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TRANSCRIPT OF PROCEEDINGS

MEETING OF THE U.S. COMMISSION ON CIVIL RIGHTS
ON
RACIAL AND ETHNIC TENSIONS IN AMERICAN COMMUNITIES
POVERTY, INEQUALITY AND DISCRIMINATION
MISSISSIPPI DELTA HEARING

Mississippi Room
Ramada Inn
2700 U.S. Highway 82 East
Greenville, Mississippi 38704

MARCH 6, 1997
8:30 A.M.

VOLUME I

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APPEARANCES:

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Mary Frances Berry, Chairperson
U. S. Commission on Civil Rights

Cruz Reynoso, Vice Chairman
U.S. Commission on Civil Rights

Carl A. Anderson, Commissioner

Yvonne Lee, Commissioner

Stephanie Y. Moore, Counsel

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CHAIRPERSON BERRY: The meeting of the U.S. Commission on Civil Rights will now come to order. Good morning everyone and welcome to this public hearing of the U.S. Commission on Civil Rights in Greenville, Mississippi.

I am Mary Frances Berry, Chairperson of the Commission, and I will be presiding over this hearing, which is scheduled from today through Saturday. Scheduled testimony will commence each day at 8:30 a.m., and conclude between 6:00 p.m. and 7:00 p.m., as indicated on the agenda.

Before I detail the purpose and scope of this hearing I would like to introduce myself further, and then allow the other members of the Commission present to introduce themselves.

First I need to swear in the court reporters and interpreters and signers, I'm told. So could I have all of the court reporters, clears, interpreters and signers up front, please.

Everybody who is a court reporter, interpreter, signer, clerk, staff, who is involved come up. Everybody. OGC staff that will be involved with the witnesses, those are the only ones.

Okay. All of the court reporters, clerks, interpreters and signers and OGC staff who will be

1 involved with the witnesses and the hearing up front.
2 Okay. If so, please raise your right hands.

3 (Appropriate persons sworn.)

4 CHAIRPERSON BERRY: Also before -- everyone
5 else could leave, but could the sign interpreter ask
6 if anyone in the office is in need of interpretation?
7 Everybody else can go back.

8 THE SIGN INTERPRETER: Would any individual
9 present here requesting the services of an
10 interpreter, please speak up.

11 (Sign interpreter signing; no
12 response.)

13 CHAIRPERSON BERRY: Thank you. Before I detail
14 the purpose and scope of this hearing, I would like
15 to introduce myself further and then allow the other
16 members of the Commission present to introduce
17 themselves.

18 In addition to serving as chair of the
19 Commission, I am the Geraldine R. Segal Professor of
20 American Social Thought, Professor of History, and
21 Adjunct Professor of Law at the University of
22 Pennsylvania in Philadelphia.

23 I've been on the Commission since 1980, was
24 once vice chair, and I've served continuously since
25 1980, and I became chairperson in 1993.

1 Joining me today are Commissioners Carl
2 Anderson, Yvonne Lee and Vice Chair of the
3 Commission, Cruz Reynoso. Let me letter the other
4 members of the Commission introduce themselves. Vice
5 Chair Reynoso.

6 VICE CHAIRPERSON REYNOSO: Yes. My name is
7 Cruz Reynoso. I in addition to being the vice chair
8 of this Commission, I teach law at the University of
9 California in Los Angeles. I am visiting this
10 semester at the University of Miami. I'm associated
11 with a firm by the name of Kay, Shoulder, Fearman,
12 Hays and Handler, and have had the occasion to have
13 served for many years on the Court of Appeals and the
14 Supreme Court of the State of California.

15 CHAIRPERSON BERRY: Thank you. Commissioner
16 Anderson.

17 COMMISSIONER ANDERSON: My name is Carl
18 Anderson. I am the Dean of the Graduate School of
19 Theology in Washington, D.C., the John Paul, II
20 Institute for Studies on Marriage and Family, and I
21 serve as Vice President of the Knights of Columbus.
22 I'm currently serving my second term on the
23 Commission.

24 CHAIRPERSON BERRY: Thank you. Commissioner
25 Lee.

1 COMMISSIONER LEE: Good morning. I'm Yvonne
2 Lee. I'm from California. This is my second year on
3 the Commission. I also operate a public relations
4 company specializing in Asian community affairs.

5 CHAIRPERSON BERRY: Thank you. Together with
6 the members present today, the other members of the
7 Commission are Constance Horner, who is a senior
8 scholar at Brookings Institution, and a former Deputy
9 Secretary of Health and Human Services, and Director
10 of the Office of Personnel Management, and various
11 other high federal positions. Abian Higginbotham,
12 Jr., who is a retired Court of Appeals Judge, and who
13 is a professor at the JFK School at Harvard and of
14 counsel to a major New York law firm. Russell G.
15 Redenbaugh, who is partner and Director of Cook and
16 Bieler, Incorporated in Philadelphia, and Robert
17 George, who is Associate Professor of Politics at
18 Princeton University. Did I miss anybody?

19 Finally I would like to introduce our general
20 counsel, Stephanie Moore, who is sitting to my left.

21 It's been over 20 years since the Commission
22 visited the State of Mississippi, and at that time in
23 1965 the Commission focused its attention on voting
24 rights and allegations of inequities in law
25 enforcement.

1 In selecting the hearing site, the Commission
2 decided to address again issues of voting, as well
3 public education and economic opportunity in the
4 Mississippi Delta.

5 For the next three days we're here to listen,
6 understanding that in these three areas we're
7 examining substantial progress has been made in some,
8 while substantial work remains to be done in others.
9 We expect to hear about the causes and effective
10 cures, about what works and what doesn't work, in
11 reducing racial and ethnic tensions, and ensure equal
12 opportunity for all.

13 The Commission first embarked on this multi-
14 year project, Racial and Ethnic Tensions in America's
15 Communities: Poverty, Inequality and Discrimination,
16 in 1991. In that year and again in 1992 hearings
17 were held in Washington, D.C.. In the 1992 hearing,
18 the Mount Pleasant section of the district, we
19 examined allegations of police misconduct and the
20 absence of bilingual assistance and the provision of
21 critical public services in a large Latino community
22 with limited English proficiency.

23 Later that year we explored the effect of
24 police community relations, minority access to public
25 services, such as housing and education and economic

1 opportunity, on racial and ethnic in Chicago. We
2 visited Los Angeles and New York twice in 1993 and
3 1996, and in 1994 and 1995 respectively.

4 I Los Angeles we addressed a variety of topics
5 and concerns, including police community relations
6 and the impact of media portrayals of minorities on
7 racial and ethnic tensions.

8 Our New York hearings concentrated on such
9 issues as immigration and equality of opportunity in
10 the financial industry.

11 Finally, in 1995 we conducted a hearing in
12 Miami in which we examined multiple issues concerning
13 immigration policies and their effect on race
14 relations.

15 With this hearing in Mississippi we conclude
16 our multi-year project by examining the underlying
17 causes of racial and ethnic tensions for the first
18 time in a rural setting.

19 As required by law, notice of this hearing was
20 published in the Federal Register on February 5th,
21 1997, having been previously made available
22 electronically on February 4th, 1997. A copy of this
23 notice will be introduced into the hearing record and
24 has been supplied to all persons scheduled to appear
25 here today.

1 The authority of the U.S. Commission on Civil
2 Rights to conduct hearings emanates from the 1957
3 legislation, which established it as an independent
4 bipartisan federal agency of the United States
5 Government. Among the Commission's duties are to
6 appraise the laws and policies of the Federal
7 Government, to study and collect information, and to
8 serve as a national clearinghouse for information,
9 all in connection with discrimination or the denial
10 of equal protection of the laws of this nation
11 because of race, color, religion, sex, age,
12 disability, national origin, or in the administration
13 of justice.

14 The Commission submits reports containing
15 findings and recommendations for corrective
16 legislative and executive actions to the President
17 and to the Congress, to enable the Commission. To
18 fulfill its duties the Congress has empowered the
19 Commission or a sub-committee thereof to hold
20 hearings and issue subpoenas for the attendance of
21 witnesses and the production of documents.

22 Consistent with Commission practice, all
23 witnesses within its jurisdiction have been
24 subpoenaed to attend today's hearings. The
25 Commission has scheduled approximately 40 witnesses.

1 These witnesses have been selected due to their
2 knowledge of and/or experience with the issues on
3 which this hearing will focus.

4 Public officials, community leaders, business
5 people, legal advocates and farmers are among those
6 subpoenaed to testify today. We will also hear from
7 academics and other concerned individuals who studied
8 the topics of our investigation.

9 In addition to the scheduled witnesses, there
10 will be a limited opportunity for concerned persons
11 to testify during an open session scheduled for
12 tomorrow. Members of the Commission's office and
13 general counsel staff will be available at the
14 appropriate time to assist anyone interested in
15 delivering sworn testimony during the open sessions.

16 Before we proceed I want to stress the
17 functions and limitations of this Commission. As the
18 Supreme Court of the United States explains, this
19 Commission does not adjudicate, it does not hold
20 trials or determine anyone's civil or criminal
21 liability.

22 It does not issue orders nor does it indict,
23 punish or impose legal sanctions. It does not make
24 determinations depriving anyone of life, liberty or
25 property. In short, the Commission does not and

1 cannot take any actions which will affect an
2 individual's legal rights.

3 The Commission takes very seriously, however,
4 its mandate to find facts, which may be used
5 subsequently as a basis for legislative or executive
6 action designed to improve the quality of life for
7 all inhabitants of these United States.

8 In the words of the Chairman of the Commission,
9 John Hanna, during the 1965 Mississippi hearing,
10 while the sole purpose of all Commission hearings has
11 been the securing of information, as required by law,
12 these hearings have frequently had an important
13 collateral effect.

14 Commission hearings have frequently played a
15 useful role through stimulating discussions among the
16 responsible community leaders of the causes and
17 effects of racial discrimination. These discussions
18 have opened channels of communication between the
19 races, have increased understanding and have
20 encouraged the correcting of injustice.

21 It is the hope of the Commission that this
22 Mississippi hearing will prove no less valuable in
23 producing useful information, and in helping the
24 people in Mississippi find just and effective
25 solutions to their civil rights problems. I share

1 this vision of Commission proceedings and am certain
2 that my colleagues join with me in the hope that this
3 hearing will lead to open dialogue and will educate
4 the nation on existing civil rights problems, old and
5 new, encourage sensitivity in our continuing effort
6 to resolve these problems and aid generally in
7 decreasing racial and ethnic tensions.

8 Allow me now to address very briefly some
9 technical aspects of the hearing.

10 First, the record of this hearing will remain
11 open for 30 days for inclusion of materials sent to
12 the Commission at the conclusion of this hearing on
13 Saturday. Anyone who desires to submit information
14 relevant to these proceedings may do so during this
15 time period in accordance with Commission rules.

16 Secondly, mostly important, you may have
17 noticed the presence of federal marshals in the
18 audience. I don't know -- I didn't see any -- the
19 Commission's procedures require -- they're in
20 attendance. Okay. -- in all its hearings.

21 These marshals have developed security measures
22 that will help preserve the atmosphere of dignity and
23 decorum in which our proceedings are held. Federal
24 law protects all witnesses before this Commission.
25 It is a crime punishable by fine of up to \$5,000 and

1 imprisonment of up to five years or both to interfere
2 with a witness before the Commission.

3 I want to thank you for your attention and
4 indicate that I intend to adhere strictly to the time
5 set forth in the agenda. Now please direct your
6 attention to Vice Chair Reynoso, who will read the
7 statement of the rules for this hearing. Vice Chair
8 Reynoso.

9 VICE CHAIRPERSON REYNOSO: Thank you, Madam
10 Chair. At the outset I would like to emphasize the
11 observations which are about to be made concerning
12 the Commission's rules constitute nothing more than
13 the brief summaries of the significant provisions.

14 The rules themselves should be consulted for a
15 fuller understanding. Copies of the rules which
16 govern this hearing may be obtained from a member of
17 the Commission's staff upon request.

18 Scheduled witnesses appearing during the course
19 of this hearing have been supplied a copy. Staff
20 members will also be available to answer any
21 questions that arise during the course of the
22 hearing.

23 The Commission is empowered by statute to hold
24 hearings and to act at such times and places as it
25 deems advisable. The hearing is open to all and the

1 public is invited and urged to attend.

2 As Chairperson Berry indicates, all witnesses
3 appearing today, as well as select documents within
4 the Commission's jurisdiction, have been subpoenaed
5 for this hearing. Everyone who testifies or submits
6 data or evidence is entitled to obtain a copy of the
7 transcript on payment of costs.

8 In addition, within 60 days after the close of
9 the hearing, a person may ask the Commission to
10 correct errors in the transcript of his or her
11 testimony. Such requests will be granted only to
12 make the transcript conform to testimony presented at
13 the hearing.

14 If the Commission determines that any witness'
15 testimony tends to defame, degrade or incriminate any
16 person, that person or his or her counsel may submit
17 written questions, which in the discretion of the
18 Commission, may be put to the witness. Such person
19 also has a right to request that witnesses be
20 subpoenaed on his or her request.

21 All witnesses have the right to submit
22 statements prepared by themselves or others for
23 inclusion in the record, provided they are submitted
24 with the time required by the rules.

25 Any person who has not been subpoenaed may be

1 permitted at the discretion of the Commission to
2 submit a written statement at this public hearing.
3 Any such statements will be reviewed by the members
4 of the Commission and made a part of the record.

5 The Chair has already advised you that federal
6 law protects all witnesses at a Commission hearing.
7 These witnesses are protected by Title 18, USC Code,
8 Section 1505, 1512 and 1513, which makes it a crime
9 to threaten, intimidate or injure witnesses on
10 account of their attendance at government
11 proceedings.

12 The Commission should be immediately informed
13 of any allegations relating to possible intimidation
14 of witnesses. I emphasize that we consider this to
15 be a very serious matter and we will do all in our
16 power to protect witnesses who appear at the hearing.

17 Finally I should note that the rules were
18 drafted with the intent of ensuring that Commission
19 hearings be conducted in a fair and impartial manner.
20 In many cases the Commission has gone significantly
21 beyond Congressional requirements in providing
22 safeguards for witnesses and other persons. We have
23 done so in the belief that useful facts are best
24 developed in an atmosphere of calm and objectivity.

25 We trust that such an atmosphere will prevail

1 at this hearing. Let me stress, however, that with
2 respect to the conduct of every person at this
3 hearing room, whether testifying or not, all orders
4 by the Chairperson must be obeyed. Failure by any
5 person to obey an order by Chairperson Berry or the
6 Commissioner presiding in her absence, will result in
7 the exclusion of the individual from hearing room and
8 criminal prosecutions by the U.S. Attorney when
9 required.

10 As previously noted, unless otherwise
11 indicated, each session of this three-day hearing
12 will be open to the public. In addition, the monthly
13 public meeting of the Commission will take place in
14 this room tomorrow morning at 8:00 a.m., prior to our
15 resuming this hearing.

16 All are welcome to attend and thank you very
17 much, Madam Chair.

18 CHAIRPERSON BERRY: Thank you, Vice Chairman
19 Reynoso. Let me do one other thing before I proceed.
20 I want to introduce the Regional Director for this
21 region, Melvin Jenkins. Could you stand up, please,
22 Melvin? Melvin greatly influenced the Commission in
23 coming back to this city again to this hearing again,
24 and we finally made it so, thank you, Melvin. We're
25 here.

1 Let me -- and he also did wonderful work last
2 year -- he does wonderful work all the time -- on the
3 church burnings, when I came down. We went to
4 various communities where these burnings have taken
5 place and we'll be back again this year, Melvin. In
6 June we'll go around again and see what's going on.

7 Let me now introduce the Chair of our
8 Mississippi State Advisory Committee. Could you
9 please come forward, Dr. Jerry Ward? Dr. Ward is a
10 professor of English at Tougaloo College and is a
11 contributing editor to the Jackson Advocate. He has
12 been a member of our Commission State Advisory
13 Committee for ten years and has served as Chair for
14 the past four years. We'd like to thank you for
15 joining us this morning, Dr. Ward. Please proceed.

16 DR. WARD: Thank you. Good morning. My name
17 is Jerry W. Ward, Jr., and I chair the Mississippi
18 Advisory Committee for the U.S. Commission on Civil
19 Rights.

20 On behalf of that committee I welcome the
21 members of the Commission to Mississippi and to the
22 City of Greenville. We are indeed pleased that the
23 Commission has chosen to hold its hearings in the
24 Mississippi Delta, as it seeks to understand its
25 understanding of racial and ethnic tensions in

1 American communities.

2 We had hoped that all Commissioners would have
3 been present for this occasion, because it is indeed
4 historic. In a region that has one historian has
5 designated it, the most southern place on earth, I
6 think we are indeed very well positioned to discover
7 the various guises that poverty, inequity,
8 frustration and discrimination can assume.

9 The Commission's being here after 32 years is a
10 remarkable event and one that we hope will be
11 appropriately documented.

12 We ask you to listen with open minds and
13 critical ears to what you shall hear during the
14 proceedings. It is very important that citizens who
15 are often not heard, be heard, the small grassroots
16 voices.

17 The conversation or discussions may include
18 blatant contradictions, for such is the nature of
19 public discussion on complex topics in a democratic
20 society. Despite the symbolic gestures of fairness,
21 decency and respect, we have begun very lately to
22 practice in the American South, the quality of life
23 here and indeed throughout our nation is still
24 compromised by our racial preoccupation.

25 Yes, we have made some racial progress in

1 Mississippi within the last 25 years. On the other
2 hand, inequities in housing, business, employment,
3 educational systems, law enforcement, political
4 representation, and the criminal justice system are
5 not exactly what I would want to call the result of
6 color blindness and judgment of character.

7 Indeed, cosmetic change provides wonderful
8 illusions but I think it's through hearings of this
9 kind that we break through that mask.

10 Such a tentative conclusion is supported in
11 part by what our committee has been doing in our
12 recent project on the relations between citizens and
13 law enforcement officers at Jackson, Mississippi. We
14 began that study in 1991 and have conducted extensive
15 interviews with community leaders, elected officials
16 and members of the Jackson Police Department and the
17 Hinds County Sheriff's Department.

18 We held our formal hearings in Jackson on May
19 24th through 26th, 1995. Based on public statement
20 and information supplied from various agencies, the
21 committee is now completing -- and I'm very happy to
22 say this -- almost has completed its report under the
23 title *Civic Crisis and Civic Challenge, Community*
24 *Police Relations in Jackson, Mississippi.*

25 In brief what we have discovered during our

1 work is that a consensus does exist that race is a
2 major problem in Jackson and perhaps indeed
3 throughout the entire Delta region, which is quite
4 extensive, that although the perception of the
5 problem differs greatly between and among blacks and
6 whites, it is there.

7 Lack of communication has undermined confidence
8 in various agencies. While some white doubt that the
9 police department is indeed able to protect them in a
10 city plagued by crime, some blacks believe the
11 department is indifferent to their needs, the needs
12 of minority neighborhoods and the crimes that occur
13 therein.

14 I will briefly remark that something has been
15 done recently to change that with community policing
16 and we hope that our work has contributed to that
17 change.

18 Police officers often believe they are
19 misunderstood, and that they do not receive support
20 and cooperation from some black citizens. Citizens
21 in Jackson have minimal knowledge of how the
22 complaint process is conducted by the Internal
23 Affairs Division of the Jackson Police Department.

24 The 1974 Consent Decree under which the
25 department operates is still a source of racial

1 resentment, hostility and mistrust within the
2 department and in the city.

3 Until a very few months ago the Hinds County
4 Board of Supervisors and the City of Jackson did not
5 demonstrate much interest in providing an adequate
6 juvenile detention center and in providing
7 appropriate services for youths who must be detained.
8 That matter has also very recently been addressed.

9 We note that some positive changes are
10 occurring that may improve relations of this kind in
11 Jackson. The Jackson police department is
12 establishing a city-wide community oriented servicing
13 program, which has been reported on as recently as
14 yesterday about community policing in one of the
15 apartment complexes in the city.

16 So in response to the Department of Justice
17 recommendations, some steps have been taken to
18 improve conditions in our jails. The Metropolitan
19 Crime Commission, a private group, works very closely
20 with the criminal justice system and the public
21 schools to find ways to reduce what is called a title
22 wave of juvenile crime.

23 Our report and our recommendations, when they
24 are finally published, should give visibility to the
25 components of an urban problem many citizens have

1 been reluctant to examine very thoroughly and
2 honestly.

3 I think that the hearing that we are having
4 today will give visibility to the components of a
5 regional problem that some of us have not addressed.

6 The Mississippi Advisory Committee fully
7 supports the Commission's exploration of inequity,
8 poverty and discrimination in America and in this
9 region. We look forward to seeing the Commission's
10 findings and recommendations, because these will
11 strengthen the results of citizens who build a
12 society where the mechanisms to protect civil and
13 human rights are not remote and theoretical, but very
14 operative.

15 Nothing will come to pass of the Commission's
16 report if it is not followed up with creative forums
17 sponsored by citizens and very visible actions, and I
18 think given the limitations of law the Commission can
19 only support that, not actually be instrumental in
20 sponsoring this.

21 So at the end of our century in matters of
22 civil rights, I think it is not sufficient to merely
23 listen and report but we must think of doing
24 something that will have lasting value, to finally
25 give us a mechanism for resolving what seems to be a

1 historical and endless problem in this country.

2 Thank you.

3 CHAIRPERSON BERRY: Thank you very much, Dr.
4 Ward. We very much appreciate the work you do and we
5 very much appreciate your statements and your being
6 here.

7 Now we will have a panel on the leadership of
8 Greenville, Mississippi and I would like to ask our
9 general counsel, Stephanie Moore, to call the witness
10 on our first panel, the Mayor.

11 MS. MOORE: Madam Chair, before calling the
12 first witness I'd like to ask the Commission's
13 indulgence in acknowledging the staff that
14 interviewed the witnesses and conducted the legal
15 research in preparation for this hearing. Those
16 staff members include Maxine Sharpe, the team leader,
17 Attorneys Peter Reilly, Deborah Reid, Marlessa
18 Briggett, and Lillian Moyano-Yob, and the legal
19 secretary, Pamela Moyer.

20 CHAIRPERSON BERRY: All right. We thank the
21 staff for their hard work and we'll see if we want to
22 thank them at the end. So far we thank them.

23 MS. MOORE: Would the Honorable Paul C. Artman,
24 Jr., Mayor of Greenville, please come forward and
25 remain standing.

1 CHAIRPERSON BERRY: Mayor Artman, would you
2 please raise your right hand while we give you the
3 oath?

4 (Witness sworn.)

5 CHAIRPERSON BERRY: Thank you very much.
6 Please be seated.

7 MAYOR ARTMAN: Madam Chair, would you allow me
8 the indulgence to address the body as well as the body
9 behind me for one second?

10 CHAIRPERSON BERRY: Sure. Go right ahead.

11 MAYOR ARTMAN: On a less formal note, we
12 welcome you to Greenville, and --

13 CHAIRPERSON BERRY: Thank you.

14 MAYOR ARTMAN: -- I also include that, and as
15 well as visitors that may be in our audience and for the
16 three days that you will be here.

17 Our police are here in addition to the federal
18 marshals and if we can assist you in any way, they can
19 get me in a real quick second and I'll come running.
20 Whatever your desires are, whether it pertains to quality
21 of your visit here or your work in the arena here.

22 CHAIRPERSON BERRY: Thank you. We very much --

23 MAYOR ARTMAN: May I ask for a secretary or
24 staff to distribute my --

25 CHAIRPERSON BERRY: Yes, someone will

1 distribute those. And could you please proceed to
2 make a brief opening statement, Mayor Artman?

3 MAYOR ARTMAN: Yes. Thank you very much. As
4 the Mayor it is my pleasure to welcome the United States
5 Civil Rights Commission to our city. After a 32-year
6 period of time since this panel was in session here, we
7 are indeed pleased for the opportunity to greet you,
8 appear before you, and avail ourselves of your inquiries
9 regarding community progress in the realm of civil
10 rights.

11 Even in the year of 1965 Greenville,
12 Mississippi was recognized by this very panel as being a
13 community that's set apart from the norm in the deep
14 south in that era.

15 Thankfully our town has prided itself on being
16 about tolerance and about being a leader in solving
17 people concerns from within. A community philosophy
18 based on being forthright about enumerating community
19 problems, and then honestly addressing these concerns
20 within the community itself is certainly one that sets
21 far above lesser places.

22 From the days when community leadership stopped
23 the Ku-Klux-Klan from forming in Greenville, to a calm,
24 progressive community in the turbulent 60's, or even a
25 place known for wide-spread tolerance in which a person

1 is accepted and even respected for his ethnic background
2 and his religious beliefs, this community is indeed
3 different.

4 Three decades later your panel will view a
5 community in a region that has allowed and nurtured
6 people of our purposes and persuasions to live together,
7 work together, and hopefully on a daily basis enjoy the
8 company of each other.

9 While we will never profess perfection or total
10 accord, and I don't really know who could, I can stand
11 before you today and honestly say that our people have
12 and will continue to set an unmatched record in harmony.

13 This rich delta soil has for every breath of
14 its history attracted a diverse people that have
15 ultimately thrived. This fact is attested by the Irish,
16 the African American, the Italian, the Chinese, Catholic,
17 Jew, Protestant and countless others who have come to the
18 Greenville Delta area to fulfill their own part of the
19 American dream.

20 All of these have prospered in government, in
21 business, in cultural development, and overall leadership
22 in the community too.

23 In representing community leadership today I
24 proudly express to you that all the cultures, classes and
25 races are welcomed to actively participate in this

1 community, and they do.

2 In Greenville our judgments rest on community
3 spirit and not on the color of one's skin. I think it
4 impossible to name another community where minorities
5 have diligently worked to the point that they have earned
6 leadership positions in civic clubs, arts organizations,
7 the Industrial Foundation, the Chamber of Commerce, and
8 of course political office.

9 Greenville affords many opportunities and we
10 all work together to share in the fruits of this
11 community. Perhaps the greatest discriminating factor as
12 we move toward the new millennium is that of capital.

13 We are attempting to address the grave concerns
14 of development in the realm of human capital and its
15 development, as well as monetary capital here in the
16 Mississippi Delta.

17 Economic imbalance is the next civil rights
18 battleground, or at least it should be today a
19 battleground.

20 I welcome your comments and questions, and
21 again we appreciate the continuation of your work in our
22 community. In any way we can be of assistance, we'll be
23 glad to.

24 CHAIRPERSON BERRY: Thank you very much, Mayor
25 Artman. Counsel, would you proceed with the

1 questions?

2 MS. MOORE: Thank you, Madam Chair.

3 Mayor Artman, I guess I wanted to ask you --
4 one of the things we've noticed since we got down here,
5 and I'm from the great State of Alabama, I wondered if we
6 hold you accountable for the weather here in March? We
7 were looking forward to some sunshine.

8 MAYOR ARTMAN: I will say, I don't know about
9 the weather, but the other day we had testimony before
10 City Council on litter, and the next morning I had a bag
11 of litter in my lawn, so I'm responsible for whatever
12 anybody wants to hold me responsible for.

13 MS. MOORE: Okay, now turning to the focus of
14 this hearing. As you know, we are here exploring
15 underlying causes of racial and ethnic tensions in
16 American communities.

17 In your two-year term, how would you assess
18 racial and ethnic tensions in Greenville?

19 MAYOR ARTMAN: One year and two months in
20 office as the Mayor and prior to that six years as City
21 Councilman, and following the previous speaker who
22 alluded to what underlying things may be said and what we
23 realize and some of the elephants in the closet we try to
24 ignore sometimes, this community obviously is getting to
25 the point where we can sit and we can talk about why we

1 have a great racial imbalance in the education system,
2 and really talk about those issues, and I think that's
3 imperative in the South that we begin to do that.

4 And I think that we are about that in this
5 community. So I don't try to paint a rosy picture,
6 because we all have problems and if we don't admit that,
7 then we're in sad shape all of its own, but I think that
8 that is really what the problem is as we sit down as a
9 people together, decide what our -- as alluded to earlier
10 too, our perceptions of the problems, and I think that's
11 one of the biggest things is being able to realize that
12 white people, black people, people of all persuasions,
13 you know, whatever the differences are in communities,
14 really begin to say that we see things differently and we
15 need to sit down in a room together and begin to be about
16 trying to solve those problems.

17 MS. MOORE: So has part of your agenda as Mayor
18 been to bring various communities together in public
19 forums? I mean, have you had actual forums?

20 MAYOR ARTMAN: We have -- in Greenville, and
21 part of the reason that we did not have elections for
22 over seven years to begin with -- when I first ran for
23 City Council, as a matter of fact, is because it was held
24 up because of redistricting matters and civil rights and
25 issues of representation on the Council, so for seven

1 years we didn't have city elections.

2 It was a very unfortunate part of the
3 community, because this was a hot bed of economic growth
4 in the late 60's and 70's in the deep south, and we
5 really became kind of stale and stodgy in this community,
6 so it has been my effort as the Mayor and as a City
7 Councilman too, to make sure that we hear from a lot of
8 people on a lot of different things, so on a regular
9 basis we have round table discussions, and that includes
10 everything from the arts community to churches, to the
11 church community, whatever seems to be a problem in the
12 community or something that we can forthrightly and ahead
13 of time in a corrective way try to head off those
14 problems, and we're trying to address those, and this
15 community has opened up drastically in the last few years
16 as far as volunteer commissions and boards.

17 And while we've had some political leaders that
18 say, you know, that bogs things down, and that's been my
19 experience too that it may bog it down for a month or
20 maybe even a year, but after that it opens it up to the
21 public interest and the public input really grows by
22 leaps and bounds and it's good for us in the community.

23 MS. MOORE: Have you had any specific round
24 tables addressing racial and ethnic tensions?

25 MAYOR ARTMAN: As a matter of fact, and it has

1 nothing to do with the timing of this Commission and thi
2 Commission's visit, but truthfully in the course of a
3 plan for a community, and I believe two specific plans as
4 far as identifying what we need to do in traditionally in
5 the traditionally minority areas of the community is
6 upgrade services, so that's one thing that we're
7 attempting to do.

8 And the second thing is I think that it's
9 imperative that a community, and I've tried to get
10 especially African American input on this issue, is what
11 do we do if we have a specific panel that's impaneled to
12 deal with this tensions in the community, and some people
13 view that as saying well, you're admitting you have
14 problems or maybe you can invent problems, and I've had
15 other people say well, for once it would be good if the
16 Mayor and the City Council said yes, we would like to
17 have an official body that was endorsed by the city
18 government that would deal with this.

19 And so that's on the list -- everything that I
20 try to propose I have to take the City Council and we're
21 working on that as a laundry list at this time, so that
22 should be maybe I'd say within a month or two that that
23 would be the next initiative.

24 MS. MOORE: Thank you. Are there presently any
25 federal or state programs to assist in racial and ethnic

1 tensions in the area?

2 MAYOR ARTMAN: Not to my knowledge, ma'am.
3 Most of what we have done -- one of the efforts that came
4 forward in this community a number of years ago was
5 something we called the Greenville Foundation and it
6 addressed education, quality of life, many issues, and it
7 for the first time really significantly brought black and
8 white people in the community, and really a cross section
9 of the community together.

10 It died one of those deaths for some reason
11 that had nothing to do with race or religion or anything
12 like that. It just went its way unfortunately and we're
13 attempting to bring some of those things back. It had a
14 strategic plan attached to it, some good information, but
15 it just never carried through in the community.

16 MS. MOORE: Is there anything in your view as
17 Mayor that the federal or state governments could do to
18 assist your administration?

19 MAYOR ARTMAN: Well, I think that truthfully
20 that if it's a local initiative -- I think I alluded to
21 that in my opening remarks too -- I think that if you can
22 have proactive leadership in a community that wants to
23 deal with these problems, I think it's far better to come
24 from the community.

25 Now, if it get to a point where it's not going

1 to come from the community, I don't know how you deal
2 with that, and perhaps that's where state or federal
3 programs and legislation come in, but I think that if a
4 community decides that it's going to talk about its
5 problems, identify them and then go after knocking them
6 off, that's the best way to do it.

7 MS. MOORE: Now, you alluded to education
8 issues.

9 MAYOR ARTMAN: Yes.

10 MS. MOORE: In Greenville. Based on our
11 research, significant numbers of children attend private
12 schools.

13 MAYOR ARTMAN: Yes, ma'am.

14 MS. MOORE: In the State of Mississippi. How
15 does that -- well, what is the quality of the public
16 school system in light of the fact that most of the
17 children are steering towards the private school system?

18 MAYOR ARTMAN: Well, I think that first of all
19 that if a public school or any school or any institution
20 in the community doesn't reflect the racial makeup of a
21 community, then I think you've got a problem, so that's a
22 blanket quick answer.

23 Second of all, to say that we don't have a good
24 quality of life in the public schools is a -- the Mayor
25 of a community would never say that. We work very

1 carefully with the Superintendent of Education to make
2 sure that we improve that quality of life.

3 And the issues of crime and not having books
4 and all those things that surface on a regular basis are
5 the same things that you have in a community. If I've
6 got a problem with a particular street corner, chances
7 are that's going to carry over into the school because
8 that reflects the population of the area.

9 But I would say that 10 or 12 years ago -- and
10 I've been involved in this community for a number of
11 years for a lot of different causes, and probably 10, 12
12 15 years ago we would not be able to sit in a room and say
13 that -- and say forthrightly that the problem with
14 attracting a balanced population in the public schools is
15 because there's been white flight.

16 But we are identifying that and right now I
17 think the superintendent and perhaps -- I say with some
18 reserve -- that the school board is attempting to address
19 that in this community in trying to bring people back
20 into -- white people back into the public school system.

21 And that presents a whole -- on this issue of
22 economics, that presents a whole other problem for this
23 community, because spendable income, discretionary
24 income, for the most part is being spent on private
25 education in this community, and that's why it makes it

1 very difficulty for restaurants and attractions all those
2 good movies and things like that, it makes it very
3 difficult for things to thrive in a community because a
4 lot of that money is going into private education.

5 MS. MOORE: That's interesting. There are two
6 questions from that. Is the public school system
7 adequately funded so as to attract people who are going
8 to the private schools? Is there a resource problem,
9 educational or financial?

10 MAYOR ARTMAN: Probably, depending on who you
11 would talk to, but I don't see -- and I don't want to
12 answer you in a negative way saying that that's not a
13 good question or a good perception of the problem,
14 because there are many people that would say either an
15 education program -- within or without an education, that
16 would say that the school system is properly funded.

17 We're probably spending -- and perhaps you'll
18 have an expert on education from this area -- probably
19 spending \$3,000 -- I heard in Jackson they're spending
20 \$5,000 per pupil.

21 I don't think that throwing money necessarily
22 at the education is the problem in this community, it's
23 more of a perception problem and again, I'm speaking
24 strictly from the gut and from the heart, what I see as a
25 problem in this community is what is a perception of why

1 a typical, middle-class, white family would not send
2 their child to the typical public school.

3 And that's also ratified somewhat by a
4 situation in which we have an elementary school that's
5 now being expanded to the seventh grade this year, that
6 is actually overrun, and it has what I guess the black
7 and the white community feels like is a good proportion.
8 It's roughly 50-50 and that is considered the school that
9 people would want to send their child to in the
10 community.

11 But coupled with that too, and I think we'll
12 need to realize, that if you closed every private,
13 parochial school in this community, hey, you would never
14 reach a 50-50 balance, because the black population in
15 the youthful age is that much greater, that you would
16 never -- so to say that we're going to attract wholesale
17 whites on a 50-50 basis are incorrect.

18 MS. MOORE: Let me turn now to economic issues
19 in Greenville. Now, in 1988 you were instrumental in
20 raising the level of tourism in Greenville by persuading
21 the riverboat authorities to dock their boats here.

22 MAYOR ARTMAN: Yes, ma'am.

23 MS. MOORE: What has been the result of that?
24 Has tourism increase?

25 MAYOR ARTMAN: Oh, yes, ma'am. And even prior

1 to that time, probably my activism in that realm was one
2 that I don't like to be two-faced, and a lot of work in
3 this community through the years has been attraction
4 development, working on tourism, even before we had a
5 Visitors Bureau, I was pleased to be awarded the
6 Governor's Award on Tourism, and so we've been involved
7 for a number of years in trying to develop that industry,
8 and so when the opportunity came that people were going
9 to come and say we're going to build attractions, we're
10 going to build hotels and gaming vessels, attract people
11 to your community -- in all honesty I couldn't be two-
12 faced and say that I would turn my back on that.

13 So as a City Councilman, I supposed a community
14 leader, I put my name on the line to say that we should
15 do that. And since that time we've jumped off the board
16 as far as tourism, attraction and development, and I
17 think that we've only scratched the surface.

18 Of course, then comes the down side and I'll
19 let you ask that question.

20 MS. MOORE: Well, before I get to the down
21 side, do you have any specific figures on the effect of
22 tourism, any -- can you tell us specifically how --

23 MAYOR ARTMAN: I'm sorry, I didn't know I was
24 going to get into that today but --

25 MS. MOORE: If you don't have it --

1 MAYOR ARTMAN: It's astronomical to the point
2 that we -- that you can't fill up motel rooms -- I mean,
3 we don't have empty motel rooms. We need those. We're
4 adding those on land downtown. We have a significant
5 project involved in tourism development, the city has
6 created a museum.

7 There are other aspects for that, maybe a
8 convention center, and all of this is centered downtown
9 where we need that work and that infrastructure to make
10 downtown once again thrive.

11 So yes, it's a marked difference, and the
12 tourism industry -- it's grown in hundreds of percent.

13 MS. MOORE: Now --

14 CHAIRPERSON BERRY: Counsel, you want him to
15 provide that for the record, if he has it?

16 MAYOR ARTMAN: I'll tell you -- may I document
17 that?

18 CHAIRPERSON BERRY: Yes, would you please
19 provide the record the information?

20 MAYOR ARTMAN: I will bring it back today or
21 tomorrow and --

22 CHAIRPERSON BERRY: We'd appreciate that.

23 MAYOR ARTMAN: Thank you.

24 MS. MOORE: Now, maybe this is the down side.
25 I'm not sure.

1 Has legalized gambling in Greenville enured to
2 the benefit of minority communities, and if so, in what
3 way?

4 MAYOR ARTMAN: Yes, ma'am. And of course, that
5 was the entire decision and advancing of that largely by
6 the minority community, it was predicated that it was
7 going to provide jobs and it has done that.

8 We have now in the city fund -- and I can give
9 you a pretty accurate figure on that -- approximately
10 1600 people that have been employed in the hospitality
11 industry by that. Some of our projects that we've tied
12 to economic development to that are based on providing
13 these people jobs that are on low to moderate income,
14 based on the federal programs, and so yes, it's a marked
15 difference in that area and those people are gaining
16 employment and good employment that offers benefits, as
17 well as good, living wage.

18 MS. MOORE: Has it contributed to improving the
19 infrastructure of the city, housing, roads, services for
20 that --

21 MAYOR ARTMAN: Well, this community -- on the
22 housing issue this community quite truthfully has not
23 addressed housing very well. I hope somewhat to the
24 credit of this administration we have began in a private-
25 public partnership attack housing.

1 We now have a Greenville Housing Authority. We
2 have a Greater Greenville Development Foundation, that is
3 the private and the public that is working together to
4 alleviate substandard housing, and that is a series
5 economic and quality of life concern in the community,
6 and that's really I think bought into across the board,
7 whether you're a white or a black citizen, that we know
8 we have that problem and are ready to address it.

9 MS. MOORE: Well, but specifically are the
10 resources from the legalized gambling --

11 MAYOR ARTMAN: No, I would say that's a
12 separate issue entirely, tied to -- with the efforts of
13 Greater Greenville Development, we have put together a
14 housing as well as a business element, and that is
15 benefitting more from it in the business element and the
16 infrastructure element in downtown, and redoing new
17 areas. We have a six million dollar sewer rehabilitation
18 program that maybe is being funded a little bit by
19 assistance from the gaming money, but generally that's
20 the city not doing anything on a problem for 50 or 60
21 years and had to be addressed.

22 But there's a lot of infrastructure work that's
23 now taking place, some of it based on riverboat gaming,
24 not necessarily funded by it, but a recognizing that we
25 have this opportunity and we need to seize it.

1 MS. MOORE: I just have two more primary
2 questions. You know, there may be some follow-up.

3 MAYOR ARTMAN: Yes, ma'am.

4 MS. MOORE: As you know, there's been a recent
5 media attention to the plight of black farmers in the
6 Delta region generally. Has your administration taken
7 any initiatives to assist black farmers in this area?

8 MAYOR ARTMAN: Well, I can only say that in a
9 very small way because Greenville is somewhat isolated,
10 even though agriculture and -- agriculture is a very big
11 part of this economy -- Greenville was one of the very
12 first places in the South that began to balance
13 agriculture with industry, and we're very fortunate and
14 have had the river industry and manufacturing as well as
15 agriculture to help us -- whenever we take a hit we don't
16 take necessarily a sinking hit, because we have been very
17 balanced and diversified in our industry, so agriculture
18 is more of a -- it's very much tied to the community, but
19 as far as the smaller farmer is concerned, one of our
20 initiatives that we are taking now is to institute a
21 farmer's market, and we're making significant headway on
22 that, and we've heard from a number of small farmers that
23 say that that would help them greatly.

24 First of all, the issue came to us that could
25 we help them get into grocery stores, and we're

1 attempting to do that. That's a little bit bigger
2 problem than even doing a farmer's market, quite
3 truthfully, so that's -- grocery stores, I guess they'd
4 rather buy from their regular big distributors and that's
5 more leg work, one on one, twisting arms to a grocer to
6 say why don't you help the smaller guy out.

7 So we hope the farmer's market initiative will
8 help significantly, and we try to tie that with what's
9 going on, so we're going to put that downtown to help
10 them as far as the tourists that are coming through going
11 to gaming, as well as the infrastructure that's being
12 built around.

13 MS. MOORE: Now, are you aware of any of the
14 problems though that the small --

15 MAYOR ARTMAN: Yes, ma'am. Delta folks are
16 very connected and maybe Alabamians are too. Delta folks
17 are very connected. The people that we knew in high
18 school, you go to other towns to visit, where when you're
19 from a big town, you go across town, we go across the
20 Delta to visit, know people.

