



Wednesday, May 13, 2026

Dr. Jo Ann Malone, Ed.D.
Associate State Superintendent
Office of Accreditation
Mississippi Department of Education
359 North West Street
P.O. Box 771
Jackson, MS 39205-0771

Re: Response to Formal Complaint – West Bolivar Consolidated School District

Dear Dr. Malone:

As you know, this law firm represents the West Bolivar Consolidated School District (hereinafter “WBCSD” or the “District”). I write on behalf of the District in response to the Mississippi Department of Education’s (MDE) letter dated April 15, 2026, which notified the District of formal complaints alleging possible violations of Process Standards 1, 1.1, 1.2, and 3.1 of the Mississippi Public School Accountability Standards, 2025 (hereinafter “Accountability Standards”). Pursuant to MDE’s policy, the District submits the following response and respectfully requests that MDE find the District in compliance with all applicable process standards.

As an overarching matter, it is the District’s position that at all times relevant to these allegations, the Board President, Jacqueline Lloyd, was acting within the scope of authority properly delegated to her by the full Board of Trustees. The Board’s official minutes corroborate that the Board voted to authorize the actions attributed to the Board President. Accordingly, those actions were not the unilateral acts of an individual officer but the lawful exercises of authority conferred by the Board as a whole. Each allegation is addressed below.

I. Superintendent’s Annual Evaluation (Policy CEI / Process Standard 3.1)

Allegation: The WBCSD failed to follow School Board Policy CEI by failing to evaluate the current Superintendent annually, in alleged violation of Process Standard 3.1.

Applicable Law: Miss. Code Ann. § 37-7-301(bbb) vests in the board of trustees the responsibility for supervising and evaluating the superintendent. Process Standard 3.1 of the Accountability Standards requires that the board conduct a documented annual evaluation of the superintendent within the timeframe established by district policy.

Response: The District is in compliance. The Board scheduled the Superintendent's annual evaluation on April 29, 2026, which falls within the required completion window of June 30, 2026. Although there was no quorum for this meeting, the board will continue to place this matter on the agenda to properly evaluate the Superintendent. The District acknowledges the importance of timely evaluations and commits to ensuring that all future evaluations are calendared and completed well in advance of the June 30th deadline each year.

II. Board President's Actions Regarding the Superintendent Search

Allegations: Board President Jackie Lloyd allegedly violated Board Policies ABA/ABC, BBABA, BBB, and BBC by: (a) advertising for a new Superintendent on her personal social media page (February 8, 2026); (b) posting a superintendent search notice to the WBCSD website (February 26, 2026); and (c) authorizing the publication of a notice for superintendent applications in the Greenwood Commonwealth Newspaper (March 7-8 and March 12, 2026), each without Board authorization.

Applicable Law: Miss. Code Ann. § 37-7-301 governs the powers and duties of school boards and requires that board action be taken collectively. Board policies ABA/ABC and BBC establish that the Board acts as a body and that no individual member, including the Board President, has the authority to act independently on behalf of the District absent a specific grant of authority from the Board. However, these same principles of board governance recognize that the Board may delegate specific authority to the Board President or other officers, and such delegation, when properly voted upon, constitutes lawful board action.

Response: The District is in compliance. The Board President did not act unilaterally. The record establishes the following sequence of events:

- On January 24, 2026, the Board President communicated with Board members, and the Board members verbally authorized the Board President to initiate the superintendent search process, with the express understanding that formal ratification would occur at the next scheduled Board meeting.
- At the February 12, 2026 regular Board meeting, the Board officially ratified and approved all actions taken by the Board President in furtherance of the superintendent search. Those Board minutes are attached hereto as Exhibit A.
- The social media posting (February 8, 2026), the website notice (February 26, 2026), and the newspaper publication (March 7-8 and March 12, 2026) were all made pursuant to the authority granted by the Board on January 24, 2026, and subsequently memorialized in the February 12, 2026 Board minutes.

