



## Clarksdale Hearings Continue to Raise Suspicion

**June 8, 2016** - Jackson attorney Lisa Ross said she fears Mississippi Department of Education officials are defining the argument in their case against her client, Heidelberg Elementary School Principal Lawanda Tyler-Jones.

In its ongoing investigation into allegations of widespread teacher-assisted student cheating at the school, the department has accused three Heidelberg Elementary School educators of influencing standardized exam results in 2013, with Tyler-Jones being the latest case. The Department of Education alleges that Tyler-Jones instructed teachers to tamper with tests and artificially raise the school's score. Teacher Frances Smith-Kemp surrendered her license for two years, while the state licensure board suspended Tetra Winters's license for five years after allegations went public.

Students' May 2013 Mississippi Curriculum Test scores at the Clarksdale elementary school gave the school an A-rating, up from an F-score two years earlier. Officials began an inquiry when the students were promoted to Oakhurst Intermediate School, but then appeared to have difficulties with basic math and reading.

Ross describes the investigation as a "witch hunt" aimed at a Clarksdale school that is already trying to do battle with widespread poverty and deflects many of the accusations hurled at her client. She kicked off the May 23 hearing by attacking the licensure commission subcommittee by objecting to panelists Rilla Jones and Chair Pamela Manners, who served on a related hearing last November that culminated in the suspension of Winters's license. The commission overruled the motion, claiming the two panelists could be fair and impartial to Tyler-Jones. The department also submitted a motion to quash Ross's subpoena to MS Education Superintendent Carey Wright, demanding Wright provide testimony over statements she released to the press alleging test tampering in Clarksdale.

"There's no reason to believe that my client will get a fair hearing in this environment," Ross said. "They have no real evidence upon which to base their argument. They have the word of educators who worked with them in an effort to preserve their own retirements and careers and the word of students who appear to be backing away from some of their initial allegations. They interviewed students without their parents' consent."

No students were named in the investigation and, so far, none have been called to the hearings for cross examination.

The Mississippi Department of Education paid Caveon Test Security and Caveon Investigative Services \$246,000 to investigate the Clarksdale Municipal School District matter. Caveon Test Security data analyst Dennis Maynes testified that testing data revealed that the same students from Heidelberg scored lower than expected and made fewer wrong-to-right erasures a year later from when they attended school at Oakhurst.

Ross claims Caveon limited their testing group by not comparing it against that of the whole school.

“Our expert says they didn’t pick a big enough sample to test,” said Ross, “and now we know that a bigger sample will never be done because they destroyed the (test) booklets. Why would you do that? When their expert was on the stand he kept talking about this Blue Ribbon Commission (BRC) down in Georgia and the work they’d done for the Atlanta school district. Well, guess what: The same criticism we use is the same criticism Georgia had with their work. They didn’t save the booklets to make a proper sample.”

In 2011, after a scathing report by the Georgia governor’s office, the BRC hired Caveon as one of two firms crunching Atlanta testing data. However, Caveon [only compared](#) Atlanta’s 58 suspicious schools to each other, rather than statewide students.

State investigators called the report flawed and claimed using the “worst of the worst” skewed the data. Task force investigator Richard Hyde compared the situation to “trying to determine the average height of an Atlantan by only using Atlanta Hawks.”

The Clarion-Ledger [reported](#) a statement by University of Kansas Associate Statistics Professor William Skorupski expressing concern over Caveon’s methods, which make no use of a control group because test booklets belonging to other Georgia state students weren’t examined.

“It’s our theory that Caveon makes their numbers say whatever the person paying them wants them to say,” Ross said. “They’ve been doing business with Mississippi since 2006, but nobody’s vetting this company.”

Department of Education officials piled onto Tyler-Jones throughout the course of the three-day hearing, with Mississippi Department of Education Student Assessment and Accountability Executive Director Walt Drane claiming the principal coaxed good test scores when she “anointed the desks, the pencils, the doorways, and also the students’ heads with holy water.”

Ross called Drane’s statement “embellished.”

“It was a statement made to embarrass her,” Ross said. “If they really want the public to know what my client said, they have a taped recording of that interview. Why won’t they just release it to the public? Again, why are they hiding these tapes, these witnesses, and this paperwork? If I’ve got testimony of them saying horrible things about my client, don’t you think I’d use it in my case? I certainly wouldn’t be hiding them. But they don’t want to produce the tapes because people have lied, and they want us to believe the lie. If they’re not using their evidence then it must not be favorable.”

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