent with those of the school districts. When the Children First Act was first proposed with provisions to encourage charter schools, one of the large lobbying firms sponsored a legislative dinner to garner support for the bill. The Legislative Black Caucus (Caucus) was one of its target audiences. The presentation on charter schools persuaded many members of the Black Caucus to support the bill. The advocacy community, particularly the MS NAACP, learned about the dinner and requested meetings with key caucus members on the education/sub-education committee. Caucus members were convinced that charter
schools would give parents more and better educational choices. Other benefits in the bill made it difficult to vote against, including: funding to hire certified school librarians, performance-based accreditation for schools, language that set high expectations for students and high standards for all schools, and appropriate flexibility for community participation and implementation.

Many policy makers lacked information on how the bill would impact their school districts, including the impact on democratically elected school boards. Thus far, there have been six districts taken over by MDE, replacing Black superintendents with White conservators who are paid $190,000 per year at the expense of these underfunded school districts. Under the conservators, mentors are appointed for each superintendent whose school district is taken over. These mentors have not been racially diverse. Superintendents and school boards in low-performing districts have become increasingly upset that the economic benefit and political leadership of predominantly Black schools has lacked racial diversity or representatives who understand the lives of the students and their families.

As this story demonstrates, it is critical that Mississippi non-profit groups receive support for research and public education capacity to examine the potential impact of proposed education policies and share them broadly. Many groups are collaborating to improve education for low-performing school districts and students through reports, convenings, and legislative action. The MS NAACP has been conducting statewide trainings for Black superintendents on how the Children First Act will impact their schools and school districts. The Delta Catalyst Roundtable and Southern Echo have been developing community trainings to assist parents, students and community partners to understand the changes to education laws in the state, particularly the revised Accountability Rating System. This work seeks to move the state toward the national average academic performance. Education reform groups are providing training so that educators and the public understand the impact of the Quality of Distribution Index (QDI), which is the formula for measuring achievement under the new rating system. Black-led advocacy organizations with research, expertise, knowledge, staff and technical capacity are needed to fill gaps in knowledge.

Juvenile Justice

Several groups in the state have been working on the connection between school disciplinary practices and children in the juvenile justice system or alternative schools. Groups including the Mississippi Youth Justice Project of the Southern Poverty Law Center, the Mississippi ACLU, Mississippi Families as Allies, and Southern Echo have all identified troubling school-based disciplinary practices that result in children’s contact with the criminal justice system for minor disciplinary infractions. School fights and disruptive behavior, traditionally handled in the schools, are now being dealt with through the juvenile justice system. According to a report by MYJP and the National Juvenile Defender Center, youth courts have reported that school discipline referrals clog their dockets. Russell Skiba, Director of the Initiative on equity and opportunity at the Center for Evaluation and Education Policy and consultant to the MYJP, said, “increased use of zero tolerance only seems to increase the disproportionate number of African American students in school discipline.” Groups are working to help communities create and distribute student handbooks that put

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46 Mississippi Youth Justice Project, Effective Discipline for Student Success: Reducing Student and Teacher Dropout Rates in Mississippi.
forward effective school-based discipline models. Several communities across the Delta and in South Mississippi, including Laurel, Walthall, Tunica, Holmes, and Hinds Counties, to name a few, have had some success in getting parents and students on the committees to develop the handbooks.

Alternative schools in the state have been known as a dumping ground for Black children and children with disabilities or behavior problems. The MS ACLU published a report designed to bring much-needed attention to these problems and call for systemic reform of disciplinary procedures. According to the report, the state’s alternative schools “hurt the very students they are meant to help.” This advocacy has led to the new state policy mandating school districts to provide annual reports to the MDE.

There have been other important victories in the fight for youth justice and educational quality, including:

- An MYJP lawsuit filed in 2007 on behalf of teenage girls who were physically and sexually abused at Columbia Training School, the state’s prison for girls, which resulted in Gov. Barbour’s recommendation to close the facility.
- Legislative advocacy and community organizing led by MYJP and the School House to Jail House Coalition played a key role in the passage of several important laws, including the landmark Juvenile Justice reform Act of 2005, which emphasizes community-based rehabilitation and reduced punishment for first-time, non-violent offenders.
- Mississippi allocated more than $7 million for incarceration alternatives following MYJP’s advocacy work.