21 I was educated both undergraduate and graduate
22 school at Delta State University, and I think I obtained
23 a very fine education there, and those very people that I
24 was educated with are now in places in the Delta
25 community at large that are working to not only salvage

1 their communities but salvage this Delta area.

2 So we're all interconnected and we're all kin
3 folk, no matter who we are, and I think we share a
4 certain amount of kinship in that, so --

5 MS. MOORE: I guess, what I -- is there any
6 particular issue of which you're aware that the farmers
7 in the area are most concerned about in -- is it
8 resources, is it technical support?

9 MAYOR ARTMAN: Well, I think it's more
10 resources, quite truthfully, and that's what I was going
11 to conclude by saying that we have towns around
12 Greenville -- we are different from the fact that we're
13 growing, where every other town around here is drying up
14 and I hate to use that word but in essence that's
15 correct.

16 And it's based because they were agriculture-
17 related communities, agrarian people, and economies have
18 scale obviously, with big corporate farms and big
19 farmers, that's what's made it difficult.

20 And maybe if we would take the issue of a
21 farmer's market or not being able to sell their goods --
22 a small guy, whether you're a farmer or craftsman,
23 whatever your business might be, is having great
24 difficulty.

25 I'm in the radio business by trade and we are

1 probably in this community the only radio or television
2 station that's not owned from outside the area, so that's
3 -- it's not just farms, it's everything, it's economies
4 of scale and big boys taking stuff.

5 MS. MOORE: Okay. My last question before I
6 turn it back to the Chair, is has your administration
7 prepared itself or examined what impact this area may
8 have as a result of the federal welfare reform
9 legislation?

10 MAYOR ARTMAN: Yes, ma'am.

11 MS. MOORE: Can you talk a little bit about
12 that?

13 MAYOR ARTMAN: Yeah, and I think it's very
14 enlightening from the standpoint that -- and I've been --
15 as you probably know from my biographical data, I've been
16 very involved in the Chamber of Commerce in this
17 community.

18 And it was very interesting to give some of the
19 Chamber of Commerce people some education, because
20 everybody says we want this, we want to cut this off, we
21 want to do this, and then we go back and especially some
22 of the trips that we make on a regular basis to
23 Washington for lobbying efforts, and you realize at some
24 point the light comes on that if all this dries up, and
25 we don't do something about the dependency and freeing

1 those people to get in something that is welfare
2 producing and let them make something of their own lives,
3 then their business is also going to be drying up,
4 because transfer of payments in this community is a very
5 large part of the business on a monthly basis, and you
6 can tell that by the activity on the streets or the
7 activity at the cash registers at the beginning of the
8 month.

9 And so it's been an education process and I
10 think it's been a very thoughtful process of late that we
11 realize that we may have some very grave concerns as far
12 as welfare reform is concerned.

13 Now, that's not to say that nobody wants to
14 stop the dependency and nobody doesn't want to allow
15 people to make a fruitful life of their family's lives
16 and livelihoods, but we will have some difficulties in
17 this community and this region if we just carte blanche
18 say it's over and don't do anything to assist the people,
19 and that's the real concern.

20 I think that's across the board. Excuse me. I
21 --

22 MS. MOORE: No, you're being very helpful. I
23 have tons of questions, but I'm going to stop at this
24 point and turn it over to the Chair.

25 CHAIRPERSON BERRY: Does any Commissioner have

1 a question for the Mayor? Vice Chair.

2 VICE CHAIR REYNOSO: I have a question
3 pertaining to economics. You know that perhaps the two
4 main issues which affect civil rights and economics and
5 education.

6 With respect to economics, I spent many years
7 in rural California, and I notice that there there seems
8 to be a -- not a meshing of the public will with what
9 actually happens, so that we have a lot of corporate
10 farmers, for example, and the farm workers invariable and
11 sadly live in poor housing, don't earn enough, and every
12 poll that's taken in California indicates that the public
13 says that they would be willing to pay a little bit more
14 for those vegetables, et cetera, if they were sure that
15 that money was going to the farm workers, so there seems
16 to be a public will to raise the level of the folk in
17 rural California, but somehow that public will has never
18 taken place in the state capital, and I've been observing
19 those conditions, as a child, as a farm worker, for now a
20 little bit over half a century, and it hasn't changed.

21 I just wonder what your -- and in coming here I
22 flew to Memphis and then I drove down Old Highway 61, and
23 Highway 1, and I noticed that in many of those small
24 communities there's some beautiful, large houses, and
25 disproportionate large number of very small houses, and I

1 couldn't help but think of the relationship that that
2 physical appearance of those small towns had to some of
3 the physical appearances in the small towns in rural
4 California.

5 I just wonder what your observations are in
6 terms of that relationship of politics to economics.

7 MAYOR ARTMAN: Well, Mr. Reynoso, and I agree
8 that that's probably just generally the public's will,
9 and they would be willing to do that, but really the one
10 that I see the problem here in the Mississippi Delta is
11 first of all that -- and the same thing with the Midwest
12 and the wheat farmer -- I don't think the farmer is
13 getting a whole lot for the product either, to tell you
14 the truth, much less the farmer worker.

15 But our real concern, our real problem in this
16 area, and when I was talking about towns drying up, is
17 that there are very few of those people as farm workers
18 left, because of jobs, mechanization that's left, and
19 also living on those farms, and that's why the out
20 migration to Chicago and some other areas into the urban
21 areas, that's happened on somewhat of a smaller scale to
22 Greenville, because those people that were farm workers
23 have now come to this community to seek employment, and
24 whether they went to a gambling facility, or to a
25 manufacturing plant -- that's what I said, we've been

1 blessed to have someplace for them to go, and our
2 population has grown at least somewhere, while everywhere
3 else in the Delta area it's diminished, so I think that
4 our greatest problem in this area is that just generally
5 there's an inequity between farm prices being low and
6 whether it's the worker or the straw boss or the buy that
7 owns the farm, from the marketplace.

8 Again, that's a good answer.

9 COMMISSIONER LEE: Madam Chair?

10 CHAIRPERSON BERRY: Yes. Commissioner Lee.

11 COMMISSIONER LEE: Mr. Mayor, can you give me a
12 characteristic of the ethnic and racial makeup of your
13 City Council and the appointed and elected boards and
14 commissions?

15 MAYOR ARTMAN: Oh, yes, ma'am. On City Council
16 we have three white members, all male, and three black
17 members, all male, and the Mayor, white male. In the
18 70's we had the first elected City Council was a black
19 female that acted as Vice Mayor for a number of years,
20 but we are now all male and that's interesting, because
21 we never could say, "Gentlemen" but now it's all male,
22 and by the way, for the ladies on the Commission, I think
23 that ladies obviously have a very good and refining force
24 that we need and that would be helpful to City Council as
25 well.

1 We have a 50-50 mix on the City Council. The
2 Mayor is the deciding vote in cases of tie, and I hope
3 that -- when I ran first in City Council seven years ago
4 -- almost eight years ago -- I ran in what was a 50-50
5 black ward, and I'm a bit naive politically, and still am
6 in some of the tricks and things that go on just baffle
7 me. I'm more interested in community development and
8 working in the community, and when I ran in a 50-50,
9 black-white ward, I thought that I had to go out and
10 really get a lot of black votes and work for the black
11 people as well as the white people, and that's the way
12 that I've based being on City Council, as well as the
13 Mayor.

14 And I would think that anybody on City Council
15 would tell you the same thing, that we are trying to --
16 we're trying to make this town work, and I think that'
17 the best way to do it.

18 As far as boards and commissions, employees of
19 the City of Greenville, we're approximately 70 percent --
20 and I can't tell you the exact figures today --
21 approximately 70 percent black. Our fire chief, police
22 chief are both black.

23 The tax collector and maybe of assistants --
24 well, we have different titles as assistants, whether
25 they're deputy chiefs, assistants, and things like that

1 in the department, many of which are black, and I think
2 that -- and they also -- the largest departments in the
3 city, with the exception of Public Works, and even when
4 we've tried to attract new engineers, probably as we have
5 hired maybe six positions in engineering in the last
6 seven years, eight years that we've been around, we've
7 had one black applicant out of maybe 38. And that's our
8 largest department.

9 As far as boards and commissions, I've got this
10 all in here, but they certainly reflect the community and
11 the percentage of 59.4 percent black in the community,
12 and they meet that expectation or exceed that
13 expectation.

14 CHAIRPERSON BERRY:. Commissioner Anderson.

15 COMMISSIONER ANDERSON: You know, I have two
16 questions for you. The first response to your opening
17 statement where I understood you to say that Greenville
18 is relatively unique or at least different than much of
19 the other part of the Delta. Does that mean you're a
20 good model for us to study or is your uniqueness in some
21 sense make you not as good a model to study? Are there
22 reasons why you're doing a better job perhaps, because of
23 the economic or the geography or your history? Or is
24 there something else? Am I being clear about that?

25 MAYOR ARTMAN: Maybe all of the above. Maybe

1 when you look at -- we're on the river. That gives us a
2 opportunity for economics. That gave us the river board
3 industry. That allowed us for riverboat gaming, allows
4 us for some tourism.

5 The agricultural area -- and we even tried to
6 take agriculture from a business -- we've taken it to
7 value added. You know, you buy a Country Inn, a variety
8 of rice from Uncle Ben's, it's made in Greenville,
9 Mississippi. If you buy rice in Iraq or Iran, it's
10 processed in Greenville, Mississippi.

11 So by virtue of being in the Delta area and on
12 the river, all those components have helped to solve what
13 could be an economic concern for other areas, and that's
14 not to say that -- and you continue to try to posture
15 yourself, whether it's an asset that we have now or the
16 attraction of a new interstate highway, a new river
17 bridge in Greenville, all of those things you try to
18 fight hard every day to make something happen.

19 We're fighting in the legislature right now for
20 a university center, because this community -- and going
21 back to education, if I may, I think one of the best
22 statements I ever make, and I make it every day that I
23 can, that our problem -- a lot of people like to say
24 public education is our problem in this community. Our
25 problem in this community -- and I say Greenville Delta,

1 maybe even Mississippi, maybe even Alabama, is education.

2 We're not motivated as a rule. We're not well
3 educated as a rule, and that's what we need to do to
4 change some things. And I don't know where Mr. Anderson
5 is from, but we don't have that get up and go. I don't
6 think that you're from the traditional deep South, but we
7 don't have the get up and go that you had in your
8 community, and we need to be about getting that get up
9 and go.

10 COMMISSIONER ANDERSON: Well, then let me ask
11 you my final question, which is what -- given the fact
12 that we are going to go back to Washington and make some
13 recommendations, principally to the federal government,
14 also to state governments, what short message or clear
15 message would you give us to go back with that task?

16 MAYOR ARTMAN: Again, I would say the disparity
17 right now is in housing, education and in business
18 opportunity, and that's -- and a large part -- and I
19 don't want to diminish the Commission's principal issue
20 here today, but that is in large part just a Delta
21 problem, white, black, Chinese, whoever, and it's real
22 interesting to see all of the federal aid that we
23 disburse all around this world and we have what could be
24 tantamount to a third world right here, and it's
25 unfortunate that we attempt to pull ourselves up by the

1 boot straps every day, and we don't ask for a helping
2 hand, but we would like to occasionally have that helping
3 hand.

4 COMMISSIONER ANDERSON: Thank you.

5 CHAIRPERSON BERRY: Mr. Mayor, I have several
6 questions. First of all, do you have information on the
7 employment -- the City Council, the boards, commissions,
8 the information you gave in response to Commissioner
9 Lee's question? Do you have that information that you
10 could submit to us?

11 MAYOR ARTMAN: Their appointments --

12 CHAIRPERSON BERRY: The boards, the
13 commissions? You gave a racial breakdown.

14 MAYOR ARTMAN: Yes, ma'am.

15 CHAIRPERSON BERRY: And you talked about the
16 police chief, the fire chief --

17 MAYOR ARTMAN: Okay.

18 CHAIRPERSON BERRY: -- the council, the boards,
19 commissions, the employees? Do you have that information
20 somewhere that you could submit to us?

21 MAYOR ARTMAN: Oh, sure.

22 CHAIRPERSON BERRY: The racial breakdown? We
23 would appreciate that. That would be helpful.

24 MAYOR ARTMAN: I would have brought it today if
25 I had known.

1 CHAIRPERSON BERRY: All right. We'd like to
2 have that.

3 MAYOR ARTMAN: I'll get that to you, Madam
4 Chair.

5 CHAIRPERSON BERRY: The second thing is the
6 structure of government here. This is a strong mayor,
7 weak --

8 MAYOR ARTMAN: Weak mayor, strong council.

9 CHAIRPERSON BERRY: Weak mayor, strong council.
10 And do you have a city manager?

11 MAYOR ARTMAN: No, ma'am.

12 CHAIRPERSON BERRY: Okay. So the mayor
13 actually runs things but the council -- the mayor sits
14 with the council?

15 MAYOR ARTMAN: That's correct. I guess the
16 best way to sum it up is the mayor has the day-to-day
17 chief executive operation opportunities, challenges,
18 whatever they may be, and City Council meets in session
19 every -- well, the first and third Tuesday of the month
20 or special meetings that we call them, and that's the way
21 the administration -- the 11 department heads report
22 directly to me.

23 CHAIRPERSON BERRY: Okay. What about the
24 school superintendent?

25 MAYOR ARTMAN: The school superintendent is --

1 they're autonomous, school board is appointed by the City
2 Council. From that point they are totally independent.
3 Our only function with the school board, separate school
4 district in Mississippi, we appoint the school board
5 members and we collect taxes for them.

6 We -- and as long as they don't go up seven
7 percent in budget annually, then they're totally
8 autonomous.

9 CHAIRPERSON BERRY: So that, in other words,
10 you like many mayors, don't have any power over the
11 school board, or the school superintendent doesn't report
12 to you?

13 MAYOR ARTMAN: No, ma'am. But that's not a
14 real perceived problem. Education is a concern and as a
15 matter of fact, the initiative -- and I really don't need
16 to announce it here today, but we have generally tipped
17 the hand that one of our forthcoming initiatives is -- I
18 was telling Ms. Moore a little while ago -- will be the
19 Mayor's initiative on education, because it's really time
20 for us to -- you can't have a meeting here this
21 afternoon, whether it's a civic club or maybe the
22 Commission on Civil Rights, or a meeting at the Chamber
23 of Commerce or a meeting at City Hall that somebody
24 doesn't say, dog-gone, we've got to do something about
25 education.

1 But forever we haven't done anything about
2 education and so from that I'm going to take that that's
3 my que to take a lead and we're going to sit in a room
4 and we're going to get a small body, select body, cross
5 section of the community that's going to say that we will
6 commit ourselves to education and what we're going to do
7 to solve these concerns in the community, so that's going
8 to the next initiative on the drawing board.

9 CHAIRPERSON BERRY: How good is the quality of
10 private education in the community? In other words, if
11 people are in private schools, can we assume that the
12 level of education attainment and their meeting the needs
13 for technological changes as we move toward the 21st
14 Century, that private education is satisfying this and
15 giving the kind of qualified work force that the
16 community needs? Can we assume that?

17 MAYOR ARTMAN: Yes, according to the SAT/ACT
18 private-parochial schools as a rule of the community --
19 you will have some that will fall below that, but yes,
20 ma'am, as a rule are far exceeding the national norms and
21 what would be considered a public education norm in this
22 region.

23 CHAIRPERSON BERRY: And I see people in the
24 room shaking their heads. I guess we can ask them later.
25 I don't know why -- but anyway -- maybe I shouldn't have

1 asked the question -- but in any case, we will follow
2 that up.

3 MAYOR ARTMAN: I will get this data for you too
4 then.

5 CHAIRPERSON BERRY: Maybe we better check that
6 and have you submit that too, if you want anything to
7 submit, your impression, even though you're not
8 responsible for the schools, is it that their attainment
9 is higher than the public education or is it above
10 national averages, of meeting the needs for the 21st
11 Century? I'm just curious as to --

12 MAYOR ARTMAN: Yes, ma'am.

13 CHAIRPERSON BERRY: The other thing is that
14 what percentage of the black students in the area go to
15 private schools as far as you know? A lot, a few or you
16 don't know?

17 MAYOR ARTMAN: The highest would be at the
18 Catholic schools, and that has never been an issue of
19 exclusion, and obviously I am Roman Catholic, so I can
20 say that that has never been an issue, significant issue
21 in the community as far as certain religious --
22 attendance or the schools. It's always been wide open
23 and so it's greater in the Catholic schools, to the point
24 of about maybe 15, 16 percent, something like that.

25 CHAIRPERSON BERRY: Have the children in your

1 family, either nuclear family or extended family gone to
2 public or private schools?

3 MAYOR ARTMAN: They go to Catholic schools.

4 CHAIRPERSON BERRY: Catholic.

5 MAYOR ARTMAN: And I would say that has no
6 bearing on other than my wife is -- we're deeply
7 committed to the religion and so no matter what the
8 makeup of the community or the schools, we would be at
9 that school.

10 CHAIRPERSON BERRY: Okay. The other thing I
11 would like to know is what is the poverty rate and what
12 percentage of the people in Greenville live below the
13 poverty line as far as you know?

14 MAYOR ARTMAN: Let me give you an honest
15 answer, bunches.

16 CHAIRPERSON BERRY: Bunches?

17 MAYOR ARTMAN: Bunches.

18 CHAIRPERSON BERRY: Bunches?

19 MAYOR ARTMAN: Yes, ma'am.

20 CHAIRPERSON BERRY: Despite the tourism and the
21 gambling and the --

22 MAYOR ARTMAN: Yes, ma'am.

23 CHAIRPERSON BERRY: -- revenues and all the
24 rest and the upbeat focus on economic improvement, still
25 you do have a high poverty rate you think?

1 MAYOR ARTMAN: Yes, ma'am.

2 CHAIRPERSON BERRY: Okay. Do you have training
3 programs underway for people who are coming off the
4 welfare under the new reform already or how are you
5 handling that?

6 MAYOR ARTMAN: Yes, ma'am. Those are being
7 developed and I think that they are at this point not
8 enough to solve the wholesale problem, the wholesale
9 coming off the rolls that we will have, and I think
10 that's just a fact of life.

11 CHAIRPERSON BERRY: Is there any racially
12 polarized voting on the City Council?

13 MAYOR ARTMAN: Sure.

14 CHAIRPERSON BERRY: On what kinds of issues
15 generally?

16 MAYOR ARTMAN: I've seen it on redistricting on
17 the white side. I've seen it on employment issues on the
18 black side.

19 CHAIRPERSON BERRY: Could you just give me an
20 example so that I could --

21 MAYOR ARTMAN: Well, we've been through -- we
22 continue to go through contentious problems on
23 redistricting. We are solving that now by going to a
24 six-ward plan that -- with five majority black districts.
25 I don't think that's a contentious issue in the

1 community, at least until the next census comes out, then
2 perhaps it would be.

3 But I know that problem for all practical
4 purposes is solved.

5 And so I think there's been some racial
6 polarization on that. And --

7 CHAIRPERSON BERRY: What about employment? You
8 said --

9 MAYOR ARTMAN: I see some discrimination on the
10 side of some black City Council people oftentimes, that
11 if it's a black employee, then perhaps they get a better
12 shake than a white employee or something like that.

13 CHAIRPERSON BERRY: Mhm, very interesting. You
14 mean --

15 MAYOR ARTMAN: I'm here to tell the truth.

16 CHAIRPERSON BERRY: I understand. You mean in
17 terms -- and you're under oath -- you mean in terms of
18 work assignments, promotions, I just mean what sort of --
19 I don't want you to name anybody.

20 MAYOR ARTMAN: Maybe when the ox is in the
21 ditch and somebody's in trouble, and it comes to saving
22 their job or --

23 CHAIRPERSON BERRY: Oh, I see, saving a job.
24 Have you had any layoffs?

25 MAYOR ARTMAN: No, ma'am.

1 CHAIRPERSON BERRY: Have you increased
2 government employment here?

3 MAYOR ARTMAN: Minimally, unfortunately. I
4 mean, we have -- in this community we've got to do
5 something about controlling our budget, quite truthfully,
6 and we add a few little employees as we look at some
7 issues and departments and things like that, but nothing
8 drastic.

9 CHAIRPERSON BERRY: How -- are there any
10 disparities in public works here, that is, roads, streets
11 and black communities as opposed to white communities,
12 and how much housing segregation is there, if any?

13 MAYOR ARTMAN: Housing segregation is
14 diminishing on a daily basis. The problem with that is
15 that that's often perceived as minorities moving in and
16 the whites flee further away, and that hurts me from the
17 standpoint that I would rather attract people back
18 downtown and I would hope that any mayor would say that,
19 and I think we have to reverse that somehow or another so
20 that quality of life and those perception problems are
21 there. Maybe when we finish with the problems of
22 perception of education, we can deal with neighborhoods,
23 but that's a real concern.

24 As far as looking at statistical information, I
25 can tell you that as far as streets paved and things lik

1 this, there's no inequity. Probably more in traditional
2 minority areas, there's more work done.

3 One of the things that we are seriously
4 addressing now with the help of the local utility is that
5 we're asking that utility lights -- street lighting be
6 improved, and especially some minority areas, and that
7 was my idea for a number of years to improve the quality
8 of life and a crime concern for the neighbors, in some of
9 those areas, and I think that's just something that's
10 traditionally been overlooked and expensive to deal with,
11 but what we're asking the power company to do is divide
12 the city into four quadrants and give us a lighting plan
13 for each one of those that we can do maybe once a year or
14 one every two years, something like that, something that
15 we can generally afford for the community, and I think
16 that would be a big asset to what is termed traditional
17 minority communities or areas.

18 CHAIRPERSON BERRY: So part of that was a
19 wattage problem, was it not? Street wattage lighting or
20 absence?

21 MAYOR ARTMAN: No, absence. You can see that
22 all over town. An area that's two blocks from me, for
23 some reason the alley behind Fairview and another street
24 is almost like daylight, but on the major street in front
25 of it, there's no lights at all.

1 So there's just been I think a general problem
2 in lighting in this community and that's something we're
3 trying to address.

4 CHAIRPERSON BERRY: Do residential streets in
5 Greenville generally have sidewalks?

6 MAYOR ARTMAN: Old town, yes. New, no.

7 CHAIRPERSON BERRY: Because I went out running
8 for several miles this morning in a black residential
9 neighborhood, and there weren't any sidewalks at all. So
10 I just wondered if neighborhoods here -- I will drive
11 around --

12 MAYOR ARTMAN: I attempted -- as a City
13 Councilman, I went out on a long limb, as I do a lot of
14 times, on project trying to get some sidewalks and bike
15 trails and I thought I was going to be tarred and
16 feathered, so --

17 CHAIRPERSON BERRY: Okay. So you generally
18 don't have sidewalks?

19 MAYOR ARTMAN: No, ma'am.

20 CHAIRPERSON BERRY: Okay.

21 MAYOR ARTMAN: We probably have miles and miles
22 of them, but they're traditionally old areas of town.

23 CHAIRPERSON BERRY: Okay. The other thing is
24 have you had any racial disturbances in this community
25 during the time that you've lived here?

1 MAYOR ARTMAN: No, ma'am.

2 CHAIRPERSON BERRY: None at all?

3 MAYOR ARTMAN: No, ma'am.

4 CHAIRPERSON BERRY: Okay. All right. Well --

5 MAYOR ARTMAN: And I'm thankful that we can be
6 reasonable people.

7 CHAIRPERSON BERRY: The last question I have is
8 what are the average wages for people who work in these
9 new jobs in the gambling industry? You said employment
10 had increased. Are these minimum wage jobs, above
11 minimum wage, on a level --

12 MAYOR ARTMAN: They are slightly above to well
13 above minimum wage jobs. In some of them they do fringe
14 at minimum wage, but generally on the gambling vessels
15 themselves they are above minimum wage jobs and they do
16 include benefits.

17 CHAIRPERSON BERRY: Do you have any information
18 on that, collected information?

19 MAYOR ARTMAN: I will get you all -- I just
20 haven't been able to take my notes quick enough, but I'll
21 get you all --

22 CHAIRPERSON BERRY: I'd appreciate it if you'd
23 select that, and then the last -- really last question is
24 I was very interested in the point you made about public
25 -- private schools, that the disposable income that

1 people use to pay to go to private schools is not
2 available for other things in the community, movies, you
3 named a bunch of -- restaurants, going to restaurants and
4 buying cars and whatever.

5 MAYOR ARTMAN: Sure.

6 CHAIRPERSON BERRY: And I had never thought
7 really -- I thought about the people having to spend
8 their money for the private education but I had never
9 thought in terms of the trade-off, that if you're trying
10 to give a jump start to the economy, that's a source of
11 income that you don't have, which is another reason why
12 they ought to improve the public schools or else close
13 them down and take the money and give to the people -- I
14 had never heard that argument before.

15 MAYOR ARTMAN: Well, I'm afraid to nod my head,
16 but I -- yes, ma'am.

17 CHAIRPERSON BERRY: He's nodded his head. Let
18 the record show --

19 MAYOR ARTMAN: I can also tell you that in the
20 attraction of new industries and new jobs, that is a
21 question that people will ask, tell me about your public
22 schools, because they feel like if they bring in a mid-
23 range, upper-range employee for a new facility or an
24 existing facility, that they probably have to increase
25 their wages by \$3,000 for each child that they have in

1 order to come, so that's where it really comes into play.

2 CHAIRPERSON BERRY: Why you need to improve the
3 schools?

4 MAYOR ARTMAN: Yes, ma'am.

5 CHAIRPERSON BERRY: Counsel had one last
6 question.

7 MS. MOORE: I just had one last question on the
8 racial disturbances that the Chair just referred to.
9 Now, we are examining public education, economic
10 opportunities, and voting in this hearing, but I just
11 wanted to hear from you as the Mayor, we are aware of the
12 situation that occurred in Leland, which is a stone's
13 throw away from here.

14 MAYOR ARTMAN: Yes, ma'am.

15 MS. MOORE: And I wondered if there -- what are
16 the relationships here between the police and the
17 community? Is there gang activity that's racially
18 identified or the perception being racial or any hate
19 groups, anything of that nature in Greenville?

20 MAYOR ARTMAN: Well, I know of no hate groups,
21 in the way that I use the term.

22 MS. MOORE: Organized hate -- right.

23 MAYOR ARTMAN: No, ma'am. As far as gang
24 activity, I even heard on the police radio the other
25 evening -- I get out and ride with the police or ride in

1 my car and kind of follow calls and listen to the police
2 radio and do that sometimes, weekend nights, and it was
3 interesting to hear about a white gang, so we do have the
4 perception of gangs, whether they would be white or black
5 in some instances.

6 The general -- the police classify them as
7 want-to-be gang members that perhaps not this organized
8 crime element, but they do have a crime element attached
9 to them obviously, and that's unfortunate.

10 We have in the community worked with Brother
11 Matthew Connors, who is at the Catholic Parish of Sacred
12 Heart, who has committed his life to trying to get these,
13 as he calls them, his boys, off the street and some of
14 the particular problems that have forced them into this
15 life, and I hope the community has been very attuned to
16 that and tried to help him in any way possible.

17 MS. MOORE: You don't anticipate any situation
18 like that that occurred in Leland?

19 MAYOR ARTMAN: Well, the situation that
20 occurred in Leland was a very unfortunate one, and maybe
21 that has prompted me to even want to do my little
22 biracial committee, that we can have people that are
23 willing to stand up and speak out and say, you know,
24 we've looked at this and we're not going to -- we don't
25 want to let this happen in our community, because a

1 divisive issue, in a very short period of time can tear a
2 community up.

3 All these things that we talked about,
4 university centers and interstates and better schools,
5 you throw that out the window when you have some problems
6 like that that develop, and for that reason you need to
7 be proactive and to be able to address those concerns.

8 And as far as the police -- I know that you all
9 want to get rid of me, but one other thing, on the police
10 issue, we did have a front page story in the newspaper
11 about two weeks ago, heard from this young man's mother -
12 - let me get my phraseology right here -- that excessive
13 force was used and the officer was disciplined for that
14 reason.

15 There was obviously some mitigating
16 circumstances, but interestingly enough, the newspaper in
17 their little opinion poll that you may or may not have
18 the opportunity to see while you're here, ran it and even
19 overwhelming in the black community, they said that
20 there's not a perception that the police department uses
21 excessive force or is violent with its customers.

22 And we've tried to be very careful in trying to
23 create a citizen customer base for all departments. You
24 know, we go into quality management control with all the
25 departments, including the police department, the police

1 department has a citizen review board that meets on a
2 regular basis and again, one of those buy-in things that
3 we talked about where the grassroots in the community is
4 involved working to try to solve problems or prevent
5 problems from happening.

6 CHAIRPERSON BERRY: You could help us with our
7 work by including the poll and the article so we don't
8 have to clip it out.

9 MAYOR ARTMAN: I'm not going to come back
10 tomorrow.

11 CHAIRPERSON BERRY: Mr. Mayor, we want to thank
12 you very much for your testimony. We really appreciate
13 it.

14 MAYOR ARTMAN: I've enjoyed it and as you can
15 tell, I'd be glad to sit and talk with you all day.
16 Thank you very much. If we can help you any way while
17 you're here --

18 CHAIRPERSON BERRY: Yes.

19 MAYOR ARTMAN: I'll go back and do my homework.

20 CHAIRPERSON BERRY: Okay, thank you. We're
21 going to take a five-minute break. We have five
22 minutes and we're going to reconvene exactly five
23 minutes from now, exactly.

24 (Break.)

25 CHAIRPERSON BERRY: Could the sign interpret

1 please -- could you please ask if anyone needs
2 interpretation?

3 THE INTERPRETER: Any individual here needing
4 the services of an interpreter? (No response.)

5 CHAIRPERSON BERRY: Thank you very much. The
6 first topic we will cover is race and the public
7 education system, and our first panel on that topic
8 will examine state initiatives in Mississippi
9 Elementary and Secondary Schools.

10 A representative from the Governor's Office was
11 unable to testify today. We expect to hear from him
12 mid-morning tomorrow. We're going to accommodate his
13 schedule.

14 So I'd like to ask general counsel, Ms. Moore,
15 to call the witnesses who are here today.

16 MS. MOORE: Would Dr. James F. Hemphill, III,
17 and Dr. Andrew Mullins please come forward and remain
18 standing?

19 DR. HEMPHILL: We also have Dr. Ron Love from
20 the State Board of Education with us.

21 MS. MOORE: Will Dr. Love be testifying?

22 DR. HEMPHILL: Could very well.

23 MS. MOORE: Please come forward and remain
24 standing.

25 CHAIRPERSON BERRY: Dr. Ron Love.

1 DR. HEMPHILL: For the record, my middle
2 initial is V.

3 MS. MOORE: V?

4 DR. HEMPHILL: V as in Victor.

5 MS. MOORE: Instead of?

6 DR. HEMPHILL: Instead of F.

7 CHAIRPERSON BERRY: Wonder where the F came
8 from?

9 DR. HEMPHILL: V as in victory instead of F as
10 in failure.

11 CHAIRPERSON BERRY: And Dr. Ron Love and Dr.
12 Andrew Mullins, right? Okay, could you please raise
13 your right hand while I give you the oath?

14 (Witnesses sworn.)

15 CHAIRPERSON BERRY: Please be seated. We would
16 now like to authenticate the documents that are being
17 submitted by Dr. James V. Hemphill, III. General
18 counsel, could you please begin the authentication
19 questions for this witness.

20 MS. MOORE: Yes, thank you, Madam Chair.

21 Dr. Hemphill, if you could state your name and
22 employment for the record and position?

23 DR. HEMPHILL: My name is James Hemphill. I'm
24 a Special Assistant to the State Superintendent of
25 Education for the State Department of Education in

1 Mississippi.

2 MS. MOORE: What are your duties at the
3 department?

4 DR. HEMPHILL: My duties are to be the general
5 spokesman for the State Department, external relations,
6 including public relations and legislative coordination.

7 MS. MOORE: Are you familiar with the
8 department's filing system and its maintenance of
9 records?

10 DR. HEMPHILL: Generally.

11 MS. MOORE: Have you brought with you today the
12 documents that were identified in the Exhibit A attached
13 to your subpoena?

14 DR. HEMPHILL: I have. According to the
15 subpoena there were some records that we didn't have that
16 we don't keep that we do not have, but the records that
17 we have, I have with me.

18 MS. MOORE: Have you provided a statement to
19 that effect, a written statement to indicate which
20 documents were not maintained?

21 DR. HEMPHILL: No, ma'am, I haven't. I will be
22 glad to do that.

23 MS. MOORE: Okay. Now, where did you obtain
24 the documents that you have brought with you?

25 DR. HEMPHILL: I obtained them basically from

1 Dr. Love's office and the questions concerning
2 alternative education and suspensions, and from the Title
3 1 office, the questions concerning the funding for Title
4 1.

5 MS. MOORE: Do you certify that the documents
6 submitted today are true and accurate copies or
7 representations of those maintained in the department's
8 records?

9 DR. HEMPHILL: To the best of my knowledge,
10 yes.

11 MS. MOORE: Madam Chair, if we could mark those
12 documents as Exhibit 1?

13 CHAIRPERSON BERRY: Yes, the documents
14 submitted by Dr. James V. Hemphill on behalf of the
15 Superintendent of Mississippi Schools are admitted
16 into the record without objection and marked as
17 Exhibits 1-A through the end, Exhibits A through the
18 end, and at some point I'll be told what the end is.

19 MS. MOORE: Right.

20 CHAIRPERSON BERRY: And so without objection,
21 so ordered.

22 (Exhibit Number 1 marked for
23 identification.)

24 CHAIRPERSON BERRY: Go ahead.

25 MS. MOORE: Now, if Dr. Mullins and Dr. Love

1 would just briefly state your names and positions for the
2 record?

3 DR. MULLINS: I'm Andrew Mullins. I'm a
4 Special Assistant to the Chancellor of the University of
5 Mississippi and also Associate Professor of Education.

6 DR. LOVE: I'm Ron Love, Special Assistant to
7 the State Superintendent in charge of the Office of
8 Community Outreach Services. We're in charge of
9 alternative education. We collect certain data on
10 violence, guns, and related kinds of topics.

11 MS. MOORE: Okay. Now, if Dr. Mullins and Dr.
12 Hemphill, I assume that two of you have prepared remarks,
13 do you have brief remarks that you'd like to make? You
14 may begin, Dr. Mullins.

15 DR. MULLINS: Thank you very much. As I said,
16 I'm Andy Mullins, Special Assistant to the Chancellor of
17 the University of Mississippi. Since 1980 when I was a
18 Special Assistant to Governor William Winter for
19 education matters, I worked with many of the school
20 districts in the state, of course, and also in the
21 Mississippi Delta.

22 I am very familiar with the myriad of problems
23 created by high degrees of poverty found in most of these
24 districts. I have been involved in numerous projects to
25 assist the educators in this area to break this vicious

1 cycle of illiteracy, test scores, lack of public support
2 and so forth.

3 As you all realize, there are no simple
4 solutions, no quick fixes to the constant correlation of
5 high poverty and low educational achievement.

6 For the last seven years I have been trying to
7 help school districts, primarily in the Delta, find good
8 teachers for the Delta schools. There is a severe
9 shortage of teachers in this area.

10 In many cases there is a warm body or no body
11 to instruct the children. We have seen a recent
12 precipitous decline in the number of minority teachers
13 and the number of minority teachers state-wide applying
14 for certification.

15 The number of black applicants continues to
16 decline. It is difficult to attract white teachers to
17 all black districts in many cases.

18 These factors, coupled with experienced
19 teachers retiring earlier, further teachers leaving the
20 profession due to classroom discipline problems,
21 inadequate administrators and little or no parental
22 support, create a real and worsening crisis for many of
23 our Delta schools.

24 What do we do when there is no qualified
25 teacher for a classroom of kids? Everyone, local, state

1 and federal governments must ally with the private sector
2 to meet this challenge. We must have help from the
3 business sector.

4 I recommend to you many of the recommendations
5 found in this recent report from a special task force
6 created by the Public Education Forum, which is a group
7 of business leaders concerned with education issues, K
8 through graduate school.

9 The educator pipeline includes some valuable
10 research on this state-wide problem of teacher shortage,
11 and it includes some recommendations to alleviate this
12 crisis.

13 I also work at the University of Mississippi
14 with the Mississippi Teacher Corps, which is a very
15 successful program designed to attract liberal arts
16 graduates to Mississippi to teach. I place 90 percent of
17 these 50 teachers per year in the Mississippi Delta
18 school districts.

19 I observe them in these districts and I teach
20 them when they come to the university on weekends working
21 on a master's degree. I hear their frustrations and
22 problems as their initial enthusiasm soon is dampened and
23 hope often turns to cynicism.

24 I will happy to respond to any questions about
25 this program or any of the education issues pertinent to

1 problems in Mississippi. Thank you for the invitation to
2 attend this conference.

3 MS. MOORE: Thank you. Madam Chair, before Dr.
4 Hemphill's statement, if Mr. Mullins is submitting
5 the document for the record, may we do so and have it
6 marked as Exhibit 2?

7 CHAIRPERSON BERRY: We will receive the
8 document submitted by Dr. Mullins and it will be
9 marked as Exhibit 2 without objection.

10 (Exhibit Number 2 marked for
11 identification.)

12 MS. MOORE: Dr. Hemphill.

13 DR. HEMPHILL: Thank you. Madam Chairperson,
14 members of the Commission, we appreciate the opportunity
15 to come and visit with you today. As I considered an
16 opening statement to you concerning integration in
17 Mississippi, I could not help but recall my own personal
18 experience in 1969 and '70 as a member of the Starkville
19 Public Schools.

20 I was asked to integrate with a small group of
21 white teachers one semester before we integrated with the
22 student body.

23 It was quite an emotional time, as I'm sure you
24 can imagine. Basically I think it was a fear of the
25 unknown and a long history and all I never knew in my

1 life of segregation in Mississippi.

2 I had a very difficult time personally early in
3 the process wondering why separate but equal wasn't a
4 satisfactory solution to a situation that I found out I
5 really didn't understand.

6 Just a short while after I transferred over to
7 the black high school in Starkville I understood why
8 separate but equal was not a viable solution. It did not
9 take long to realize that separate and equal concept --
10 that the separate and equal concept was separate and
11 equal had nothing to do with it.

12 From that point forward I progressed through
13 the most significant learning time in my life. My mentor
14 during that period, a black man, Dr. Phen Peters, who
15 happened to be principal of the school.

16 Dr. Peters, now a dear friend, helped me not to
17 only make it through the period, but he also prepared me
18 for my career in education, and also for life for the
19 next, as it turns out to be now, 25 or 26 years.

20 As I think back on those early days of
21 integration in Mississippi, they really weren't as
22 difficult as I thought at the time, and now as I have an
23 opportunity to participate in a management perspective of
24 K-12 education in Mississippi, I see just how far we
25 really have come.

1 I'm not so naive to think that all students in
2 Mississippi have equal opportunity for quality education.
3 I do, however, know that all students have the
4 opportunity for a much more effective education than they
5 did in the late 60's.

6 Commitments from the legislature to enact laws
7 assuring appropriate and equitable funding levels and
8 providing higher standards have enabled students in
9 Mississippi to participate in the most successful
10 educational programs ever.

11 Over the past two years student achievement
12 test scores have risen at a rate generally equal to or
13 above the rest of the nation. And in some instances,
14 where national scores seem to be declining, we feel
15 Mississippi scores are increasing.

16 We are finding also that we have some districts
17 which are not progressing very well. As a matter of
18 fact, we have found a number of school districts in very
19 dismal shape.

20 We also have found though that about 125 or 30
21 school districts in Mississippi are providing more than
22 an adequate and equitable education.

23 As we evaluate problems of poorly performing
24 districts, we see in most cases the lack of effective
25 leadership is more of a problem than adequate funding.

1 However, there is a need for a minimum level of
2 commitment for adequate funding in order for these
3 districts and all districts to maintain the quality.

4 Today as we speak the Mississippi Legislature
5 will be debating in the House of Representatives the
6 Mississippi Adequate Education Program, a bill which will
7 provide at final implementation 160 or 170 million
8 dollars more of funding for local school districts in
9 Mississippi.

10 This funding will provide a stronger level of
11 equity than ever before. And also during the
12 implementation years, approximately six years if the bill
13 passes, upwards of 365 million dollars for capital
14 improvements.

15 This is not a Robin Hood plan but it assesses
16 needs and seeks to meet those needs through additional
17 educational funding, basically from the general fund.

18 Good things are happening in education in
19 Mississippi and our challenge is to continue our progress
20 and lift our efforts to the next level of providing
21 quality education.

22 And I will speak to your questions.

23 CHAIRPERSON BERRY: Thank you very much.

24 Counsel, do you want to question him?

25 MS. MOORE: Dr. Love, are you --

1 DR. LOVE: Well, I guess giving you some
2 perspective on who I am, why I'm here.

3 CHAIRPERSON BERRY: Yes, why are you here?

4 DR. LOVE: Who am I? Why am I here? I've
5 heard that somewhere before, and I'll try to answer it to
6 the best of my ability.

7 Actually my background and experience I think
8 is why the superintendent wanted Jim and I to come
9 together. I started my career here in the Delta working
10 as a teacher in Mississippi Valley State, in the
11 sociology department.

12 Over the seven-year period I worked with the
13 federal courts as statistician in redistricting,
14 discrimination suits, what have you, with North
15 Mississippi Legal Services.

16 I spent three years at the State Department
17 doing policy and planning, dealing with issues such as
18 teacher shortages, equity funding and other issues, and
19 then seven years as assistant superintendent in Tupelo
20 and ran alternative schools and dealing with the problems
21 and issues of race and how you get along in the school
22 district, and for the last three years I've been over
23 alternative programs in the state and we also deal with
24 issues of violence and nondiscrimination.

25 We operate the race and sex equity components

1 of the State Department of Education.

2 So kind of a support person for Jim and his
3 activities, since I have more direct dealing with some of
4 the issues that might concern this Commission.

5 CHAIRPERSON BERRY: Thank you very much.

6 Counsel, you have questions?

7 MS. MOORE: Yes. Let me start first with Dr.
8 Hemphill and ask you a question that was raised in your
9 remarks, just if you know. Is this Mississippi Adequate
10 Education Program legislation anticipated to pass or is
11 there any --

12 DR. HEMPHILL: Well, it's passed to this point
13 both committees in the House and the Senate and the
14 Senate floor. It will be debated. I wish I were there
15 to hear the debate today, but it will be debated in the
16 House.

