

Joris Ray left MSCS. His sister remains a high-ranking director

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EDUCATION

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Her promotion announcement was noticeable because it lacked the word “interim.” The new department leader had a professional district headshot. Although she was on payroll, the interim director had not been working in the department for several months.

She was also the superintendent’s sister.

In the three years Joris Ray was the superintendent of Memphis-Shelby County Schools, his sister, Carol Richardson, was hired into the district, promoted to a permanent director level position days after accepting an interim role, and provided a salary 49% higher than her predecessor.

Three people with knowledge of the situation interviewed by The Commercial Appeal describe an employee who took an atypical path to her role overseeing the English as a Second Language department last year. Her leadership impacted the culture of the ESL department, they said, which had previously been known for low turnover and a director’s open door.

HIRING TIMELINE:It could be more than half-a-year before MSCS picks a superintendent. Here's the timeline

LEADER SEARCH:'Rigorous timeline,' 'above reproach': What Memphis chamber seeks in MSCS leader search

“It is almost an entirely new department,” said Riley, who works in ESL in Shelby County. Riley was granted anonymity and a pseudonym for this story after citing fears of retaliation.



It is unclear whether Ray influenced decisions to hire or promote Richardson, or to provide his sister with raises. He did not return requests for comment from The Commercial Appeal. While the school board this summer launched an external investigation into allegations that he abused power and violated policy during his time as superintendent, the investigation halted before it was complete, at the direction of a board vote. Ray left the district with 18 months of severance pay.

Through the school district, Richardson provided a statement about her role: “I’m in this work because I want to make a difference. I am passionate about mentoring, supporting, and celebrating employees as they advance in their careers. More importantly, I am passionate about working with English language learners and helping children and families who are new to our community thrive.”

While Richardson has decades of experience in ESL, employees have questioned whether her route to the top position and significant raises were influenced by her brother at the helm.

Richardson joins MSCS ESL department, which serves more than 10% of students

MSCS' ESL department supports the significant population of Memphis students who are learning English and assists the teachers tasked with helping them. Across the country and in Memphis, these students are usually behind academically when compared to their peers on state tests, and the student group saw greater declines during the pandemic than peer groups, making them a top priority for the district as it seeks to boost academic outcomes for students.

In the years after Shelby County Schools and Memphis City Schools merged and the suburban municipalities formed and peeled away, the ESL department at Memphis-Shelby County Schools grew.

The expansion of the ESL department coincided with increased demands from the state of Tennessee on academic outcomes for these students. In Memphis schools, students who do not speak English proficiently and receive ESL resources make up almost 12% of the population, state data show. The district's ESL population includes students who speak many different first languages, with Spanish-speaking students making up the overwhelming majority.

By early 2020, the department had a director, manager and five instructional advisors that work with ESL school teachers. The department also employs bilingual cultural counselors at the district level, who work with families, and the department oversees scores of ESL teachers at the district's traditional and charter schools.

Richardson was one of these advisors, filling an opening left by Lisa Hoelmer, who was promoted to the new manager position. Richardson had also applied for the manager job in the fall of 2019, according to Riley and Parker, another anonymous source who previously worked at the district and requested anonymity due to fears of retaliation. The Commercial Appeal provided pseudonyms to anonymous sources in this story for the purpose of reader clarity.

NATIONWIDE TEST RESULTSNationwide test shows Memphis students suffered some of greatest pandemic losses

DISTRICT AUDITMSCS 'reset' includes procurement audit, new cabinet member

Richardson came to the district after a 25-year education career, which largely included teaching positions at Collierville Elementary School and, most recently, an ESL teaching role at the school. In 2017, she was one of three finalists for the top ESL teacher in Tennessee.

“Hopefully,” she told Collierville Schools in her 2019 resignation letter, “my efforts have made a difference in the lives of students and parents that I have served.”

Ray, the superintendent at the time, was familiar with the ESL department. As the director of academic operations and school support by fall 2018, ESL fell under his oversight, Riley and Parker told The Commercial Appeal. Prior to this, he was the assistant superintendent of academic operations and school support beginning in spring 2014, records show.



It was during this time that Riley remembers a meeting of ESL teachers across West Tennessee. Ray introduced Richardson to the group as his sister. The pair's sibling relationship was known among central office staffers as Richardson joined the team.

And as a leader, Ray was known for his focus on loyalty. This included his own description of prioritizing loyalty to family, Parker said.

Richardson promoted to interim director after months not working for the ESL department in her hired role

In the ESL instructional advisor position, Richardson worked with MSCS elementary school teachers. She'd spent just over two months in the position when the district closed its school buildings as the new coronavirus crashed down on in-person education.

While schools were remote in April 2020, Ray publicly acknowledged their sibling relationship in, replying to a social media post with her baby photo to say the person was "Carol Richardson! No doubt."

Riley and Alex, an anonymous source who worked for MSCS central office at the time, said Richardson stopped being an instructional advisor that summer.



Despite her transfer to another MSCS department, Richardson's title remained ESL instructional advisor. The ESL department was unable to hire someone to take over Richardson's job duties, Parker and Riley said, because the position was considered filled.