MYJP is also reforming the state’s indigent defense system for juveniles by providing training to juvenile defenders. Aid is also provided to defense counsel in the form of research, motions banks and litigation assistance.

**Early Childhood Education**

There are several groups working on early childhood educational quality: The Early Childhood Institute, Cathy Grace at Mississippi State University, Mississippi Low Income Child Care Initiative (MLICCI), Children’s Defense Fund’s Southern Regional Office, Barksdale Reading Institute and Mississippi Economic Policy Center. As with K-12 education, financing of child care centers that serve low-income families is a key issue. MLICCI is working to increase revenue streams and help centers remain financially viable. On average, child care fees in Mississippi are higher than tuition at state colleges and universities. Mississippi has no state-funded early childhood program and federal funds for low-income child care assistance serve only a fraction of those income-eligible. Over 62% of Mississippi families qualify by income for the Child Care Subsidy Program (CCDF). Because of inadequate funding, only 12% of those families actually receive it.

One of MLICCI’s highest priorities is to increase subsidy funding to improve the reach of this program. After much pressure, the state is now meeting its state match requirement for CCDF and is transferring 20% of Temporary Assistance to Needy Families grant money

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into CCDF. This significantly increases the amount of money available for subsidized child care. Studies show that CCDF child care subsidies increase employment rates and reduce low-income families’ need for government support.\textsuperscript{49} MLICCI works closely with the Mississippi Economic Policy Center for research, data and report writing capacities.

As it is currently structured, CCDF suffers from bureaucratic inefficiency and unfairly administered regulations, creating obstacles for those most in need of help. In partnership with Mississippi Center for Justice (MCJ), MLICCI is working on the Legal Remedies Project to:

- Identify cases where legal assistance can result in increased protection of child care centers and parents from wrongful actions;
- Provide (or help to make accessible) such legal assistance;
- Pursue “impact litigation”; and
- Recruit and advise other attorneys.\textsuperscript{50}

Additionally, in partnership with CDF and MCJ, MLICCI is leading an assessment of the Quality Rating Systems (QRS) for child care centers. Cathy Grace at Mississippi State University worked with the Barbour administration to get QRS implemented, but it lacks adequate funding. The Mississippi Department of Human Services (MDHS) is piloting the program using tiered reimbursements. In tiered systems, child care providers receive higher ratings, which translates to higher rates of reimbursement for specific quality improvements. MLICCI has taken on this issue for following reasons:

- The lack of resources for implementation of QRS will have an adverse impact on families and providers who rely upon the child care certificate program for subsidized childcare. States that have successfully implemented tiered systems have made significant investments to help low-income child care centers pay for required improvements. MDHS has not made that kind of investment into the program and it plans to target only the most financially vulnerable centers (due to their reliance on the inadequate and insecure child care certificate program).
- The Mississippi approach to a tiered system program threatens to create a segregated child care system in which only centers with the resources to finance quality improvements can afford to participate. Since most child care centers’ funds come from parent fees, centers serving parents who can afford to pay fees will get higher reimbursements while centers serving parents who cannot afford to pay will be left behind.

No state has examined the impact of QRS on child care subsidy programs. MLICCI is taking on this task.

Another key early childhood issue is investment in pre-kindergarten programs. CDF and MLICCI have introduced legislation to invest in pre-kindergarten programs and increase academic success for children at risk. This legislation has a high profile in the legislature and across the state due to successful advocacy in several forums including town hall meetings, legislative hearings, and reports.

\textsuperscript{49} Id.\textsuperscript{50} Mississippi Low-Income Child Care Initiative Website “Policy & Subsidy Reform Program” http://www.mschildcare.org/policysubsidy.php (accessed October 13, 2009).
Another key early childhood issue is investment in pre-kindergarten programs. Oleta Fitzgerald, Southern Regional Director of the Children’s Defense Fund-Southern Regional Office stated that “early childhood education is the best antidote to the state’s dropout problem. Dropout prevention can’t be solved unless you deal with this issue.” CDF and MLICCI have introduced legislation to invest in pre-kindergarten programs and increase academic success for children at risk. This legislation has a high profile in the legislature and across the state due to successful advocacy in several forums including town hall meetings, legislative hearings, and reports.