The Board President at all times operated under the authority conferred by the Board. The February 12, 2026 Board minutes confirm that the Board approved the superintendent search efforts and ratified the Board President's conduct. Because the Board voted to authorize these actions, the Board President's conduct was consistent with, and not in violation of, Board Policies ABA/ABC, BBABA, BBB, and BBC. Ratification by a duly constituted board meeting has the same legal effect as prior authorization. The District therefore respectfully submits that it is in full compliance with the cited policies and Process Standards 1, 1.1, and 1.2.

III. Vacant Board Seat – Sub-District 2 (Policies AB, ABCA, ABCDA / Miss. Code Ann. § 37-7-203)

Allegation: The Board allegedly failed to follow Board Policies AB, ABCA, and ABCDA, as well as Miss. Code Ann. § 37-7-203, by failing to appoint anyone to fill the vacant Board seat for Sub-District 2, vacated by former Board member Rev. Charlie Jackson on December 31, 2025.

Applicable Law: Miss. Code Ann. § 37-7-203 governs vacancies on school boards. Under that statute, when a vacancy occurs, the remaining members of the board of trustees are required to appoint a qualified elector of the sub-district to fill the vacancy. If the remaining board members are unable to agree upon an appointment, the statute provides that the board may certify the vacancy to the county election commission, which may then order a special election to fill the seat. The appointment or election process is intended to ensure continuous and complete board representation for each sub-district.

Response: The District acknowledges that the vacancy in Sub-District 2 was declared on January 15, 2026, following the departure of Rev. Charlie Jackson, and that the seat has not yet been filled by board appointment. After consultation with the Elections Division of the Secretary of State's office regarding matters such as this, the district would be better served in having the election on November 3, 2026 because the board has already set this date as the special election. The Board has accepted this determination. The qualification period for candidates seeking the Sub-District 2 seat is expected to open in September 2026, approximately four months from the date of this letter.

The District notes that Miss. Code Ann. § 37-7-203 contemplates precisely this scenario: where remaining board members cannot agree upon an appointment, the matter may be referred to the election commission for resolution through the electoral process. That is the path now being followed. The Board remains committed to ensuring that Sub-District 2 is represented at the earliest opportunity consistent with the election schedule established by the Commission, and the District will ensure full compliance with all qualification and election procedures as they arise.

IV. Annual School Visits (Policy ABB/BBBCB)

Allegation: The Board allegedly failed to follow Policy ABB/BBBCB by failing to conduct its annual visit to schools in the District, specifically schools located in Shaw, Mississippi.

Applicable Law: Policy ABB/BBBCB requires that the Board of Trustees conduct annual visits to each school within the District. Miss. Code Ann. § 37-7-301 and related accreditation standards reflect the importance of board members remaining engaged with and informed about school operations.

Response: The District is in compliance. A school walkthrough was placed on the April 14, 2026 Board meeting agenda. The walkthrough was postponed in order to avoid disruption to students during the Mississippi state testing window, a legitimate and educationally sound reason for delay. The Board has rescheduled the annual school visits for the May 2026 Board meeting. The District is committed to completing the required visits before the end of the school year and to documenting the visits in accordance with applicable policies.

V. Conclusion

The West Bolivar Consolidated School District respectfully submits that it is in compliance with, or actively taking documented corrective action to achieve compliance with, each of the process standards identified in MDE's April 15, 2026 letter. The Board President's actions with respect to the superintendent search were taken pursuant to authority voted and

conferred by the full Board, as corroborated by the February 12, 2026 Board minutes. The superintendent evaluation will be completed within the required timeframe. The vacant board seat situation reflects an unusual circumstance and is being resolved through the lawful electoral process established under Miss. Code Ann. § 37-7-203, with the November 3, 2026 election and a September 2026 qualification period forthcoming. Also, the annual school visits will be completed prior to the end of the current school year.

Supporting documentation, including the February 12, 2026 Board minutes are submitted herewith. Should the Office of Accreditation require any additional information, documentation, or clarification, please do not hesitate to contact this office.

Respectfully submitted,

Kelvin Pulley, Esq.
Board Attorney
West Bolivar Consolidated School District

cc: Mr. L’Kenna Whitehead, Superintendent
Ms. Jacqueline Lloyd, Board President
WBCSD Board of Trustees
Erin Meyer, General Counsel, Mississippi Department of Education