Information about the transfer is not present in Richardson's personnel file.

Alex called the transfer "atypical" and "extraordinary."

"(Richardson) was still being paid by the ESL department," Riley said. "Her title was still ESL instructional advisor, but she did not work in the department."

By the spring of 2021, Richardson was working for Angela Whitelaw, the district's top academic official, known to be a close colleague of Ray.

It is unclear what Richardson's job duties were over these several months, but she pointed to her experience in the department in a newsletter announcing her promotion to the interim director of the ESL department.

"In Shelby County Schools, I have worked as an Instructional Advisor in the ESL Department," Richardson wrote, "and the Office of Schools and Leadership."

MSCS told The Commercial Appeal the pandemic necessitated this transfer, but did not offer any details about what Richardson's role was, or why she had it, other than that she provided "integral ESL information that assisted key pandemic initiatives." It is unclear who she was providing this information to, and why it would not have been available from the sitting director, Debra Frantz.

Richardson was promoted to interim director shortly after Frantz resigned in the spring of 2021. Frantz had been the director since 2017, records show, and had a career of more than 20 years with the school district. She left the role, where she earned \$95,600, and continued working in ESL in the academics division of the Tennessee Department of Education.



When Richardson transferred out of ESL, she didn't have many work-related conversations with the ESL department, Parker and Riley said. And her appointment to the interim position was surprising, Alex said, because she had been transferred out of the department. By this point, Alex said, staffers began to wonder even more about the role her sibling relationship to Ray played in both her transfer out of the department and her promotion to interim director.

It is unclear what role, if any, Ray played in determining this promotion.

According to the school district, Whitelaw, the deputy superintendent Richardson had been transferred under, recommended her for the appointment. The district said a deputy's recommendation for a director role is typical practice.

On March 17, 2021, the day before MSCS officials planned to announce Richardson's appointment to staff, a human resources official inquired about Richardson's interim appointment as well as interim appointments of a few other academic directors.

In the email, the official said the form would typically end by gathering signatures from both Richardson and Ray. The email makes no mention of their relationship as sister and brother.

It is unclear if Ray ever signed this form.

Richardson's interim salary was higher than predecessor's, increased by \$30,000 when promoted

When Frantz left the role of ESL director in March 2021, she was making \$95,600, records show. Records from June 2021 suggest this was the lower end of the range of director salaries.

Richardson, as an instructional advisor, was earning \$80,000 at the time, school district records show.

Compensation recommended she earn \$90,000 as the interim director of ESL, according to records which also show a \$95,000 counter offer for the role, which Richardson began on March 22, 2022, roughly one week after Frantz's last day.



JORIS RAY RAISE:MSCS standardized teacher salaries. Former Superintendent Joris Ray got a raise

PREVIOUS COVERAGE:MSCS' Joris Ray supervised a woman who signed alleged NDA about affair, records show

But Richardson was paid a salary of \$110,000 to be interim director through June 30, 2021. Records appear to show a sign-off on the pay by Whitelaw, the deputy superintendent Richardson had been working under prior to her transfer back to ESL as interim director and the person who recommended her for the job.

The week after Richardson's tenure as interim ESL director began, on March 30, 2021, she signed a document accepting the permanent director role, signed by Yolanda Martin, the chief of human resources. (Martin is currently on paid leave.) The permanent position was to begin July 1, 2021, at a salary of \$140,000. Records show by August, Richardson was making \$142,800.

This meant Richardson received a \$30,000 raise to take an interim role at a salary \$15,000 higher than compensation approved, and, after seven school days on the job, was promoted to the permanent position for another \$32,800 bump. It is unclear if the district conducted any interviews during this time.

The district did not respond to a Commercial Appeal inquiry asking what prompted the early offer, or who recommended her for the position.

Instead, the district responded with a statement describing Richardson's qualifications, and acknowledged interviews were held for the role, but did not say why Richardson's offer was given in March. The \$110,000 was in line with director salaries, which the district said ranged from \$90,000 to \$135,000 at the time, which records support.

The additional pay raise, the district said, was due to a reclassification of the role, bumping it from a general director position to an executive director or "director II" role. It is unclear who ordered this reclassification.

"This salary is consistent with the salary of other executive directors of special populations with significant state and federal compliance responsibilities, including the executive directors of special education and early childhood," the district said.

The changes increased the position's salary 49% in five months.

Richardson's employment as the new department head was announced in an April edition of an ESL newsletter, obtained by The Commercial Appeal.

While ESL central office employees had been told she was provided the interim director role, Richardson announced herself as "your ESL Director in Shelby County Schools." It is unclear if anyone in the department was aware she had already been offered and accepted the permanent role.

Roughly a month after Richardson accepted the role, Ray announced in early May he was restructuring the academic department, with plans to evaluate more than 100 positions.

"I have to ensure that I have the right people in the right seats on the bus," Ray told The Commercial Appeal at the time.

The district held interviews for the permanent position ESL later that summer, Alex told The Commercial Appeal.