Growing Teachers

The Mississippi Association of Educators (MAE) and Jackson State University’s (“JSU”) College of Education and Human Development (“CEHD”) have been working together to fill the state’s critical teacher shortage by growing and training teachers from the state. In 2007–2008 there were approximately 2400 teacher vacancies statewide. As a result, up to 2400 classroom children were likely taught by under-qualified teachers. “This only increases class size while reducing the amount of individualized instruction,” said Kevin Gilbert, President of the MAE. Most of the critical teacher shortages are in the poor and mostly black Mississippi Delta region of the state.

CEHD developed the Mississippi Learning Institute (MLI), a program to improve reading and literacy instruction and outcomes by addressing teaching and learning. Training is is open to teachers, principals, superintendents, counselors and parents. MAE partners in the MLI through professional development trainings.

MLI’s mission is to operate a student-centered Pre Kindergarten-20 professional development learning system to improve reading and literacy outcomes in the Jackson Public School District and enhance the quality of teacher education in JSU’s CEHD. It focuses on Jackson’s five Mississippi’s Learning Academies (“MLAs”), all of which have increased their school rankings since their participation in the program. According to Dr. Daniel Watkins, Dean of CEHD, “The greatest thing a College of Education can do is to license teachers, counselors, and principals”, said Dr. Daniel Watkins, Dean of the College of Education and Human Development.” Seventy percent of the MLA’s teachers and leadership matriculated and received their leadership training from JSU’s College of Education. The College of Education’s early education department has had more resources and been able to graduate more students. This implies that if the College of Education acquired additional resources to support and recruit faculty and students with science, math, and English skills, the MLAs’ middle and high schools could increase their level of success.

Opportunities and Challenges

As this report demonstrates, non-profit groups are doing a tremendous amount of work on a broad range of education-related issues in a difficult economic period and political climate. Still, gaps in the work remain, and there are opportunities to support more effective educational advocacy in Mississippi:

Support for existing groups

The groups described in this report do important work and all require more general support. Community members are vital to the process of school reform. They hold public and elected officials accountable at public hearings, town hall meetings, board of supervisors
meetings and school board meetings. Because Mississippi is such a poor, rural state, the cost of convening is high. Hosting trainings and convenings requires groups to provide transportation, meals, and printed materials, as well as the staff to make it all happen—all of which are costly. Successful advocacy requires more than trainings. Participants need high-impact tools for further advocacy. Financial investment in community groups allows them to access knowledge, share that information in their communities and empower local residents to build a movement. Financial and technical support, especially for programs aimed at parents and students, would provide critical resources to inform communities and support their direct engagement in school reform.

As this report notes, many groups already work collaboratively. This approach is often work and resource intensive. For most groups, it requires a significant amount of staff time, often without dedicated resources. Without adequate resources, too many groups are forced to treat network building, collaboration and information sharing as secondary. As a result, there is little opportunity for groups to work together from start to finish on the development and implementation of policy and advocacy strategies. Without this type of support, collaboration is anemic and groups must confine themselves to limited issues until they need mass turnout for a particular fight or activity. Our analysis suggests that the most effective collaboration is occurring within the early childhood education community, where groups have a coordinated team that works on policy, strategy and convenings. Though small, the group works well together, and all members have a mutual respect for others’ areas of expertise. They also use each other’s resources—such as consultants, research, and money—when collaborating on projects.

**Consolidating schools**

School consolidation is a controversial issue, particularly when racial disparity and poverty are deeply ingrained. In Mississippi, school district boundaries remain as they were when the landmark school desegregation opinion, *Brown v. Board of Education*, was handed down by the US Supreme Court. In a 2003 study analyzing 2000 MDE data, CSI found that:

- School districts are racially segregated ($p = .000$). The majority of districts (82 of 152, or 54%) have a majority of African American students, with a statewide district average of 56% African American students.
- Districts with high concentrations of African American students tend to be associated with high concentrations of poverty ($p = .000$). More than 80% of the Delta districts have above average concentrations of African American students and above average student eligibility for the free lunch programs (61%).