17 I suspect -- we think we have the votes. I
18 don't know. We've learned not to predict that sort of
19 thing, but it will go to conference and probably if it
20 does pass though, I'd like to say that over the past
21 history of education in Mississippi, we've had several
22 large pieces of legislative pass that positively affect
23 education -- this is probably and should be considered
24 one of the most significant since the 50's where we
25 consolidated schools and went to a funding program.

1 MS. MOORE: Is it supported by the Governor, i
2 you know?

3 DR. HEMPHILL: Yes, I think the Governor
4 supports education. This is not the Governor's bill, I
5 would add though, and but we've been working with the
6 Governor's staff and yes, I would say --

7 MS. MOORE: A representative was scheduled to
8 be here but we will ask him tomorrow, I guess.

9 Now, if you could give us a general
10 description, if you know, of the distribution of Title 1
11 funds. Maybe it will be Dr. Love, under the Elementary
12 and Secondary Education Act, to the public schools in
13 Mississippi?

14 DR. HEMPHILL: Well, what I have prepared and
15 what I have given you is a chart showing the amount of
16 funding going to each district. I would rather not read
17 that unless you would like me to.

18 MS. MOORE: No.

19 CHAIRPERSON BERRY: But you have submitted
20 that?

21 DR. HEMPHILL: Yes.

22 CHAIRPERSON BERRY: As part of your documents,
23 okay.

24 MS. MOORE: Will we be able to from the
25 documents that you provided determine from each district

1 whether there is adequacy of funding?

2 DR. HEMPHILL: I'm not -- you'll be able to
3 tell how much funding has gone through the federal
4 programs to education program in Mississippi. Those
5 programs, as you know, are assigned on a need basis, and
6 poverty basis, and so yes, from that perspective I think
7 you could.

8 MS. MOORE: Well, as Assistant Superintendent
9 do you believe that the funds are adequate?

10 DR. HEMPHILL: Well, we certainly -- in
11 Mississippi the funding levels per child from the State,
12 while we think that our districts are doing very well
13 with what they get, they are still very much -- they are
14 lower than the rest of the nation in most cases.

15 With the influx of the federal funds, we still
16 are low, but without those federal funds, it would be
17 worse than low, I guess you'd say. But --

18 CHAIRPERSON BERRY: Lower than low?

19 DR. HEMPHILL: Lower than low? Thank you. But
20 without this funding we would be in desperate shape.

21 MS. MOORE: How would this bill that you
22 referred to relate to Title 1 funding?

23 DR. HEMPHILL: The bill, the Mississippi
24 Adequate Education Program, is basically an equity
25 funding program which determines by use of the same

1 figures that federal funds are distributed which
2 districts need some more funding and that extra funding
3 is allocated to those districts.

4 It does not take away from other districts that
5 might be funding adequate educational programs, but it
6 also in some cases may add minimal amounts to those
7 programs also.

8 The basic difference is removing from a teacher
9 unit basis to an enrollment basis so that some extra
10 funding will be provided for those numbers of students
11 above the cut-off levels where a district would normally
12 have to pay for a teacher themselves, wouldn't be paid
13 for from the State, but they are -- will be picked up now
14 on the funding grants and paid for, which will allow
15 districts to provide things such as librarians and art
16 teachers and music teachers and nurses, and those are
17 some of the things that we have not historically provided
18 in Mississippi.

19 DR. MULLINS: May I -- that at risk component
20 is what I was talking about in the beginning. I just
21 didn't call it at at risk, but depending on the number of
22 free lunches, an at risk component that would start off
23 at a level and I would say that the two versions that
24 have passed our legislature at this point are somewhat
25 different, and we don't know exactly how it's going to

1 come out if it passes, but it will increase the at risk
2 funding over a period of time up to approximately 12
3 percent in the Senate version.

4 MS. MOORE: Will the provision of funds under
5 this state bill, if it passes, affect the eligibility of
6 any districts for Title 1 funding?

7 DR. HEMPHILL: It won't.

8 MS. MOORE: It won't raise it --

9 DR. HEMPHILL: It will not affect Title 1.

10 MS. MOORE: All right. Now, has the State
11 Department of Education implemented a monitoring system
12 to track the use of Title 1 funds in the public schools?

13 DR. HEMPHILL: Well, as you know, federal
14 requirements require us to do that. Yes, we do.

15 MS. MOORE: And do you have any of that
16 information documented for us?

17 DR. HEMPHILL: Well, not for you all. We
18 document it all. It won't be a problem.

19 MS. MOORE: Could you provide that to us for
20 the record?

21 DR. HEMPHILL: Sure.

22 MS. MOORE: Now, if you have, and I'm not aware
23 whether you have or not, assessed the relationship
24 between the use of Title 1 funds and test scores in the
25 public schools, have you don't any studies --

1 DR. HEMPHILL: As you also know from federal
2 guidelines that you have to be a grade level behind, you
3 know, to be involved in those programs, so yes, we track
4 those too.

5 MS. MOORE: And would you be able to provide
6 that information for the record?

7 DR. HEMPHILL: We will provide you with that.

8 MS. MOORE: Okay. Have you identified the
9 factors which are most strongly correlated with student
10 achievement in the public schools?

11 DR. HEMPHILL: Well, we think in Mississippi
12 the reason that we have seen increasing test scores over
13 the past three years are a number of reasons, four basic
14 reasons, quality teaching, effective leadership,
15 technology, massive technology effort, and the
16 Mississippi Accountability Program or the Accreditation
17 Program.

18 Mississippi is one of those states -- and I'm
19 not sure how many states -- but one of those states that
20 has implemented a performance-based accreditation system.
21 It is a system that measures the quality and rates the
22 quality of a school district according to the achievement
23 of students, where if students don't achieve and don't
24 learn, the accreditation system removes the accreditation
25 from the district and the state takes over those

1 districts by statute and as a conservator, and we are in
2 the process -- we've done that once on a financial basis.
3 We're doing it -- in the process of doing that in two
4 other districts presently.

5 We're setting some significant standards, not
6 only for students and teachers in districts but for
7 ourselves, and it's I think one of the first times in
8 Mississippi and in education that educational leaders are
9 having to manage for performance. They're having to look
10 at test scores and assess those test scores and try to
11 determine why students aren't learning.

12 Now, as we go into districts that are
13 experiencing difficulty, to answer your original
14 question, we -- and as I mentioned in my opening
15 statement -- we see many times that the most important
16 reason students are not achieving is leadership, not
17 necessarily funding, but leadership, and not necessarily
18 educational leadership, but leadership in the
19 communities.

20 You have a community that expects a school
21 district to provide a superior product, you'll have a
22 good school district. If you have a community that
23 doesn't expect that, then they probably will not do it.

24 MS. MOORE: Well, now Dr. Mullins in his
25 remarks expressed some concern about quality teachers and

1 the ability to recruit, and I assume to retain them. Is
2 that a concern?

3 DR. HEMPHILL: Absolutely.

4 MS. MOORE: At the --

5 DR. HEMPHILL: Absolutely. In Mississippi we
6 have a documented and Dr. Mullins, without his programs
7 and others like his, we would be in extreme difficulty
8 but we are in the middle of a teacher shortage in
9 Mississippi that is documented in the document that Dr.
10 Mullins will provide you, and it's an independent study
11 by the Department of Education Forum, and we sincerely
12 need teachers in Mississippi and it's one of our major
13 objectives.

14 MS. MOORE: And the correlation between that
15 and student achievement, if I heard your testimony
16 correctly, is not as significant as that for the
17 leadership --

18 DR. HEMPHILL: Well, I'm not sure you can say
19 that. I think there are a lot of reasons why children
20 don't achieve, but leadership is certainly the one that
21 is glaring, when we go into a district and we see
22 mismanagement of funds, we see poor curriculum developed,
23 we see poor support for the PTA, you see numbers of
24 things very quickly, it may be dirty schools or campus
25 are not kept up, but you see a lack of participation, yo

1 see a lack of leadership.

2 MS. MOORE: Dr. Love?

3 DR. LOVE: Those issues are separate. The
4 recruitment of good teachers, making them feel secure,
5 important, having a professional environment from which
6 they can work is important, so if you have bad
7 leadership, you may well find some of the symptoms that
8 Dr. Mullins alluded to, teachers won't be there very
9 long, they don't feel very secure, it's not a very good
10 environment for them, and they won't be capable of doing
11 the very best job that they can do.

12 DR. HEMPHILL: We have districts that are very
13 close to this where we sit that are struggling, but you
14 have an example in Hollandale, Mississippi, of a district
15 that is as poor a district as there is in this state, and
16 it's an excellent school district and they have excellent
17 leadership.

18 MS. MOORE: Now, what about, just shifting the
19 focus a little bit, private academies and their impact if
20 any on the public school system? Their competition and -
21 -

22 DR. HEMPHILL: Well, from my perspective in
23 going through that process in Mississippi, as I related
24 to you, if we had maintained in Starkville, Mississippi,
25 as I related to you, if we had maintained in Starkville,

1 Mississippi, a few key -- a few white key leaders, we
2 probably would not have had a private educational system
3 there. As a result, it's turned into a fairly effective
4 private education program, and if you had -- if you had
5 four or five, six hundred, you know, white students back
6 into the schools there, you would have a -- probably a
7 better overall program.

8 DR. MULLINS: Can I speak?

9 MS. MOORE: Sure.

10 DR. MULLINS: You have roughly 90 percent of
11 the school-aged children in Mississippi are in the public
12 schools, which surprises a lot of people, that it's that
13 high, but it is.

14 And that has not -- in 1970, when you had total
15 desegregation, court ordered total desegregation, you had
16 of course white flight, and it got up to about 12 to 13
17 percent of the school-aged children in the nonpublic
18 schools.

19 Now, when I say nonpublic, I'm talking about
20 parochial schools, Men of Knight schools, as well as your
21 private academies. So had hadn't had a whole lot over
22 the 25-year period, you haven't had a whole lot of
23 migration back to the public schools.

24 But in some areas of the state where you have
25 had improvements in the public schools, we have seen

1 students going back, and have actually closed some of the
2 nonpublic schools in some of those areas.

3 Being a National Board member of Parents for
4 Public Schools, we discuss this issue all the time, and
5 my thought on it is that if we can -- if we make the
6 public schools as good as we can make them and don't
7 worry about what the nonpublic schools are doing, then
8 that's where we need to spend our energies and we'll see
9 more and more coming back to the public schools.

10 DR. LOVE: I think a most dramatic impact the
11 private schools on public schools have to do with divided
12 loyalties, and community support for your public schools.

13
14 I've worked in districts where there was very
15 little private school, like in Tupelo, and we enjoyed a
16 great deal of community-wide from local businesses and
17 others. I think in the Delta on the other hand, where
18 you may have divided loyalties, or where the school
19 districts tend to be more segregated, 96, 97 percent
20 black, for example, that the same level of community
21 support, so to speak from both sides of the tracks, is at
22 least a distraction and maybe unhealthy in terms of
23 providing overall support for public schools and
24 education.

25 And that I think is the most crucial factor in

1 terms of development of academies versus some other
2 things. That's where the impact tends to be most
3 negative.

4 MS. MOORE: Do you know what percentage of
5 blacks or other minority students constitute part of the
6 population of the private academies? Do you -- I'm sure
7 you all don't maintain --

8 DR. HEMPHILL: I don't know a number but it
9 would be extremely low.

10 MS. MOORE: Be extremely low?

11 DR. LOVE: The parochial schools have a much
12 higher percentage -- I would guess 25 to 30 percent, but
13 have no way of knowing in --

14 CHAIRPERSON BERRY: 25 or 30 percent of what?

15 DR. LOVE: Minority students in the parochial
16 schools.

17 CHAIRPERSON BERRY: 25 or 30 percent of all the
18 minority students?

19 DR. MULLINS: No, 25 to 30 percent of the total
20 students in the parochial schools would be black.

21 DR. LOVE: One of the other factors that needs
22 to be mentioned, now we're talking about fairly small
23 numbers compared overall in terms of --

24 CHAIRPERSON BERRY: How many?

25 DR. LOVE: -- private and parochial school

1 participation.

2 MS. MOORE: How many?

3 DR. HEMPHILL: Parochial schools are roughly
4 10,000 students state-wide.

5 CHAIRPERSON BERRY: 10,000?

6 DR. HEMPHILL: Right.

7 CHAIRPERSON BERRY: About 25 percent of those.

8 MS. MOORE: And private academies, do you have
9 a ball park --

10 DR. HEMPHILL: 500,000 students in the public
11 schools, K through 12, and about 50,000 -- ten percent in
12 nonpublic school schools. How many in the Episcopal
13 schools, I'm not sure, I would guess probably around
14 2,000, and 10,000 roughly in the parochial schools.
15 Generally about 35,000 in your private academies.

16 MS. MOORE: Okay. And --

17 DR. HEMPHILL: How many of those are minority,
18 I have no idea. Very, very small.

19 MS. MOORE: But you would anticipate that is
20 much lower than the 25 percent --

21 DR. HEMPHILL: Much lower. Probably be less
22 than two percent.

23 DR. MULLINS: Between one and two percent, I
24 would think, or some fraction thereof.

25 CHAIRPERSON BERRY: And how many minority

1 students altogether? I'm just trying to see -- you say
2 that --

3 DR. HEMPHILL: Half.

4 CHAIRPERSON BERRY: Within the public school
5 system you indicated that it's about 50 percent.

6 DR. MULLINS: 250,000.

7 CHAIRPERSON BERRY: So we're talking about
8 small numbers in the private and parochial schools.

9 DR. LOVE: Let's make one distinction though.
10 Whether it's the Delta -- Western Mississippi, for
11 example, many of the school districts will have 95, 96,
12 97 percent black, so the concentration tends to differ
13 widely. If you spent most of your life in the Delta, you
14 think every public school in the state was all black.

15 DR. MULLINS: All the whites went to private
16 schools.

17 DR. LOVE: That's right, and if you go to the
18 other side of the state, that was ludicrous. So there's
19 a difference in perception between east and west and
20 south.

21 The concentration of very integrated schools
22 would be in Northeast Mississippi and the southern part
23 of the state, and the western side of Mississippi,
24 stemming from say north, Tunica down to Woodville, along
25 the river would be predominantly black, in very high

1 numbers.

2 MS. MOORE: Now, within the public school
3 systems, do you know of any -- I'm trying to get to the
4 tensions, racial and ethnic tensions, if there are any,
5 generated by tracking issues, discipline issues,
6 suspensions?

7 DR. HEMPHILL: I noticed in your questions that
8 you were looking for tracking. We don't suggest
9 tracking. We don't track tracking in the state any more,
10 and unless some local districts, you know, have put
11 together their curriculum and their programs. I couldn't
12 testify to, but I think it's a dying -- I think early on
13 in the desegregation process, it was a tool, but I don't
14 think it happens much any more.

15 I'll tell you this, the biggest factor right
16 now in working in quality education in Mississippi is the
17 accreditation system, and I mean this. This is a serious
18 matter with school districts. If a district is doing
19 something that impedes the learning or the education of a
20 child, they will lose their accreditation, because the
21 children will not achieve on the tests.

22 We have people at every school with the
23 security system on the testing process is dramatic. We
24 have people in every district evaluating the testing
25 procedures, and we -- the superintendent and the State

1 Board of Education are extremely serious, and so anything
2 like tracking or those kinds of things that might have
3 once been out there, might not be the best educative
4 program, districts are quickly moving away from that.

5 DR. MULLINS: Let me add too, this performance-
6 based system that Mississippi has is really a good
7 system. It emanated from the 1982 Education Reform Act.
8 It was a major part of it.

9 I was on the regional commission to come up
10 with a performance-based system. We had no national
11 knowledge at the time. It took over ten years to fully
12 develop it. It's still not fully performance-based, but
13 it's really close to it, as close as any other state has
14 and it seems to be working real well. I recommend it to
15 you.

16 DR. LOVE: I think -- I guess my role is always
17 -- I think where our problems have existed, and we've
18 moved to try to look at those as close as possible, would
19 be in the area of special education.

20 We've -- was it two months ago, three months
21 ago, signed an agreement, docile, civil rights in
22 relationship to have the overall representation of
23 minorities in special education, so that's --

24 MS. MOORE: The Department of Education?

25 DR. LOVE: Right. That is an ongoing concern.

1 That's one that we face squarely and have worked to
2 reduce and looked at in every way. I mean, there's a lot
3 of pressure built into our accreditation system to
4 perform very well, a lot of pressure.

5 And so issues about how many kids you put in
6 special education are excluded from testing process are
7 certainly concerns that we have, because we want to make
8 sure that what we're reflecting in terms of overall
9 performance really reflects overall performance and not
10 some jiggling the test scores.

11 MS. MOORE: Mm-hmm.

12 DR. LOVE: But certainly it's one of those
13 issues that we have confronted and I dare say with as
14 much enthusiasm from the state level as we can in terms
15 of trying to make corrections and making sure that people
16 are acting properly in terms of placement of students.

17 MS. MOORE: Well, Dr. Love, I hadn't
18 anticipated this of this panel but you mentioned also --

19 DR. LOVE: This is not going to be --

20 MS. MOORE: You mentioned also in your opening
21 remarks your involvement in, and I think we have a panel
22 later today that has a representative that can also
23 discuss the alternative schooling.

24 DR. LOVE: Who else is going to discuss -- I
25 want to know --

1 MS. MOORE: On the agenda later, but hasn't an
2 issue arisen --

3 DR. LOVE: Good, is that him? He works with me
4 --

5 MS. MOORE: Down home now --

6 CHAIRPERSON BERRY: Let's have some order,
7 please.

8 MS. MOORE: Isn't there an issue that has arise
9 with respect to that and young black males being --

10 DR. LOVE: There's also going to be an issue
11 when a large portion of your placements tend to be black
12 males. Half the system is black. I would say 75 to 80
13 percent of those who are in poverty are black. Those wh
14 come from broken homes and in some of the worst situation
15 are black, and therefore, I think it's reasonable to
16 assume those who get placed in alternative programs in
17 larger numbers are going to be black.

18 So yes, there's a concern on our part --

19 MS. MOORE: What is the goal of the alternative
20 --

21 DR. LOVE: Well, I think that there are two
22 goals. We're concerned about two things, creating a safe
23 environment in the schools for students so all students
24 can learn, and also providing safe alternative for
25 students who have behavioral problems. That's one of ou

1 primary concerns, that we wanted to do two things.

2 Well, there's another thing. We also want to
3 make the streets of our community as safe as they can be,
4 and there's a realization that historical way of dealing
5 with discipline problems in school has been to put them
6 on the street as quickly as possible.

7 That is unacceptable to many of our
8 communities. They will say very quickly that you are
9 causing a crime problem here by putting them out there,
10 and we want to solve it, so our alterative education --
11 legislation didn't come out of the education committee,
12 it came out of the juvenile justice committee.

13 It basically says we are tired of kids breaking
14 in the houses and doing all matter of things while people
15 are working, so we want you to do a better job of keeping
16 them in school.

17 So our approach has been, two things. One is
18 we want to create a safe learning environment for kids
19 that want to learn, and for those students who have
20 behavioral problems, we want to provide them every
21 opportunity to learn, to be successful, and to return to
22 school and graduate.

23 So we try to -- and working with the person
24 that you're going to call later on, we tried in every way
25 we could to make sure that school districts put their

1 best foot forward in terms of building better programs.

2 MS. MOORE: Let me turn to Dr. Mullins, because
3 I'm sure the Commissioners have a host of questions. Dr.
4 Mullins, now again you've talked about the quality of
5 teachers in your opening statement, and I wanted to ask
6 you as well if you know or if you've studied or are aware
7 of any studies that also examine other factors such as
8 pupil-teacher ratios, per pupil spending, the percentage
9 of local revenues, or involvement of parents in the
10 education process, any hard data on the relationship
11 between those factors and student achievement, if you're
12 aware. If you're not --

13 DR. MULLINS: Well, when I was at the State
14 Department of Education, of course, there were numerous
15 studies done on all of those, and some national studies.
16 So I'm sure Dr. Hemphill and Dr. Love could go back
17 through the files there and find studies that you refer
18 to, sure.

19 DR. HEMPHILL: As a matter of fact, the State
20 Board right now is looking at some class size issues.

21 DR..MULLINS: That's been an issue for a long
22 time with the State Board of Education, with school
23 districts. You know, you have testimony from various so-
24 called experts that it doesn't matter as far as test
25 scores about the pupil-teacher ratio, but I can tell you

1 my wife's a teacher, and it matters. It matters to the
2 teachers, teacher-pupil ratio.

3 That's one of the main things they're concerned
4 about, and that does -- a high teacher-pupil ratio,
5 especially where you have a wide divergence of talent in
6 the classroom, makes it extremely difficult.

7 That adds stress to the teaching situation and
8 I'm sure that has a lot to do with teachers leaving the
9 profession, their area. It certainly adds to discipline
10 problems in classrooms, so teacher-pupil ratio is
11 definitely a factor in those things, even if the experts
12 say it doesn't have much effect on achievement levels.

13 DR. HEMPHILL: Teacher assistants --

14 MS. MOORE: Did you want to --

15 DR. MULLINS: Teaching assistants, we had a
16 program as part of the '83 Reform Act that provided a
17 teaching assistant to the early years, the K through 3,
18 and that program has met with mixed reviews, mainly
19 because I think the teaching assistants were not used for
20 their stated purposes, which was to improve reading
21 scores originally to divide -- to decrease the teacher-
22 pupil ratio by adding an assistant teacher, and those
23 teachers -- a lot of times those assistants were used for
24 things such as to be a substitute or to take up lunch
25 money, or various things that teachers have to put up

1 with, and not so much helping the students who were
2 having problems reading.

3 As we've gone back to the original purpose of
4 the reading assistants, I think you'll see that reduction
5 in teacher-pupil ratio beginning to pay off more in
6 student achievement.

7 MS. MOORE: Now, are the teachers -- I heard --
8 it caught my ear, on leaving the profession, are they
9 leaving the profession or simply moving to more
10 attractive districts or private academies or the like
11 here in this area?

12 DR. MULLINS: Both. When the legislature a few
13 years ago -- I think it was about five or six -- reduced
14 the retirement requirement from 30 years to 25 years --

15 DR. HEMPHILL: At any age.

16 DR. MULLINS: At any age, at any age, that's
17 correct, 25 years, and the state board at the time, we
18 predicted that that would cause a problem with teachers,
19 with our teacher supply, and it has, that's turned out to
20 be true, because you have a lot of teachers who retire
21 when they hit those 25 years.

22 Now, one problem with Mississippi with our pay
23 scale for teachers if that we don't pay a large amount
24 for teacher increments based on experience. We pay some,
25 but we don't pay a large amount.

1 So it's not an incentive for a teacher that
2 reaches that retirement age to stay because of money.
3 Their retirement course is figured just like any state
4 employee, on the four years high salary, the average of
5 your four years highest salary.

6 What we see is that a lot of teachers will
7 reach that 25 years, they're retiring from the state, go
8 to work in a private school or across the line to another
9 state and work there, so in essence draw their retirement
10 plus a salary in another state.

11 Pay is a factor, of course, with benefits. The
12 benefit package is a factor. A few years ago the
13 legislature funded -- fully funded health insurance for
14 teachers, and we saw the State Department during that
15 time, we saw teachers come back into the system because
16 of the health insurance package.

17 So benefits do pay off. Higher pay does pay
18 off. We have a lot of teachers who will say that they
19 leave the system because of discipline problems, just
20 cannot handle the discipline problems that they see in
21 many of today's schools.

22 One thing that we want to public education
23 forum to do is to do a longitudinal study on why teachers
24 leave the system, so we will have some adequate
25 information rather than a lot of antidotal information on

1 why teachers leave the system.

2 We have seen what some other states have
3 reported. Our neighbor to the west, Louisiana, has
4 reported that teachers between the first and five years
5 of experience, most of them leave and report they leave
6 because of discipline problems.

7 DR. HEMPHILL: One addition here, both the
8 Senate and the House proposals for salary increases in
9 this year are weighted to the more experienced, more
10 mature teachers with more experience, in an effort to try
11 to do with Dr. Mullins is saying, give those teachers an
12 incentive to stay in the system.

13 The other, I think very critical problem we
14 have, is that in the last year we did not -- we did not
15 certify enough new, young, black teachers in Mississippi
16 to put one teacher in every school district, and probably
17 -- and I can't verify this -- but we understand and we
18 feel that we're losing probably the top 10 or 15 percent
19 of our best young, black graduates to other states.

20 Other states come in, recruit our top black
21 graduates and take them off to -- not surrounding states,
22 but the Midwest, the West, the Northeast, Pennsylvania,
23 so that's an extremely difficult problem.

24 DR. MULLINS: Let me give you an omnifarious
25 finding here, that in this study we found that if all 15

1 schools of education, public and private in the state, if
2 a hundred percent of their graduates in the year 2000, if
3 a hundred percent of their graduates go into teaching in
4 Mississippi, it still won't be enough to fill the
5 anticipated retirement.

6 Currently we have 60 percent of the teachers
7 that we train in the state go into teaching in the state.
8 As Dr. Hemphill said, a number of them are attracted to
9 other states because of higher pay, better benefit
10 packages, and then a number may choose to go into some
11 other profession than teaching.

12 So we've got a real problem on our hands just -
13 - not only a quality problem, but we've got, as I said in
14 my opening remarks, we've -- sometimes it's just between
15 a warm body and no body, whether they're adequately
16 trained or not.

17 And it really is a crisis and it really is a
18 shame where we have this problem.

19 DR. HEMPHILL: We have about 1500 or in round
20 figures, 14 to 1500 emergency certificates out there
21 working presently. Now, that does not include the number
22 of long-term substitutes that superintendents have to
23 hire because they couldn't get someone who is certified,
24 or they can't get someone that's an approved emergency
25 certificate. They simply are substitutes and they may or

1 may not be qualified to be in that classroom.

2 MS. MOORE: What's the racial composition of
3 the faculty in the public schools and does that matter,
4 does that weigh in at all?

5 DR. HEMPHILL: I don't know.

6 MS. MOORE: Thirty percent.

7 MS. MOORE: Dr. Love?

8 DR. LOVE: I think there's -- the background
9 that they've just given you also speaks to an equity
10 issue, because one of the shortages or greatest, guess
11 where they are?

12 MS. MOORE: Mm-hmm.

13 DR. LOVE: And also would be where the greatest
14 concentration of black and poor students are. So if you
15 look at your level one school districts who don't do very
16 good test scores, you're also looking at the same
17 districts that don't have -- that have severe shortages
18 of teachers.

19 DR. MULLINS: Highest number --

20 DR. LOVE: So if --

21 MS. MOORE: One at a time for the court
22 reporter.

23 DR. LOVE: If you're living in Tupelo,
24 Mississippi, and I was over personnel there, I didn't
25 have a problem getting teachers. If you're living in

1 West Attala, Mississippi, you have a problem.

2 So if you're sitting there taking Biology I,
3 your Biology I teacher may have only had Biology I. In
4 other words, they may be a high school graduate who is a
5 full-time substitute.

6 MS. MOORE: We laugh, but that's quite a
7 serious matter.

8 DR. LOVE: And I do it all the time.

9 MS. MOORE: Let me ask the question I asked --
10 I don't think anybody responded to it yet -- if we go on
11 that 30 percent figure, does the racial composition of
12 the faculty matter in any way?

13 DR. HEMPHILL: I would say so. I don't know,
14 Andy, you --

15 DR. MULLINS: You have a lot of black school
16 districts, black schools, they want black role models,
17 sure. It is an issue, and you have a problem finding
18 them, because they're not going -- there are other
19 opportunities for black college graduates that are there
20 that weren't there a few years ago. They're not going
21 into a profession that pays \$21,000 as a starting salary.

22 DR. LOVE: It also speaks to trust. Schools,
23 if you're a school district administrator and you want
24 the support of your community, one of the things that
25 you're going to have to be able to do is have people

1 trust you.

2 If you're in Tunica, Mississippi, and you don't
3 have black teachers, for example, there's -- black people
4 mistrust institutional settings, period, whether they're
5 schools or anything else, they think that they're going
6 to get robbed.

7 And so if you want to build that trust, you
8 need to have some of that population and well represented
9 in the school building. And I think that has an effect.

10 MS. MOORE: If you don't know now, if you can
11 just guess at this point, of those 30 percent or so black
12 faculty or teachers, are they concentrated in black areas
13 or are they dispersed throughout --

14 DR. LOVE: They're dispersed.

15 MS. MOORE: -- the system or --

16 DR. MULLINS: Well, the only districts that I
17 know of that I work with, try to get black teachers for
18 black role models, but of course you're going to have a
19 higher percentage where you have blacks live, like in the
20 Delta. That's why it's such a crisis here for the Delta
21 school districts, because as the number of blacks that
22 apply for certification declines, how can they attract
23 teachers to come to this area?

24 It's difficult to get whites to come into this
25 area in many cases. They're really got a problem.

1 MS. MOORE: Well, now do whites constitute the
2 majority of the faculty positions in the black areas?

3 DR. LOVE: Eventually. Eventually there will
4 be no doubt about it.

5 DR. MULLINS: If this trend continues.

6 DR. LOVE: In some cases it's probably getting
7 close now. You can get up with a district that's 97
8 percent black and at least 50 percent or more faculty
9 will be white.

10 DR. HEMPHILL: There was a time and it hasn't
11 been that long ago and you all know this, that
12 opportunities for black graduates were in education, and
13 that's not the case any more. You know, a black graduate
14 of a school in Mississippi or anywhere has basically
15 opted to just go and do in many areas that didn't exist a
16 few years ago. And so that's also putting --

17 MS. MOORE: A further drain.

18 DR. MULLINS: In the Mississippi Teaching Corps
19 we recruit all over the nation for liberal arts majors in
20 the five core subject areas. It's impossible to entice a
21 black graduate in math, science, to come, and we provide
22 them a master's. We pay for their tuition. We give them
23 a stiffen when they train during the summer.

24 They start at around \$21,000 in these
25 districts. They are hired by the school districts. And

1 when you tell them that, you know when you're talking to
2 them that the chances of them coming are very slim.

3 This year's class of 22, Teacher Corps, from
4 all over the United States, there are two black members
5 and both of them teach English.

6 MS. MOORE: I just have one more question,
7 shifting focus a little bit. If either of you can
8 respond to this, have Title 1 funds played any role in
9 lifting student achievement in low poverty areas?

10 DR. HEMPHILL: I would certainly say yes,
11 absolutely. We're in the process now of reevaluating the
12 use of Title 1 funds. I think, you know, you need to be
13 continuously looking for better ways and more efficient
14 ways to use those funds.

15 I think the ways that we need to use those
16 funds are changing from a few years ago. Reading -- our
17 State Board of Education has identified and, of course,
18 this has been an issue for a number of years, but focused
19 and identified reading as the enemy number one, that is
20 significantly the most direct predictor of success or
21 failure of a child in later life, and we are encouraging
22 our districts to focus funds earlier, more quickly, in a
23 child's educational experience in order to have those
24 skills developed by the time the child can move on
25 through the education system at a reasonable rate.

1 And so I think what Title 1 stands for, that's
2 one of the really important issues that we're looking at
3 now in Mississippi.

4 MS. MOORE: Did anyone else want to respond to
5 it?

6 DR. LOVE: Just a brief comment. It's very,
7 very difficult to assess the value of a particular
8 program. We don't know where we would have been if we
9 had not had them. My own prediction is that we would
10 have been worse off, because they played a major role in
11 supporting the activity of the school districts who had
12 insufficient funds to do the kinds of things that they
13 needed to do, and as Dr. Hemphill put it earlier, they
14 didn't have enough -- they still don't have enough, and
15 if you take any away, they would have even less to do the
16 job that they need to do.

17 So I mean, from that standpoint I think we
18 would have been far worse off if they hadn't done that.

19 MS. MOORE: Thank you. I'll pass it to the
20 Chair.

21 CHAIRPERSON BERRY: Does any Commissioner have
22 any questions for the panel? Vice Chair?

23 VICE CHAIRPERSON REYNOSO: Dr. Mullins, you
24 made a statement that has to be of concern I think for
25 all of us pertaining to the reaction of some of the

1 teachers in the Mississippi Teacher Corps.

2 I think you said something to the effect that
3 they go out with quite enthusiasm and then after about a
4 year it turns to lack of enthusiasm. I think you may
5 even have used the term cynicism. What goes into that?

6 DR. MULLINS: It doesn't take a year. When we
7 train them in the summer, and then I place them, they go
8 school districts where we sent them, primarily in the
9 Delta.

10 There's a period between August the 2nd or 3rd
11 when they leave, they go to their school districts, and
12 they come back for their first master's class about the
13 third week in September.

14 Many of them have the look of shell shock
15 victims in their eyes when they come back. Granted, they
16 are liberal arts majors. They have not have a lot of
17 training to prepare them for the classroom, particularly
18 some of the type classrooms they go to.

19 One of the main problems is they come back and
20 say, especially in your English, your social studies,
21 anything that requires reading, they will come back and
22 say I've got 30 kids in my class of U.S. history, and the
23 reading level may go all the way from fifth grade to
24 college preparedness, college readiness, a wide
25 divergence.

1 And it is very difficult, especially the way
2 you deliver, if you don't have technology to help you the
3 way you deliver that subject to address the needs of that
4 wide of divergence, and that causes a lot of cynicism.

5 They also see teachers that are just -- that
6 are burned out, that are just biding their time until
7 they can retire. They run into situations where there's
8 very little parental support, you know, a lot of cases if
9 there's a discipline problem, the parents will side with
10 the students rather than the teacher. There may be poor
11 administrator support for the teachers.

12 Some teachers come back and report that they're
13 literally thrown in the classroom with little or no help
14 from the administrator or fellow teachers, even though
15 they know they're first-year teachers.

16 We tried to establish a mentorship program one
17 year but we didn't have the funds to maintain it, but
18 that's some of the reasons for it.

19 Now, and we have had some outstanding stories,
20 success stories from some of these teachers that have
21 gone into really some tough situations and performed
22 admirably.

23 And they are required to stay two years. Right
24 now we'll, of the 25 that are going into their second
25 year, we'll have around five or six that will stay a

1 third year, but a lot of them will go on to graduate
2 school and other things, and many of them do leave pretty
3 discouraged by the situation that they find themselves
4 in.

5 VICE CHAIRPERSON REYNOSO: The other matter
6 that caught my attention in terms of what you had said
7 initially, then supported by Dr. Hemphill and Dr. Love is
8 that the reaction of teachers and the quality of school
9 is so tied to what each of you called local leadership
10 and in your remarks you lament that sometimes the lack of
11 that local leadership -- I take it that by that you mean
12 leadership in the community, not within the school
13 district --

14 DR. HEMPHILL: Both.

15 DR. MULLINS: Both. But community is extremely
16 important.

17 VICE CHAIRPERSON REYNOSO: What goes into a
18 lack of leadership in the community, because one would
19 think that both the education leadership and the
20 community leadership would be so interested in the
21 education of the youngsters, but my question is more
22 directed toward the community.

23 Why is it that some communities seem to have
24 that leadership that Dr. Love pointed out one example of
25 -- I think it was you -- of a poor community that -- poor

1 economically but had strong leadership and ended up
2 having a strong school district.

3 What makes for that either provision of
4 leadership or lack of leadership in the community?

5 DR. MULLINS: History of a community has a lot
6 to do with it. If you've had a long history of good
7 leadership, where they put an emphasis on education, as a
8 way to develop economically, and the leaders in the
9 community have stuck with the public schools through
10 thick and thin in a lot of cases.

11 They put a lot of emphasis on attracting good
12 student administrators to come in, because they have
13 emphasis on education as a way to develop economically,
14 so -- and they have broken that cycle, you know, that
15 we've been discussing for an hour and a half of the
16 poverty, the poor, everything that goes along with that,
17 so I think that history is a factor, history of
18 leadership in the area is one factor.

19 VICE CHAIRPERSON REYNOSO: All the economists
20 seem to agree that as we go into a more global economy,
21 the key to a successful local economy is the education of
22 the citizenry, so it seems to me that the development of
23 that type of community leadership would appear to be
24 essential for -- not only for the state but particularly
25 for the Delta.

1 DR. LOVE: I couldn't agree more with Andrew.
2 I think that the history of a community does have direct
3 bearing on it.

4 If you have a history which has very little
5 appreciation historically for education as an economic
6 vehicle, I think that you have to have some very strong
7 problems. If, and again, if you have factions that
8 support -- some support public schools and others
9 supported a private academy, I think that that also has
10 some bearing there, because maybe half the community says
11 that's your problem. I mean, I'm not going to change
12 that.

13 And I think also how you organize politically
14 also, governmentally also, has bearing. If you have an
15 elected superintendent, for example -- I hate to get in
16 this but -- if you have an elected superintendent, then
17 the talent pool that you've got to select from has got to
18 live right there next door to you, and be affected by all
19 the local politics in that community.

20 So it can be very difficult for them to get
21 some new blood into the community, because of the fact
22 that the way they are organized politically says if you
23 don't live here you can't be here.

24 DR. MULLINS: And there are very few elected
25 local superintendents in the United States left, very fe

1 out of the 15,000 plus school districts. Mississippi
2 still has 63 out of 149 school districts. We still have
3 the majority of the elected school superintendents here
4 in this state. We've been reluctant to change that
5 politically.

6 DR. HEMPHILL: It's interesting, your
7 questions, your comments concerning the economic
8 development in the community and the educational -- you
9 know, you have to have education. But many times in
10 Mississippi we get into an argument about which should
11 come first.

12 There's really not a clear definition sometimes
13 and we try to do the economic development much before we
14 try to do the educational development.

15 DR. LOVE: And I think that's one of the issues
16 that we talk about daily with the governor's office and
17 everybody else, you know, what do you want as your
18 priority? You want to spend a bigger part of the budget
19 in one area versus another? The chicken before the egg
20 is always still being contested.

21 VICE CHAIRPERSON REYNOSO: I know but it seems
22 to me that at least in Mississippi you can have a lot of
23 economic development for some of the lesser skilled
24 positions, but for the more skilled positions, which
25 would be the ones that would compete locally, it seems to

1 me it would be impossible to attract that high tech type
2 of industry without having your people ready to take
3 those positions, so I would think that at least at that
4 level I would emphasize education.

5 DR. MULLINS: Sure.

6 CHAIRPERSON BERRY: Any other questions from
7 any Commissioners?

8 COMMISSIONER LEE: I have a question.

9 CHAIRPERSON BERRY: Commissioner Lee.

10 COMMISSIONER LEE: It's a very bleak picture
11 that you painted for us this morning. I'm particularly
12 concerned with Dr. Mullins' comment earlier today about
13 the decline or steady decline of minority teachers'
14 certifications.

15 I know that financial incentive is a major
16 problem. A couple of questions. Besides the financial
17 incentives, what other remedies have you considered to
18 retain and recruit minority teachers? And also were
19 these minority teachers placed in certain districts or
20 were they allowed to teach in other districts, number
21 one?

22 Secondly, you also mentioned about the
23 teacher's aides, their inability to do anything more than
24 minimum service in the classroom. Has there been any
25 efforts to train these teacher's aides to do more than

1 making copies for their teachers or what have you?

2 DR. LOVE: Let me make a correction on that. I
3 think -- Jim, you want to correct that instead of me,
4 because I think you said it.

5 DR. HEMPHILL: I -- no, I didn't say it.

6 DR. LOVE: Clarify it, because I don't think
7 that's what you --

8 DR. HEMPHILL: I'd like to clarify a couple
9 things. First of all, we may have presented you a bleak
10 picture, but I wouldn't agree with that totally for there
11 are some very good thing happening in education in
12 Mississippi, and we see numbers of things to be proud of
13 and numbers of -- our test scores are ahead of Louisiana,
14 California, and Hawaii now, and so -- we're still getting
15 kicked around a lot, but we're not on the bottom.

16 And so I would disagree that it is totally
17 bleak, and we have some problems, but we're addressing
18 those problems, and especially with higher standards,
19 with good leadership, with one of the most aggressive
20 technology efforts in the nation, and with independent
21 groups, which Andy is representing in terms of the
22 Teacher Corps and others, the Public Education Forum and
23 others to provide the teaching resource to come into the
24 state and fill our classrooms, so we do have some
25 problems but I would not define public education in

1 Mississippi as bleak.

2 We have some problems and we're moving forward
3 and probably doing more in the classroom with the dollar
4 than any other state, and I would challenge other states
5 to come in and do that.

6 DR. MULLINS: You know, the progress that
7 Mississippi has made since 1982 is absolutely phenomenal,
8 and all you have to do is study the history prior to the
9 '82 Reform Act, which launched 17 different programs but
10 numerous spinoffs, and the Mississippi legislature since
11 1982 has established education as one of its top
12 priorities, and you can look every year, numerous new
13 programs have gone into effect, so tremendous progress is
14 being made, but we've got a long way to go in making this
15 progress.

16 This assistant teacher issue that you raised, I
17 didn't mean to imply that they were not trained. They do
18 go through some training. There was a legislative
19 investigation into the way teaching assistants were being
20 used and they concluded that they were not being used the
21 way they were originally intended for them to be used.
22 Some of them were, but overall the legislature concluded
23 that they were not being used.

24 Now, that has been corrected. We -- there are
25 programs now to attract some of these teaching assistant

1 to go back to school in many cases, or go to school
2 originally in many cases, to college and get their
3 teaching degrees.

4 The legislature is flirting with some
5 legislation to provide scholarships for these teacher
6 assistants if they want to go back and get their teacher
7 certification, so that issue is being addressed. I think
8 it's being corrected. It's being addressed.

9 There are numerous things we do to try to
10 attract teachers and we've got to do more. For instance,
11 we need to start recruiting teachers as early as the
12 seventh grade. We need more Future Teachers of America
13 organizations in Mississippi. We have none.

14 We are gradually beginning to have more and
15 more districts establish a Future Teachers of America
16 organizations.

17 We increased the scholarship amount of money
18 that goes into the William Winter Teacher Scholarship
19 Program. We changed it so that if you will teach in a
20 shortage area, both subject area and geographic shortage
21 area, then you can have two for one forgiveness. We'll
22 pay -- the State will pay two years of your college
23 preparation. That will be forgiven for one year of
24 teaching in a shortage area.