But the circumstances contributed to a "chilling effect" on applicants to the director role and on the culture of the ESL department, Alex said. Alex was aware of at least one employee who purposefully did not apply for the role given the context of Richardson's elevation to interim director after not working in the department and her use of the word "director" in her introduction.

Richardson's hire was publicly announced at the end of June, alongside a dozen other central office positions, most of which were internal promotions, like Richardson's, plus two dozen new principals.

What is the nepotism policy at MSCS?

A review of the MSCS employee handbook shows the district does address nepotism rules, but these rules are not part of board policy.

The handbook rules are similar to a Tennessee law regulating the employment of relatives of board members and local elected officials. That law clarifies it does not prohibit relatives from working for the same school district.

"...no employees who are related by genetics or marriage will be placed within the same direct line of supervision, whereby one relative is responsible for supervising the job performance or work activities of another," the district handbook states, similar to the Tennessee law.

The district's policy manual, approved by the board, also has a policy describing employee ethics. A second policy describes conflicts of interest, but is focused most on procurement, and how district employees work with other vendors or businesses.

According to the Tennessee School Board Association, the MSCS school board does have authority over nepotism rules.



“For example, the Board has the authority to determine the number of budgeted positions within the system, address nepotism concerns, and ensure nondiscrimination laws and policies are implemented and followed,” a TSBA manual describes.

MSCS did not tell The Commercial Appeal how any of its existing board policies governing ethics and conflicts of interest would apply for promotions like Richardson's, or how the district advises employees to handle situations where top leaders are relatives of other top leaders.

"The MSCS Human Resources division instructs administrators and hiring managers to craft questions and hiring exercises related to the essential functions of the role," the district said in a statement. "The department's practices align with guidance from the Society for Human Resources Management. Additionally, the MSCS Human Resources team provides ongoing professional development and supplemental resources for hiring managers on best practices."

Althea Greene, chair of the MSCS school board, pointed The Commercial Appeal to the employee handbook policy and state law.

"It is my expectation that our employee will follow district and board policy," she said.

Richardson's hiring decisions raise concerns

With Richardson at the helm, the culture of the department changed, and some staffers left, Alex and Riley said.

Some staffers in the ESL department pushed back on Richardson's departure. Some began to transfer to other departments, and some began to discuss leaving the department, which had historically had a reputation for high employee retention.

A Commercial Appeal records review shows most positions in the department of about 18 people have turned over since March 2021, as of July 2022.

As interim director, Richardson made hiring decisions, replacing Hoelmer, the manager for instructional advisors, who left the district in April for another ESL job. Richardson also hired for a new manager position to oversee bilingual cultural counselors, the employees who work with students and families.



At least two of her new hires, both instructional advisors, do not have licensure endorsements for ESL, held by instructional advisors before them and other advisors on the team.

"The employees hired met the needed qualifications," MSCS told The Commercial Appeal. "Similar to the process we use to hire teachers, occasionally, qualified candidates are given time to obtain additional endorsements after they are hired. The ESL team has extensive experience in federal programs and compliance guidelines relevant to ESL."

But the hiring decisions raised concerns for some employees, Alex said.

Richardson remains in the position. She has received positive evaluations from Shawn Page, the academic operations leader who has historically overseen the department, and most recently Jaron Carson, the chief of academics. Both evaluations occurred while Ray was at the helm.

"Ms. Richardson has done an exemplary in her new role and implementation of EL priorities in the district," Page wrote in June 2021, as Richardson ended her tenure as interim director.

This June, Carson also provided a favorable evaluation.

“Awesome job this school year,” Carson said. “Keep up the good work in providing your entire department with their needs in order to be successful. We are fortunate to have you in this position.”

Later this summer, Ray was placed on paid leave as the board launched an external investigation into allegations he abused power and violated policy. Within two months of the launch, the board voted on Ray’s exit from the district, which included a \$480,000 payout and the suspension of the investigation.



Documents obtained by The Commercial Appeal show that Edward Stanton, the attorney tasked with leading the investigation, was made aware of concerns specific to potential nepotism with Richardson’s hire. Because the board voted to suspend the investigation, it was never complete, and the district said no documents were created.

Since his departure, Ray has continued his public support of the district, calling himself “superintendent emeritus” of the district online.

On August 28, the Sunday after he was terminated from his position, which the board procedurally acknowledged as his resignation, Ray published a tweet about teachers, including an article about the challenges teachers face written by Dan Rather and Elliot Kirschner.

“Teachers are the backbone of this country. We should compensate teachers (100K minimum salary),” Ray wrote, making again a salary plea he had issued before, “value, and respect them with our words and actions.”



The district’s ESL Twitter account retweeted the post.

Left in the mix, Alex told The Commercial Appeal, are all of the ESL teachers and the students, who have some of the most significant academic needs in the district. The changes in the department, Alex said, are concerning for ESL students and their futures. *Laura Testino covers education and children's issues for the Commercial Appeal. Reach her at laura.testino@commercialappeal.com or 901-512-3763. Find her on Twitter: @LDTestino*