Consolidating schools could be a partial solution that would reduce segregation and promote better critical thinking skills, more social cohesion and improved efficiencies. However, Black community leaders have misgivings about this strategy. They do not trust that Black students will receive an equitable distribution of resources. It might also mean that some Black appointed officials will lose their jobs. These concerns are founded on a history of unfairness that Black people have experienced in the state and are understandable.

Questions around consolidation are a prime example of the need for greater collaboration. Through a joint effort, groups could develop a policy position and a comprehensive strategy to achieve it. Right now, there is not a team approach across the entire education community. Building a team approach is difficult if groups are not resourced adequately to collaborate well.

It appears that groups lack the organizational capacity—including staff, research, money, and technical assistance—to produce more timely and relevant information for community members. As previously noted, community information sharing, training and assistance is time and resource intensive. It requires staff to conduct research, develop tools and training programs. Better and more supported coordination across groups on the range of issues discussed in this report could engage more people and leverage more influence on these important policy debates in Mississippi.

Stimulus Implementation

The Obama administration has made education reform one of its top priorities. The Recovery Act has roughly $100 billion in support for education. Much of it is formula-based funding for Title I and IDEA, but billions of dollars are tied to the administration’s particular reform goals. The Recovery Act education programs could alter Mississippi’s education landscape in coming years, but the question is whether or not that will improve educational opportunity for its children.

Race to the Top

DOE has made a strong rhetorical and financial commitment to charter expansion. The $4.35 billion Race to the Top (RTTT) fund is the largest federal competitive grant program focused on education reform in the nation’s history. Its goal is to increase the number of charter schools. Only states can apply, and it rewards applicants for having created certain “conditions for reform.” It also provides incentives for states to develop comprehensive strategies that cut across four high-priority areas:

1. The adoption of internationally benchmarked standards and assessments;
2. Recruitment and retention of effective teachers and principals;
3. Development of data systems that track student progress and inform teaching; and
4. Transformation of a state’s lowest performing schools.

In July 2009, the Department released its proposed criteria and priorities for the program. Under these rules, a state would be ineligible for RTTT funding if its laws, statutes or regulations prevented linking student achievement data to teachers and principals in order to evaluate performance. In addition, DOE will assess the extent to which states, whether through policy or practice, limit the expansion of charter schools or enrollment in such schools. In addition, a state must have laws in place that govern authorization and monitoring of charter schools, require equitable funding for charter schools and provide for assistance with facilities costs. A number of states have already begun to adjust their

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54 Notice of Proposed Priorities, supra note 52 at 37,806.
55 Id. at 37,809.
56 See id. at 37,810.
policies in anticipation of applying for RTTT funds. In California, for example, Governor Arnold Schwarzenegger called a special session encouraging legislators to eliminate the state’s charter school cap. Likewise, the Tennessee legislature voted in June of 2009 to expand the universe of students eligible to enroll in charter schools, and Indiana lawmakers recently opted not to limit charter expansion.

Similarly, in Mississippi, the upcoming legislative session is likely to bring a new battle on charter schools. Wariness toward charter expansion on the part of some Mississippi education advocates is driven by the state’s unique social and political conditions.

- The Mississippi Adequate Education Plan (MAEP) formula, which is designed to provide districts with the minimum resources necessary to provide an adequate education, does not account for all costs associated with improving school performance to adequate levels or providing an excellent education. Worse yet, since its institution twelve years ago, MAEP has been consistently underfunded.

- In recent years, the state has also relegated alarming numbers of Black students and students with disabilities to non-traditional public schools that are highly punitive, unaccountable and deficient in key academic areas. These schools have also failed to achieve desired outcomes such as preventing recidivism and reducing drop out rates.

- From the antebellum period through the mid-twentieth century, Mississippi consistently used public schooling as a mechanism for reinforcing racial segregation. In the Delta region, it is still common for predominantly White private academies to exist in close proximity to predominantly Black public schools.

This suggests that efforts at charter expansion in Mississippi must be carefully considered. Laws governing these institutions must ensure that students from poor communities and communities of color, limited English proficient (LEP) students and those with disabilities reap the benefits of these reforms, and these laws must be carefully implemented and aggressively enforced. In addition, steps should be taken to ensure that charter schools do not compound the challenges facing traditional public schools in areas where persistent teacher shortages make it difficult to replace and retain staff. In Mississippi, these areas are typically predominantly poor, rural, and African American.