25 It's helped some, but hasn't helped nearly as

1 much as we had hoped. We have a lot of teachers who will
2 go through the William Winter Scholarship years, have
3 their education paid for, and apply in a district where
4 there's not a shortage.

5 Now, they are forced through the pay back,
6 through the default system, to try to find a teaching
7 job, but we need to do a lot more. We have a lot of
8 potential teachers that go begging because there's not
9 enough money in the William Winter Scholarship Program to
10 give them a scholarship, and they qualify for it. It's
11 just a limit on the amount of money there.

12 So we need to do more in the area of
13 scholarships to attract them in on the front end. We
14 need to recruit that -- we need to do all kinds of
15 things.

16 I'd like to see the business community rally
17 around a first-class public relations blitz to try to
18 influence young people to go into the teaching
19 profession. Other states have done that with all kind of
20 success rates, and we need to do more there in the state.

21 We are starting off late in doing the things we
22 need to recruit teachers into the profession.

23 DR. HEMPHILL: One of the things that we've not
24 done ever in education at the level we should do, and
25 that is tell our story. We have not been very good

1 public relations agents of our own achievements, so
2 people really do not know what's happening in education
3 in this city.

4 They hear the bad things or things that maybe
5 we brought up today, but there's some -- a major campaign
6 to let people know what's really happen in public
7 education in Mississippi with be very enlightening to
8 numbers of people.

9 COMMISSIONER LEE: Who are your partners, your
10 recruitment partners? I mean, who are you working with
11 in recruiting teachers, communities, business?

12 DR. MULLINS: We have just now began to call on
13 the business sector to help us, through the Public
14 Education Forum. You have a representative coming,
15 Martha Cheney, from the Public Education Forum to talk,
16 and she will be able to tell you some of the things that
17 they're trying to do.

18 School districts, working with school
19 districts. Trying to get -- and to give you a for
20 instance, they have a tech prep program that I think is a
21 national model, but one of the parts of the tech prep
22 program is a seventh grade career discovery course in
23 which seventh graders actually act out and have hands-on
24 application of many careers.

25 I think there are 13 careers, and the seventh

1 graders absolutely love it. And it's been very
2 effective.

3 What profession was left out?

4 VICE CHAIRPERSON REYNOSO: Teachers.

5 DR. MULLINS: You got it. So just a few things
6 like that that we have to do -- there are a lot of things
7 we can do. A board member was on this forum and heard
8 that, that teachers we left out, and she went back to the
9 board and said we need to put the teaching career into
10 that curriculum. So --

11 DR. HEMPHILL: That is being done.

12 DR. MULLINS: So from small up to large, more
13 money for scholarships, just everything, everybody needs
14 to contribute to this.

15 VICE CHAIRPERSON REYNOSO: I just want to
16 comment that being in California have somewhat sort of
17 sad to see the relatively good job that you folks have
18 been doing because now we don't have Mississippi to kick
19 around any more. California used to be at the top of the
20 pecking order in terms of K through 12 education, and
21 sadly, as you mentioned, in several areas we're now at
22 the bottom.

23 DR. LOVE: I think one of the other areas that
24 we shouldn't omit from our discussion, is the fact that
25 we're changing how we certify teachers. We've just

1 completed a major study of the whole process and now we
2 are trying to find alternative ways to admit -- well,
3 Andrew was really a part of that whole process -- but
4 we've changed the way we view teacher education and how
5 we certify teachers, and so that's -- I think that that's
6 going to bear fruit over time, and we're able to deal
7 with people who have been out of college for a couple
8 years and find that they're less satisfied with their
9 profession and that's there's an access route for them
10 into teacher education.

11 So I think that that's going to also happen.

12 CHAIRPERSON BERRY: Do you have another
13 question, Commissioner Lee? Commissioner Anderson?

14 COMMISSIONER ANDERSON: Yes, I do. I hesitate
15 a little bit to go back to this, but I want to, since we
16 tend to look at things in terms of race here in the
17 Commission, I want to go back to some of the figures in
18 terms of who's in what school, in terms of public school,
19 private school.

20 As I was listening, you were saying roughly
21 500,000 in the public schools are in school, 50,000 in
22 nonpublic school schools, and that breaks down to about
23 10,000 in Catholic, 3,000 Episcopalian, and about 35,000
24 in private academies.

25 Now, the private academies, would they be tax

1 exempt under Internal Revenue Code kind of academies or
2 they would not be? Or do you know?

3 DR. MULLINS: Some of them are.

4 COMMISSIONER ANDERSON: Some of them are.

5 DR. MULLINS: I know some in the Jackson area
6 are.

7 COMMISSIONER ANDERSON: Would be tax exempt?

8 DR. HEMPHILL: Some of the nonpublic, and Andy,
9 I don't know if you explained the difference -- but we
10 classify nonpublic the parochial schools as nonpublic,
11 and then private, to classified either approved or
12 nonapproved, and if a private school chooses to go
13 through the process of being approved, and going through
14 the accreditation process in the State Department, or the
15 federal process, then they probably would qualify if they
16 met all the standards.

17 DR. MULLINS: But the schools that he's talking
18 about, Jim, are not approved by the State. They chose
19 not to be approved by the State.

20 DR. HEMPHILL: Right. That would be a
21 nonapproved private school.

22 DR. MULLINS: That's correct. Now, whether
23 they have tax exempt status, I do think some of them do.
24 They have to have an open door policy and show that they
25 have an open door policy, and I know some of the

1 nonpublic schools around the Jackson area do have open
2 door policies, written open door policies.

3 Now, whether they have minority students is a
4 question you probably need to ask them, because I'm not
5 that involved with them but I think you will find that
6 some of them do have tax exempt status.

7 COMMISSIONER ANDERSON: Okay. So maybe,
8 without being too precise here, maybe somewhere between
9 25,000 and 30,000 students might be in academies that
10 would not be tax exempt or have open door policies. That
11 would be sort of a rough --

12 DR. LOVE: I think that you would find that
13 many of them would claim to have open door policies or a
14 vast majority of them will claim that they do. Nobody
15 walks in but they're open.

16 DR. HEMPHILL: But to answer your question,
17 you're probably within rough figures.

18 COMMISSIONER ANDERSON: So roughly 25,000 out
19 of 500,000, so even if you -- the point I guess I'm
20 arriving to is given the significant kind of problems
21 that we've been hearing about over the last 30 minutes
22 from you, I'm trying to relate that to 25,000 students
23 who might be in these kinds of academies, the assumption
24 being that if you closed all of those academies and
25 forced those students back into the public sector, to

1 what extent does that change in any significant way the
2 problems that you're facing? So --

3 DR. MULLINS: Can I give you my opinion?

4 COMMISSIONER ANDERSON: Yes.

5 DR. MULLINS: As I said earlier, I don't think
6 that you can do that. I think that unrealistic to think
7 of doing that. I think it's a waste of energy to even
8 try to attempt to do that.

9 The way you address that problem is to make
10 your public schools as good as you can make them, and
11 kind of the way my daddy ran a hardware store for years,
12 said don't worry about the competition, just do what you
13 go to do to make your store or your business or your
14 school the best it can be.

15 I think you start -- these are private entities
16 and you start trying to interfere in their business, I
17 think you'll see a backlash that will hurt throughout the
18 communities. That's my opinion.

19 COMMISSIONER ANDERSON: So if we're looking at
20 counties that have what, maybe 90 percent in their
21 schools, public schools, 90 percent of the students are
22 black or African American students.

23 DR. LOVE: 97.

24 COMMISSIONER ANDERSON: 97. That's not going
25 to change in any significant way over the next decade or

1 two, so primarily the issue is how to bring these school
2 districts up in terms of their quality.

3 DR. LOVE: I think Andrew is right. I think
4 you'd have great difficulty making that transition, so I
5 think likewise, as you improve schools, I think you could
6 possibly get some transitions, where those schools would
7 be more balanced than they are now, even if it's ten more
8 percent, but --

9 COMMISSIONER ANDERSON: So maybe it would go
10 down from 97 to 90?

11 DR. LOVE: Yeah.

12 COMMISSIONER ANDERSON: Would be an optimum
13 scale, but basically we're talking about looking at
14 school districts that the demographics are not going to
15 change very much in that regard, and we're looking at how
16 we improve quality.

17 DR. LOVE: Well, I think that that's the case
18 but in some school districts you've got to think -- some
19 counties in the Delta that are 70 percent black or 65 or
20 63. I think Washington County is what, 63 or 64. You've
21 got -- you have a number of these counties which are by
22 margin alone are between 51 and 70 percent black, so I
23 mean there's only so much integration can be achieved in
24 those particular numbers, and --

25 DR. HEMPHILL: I think there are places though,

1 in Tunica, for example, and I don't know what the
2 percentages are about people that live there, but you're
3 looking at an area that's changing quickly and a vast
4 amount of resources are going in there from the gaming
5 industry, and I think in a number of ways the county has
6 a very bright future, education and otherwise, but it's a
7 matter of how many years it's going to take and what's
8 going to attract people in there to build houses and
9 start doing things that the county hasn't done in the
10 past.

11 DR. LOVE: You're right, because that's going
12 to change.

13 DR. HEMPHILL: It's going to.

14 DR. MULLINS: But Mr. Anderson, I think you're
15 right, you've got to improve those school districts the
16 best you can, where the demographics are not going to
17 change, where you have school districts like where my
18 wife teaches, where my kids go, that is 50-50, and in the
19 community there's a K through 8 private school. There's
20 not a private high school.

21 And the way we keep a private high school from
22 forming is that we have a good, strong high school in our
23 district, and we concentrate on making it the best we can
24 make it, and it's 50-50, and a good school, a level five
25 school district.

1 COMMISSIONER ANDERSON: I have one last
2 question. We've heard a lot about the Teacher Corps,
3 which is seems to me like of an elite program. I assume
4 there are a lot of teachers who will never be great
5 teachers, but could be better teachers, that's probably
6 maybe the majority or a good segment.

7 Can you furnish us some information as to what
8 you're doing about that? A teacher is already in place,
9 how to improve quality on the job now?

10 DR. LOVE: The State Department of Education
11 and local school districts have a responsibility for
12 staff development and professional development and
13 activities, and we spend a great deal of time on
14 activities trying to make sure that teachers get their --
15 have very sound fundamentals and are aware of that
16 practice and are able to implement those things. I mean
17 --

18 CHAIRPERSON BERRY: Could you in response to
19 Commissioner Anderson's question submit to us for the
20 record what you do and where your staff development --

21 DR. LOVE: Yeah, that's easy.

22 COMMISSIONER ANDERSON: And maybe how that
23 breaks down between the northwest part of the state and
24 the northeast part of the state and the south. I'd like
25 that.

1 DR. HEMPHILL: Actually staff development is
2 the joint venture between the State Department and local
3 districts, because only the local district knows exactly
4 what areas their teachers need to be improving, and so we
5 work very closely with the districts. I will do that for
6 you, but that is really a local issue. We provide
7 instructors. We provide platforms for teachers to come
8 to and the districts can pick and choose in many
9 instances to help their own cases, but we'll provide you
10 that.

11 DR. LOVE: Correct.

12 COMMISSIONER ANDERSON: Thank you, that's all.

13 CHAIRPERSON BERRY: Thank you, Commissioner
14 Anderson. I have a few questions myself but let me just
15 say that I find the entire testimony in this panel very
16 murky and confusing.

17 A lot of it is contradictory, and if you listen
18 to one part and then another part, I don't see how from
19 the record one could make heads or tails of what we've
20 been told here, so I'm going to try and it may not work,
21 because I don't have much time because we're running over
22 here, and I don't want to take much time.

23 In the first place some people believe that
24 Title 1 funding is a problem and that all it does is put
25 in some more money for some things that you have to do o

1 Title 1, but it doesn't really help to solve the school
2 district problems.

3 And because of the activities you have to
4 engage in, all the rules about Title 1, and the
5 dependence on Title 1 funding coming in, and I'm just
6 going to ask one person to address whatever I ask in the
7 interest of time.

8 With regard to the Title 1 funds, we have heard
9 how some have stated they rendered this stuff useless?

10 DR. HEMPHILL: I believe that there is a lot of
11 discussion out there, as you say, I would agree to that
12 very quickly. I would also second what Dr. Love said
13 earlier, without the Title 1 funds, Mississippi students
14 would have been in a real difficult situation, simply
15 because of lack of funding.

16 CHAIRPERSON BERRY: So you don't agree with
17 that. Okay.

18 DR. HEMPHILL: I have a little bit of a problem
19 with how we may have been utilizing Title 1 funds through
20 these years, and now we are refocusing that. That is my
21 concern about Title 1, and that those funds should be
22 focused earlier in a child's educational period.

23 CHAIRPERSON BERRY: Now, we also heard that
24 since the 1982 act was passed, tremendous improvement has
25 taken place in Mississippi education. We heard how

1 Mississippi is much greater than California, but no one
2 pointed out that California has in fact cut all of its
3 program in education, its funding and everything else,
4 which most observers in California attribute the decline
5 in California to this, that in other words, California
6 went the opposite direction, so that it's not anything to
7 be proud of to say that one is above California.

8 But in any case -- or Louisiana for that
9 matter. But I do understand the history of public
10 education in Mississippi, but let me just say that since
11 1982 --

12 DR. HEMPHILL: That's --

13 CHAIRPERSON BERRY: I'm going to ask a question
14 about it and then I'll let you respond.

15 Since 1982 with the passage of the act, what
16 has been the significant improvement of the quality of
17 education in the Delta for African American children as
18 represented by test scores, attainment, reduction in
19 school suspensions, about any measure since 1982, what
20 has been the impact on African American children in the
21 Delta of these reforms, which I understand have made
22 great progress in the State of Mississippi? Does anyone
23 know the answer, and then I'll let you comment, Dr.
24 Hemphill first, and then if he wants to comment, fine.

25 DR. HEMPHILL: I would just say even though

1 California -- and you are correct, California did make
2 some significant cuts, but if you would evaluate the
3 numbers of dollars per student that are spent in
4 California even today after the cuts, and then the
5 numbers of dollars that are spent in Mississippi per
6 child, after we are adding everything we possibly can,
7 and we spend more money in the general fund on education
8 than anything else, this here is still significant.

9 CHAIRPERSON BERRY: Okay, now do you want to
10 answer my question --

11 DR. HEMPHILL: No, I think Dr. Love --

12 CHAIRPERSON BERRY: I'd like you to answer.
13 You were invited to be a witness, both of you, you and
14 Dr. Mullins, and Dr. Love came along, and I listened to
15 him, but I'd like your answer to that question.

16 DR. HEMPHILL: I think we've made significant
17 differences.

18 CHAIRPERSON BERRY: What are the test score
19 improvements in the Delta of African American children as
20 a result of the 1982 reforms? What has been the
21 retention of teachers that has improved in the Delta in
22 predominantly African American schools as a result of the
23 1982 reforms?

24 What specific improvements for African American
25 children in the Delta public education systems can you

1 point to as a result of the 1982 reforms?

2 DR. HEMPHILL: I don't have those scores with
3 me. I think that if you had those scores and that you
4 looked at those scores, you would see improvement. I
5 think you would see improvement in ACT scores. I think
6 you would see improvement in graduation rates, attendance
7 rates, and you would see increased spending.

8 I think you would see better facilities,
9 although our facilities need significant improvement, but
10 I think you would see improvement in all of those things,
11 Madam Chair.

12 CHAIRPERSON BERRY: Could you submit that
13 information for the record, please?

14 DR. HEMPHILL: Yes.

15 CHAIRPERSON BERRY: Without objection, it will
16 be submitted for the record.

17 Also the retention of teachers in African
18 American schools in the Delta, has the retention of
19 teachers improved since the 1982 reforms?

20 DR. HEMPHILL: I would not think so.

21 CHAIRPERSON BERRY: It hasn't?

22 DR. HEMPHILL: I would not think so at all.

23 We've -- I think the teacher shortage, as Dr. Mullins has
24 mentioned, is becoming more significant.

25 We used to talk about the impending teacher

1 shortage. It's not an impending teacher shortage any
2 more. It is a real teacher shortage that we are
3 experiencing and the Delta is experiencing probably at a
4 rate greater than any other part of the state, for the
5 reasons that we've been talking about.

6 CHAIRPERSON BERRY: Also Dr. Mullins, some
7 things that I thought were contradictory in your
8 testimony, on the one hand you lamented the retirement of
9 teachers as a result of the change in the law that let
10 them retire after 25 years and talked about the shortage.

11 On the other hand, you talked about your
12 Teacher Corps people saying that they found burned out
13 teachers who were just waiting for retirement. In most
14 school districts across the country one of the
15 significant problems is teachers who have been on the job
16 a long time, who are burned out, and they would like to
17 have early retirement plans so that they can retire them
18 out and get them out of the system and get some new
19 blood, and they focus most of their activities in
20 improving the quality of schools on trying to get new
21 teachers and trying to get the older ones out, because
22 they are burned out because of the conditions. So what's
23 the --

24 DR. MULLINS: That's correct, and one of the
25 arguments that was used to reduce the retirement from 30

1 to 25 was just that, that you had a lot of teachers who
2 needed to get out of the system who were not doing a good
3 job, and the problem is if you don't have a number coming
4 into the system to replace those retiring at a rapid
5 rate, then you've got an obvious problem. I don't
6 understand how that's contradictory.

7 CHAIRPERSON BERRY: Well, on the one hand you
8 were lamenting them leaving. Wouldn't it make better
9 sense to focus on letting them leave as quickly as
10 possible --

11 DR. MULLINS: If you can get --

12 CHAIRPERSON BERRY: But trying to get new ones
13 in there and just focus all your attention on trying to
14 get the new ones and programs and plans to get the new
15 ones? Wouldn't that make better sense conceptually?

16 DR. MULLINS: It probably would.

17 CHAIRPERSON BERRY: Yeah. Now --

18 DR. MULLINS: But you need -- if you can
19 replace them, once again, I mean if you have a teacher
20 leaving and nobody to replace them --

21 CHAIRPERSON BERRY: I understand. I
22 understand. I understand.

23 Now, Dr. Hemphill, what have you done or the
24 Superintendent of Schools to propose legislation or
25 policy or anything else that would help with this

1 recruitment problem by, for example, doing as they've
2 done in some school districts, which is to give higher
3 pay for new entrants, to recognize the disparities in
4 recruiting different kinds of teachers by paying higher
5 pay, assigning them to different kinds of school
6 districts, as Commissioner Lee was asking about, where do
7 you assign them?

8 How much of your attention and the
9 Superintendent's attention and the school policy and the
10 legislation have been directed at trying to improve the
11 retention and recruitment of teachers in the Delta
12 specifically whereas the entire panel has acknowledged
13 this major education problem remains, even since the
14 reforms? Combat pay, for example? Have you proposed
15 combat pay as they have in some school districts for
16 people who go into bad schools? Is that a proposal here
17 in Mississippi?

18 DR. HEMPHILL: I'm not sure, Madam Chairperson,
19 we would propose combat pay, but we have proposed the
20 pretty interesting kinds of legislation, and also
21 regulations, and Dr. Mullins mentioned a while ago,
22 double forgiveness for paying back teacher's scholarships
23 if they will teach in an identified need area.

24 This year we had 11 -- the State Board had 11
25 legislative recommendations and of those 11, six of those

1 centered around the teacher shortage are, the teach
2 salary situation in Mississippi, and those things that
3 might assist the support services, the assistant teacher
4 program, with scholarships and training, teacher
5 development in terms of staff development, all of those
6 things.

7 As a matter of fact, teacher salaries was a
8 major emphasis of the board this year. Geographical and
9 subject area incentive scholarships for teachers were
10 also legislative recommendations, assistant teacher
11 scholarships and a salary schedule were recommendations,
12 beginning teach mentorships, which were in law in '94, I
13 think, Andy, but never funded.

14 The State Board has urged the legislature to
15 seek funding for a mentorship program that would provide
16 a master, so to speak, teacher for our young teachers
17 coming in and staying with that teacher for a year,
18 nurturing that teacher's growth and advancement as an
19 educational leader in the school. That proposal is not
20 going to be funded this year, I'm sorry to say, but I'm
21 sure it will be a continuing recommendation of the Board.

22 Also the appointed superintendency, which we've
23 talked about, probably is the most important leadership
24 issue and probably the least expensive leadership issue
25 that we could do here in Mississippi and the Board has

1 for years recommended to the legislature, and any time we
2 have an opportunity to recommend, we do, because it would
3 infuse and in fact give the district the ability to go
4 outside the county lines to attract an effective leader.
5 It's long been a recommendation.

6 Qualifications for school board members. In
7 Mississippi there are no qualifications for school board
8 members, and we certainly would like to see some basic
9 qualifications, a high school diploma. It is not going
10 to pass this year, but it continues to signify the fact
11 that we think leadership is such an important issue, not
12 only in the leadership of the schools directly, but in
13 those communities.

14 Tech prep is an issue that Dr. Mullins brought
15 up that would infuse technology, a hands-on approach to
16 teaching, and helping students to become more aware of
17 their surroundings and their environment, and the careers
18 that are available to them, and how to work themselves
19 into those careers and how to understand the importance
20 of technology in those careers.

21 Violence prevention has been a recommendation
22 to encourage better discipline in the schools and making
23 a better place for teachers to work.

24 Pre-kindergarten. We do not have the authority
25 in Mississippi for pre-kindergarten care, and we think

1 that the early intervention in students' educational
2 process is one of the most important elements --

3 CHAIRPERSON BERRY: If I may ask you, sir, let
4 me interrupt you -- to whom have you recommended all of
5 these things?

6 DR. HEMPHILL: To the state legislature.

7 CHAIRPERSON BERRY: And what has the state
8 legislature done about it?

9 DR. HEMPHILL: Well, we're in the session today
10 and it's been a very good session. We're going to have a
11 lot of bills -- most bills will go to conference and so
12 we won't really know exactly what's going to happen until
13 that process is over, but we've got historic legislation
14 in the Mississippi Adequate Education Program. We have a
15 historic pay bill that passed -- it's going to
16 conference. It passed all the legislative hurdles
17 yesterday.

18 We will have -- we have new certification laws.
19 Probably the biggest bill we have that's a non-revenue
20 bill is our certification enhancement process to make the
21 process more user friendly for --

22 CHAIRPERSON BERRY: But you don't have anything
23 about to be passed that specifically targets the Delta?

24 DR. HEMPHILL: Oh, yes.

25 CHAIRPERSON BERRY: What?

1 DR. HEMPHILL: The scholarship -- the
2 geographical scholarships and the forgiveness of those
3 education tuitional costs for a teacher who would agree
4 to come over in the Delta and teach.

5 CHAIRPERSON BERRY: And that's being passed?

6 DR. HEMPHILL: Well, it's actually in
7 regulation.

8 DR. MULLINS: It's been passed. It's money
9 that's being added to it.

10 CHAIRPERSON BERRY: Money is being added to it.
11 How much?

12 DR. HEMPHILL: Andy, I'm not sure.

13 CHAIRPERSON BERRY: How much is in it?

14 DR. HEMPHILL: I don't know.

15 CHAIRPERSON BERRY: Could you provide that for
16 us, please? I'd appreciate it. Thank you very much if
17 you'd provide it for the record, we'd appreciate it. No
18 combat pay proposal?

19 DR. HEMPHILL: No, but I'll take that back. I
20 think it's a good idea.

21 DR. MULLINS: That's one of the recommendations
22 that will go to Public Education Forum -- recommending --
23 they are recommending that the '98 legislature submit a
24 proposal to the '98 session of the legislature for
25 differential pay for geographic and/or subject shortage

1 areas.

2 CHAIRPERSON BERRY: Okay. All right. Well, I
3 want to thank the panel very much for your testimony.
4 Thank you very much.

5 DR. HEMPHILL: Thank you.

6 DR. LOVE: Thank you.

7 DR. HEMPHILL: Thank you all.

8 CHAIRPERSON BERRY: We're running behind, so we
9 better move, counsel, so we need to call the second
10 panel. Someone short escort the witnesses -- one of
11 the staff members will. We have some sign-out
12 procedures and a member of staff will escort you
13 through them, as you leave, and thank you again.

14 Could we have the panel on Community and
15 Business Leaders' Assessment of the Quality of
16 Mississippi Public Schools come forward?

17 MS. MOORE: The witnesses have come forward.

18 CHAIRPERSON BERRY: I haven't called the panel
19 yet. We will now have the second panel, Race and the
20 Public Education System. It concerns Community and
21 Business Leaders' Assessment of the Quality of
22 Mississippi Public Schools, and the witnesses, Robert
23 Buck, Martha Cheney, Rims Barber, and Roger Malkin
24 have come forward. Would you please stand? I'm
25 sorry to have you do this but you have to be sworn.

1 Please raise your right hands while you take the
2 oath.

3 (Witnesses sworn.)

4 CHAIRPERSON BERRY: Please be seated. General
5 counsel, you may address the witnesses.

6 MS. MOORE: Thank you, Madam Chair. If you
7 would, starting with I guess Mr. Buck, state your name
8 and your position for the record?

9 MR. BUCK: My name is Robert E. Buck. I serve
10 as counsel for the Greenville Public School District
11 Board of Trustees.

12 MS. CHENEY: I'm Martha Cheney and I serve as
13 project coordinator for the Public Education Forum of
14 Mississippi.

15 MR. BARBER: I am Rims Barber, Director of the
16 Mississippi Human Services Agenda.

17 MR. MALKIN: I'm Roger Malkin and I'm Chairman
18 of the Delta & Pine Land Company in Scott, Mississippi.

19 MS. MOORE: Thank you. If you would like, you
20 may make an opening statement. Mr. Buck?

21 MR. BUCK: Well, I have just a brief opening
22 statement. As I understand it, the subject of this
23 discussion has to do with the quality of public education
24 in the State of Mississippi.

25 MS. MOORE: Right.

1 MR. BUCK: I would state briefly that if I had
2 to make an assessment from my own viewpoint, and I'm not
3 an educator, of course, I'm an attorney, but from my own
4 viewpoint is my assessment would be that the quality of
5 education in the State of Mississippi is improving.

6 I am a product of the public education system
7 in the state, have been educated in the public schools
8 throughout, and certainly admitted by the persons who
9 work in my profession and other professions have been
10 educated in the public schools of the State of
11 Mississippi, and I do see an improvement overall and in
12 particular in the Greenville Public School District where
13 I'm employed -- by whom I'm employed.

14 We do have a new and aggressive Superintendent
15 in the Greenville Public School District, and a lot of
16 innovative things have taken place. There's an effort
17 under way right now to improve the facilities and the
18 infrastructure in effect of the district, and we'll be
19 looking at the possibility of floating a bond issue at
20 some point for purposes of doing that.

21 We have -- that process is ongoing. We have an
22 ongoing study right now by engineers and other
23 professionals who are experienced in this area, who are
24 making recommendations to the Greenville Public School
25 District for improvement and moving along fairly quickly

1 here, I will say the Greenville Public School District is
2 fortunate in the sense that it has a fairly adequate tax
3 base.

4 That is not the case with many of the rural
5 districts in the state, and I'm sure there are others who
6 will address that more specifically. We do still,
7 however, have problems with financing in a sense that
8 more is needed in terms of the replacement of existing
9 buildings and existing physical facilities, and the taxes
10 -- the ad valorem taxes which are used primarily to fund
11 education will not be adequate to do that, and we're
12 looking at some alternative means of financing.

13 MS. MOORE: Thank you. Dr. Cheney?

14 DR. CHENEY: Let me give you a little
15 background on myself. I am a fourth generation
16 Mississippian, worked in public education. I almost felt
17 that I needed to be on the earlier panel because I'm one
18 of those that left the principalship after 25 years for
19 financial reasons, and currently working with a private
20 foundation that is funded by the business community of
21 the state. It was organized in I think '89.

22 I have an annual report if you need some
23 propaganda on the forum.

24 But you know, as a Mississippian, whose all
25 three children went through the public schools and all

1 are doing well -- father was an elected county
2 superintendent. You hear the talk about elected county
3 superintendents. Well, my father for 16 years was one.

4 And I look at where we have been and where we
5 are going, and Madam Chairman, I cannot say to you that
6 we could be very, very proud of our school systems right
7 now, but I can tell you we should be very proud of the
8 progress we're making as a community, and I think we're
9 going together on that more.

10 You know, my grandchildren are being educated
11 in Boston. One at a private school and one is currently
12 still in a public school. One, the third, is not in
13 school yet.

14 I look at those grandchildren and they are
15 growing up in a much less integrated society than their
16 father experienced in Mississippi. And so again, as a
17 Mississippian, there are times when I get very defensive
18 and I think you can appreciate that.

19 The forum -- let me back up on just the role of
20 the forum. It provides a table to convene. It provides
21 an avenue for the business voice to get into public
22 education, and it provides a way for the leadership --
23 some of our leaders, some of our board members, have
24 children and grandchildren in private schools.

25 It provides a way for that energy to get back

1 into the schools, and so it does -- it's a linkage at
2 which we are very pleased about. We feel like it has
3 made -- it just now kind of getting its feet on the
4 ground, but we feel like it's really making progress and
5 I think it is becoming an effective voice for public
6 education.

7 The funny thing to me when I came to work for
8 the forum was that some of the things I had been saying
9 for years as an educator, all of a sudden when it was
10 said by a business representative, people listened more.

11 It didn't seem as self-serving, and so I think
12 that that is one of the major advantages of having the
13 business voice involved in education.

14 I also think that our legislators, our governor
15 and our educators need the impatience of the business
16 voice. We have a tendency to make political decisions,
17 and I think being able to have the impatience of a
18 business voice saying, you know, we just need to move
19 this issue, is very good.

20 I would say that our board -- there has been a
21 tendency, not just in Mississippi but nationally for us
22 to bash our institutions, you know, we throw rocks at the
23 Governor, we throw rocks at the President, we throw rocks
24 at our legislators, we throw rocks at schools, and I
25 think that that is changing.

1 I think we are beginning to realize that we are
2 all in this boat together and that we need to look at
3 ways to support.

4 Schools are not perfect. Teachers are not
5 perfect. Parents are not perfect. You know, we could --
6 legislators aren't, but I do feel hopeful that we are
7 moving in the right direction, and I can give you some
8 specific examples, if you want me to do that at this
9 time.

10 We -- the way federal funds are flowing -- do
11 you want me to do that now?

12 MS. MOORE: Not at this time.

13 CHAIRPERSON BERRY: They'll be some questions
14 that you can answer.

15 DR. CHENEY: Right.

16 MS. MOORE: Mr. Barber.

17 MR. BARBER: I am concerned that 25 years after
18 we desegregated the schools and done away with the
19 structure of the old days, the vestiges linger on. That
20 is my major concern about what's going on in public
21 schools today.

22 And we have done some studies of some of the
23 school discipline things, some of the tracking
24 activities, how special education is operated, things
25 like that, because they are indicators of what the

1 culture leads us to do within the schools.

2 The schools are reflective of our community
3 culture, and we have -- you know, we do have tracking. I
4 was surprised to hear someone day in the earlier panel
5 that there wasn't much tracking. I think there is.

6 And we call them blue birds and red birds and
7 buzzards, right, but if you're in the buzzard class, you
8 know where you belong, right?

9 We have, you know, the Office for Civil Rights
10 has recently negotiated with the State Department
11 something to try and correct problems with special
12 education in over, you know, classification of African
13 Americans in special education classes. That has been an
14 ongoing problem for over 20 years and I'm glad to see
15 that the OCR has done something and glad to see that the
16 State Department actually sat down and talked with them
17 and negotiated something.

18 That is progress, so that's important, but the
19 general culture is that certain kids get pushed into the
20 slow reading class and then into the special education
21 class, at a certain age begin getting suspended, and then
22 expelled or put into an alternative school.

23 We have, as Dr. Love testified, established a
24 couple years ago an alternative state-wide, every
25 district having an alternative school program. And as he

1 correctly stated, the main reason that they did it was to
2 keep the kids from stealing stuff out of your house
3 during the day. It keeps the kids off the streets, and
4 I'm against stealing from people's houses.

5 I mean, I -- I want to go on record, and I'm
6 for keeping these kids in school if we can provide a
7 quality program for them.

8 In our survey around and about, many of the
9 programs are not quality. We had one superintendent
10 actually say to us, "I wouldn't put one of my good
11 teachers over there with those kids." You know, it's
12 that kind of an attitude that often is not expressed that
13 frankly, you know, but is a subtle influence on things
14 that these many poor black kids in very difficult straits
15 to get an adequate education in our -- I don't know what
16 the total numbers -- we don't have a racial breakout of
17 the numbers in the alternative schools, for example, but
18 it is overwhelmingly black from what we observed.

19 The numbers for suspensions and expulsions are
20 overwhelmingly black children.

21 It is interesting that in the suspension area,
22 which is as a general rule about four percent of the kids
23 in Mississippi are going to get suspended in a semester,
24 in Greenville where we are now, in Vicksburg and in
25 Natchez, three principal cities along the river which are

1 migratory points for rural folks who live in this general
2 area, have the highest suspension rates in the states,
3 roughly three times the state average.

4 We have -- we don't -- in terms of expulsions
5 we have very few expulsions, only about one-tenth of a
6 percent expulsion rate, so it's not a great large number,
7 so it's hard to get good numbers on that that show us the
8 variance.

9 In the alternative schools we have about a
10 fourth of a percent of the children get into alternative
11 schools, are placed in alternative schools, and the
12 highest rate of that is about three percent in the second
13 quarter of this current fiscal school year we're now in
14 was about three percent, or ten times the rate of the
15 state average.

16 So there's a wide variety of the usage of
17 alternative education. Some of it is very frankly being
18 used as a dumping ground. Others -- and one was -- I
19 find inexplicable was Jefferson Davis County, where the
20 overwhelming majority of the kids in alternative schools
21 were Grades 5 and below.

22 How bad are the kids in that county? The young
23 kids, right? They're ten years old or less, you know.
24 Or maybe they had a rough kindergarten year and they had
25 to do something with those kids.

1 You know, it wasn't clear to me, and I intend
2 to go to that county and see what the problem is, but it
3 may be that they, you know, don't do -- take their
4 reports seriously and the numbers are wrong. We have
5 some great difficulty getting baseline data on this, to
6 get suspension and expulsion data prior to the bringing
7 in of the alternative school program. It was impossible
8 to get good data, good baseline data to do a comparison
9 to see whether the effect was simply more kids being put
10 in some alternative program, plus the same number being
11 expelled, or was the alternative program actually keeping
12 kids who would have been expelled in the schools.

13 We don't have the data. Our districts have
14 not, you know, responded well to data of that sort, so
15 it's impossible to specifically deal with that.

16 CHAIRPERSON BERRY: Mr. Barber, could you
17 finish your opening statement so we could go on, but you
18 will have questions later.

19 MR. BARBER: I'll just quit.

20 CHAIRPERSON BERRY: Mr. Malkin, please.

21 MR. MALKIN: Yes, ma'am. I am the Chairman of
22 Delta and Pine Land Company and obviously no one on the
23 panel knows who in the world we are, so I'd like to
24 explain who we are.

25 Delta and Pine Land Company is the world's

1 leading cotton seed grading technology company. In the
2 last six years our revenues have grown from 35 million to
3 what we expect will be 200 million dollars next year.

4 In 1988 I believe I was the only employee of
5 the company with a passport. Right now 17 percent of our
6 employees have passports and we operate in 16 countries.

7 We have 372 salaried employees basically in
8 Mississippi, but also Texas and Arizona. Of our 372
9 employees 12 percent are either Ph.D.'s or masters, 45
10 percent are college graduates and 15 percent are
11 community college graduates. Of our salaried employees
12 72 percent have gone beyond high school.

13 We have instituted a program now where hourly
14 employees have to have high school diplomas. We have
15 found, and this is part of the tragedy that I will talk
16 about in a moment, we have found that many young people
17 apply for work with a high school diploma are
18 functionally illiterate, and I think it's a tragedy, and
19 I'm here as a U.S. citizen, a Mississippi citizen, and I
20 think that public education in the United States in
21 appalling, and we have to do something about it.

22 So I'm not here saying that things are terrible
23 in Mississippi, in the Delta, which they are, they're
24 terrible everywhere.

25 We have attempted to do something about it. We

1 have instituted an education program for all employees.
2 We have hired a professional educator on our staff to
3 direct this program, and this goes everywhere from high
4 school equivalency programs to post-graduate courses.

5 We will be hooking up to the Mississippi
6 Distance Education Network, so we will have a distance
7 teaching facility at our headquarters just up the road a
8 piece, looking into undergraduate and graduate programs
9 at Mississippi State, Old Miss, and Jackson State.

10 I was chosen by the Governor to attend the
11 Governor's Conference on Education a year ago January,
12 representing industry in Mississippi.

13 I am also -- I'm not sure what the title is but
14 I think I'm a Director of Teach America. I think I am a
15 Director of Teach America in Mississippi. We supported
16 actively not only in dollar grants for the people who are
17 volunteering to come down, but I personally am paying for
18 dinner for all the Teach America people operating on both
19 sides of the Delta for them to get together once a month
20 to sit down and talk about their problems and have a
21 session, as they call it, help them discuss their
22 problems and hopefully overcome their problems.

23 Our company policy is affirmative opportunity.
24 We have a reputation in the state for being the fastest
25 growing company in the state. I'm not sure among the

1 men, but I know among women Delta and Pine Land is the
2 best company in Mississippi to work for.

3 We have recently instituted a program of
4 recruiting from the local universities, and this took
5 some doing but we have been able to find students,
6 especially from Mississippi State who meet our standards.
7 We are a high technology company.

8 The young people we are recruiting locally are
9 of all races. We have hired whites, blacks and orientals
10 that are going to school in the Mississippi university
11 system, and we find it easier to bring people to join
12 with us if they're living here and growing up here than
13 bringing them from other parts of the United States.

14 Recently we've been able to attract four
15 faculty members from the University of California system
16 who tragically felt that they were cheated by the
17 changes, and these are senior technologists, world
18 renowned technologists from Davis, and frankly if
19 California has a problem, we'll take advantage of the
20 opportunity.

21 I think that we must look to improve our
22 standards. They leave too much with no -- I'll also tell
23 you I'm here before you appalled that my alta mater
24 Dartmouth, of which I am an English major, undergraduate,
25 a business degree, master's, and I was appalled to find

1 out that they no longer require Shakespeare for English
2 majors.

3 So this is endemic to the -- in other words,
4 I'm saying there's a sickness that's affecting all of
5 education and people have got to stand up and say we're
6 not going to take this any more, we have to do something
7 about it.

8 I happen to think personally that you cannot
9 have a functioning democracy without public education.

10 CHAIRPERSON BERRY: You and Thomas Jefferson.

11 MR. MALKIN: That's good company, not
12 Shakespeare.

13 And I think we have to stand up and say we are
14 no longer going to accept mediocrity from our education.
15 We have to demand excellence, and as you said, Dr.
16 Reynoso, we function as part of the world economic
17 community, and the only way we're going to succeed is by
18 continuing to strive for and attain excellence.

19 Getting to the situation that I've seen -- as
20 you can tell from my accent, I am not Mississippi born,
21 but I have been living here for the last six years and I
22 find much to be pleasing living in Mississippi and also
23 much to do. I also think it's easier to do things in
24 Mississippi than it is in New York, because here you can
25 be a big fish in a small pond quite easily, and seemingl

1 have an effect.

2 I think some of the problems that we're having
3 with public education here in this particular area,
4 they're two-fold.

5 Number one, I think there are negative
6 financial incentives for public education. I have been
7 actively involved in the last two years calling on public
8 schools in the Delta. And I was particularly touched by
9 a comment by a principal of a grammar school, who when I
10 said I was going to the Governor's Conference last year
11 on education, she said please tell them to have positive
12 as opposed to negative economic incentives.

13 I said what do you mean? She said our school
14 has been taken over because of poor grades and poor
15 performance. I'm getting a 33 percent increase in my
16 budget and if we bring our standards up, we will lose
17 that money. Interesting problem, very interesting
18 problem.

19 MS. MOORE: If you could summarize?

20 MR. MALKIN: I have a solution to this. I
21 think it's something that needs to be addressed.

22 CHAIRPERSON BERRY: You can make further
23 comments. We appreciate your remarks and you will have
24 questions, and we appreciate your being here. Go ahead
25 and ask your questions.

1 MS. MOORE: I will now direct a series of
2 questions to each of you in turn, beginning first with
3 Mr. Buck.

4 Now, Mr. Buck, you indicated that you are
5 employed by Greenville as counsel for the Greenville
6 School District; is that correct?

7 MR. BUCK: That's correct.

8 MS. MOORE: Now, there is a proposed merger
9 between the Greenville School Districts and the Western
10 Line School Districts currently pending; is that right?

11 MR. BUCK: Well, there have been discussions
12 about the possibility of consolidation between the
13 districts and the advantages that would be brought about
14 as a result of consolidation. The Board that I
15 represent, the Greenville Public School District Board of
16 Trustees favors consolidation with the Western Line
17 District. The Western Line District is primarily the
18 county district where the Greenville Public School
19 District is a separate municipal school district.

20 The Board of Trustees of the Greenville Public
21 School District favors consolidation and we did in fact
22 have several meetings with representatives from both
23 districts and the proposal was put to the Western Line
24 District and as of now insofar as I'm able to determine,
25 the Western Line Board of Trustees is opposed to

1 consolidation; therefore, consolidation is not exactly on
2 track at this point.

3 MS. MOORE: They're opposed without -- is there
4 a stated reason for their opposition?

5 MR. BUCK: None that I'm aware of. The matter
6 of consolidation, of course, would be pretty much a
7 voluntary act on the part of the various districts.
8 There's nothing legislatively that would mandate
9 consolidation.

10 Therefore, the Board really does not have to
11 advance a reason.

12 MS. MOORE: Is that due to the 1986 legislation
13 that the merger would be voluntary as opposed to
14 automatic?

15 MR. BUCK: Well, don't let me speak
16 specifically to the 1986 legislation -- the fact is there
17 is no, that I'm aware of, and others might be able to
18 address this better than I am, but in Mississippi we have
19 districts -- often there are municipal districts where
20 you have large municipalities, or fairly large
21 municipalities.

