

RESOLUTION RELATED TO INTERVENTION INTO THE BESSEMER CITY SCHOOL SYSTEM

WHEREAS, the Constitution and laws of the state of Alabama vest the Alabama State Board of Education and Dr. Eric G. Mackey, State Superintendent of Education, with the authority to exercise general control and supervision over the state's public schools; and

WHEREAS, Alabama law further authorizes the State Superintendent of Education to: (1) review actions and orders of boards and superintendents of education related to matters that seriously affect financial and/or education interests, (2) enforce the education laws and regulations on behalf of the Board, and (3) implement the Board's educational policies; and

WHEREAS, local boards of education perform a state function at a local level and function as an arm of the state, subject to the general supervision of the Alabama State Board of Education; and

WHEREAS, Alabama law, including the *Educational Accountability and Intervention Act of 2013* (§§ 16-6E-1 through -7, Ala. Code 1975) authorizes the State Superintendent of Education to intervene in local school boards under certain conditions; and

WHEREAS, the Alabama State Department of Education received information of deficiencies and challenges in board governance, finances, personnel, facilities, and student learning in the Bessemer City School System; and

WHEREAS, as a result of the information received, the State Superintendent issued a show-cause Notice on July 3, 2024, notifying the Bessemer City Board of Education (BCBOE) of the Bessemer City School System (BCSS) that the significant deficiencies warrant consideration of intervention in the BCSS and instructed the BCBOE to submit a written response to the show-cause letter within 21 days of the letter issuance date or on or before July 24, 2024; and

WHEREAS, in lieu of providing a written response, the BCBOE held a meeting on July 22, 2024, and unanimously voted to fully consent to the proposed intervention of the BCSS as provided by law and thereby has received all required notices and information due; and

WHEREAS, the BCBOE passed a Resolution consenting to the proposed intervention of the BCSS (attached as Exhibit "A" hereto); and

WHEREAS, the Alabama State Board of Education finds that the BCSS meets the criteria for intervention set forth in the *Educational Accountability and Intervention Act of 2013* (§§ 16-6E-1 through -7, Ala. Code 1975):

NOW, THEREFORE, BE IT RESOLVED, That the Alabama State Board of Education fully authorizes the State Superintendent of Education to intervene in the Bessemer City School System pursuant to the *Educational Accountability and Intervention Act of 2013* and that Dr. Mackey be vested with any and all authority and power afforded to him under the Act, as well as any other authority Alabama law allows; and

BE IT FURTHER RESOLVED, That pursuant to the State Superintendent's request, the Alabama State Board of Education does hereby appoint Dr. Daniel Boyd as Chief Administrative Officer with full power and authorization to exercise intervention authority under the Act, subject to the State Superintendent's supervision; and

BE IT FURTHER RESOLVED, That the State Superintendent shall maintain intervention in the Bessemer City School System until such time the BCBOE becomes compliant with Chapter 13A, Title 16, Ala. Code 1975, and, in the State Superintendent's judgment, demonstrates suitable progress towards correcting the deficiencies that led to intervention including, but not limited to, plans addressing board governance plan, finances, personnel, facilities, and student learning.

Done this the 8th day of August 2024