Investing in Innovation Fund

Much like RTTT, the $650 million dollar Investing in Innovation (I3) fund provides the administration with a powerful incentive to advance its reform priorities. The fund will

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57 Alyson Klein, California Actions on Race to the Top Scrutinized, Education Week (Sept. 2, 2009).
58 Michele McNeil, Racing for an Early Edge, Education Week (July 15, 2009).
59 See CENTER FOR SOCIAL INCLUSION, EDUCATION INEquality IN MISSISSIPPI, supra note 33.
62 See id. at 1-6.
64 See CENTER FOR SOCIAL INCLUSION supra note 33 at 21. Officials in number of other predominantly rural states have argued that the administration’s focus on charter schools reveals an urban bias and have questioned whether the expansion of such schools represent a viable reform strategy for areas that are not densely populated. See Michele McNeil, Rural Areas Perceive Policy Tilt, Education Week (Sept. 2, 2009).
make competitive grants available to either Local Educational Agencies (LEAs) or partnerships between LEAs and non-profit organizations. “Scale-up” grants of up to $50 million will help awardees to expand initiatives that have been proven through “strong evidence” to improve student performance, narrow performance gaps or reduce high school drop out rates. Smaller “validation” grants ranging up to $30 million each would be available to help LEAs and non-profits implement strategies supported only “moderate evidence.” Finally, “development grants” of up to $5 million would support the adoption of promising strategies that are “relatively untested.” All funded projects must provide services for high-need students.

Applicants will be required to address the Department’s “absolute priorities”: increasing the number of effective teachers, encouraging data-driven decision-making, transitioning to college and career readiness standards and turning around low-performing schools. However, the Department will award additional points to applicants that plan to increase the quality of early learning programs, assist students to prepare for and graduate from college, meet the needs of learning disabled or LEP students or address the needs of high needs students in rural districts.

Because it is designed to route federal dollars directly to LEAs and non-profit organizations that work with them, the I3 represents an important opportunity for local actors to secure support for much-needed reforms. Still, aspects of the program will present challenges for some poor, rural communities. The Recovery Act, as originally crafted, required that LEAs have made Adequate Yearly Progress (AYP) under the No Child Left Behind (NCLB) Act for two years in a row in order to qualify for I3 grants. While Congress is currently considering legislation that would eliminate this requirement, it remains in place and threatens to render many districts ineligible. In 2009-2010, almost 80 Mississippi school districts had been assigned “improvement,” “corrective action” or “restructuring” status after failing to meet AYP for at least two consecutive years.

In addition, applicants for I3 grants must be able to show that they have partnered with a private sector actor, which may be a philanthropic organization, and that this partner is prepared to help provide a funding match, which must total 20%. This is will prove difficult for LEAs and non-profits located in low-income or rural communities with limited access to philanthropic or other private sector support. Applicants that are unable to raise these funds may request that the Secretary reduce the required match. Still, the degree to which the Department is willing to reduce the match and the number of cases in which it is likely to do so remain unclear.

65 Notice of Proposed Priorities, Requirements, Definitions and Selection Criteria, Investing in Innovation, Prepublication Copy 10 (October 8, 2009). Reports suggest that “scale up grants may range up $50 million, validation grants could range up to $30 million, and ‘development’ grants would range up to $5 million.” Michele McNeil, Proposal Sets Out I3 Rules, Education Week, Oct. 6, 2009.
66 Id. at 12.
67 Id. at 13.
68 Id. at 8. According to the Department, a “high-need” student is “a student at risk of educational failure, or otherwise in need of special assistance and support, such as students who are living in poverty, who are far below grade level, who are under-cred rated, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a regular high school diploma on time, who are homeless, who are in foster care, who have been incarcerated, who have disabilities, or who are limited English proficient.” Id. at 41.
69 Id. at 17-23.
70 Id. at 28.
71 See McNeil supra note 58.
73 See Notice of Proposed Priorities supra note 65 at 33.
74 Id. at 33.
Title I School Improvement Grants