22 They are often the county districts, and even
23 within the county you will have districts based on
24 geographical areas, so that in some counties you'll have
25 as much as three or four separate school districts, and

1 these districts exist by virtue of legislation. They are
2 statutory entities, and there is nothing in the present
3 law that -- or in past laws that I'm aware of that would
4 require consolidation between the various districts, and
5 that's one of the problems as I see it with limited --
6 with the utilization of limited resources.

7 And that is that if you start off with a small
8 pie and then you're splitting it up in five different
9 ways, and of course your problem becomes obvious, as
10 opposed to having, for instance, in many counties where
11 the population is very low, as opposed to having all of
12 those districts combined and consolidated and utilizing
13 the resources that are available to serve everyone and
14 all of the children, I think that would be far more
15 effective.

16 There are some districts around the state that
17 have been consolidated like as in Warren County, for
18 instance, they had a large municipality, Vicksburg
19 consolidated with the county district, and as a result of
20 that I think some would say they have improved education,
21 improved facilities and so forth, in Warren County as a
22 result of consolidation.

23 That is something that the Greenville Public
24 School District very much favors.

25 MS. MOORE: Mr. Buck, the Education Reform Act

1 of 1986 is the legislation I'm referring to right now.

2 MR. BUCK: Right.

3 MS. MOORE: During your interview with
4 Commission staff in preparation for the hearing you
5 expressed some concern about the motivation surrounding
6 the passage of that act, which for the record I guess did
7 alter the system whereby school districts were
8 automatically encompassed where there was an extension of
9 a municipality.

10 MR. BUCK: Right.

11 MS. MOORE: To this voluntary system, and you
12 attributed the underlying motivations of that legislation
13 to racism or racial concerns. Could you elaborate on
14 that?

15 MR. BUCK: Sure. And that, of course, is an
16 annexation issue, not a consolidation issue, and that's
17 why I'm confused with the initial question. In the past,
18 prior to the legislation that you referred to, whenever a
19 municipality annexed adjoining territory, the school
20 district lines of that municipality expanded along with
21 the annexation lines, so that if a municipal or urban
22 district expanded out into the county, then the urban
23 district picked up that territory, those children, that
24 tax base, those facilities in the annex area.

25 MS. MOORE: Right.

1 MR. BUCK: After the passage of the legislatio
2 the urban districts no longer, no longer pick up the
3 adjoining area, the adjoining children, the tax base and
4 so forth. And my take on that -- and of course there's a
5 lawsuit pending right now in the District of Columbia,
6 United States District Court, State of Mississippi versus
7 Reno, wherein there is an attempt on the part of the
8 Attorney General of this state to gain pre-clearance of
9 the new legislation that you referred to, and that matter
10 has been in litigation for some time.

11 The Attorney General takes the position that it
12 is a financing issue, that is, that when an urban
13 district expands into the counties, into rural areas,
14 they're taking up tax base. The effect of it is to take
15 up the tax base of the rural districts and therefore to
16 make it more difficult for rural districts to operate and
17 to finance or fund themselves.

18 We take the position that the legislation was
19 passed, that the purpose and the intent, the underlying
20 intent of the legislation was to make it difficult for
21 districts such as Greenville and Jackson and Hattiesburg,
22 where you have fairly large urban populations, and where
23 unfortunately the public school districts are 90 percent
24 black, 97 percent black, and whatever, to make it
25 difficult for those districts that would now have to be

1 classified as minority in terms of the population of
2 students in those districts, make it difficult for those
3 districts to then expand their lines out into the county.

4 That would be particularly troublesome for some
5 people, for instance, in Jackson where you have even
6 joining counties, areas that are mostly population by the
7 white population; and therefore, if in fact the Jackson
8 School District, for instance, was allowed to expand out
9 into Hinds County and take in those children in adjoining
10 areas, then obviously those parents and those children
11 would be affected and would be brought into the Jackson
12 School District.

13 And we think that at least in part the
14 motivation behind that at least in part an effort to curb
15 or to control the expansion of what I would classify as
16 urban, largely minority district.

17 MS. MOORE: Now, I mean, it can still happen
18 but there has to be voluntary --

19 MR. BUCK: There has to be voluntary consent on
20 the part of the district which is being taken up. In
21 other words, if Greenville expanded into Washington
22 County, then the Washington County Western Line District
23 would have to consent.

24 MS. MOORE: Are you aware -- if you're aware
25 have there been any such expansions since 1986 where

1 districts refused to be annexed?

2 MR. BUCK: Well, that's why we have the
3 litigation, yes. In Hattiesburg obviously there was an
4 annexation and also in Greenville there's -- there was an
5 annexation. And Greenville is in fact involved in the
6 litigation that I referred to. Hattiesburg was involved
7 and has been involved for some number of years in such
8 litigation, and certainly there are issues surrounding
9 this matter in Jackson and Hinds County, as well, and
10 perhaps other districts around the state.

11 MS. MOORE: Okay. And I'm just trying to
12 clarify some of the information I've been provided here.
13 The consolidation issue then that we started with --

14 MR. BUCK: Right.

15 MS. MOORE: The proposed consolidation of
16 Greenville School District and Western Line School
17 District has absolutely nothing to do with an annexation?

18 MR. BUCK: No.

19 MS. MOORE: All right. Now, if you care to is
20 the Western Line School District -- what's the racial
21 composition in --

22 MR. BUCK: I don't know exact numbers but I
23 will say that there is a larger white population and it's
24 going to be close to 50-50, my best take on it, in terms
25 of the county schools or the schools in the Western Line

1 District.

2 MS. MOORE: If the merger occurred, you're
3 saying, it would be 50-50?

4 MR. BUCK: No, no, at present, at present. If
5 the merger occurred then obviously there would be a
6 dilution, in effect, because the Greenville Public School
7 District on the other hand is 90 plus percent black, so
8 obviously there would be a dilution in that sense.

9 MS. MOORE: I see. Okay. Now, let me move on
10 to the issue of private academies. There's some concern
11 and some of the people that we interviewed indicated that
12 the presence of private academies dilutes the community
13 support for the public school systems. Is that your --
14 in your capacity as counsel for --

15 CHAIRPERSON BERRY: And when you answer that,
16 can you keep in mind the numbers we were given earlier on
17 how many students go to private academies. It would seem
18 to be a very small number, if I remember the numbers
19 correctly.

20 MS. MOORE: 35,000.

21 MR. BUCK: Well, it depends on the area
22 obviously. Obviously in Greenville the numbers are much
23 larger than that, because the fact is that almost all of
24 the white population school-aged children go to private
25 academies, either private or parochial schools.

1 MS. MOORE: In Greenville?

2 MR. BUCK: In Greenville, obviously, because
3 we've got a district --

4 MS. MOORE: Right, that's 90 --

5 MR. BUCK: That's 90 something percent black,
6 so you have almost all of the white population attending
7 --

8 MS. MOORE: The private schools?

9 MR. BUCK: The private school of some kind, but
10 the question was whether or not the presence and the
11 existence of private academies and private schools had an
12 adverse effect on support --

13 MS. MOORE: Community support, right, for the
14 public schools.

15 MR. BUCK: Right, exactly, and obviously I
16 would have to -- I think it almost necessarily follows
17 that if you have persons who pull their children out of a
18 school system into a separate school system, as a result
19 of the desegregation of public schools that took place in
20 the 60's and the 70's, you have those persons now having
21 to devote their resources to support the private
22 academies, and at the same time pay ad valorem taxes to
23 support the public school system, I think it almost
24 necessarily follows that those persons whose resources
25 are now being stretched are going to be opposed to

1 anything that would mean an increase in tax rates, the
2 tax burden.

3 I think it almost necessarily follows and it
4 certainly is my impression, based on my observations and
5 also the impression of many people that I talk to that in
6 fact there has been an adverse effect upon support for
7 public education as a result of the proliferation of
8 private academies.

9 MS. MOORE: So it creates sort of a vicious
10 cycle? We heard from earlier panelists that in order to
11 -- first of all that it would be a fool-hearty goal to
12 attempt to attract the whites back into the public school
13 system and that the focus of the school districts should
14 be simply to enhance themselves, to make the school
15 districts as good as they can be.

16 But it sounds to me like there's this vicious
17 cycle where the tax base is what is utilized to enhance
18 the school districts and where part of the community at
19 least is resisting any additional taxes to make that a
20 reality.

21 MR. BUCK: Yeah, that's true and not only
22 resisting any increase in the tax burden but also there
23 certainly has been a movement in Greenville migration, in
24 Greenville and Jackson and other fairly large urban areas
25 in Mississippi by Mississippi standards, there's been

1 migration of people out of the municipality into
2 surrounding rural areas, which also ties us right back
3 into the annexation question, of course, and that's one
4 of the reasons why you have a lot of opposition to the
5 expansion of school district lines along with annexation
6 lines, is that some of those persons who now live in the
7 annex area moved and left the urban area for the express
8 purpose of --

9 MS. MOORE: Getting away from this?

10 MR. BUCK: Escaping the tax burden of the
11 public school and so forth.

12 MS. MOORE: Notwithstanding the views of the
13 former panelists, are you aware of or support or promote
14 any efforts to attract white students back into the
15 public school system in Greenville, specifically in the
16 Delta at large, if you know?

17 MR. BUCK: I think that not so much what I
18 favor is probably less important than what the district,
19 official position of the district as I understand it is
20 that it would be great, that it would probably enhance
21 the education of all students if we had one unitary
22 system -- or if we came somewhere close to it, at least
23 we could attract some of the folk back.

24 I think that is the general overall consensus
25 of board members and superintendent and whatever, but at

1 the same time there is an understanding and acceptance of
2 the reality that you can waste a whole lot of time doing
3 that, and not focusing on what you really need to focus
4 upon, which is the enhancement of your facilities,
5 enhancement of your programs and so forth, and I think
6 there is sort of a feeling among some at least that if in
7 fact there is significant enhancement, that those persons
8 who want to come back, there may be persons who see the
9 benefit of coming back into public education.

10 MS. MOORE: I have one final question for you
11 and then I want to move on to Dr. Cheney.

12 The teacher shortage was referred to on the
13 earlier panel. I'm not sure if you were here during that
14 panel.

15 MR. BUCK: I was present.

16 MS. MOORE: And the notion of brain drain, I
17 referred to, which is a term that sociologists talk about
18 in terms of talented blacks moving out of the South
19 generally but certainly the Delta.

20 Do you know of any efforts in that regard to
21 attempt to cut into this teacher shortage in the African
22 American community?

23 MR. BUCK: I'm generally aware of the things
24 that were testified about by the earlier panel, by the
25 panel just before us, that is, that the various programs

1 that the State Department of Education has instituted to
2 attract and retain minority teachers.

3 As regards to Greenville Public School
4 District, one of the things that is being attempted is
5 that there is an attempt being made on the part of the
6 district itself to provide training and education,
7 leading to certification for teachers who -- persons who
8 may be working, for instance, right now as a substitute
9 teacher.

10 For instance, one of the such programs is in
11 the area of special education. The Greenville Public
12 School District instituted a program in conjunction with
13 Delta State University and Mississippi Valley State
14 University just this past year to actually provide
15 training for persons who may have had college degrees but
16 did not have certification in the area of special
17 education to actually provide training for those persons
18 leading to certification in the area of special
19 education, so that what I'm saying is that opposed to
20 simply waiting on what the universities are doing and
21 waiting on the universities to provide competent persons
22 to work in these various areas, I think it would be
23 necessary on the part of some districts to do what the
24 Greenville Public School District has done, that is, once
25 the need is identified, to actually get proactive in

1 terms of recruiting, training, and obtaining
2 certification for persons. So there is some effort to do
3 that on the part of the Greenville Public School District
4 and I suspect that there are efforts in other places
5 around the state.

6 MS. MOORE: Okay, Mr. Buck, I always do this
7 but we're going to talk to Mr. Barber in just a few
8 minutes about tracking, and I notice in your interview
9 with Commission staff you indicated that you were unaware
10 of any tracking problems, at least in the Greenville
11 School District.

12 MR. BUCK: To say that I'm aware of it is to
13 say that that's not an area that I spent a lot of time
14 looking at, but let me just say that the Greenville
15 Public School District, for instance, the superintendent
16 -- we have a minority superintendent and the -- I suspect
17 that if there has been a tracking problem that it's
18 something that is being addressed.

19 We certain in my opinion, and I don't know
20 whether tracking is the issue or not, but we certainly
21 have a problem with too many students being placed in
22 special education. I would agree with that, and that has
23 been recognized by the Board that I work for, and there
24 is an effort to deal with that problem.

25 The fact is a lot of students are placed in

1 special education because of cultural problems,
2 environmental problems, as opposed to learning -- the
3 ability to learn, that is, so that a distinction needs to
4 be made when a child scores low on a test, whether the
5 child is scoring low because of a cultural background,
6 environmental problems as opposed to the inability to
7 learn.

8 MS. MOORE: Okay. And we'll pursue that with
9 Mr. Barber.

10 Dr. Cheney, you told us a little bit about
11 yourself and Dr. Mullins has referred to your
12 organization's report, which we are happy to have
13 received for the record.

14 Can you tell us something about the
15 organization itself and how it formed, how long it's been
16 in existence?

17 DR. CHENEY: It really had some forerunners.
18 Early there was a group of businessmen that organized,
19 I'd say probably 15 years ago, when they felt that the
20 university system in Mississippi really needed support,
21 and that was the Council for Higher Education, I think
22 was the title of it.

23 And then the impedance for the organization of
24 the forum was that it was modeled initially pretty much
25 after the North Carolina Forum, Public Education Forum o

1 North Carolina. John Doran spoke at a conference on the
2 Coast, and about 30 businessmen -- and I say men because
3 it was predominantly men -- please notice your witnesses.

4 And they went to North Carolina and after that
5 incorporated the forum. It has had kind of -- finding
6 its voice and finding its way to impact public education
7 has been very difficult, but David Ratcliff was serving
8 as President of Mississippi Power and about -- in '92, I
9 think it was, we went through a strategic planning
10 process, which pretty much focused the work of the forum
11 around task forces and specific tactical plans.

12 And so that's the way we've operated since
13 then. We've operated as a convener and in '94 the state
14 legislature authorized us, tied us into that process by
15 creating a Center for Educational Analysis under the
16 forum, which gave us -- we're really a small staff.

17 There are actually three full-time staff
18 members. There's an executive director, Dr. Cotton and
19 myself, so it's a small group and so, but this
20 authorization created a growing capacity for us to really
21 collect data, and what you have is just a compilation of
22 data that we needed to get out.

23 The final report from that educative pipeline
24 will come out probably in May, but what we were trying to
25 do -- this bright green publication that's in the record

1 was just submitted early on because Senator Ferris, who
2 is Chairman of the Education Committee in the Senate,
3 really wanted some of the data out there to build a case,
4 and that's how we envision working.

5 We envision -- and we have done that
6 successfully in the past. The forum -- major wins for
7 the forum in my mind -- some policy changes concerning
8 accreditation, making sure business and parents, parental
9 involvement was involved in that process, the creation of
10 a Mississippi Teacher Center.

11 You heard Dr. Mullins talk about future
12 educators and, you know, and that is -- that entity is
13 functioning. The Work Force in Education Act of 1994,
14 which really made a difference in the governance of our
15 community college system, which is a very strong system
16 in the state, business representatives, state council and
17 district councils, so that you have the customer driving
18 the agenda.

19 And I hope that's working. It's working and
20 probably some other people that have first-hand
21 information on that, but those kind of things are the
22 initiatives that we supported.

23 We're really excited -- I'm going to just say
24 one more thing -- the Education Reform Act, you know, a
25 lot of good stuff was put out there but not much funding

1 If we get this adequate funding, the process behind that
2 has been a really solid process, with the legislature
3 doing their homework.

4 If we can get that, we can put a floor under
5 some school districts that absolutely, if they let it,
6 all the ad valorem tax they could levy, they could not
7 build a building.

8 And so this is major, if it gets through, and I
9 think it will. It only had ten descending votes in the
10 House. I think it's going to make it. They'll phase it
11 in over seven years. That's the end of that tirade.

12 MS. MOORE: You're more willing to give us a
13 prediction than the earlier panel on that one.

14 But let me get back to the report that -- or
15 the collection of data that your organization has
16 compiled. What would you identify as the most
17 significant findings in your study? This is more for the
18 record. We'll, of course, examine it.

19 DR. CHENEY: There are several things that are
20 related to your issues here, that are frightening to me.
21 There are only -- if you took all of the students
22 enrolled right now into teacher education, there are only
23 11 percent of them that are minority.

24 And now, we are not going to pull from other
25 states. We just -- we are going to continue trying.

1 Daphney Buckley, who is a very, very articulate director
2 of the Mississippi Teacher Center and does a lot of
3 recruiting, she is an African American female, wonderful
4 role model, but you know, realistically we are playing
5 catch-up financially on the recruiting out of state, so
6 we have to depend on our internal pool, and as the
7 earlier panel said to you, we don't have statistics on
8 how much -- how many of our graduates are pooled, but we
9 convened a group of field directors from the
10 universities, and they really are out in the field with -
11 - you know, with your beginning teachers or teacher
12 preparation folks, the interns, and their read on that is
13 that a significant number, significant number are leaving
14 the state, especially from your historically black
15 universities, because they'll come in and some of those
16 are located where it's just, you know, crossing over to
17 Alabama to Louisiana is just nothing.

18 MS. MOORE: Did your organization make any
19 findings or assessments of I guess funding issues? I see
20 in your interview with staff you raised quite a bit of
21 concern about the quality of public schools in part due
22 to community -- lack of responsibility in the community
23 and reliance on federal resources but not enough personal
24 responsibility in --

25 DR. CHENEY: Again, I guess my background, you

1 really can't look at Mississippi as a whole. I was
2 teaching in the system during the years of integration
3 that did not fragment -- we stayed glued together, you
4 know, and what I hear from the work that I have done in
5 the Delta schools, and again you just have to look at the
6 state differently, because there are regions where the
7 public schools did not survive very well during the years
8 of integration.

9 The court orders were -- my own brother took
10 his children out of public schools in Jackson after they
11 had been moved three times in one year, you know, because
12 of court orders.

13 And the instability on the staff -- so you do
14 have areas where there has been a real pull away from the
15 public schools, where the leadership and the energy, and
16 what I said in my opening remarks about there was just a
17 lot of rock throwing, I really do see -- I'm very hopeful
18 that we are beginning to get it back together as a whole.

19 In the context of social revolutions and
20 change, we've done a lot in the length of time that, you
21 know, since the 70's, and it's just -- and it's all been
22 put on the public schools.

23 MS. MOORE: Right.

24 DR. CHENEY: Housing hasn't done it, churches
25 haven't done it, families haven't done it. The public

1 schools have been said here, fix it, society, fix it for
2 us.

3 MS. MOORE: Let me ask you about one -- you did
4 indicate that you felt that there was a very strong
5 community college.

6 DR. CHENEY: Traditionally that has been the
7 leg up, you know, most Mississippians have a --
8 regardless of race or gender or whatever, most of us have
9 a common heritage of poverty, and the community college
10 system gave folks like me a way to get into the system,
11 and that has traditionally been the role.

12 It's been kind of a -- unlike a lot of
13 community college systems in other states, our community
14 college system has been more of a full-time student
15 preparing for the next two years. That really has been a
16 major shift in the last few years.

17 Right now we are doing more responding to
18 industry with our community college system, on-the-job
19 training, our community colleges are focusing much more
20 on adults and technology, retooling people, and so -- but
21 again, if you look at the data, which is really an
22 interesting piece of data, and I did not bring it, but if
23 you look at the data on community college leadership,
24 it's almost totally -- the administration of our
25 community college system is almost totally white male

1 still.

2 MS. MOORE: Do you have that information
3 documented?

4 DR. CHENEY: I do and I'll check my briefcase.
5 The community college has pulled together some data, but
6 that -- but the clientele they're serving, the students
7 they're serving, there's been a major shift in that.

8 MS. MOORE: If you could just provide that for
9 the record we'd appreciate it.

10 DR. CHENEY: And they've done a really good job
11 with technology. They are moving -- really doing a good
12 job.

13 MS. MOORE: All right. Thank you, Dr. Cheney.
14 I'm in the interest of time going to move on.

15 Mr. Barber, you are the Director of the
16 Mississippi Human Services Agenda.

17 MR. BARBER: Yes, ma'am.

18 MS. MOORE: Can you also tell us a little bit
19 about the organization and its mission?

20 MR. BARBER: Well, it's a private, nonprofit
21 research and advocacy organization that primarily deals
22 with the issues that come out of the poverty community
23 and out of the traditional civil rights community.

24 MS. MOORE: Okay. Now, you in your opening
25 remarks referred to disparities in discipline and

1 suspension, as well as tracking issues for minority
2 children. Now, do you have data to support the views
3 that you've expressed? Was that the result of a study,
4 in other words?

5 MR. BARBER: The Office for Civil Rights used
6 to do, and I think intends to do again, a semi -- no, bi-
7 annual, you know, survey. They did not do it in 1996 for
8 the first time in 30 years. They missed the cycle. So
9 the latest data I have of that nature is from 1994, when
10 OCR did it and did a survey and showed overwhelming black
11 -- among suspension, expulsions and those kinds of
12 disciplinary activities.

13 MS. MOORE: And that was in percentages, I take
14 it?

15 MR. BARBER: Yes.

16 MS. MOORE: Now, you referred to tracking as
17 well, and I did want to give you the opportunity, if it's
18 the case, were you referring to the special education
19 problem or are you focusing on what is commonly called
20 ability tracking, as a separate issue?

21 MR. BARBER: Ability grouping is a separate
22 phenomenon, you know, occurs in many, many of our
23 schools. I don't have any hard data on it, but we see
24 the use of some test or some device that divides students
25 off into different groupings, and while the literature

1 seems to have indicated that's not a good idea, there's
2 been a lot of people slow to change, so many of our
3 districts still have some kind of grouping program.

4 It may not even be policy any more. It may be
5 just the way the principal in that school works, you
6 know. I've not done a policy survey to see whether there
7 is specific grouping policies still existent at the
8 school district level.

9 But there is a fair amount of grouping and the
10 lower groups tend to get trapped in it, tend to be the
11 kids who get referred to special education in about the
12 fourth grade.

13 Now, they get tracked in the first grade into
14 the slow readers' class, right. By the time they get to
15 fourth grade everybody else knows how to read pretty well
16 except them.

17 When they take the tests, they do poorly and
18 they often get stuck in special education program. They
19 get a little larger, they start saying what the heck, I
20 can't do this stuff no way, so it doesn't matter.

21 MS. MOORE: I've got to rob somebody's house?

22 MR. BARBER: Yeah. -No, they don't start out to
23 do that, you know, I mean they may end up there but they
24 say something obscene in the classroom and get themselves
25 tossed out for three days and then it happens again, and

1 pretty soon they say hey, it's more fun on the outside,
2 why don't I stay here.

3 MS. MOORE: And then they may get rerouted into
4 alternative schooling?

5 MR. BARBER: Yeah. Or the prison system,
6 whichever comes first.

7 MS. MOORE: The alternative schools, now they
8 are basically the composition of the alternative schools
9 are counted as part or the -- I guess the numbers, how
10 many people are in alternative schools, that's
11 encompassed in the general figures that we were provided
12 earlier for public schools?

13 Not from this panel. It was from an earlier
14 panel. I was just --

15 MR. BARBER: We had in the second quarter of
16 the school year 1443, and the first quarter for this
17 school we had 1502. That gives you a rough idea of the
18 number of students placed in alternative programs.

19 MS. MOORE: I see you have some data there that
20 you're certainly going to provide to us.

21 MR. BARBER: I'll be glad to.

22 CHAIRPERSON BERRY: That would be entered into
23 the record at this point.

24 MS. MOORE: And would be marked as Exhibit 3;
25 is that right? Clerk?

1 (Exhibit Number 3 marked for
2 identification.)

3 MR. BARBER: It should be noted that it's the
4 State Department's data but I have put it on my computer
5 to come up -- you know. They haven't learned how to do
6 numbers over there yet in the State Department.

7 MS. MOORE: Let me get focused here. So the
8 1443 and 1502 are the latest figures.

9 MR. BARBER: A relatively small number. It's
10 only one-fourth of one percent of the students are in
11 alternative program school, but in some areas that is
12 concentrated. There are some areas with much higher
13 numbers with ten times that rate, and it may be
14 concentrated in certain grades. We have a tendency to
15 see that black male middle school students, who are over
16 age for their grade, are the most likely people to be in
17 alternative schools.

18 So black male, over age, having flunked once or
19 twice, are likely to get shunted off into this kind of a
20 program.

21 MS. MOORE: Okay. One last -- the Chair is
22 going to kill me for this -- Mr. Barber, you've also been
23 a community activist. In your experiences do you -- are
24 these factors that we've just been discussing a source of
25 racial and ethnic tensions in the school system, or is it

1 just a disparity? I mean, are tensions --

2 MR. BARBER: Are there tensions --

3 MS. MOORE: Do they arise as a result of these
4 disparities?

5 MR. BARBER: There are some tensions that arise
6 as a result of these disparities, yes, particularly
7 parents who feel like the system is not treating my boy
8 fairly.

9 MS. MOORE: Thank you, Mr. Barber, let me move
10 on to Mr. Malkin.

11 MR. BARBER: Yes, ma'am.

12 MS. MOORE: Where do I start? You have already
13 answered that question in your opening remarks.

14 Your organization is attempting to provide
15 employment opportunities for public school graduates?

16 MR. MALKIN: Oh, yes.

17 MS. MOORE: And you stated that -- either in
18 your interview or your opening statement actually, I
19 can't recall now, that within your organization, within
20 the corporation, you also have staff members who provide
21 education. Did you talk about that in your opening?

22 MR. MALKIN: Yes, I did. By-the way, we also
23 open our education programs to local community, local
24 citizens who are not employed can also participate.

25 MS. MOORE: Can also participate.

1 MR. MALKIN: And around 33 percent of those who
2 are participating are not employees.

3 MS. MOORE: Now, you answered most of the
4 questions I have here but let me ask you one that you
5 have not answered. I have one that I'd like to ask. You
6 did indicate in your interview with staff that unions --
7 the teachers unions were -- created problems in terms of
8 moving teachers, I guess, who maybe are the teachers that
9 were referred to earlier, the burned out teachers out of
10 the system.

11 Can you comment on that in relation to the
12 quality of the public school system?

13 MR. MALKIN: This will have to be hearsay,
14 okay? Because I am not on the school board. And I will
15 take one minute to give you an example of a problem that
16 we have.

17 I have fostered an attempt by whites to get
18 involved in the Greenville School Board and as a result
19 of my efforts, two young men, both Ph.D.'s, one working
20 for the USDA and one working for our company, were put up
21 as nominees for the Greenville School Board.

22 And they were turned down because neither one
23 of them had been in the community long enough. One had
24 been here two years, the other five years, and because
25 they weren't here long enough, they didn't know our

1 problems.

2 And I think that's wrong. I think you should
3 look for people from the outside to come in and stir the
4 pot a little bit. And I think part of the problem we're
5 having with the public education in Greenville is I think
6 that the present school board is in favor of mediocrity,
7 they're not particularly in favor of excellence.

8 And they're primarily black. The entire school
9 population is black, and they don't want to have a magnet
10 school, because they're afraid it's only being used to
11 attract whites, and I think that's ridiculous. Why
12 shouldn't there be a magnet school for blacks? For a
13 black school board to say no to that is outrageous, so we
14 have a leadership problem in the black community, and I
15 also think that the blacks who have made it, and there
16 are a lot of successful, financially successful blacks in
17 Greenville, they never show up at public school meetings.
18 As an aside I'm sorry.

19 MS. MOORE: No, that's fine. I'm going to
20 thank you and move it on to the Chair and the
21 Commissioners.

22 CHAIRPERSON BERRY: Thank you, counsel. Does
23 any Commissioner have any questions for the panel?

24 VICE CHAIRPERSON REYNOSO: I have a question
25 for Mr. Malkin, because it was of some interest to me

1 that as you described your company, it fit exactly the
2 pattern that I had in mine early on in my expression of
3 concern or questions in terms of developing a high tech
4 company that's based on the rural economy, and that has
5 clearly gone international and has done very well, but
6 could not have done that without having highly trained
7 folk.

8 I guess my question would -- it has to do with
9 the success or lack of success that you have had in
10 finding highly trained people locally. You mentioned
11 bringing in some people from Davis and so on, but I just
12 wonder what luck you've having in finding your graduates
13 in the local areas that have the training that -- or
14 learning that you need to train them yourself, I guess?

15 MR. MALKIN: In agriculture there are a lot of
16 highly qualified local people. In other words, the local
17 ag schools are outstanding, Mississippi State, LSU,
18 Auburn, Clemson, and these are folks -- Alcorn -- no, I'm
19 talking about graduate degrees and doesn't pass, I'm
20 sorry. I wish it did but it doesn't.

21 We don't have any trouble finding qualified
22 people in those areas because basically they're well-
23 educated Ph.D.'s and normally would leave the South to
24 further their careers. We're able to say you can stay
25 home near your roots and be able to handle it.

1 MR. VICE CHAIRPERSON REYNOSO: Okay.

2 MR. MALKIN: Now, we do have a problem when we
3 get them to come to work for our company as to where
4 they're going to live. And we're located approximately
5 halfway between Cleveland, Mississippi, and Greenville.

6 And more than half of the people that we
7 brought into our company and asked to move to the Delta
8 in the last three years, more than half have decided to
9 purchase a home in Cleveland, where you have Delta State,
10 where you have a magnet school in Merigold. In other
11 words, you have the perfect setting for overachievers to
12 settle and raise their children, and we have to do the
13 same thing in Greenville, or the society, the social
14 structure and society is going to be -- in Greenville is
15 going to be riven forever and we won't be able to fix it.

16 And the public schools are the way to do it,
17 and let's forget about the whites, just let's make
18 Greenville the best public school system for blacks in
19 the United States and then the whites will come back.

20 VICE CHAIRPERSON REYNOSO: Thank you.

21 CHAIRPERSON BERRY: Anybody else have a
22 question? Yes, Commissioner Lee.

23 COMMISSIONER LEE: I should have asked this
24 question for the earlier panel. If any one of you have
25 information, how many schools -- public schools in the

1 Delta area has been technologically equipped with
2 computers or whatever, and if they have not been, because
3 of lack of public funds, is this something the business
4 sector will be interested in doing, because we talk about
5 getting students trained and getting them caught up, but
6 if they do not have the equipment, how are they going to
7 be caught up?

8 In California the local cable companies and the
9 telephone companies have been brought in as partners to
10 wire schools in low-income neighborhoods. This is
11 something the business community is considering?

12 DR. CHENEY: May I speak?

13 COMMISSIONER LEE: Please.

14 DR. CHENEY: Net Day has been growingly
15 successful here in Mississippi, in partnership with Bell
16 South, and also with your universities and community
17 college system.

18 It's a rolling number and I didn't bring it,
19 and how many school sites have been wired by Net Day, but
20 that's a really -- it's been a fun collaborative and it's
21 being extended to Net Year right now.

22 Additionally, Mississippi is a really unusual -
23 - LDDS is, you know, and World Com, home based, home
24 grown, and their building is near ours and it's really
25 interesting to watch the -- they do have an influx of a

1 lot of technology. It looks kind of like the UN, because
2 they do have to bring in a lot of programmers and all,
3 but the state has put a major commitment into technology,
4 and right now we have all of the school districts linked
5 to the State Department.

6 That's been done, but that's just mainly
7 administrative and information flow. Your community
8 colleges all have interactive classrooms and they are
9 linked. We have a star school program in some sections
10 of the state. It's just a place where Fibernet was and
11 those are interactive classrooms, and the numbers of
12 those, the state's put some more money into that, because
13 Mississippi has 152 school districts or 153, and it's a
14 largely rural -- how to get French or Latin taught in
15 some of those rural schools, we see technology as a way
16 to do that.

17 Millions -- I'm terrible on numbers but I
18 really -- we also produced a chart on the technology
19 initiatives in the state, and it's impressive what we're
20 doing with that -- I think will reach pretty well
21 critical mass by next year. It's been -- this is about
22 the third year rolling that in. . . .

23 MR. BUCK: I want to speak specifically to
24 what's happening in the local communities. We just
25 happen to have the hearing here in Greenville, but we've

1 had that day in Greenville and have planned another Net
2 Day, wherein all the schools are going to be wired.

3 We're moving toward having all of the schools
4 wired to the internets and having access to the internet,
5 and there certainly are computers in all of the schools.
6 Unfortunately I can't say there are computers in all the
7 classrooms, which is the way I suspect ultimately we want
8 to go, but it is a progressive movement toward making
9 available technology through the use of computers and the
10 internet, and we're making a lot of strides in that
11 regard.

12 DR. CHENEY: Major push on training of
13 teachers, retooling teachers, money being put behind that
14 and --

15 MR. VICE CHAIRPERSON REYNOSO: That's a most
16 important step.

17 DR. CHENEY: Yeah, and also we're fortunate to
18 have your teacher assistants in the lower grades, and a
19 good many times instead of training teachers, the teacher
20 assistants are being trained, so that they can manage the
21 technology for the -- but --

22 CHAIRPERSON BERRY: Mr. Anderson, do you have
23 any questions?

24 VICE CHAIRPERSON REYNOSO: Could I ask a
25 question pertaining to the loan programs. I'm in law

1 teaching and unfortunately many students who graduate as
2 lawyers have tremendously large loans to pay back, and
3 very often they can't afford to work even for public
4 agencies, much less our poverty agencies, because they
5 need to pay those loans back.

6 I was talking to a student yesterday who says
7 that he will have to be paying back a thousand dollars a
8 month. That's half as much as a teacher earns in
9 Mississippi.

10 Do the teachers have some of those same
11 problems? Do any of them borrow money to get through
12 college and have to pay it back, and it makes it
13 difficult for them to accept maybe a position in
14 Mississippi and they have to go to a state where they can
15 earn more money? Is that a problem in the state?

16 MS. MOORE: Does anyone know?

17 DR. CHENEY: My sense, you know, I have two
18 sons that had college loans, but fortunately they were
19 doctors and they could pay them back.

20 MR. BUCK: Yeah, that is a problem, to answer
21 the question. In addition to serving as counsel for the
22 Greenville Public School District, I do a lot of
23 bankruptcy litigation, and I see a lot of teachers in my
24 office who are seeking some relief from student loan debt
25 burden, so yes, that is very much a problem.

1 Now, under the old National Defense Student
2 Loan Act, there was a provision whereby those loans were
3 written down, written off if you worked in public
4 education, but I don't believe under the present
5 legislation and present funding that that is any longer
6 available, and I could be wrong about that. Someone else
7 may --

8 CHAIRPERSON BERRY: Let me just tell you that -
9 - remind you that Dr. Hemphill on the last panel said
10 that one of the proposals they made the legislature is
11 loan forgiveness based on geography and fields of
12 interest, and that there is already a program but they've
13 asked that funds be added to it. It's not funded
14 adequately.

15 DR. CHENEY: And that's state funds, that's a
16 state loan program, and I can't speak to the -- there's a
17 very low default rate on that state William Winter
18 Scholarship, but they have a GPA requirement on that for
19 admission, and -- but I think that will make it through
20 and I think the amount of those loans will be doubled.

21 There also is a graduate teacher loan program
22 and the default rate on that is very low.

23 CHAIRPERSON BERRY: I had just a couple of
24 questions. I guess the first one is that Mississippi
25 seems to have the same problems that exist everywhere

1 else, and about the same number of people who are
2 interested in doing something about them and about the
3 same number of people who aren't involved in doing
4 something about it I wonder -- people who are from the
5 local area, which was described by the last panel as a
6 problem, because you don't get any new blood, and you,
7 Mr. Malkin, were talking about the potential school board
8 members weren't acceptable because they didn't know the
9 problems, and the early panel talked about having
10 Mississippi being the only state where you have these
11 school superintendents who are elected locally, which
12 means you never get any new blood.

13 Has anyone either from the forum or any of
14 these organizations proposed to the legislature that they
15 change these requirements and have some greater emphasis
16 on getting some new people.

17 MR. MALKIN: There have been proposals before
18 the legislature every year. They just don't quite make
19 it.

20 CHAIRPERSON BERRY: So politically it's too
21 entrenched?

22 MR. MALKIN: It's a politically difficult
23 problem and it's just a political question.

24 DR. CHENEY: There are two political questions.
25 As I said to you, I've been at this a hundred years at

1 least, and the political issues, consolidation and
2 elected superintendents have been on the table ad
3 nauseam, but again if you go back, the Chairman of the
4 House Education Committee, very strongly and
5 philosophically believes in the election of school
6 superintendents.

7 It is a strong belief of his, and it goes back
8 to some of our -- no, it's -- yeah, it's -- his brother
9 is now, but aside from that, you know, you have in
10 Mississippi this rural mentality, and we also -- my track
11 record with elected -- and as I say, I was a teacher and
12 a principal -- but you get bad ones both ways.

13 There's really no data, there's no hard data
14 that can tell you one is better than the other. We've
15 got level five school districts, top level school
16 districts, that have elected school superintendents.

17 And you've got migratory laborers that will
18 come in and spend one year in a school district and
19 leave, you know, and don't have a commitment to the
20 district, you know, when you have an appointed one, so do
21 you -- it's --

22 CHAIRPERSON BERRY: The other thing I wanted to
23 say is that we cannot let it go unnoticed that while
24 we're sitting here talking about these problems, we are
25 in an area in which there are hate groups and

1 organizations.

2 I was here last summer in the pursuit of the
3 church burnings, and I was over in Cleveland and I've
4 been around this whole area, and so I'm very aware as our
5 State Advisory Committee Chair and our members and people
6 in the community that the context, the underlying context
7 in which we meet and talk about these issues is that in
8 Mississippi, as in other parts of this country, there are
9 already heightened racial tensions and evidence of a
10 racial divide that exists in this country that very much
11 needs healing, and in that regard, the reason why I bring
12 that up, is because one of the things that we don't seem
13 to have any emphasis on is the benefits of integration
14 any more.

15 Gary Orrfield, who does scholarship on school
16 desegregation up in Cambridge, Massachusetts at a
17 university that I will not mention, says that we do not
18 have a national commitment to school desegregation or
19 integration any more, nowhere in this country.

20 It sounds like in Mississippi that may be the
21 case too. No one has even talked about, you know,
22 whether one part of what we ought to be doing in public
23 education is trying to figure out some way to integrate
24 schools for the sake of interaction of people and a
25 reduction perhaps of tensions, although I say that when

1 looked at the study recently that shows that if you do
2 integrate schools, you get more tensions, because when
3 people are -- familiarity breeds contempt.

4 But in any case, I don't know what the answer
5 to that is, and we're all interested in enhancing the
6 qualify of education, and that's important, and maybe
7 it's a chicken and egg problem. Do you enhance it first
8 and then you attract students, and then you get
9 desegregation.

10 But is there any commitment to desegregation or
11 integration or any interest in that at all in Mississippi
12 any more?

13 MR. MALKIN: And I don't think there will be
14 until education improves. In other words, I think this
15 is purely economic. Effectively, the private school
16 system is a second tax, because you pay a tax on your
17 property to support an educational system and then you
18 pay a tuition. It's a second tax, and by the way, it's a
19 problem for people that work for us, because it's a
20 strain and I don't think they want it, but I think they
21 think that's the best alternative available to them and I
22 think what we must do everywhere in the United States is
23 we've got to improve public education so it is a bargain.
24 People don't think they're getting their money's worth
25 any more, white and black, and I think the critical thing

1 is to improve education in the public sector and they
2 will come. Build it and they will come.

3 CHAIRPERSON BERRY: Build it and they will
4 come.

5 DR. CHENEY: Is there a commitment? Since I
6 have spent my life committed to this venture, I'd say
7 that there is, but I also think -- my moving from Tupelo,
8 which is where I did most of my work as an educator, and
9 to Jackson, was a real -- a real shock to me, because
10 Tupelo had really hung in there and had done the work,
11 and is it perfect? Heavens no.

12 Will it ever be perfect? No. But what I found
13 in Jackson was a residual racism that really bothered me.
14 It bothered me that I knew I couldn't get a job in
15 Jackson Public Schools if I wanted to, because I was
16 white.

17 You know, there is -- we've got to get past it.
18 It doesn't matter whether you're pea green or purple. If
19 I am a good teacher, that's what all Mississippi children
20 deserve.

21 We are a poor state that has seen our service
22 agencies as employment agencies, and we protect turf past
23 when it's logical. I am so thrilled to see the federal
24 money starting flowing as a group, you know, because we
25 maybe can break down some of these issues of whether

1 Chapter 1 or Title 1 does any good for children, and
2 start looking at here are the needs of children, grim --
3 all of our agencies in the state.

4 Are we articulating with Head Start? Heavens
5 no, we're not, on any level that we should be. You
6 agree? And so the effectiveness of that is lost. But I
7 do believe we -- I really think that there is a
8 commitment in Mississippi.

9 We just plain live in a more integrated society
10 than most people think we do.

11 CHAIRPERSON BERRY: And the last point I'll
12 make, because the time is up and I appreciate your
13 coming, is that we haven't talked very much about the
14 role of community organizations and parents, and what
15 happens to parents in terms of their own economic
16 prospects and other social problems that exist in trying
17 to improve the quality of education, which obviously
18 there are some connections, and we all acknowledge that.

19 MR. BUCK: That's another day.

20 CHAIRPERSON BERRY: That's another story. I
21 want to thank you very much. I appreciate your being
22 here and you're now excused, and a member of our
23 staff will escort you through our sign-out
24 procedures, and thank you very much for coming.

25 We are now going to be in recess until 2:15.

1 (Lunch break.)

2 CHAIRPERSON BERRY: Lunch break is over. We'll
3 now reconvene the hearing. Could the sign language
4 interpreter come forward, please? Where is he? Who
5 is the sign interpreter? Same person? I just wanted
6 to ask if anybody needs interpretation.

7 While I'm waiting for the sign interpreter --
8 the -- well, I guess I should wait, see if anybody
9 needs -- are we talking on the phone or what's going
10 on?

11 Well, this panel is on the State's Efforts to
12 Comply with Judicial Mandates Regarding Desegregation
13 of its Institutions of Higher Education. We're on t
14 higher education.

15 This morning we had two panels on the topic of
16 Race in the Public Education System. We continue
17 with that topic this afternoon with two more panels,
18 and this is about Mississippi's colleges and
19 universities.

20 And then we'll have a third panel on the
21 State's Efforts to Comply with Judicial Mandates
22 Regarding Desegregation of the Institution's Higher
23 Education.

24 And the witnesses I can see have already come
25 forward. Dr. Thomas Layzell, Dr. William W. Sutton,

1 and Dr. Leroy Morganti. Could you please stand so I
2 can give you the oath? Please raise your right
3 hands.

4 (Witnesses sworn.)

5 CHAIRPERSON BERRY: Please be seated. General
6 counsel, you may proceed.

7 MS. MOORE: Thank you, Madam Chair. Beginning
8 with you, Dr. Layzell, would you please state your name
9 and position for the record?

10 DR. LAYZELL: I'm Thomas D. Layzell. I'm the
11 Commissioner of Higher Education for the State of
12 Mississippi.

13 MS. MOORE: Dr. Sutton?

14 DR. SUTTON: I'm William W. Sutton. I'm
15 President of the Mississippi Valley State University.

16 DR. MORGANTI: Leroy Morganti, Vice President
17 of the University Advancement of Delta State University.

18 MS. MOORE: Thank you and welcome to you all.

19 Dr. Layzell, would you like to provide us with
20 an opening statement?

21 DR. LAYZELL: I just make a few brief opening
22 remarks. Good afternoon, Madam Chairperson, members of
23 the Commission, counselor.

24 I think that probably the best thing that I can
25 do for you at this point is to give you the status of the

1 Board's implementation of the Ayers case, which in fact
2 is what governs our higher education -- our situation in
3 higher education here in the State of Mississippi.

4 As you know, in March of 1995 a remedial decree
5 was issued by the District Court in the Northern District
6 of Mississippi. Since that time the Board of Trustees
7 has begun implementing various portions of that decree.

8 That case was appealed by the plaintiffs
9 subsequent to the decision by the District Court. A
10 hearing was held in front of the Court of Appeals for the
11 Fifth Circuit in New Orleans in November of 1996, and at
12 this moment we are awaiting a decision by the Court of
13 Appeals.

14 However, the Board of Trustees moved ahead as
15 soon as the District Court issued its decision to begin
16 implementing various portions of the remedial decree, and
17 I'll just highlight some of the major points for you.

18 One of the single most important parts of that
19 decree were the adoption of uniform admissions
20 requirements, which originally in the District Court's
21 opinion were to be implemented in September of 1995 and
22 then later upon motion of both parties. That was delayed
23 until September of 1996, so last fall for the first time
24 the State of Mississippi had uniform admissions
25 requirements at its eight universities, and we have

1 information for you as to what those requirements are.

2 There were other portions of the decree that
3 deal with several studies that were directed to be
4 conducted, one of which was a study of the Delta, and we
5 have conducted that study now, received it, and that will
6 be part of what we submit to you in response to the
7 subpoena.

8 We had a team of consultants headed by Robert
9 Kronley, who I see on your panel later this afternoon,
10 Dr. Walter Washington, the former President of Alcorn
11 State University, Dr. William Butts, who is currently on
12 the staff at Delta State University. They have finished
13 their study. They've given that to the Board, and the
14 Board is now in the process of taking that study, which
15 is headed transformation through collaboration, taking
16 that study and converting it into the Board's report now
17 to the Court and to the monitoring committee, which we're
18 required to do under the terms of the remedial decree.

19 There were two other studies, two other major
20 studies that were proposed -- not proposed, mandated by
21 the Judge. One was a study of academic programs at
22 Jackson State University. That study has also been
23 completed by a team of consultants. It's under review
24 now by the Board.

25 And likewise, we will complete a report from

1 the Board to the Court later this spring on that report,
2 as well.

3 The third major study was a study of facilities
4 maintenance in the system. That too has been completed
5 and is under review by the Board, so those three major
6 studies right now are being reviewed by the Board, and we
7 plan to have them completed -- our review completed and
8 submission to the Court by July 1st of this year.

9 Now, the Court at this point, as you probably
10 know, has not yet appointed a monitoring committee for
11 this case. There were other portions of the decree that
12 specified certain academic programs be implemented at
13 Jackson State and at Alcorn State University. Those
14 programs have been implemented. There were about a half
15 a dozen programs. We received funding to begin first-
16 year implementation of those programs last year from the
17 legislature. That is underway.

18 There were other -- I think those are probably
19 -- actually the major items of the decree.

20 There was some funding, endowment funding
21 specified in the decree, mandated in the decree. Last
22 year the legislature appropriated interest income for the
23 endowments this year. They will probably officially
24 create the endowments, although the legislative session
25 is still going on and won't be done until the end of thi

1 month.

2 But whether they do or don't, they're going to
3 reappropriate and appropriate the interest money again
4 for the endowments.

5 And in fact, the legislature added a five
6 million dollar endowment for Mississippi Valley State
7 University, which was not included in Judge Biggers'
8 original decree.

9 There was also a requirement or a mandate that
10 Jackson State receive up to 15 million dollars for
11 certain campus improvements. That appropriation has been
12 executed, implemented and we are just this month, or will
13 just this month receive Jackson State's plans for use of
14 the funds.

15 I think those are probably the major features
16 of the remedial decree. There were a few others but
17 those are the major points, so that's where we are in
18 terms of the Ayers case and I'll stop and see if you have
19 any questions or if not, let Dr. Sutton and Dr. Morganti
20 --

21 MS. MOORE: Well, let me -- before proceeding
22 to your opening statement, Dr. Sutton, I ask you, Dr.
23 Layzell, as you alluded in your opening --

24 CHAIRPERSON BERRY: Excuse me, counsel.

25 Interpreter, could you ask if anyone is in need of

1 sign interpretation?

2 THE INTERPRETER: (Signed.)

3 CHAIRPERSON BERRY: Thank you. Go right ahead,
4 counsel.

5 MS. MOORE: As you alluded in your opening
6 statement certain documents were subpoenaed for
7 presentation at this hearing. Have you brought with you
8 the attestation certificate certifying that you --

9 DR. LAYZELL: Yes.

10 MS. MOORE: You have?

11 DR. LAYZELL: Mm-hmm.

12 MS. MOORE: Madam Chair, may the documents
13 submitted by Dr. Layzell be entered into the record
14 and marked as Exhibit 4?

15 CHAIRPERSON BERRY: Okay, the documents
16 submitted by Dr. Thomas Layzell for the Mississippi
17 Commission of Higher Education will be admitted into
18 the record as Exhibit Number 4. Without objection,
19 so ordered.

20 (Exhibit Number 4 marked for
21 identification.)

22 CHAIRPERSON BERRY: Proceed, counsel.

23 MS. MOORE: Dr. Sutton, would you like to make
24 an opening statement?

25 DR. SUTTON: Yes, thank you, Madam Chair,

1 members of the Commission. Mississippi Valley State
2 University was in the unique position of being one of the
3 institutions mentioned for closure or merger in the
4 recommendation proposal, which was made by the Board of
5 Trustees to the Court.

6 And, of course, because of the longstanding
7 problem that the institution had had, it compounded
8 things for us at Mississippi Valley State. The other
9 institution was the Mississippi University for Women.

10 And, of course, they did not have all of the
11 problems we have had with the deficit, financial aid
12 liability, and high default rate, and all of those things
13 did not -- was not in the background of MUW.

14 So we were struggling to overcome all of these
15 problems just about the time the announcement was made
16 that the proposal included closure. And, of course, some
17 of those things were used for justification for proposing
18 the closure of merger of our institution.

19 In 1992 we did succeed in getting out of a
20 deficit situation in terms of our operating budget. The
21 prior year, '91, we had succeeded in getting the
22 liability removed from Mississippi Valley State, which
23 was a 13.2 million dollar liability, which was a lot of
24 money for a very small school.

25 But we did get that settled for \$99,000 and

1 paid it back.

2 The deficit operating budget was eliminated in
3 '92, and we were well on our way in terms of restoring
4 credibility to the institution and getting the community
5 support and so on. Our enrollment had begun to climb in
6 the fall of '93, for example, we went as high as 2329
7 from a low of 1691, back in '89.

8 So from 1691 students up to 2329 was a nice
9 increase. But as the Board's proposal for closure took
10 effect, we started a slight decline again, and of course
11 as we went into court in 1994 for those ten weeks, we
12 dropped back to 2153 over time.

13 And now we slowly are climbing back out of that
14 again, but it was quite a problem for us to battle the
15 historical problem of finances, facilities deteriorating
16 and so forth, but starting in 1988 the legislature
17 approved renovation repairs, and they have been putting
18 money into our campus since 1988.

19 In fact, we are probably over 18 million
20 dollars, maybe even 20 million now, renovation and
21 repairs.

22 But that's a long ways to come when you didn't
23 start off with equal facilities. For example, the
24 buildings were not built as substantial and therefore
25 even as you repair them, they are not as strong as

1 building as they could be.

2 There was no shrubbery put on the campus or
3 very little, I would say, and these are kinds of things
4 that we're working on now, and of course we've been
5 spending a good deal of money working on renovation and
6 repairs and some shrubbery.

7 We had to have the campus lighting redone. It
8 was very scanty lights, street repairs, and just a number
9 of things that needed repairs, but the major thing was
10 the roofs. About half of the buildings had leaks in
11 1988, and each year we've spent a great deal of money
12 putting either new roofs or repaired roofs.

13 Buildings were built with flat roofs, which
14 means that the water does not run off as easy, and they
15 leak more frequently. And we have to repair them more
16 frequently.

17 But that's because of the way they were
18 designed. And some of the other features lend to
19 difficulty in maintaining the facilities, but we are
20 doing much better now because we have in the last few
21 years been getting renovation repair money in our
22 appropriation, not in EAG appropriation, but as a special
23 appropriation in terms of capital improvement.

24 CHAIRPERSON BERRY: For the uninitiated, ENG
25 is?

1 DR. SUTTON: Education and general fund.

2 CHAIRPERSON BERRY: I know but I just --

3 DR. SUTTON: I'm sorry. Well --

4 CHAIRPERSON BERRY: That's fine, go right
5 ahead.

6 DR. SUTTON: That's our operating fund and so
7 forth. But I might hasten to point out that the capital
8 improvement funds do not come through our budget. They
9 go to a building commission, a building bureau, and of
10 course we cooperative and participate in selection of
11 architects and contractors and that, but it's really
12 handled by the building bureau for the State of
13 Mississippi, and they are responsible for overseeing the
14 repairs and renovations that are major.

15 Now, we do the smaller things with our own
16 staff, and we have set aside \$100,000 or more of our own
17 operating budget to do little things like fixing windows
18 and doors and locks and things, each of the last several
19 summers, at least for the last five or six summers. We
20 do a major paint and repairs and renovation and screens
21 and so forth on the campus.

22 So these kinds of things we've been doing
23 recently, but they had come to a stall prior to my
24 arrival in 1988, because there was just no money to do
25 any of those things. So it made it very difficult.

1 I might point out that a significant thing that
2 we did in terms of facilities was to get approval for
3 funding to put air conditioning in six dormitories that
4 it never had air. I think you understand what it would
5 be like down here with no air in the dormitories.

6 CHAIRPERSON BERRY: Yeah. Well, you will have
7 an opportunity for more discussion during the questions,
8 but thank you very much for that opening.

9 Dr. Morganti, please.

10 DR. MORGANTI: Madam Chairman, members of the
11 Commission, Madam Counsel, thank you for allowing us the
12 opportunity to participate in this panel discussion on
13 desegregation of institutions of higher learning.

14 In that regard I would like to present a brief
15 status report on Delta State as it pertains to the
16 discussion itself.

17 As a matter of background, Delta State was
18 established in 1924 by the Mississippi legislature and
19 began classes in 1925, under the name of Delta State
20 Teachers College.

21 Black students were first admitted in 1968 and
22 the first black faculty member at the institution was
23 employed in 1969.

24 From that beginning the university's minority
25 population has increased steadily, and minority student

1 enrollment for the current spring semester is 28.8
2 percent.

3 Minorities constitute 10.5 percent of our
4 faculty, hold three of the 23 academic department chair
5 positions on campus, and one of seven dean positions.

6 A black administrator serves as one of six
7 members of the President's Administrative Cabinet.

8 Black students have been elected to leadership
9 positions at the university, including President of
10 Student Government Association, Homecoming Queen, and Ms.
11 Delta State University.

12 The immediate past president of the National
13 Alumni Association is an African American. The
14 graduation rate for minority students is 41.2 percent
15 compared to an overall student rate of 48.8 percent.

16 The cornerstone of our efforts to remove
17 messages of segregation on our campus remain rooted in
18 our goal providing a campus, classroom environment, where
19 students of all races feel welcome and comfortable.

20 While our mission is primarily that of a
21 teaching institute, we have significantly increased our
22 efforts in the area of public service during the past few
23 years. The Delta region, as I'm sure you know, is the
24 poorest region in the poorest state in the nation.

25 Educationally, culturally, socially,

1 economically, any way you look, there are plenty of
2 challenges and opportunities. In the field of education
3 we have a whole site for consortium of 36 other school
4 districts, who are working through a number of
5 initiatives to improve K through 12 education.

6 These initiatives include a special program for
7 minority teacher aides, who are recruited to become
8 certified elementary teachers. Seven teacher aides have
9 already completed the program and are now teachers in the
10 Delta elementary schools.

11 The university a couple of years ago received a
12 2.2 million dollar grant from the Kellogg Foundation to
13 finance a Delta Partners Initiative and receive an
14 additional grant of \$1,043,402 to operate the Delta
15 Service Corps, which is a program for the Tri-State Delta
16 area.

17 Both of these programs are administered through
18 our Center for Community Development.

19 In the past the African American population had
20 little or no opportunity to participate in the planning
21 activities to develop and improve their own communities.
22 The Delta Partners Initiative has sought to address that
23 problem.

24 Delta Partners has a demonstration of community
25 program staff that has worked with the communities of

1 Hollandale, Shaw, Clarksdale, to encourage the
2 development of a broad-based bi-racial coalition of
3 community leaders and residents who are committed to
4 planning of economic and community development.

5 The staff is currently in the process of
6 selecting a new community in Tallahatchie County for a
7 similar coalition building and planning effort.

8 In the prepared statement I have, I have some
9 examples of some of the work that they have done and the
10 results they have gotten in those communities, and we are
11 very proud of it and I would submit them for your record
12 so you can review it.

13 CHAIRPERSON BERRY: Would the Clerk please come
14 over to get them? Thank you very much. We'll put that
15 in the record. Okay. Counsel, would you proceed with
16 questions?

17 MS. MOORE: Yes, thank you, Madam Chair.

18 Dr. Layzell, beginning with you, in addition to
19 the matters, the major aspects of Judge Biggers'
20 decision, there was also an order to include -- to add
21 certain programs to some of the historically black
22 colleges and to -- well, you've talked about the increase
23 in admissions standards, but also the offering
24 scholarship awards for non-minority students.

25 Have those measures been implemented at any of

1 the schools?

2 DR. LAYZELL: Yes, and Bill can talk to you a
3 little bit about the Mississippi Valley experience, but
4 let's start with the scholarships.

5 The endowment that -- endowments that Judge
6 Biggers created, he created five million dollar
7 endowments, specified the creation of five million dollar
8 endowments at Jackson State University and Alcorn State
9 University as part of his decree.

10 Subsequently the Mississippi legislature
11 created a five million dollar endowment for Mississippi
12 Valley State University. Last legislative session, the
13 1996 session, the legislature appropriated \$900,000 as an
14 assumed interest income on those endowments, \$300,000
15 each. They assumed a six percent rate of interest.

16 Those monies were made available to those three
17 institutions for the purposes specified in Judge Biggers'
18 decree, and even though Mississippi Valley wasn't
19 specified in the decree, same criteria were used.

20 Dr. Sutton, Dr. Lyons, now Dr. Bristo, the
21 President of Alcorn, presented plans for expenditure of
22 those funds to the Board just before the holidays, and
23 they have begun utilizing those funds, and those funds
24 will be -- the funds that are unexpended this year out of
25 that \$900,000 will be reappropriated for next year.

1 In addition, another \$900,000 will be
2 appropriated, and the legislature has a measure before it
3 right now to create -- in effect create an endowment out
4 of their rainy day fund that they have in this state, the
5 15 million dollars, so that in the future if that measure
6 passes, it will produce the interest for the endowment,
7 so that's underway.

8 The schools have different uses. They're using
9 part of that interest income for diversity scholarships,
10 part of it for enhancements of programs at the
11 institution, so that's being done.

12 There were specifically in the decree we were
13 mandated to approve a Ph.D. in social work, a Ph.D. and
14 master's in urban planning, a doctorate in business
15 administration, and some allied -- two allied health
16 programs at Jackson State working in cooperation with
17 University of Mississippi Medical Center and an MBA at
18 Alcorn.

19 All of those programs have been approved by the
20 Board and were funded this year at the rate of two
21 million dollars for all six programs, to begin the first
22 year of implementation.

23 That money will be reappropriated this year.
24 We're seeking additional funds for expansion into the
25 second year for those programs, so that's underway as

1 well, and the schools have begun hiring faculty and doing
2 the kinds of things they need to do to get geared up to
3 offer those programs, but Board --

4 MS. MOORE: It's not -- those programs aren't
5 operational as of yet?

6 DR. LAYZELL: No, no. But the Board has
7 actually approved the degree programs and money has been
8 appropriated to begin the initial planning and
9 development of them.

10 MS. MOORE: Okay. Do you have an estimate on
11 when they would be operational?

12 DR. LAYZELL: Well, I think they will be
13 accepting -- some of them may -- I can't tell you right
14 off the top whether any students were accepted into them
15 this fall, probably not because of the timing of the
16 release of the appropriation, but I think we can probably
17 expect to see our first students certainly by the fall of
18 '97 session.

19 MS. MOORE: Now, there's a summer remedial
20 program?

21 DR. LAYZELL: Summer developmental program.
22 That was part of the uniform admissions requirements. We
23 had our first summer's experience. In effect, and I have
24 Dr. Charles Pickett here with me today to elaborate on
25 any details in that program. Charles was -- at the time

1 was our association commissioner for academic affairs.
2 He is now retired and serving as our special assistant
3 for Ayers implementation, but has been very deeply
4 involved in the whole admissions program, but as part of
5 the proposal to create the uniform admissions
6 requirements, the Board represented that it would create
7 a summer developmental program, which in effect was an
8 open admissions program to students who did not otherwise
9 meet the uniform admissions requirements.

10 And the essence of the program is, it's a nine-
11 week program with emphasis on reading and composition and
12 mathematics, and if a student manages to make it through
13 that program and successfully they will be admitted to
14 any of the eight universities in the state, in the state
15 system.

16 They may be admitted without any condition.
17 They may be admitted and most are with a requirement that
18 they participate in the year-long academic support
19 program.

20 We had about 209 or 10 students this past
21 summer. Close to 200 of them made it through
22 successfully. We are just now getting the results of
23 their first semester's experience and how many of them
24 registered for the second semester, but it was a fairly
25 high rate of success in the summer and some of the early

1 stuff.

2 I've seen -- the data I've seen indicate that
3 they were doing fairly well in the fall term.

4 MS. MOORE: And does the -- of the students --
5 is this exclusively a minority program?

6 DR. LAYZELL: No, it's not exclusively a
7 minority program. People who do not meet the uniform
8 admissions requirements -- although it was heavily
9 minority in terms of the enrollments.

10 MS. MOORE: Now, are you aware at the end of
11 this summer where those students of the eight
12 institutions, where they are placed?

13 DR. LAYZELL: Yes, we know the schools. We
14 know which schools they attended and we have received
15 preliminary information on how they did the first
16 semester, and we are just now receiving registration
17 information on the second semester to find out how many
18 of them came back for second semester.

19 MS. MOORE: So I take it you have that
20 information, is it --

21 DR. LAYZELL: We will have it probably all
22 complete by the middle of this month and certainly if the
23 Commission wanted to see it, we could make that --

24 MS. MOORE: Provide it to us --

25 DR. LAYZELL: Sure.

1 MS. MOORE: We would. Can you guess, I guess
2 at this point, whether any of the students, minority
3 students, went into the traditionally white --

4 DR. LAYZELL: Oh, there were -- yes, there
5 were. We can tell you where they went.

6 MS. MOORE: But I meant right here -- I didn't
7 know if you --

8 DR. LAYZELL: I can't tell you right off the
9 top but we have that information. We know which schools
10 they went to, sure.

11 MS. MOORE: Okay.

12 DR. LAYZELL: And yes they did, some of them
13 went into the traditionally white institutions. Most of
14 them, as you might expect, did go to the historically
15 black institutions, because they took their summer
16 developmental programs there, but they were not required
17 to attend the school that they take their summer program.

18 MS. MOORE: Right.

19 DR. LAYZELL: They could go anyplace, but this
20 first summer I would say that probably the bulk of them
21 went to the historically black, but there was a fair
22 number that went to the traditionally white institutions
23 as well.

24 MS. MOORE: Now, isn't there a second track as
25 well for students not meeting that uniform requirement

1 through the community colleges?

2 DR. LAYZELL: There is. I mean, they could --
3 that's an option that any student has in the state, they
4 could enroll in the community college system.

5 MS. MOORE: And then transfer over?

6 DR. LAYZELL: And then transfer over, and if
7 they complete 24 hours successfully in the community
8 colleges, they can transfer into any one of our eight
9 institutions.

10 MS. MOORE: Now, and during your interview with
11 staff you were very favorable towards the community
12 colleges and suggested that they should play a larger
13 role in --

14 DR. LAYZELL: Well, their basic -- they are
15 essentially an open admissions set of institutions here.
16 That's their role, and they are really the major provider
17 of developmental or remedial education in the higher
18 education system.

19 We've been working very closely with them since
20 I got here in the summer of 1995 to increase our
21 articulation, improve our cooperative activities,
22 coordinate our admissions with the community colleges,
23 which was another portion of the remedial decree that we
24 should study how we could better coordinate admissions
25 with the community colleges, but we have a very strong

1 community college system in the state.

2 MS. MOORE: So do you know what the percentage
3 of matriculation is in the community colleges?

4 DR. LAYZELL: Transfers? I'm sorry.

5 MS. MOORE: In the community colleges.

6 DR. LAYZELL: Into the community colleges?

7 MS. MOORE: Yes.

8 DR. LAYZELL: No, I can't tell you what their
9 enrollment data is. They work under a separate board.
10 We don't have any jurisdiction over the community
11 colleges.

12 MS. MOORE: Okay. And I suppose you also
13 wouldn't know the composition of the community colleges
14 as well, the racial composition?

15 DR. LAYZELL: No. No, I would not.

16 CHAIRPERSON BERRY: Does he know how many
17 people transfer from community college --

18 MS. MOORE: Do you know how many transfer from
19 the community colleges --

20 DR. LAYZELL: Yes, we can give you the transfer
21 information. That was not among the information you
22 requested but we could certainly provide you with the
23 transfers. It's about -- it's probably about 3500, 4,000
24 a year that transfer into the -- out of community
25 colleges, as I remember, but we'll give you something a

1 little more precise than my memory.

2 MS. MOORE: Okay. Thank you, Dr. Layzell. I
3 think that's all I have for you. I'm going to move on to
4 Dr. Sutton and ask you, Dr. Sutton, what effect
5 specifically has the Judge's decree had on Mississippi
6 Valley State?

7 DR. SUTTON: The immediate effect was that we
8 lost about 110 new students who over the previous year,
9 in terms of new freshmen, so instead of having about 513
10 or something in '95, as we had in '95, we had about 403
11 or something like 410, so it was about a loss in terms of
12 enrollment of freshmen.

13 We were able to offset that though, so that our
14 overall enrollment did not decrease, because we had a
15 Greenwood Center open about -- in fact, in January, 1996,
16 and it was opened in Greenwood, Mississippi, which is the
17 town about eight miles, nine miles away and more white
18 students came to that center than we had previously had.

19 In fact, the number of white students doubled
20 over the previous year because they were willing to come
21 to the Greenwood Center instead of coming to the main
22 campus.

23 In addition to that we had two graduate
24 programs that got off the ground, reinstatement of a
25 graduate program in elementary education, master's degree

1 program, and a new program in -- at the master's level in
2 criminal justice.

3 And those programs more than offset the loss in
4 freshmen, so our overall enrollment went up slightly, but
5 we still are concerned about the loss of new students.

6 MS. MOORE: And those programs were
7 reinstated as a result of the decree or was that just
8 something you --

9 DR. SUTTON: I could not say that. We have an
10 opportunity periodically to request new programs.
11 Remember, the Judge did not order any new program for us.
12 He didn't order any endowment for us. He didn't order
13 anything but a study for Mississippi Valley.

14 But we continued to make requests as the other
15 institution did, and the Board approved our reinstatement
16 of the master's program in elementary ed and of course
17 they approved a new master's program in criminal justice,
18 as well as one or two other programs, for example, a BA
19 in history.

20 So we did get those programs up and going and
21 our new programs all started. We did have students in
22 our master's program in criminal justice and our
23 elementary education.

24 DR. LAYZELL: Could I interject a point --

25 MS. MOORE: Certainly.

1 DR. LAYZELL: That I wanted to get on the
2 record, because I don't think any of us have made it yet.
3 In terms of the Board's proposal that was made to the
4 Court to merge Delta State and Mississippi Valley State,
5 the Board has officially and publicly dropped that
6 proposal, so that is no longer from our standpoint an
7 issue.

8 You may remember in the remedial decree, the
9 Court said go back and study this proposal and if you
10 think this is the only way you can desegregate the Delta,
11 come back and make the case to the monitoring committee.

12 After receipt of that report entitled
13 Transformation through Collaboration, when we officially
14 received it, the Board at the very same day, the same
15 meeting, publicly dropped that proposal, so that again
16 from our standpoint is no longer an issue.

17 MS. MOORE: And Dr. Sutton, have you seen the
18 Transformation Through Collaboration report?

19 DR. SUTTON: Definitely.

20 MS. MOORE: I know it's still under review but

21 --

22 DR. SUTTON: In fact --

23 MS. MOORE: What is your institution's position
24 on your recommendations?

25 DR. SUTTON: We believe that it has a great

1 deal of merit. I might point out that Delta State and
2 Mississippi Valley State had a number of meetings at
3 which we got together a joint report from the two
4 institutions, which we submitted to the consultants.
5 They did use some of our material in their report, so
6 some of that, not all, but some of it actually came from
7 our joint meeting between the two institutions.

8 MS. MOORE: Okay.

9 DR. SUTTON: We had asked the Board to let us
10 have a shot at proposing something, which would help to
11 desegregate or further desegregate the Delta, and they
12 allowed us to submit a report to the consultants, which
13 we did.

14 MS. MOORE: And is that report something we
15 could get for the record?

16 DR. SUTTON: I'm sure it is.

17 MS. MOORE: And actually, bouncing back to Dr.
18 Layzell, you mentioned the studies that were -- that have
19 been completed on the academic programs and the study of
20 facilities that were ordered that are under review by the
21 Commission now, but I assume they have not yet been
22 released or have they?

23 DR. LAYZELL: We've released those consultants'
24 reports publicly. What the Board has done as an action
25 is they've received those reports and we're now taking

1 the reports and will develop a report officially from the
2 Board to the Court and the monitoring committee, which
3 may be nothing other than a restatement of the
4 consultants' report or it may modify it in some -- or go
5 beyond it in some way.

6 MS. MOORE: And you anticipate that in the --

7 DR. LAYZELL: The time table is to have that
8 done by July 1st.

9 MS. MOORE: July 1st, okay. It would be useful
10 if we could get the other two underlying reports. Would
11 you be able to provide them?

12 DR. LAYZELL: Sure.

13 DR. SUTTON: Here's a copy of that report that
14 we gave to the committee.

15 CHAIRPERSON BERRY: The Clerk will please come
16 over and take that. Without objection it will be
17 entered into the record.

18 MS. MOORE: And that would be Exhibit 5.

19 THE CLERK: 6.

20 CHAIRPERSON BERRY: Exhibit Number 6.

21 (Exhibit Number 6 marked for
22 identification.)

23 MS. MOORE: Dr. Sutton, again I just have a
24 couple of more questions for you. What is the percentage
25 of non-minority student enrollment at Mississippi Valley

1 State currently?

2 DR. SUTTON: I don't have the percentage but I
3 can give you the number. We have 2187 students this
4 semester. The official enrollment is 2198, I believe,
5 from the fall. And we have now 57 white students, so
6 whatever that percentage is.

7 MS. MOORE: Okay. And --

8 CHAIRPERSON BERRY: Is that an increase or
9 decrease?

10 DR. SUTTON: It's an increase. We started with
11 usually averaging between five and 12 white students, and
12 of course when we opened the Greenwood Center we went
13 from 20 students to 42 students right away, white
14 students. And now we are up to about 57 white students
15 or maybe even 63 or something, but most of those are on
16 the site in Greenwood.

17 On the main campus in Itta Bena we're still
18 around 15 to 18.

19 MS. MOORE: And the same question in terms of -
20 - well, not the same question -- what is the percent,
21 what's your racial composition of faculty staff?

22 DR. SUTTON: The non-white faculty would be
23 about 15 percent, 15, 16 percent.

24 CHAIRPERSON BERRY: Non-white or non-minority?

25 DR. SUTTON: I'm sorry, the non-black, the

1 white faculty would be about 15, 16 percent.

2 CHAIRPERSON BERRY: And is some of the white
3 faculty not white faculty but people who are other people
4 of color?

5 DR. SUTTON: The non-black faculty would be
6 Indians, Asians, others. Most of them are American
7 white.

8 MS. MOORE: Finally, Dr. Sutton, just shifting
9 gears --

10 DR. SUTTON: I believe it's 21, according to
11 the records that we have, which would be a little bit
12 more than 15 percent.

13 CHAIRPERSON BERRY: 21 percent or 21 people?

14 DR. LAYZELL: 21 white faculty.

15 DR. SUTTON: 21 white faculty.

16 DR. LAYZELL: According to our fall ADO report.

17 CHAIRPERSON BERRY: Asians?

18 DR. LAYZELL: No, these were white. We've got
19 -- again, this is part of the submission we're giving
20 you, so --

21 CHAIRPERSON BERRY: You're giving it to us
22 anyway, so --

23 DR. LAYZELL: Yeah, we're giving it to you
24 anyway.

25 MS. MOORE: Just --

1 DR. LAYZELL: I can read you the numbers.
2 You're welcome to it. We're giving it to you anyway.

3 MS. MOORE: That's all right. Dr. Sutton, does
4 Mississippi Valley State presently have outreach programs
5 for elementary and secondary students?

6 DR. SUTTON: Yes, we do.

7 MS. MOORE: Can you describe those for me?

8 DR. SUTTON: We have an NYSP program, National
9 Youth Sports Program, wherein we bring elementary school
10 kids to the campus on summers and on Saturdays during the
11 academic year, and of course that runs for a number of
12 weeks in the summer and then so many Saturdays during the
13 year.

14 We also have two -- three of the trio programs,
15 upward bound, and we have the academic support program,
16 which is not for secondary but for college kids, but the
17 upward bound program and there is one other, I've
18 forgotten what's the other one, but there are three of
19 them we have, so yes, we bring in to the campus
20 significant number -- I think the upward bound program
21 has something over 100 and the other program, as well.

22 We also run a GED program which is for the
23 sons, daughters, of migrant farm workers, and we usually
24 have a number in the academic year of 50 to 60, but then
25 in the summer we could have even a hundred or more in

1 that program.

2 MS. MOORE: Okay. I'm going to ask you one
3 final question and it's probably very subjective, but I'd
4 just like your view on it at any rate.

5 In terms of the entering classes, coming out of
6 the public school systems in Mississippi, how would you
7 assess their academic strength when they enter your
8 university?

9 DR. SUTTON: Well, it varies a great deal. We,
10 of course, have those who barely meet the admission
11 standards, especially the new admission standards. We
12 have probably a larger number of those who barely meet
13 the standards than most of the other institutions,
14 because of our location and the level of preparation in
15 this Delta area is a bit behind the rest of the state.

16 And because of us being in the middle of the
17 Delta, we get a disproportionate number and prior to the
18 admissions standards, we would always get those students
19 who are just able to get in, whatever the admission
20 standard.

21 So we had a very strong remedial program or
22 reinforcement program prior to the summer program. We
23 had strong programs to -- support program and we still
24 have those programs, and of course we changed the
25 programs to meet the requirements of the decree, when we

1 implemented the new admission standards.

2 But we had an entire area that we called
3 academic skills -- that about a quarter of our students
4 participated in.

5 MS. MOORE: And successfully completed or --

6 DR. SUTTON: Well, it was not as precise as
7 that, because if you were only weak in mathematics, you
8 only did mathematics. If you had to do English or
9 reading, so it wasn't like the summer program where you
10 had a --

11 MS. MOORE: I see.

12 DR. SUTTON: -- you had a successful
13 completion, but in addition to that, our program didn't
14 just do remediation. You could get help with calculus or
15 any other kind of help that you wanted in any academic
16 area, so it wasn't all remedial. It was academic
17 support, as well as remedial.

18 MS. MOORE: Thank you, Dr. Sutton. Dr.
19 Morganti, I guess I have a similar set of questions for
20 you. You actually in your opening statements given us
21 quite a few statistics with respect to the composition of
22 the faculty and the student body at Delta. Does this
23 also constitute in terms of the minority enrollment, is
24 that an increase from -- prior to --

25 DR. MORGANTI: I was looking at the numbers

1 this morning and it has -- it's an increase of about I
2 think seven or eight percent over the past ten years.
3 Some years we've had a slight decline and other years
4 we've had a large gain, but overall it's -- our minority
5 enrollment is the fastest growing population on campus.

6 MS. MOORE: Is there a summer remedial program
7 currently at Delta State as well?

8 DR. MORGANTI: The same program that --

9 MS. MOORE: Right. And what's the racial
10 composition of the students who have entered into the
11 program at Delta State?

12 DR. MORGANTI: I think we only had two students
13 enrolled in it.

14 MS. MOORE: I see.

15 DR. MORGANTI: Do you recall, Commissioner?

16 DR. LAYZELL: No, but we can provide you with
17 that. It was less than five students and --

18 MS. MOORE: Overall what was the enrollment in
19 the summer --

20 DR. MORGANTI: 200 plus. Students were free to
21 go to any one of the eight institutions they wanted to.
22 There were no -- it was their choice which institution
23 they chose to go to to take the summer developmental
24 program.

25 DR. SUTTON: I might point out --

1 DR. MORGANTI: I had one at Old Miss.

2 DR. SUTTON: Because we were likely to lose
3 more students, we made a concerted effort to get those
4 students, so we had 76 students in our program. Of that
5 76 five dropped out for various reasons, leaving 71, and
6 67 out of the 71 completed the program.

7 MS. MOORE: Okay.

8 DR. SUTTON: But we did put forth a great deal
9 of effort because we were going to lose more students
10 because of the increase in admission standards, and
11 because of the level that a lot of the students are in
12 this area.

13 MS. MOORE: Dr. Layzell, the information that
14 you've provided us for the record will include figures
15 for Alcorn State as well?

16 DR. LAYZELL: Yes. I mean, the information
17 that you requested is being submitted for all eight
18 institutions, and you during the course of this
19 discussion, we've come up with a couple other things that
20 --

21 MS. MOORE: Absolutely.

22 DR. LAYZELL: -- that will have --

23 MS. MOORE: And once the Commissioners get to
24 you, we may have even more.

25 DR. LAYZELL: What data we've got.

1 MS. MOORE: Thank you, gentlemen. I will now
2 pass the questioning to the Commissioners.

3 CHAIRPERSON BERRY: Vice Chair, do you want to
4 start?

5 VICE CHAIRPERSON REYNOSO: I have a general
6 question really for each -- for all of the panelists, and
7 I just want to get your assessment of, if you will, the
8 state of public higher education in Mississippi. Are a
9 greater number of students now attending percentage-wise
10 now attending higher institutions, say than five years
11 ago, and what's the situation with respect to minorities,
12 both undergraduate and graduate, again keeping in mind at
13 least in my view that if Mississippi is going to compete
14 successfully in new world economy, education, it seems to
15 me, is the key, and education for really all of the
16 citizens of this state.

17 . I just -- how is the higher education looking
18 in Mississippi?

19 CHAIRPERSON BERRY: That's a Dr. Layzell
20 question.

21 VICE CHAIRPERSON REYNOSO: Yeah.

22 DR. LAYZELL: It sounded like one to me. Well,
23 let me give you a couple quick numbers. Over the past
24 ten years we've had about a 28 percent increase in
25 minority students in the IHL system. Not all of that has

1 been at the historically black, Mississippi State has
2 shown a significant increase, University of Southern
3 Mississippi, University of Mississippi is making some
4 concerted efforts themselves to increase their minority
5 enrollment, so it is not -- just when I give you those
6 numbers we're not just saying that's at the three
7 historically black institutions.

8 And the degrees granted to minority students
9 track pretty closely with that increase in enrollment,
10 about a 28 percent increase in degrees granted to
11 minority students.

12 We're seeing a larger number of students, as
13 most states are, of the so-called non-traditional
14 students, which are rapidly becoming the traditional
15 students in today's university, but the age 25 and above.

16 Mississippi has a fairly high proportion of its
17 high school graduates enrolled in public, post-secondary
18 institutions and that includes community colleges as well
19 as the IHL institutions.

20 In fact, if it's not the highest in the country
21 in terms of -- in percentage terms, it's probably the
22 second highest. So there's a lot of opportunity here for
23 the students to go on and get higher education, but it's
24 a small state. I mean, we've got 60,000 students in our
25 system and probably another 90,000 or so in the community

1 college system, in a state that's two and a half million,
2 2.6 million people.

3 We are going to have to do I think an even
4 better job of reaching out to not only the traditional 18
5 to 24-year-old cohort, but the non-traditional students.

6 Mississippi is in a very fortunate situation
7 right now economically. The state's economy is strong.
8 Industries are moving here. The casinos, of course, have
9 brought a lot of revenues into the state, but it's --
10 other businesses are coming to the state as well, and
11 it's kind of a good news-bad news.

12 What we're running into is we need more trained
13 workers than we're able to produce, and I also sit on the
14 State Work Force Council by virtue of my position of
15 being Commissioner of Higher Education, and we struggle
16 with that question in virtually every meeting.

17 My sense of the state in terms of its higher
18 education system is there's a lot of potential here to
19 really make some very positive strides in the next few
20 years. I was struck by that when I came down here a year
21 and a half ago to interview for the position.

22 I came from the State of Illinois. I have been
23 here for 30 years. I had been in Mississippi once in my
24 life on a vacation, and so I didn't know a whole lot --
25 Bill and I had worked together in Illinois, so I knew

1 Bill and I knew a couple other people in the state, but
2 just -- my sense was that the potential for some very
3 positive developments was very high here, and people are
4 feeling very optimistic about the higher education
5 system. And say oh, that's a Commissioner saying, you
6 know, pumping -- but I think it's real.

7 VICE CHAIRPERSON REYNOSO: I was interested in
8 the testimony from the prior panel that the community
9 college system in the state, one, has a lot of public
10 support, and two, that it has continued to be a feeder
11 for four-year institutions.

12 In California we're having sort of a hard time
13 maintaining that traditional role of community colleges.
14 Do you have a large percentage of minorities that attend
15 the community colleges?

16 DR. LAYZELL: I think the answer is yes. I
17 can't give you a precise percentage, but -- and as I
18 mentioned earlier, that is not a system that's under our
19 jurisdiction, but a lot of students will go to the
20 community colleges. There's 15 of them. They have
21 branch campuses throughout the state. They are low cost,
22 and they provide good education, so a lot of people will
23 take those first two years and then transfer on into one
24 of the eight IHL institutions.

25 VICE CHAIRPERSON REYNOSO: Dr. Sutton?

1 DR. SUTTON: I might point out though that the
2 transfer rate among minorities who go to the two-year
3 colleges is not as high as the transfer rate for the
4 majority students who go. Many of them get into non-
5 academic tracks.

6 VICE CHAIRPERSON REYNOSO: Well, we have that
7 phenomenon in California also where perhaps -- well,
8 certainly the greatest number of minorities in California
9 are in the community college system, but the transfer
10 rate seems to have gone down and a lot of the students
11 are in specialized courses whereas when I was a
12 youngster, it was a more traditional way of going to a
13 community college and a four-year institution, and the
14 impression I got from prior testimony, that what I heard
15 as traditional role of community colleges has been
16 maintained in Mississippi, so I was interested in that,
17 because it's obviously a cheaper way of educating our
18 students and --

19 DR. SUTTON: The transfer rate is very high for
20 the very good athletes.

21 DR. LAYZELL: I think you're probably find some
22 of the same phenomena here that you would find in other
23 states, maybe just -- if not at great a rate. I mean, we
24 have the same problem -- we had a huge community college
25 system in Illinois, had many of the same problems that

1 you talk about in California, but I think it's -- you can
2 see some of the same trends here in Mississippi. It
3 probably just isn't as significant as it would be in your
4 state and my former home state.

5 VICE CHAIRPERSON REYNOSO: Very good. Thank
6 you.

7 CHAIRPERSON BERRY: Commissioner Lee, do you
8 have a question?

9 COMMISSIONER LEE: I have a couple questions
10 for Dr. Layzell. Do you have any statistics on the
11 percentage of minority students who are receiving
12 scholarships and what kind of scholarships are available
13 to them?

14 DR. LAYZELL: We do, and that's again part of
15 the submission that we will give to you, and what we're
16 giving you is scholarship, institutional, state, federal
17 scholarship information by racial category, by male,
18 female, and so that is part of the submission.

19 COMMISSIONER LEE: And have you seen any marked
20 difference or decrease of the drop-out rate because of
21 your summer remedial programs?

22 DR. LAYZELL: We just have one summer's
23 experience. I think it's going to take two or three
24 summers before you begin to get a handle. I don't think
25 what happened last summer is a good test of this program

1 at all.

2 COMMISSIONER LEE: Okay. And if I can ask one
3 more question to the rest of the panel, for the students
4 who have since dropped out for whatever reason, if you
5 can just give me a sense of why they dropped out? Have
6 there been any efforts to -- some sort of a reentry
7 program to bring them back into the school system?