Unlike RTTT and I3, Title I School Improvement grants are distributed according to a federal formula. In an effort to create incentives for particular reform approaches, the Department has made an additional $3.5 billion in assistance available, through this program, to help turn around the 5,000 American public schools that struggle the most.\(^{75}\) State Educational Agencies (SEAs) are eligible to apply for these funds, 95% of which must flow to LEAs with priority going to those with the lowest achieving schools. Local officials will, in turn, apply to the SEA for grants ranging up to $500,000 per school, per year.\(^{76}\) LEAs could use these funds to undertake one of four designated reform strategies in their lowest-achieving Title I schools, as well as middle and high schools that are eligible for but do not receive Title I funding. These interventions include replacing the principal and at least 50% of school staff, re-opening the school as a charter or with new leadership from and educational management organization, closing the school and enrolling students in other, high-achieving institutions, and transforming the school through focused reforms in high-priority areas.\(^{77}\)

This funding represents the most substantial infusion of federal funds aimed at addressing the problems of the nation’s worst-performing schools. However, some district officials, particularly those from small, rural communities, worry that they will have limited capacity to undertake the recommended reforms on their own and limited access to the few institutions that have the expertise required to assist with the process. Similarly, some in rural areas worry that strategies requiring the dismissal of teachers and school leaders are simply not feasible, given the difficulty of replacing such professionals.\(^{78}\) Such issues will represent significant obstacles to utilization of this aid in Mississippi, where there rural communities consistently struggle to recruit and retain staff and where there are relatively few school turnaround experts.

Other Programs

Other Recovery Act-funded programs are also likely to impact how state and local educational agencies operate in upcoming years. These include $12.6 billion in formula funds through the State Fiscal Stabilization Fund (SFSF) to close budgetary gaps, prevent job loss and support key administration reform priorities. SFSF funds may also be used to renovate or repair school facilities.\(^ {79}\)

Ten billion dollars in Title I, Part A funds will flow to LEAs to improve teaching and learning in Title I Schools,\(^{80}\) and $12.2 billion will be distributed through Parts B and C of the Individuals with Disabilities Education Act (IDEA).\(^ {81}\) Other ARRA investments are designed to promote performance-driven compensation for teachers and principals.\(^ {82}\) the

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\(^{77}\) Id. at 43,103.

\(^{78}\) Alyson Klein, *Turnaround Aid Raising Hopes, Also Concerns*, Education Week (Sept. 23, 2009).


adoption of systems linking pre-school, K-12, post-secondary and workforce data,\textsuperscript{83} and the adoption of new technologies to enhance teacher training and curriculum development.\textsuperscript{84}

If used wisely, these funds can fuel meaningful improvements to public education in Mississippi. It is critical, however, that state advocacy groups and community organizations track where the money is going and identify opportunities for parents and students to advance their interests. However, overwhelmed with the budget impasse and other challenges, few groups have been able to develop plans for leveraging these historic federal investments.

\textbf{Coordination of Services for Children}

Services for children are not sufficiently coordinated. Children receive some services through their schools, including Individual Education Plans (IEP), Individual Instructional Plans (IIP), therapy, and case managers. However, students often need a more comprehensive set of services. The mental health community uses a “wrap-around” services model to provide individualized, comprehensive, community-based supports for children and adolescents with serious emotional and/or behavioral disturbances. This model prioritizes intact families and seeks to reunify children with their families or communities. The Individuals with Disabilities Education Act (IDEA) features requirements that are consistent with these standards. Under the Act, Teacher Support Teams have personnel responsible for designing and implementing intensive interventions for students who are struggling academically or behaviorally. But school based interventions connect haphazardly with community mental health programs and do not serve families well. Increased coordination would close the gaps that leave children underserved and vulnerable. Advocacy groups are also pushing for research-based discipline practices that would be both fair and effective, such as PBIS (Positive Behavioral and Interventions and Supports), Conflict Resolution and Peer Mediation, and Restorative Justice Practice. Greenwood School District has received peer mediation training provided by Joyce Parker, Executive Director of Concerned Citizens for a Better Greenwood, in partnership with Southern Echo. This model has had some success. The Delta Catalyst Roundtable has been working with the Office of Healthy Schools and MDE to better coordinate these alternative discipline models, but much remains to be done.

\textbf{Conclusion}

Times are hard, but crisis creates opportunity. With meaningful and determined investment in the people and institutions working to leverage crisis into opportunity and opportunity into change, Mississippi could incubate models for educational excellence for all our children.