8 DR. SUTTON: Let me say that at Mississippi
9 Valley the reasons for dropping out are varied, widely
10 varied. They range from economic reasons to jobs and --
11 which is connected with the economic reason. People feel
12 that they have to work and can't really afford to go to
13 school unless they can do both and some are not able to
14 do both, because of their background and ability.

15 We have some, of course, to drop out for
16 academic reasons and it's just a wide range of reasons.
17 Some do not have support at home for going into higher
18 education. It's a broad sense around some of the poor
19 communities, especially in rural, and sometime in urban
20 areas, where the parents and grandparents feel that
21 finishing high school is -- you're finished, and if you
22 come out of a home where that is the attitude, you don't
23 have that great support for higher education.

24 We do get some who overcome all of that and do
25 very well. So there is no standard that I could give you

1 that this is the reason, that is the reason. It's a wide
2 range of reasons.

3 And so far as our effort to bring those
4 students back into our education, we have recruitment not
5 only at high schools, which is normal, we set up
6 recruitment stations at malls and at churches and things
7 where these people would be.

8 We deal with ministers and social workers, as
9 well as community centers, and so yes, we do try to reach
10 them whatever way we can.

11 COMMISSIONER LEE: So you mentioned about the
12 economic -- the students who drop out for economic
13 reasons.

14 DR. SUTTON: Yes.

15 COMMISSIONER LEE: Are there any programs like
16 work study programs or anything to help them financially?

17 DR. SUTTON: Oh, yes. We have all of the
18 federal program, work study, all of the Title 4 programs
19 and PELL and SEOG and all of those. But if they feel
20 they have to have a job with a check coming in every
21 month, to help pay bills, we can't promise that for
22 school, you see, and some of them take tremendous loans,
23 as much as they can get, and that's in order not to just
24 go to school but to help out at home, and some seem to
25 have the full responsibility for surviving and they take

1 the grants and loans and whatever they can get to help
2 pay bills instead of just go to school.

3 So that makes it awfully tough and of course if
4 they do poorly in school, then they drop out and then
5 they're not likely to pay back, because they get a low
6 paying job. And then the default rate escalates.

7 CHAIRPERSON BERRY: Go ahead.

8 VICE CHAIRPERSON REYNOSO: We're seeing in
9 California, and I think certainly in other states, a
10 trend on the part of higher institutions, public higher
11 institutions, higher education, of going to the community
12 far more than they did before for financial assistance,
13 particularly their own alumni.

14 I've been interested in how dramatically that
15 has changed in just a few years. I wonder if the same
16 trend is seen in Mississippi. I know that some of your
17 institutions have been around long enough to have a lot
18 of alumni and so on. Do you have the same trend here in
19 Mississippi or is that rather quiescent? I just notice
20 that those trends seem to differ from state to state and
21 California they seem to be going very strongly now.

22 DR. SUTTON: I would think that's it's the same
23 trend and the state, however, I would hasten to point out
24 that our institution was just opened in 1950, so we are a
25 relatively young institution and when it was opened in

1 1950, it was a vocational and teacher education
2 institution, so we had a number of people who were not in
3 degree programs. We had a number of program such as
4 brick laying and all the mechanism that -- a variety of
5 things, which did not lead to degrees.

6 The persons who came out of that program are
7 not likely to be major contributors.

8 VICE CHAIRPERSON REYNOSO: Yeah.

9 DR. SUTTON: Obviously most of our people went
10 into teacher education and the salaries here for teachers
11 -- salaries are a bit low. Therefore, you cannot expect
12 major contributions. However, I will point out that in
13 the last eight or ten years we have seen the
14 contributions increase even though they're small.

15 DR. LAYZELL: Trends are the same, the scale is
16 different.

17 VICE CHAIRPERSON REYNOSO: Is that true at
18 Delta also?

19 DR. MORGANTI: We have the same experience. We
20 were created as a teacher trading institute, and --

21 VICE CHAIRPERSON REYNOSO: Normal school?

22 DR. MORGANTI: Right. For years we didn't
23 really --

24 VICE CHAIRPERSON REYNOSO: I always wondered
25 what an abnormal school was.

1 DR. MORGANTI: For years we really did not
2 concentrate on private fund raising, but finally we got
3 our courage up and went out and launched a five million
4 dollar campaign, which for us is big, and within a year's
5 time we surprised ourselves. We had pledges in excess of
6 six million dollars. Those were endowments for an
7 excellence in science program, for faculty development,
8 and for programming for our performing arts.

9 We have a new performing arts center that we
10 can't bring in the type cultural programming to the Delta
11 that we think the Delta deserves based on ticket sales,
12 so the proceeds from this two million, that part of the
13 endowment, will supplement those activities.

14 CHAIRPERSON BERRY: Counsel had one more
15 question.

16 MS. MOORE: Thank you, Madam Chair. I wanted
17 to put the question to Doctors Sutton and Morganti.
18 Whether on your campuses you perceived racial and ethnic
19 tensions prior to Ayers and whether that -- whether the
20 decree in the case has done anything to alleviate the
21 perceived problems prior to that litigation.

22 DR. SUTTON: Actually the tension, if there is
23 tension, is not so much related to the campus. It's a
24 historical type thing. When desegregation came to the
25 Delta, a large number of academies were created for white

1 students, and that is still going very strong here.

2 So we have to overcome a great deal in order to
3 make people feel comfortable coming to school in a
4 desegregated higher education system, when the elementary
5 and secondary education is still highly segregated,
6 because of the private academies.

7 I don't know the exact numbers, but I think in
8 Laflore County we have a county system and a Greenwood
9 Independent School District, and the numbers are about 80
10 some percent black in each of those, and approaching 90
11 percent in the county schools, and ten percent white, 12
12 percent or something.

13 So as long as you have that kind of thing
14 existing as they go from kindergarten through 12th grade,
15 it's very difficult to make them change immediately on
16 finishing 12th grade to come to historically black
17 college.

18 So we have that to overcome and I can see some
19 changes at both ends. I can see that some things
20 happening in the communities and the rotary clubs and on
21 bank boards and also in the chambers of commerce that we
22 are beginning to participate a bit more, and that will
23 help, but we have a long ways to go.

24 MS. MOORE: Dr. Morganti?

25 DR. MORGANTI: I would say basically the same.

1 I think we're all becoming more comfortable with each
2 other as time goes along, and as to the Ayers case
3 specifically, I don't think there was any effect on
4 tensions on our campus.

5 There was a great effect on uneasiness because
6 of the uncertainty that was involved, because Mississippi
7 Valley State was highly affected, but we were affected as
8 well, because with the merger of the institutions, no one
9 knew what was going to emerge. It was an institution
10 that we would have to gain public acceptance for, because
11 it wouldn't be them and it wouldn't be us. You know, and
12 those are the people your alumni identify with, but I
13 think uneasiness more than tension.

14 CHAIRPERSON BERRY: I have a number of
15 questions myself. First of all, Dr. Layzell, how many --
16 I know you have it in the numbers but I need to lay the
17 foundation for my question. How many students altogether
18 attend higher education institutions other than community
19 colleges, since you're not responsible for community
20 colleges?

21 DR. LAYZELL: Last fall 60,557.

22 CHAIRPERSON BERRY: 60,557, which is a smaller
23 number than exist on some major campuses and northern
24 universities. I don't know how many are at your campus,
25 but at most public universities in the North, you'd have

1 that many students on one campus, University of Maryland
2 I'm sure has that many, for example. Texas has that
3 many. I don't know how much Illinois has, but --

4 VICE CHAIRPERSON REYNOSO: I think we're up
5 near 35 or 40,000.

6 CHAIRPERSON BERRY: You may have 35 or 40. So
7 you're talking about eight institutions of higher
8 education with enrollments that altogether make up less
9 than one public research university in some northern
10 states.

11 DR. LAYZELL: That's right.

12 CHAIRPERSON BERRY: Am I right about that?

13 DR. LAYZELL: That's right.

14 CHAIRPERSON BERRY: And the State of
15 Mississippi is one of the poorest states in the Union, if
16 I have noticed the information correctly, unless I'm
17 wrong.

18 DR. LAYZELL: I think you're right.

19 CHAIRPERSON BERRY: And the Delta is one of the
20 poorest places.

21 DR. LAYZELL: I think you're right there too.

22 CHAIRPERSON BERRY: How in the world does the
23 State of Mississippi have enough money to keep eight
24 first rate institutions of higher education going, when
25 most states can't even keep one going? I don't -- I

1 mean, are we seeing here simply a perpetuation of the
2 inequities of the past and a sort of dumbing down of
3 higher education in Mississippi to meet the requirements
4 of what you can fund, and side stepping the whole issue
5 of desegregation?

6 For example, why wouldn't it have made more
7 sense to make Dr. Sutton the President of a Mississippi
8 Valley-Delta State merged institution, and mixed the
9 faculty black and white, Asian, Hispanic, whatever they
10 are, on the campus and try to create a first rate
11 institution, than to keep going on -- I mean, what other
12 reason besides racial divide and politics, which is
13 related to racial divide, would keep that from happening?
14 I don't understand it. It's very confusing.

15 DR. LAYZELL: Well, and you will see that our
16 consultants took a look at that question and recommended
17 to the Board that we not pursue it, and you can't ever
18 divorce politics from higher education in this country,
19 any more than you can divorce it from any other sector in
20 society, but I think the feeling was that it didn't make
21 good education sense or even good economic sense to try
22 to merge these two institutions.

23 And you'll see the rationale elaborated on in
24 that report. And the Board accepted that. I mean, as
25 far as we're concerned I think in this state, the issue

1 of merger is dead, it's over with. I mean, we're moving
2 on. We've got eight institutions.

3 My view personally and I think the Board's view
4 is we want to make each one of these eight institutions
5 the best it can be at what it does. We want Mississippi
6 Valley to be the best Mississippi Valley and so forth, up
7 and down the line.

8 CHAIRPERSON BERRY: How you going to do that
9 when you don't have the resources to run even one -- the
10 last time I looked none of the Mississippi higher
11 education institutions were in this top 20 universities
12 in this country, unless I'm looking at the wrong data.

13 DR. LAZZELL: Well, there's a lot of
14 institutions that aren't in the top 20 in this country.

15 CHAIRPERSON BERRY: I know that.

16 DR. LAZZELL: About 3,200 and some odd.

17 CHAIRPERSON BERRY: That's right.

18 DR. LAZZELL: So what?

19 CHAIRPERSON BERRY: So I just wonder --

20 DR. LAZZELL: We think we've got a pretty good
21 system of higher education and we think we can make it
22 better, and yeah, these institutions -- you know, I come
23 from a state -- I come from the Midwestern states. These
24 are relatively small institutions by my lights, and they
25 support a pretty heavy professional and graduate school

1 overhead structure.

2 But we think they're delivering pretty good
3 education to the people in Mississippi, and we think they
4 could be made better. Sure, are we going to have to
5 prune some programs? Sure, we're going to have to do
6 that.

7 We're going to have to be careful how we spend
8 our money? Sure. The State of Mississippi puts 1.4
9 billion dollars into these eight institutions. Now, in a
10 small state like this, that's a lot of money. It's a lot
11 of money.

12 CHAIRPERSON BERRY: Is it fair to the people of
13 Mississippi? Is it fair to the students in Mississippi?
14 Is it fair to the poorest students who are struggling?
15 Is it fair to the poor African American students in the
16 Delta? Is it fair to spend money at a time when public
17 education -- we heard testimony about all of the places
18 bereft of resources and this and that and more money
19 needed for teachers to be competitive.

20 We heard all kinds of problems since we've been
21 sitting up here this morning listening to it, and about
22 the inferior quality of the education that poor students,
23 especially poor people, period, but poor African American
24 students in the Delta, or the Delta are receiving -- is
25 it fair to spend all that money to perpetuate eight

1 institutions of higher education and, sure, you make it
2 the best that they can be under the circumstances, than
3 to look at some other priorities, and it's just simply a
4 matter that politics keeps anybody from doing that? Is
5 that basically just the status is living, trying to do
6 something about what happened in the past, trying to
7 remedy it in the way that politics will permit you to do,
8 and that you're just doing the best you can?

9 DR. LAYZELL: You can go into any state and
10 talk about closure. I mean, we went through this in
11 Illinois, which is a much bigger, much wealthier state.
12 Bill was at an institution that people wanted to close
13 when we were there and I was chancellor of the --

14 VICE CHAIRPERSON REYNOSO: -- statistics --

15 DR. LAYZELL: That's right, and we fought it
16 there because we thought that Chicago State University
17 was providing a needed service to the people of Illinois,
18 so I think -- I'm not going to waste a lot of time
19 worrying about merger or closure.

20 We're going to work on -- concentrate our
21 efforts on trying to make these schools the best they can
22 be. Again, as far as I'm concerned, that issue is over
23 with. I mean, we're not going to revive merger closure
24 issues. You waste a lot of resources fighting those
25 fights, and ultimately most of them are not successful.

1 CHAIRPERSON BERRY: After you get all this
2 money, the money you talked about for the various
3 endowments and the other things that you've talked about
4 here, is that enough money to really make any real
5 improvements in the quality of education at these schools
6 in your view?

7 DR. LAYZELL: Yeah, I think it is. I mean, if
8 you spend it carefully. I mean, how much is too much?
9 We spent two billion plus a year in Illinois on our
10 public university system. How much do you spend in
11 California?

12 VICE CHAIRPERSON REYNOSO: I don't know.

13 DR. LAYZELL: A lot of money.

14 CHAIRPERSON BERRY: Well, and you say you have
15 admission standards that are the same for all the
16 institutions now. Right? Did I hear you correctly?

17 DR. LAYZELL: Right.

18 CHAIRPERSON BERRY: I've been working on this
19 for a long time. I didn't just come to this as a johnny-
20 come lately. I used to run education programs in the --

21 VICE CHAIRPERSON REYNOSO: Jane-come-lately.

22 CHAIRPERSON BERRY: Jane-come-lately. And one
23 of the things I had to deal with when I was running
24 education programs was the argument that I should take
25 funding away from some of the historically black

1 institutions, because of their high default rates and so
2 on, and that I should close them, make them close
3 thereby, because they wouldn't have any money, because
4 they weren't needed.

5 And the principal argument I used in order to
6 avoid having to do that, and it was a political
7 discussion, was that where were the students going? I
8 mean, if you could prove to me that all the students who
9 went to Mississippi Valley or Alcorn or Jackson State or
10 wherever they went would all be welcome with open arms
11 into the other institutions, that then we could sit down
12 and have a conversation.

13 And the people who were proposing that
14 relented, because it was clear that these institutions
15 were taking care of students who wouldn't be welcome in
16 the other places.

17 And in many cases, because of the bad public
18 education system from which they came and certain
19 historic inequities. Now you're telling me that
20 admission standards are the same, which means that there
21 really is, except for the politics of the situation,
22 which is really I guess important, no reason why all the
23 students who go to one institution or the other -- forget
24 Mississippi Valley and Delta State, let's talk about the
25 other ones -- couldn't go all to the same institution.

1 And so I am only asking this because I get to
2 ask tough questions. You've answered it as much as you
3 will. Asked, answered, I understand that, but I'm just
4 saying that it still seems clear to me that the state
5 hasn't really addressed the problem but has really sort
6 of side stepped the problem, and I guess that's the most
7 anybody can do, not just here in Mississippi, but
8 everywhere else, and let's just take care of the higher
9 education needs of these students and I guess do the best
10 you can with what you have.

11 All right. Yes.

12 DR. LAYZELL: That's what we're doing.

13 CHAIRPERSON BERRY: Yes. Commissioner
14 Anderson, do you have any questions of this panel?

15 COMMISSIONER ANDERSON: Well, I guess I would
16 have maybe one or two. We had on a previous panel
17 someone who seemed to be very strongly involved in
18 promoting higher education, promoting education, period,
19 in this community, and he saw opening a new campus here
20 an important aspect of the whole building and
21 infrastructure that would support strong public education
22 at the secondary level.

23 So I'm sort of a little bit confused, talking
24 about closing higher education institutions, where here's
25 somebody who is not talking about merger but he's talking

1 about opening up a campus or opening up a branch as a way
2 of encouraging education within the community in general
3 and attracting the kind of people to the community who
4 would then build public education at the higher education
5 but also secondary education.

6 I mean, maybe you could address for us what you
7 think the relationship is between having a university or
8 a campus in the community in terms of the entire culture,
9 educational culture of the community?

10 DR. LAYZELL: Well, we're supporting the
11 development of a facility here in Greenwood. Both Delta
12 State and Valley have offered courses here, have offered
13 courses here -- Greenville, I'm sorry. Greenwood is also
14 another --

15 CHAIRPERSON BERRY: Another campus.

16 DR. LAYZELL: If the paper is here, I'm going
17 to get in trouble, I can tell you. Greenville -- I know
18 where I am -- in any event, we are supporting the
19 development of this facility in Greenville, and again you
20 will see that reference in the report on the
21 Transformation Through Collaboration as a means of
22 diversifying higher education opportunities here, but
23 you'll find this throughout the state.

24 There are centers, off-campus centers in Tupelo
25 and Southhaven, in Greenville now, and Greenwood and

1 Meridian. We have enormous pressure from the Gulf Coast
2 to expand our programming in the Gulf Coast now, because
3 that's the fastest growing area in the state.

4 This is part of the overall development of the
5 economy of the state. People are saying we need more
6 education, we need more K-12, more and better K-12, we
7 need more and better higher education, and one of the
8 ways that they've chosen to address it here is to create
9 these satellite centers to deal primarily with the folks
10 who are place bound in the state.

11 So we are very supportive of the situation here
12 in Greenville. Now, there's -- in fact, there's a bond
13 bill going through the Mississippi legislature right now
14 that would begin the funding process to develop the
15 facility.

16 COMMISSIONER ANDERSON: Well, I don't want to
17 get in large discussion about pedagogical methods, but I
18 mean, my son goes to a campus in Virginia that's 28,000
19 students, and you know, he's very happy there, but I'm
20 not sure 300 students in a biology class is necessarily
21 the ideal way of going about it, so I guess my view would
22 be that bigger isn't always better in terms of
23 universities.

24 Now, there are other factors obviously that
25 come into play, but would you address for just half a

1 minute? I mean, would --

2 CHAIRPERSON BERRY: What do you think of his
3 son's institution?

4 DR. LAYZELL: I think he ought to transfer to
5 Mississippi.

6 COMMISSIONER ANDERSON: I was taking some notes
7 here but --

8 DR. LAYZELL: I have a daughter that goes to
9 the University of Wisconsin at Madison and we're trying
10 to get her to come down here to go to graduate school,
11 but -- so we'd welcome your son.

12 DR. SUTTON: Might I just point out that the
13 college degree rate in Mississippi is behind the average
14 for the nation. Part of the problem that people give is
15 it's inconvenient for me to get to college. It's not
16 convenient. I can't work and go -- so having these
17 centers will help to remove that as a hurdle for more
18 people, so therefore, we have them around the state
19 trying to make it more convenient for people to go to
20 higher education institution, and Greenville having
21 nearly 50,000 people and no higher education institution,
22 public or private, we teach some classes over here and
23 Delta State, that's also -- Mississippi Delta Community
24 College is located east of here but also has a little
25 center here, which it's outgrown.

1 the hearing -- the next panel on education examines
2 the question, Is Mississippi on the Right Path to
3 Providing Equality of Opportunity at its Colleges and
4 Universities? General Counsel Moore, would you
5 please call the witnesses for this panel?

6 MS. MOORE: Yes, Madam Chair. Before calling
7 the panel I have two announcements. We have two
8 witnesses who are unable to be with us today. Mr. J.
9 P. Mills, we understand was hospitalized this morning
10 and although under subpoena is unable to make it, and
11 --

12 CHAIRPERSON BERRY: Being in a hospital is a
13 reason to defy subpoena? I think we should order the
14 marshals to drag him out of hospital bed. I'm only
15 kidding. Let the record show that I'm only kidding.

16 MS. MOORE: The second witness who was invited
17 from the University of Illinois, Dr. James D.
18 Anderson, was unable to make his flight and is also
19 not in attendance today.

20 CHAIRPERSON BERRY: And he is out of subpoena
21 range, so that's not an issue.

22 MS. MOORE: Yes. So would the two remaining
23 witnesses, Professor Davis and Robert Kronley, please
24 come forward and remain standing?

25 CHAIRPERSON BERRY: Please find your chairs and

1 remain standing and raise your right hands to take the
2 oath.

3 (Witnesses sworn.)

4 CHAIRPERSON BERRY: Please have a seat. Thank
5 you. General Counsel, could you begin with the
6 witnesses?

7 MS. MOORE: Yes, thank you, Madam Chair.
8 Professor Davis, beginning with you, would you please
9 state your name and position for the record?

10 PROFESSOR DAVIS: I'm Robert Davis. I am an
11 associate professor of law at the University of
12 Mississippi School of Law.

13 MS. MOORE: And Mr. Kronley? We've heard about
14 you from the previous panel but if you would state your
15 name.

16 MR. KRONLEY: I'll have ample opportunity to
17 deny everything they said. My name is Robert Kronley.
18 I'm a consultant in Atlanta, Georgia.

19 MS. MOORE: Thank you. Professor Davis, do you
20 care to make any opening remarks?

21 PROFESSOR DAVIS: I do have a brief opening
22 statement.

23 MS. MOORE: Please, you may proceed.

24 PROFESSOR DAVIS: If I may. Good afternoon,
25 Madam Chair, and distinguished members of the Commission.

1 I am honored to have the privilege of providing my
2 thoughts regarding the future direction of higher
3 education in Mississippi.

4 Let me acknowledge at the outset that I am not
5 an education technician but an objective academician with
6 no vested interest in the preservation of one or several
7 institutions over the other.

8 My concern is and always has been the qualify
9 of education provided in the State of Mississippi. I
10 have a five-year-old son whose education future is of
11 immense concern to me.

12 I am concerned about the educational future of
13 every child in this state, because based on my ten years
14 at the University of Mississippi Law School teaching
15 students, the general quality of education and level of
16 preparation is mediocre at best.

17 Restructuring higher education in Mississippi
18 will take a concerted effort by every group with a vested
19 interest. The controlling factor in my view must be
20 quality of future education in this state.

21 We should no be overly concerned about
22 protecting alta maters or particular turfs or
23 institutions. The driving force behind reform here in my
24 opinion should be to provide the best quality of
25 education given our limited resources for all of our

1 citizens.

2 Unfortunately, in my view, the focus of all of
3 the parties in the Fordice litigation has not been on the
4 quality of education 20 years from now, but on preserving
5 certain interests today. Such a focus is misplaced.

6 Let me ask you for a moment to imagine that you
7 are a part of the authority to restructure higher
8 education in this state. You come to the table not with
9 an agenda, not with strong allegiances to any one
10 institution, but with the single-minded purpose of
11 improving the quality of education in Mississippi for our
12 children.

13 The question that we need to answer is how
14 would we best accomplish improving the quality of
15 education in Mississippi as the state spends
16 approximately 180 million dollars annually on the present
17 system.

18 Judge Biggers for the United States District
19 Court for the Northern District of Mississippi made
20 several factual findings in 1995. I will submit that to
21 you all rather than go through some of those factual
22 findings, but from my perspective Mississippi needs to
23 develop one state-wide university system.

24 I had not met Dr. Layzell before today. I
25 heard him right the end of his presentation. I was quite

1 frankly a little disappointed that he was of the
2 perspective that he shared with the Commission, and I
3 will happy to amplify on that as we go forward.

4 What I am suggesting is that the parties
5 consider -- what I am suggesting, the parties may
6 consider not to be constitutionally mandated, and in fact
7 that's one of the findings that Judge Biggers provided,
8 but I think it would certainly meet the spirit and letter
9 of the Supreme Court's direction in Fordice.

10 Moreover, the approach would reflect a new
11 beginning for Mississippi's education, one that promotes
12 efficiency over duplication, economy over waste, and
13 quality over mediocrity.

14 Thank you.

15 MS. MOORE: Thank you, Professor Davis. Mr.
16 Kronley?

17 MR. KRONLEY: Thank you, Ms. Moore. Madam
18 Chairwoman, members of the Commission, thank you for the
19 invitation to testify. I'm delighted to be here.

20 I am a consultant and one of my clients is the
21 Southern Education Foundation, which is an Atlanta based
22 public charity, which for more than 130 years has been
23 deeply concerned about equity in all of public education.

24 One of the things I did recently about two
25 years ago was direct for the foundation a panel on

1 educational opportunity in post-secondary desegregation,
2 which published its findings in this monograph called
3 Redeeming the American Promise, which was released in
4 1995 and it has been referred to as the most
5 comprehensive survey of minority opportunity in higher
6 education in 30 years.

7 Subsequent to that, and I understand there's
8 been previous testimony about this, two colleagues and I
9 authored a report entitled Transformation Through
10 Collaboration, Desegregating Higher Education in the
11 Mississippi Delta, which deals -- which is in response to
12 Judge Biggers' order to the Board to investigate and see
13 if there were no practical alternatives to consolidating
14 Mississippi Valley and Delta State.

15 I'm going to speak today on both of those
16 reports and their implications. Now, all of us know that
17 in 1992 the Supreme Court in Fordice ordered that
18 vestiges of discrimination in higher education in
19 Mississippi and by implication in 18 other states or by
20 extension in 18 other states, which had previously
21 operated the system's public higher education, be
22 eliminated.

23 The Court also said in a dicta that any
24 remedies for existing segregation should be applied
25 consistent with sound education practice -- sound

1 educational practices.

2 And this suggested to many of us that the
3 Courts should to some extent defer to the view of
4 educators in defining what the appropriate remedies might
5 be.

6 So that provision essentially provided a window
7 for those concerned about equal opportunity in higher
8 education, and those who wanted to look beyond numbers
9 and traditional desegregation remedies and deal with a
10 system that promoted opportunity.

11 So I want to talk about the findings of this
12 panel, which was created in response to -- direct
13 response to Fordice and seized on the idea of sound
14 educational practices.

15 The panel was in operation for two years and it
16 held extensive hearings throughout the South over that
17 period, did a sweeping review of minority access and
18 success in 12 states, one of which was Mississippi.

19 And there were a number of findings in that
20 report which I'll submit later. Just to highlight some
21 of them in Mississippi, I think it's important that what
22 we learned in the state as a whole, which residents even
23 more strongly in the Delta, is that higher education for
24 minorities in Mississippi remains restricted, uneven and
25 fragmented.

1 And just to point that out. We looked at
2 access. We found out black students represent 46 percent
3 of high school graduates. This was in 1992. They
4 comprised fewer than 35 percent of first time, full-time
5 freshmen.

6 In white institutions minority enrollment has
7 increased, but in traditionally black institutions white
8 enrollment remains the same.

9 There has been some improvement in access then,
10 but not in success. In Mississippi fewer blacks, fewer
11 blacks completed their bachelor's degrees in 1991 than
12 did so in 1979. So there was a 16 percent decrease.

13 The pipeline in Mississippi is a little
14 stuffed, at least at the end. The number of black
15 students who earned doctorates in Mississippi increased
16 in 12 years, from 1979 to 1991, but it increased only
17 from 16 to 22, so the overall percentage of blacks
18 getting doctorates in the state actually declined.

19 Black graduate enrollment declined between 1980
20 and 1992 from 25 percent of the enrollment to about 17
21 percent of the enrollment.

22 If you look at faculty representation, blacks
23 comprise 13 percent of full-time faculty, 14 percent of
24 administrators.

25 But of these, about half the black faculty and

1 about two-thirds of the administrators are employed at
2 HPCU's.

3 This data is about two or three years old now,
4 but we are now updating it and we will be producing some
5 more in about three months.

6 The panel looked at this and other data and
7 said the real problem here is a systemic problem and came
8 up with some recommendations about a new system, which we
9 thought -- which it thought should be guided by three
10 principals.

11 One, that it's student centered. That the
12 students are the focus of higher education and systems
13 ought to be organized to serve them.

14 Secondly, that it should be comprehensive, that
15 state systems must concentrate, one, on system-wide
16 approaches and two, that the barriers between K through
17 12 education, community colleges, and higher education
18 need to be broken down. These are linked.

19 Third, accountability. The system of education
20 must be performance driven, and that trying hard is
21 simply good enough. The standards must be raised, not
22 only for students but for the institutions themselves.
23 And that there ought to be a well-defined, clearly-
24 articulated system of awards and sanctions for
25 institutions that do not meet that.

1 Well, these three principles guided subsequent
2 work that I undertook with William Butts and Walter
3 Washington, both of whom are Mississippians, both of whom
4 are distinguished educators.

5 We were asked by the Board of Trustees, the IHL
6 Board, to respond to Judge Biggers' order, looking for
7 available sound education alternatives to the proposed
8 consolidation of Delta State and Mississippi Valley
9 State.

10 And we looked at a lot of numbers, talked to a
11 lot of people in the Delta, and came up with a report
12 which I understand has been alluded to here before call
13 Transformation Through Collaboration.

14 MS. MOORE: Yes.

15 MR. KRONLEY: And that is in that case really
16 is what you hear is what you get. We really did say that
17 there are alternative, educationally sound alternatives,
18 in this case pressing educationally sound alternatives,
19 to consolidating MVSU and DSU, and that the real way to
20 do it is through collaboration.

21 We found that historically there has been
22 little interaction between those two institutions, which
23 they are some 38 miles away from each other, and that the
24 relationship has been like neighbors who don't really
25 talk to each other much. It's been governed by good

1 manners when required and by self-interest when it's
2 dictated.

3 And this has been -- strictly traceable to a
4 segregated system of higher education. But more than
5 that, it's also traceable to the state's previous
6 reluctance to develop any real plans to desegregate
7 higher education.

8 Other states, others of the 19 states, many of
9 them responded to pressure or invitations from OCR to
10 develop plans. Mississippi chose not to and as a result
11 went into litigation, and that litigation essentially
12 froze any attempt at really thinking systemically about
13 the kinds of plans that could be developed between and
14 among these institutions.

15 We looked at a number of factors and said that
16 -- and without going into too much detail, we said that
17 student population, which is different in many ways
18 between those institutions beyond race -- if you look at
19 preparation, for instance, that the year we looked --
20 well, just look at race.

21 I mean, Valley is 98.9 percent black or it was
22 about a year ago. Valley does -- Delta State has 26
23 percent black enrollment. But student preparation was
24 greatly different. MVSU's entering class had an enhanced
25 ACT score of about 19, which is less than the state

1 average. Delta State 45 percent ACT scores over 20 or
2 21.

3 MVSU students are much -- come from a much
4 lower economic circumstances. 65 percent of them -- they
5 receive -- student body receives 65 percent more federal
6 PELL grants, which is a strong indicator of what your
7 circumstances are.

8 The faculty is different in terms of its
9 degrees. The average faculty and salary at MVSU is the
10 lowest in the system. At DSU only six percent of the
11 faculty is black and while we found that DSU was making a
12 concerted effort to recruit black faculty, they, like
13 almost any similarly situated institution was hindered by
14 the market and also by the situation in Cleveland, where
15 the housing market was not particularly hospitable for
16 black professionals.

17 Success rate is different at each institution
18 and I think we heard testimony -- read testimony from the
19 President of DSU which essentially said that were the
20 institutions consolidated, it would be very, very
21 difficult for many of the students traditionally admitted
22 to Valley to thrive and essentially graduate at this
23 institution.

24 There is a tremendous difference in programs.
25 Valley offers 22 undergraduate programs and one master's

1 degree. DSU has over 40.

2 Climate. We found that DSU was making
3 significant good faith attempts to recruit black students
4 and develop a more welcoming atmosphere, that MVSU had
5 made little or no systematic effort to recruit white
6 students and it occasionally used targeted scholarships
7 to attract other race students, but it was not done in a
8 systematic way.

9 We also looked at costs and we found that it
10 would actually cost significantly more money to
11 consolidate the institutions than to invest in upgrading
12 both Valley and Delta State pursuant to the
13 recommendations we made.

14 And we propose I think ten recommendations in
15 this book and without going through them one by one, I
16 think what links them together is their emphasis on
17 collaboration, the emphasis on -- particularly through
18 program and the need to upgrade programs at Mississippi
19 Valley State University.

20 We propose six new programs at Mississippi
21 Valley. Two of them are joint programs, one on effective
22 teacher practices, given the fact that both have their
23 roots as teacher training institutes.

24 And this area of Mississippi and the country is
25 in dire need of teachers for public schools and I should

1 say for K through 12, who are in effect excellent
2 teachers and can deal with the specific situations that
3 the students confront.

4 That opportunity also is one example. We give
5 these institutions a chance to collaborate more with K
6 through 12 education, something we found that was also
7 done programmatically, more than it was systemically.

8 These recommendations, as I said, are set out
9 in this document, which I think you have.

10 MS. MOORE: Yes.

11 MR. KRONLEY: And I'll be glad to answer
12 questions about that or anything else that you have.
13 Thank you.

14 MS. MOORE: Thank you, Mr. Kronley. Let me
15 turn to you, Professor Davis. Your comments were
16 interesting. Indeed, your article entitle the Quest for
17 Equal Education in Mississippi, the implications of
18 United States Versus Fordice echo I guess some of the
19 concerns -- I don't know if you were here -- that the
20 Chair was placing to Dr. Layzell.

21 Your article does discuss the possibility of
22 merger, although we've heard from the Commissioner that
23 that is a dead issue here. Can you elaborate further on
24 what you found during the course of your research that
25 persuaded you that merger in some circumstances might be

1 appropriate?

2 PROFESSOR DAVIS: Sure. I think that one of
3 the arguments that I heard the Commissioner make was that
4 the whole idea of merger and consolidation had been
5 investigated at other places throughout the country.
6 Very few occur.

7 And that's absolutely true. However, in my
8 view that is no reason why it should not be one of the
9 options considered in Mississippi. I have spent much
10 time visiting historically black institutions and
11 historically white institutions in Mississippi and all of
12 the evidence before us suggests a very, very severe
13 differences from a facilities standpoint, from an
14 educational standpoint, from a programmatic standpoint,
15 and some of those areas are being addressed I think
16 through changes that the Board has initiated recently as
17 a result of the Fordice litigation, and everything that I
18 hear from the Commissioner, from the State College Board,
19 and by the way I will say that I'm quite pleased with the
20 steps that the College Board has taken to date
21 recommending mergers and consolidations with institutions
22 that are very proximate in terms of location and
23 duplicative in terms of programs.

24 But that does not go far enough in addressing
25 the quality of education in this state 20, 25 years from

1 now. And I have just heard my colleague, Mr. Kronley,
2 indicate that consolidation and merger may be more
3 expensive, and I think that's probably true in the short
4 run.

5 I would question whether or not that is true in
6 the long run.

7 So my concern is very simply, and it's not one
8 that is based upon an economic study. I'm not an
9 economist. But it's based on dealing with students from
10 all of the institutions in Mississippi.

11 At the law school we have about 80 percent of
12 our class come from the state, so we get students from
13 Alcorn and Tougaloo and Jackson State and Mississippi
14 Valley State and Delta State and Mississippi State and
15 Southern Mississippi, and I have been very disappointed
16 when I compare the level of preparation with the
17 students.

18 So it seems to me that there are a number of
19 levels upon which we should approach a new system, and
20 politically I've heard this repeated. I heard it again
21 today, this is not the climate for challenging the system
22 as it currently exists.

23 I understand that from Commissioner Layzell
24 this would be the death nail for any proposed
25 improvements, if we were to begin with a merger and

1 consolidation approach, and I think just the opposite.

2 I think that if that kind of approach is not
3 given serious thought and study, the problem will
4 continue to present itself as we deal with ill-prepared
5 students from our undergraduate institutions.

6 So I -- what I have written is contained in the
7 article that you quoted, Ms. Moore, and it includes
8 recommendations that really are points of beginning a
9 discussion or a study regarding the future.

10 One of those recommendations involved the
11 possibility of merger and consolidation, and all the
12 political baggage that comes with that with institutional
13 concerns, and people concerns.

14 I believe that it is and will be more
15 productive if the Board would give thought to
16 transferring the system as it currently exists to a
17 unitary, state-wide system, and perhaps that will mean
18 there would be branch campuses in some of the locations
19 and exactly some of the facilities under which are in
20 existence now. It may mean more collaboration, as Mr.
21 Kronley suggests, as well, but I think there are a number
22 of areas that we are duplicating, including eight college
23 presidents in this state and all the attended
24 administrative costs that go along with that, and yes,
25 perhaps it will be more costly immediately to consider

1 that as a realistic option, but I can't help but think it
2 might save us money in long run.

3 And even if it doesn't, I can't help but
4 believe that the quality of education that we would be
5 able to provide by consolidating some of these resources
6 that are spent in setting aside five million dollars for
7 facility improvements at a variety of places;
8 consolidating the resources would not give us the kind of
9 quality ultimately product that I think we all would be
10 interested in seeing here.

11 MS. MOORE: Let me ask you about one other
12 aspect of the Fordice decree. And that is, if I
13 understand your statements made during the interview the
14 Commission staff, you favor open admissions for all eight
15 colleges presently or are you favoring that under a
16 merged system?

17 PROFESSOR DAVIS: Well, I think my
18 recommendation was one that would have the Board consider
19 some admissions formula. I did not go quite so far as to
20 suggest open admissions for all schools. I do believe
21 there's value in having different admissions requirements
22 at different institutions.

23 But some form of a flexible admissions I
24 believe is the term that I used in the article, a
25 flexible admissions process that would address concerns

1 that historically black institutions would raise
2 regarding a systemic change affecting the ability of
3 African Americans to attend schools of their choices.

4 MS. MOORE: So that part of the decree that
5 mandates the same standard for admission in your
6 estimation is -- will be harmful to minority students?

7 PROFESSOR DAVIS: It could be. I think Judge
8 Biggers' conclusion was that the admissions adjustment
9 was such -- and it was an adjustment downward, if I
10 recall, that it would increase the percentages of
11 minorities in the future over what it had been at this
12 point, but I think that a standard admissions requirement
13 at institutions could certainly impact African American
14 students in Mississippi negatively.

15 MS. MOORE: And that is due to testing issues?

16 PROFESSOR DAVIS: Yes. Yes. Yes, ma'am.

17 MS. MOORE: We've heard a lot today about the
18 role of community colleges and I understand that you too
19 believe that the community colleges can play a larger
20 role in improving the education opportunity in
21 Mississippi.

22 Can you elaborate for the Commission what role
23 you envision these community colleges playing?

24 PROFESSOR DAVIS: The -- one of the problems I
25 believe is that the junior college system is not

1 adequately used in the state, and those students who do
2 not meet the university system's admissions requirements,
3 whatever those admissions requirements are determined to
4 be under my proposal, would be eligible to enroll in the
5 junior college system and possibly transfer to a four-
6 year school after successfully completing a junior
7 college curriculum or I suggested some kind of a basic
8 education general studies program at the four-year
9 institutions that would help from a remedial standpoint
10 students who needed that, and then a transfer to the
11 regular four-year curriculum.

12 We have junior colleges spread out throughout
13 the state in a number of places, and I have in my article
14 a map of both the public universities in Mississippi and
15 the junior colleges.

16 I think we ought to pay attention to upgrading
17 the junior college facility, as well as educational
18 structure there, and link them with our four-year
19 colleges, better link them with our four-year colleges,
20 so I see both this unitary system that I would have in
21 mind and working with a linkage with the junior colleges
22 as being a step toward making sure that the kind of lack
23 of preparation is remedied.

24 MS. MOORE: To what degree, Professor Davis, do
25 you see the continuation of segregated housing patterns

1 and social interaction and the like playing into the
2 state's efforts to address the dual -- well, the address
3 desegregation of higher ed?

4 PROFESSOR DAVIS: I think the demographics here
5 are quite relevant, indeed they -- if you look at where
6 we are in the Delta, the demographics here certainly
7 mandate an institution -- the existence of an institution
8 in this area, I believe, but it also as a result of de
9 jure problems in the past has created the dual structure
10 that we're currently facing, and while demographically I
11 believe that there is a basis for perhaps the percentages
12 of individuals, percentages -- racial percentages, to be
13 less equal than they perhaps would be otherwise, if the
14 system were adjusted in a way that had admissions at
15 different institutions and if the system was more
16 responsive to the market, the educational market in
17 Mississippi in terms of the students' needs, I believe
18 that the demographical problems would not result in
19 institutions that are racially identifiable, as they are
20 currently.

21 So I think it's a part of the problem but I
22 think that there can be systemic adjustments that would
23 cure that. I mean, if a student, for example, lives in
24 the Delta and if the admissions process is such that that
25 student has -- African American student has a legitimate

1 opportunity to attend school at the University of
2 Mississippi in Oxford, there is absolutely no reason
3 other than some of the baggage that I think we have
4 experienced in this state, there's no reason why that
5 student could not make the trip to Oxford and attend the
6 University of Mississippi's Journalism School, for
7 example, if that is where the program existed, not to
8 mention the kind of financial aid and scholarship monies
9 that has been made available to minority students in that
10 regard.

11 MS. MOORE: Do you think that racial and ethnic
12 tensions exist under the current university system?

13 PROFESSOR DAVIS: Yes, I think they are
14 exacerbated under the current university system. I
15 believe that we in Mississippi are doing remarkable
16 things in the area of improving racial tensions and race
17 relations but when you start looking at this total
18 student population of 60 some thousand students and you
19 look at eight institutions, you look at almost half of
20 those being historically black universities and a good
21 percentage of the African American students attending
22 those institutions because of what is perceived to be a
23 more supportive environment, the -- I think the choices
24 that are available and the history upon which those
25 choices are made certainly exacerbate racial tensions.

1 Right now at the University of Mississippi the
2 credit to the chancellor calling for a review and
3 reassessment of the university's symbols, like the rebel,
4 like Dixie being played, and that is creating quite a
5 stir with students, with alumni, not to mention the kind
6 of image that portrays to the rest of the country in
7 terms -- and it may be an inaccurate understanding of
8 what exactly that image is that the rest of the country
9 perceives, but they perceive not positive results from
10 that imagine, but more negative kinds of impressions that
11 we're dealing with people who aren't quite in the 21st
12 Century yet, and that's not at all the case but that is a
13 perception, and that was the perception that many of my
14 colleagues shared when I was in Washington, D.C. before I
15 came to Oxford.

16 MS. MOORE: But I mean, the Old Miss example is
17 not a result of any system or anything that's mandated by
18 the higher ed school system, is it? I mean, that's Old
19 Miss' choice to have Dixie played and -- what was --

20 PROFESSOR DAVIS: Yes.

21 MS. MOORE: -- it, the Rebels is the name of
22 your --

23 PROFESSOR DAVIS: That's correct, you're
24 absolutely right. That is not a requirement based upon
25 any policy or practice that the State College Board has

1 imposed.

2 MS. MOORE: So I guess I'm trying to find out
3 what are the manifestations of any racial and ethnic
4 tensions that have been exacerbated as a result of the
5 current system, the current operating standards for the
6 system?

7 PROFESSOR DAVIS: Well, I can go through the
8 list of areas that have been discussed in the litigation,
9 areas like faculty representation, percentages, student
10 body population percentages, social interactions, all of
11 the things that are part of litigation play into I think
12 the racial tensions that develop from time to time.

13 It's certainly not something that we operate
14 under on a regular basis, but there are things that
15 happen from time to time that take us into the racial
16 aspect of our relationships, and you know, we had an
17 African American fraternity that was about to open its
18 doors several years ago and the day the fraternity was
19 supposed to open its doors, it was burned.

20 We've had racial incidents with some of our
21 students being taken away from campus and stripped and
22 having certain obscenities written on them. We've had
23 obscenities in the law school, bathroom facilities, and
24 that's all very recent. So there is -- I guess my
25 response is that this systemic structure does help to

1 exacerbate the tensions in my view.

2 MS. MOORE: Okay. And I just was trying to see
3 whether that was -- whether the school system and the
4 decree that the system is current operating under, if
5 those tensions are attributable to that or if they're
6 just attributable to racism in general or at large?

7 PROFESSOR DAVIS: Ms. Moore -- I'm sorry.

8 MS. MOORE: Go ahead.

9 PROFESSOR DAVIS: If you ask me whether or not
10 there are current policies in my view that contribute to
11 these problems, I would say absolutely not, there are not
12 current administrative policies, I believe, that exist at
13 the University of Mississippi or for what I know any
14 other institution in the state that is responsible for
15 the racial tensions that exist in the educational system
16 in the state.

17 However, I do believe that the system as it
18 exists and the argument that we've heard before is that
19 students are able to make free choices here. Well, you
20 know, that's true in a way, but when your choices have
21 historical basis and that structure continues to exist,
22 the system is exacerbating the problem, not the policies
23 that currently exist in 1997, but a structure that was
24 established when each one of these institutions was
25 created and each one of the institutions that were

1 chartered have in their charters very, very clearly
2 direct disregarding whether or not they're supposed to,
3 educate white women or negroes, to become teachers or
4 what have you, and that is the structure.

5 And that's in my view the fallacy of the
6 structure and I am disappointed with the conclusion by
7 Judge Biggers that changing that structure is not
8 constitutionally mandated, because there may not be
9 educationally sound or practicable reasons to change that
10 now, and there may not be current policies in place, and
11 I think he's right about that.

12 And there may not be a constitutionally
13 mandated requirement, as I look at the test established
14 in Fordice. However, until that system is adjusted,
15 these problems will continue.

16 MS. MOORE: So I take it that your answer to
17 the title of this panel, Is Mississippi on the Right Path
18 to Providing Equality of Opportunity at its Colleges and
19 Universities, is no?

20 PROFESSOR DAVIS: A resounding no, absolutely.

21 MS. MOORE: Thank you, Professor Davis.

22 PROFESSOR DAVIS: Thank you.

23 MS. MOORE: Mr. Kronley, let me start with you
24 with that question. The title of the panel here, Is it
25 your view that Mississippi is on the right path and if

1 so, what indications would you point to to support that?

2 MR. KRONLEY: Well, I'll tell you, I don't
3 think there's a yes or no answer to that question. I
4 think Mississippi is on a path. It's a meandering path
5 and it's one unfortunately that really does not have
6 clearly articulated goals.

7 One of the things that we -- so that path is
8 going to lead somewhere, but we don't really quite know
9 where that's going to be. And one of the things that we
10 urged the state to do and each institution in the state
11 to do was to agree on a plan and articulate a system of
12 goals.

13 I think if you look at the history of the state
14 or the history of higher education in the state over the
15 last years, what's happened is it's been entirely
16 reactive, and it's been reactive to judicial mandates,
17 and that's not good enough.

18 It's not good enough to be reactive, because
19 it's going to lead -- you're at best trying to hold onto
20 an increasingly less functional status quo.

21 So I think what's going to have to happen here
22 is that there is going to have to be a clearly defined
23 path, so if I had to answer your question, you know,
24 pithily, I would say what path?

25 But that does not mean that they're not on a

1 path. The question is we don't know what that path is
2 because nobody has really systemically sat down and
3 worked out where it is they want to go, and it's not just
4 a college, it's not just the IHL Board, it is not just
5 community colleges or the K through 12 system. It has to
6 be all of it, and then when we know the path, I'll be
7 glad to tell you what I really think.

8 MS. MOORE: Well, in your research, both for
9 the Transformation Through Collaboration report and I
10 guess generally are you of the view that the decree in
11 Fordice will move Mississippi further towards the goal of
12 quality education and higher education or will it retire
13 at that process?

14 MR. KRONLEY: There are a couple of things I'd
15 like to say first, one of which is I'm on record and this
16 panel is on record as saying that -- speaking as a lawyer
17 actually -- that litigation can only go so far, and I
18 think it's really at a point where we're beyond
19 litigation and it really depends on a lot more than that.

20 I think -- if I were in Judge Biggers'
21 position, I would not have written the same decree he
22 did. But it's the one we have and it's the one we need
23 to live with.

24 Now, I think, unlike other decrees, this one
25 there is potential in here to take it somewhere positive,

1 so it's not negative in the sense that this is a decree
2 that really strikes at opportunity.

3 What it's going to take is a lot more than just
4 reading the decision and thinking narrowly that we've
5 complied with it. What we really need to do is just have
6 the vision of what opportunity means in and for the
7 state, and secondly, a commitment to bringing that
8 opportunity about.

9 I mean, one of the worst things that can happen
10 is you'll have full compliance with the decree and
11 nothing else, so the notion will be oh, this is passed,
12 it's gone away, we're done, we don't have to do any more,
13 and we go back to where we were before. That's
14 unacceptable; I think it's unacceptable.

15 I do think though that it will take significant
16 leadership operating in concert to really move it beyond
17 the status quo, and it's going to take decent leadership
18 on the political and the educational level and on the
19 business level also to develop this vision and enact it.

20 MS. MOORE: Have you looked at examining of the
21 little mini-mergers that have -- for lack of a better
22 term the mini-mergers of programs closer in proximity to
23 --

24 MR. KRONLEY: We did in this report. We looked
25 at -- in the back of this report, if you have it in front

1 of you, we visited -- I don't remember how -- but
2 institutions in North Carolina and in Maryland, et
3 cetera, but let me say first, there's only been one
4 example of merger in higher education because of race,
5 and that's a consolidation actually, and that's in
6 Tennessee, and actually if you look at what's happened
7 there, it's the downtown campus -- essentially Tennessee
8 State remains overwhelmingly black.

9 At night there are white students in there, but
10 that's not very much different from traditionally black
11 urban institutions right now, and unfortunately we still
12 have pending litigation 25 years later, so essentially we
13 haven't gone very far!

14 Now, we've looked at programmatic consolidation
15 other places, and we think that that offers a
16 tremendously more effective way of dealing with some of
17 these issues, and I think that's clearly one way to go,
18 but I just think when it's done, it really needs to be
19 done with a plan in mind and it really needs to be done
20 with significant resources and the threat of sanctions if
21 those -- if the plan is not carried out.

22 I mean, university presidents like everybody
23 else, they understand what money means and if they
24 realize they're going to be rewarded for this, they'll do
25 it in some cases.

1 MS. MOORE: In some cases. You too have
2 examined the potential for community colleges in the
3 Mississippi system?

4 MR. KRONLEY: Yes. First of all, you know, the
5 numbers in Mississippi are just the same as they are
6 everywhere else. Black students, fewer than ten percent
7 who enter a community college and use it to transfer into
8 a four-year higher education and get a degree, so I mean,
9 simply put, it's appalling. And that's just not true in
10 Mississippi, that's true throughout the country. It's
11 just not -- it's not unique to Mississippi.

12 We found in Mississippi that there is really
13 very little -- there's really very little connection
14 between what happens in community colleges and what
15 happens in higher education.

16 We were interested to note that Delta State
17 does recruit and does recruit hard for minority students
18 at the community colleges in the region. Mississippi
19 Valley doesn't recruit at all. There's very little
20 recruitment.

21 And in fact black students -- Coahoma Community
22 Colleges, which is a predominantly black community
23 college, there are more students from Coahoma going to
24 Delta State than there are to Mississippi Valley.

25 We made specific recommendations about what

1 Valley might want to do in terms of much more aggressive
2 recruitment, and -- but beyond recruitment, I mean, there
3 are systemic problems, there are turf problems in the
4 Delta, among those institutions.

5 One of the things in our report, which I can't
6 overemphasize, was the notion that even though we are not
7 recommending consolidation, we spoke of something called
8 a Delta student, and a Delta student is a student who
9 would enroll at any institution, whether it's a community
10 college or a four-year institution in the Delta, but she
11 would be able to avail herself of whatever resources were
12 present at any of them.

13 So it would be almost a common market of
14 courses of opportunity to students throughout the Delta,
15 and I think if we really want to provide opportunity here
16 and draw on the resources of each of these institutions,
17 this idea of the Delta student still remains compelling.

18 MS. MOORE: Okay. I have two quick questions,
19 I hope.

20 You indicated before in your testimony -- and I
21 wish Dr. Sutton was still here to respond -- that
22 Mississippi Valley State also fails to recruit as much as
23 Delta State does white students or the minority student
24 for their campus.

25 Follow me? That Mississippi Valley State does

1 not recruit heavily for white students. Now you say the
2 don't recruit heavily at the junior colleges or --

3 MR. KRONLEY: We discussed these
4 recommendations with Dr. Sutton. He may not agree with
5 them, but those are our findings.

6 MS. MOORE: What is your -- did you find any
7 underlying -- is it a funding issue? Is it a --

8 MR. KRONLEY: It's partly funded. One of the
9 things we found at Valley is that a residue, a very
10 strong residue of pervasive racism in the Delta, has been
11 at Valley and a tremendous amount of isolation, and
12 they're isolated from the Delta in many, many ways, not
13 just the fact that they're 38 miles from Delta State.

14 And they essentially have turned in on
15 themselves, and one reason, another reason, which is
16 closely related to the others, is that they've turned in
17 on themselves is that for the last four or five years
18 they've been under impending threat of -- what people
19 call consolidation, but what we really said and we say it
20 in this report was that although theoretically the
21 prevailing institution would have a new name, it was
22 essentially Delta State and people we talked to in the
23 Delta, white and black, said Valley is going to be
24 closed.

25 So that is not an easy burden with which to

1 live, and I think one of the responses has been an
2 inwardness and that's been reflected in a lot of the
3 practices at that institution.

4 One of the things that we urged the Board to do
5 was to put it behind them, put the threat of closure
6 behind it, hold Valley -- provide Valley with resources
7 and we make specific recommendations about the magnitude
8 of those, but at the same time hold them, as it would
9 hold any other institution in the system, to standards of
10 accountability and performance.

11 So yeah -- yes, Dr. Sutton and the authors of
12 the report do differ on the degree of recruitment of
13 black students and -- of white students and community
14 college students.

15 MS. MOORE: Well, we didn't put the question to
16 him so I'm not -- actually that will conclude my
17 questioning and I thank you very much and I will pass it
18 to the Chair.

19 CHAIRPERSON BERRY: Any of the Commissioners
20 have questions for the panel? Vice Chair.

21 VICE CHAIRPERSON REYNOSO: Yes, I have a
22 question for both of the panelists, and it goes something
23 like this.

24 Professor Davis teaches at the graduate level,
25 so he's seeing the students, 80 percent of who come from

1 Mississippi, after having gone undergraduate, and it's
2 your assessment that the education system as a whole is
3 still wanting, and then I hear both from Professor Davis
4 and Mr. Kronley that there has been -- that there's not a
5 path, not a plan, and I take it from what you've said
6 that there simply has been a lack of political will --
7 though I say political, it obviously has to be -- has to
8 be based on the business and educational and political
9 leaders of the state all.

10 There has been not a will to sit down and talk
11 about these issues and say okay, where do we go from
12 here, for example, sitting down not in the reactive
13 fashion to the latest court order, but say okay, it's the
14 law of the land and presumably -- certainly all the
15 speakers have agreed that an integrated teaching environs
16 is the best.

17 How do we get there? And it may be that
18 without supplanting the institutions, a consolidation
19 planned study then could be implemented and could then be
20 perhaps the right avenue, at least it takes you a few
21 steps toward that.

22 But if the folk articulate the goal as being
23 integrative higher education, that even in 1997 the
24 political repercussions are such that folk don't feel
25 that they can put that on the table somehow. Maybe they

1 believe in it, and they're going to try to get there one
2 way or another if they believe in it, but it's not
3 something that can yet be done in terms of putting it on
4 the table and say okay, boys and girls, here where we
5 are, here's where we want to be, how do we get there.

6 Am I wrong? I mean, I'm just from hearing the
7 two of you and the previous panelists, I get that sense.
8 I just wonder what your reaction is to my -- the sense
9 that I've gotten.

10 PROFESSOR DAVIS: I'll start, Mr. Reynoso. I
11 think that there is some political will here to achieve
12 several goals that would be advantageous to the system;
13 however, at the Commission level, at the State
14 Institution on Higher Learning level, it seems to me that
15 there has been a frustration level reached where
16 discussions on these issues have not been fruitful.

17 I'd like to think that some form of strong
18 leadership could help to shepherd that process through
19 and get all of the significant parties at a table, begin
20 to outline some of the future goals that are important to
21 focus on, and develop a plan that can then be addressed
22 by the legislature, by the College Board, because that
23 really is where in my view the plan should come from.

24 And I think Mr. Kronley is right when he says
25 that this system has always been reactionary --

1 MR. KRONLEY: Reactive.

2 PROFESSOR DAVIS: I'm sorry. Right, reactive.
3 Sometimes reactionary, as well. But reactive, in
4 particular, and this is an -- I see this as an
5 opportunity. It is an opportunity that has had a
6 terrible cost and unfortunately there -- the helm is not
7 doing what it should be doing to my way of thinking.

8 And whoever is at the helm --

9 VICE CHAIRPERSON REYNOSO: But if many in the
10 educational leadership are ready from your point of view
11 to take the next step, but they have found the
12 discussions unfruitful, it sadly seems to me that those
13 around the educational leaders, again the political and
14 economic and business leaders somehow have not been
15 community leaders, somehow have not been with them, so
16 they have felt frustrated in taking perhaps what they
17 think is the next step.

18 Mr. Kronley, what's your view of my not overly
19 optimistic summary of what I think I hear from the
20 witnesses?

21 MR. KRONLEY: Well, let me start, you know,
22 things are better so I mean -- and I think that's
23 important. It's important to know that contextually. I
24 think people have essentially afraid to take risks,
25 because the potential benefits that they see have not

1 really been profound.

2 I mean, in order to take a risk you've exposed
3 yourself to being in the spotlight and taking a lot of
4 heat from other people in the community, and I think
5 that's -- you know, there's history in the state, people
6 being at a minimum driven away if we do that.

7 But I think beyond that, I mean there are now
8 certain imperatives which speak to some kinds of
9 transformation and at least the most important of them is
10 economic. In other words, it just can't continue like
11 this, and the state expect to be viable.

12 We have -- and in saying that I mean what
13 underlines my remarks -- what underlies my remarks is the
14 fact that we're really talking about opportunity here. I
15 mean, and desegregation is a path -- a path toward
16 opportunity, and unless we begin to guarantee opportunity
17 for an increasingly present part of the state's
18 population, the economy of the state and the state itself
19 is not going to do very well, at a minimum.

20 So I do think that that is -- regardless of
21 what -- whatever is in people's hearts or minds, may be
22 one thing, but I mean, they're now thinking a little bit
23 more about what's in their bellies, and as a result of
24 that I think there is much more conversation on some
25 levels about it.

1 And you're not going to be able to grow in
2 economy without decent education, and I think there is a
3 movement toward that, and that in fact may be the spur.
4 It certainly was one of the spurs for the early public
5 education reform efforts in the 80's here, and to the
6 extent that it was successful and somewhat it really was,
7 it really didn't respond to anything on the comparative.

8 VICE CHAIRPERSON REYNOSO: Thank you.

9 CHAIRPERSON BERRY: Commissioner Anderson.

10 COMMISSIONER ANDERSON: Yes. I think this has
11 been a very intriguing panel. If I have any regret about
12 it, I regret that you weren't intermixed with the
13 previous panel. One of the things I find problematic
14 with our hearings, and I'm not sure there's a way of
15 addressing the problem systemically, but sometimes it is
16 better to put the critics in the first panel and put the
17 government officials in the second panel, so that they
18 have the opportunity, quote unquote, to respond to some
19 of the issues raised in the second panel.

20 So I wish we had maybe mixed these two panels
21 together a little bit.

22 The other thing I would like is if you could
23 provide copies of the two reports you referred to in your
24 article. If we already have it, then maybe that can be
25 distribute to the other Commissioners, but I'd like the

1 opportunity to read your article, Professor Davis, and
2 the two reports that you referred to.

3 You answered a question I was going to ask you,
4 but I think I'll ask it again and see if you care to
5 develop it a little bit further.

6 Your panel was asked to address the question,
7 is Mississippi on the right path to providing equality,
8 and I heard your answer. My answer might be different
9 but if we change the question a little bit and say has
10 Mississippi begun to make or has made significant steps
11 towards equality, what would your answer be, not very
12 much, some?

13 MR. KRONLEY: Since when?

14 COMMISSIONER ANDERSON: Over the last decade.

15 MR. KRONLEY: I think if you look at the
16 numbers -- well, I just gave you some of the numbers, so
17 it seems to me it's a mixed path. I think -- someone
18 asked the question about policies before and there are no
19 longer policies in this state, which essentially work
20 against people on the basis of race.

21 There are, however, practices. Some of them
22 have been ingrained and have not really changed very
23 much, but on the other hand, I do think there is a
24 commitment on the part of some of the leadership here to
25 really make some changes.

1 There is a new Commissioner. There are new
2 college presidents and all of them understand the
3 reality, and I think they're moving and trying to move in
4 that direction.

5 I may disagree with the means that they take
6 and the speed with which things happen, but I do think in
7 the last ten years there has been some progress. Do you
8 want to address that?

9 PROFESSOR DAVIS: I would agree with that. I
10 think there certainly has been progress. I see evidence
11 of that on a regular basis, even with this litigation
12 hanging over all of us, I think that that has contributed
13 to progress in some respects.

14 I don't believe the kind of thoughtful,
15 systemic approach has occurred and what is even perhaps
16 more disturbing to me is a position that I heard
17 articulated today from the Commissioner, that we are
18 doing a pretty good job educating our students and we
19 will not -- we have not appealed the Fordice, the
20 Biggers' District Court opinion and we will not raise
21 this consolidation and merger issue again. That's
22 disturbing to me, and it suggests a lack of vision.

23 I'm not criticizing the Commissioner but I
24 think it's a lack of vision that is part of our systemic
25 problem here, and it goes back to Mr. Kronley's point

1 regarding being reactive.

2 This is opportunity and I don't think we have
3 begun to really consider the kind of radical changes that
4 are necessary in order to improve the quality. What I
5 see happening 25 years from now is we will continue to
6 tinker with improvements at a variety of institutions.
7 We will tinker with attempting to get white students to
8 attend Mississippi Valley State. I don't think that's
9 going to happen in a significant way.

10 Or we will continue to tinker with improving
11 Jackson State. Now, that could be productive. But the
12 system remains and these choices that have been made
13 historically by African American students and majority
14 students, I don't see how the tinkering that the
15 Commissioner seems to be satisfied with will make any
16 major adjustment to how our students exercise their
17 choices, given the options.

18 Given the options, I suppose if I were a black
19 boy growing up in the Delta, my vision may not extend
20 much beyond being in a quote, comfortable environment at
21 a school where I can go and see many of the friends who
22 I've been in school with at elementary level.

23 And that is the tragedy of what I consider to
24 be tinkering with the system. So my answer was a
25 resounding no. I would say that the path we have begun

1 to pursue certainly helps but it does not address the
2 major systemic problems that need to be addressed, Mr.
3 Anderson.

4 COMMISSIONER ANDERSON: Thanks.

5 CHAIRPERSON BERRY: I have a number of
6 questions myself. First of all, let me ask whether the
7 recommendations you made -- you and your colleagues, Mr.
8 Kronley, do you believe that these recommendations will
9 both remove the racial identifiability of higher
10 education institutions in the state and improve their
11 educational quality?

12 MR. KRONLEY: Of the institutions?

13 CHAIRPERSON BERRY: The higher education --
14 will it do both? Will it remove their racial
15 identifiability and improve the quality of education as
16 measured by the attainment of the students?

17 MR. KRONLEY: We're only dealing with two
18 institutions.

19 CHAIRPERSON BERRY: I understand that.

20 MR. KRONLEY: I think without a doubt it will
21 raise the education quality.

22 CHAIRPERSON BERRY: How about removing the
23 racial identifiability?

24 MR. KRONLEY: I think over time they have the
25 potential to do that.

1 CHAIRPERSON BERRY: What do you mean by over
2 time?

3 MR. KRONLEY: Well, we asked that Valley get 30
4 million dollars over -- and before I start talking about
5 money, we were very clear in this report to say that this
6 is not a function of money, but there are minimum
7 investments that need to be made.

8 What do I mean over time? I mean in the next
9 decade.

10 CHAIRPERSON BERRY: What is the likelihood that
11 Valley will get 30 million dollars?

12 MR. KRONLEY: What -- did you ask the
13 Commissioner that? I don't know.

14 CHAIRPERSON BERRY: No, no. I'm asking in your
15 view as an observer of your recommendations. I know what
16 the Commissioner's answer is, but as your -- the
17 Commissioner told us about the endowment and he detailed
18 various things that are going on.

19 MR. KRONLEY: I don't think those endowments
20 are close to what's needed. I think -- and you're really
21 asking the right question --

22 CHAIRPERSON BERRY: I hope so.

23 MR. KRONLEY: If -- I'll tell you why. If you
24 just throw five million dollars into each institution,
25 each of the three black institutions, there will be --

1 and there probably already is -- acceptance among many in
2 the state that we have now dealt with this issue.

3 CHAIRPERSON BERRY: Sure.

4 MR. KRONLEY: And we're done. And in fact,
5 that doesn't even begin to scratch the surface. Changing
6 the racial identification and by that I'm presuming you
7 mean making them both racially nonidentifiable
8 institutions, is a function of program.

9 It is for the most part a function of the kinds
10 of programs that the institutions need, which it has.
11 And I think based on the study that we did, the six or
12 seven programs that we recommended for these institutions
13 are high demand, high quality programs, assuming that
14 they are high demand -- I'm assuming the amount of
15 investment would make them high demand -- and have the
16 potential to attract other race students who would not
17 normally go there.

18 And I think it's a question of programming.

19 CHAIRPERSON BERRY: Mr. Kronley, what has been
20 the experience in other states removing --

21 MR. KRONLEY: We have that --

22 CHAIRPERSON BERRY: I understand that -- I'm
23 asking this for purposes of discussion. I will read the
24 report. What has been the experience in other states of
25 having successfully removed the racial identifiability of

1 historically black institutions in the absence of
2 converting them entirely as Lincoln and Missouri and
3 others we can name?

4 For example, in Alabama has the racial
5 identifiability of the public black institutions in that
6 state been removed?

7 MR. KRONLEY: I don't think so.

8 CHAIRPERSON BERRY: To your knowledge?

9 MR. KRONLEY: Not to my knowledge, and I don't
10 think since the Knight decision, which is really only
11 about a year old, it may be too soon to tell, but I think
12 if one reads the carefully crafted opinion in Knight, you
13 need to look at what the goals are there.

14 And I don't know. I mean, I haven't followed
15 Alabama and to the extent that I paid attention to
16 Mississippi, I don't know what those remedies will do in
17 terms of removing --

18 CHAIRPERSON BERRY: How about Georgia, let's
19 look all across the South? What has been the success in
20 -- of any strategy devoted to --

21 MR. KRONLEY: Tell me what you mean --

22 CHAIRPERSON BERRY: -- the -- what I mean by
23 racial identifiability is what I think people mean in
24 higher education desegregation, so that when someone says
25 black college or black university, you don't think

1 Alcorn, Jackson State, Mississippi Valley, or in Alabama
2 you don't think Alabama A&M or Tuskegee or in Georgia you
3 don't think Fort Valley, and all the institutions I can
4 name. In Louisiana you don't think Southern. I'm just
5 trying to find out what -- or in Tennessee, where I come
6 from, you don't think Tennessee State.

7 I'm just trying to figure out what has been
8 success in the South of removing racial identifiability
9 from historically black and historically white
10 institutions.

11 MR. KRONLEY: I think if you begin with the
12 definition that says -- people are going to think of X or
13 Y as a black college or a white college. I don't think
14 we're close to that, and I think it would take
15 generations to get over that, because that's the history.

16 CHAIRPERSON BERRY: Is that important to do?

17 MR. KRONLEY: Eventually, absolutely it's
18 important to do. The question is how --

19 CHAIRPERSON BERRY: Why?

20 MR. KRONLEY: Why?

21 CHAIRPERSON BERRY: Why?

22 MR. KRONLEY: Because to the extent that it
23 reduces choice or makes choice a product of race, then
24 we're into questions which are beyond simply cosmetic and
25 are illegal. To the extent that people think about a

1 college as traditionally, as opposed to -- as black as
2 opposed to historically black, then I think we may be in
3 the minds of some associating choice with race.

4 And that I think is why we're here, to make
5 sure that we don't do that any more. Now, on the other
6 hand, there's another part to this. To the extent that
7 an institution is historically black, wrapped in those
8 traditions, and at the same time has high quality, high
9 demand programs, which have the ability and in fact do
10 reach out to students of all races, I think that's
11 terrific, and if people think of it as a black
12 institution, or a historically black institution, that
13 may not matter any more.

14 And we've talked to people. We talked to
15 people at nursing programs at Alcorn. We've talked to
16 lots of people at the University of Maryland Eastern
17 Shore, who have been attracted to either the program or a
18 facility, and if you've been to the University of
19 Maryland Eastern Shore recently and seen the amount of
20 investment that's gone in there, that is still in the
21 minds of many and by population very much a historically
22 black college, but it is one where programs attract --
23 high quality programs attract whites.

24 It is one where the physical facilities and the
25 pride people taking those physical facilities are equal

1 to any other institution in the State of Maryland.

2 So I make a distinction in your question. I
3 think to the extent that a racial identification is
4 either A, you know, a badge of inferiority, or B, serves
5 to restrict choice on the basis of race, then we need to
6 do everything we can do.

7 On the other hand, if that institution is
8 perceived as yeah, a historically black or historically
9 white or a Native American institution, historically,
10 which has high quality programs geared to attract people
11 of all races, I think that's what we're aiming for.

12 It doesn't matter to me and it doesn't matter
13 to what we've written, and we were very explicit about
14 this in these reports, whether it's 82 percent black or
15 64 percent black or 92 percent white. Just that doesn't
16 matter. The question is choice.

17 CHAIRPERSON BERRY: What about desegregating
18 the administration and the faculty? Is that important in
19 terms of racial identifiability like who's the president
20 of the university or whatever? Or choice or maybe --

21 MR. KRONLEY: Yeah, we were very clear about we
22 thought Delta State, which has on the surface a
23 reasonable representation of blacks in the administrative
24 body in the administration, but we looked at it again and
25 there was really no one -- there had only been one perso

1 over the rank of dean, so we think that that is important
2 for a number of reasons, one of which is for climate,
3 because high level administrators change the nature of
4 the claim.

5 It's also important as role models for
6 students, and it's important in terms of the image an
7 institution wants to protect, so to answer your question,
8 I think yeah.

9 CHAIRPERSON BERRY: If we don't care about
10 desegregation in elementary and secondary education, why
11 the heck do we care about it in higher education? I
12 don't understand. Is it the same principle though that
13 in elementary secondary education we heard some people
14 say today that we should worry about making the schools
15 better and then maybe somebody will come. If we build
16 it, they will come, somebody said. Some profound
17 statement like, you know.

18 MR. KRONLEY: Well, you said -- what do you
19 mean we? I mean -- I think that desegregation in
20 elementary and secondary education is crucial, and one of
21 the things we found in the Delta was the growth and the
22 maintenance of academies, which essentially do serve to
23 make the desegregation process and in fact exacerbate a
24 separation process, and if you look at some of these
25 academies, they really do exist, only for the purpose of

1 maintaining racial separation.

2 And if you look at them even more closely, many
3 of them are not very good places. So the question is
4 again, what do you mean we? I mean, I think we need to
5 be profoundly invested in desegregating K through 12
6 institutions.

7 CHAIRPERSON BERRY: But it sounds like in
8 education in Mississippi, higher and elementary,
9 secondary, K through 12, based on what we've been
10 hearing, the strategies are that you somehow will improve
11 the quality and then that somehow may in the case of
12 higher education, remove racial identifiability, which
13 will increase choice, if I'm hearing right, and that the
14 same kind of principle applies in K through 12 education.

15 MR. KRONLEY: Well, I don't want -- I'm not an
16 expert on that, and I'm not taking, you know, a position
17 one way or the other, and I have seen some recent reports
18 and I think the Civil Rights Institute of Harvard will
19 soon be released a report which looks at what happens in
20 racially mixed K through 12 institutions, as opposed to
21 those that aren't, particularly on achievement of
22 minority students, so I am not an expert on this. It's
23 not my study, but I think there will be more information
24 coming out about this, for what it's worth.

25 CHAIRPERSON BERRY: The other question is do

1 you think that the state is simply side stepping the
2 issue of real quality improvement in higher education
3 generally, which cost, among other things, money by
4 adopting the strategy of having you and your colleagues
5 do this report that Judge Biggers talked about, and then
6 come up with a way not to have to address the Delta
7 State/Mississippi Valley problem by proposing these
8 programs, and that it's simply a ploy to get around the
9 political problem of having to deal with the issue?

10 In other words, and I'm not being critical
11 here, it's as someone said earlier, if we could start all
12 over again, maybe we wouldn't do this, but since the
13 state is in a position that we've got a history and a
14 past to deal with, then this is about the best we can do
15 at this point because it opens up too many -- turns over
16 too many rocks and creates too many land mines.

17 We saw the tensions at the time when in the
18 community everyone thought something was going to happen
19 to Mississippi Valley or nobody knew what was going to
20 happen, and there was -- so that this is the best way to
21 just simply resolve the problem and move on. Would that
22 be your assessment?

23 I know you're part of the process but I thought
24 I'd ask you that question.

25 MR. KRONLEY: No, I think I'm part of the

1 solution actually and I do think -- well, actually, no,
2 don't think they're simply side stepping. I think they
3 were being reactive. I've said that once before.

4 When they asked us to do this study, they never
5 told us do whatever we said we would do -- whatever we
6 said. I mean, they never did that.

7 I must tell you that I came into this work, not
8 this work but the earlier work, with some bias toward
9 consolidation generally, not simply in Mississippi but
10 generally.

11 I mean, I spent time at the Atlanta University
12 Center, which is a private institution, every day with
13 benefits of consolidation seemed -- but for a while. At
14 any rate, I think we undertook this work in good faith
15 and independently of what IHL Board was going to do or
16 how they were going to react to it.

17 Now, if I were them I would have made real
18 every one of these recommendations, because we were very
19 careful to say that these are systemic recommendations
20 and one plays into the other.

21 I think it's less a question of trying to side
22 step things than really struggling with how in fact to
23 get to a quality system.

24 And one of the things that they've done, which
25 we haven't talked about, which is frankly surprises me,

1 is admissions standards. And I think, you know, we might
2 be better served for people interested in opportunity for
3 minority students might be better served looking at those
4 admission standards and the context of the systemic
5 response, rather than dealing again with a consolidation
6 question, because what we have here is in its rush to
7 adopt standards, and I think standards are important and
8 I want to say explicitly that higher standards in higher
9 education are -- for everybody are a useful and important
10 thing.

11 But Mississippi, unlike other states, which are
12 struggling with this, and Georgia is one and Maryland is
13 another, raised admission standards in a way that is not
14 going to -- that essentially puts minority students at
15 great risk.

16 On the one hand if there is no phase-in period.
17 Secondly, in order to get to these remedial programs,
18 they cost money and if you look at the average cost of
19 the college education in Mississippi, and PELL grants and
20 the average income of a black family, and at the time we
21 did the first study the average black family income was
22 40 percent of what tuition was, so that's not a great
23 incentive for kids to go to college.

24 It's also not a very great incentive for a kid
25 who comes out the high school in the Delta to go to take

1 -- and doesn't qualify for immediate admissions, to
2 decide that she really is going to go down the road, lose
3 a summer job, have to pay money for this program, with
4 the possibility that she's not even to be admitted to
5 institutions.

6 So I think -- I don't think -- you know, I
7 think that's an educational call, and it's one that
8 really didn't side step anything, but it was -- but in
9 terms of educational policy, it's one I would personally
10 disagree with very, very much.

11 CHAIRPERSON BERRY: Let me ask you this
12 question about the test. Was there evidence that
13 students who made low ACT's and were admitted to places
14 like Valley and other institutions, that some of them
15 were able to make it and graduate and then be successful
16 in their professional activities thereafter or going on
17 to further education or was it simply that everybody who
18 had low score and went to Valley or wherever they went,
19 ended up being a dud and never able to do anything and
20 function?

21 I mean, was there any evidence one way or the
22 other?

23 MR. KRONLEY: Sure. I mean, Valley's success,
24 you know, six-year success rate, like other black
25 institutions, throughout the South is lower than that of

1 white institutions, but you have to factor in where these
2 kids come from.

3 And we've seen and in Valley and Dr. Sutton can
4 point with justifiable pride to the achievements of its
5 graduates. These are people who got through under very
6 constrictive circumstances and have done really quite
7 well.

8 CHAIRPERSON BERRY: Well, if that's the case
9 then why did they use these test scores and raise the
10 standards to exclude people who made lower test scores?
11 If the test scores don't really correlate with whether or
12 not people could be successful, then what's the point?

13 MR. KRONLEY: Well, I think you'd have to ask
14 them that.

15 CHAIRPERSON BERRY: Do you agree that this has
16 been done?

17 MR. KRONLEY: No.

18 CHAIRPERSON BERRY: You disagree. Okay. Let
19 me turn to Professor Davis. Professor Davis, let me ask
20 you a question which may shock you coming from me after
21 all I've asked before.

22 . Don't you believe that if Valley and other
23 institutions are important to the economy of certain
24 places in this state, that that in itself is a good
25 reason to keep them open, and even to open new ones

1 around state, satellite centers, and all kinds of
2 centers, if they are important as, you know, sort of
3 economic entities for certain regions in the state, isn't
4 that a reason enough of its own to keep them open?

5 PROFESSOR DAVIS: Madam Chair, I don't believe
6 so in my view. I think that the state education system
7 should not be driven by a goal for economic support. I
8 mean, that to me has the system -- while that may be a
9 benefit in those communities at this point, it certainly
10 should not be the reason for their existence.

11 I do believe that there may be a way where the
12 university system that I envision would be supportive of
13 the economy, as an indirect benefit to that economy, but
14 certainly not as a criteria, and I might add that when --
15 when I have talked with business leaders and companies
16 that have considered locating in Mississippi under
17 economic development proposals and coming from the
18 government, much of -- many times the reason for not
19 locating here is because of the poor quality of education
20 available in the state, so we're losing business in that
21 regard.

22 CHAIRPERSON BERRY: Well, couldn't you argue
23 though as someone has argued here earlier, that if you
24 open a center, a higher education center in a place, that
25 would attract business because they would know that

1 there's a place where you'll be offering education to
2 people in that area?

3 PROFESSOR DAVIS: If they don't care about the
4 quality, I think you're right.

5 CHAIRPERSON BERRY: Oh. Or that people who
6 live in the area may not want to travel distances to go
7 to school and if you have one right next to where they
8 are, then they'll be able to go? How about that
9 argument?

10 PROFESSOR DAVIS: Same response.

11 CHAIRPERSON BERRY: Same response, which is if
12 you don't care about quality? Is that the response?

13 PROFESSOR DAVIS: Yes, ma'am.

14 CHAIRPERSON BERRY: Before I forget it, to
15 switch back just briefly to Mr. Kronley, why did you not
16 propose that the institutions -- and I'll ask you the
17 same question -- be merged and to have money saved, which
18 could have been put into K through 12 education, which we
19 understand is a great problem here in the Delta and the
20 State of Mississippi? Wouldn't that be one way to get
21 some more money? I mean, get rid of all those presidents
22 and deans and administrators and you know, and that alone
23 -- think of how much money that would save.

24 MR. KRONLEY: Well, when we did this and we
25 counted for decapitating the presidents and the deans and

1 administrators and make them do real work -- but even
2 when we did that, we found out at least -- certainly over
3 the next three or four years it would be a net cost, not
4 a net savings to the system.

5 And the other part -- even the more important
6 part -- and this is the real problem -- if -- even if we
7 saved the money, these institutions -- by that I mean K
8 through 12 and higher education are separate, and there
9 is by no means any guarantee that any savings in higher
10 education are going to go to K through 12 education.

11 CHAIRPERSON BERRY: In other words, where as
12 politically the people in the state may be willing to
13 spend money on one thing, that doesn't mean that if they
14 don't spend it on that, they'll spend it on something
15 else that you would like to have them spend it on; is
16 that the point?

17 MR. KRONLEY: I think -- well, you would -- I
18 don't have any policy judgments about that at this point.

19 CHAIRPERSON BERRY: But I mean is that the
20 point you're making, that just because if we did save the
21 money --

22 MR. KRONLEY: Oh, yeah, it's not earmarked
23 money, that's right.

24 CHAIRPERSON BERRY: I can't assume that it
25 would go for that.

1 MR. KRONLEY: That's absolutely true.

2 CHAIRPERSON BERRY: What's your answer to that
3 question, Professor Davis?

4 PROFESSOR DAVIS: I don't see why we cannot
5 earmark money like that. I mean, it may not be earmarked
6 but with proper and approach, it seems to me that you can
7 do exactly that, earmark the funds.

8 Mr. Kronley has a better handle on the
9 economics of this than I certainly do, but even he
10 concedes that we're only talking about a short-term
11 savings.

12 MR. KRONLEY: No, no. I didn't say that. I
13 said at least in the short term. I haven't looked at the
14 long term.

15 PROFESSOR DAVIS: Well, the point is that you
16 can see that in the short term it might be more expensive
17 actually is what he said, and I think that leaves the
18 question open regarding the long term, and certainly with
19 some of the additional revenues that the state has been a
20 beneficiary of through some of its economic development
21 proposals, there is absolutely no reason why funds cannot
22 be earmarked for precisely that purpose.

23 CHAIRPERSON BERRY: My last question, Professor
24 Davis, do you believe that the process that is going
25 on now, based on this report, and the other aspects of

1 what is happening in higher education in Mississippi now
2 will lead to the end of racial identifiability and the
3 improvement of quality of the institutions?

4 PROFESSOR DAVIS: No, ma'am, absolutely not.

5 CHAIRPERSON BERRY: You do not.

6 PROFESSOR DAVIS: Absolutely not. I think that
7 these are -- I think I labeled these steps tinkering with
8 the system as it exists. I think Mr. Kronley's
9 involvement in the process is an important step toward
10 attempting to improve a very poor system, but I don't see
11 the small improvements making the kind of major changes
12 that have to be made in this system.

13 CHAIRPERSON BERRY: So that if we were to come
14 back here 20 years from now or the Commission or some
15 other Commissioners came back here 20 years from now, you
16 would not say that we would expect, if this path
17 continues to be followed, to find that the institutions
18 are no longer racially identifiable and they all have
19 improved quality of education being offered?

20 PROFESSOR DAVIS: I would expect to find --

21 CHAIRPERSON BERRY: Would you expect us to find
22 and end to racial identifiability and an improvement in
23 overall quality of higher education?

24 PROFESSOR DAVIS: No, and that's precisely my
25 point. I think that 20 years -- and that's my concern.

1 20 years from now the picture would look very similar.

2 CHAIRPERSON BERRY: Okay. All right. Well,
3 that's the end of my questions and I want to thank the
4 panel for being with us, and someone from our staff will
5 escort you through the sign-out procedures when you
6 leave, and thank you very much for your testimony.

7 That concludes our hearing today. The hearing
8 will reconvene at 8:45 a.m. tomorrow in this same room.
9 We will cover a new topic tomorrow, Race and the Economy
10 of the Delta, Voting Rights in the Mississippi Delta will
11 be our focus when we convene Saturday morning.

12 We will have an open session tomorrow evening.
13 Unfortunately we can provide only a limited number of
14 opportunities for those who wish to speak during the open
15 session.

16 Individuals wishing to do so must first sign up
17 and have a brief interview with our staff. Staff will
18 explain the procedures for open testimony at that time.
19 As is customary with Commission hearings, the record will
20 remain open for 30 days during which any of the witnesses
21 can submit any written statements that will aid in our
22 interpretation of the documents submitted, or the
23 testimony we have received.

24 In addition, any member of the public may
25 submit any information helpful to our proceedings. We

1 appreciate the attendance and the participation of all
2 that were here today. This hearing is recessed until
3 tomorrow at 8:45 a.m.

4 (Proceedings concluded at 5:30 p.m.)

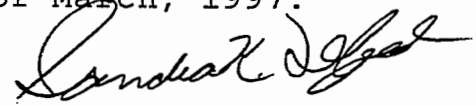
C E R T I F I C A T E

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STATE OF GEORGIA)
COUNTY OF GWINNETT)

I hereby certify that the foregoing transcript is a true, correct, and complete record of the said proceedings; that I am not a relative, attorney, or counsel of any of the parties; am not a relative of attorney or counsel for any of the parties; nor am I financially interested in the action.

This, the 9th day of March, 1997.



Sandra K. Ledford