

By: Representative Malone

To: Penitentiary; Education

HOUSE BILL NO. 989

1 AN ACT TO CREATE A SPECIAL SCHOOL DISTRICT AT THE WALNUT
 2 GROVE YOUTH CORRECTIONAL FACILITY; TO DESCRIBE THE EDUCATIONAL
 3 PROGRAM AND CURRICULUM THAT MUST BE MADE AVAILABLE THROUGH THE
 4 SCHOOL DISTRICT; TO PROVIDE THAT THE SCHOOL BOARD OF THE SCHOOL
 5 DISTRICT SHALL BE THE WALNUT GROVE CORRECTIONAL AUTHORITY; TO
 6 REQUIRE THE SCHOOL BOARD TO APPOINT A SUPERINTENDENT FOR THE
 7 SCHOOL DISTRICT; TO REQUIRE THE SCHOOL BOARD AND THE STATE BOARD
 8 OF EDUCATION TO ESTABLISH A FUNDING METHODOLOGY FOR THE SPECIAL
 9 SCHOOL DISTRICT WHICH REFLECTS THE UNIQUE EDUCATIONAL NEEDS WITHIN
 10 THE CORRECTIONAL FACILITY; TO PROVIDE FOR THE EMPLOYMENT AND
 11 COMPENSATION OF TEACHERS EMPLOYED BY THE DISTRICT; AND FOR RELATED
 12 PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. There is created a special school district to be
 15 located on the campus of the Walnut Grove Youth Correctional
 16 Facility operated under contract with the Mississippi Department
 17 of Corrections. The purpose of the school district is to meet the
 18 educational needs of the juvenile offenders housed in the facility
 19 by providing each student with an opportunity to develop
 20 educational, vocational and living skills.

21 SECTION 2. (1) The program of education at the special
 22 school district must be designed to meet each student's individual
 23 educational needs, regardless of the student's grade level. The
 24 school district shall prepare a written Individual Education
 25 Program (IEP) for each student.

26 (2) The special school district must meet appropriate State
 27 Department of Education accreditation standards, as determined by
 28 the State Board of Education. The district shall offer the same
 29 curriculum for Kindergarten through Grade 12 and special education
 30 classes as required by the State Board of Education for other
 31 local school districts. In addition, training in the following

32 areas must be included in the school district's curriculum:
33 computer literacy; workplace readiness; life skills; drug and
34 alcohol education; and physical education.

35 (3) The school district shall provide a program of general
36 educational development (GED) preparatory instruction, which
37 program must be administered in compliance with the rules and
38 regulations established for such programs under Sections 37-35-1
39 through 37-35-11 and by the State Board for Community and Junior
40 Colleges. The school district may administer the General
41 Educational Development (GED) Testing Program under the policies
42 and guidelines of the GED Testing Service of the American Council
43 on Education. Upon a determination by the school district that it
44 is in a student's best interest for that student to receive GED
45 preparatory instruction, the school district shall assign the
46 student to the GED program.

47 (4) The school district, in its discretion, may authorize
48 postsecondary academic or vocational courses, or both, to be
49 offered to students in the correctional facility who have been
50 awarded a high school diploma or GED equivalent. However, no
51 state funds may be expended to provide such course offerings
52 unless the educational programs for Kindergarten through Grade 12
53 have been fully funded.

54 SECTION 3. The school board of the special school district
55 shall be the Walnut Grove Correctional Authority. The
56 relationship between the correctional authority, as school board
57 of the school district, and the State Board of Education shall be
58 the same as that between other local school boards in the state
59 and the State Board of Education. The school board shall exercise
60 the same powers, duties and responsibilities prescribed under
61 Title 37, Mississippi Code of 1972, and by rules and regulations
62 of the State Board of Education for all local school boards.

63 SECTION 4. (1) There is established the position of
64 superintendent of the special school district, which position must

65 be filled by the appointment of the Walnut Grove Correctional
66 Authority, as school board of the school district. The school
67 district superintendent shall be directly responsible to, and
68 shall serve at the will and pleasure of, the school board. The
69 superintendent must possess the qualifications required of all
70 school district superintendents under Section 37-9-13 and any
71 other qualifications that may be specified by the school board or
72 State Board of Education.

73 (2) The relationship between the school district
74 superintendent and correctional authority, as school board of the
75 school district, and the State Board of Education shall be the
76 same as that between other appointed school district
77 superintendents and their respective school boards and the State
78 Board of Education. The superintendent shall exercise the same
79 powers, duties and responsibilities prescribed under Title 37,
80 Mississippi Code of 1972, and by rules and regulations of the
81 State Board of Education for all school district superintendents.

82 (3) The school district superintendent shall have the
83 general responsibility for administering and supervising the
84 educational programs of the special school district. In addition,
85 the superintendent shall have the specific duty of submitting the
86 school district's annual educational budget recommendations, as
87 adopted in final form by the school board, to the State Board of
88 Education. The budget must be based on any funds available to the
89 school district for educational purposes.

90 SECTION 5. The school board and the State Board of Education
91 shall establish jointly a funding methodology for the special
92 school district which reflects the unique educational needs of the
93 students housed in the correctional facility. The funding must be
94 sufficient to employ at least one (1) licensed teacher for each
95 fifteen (15) students in the special school district. Funding for
96 the educational programs shall be by appropriation of the
97 Legislature specifically for the educational programs at the

98 Walnut Grove Youth Correctional Facility, and those funds may not
99 be used for any other purpose at that facility or any other
100 facility operated under contract with or by the Mississippi
101 Department of Corrections.

102 SECTION 6. The school board and superintendent shall
103 establish a salary schedule for teachers employed by the special
104 school district, with consideration given to the unique
105 educational environment of the school district within a
106 correctional facility. All teachers employed by the district must
107 possess a license to teach issued by the State Department of
108 Education. Teachers and other licensed personnel employed by the
109 district shall be eligible to participate in the State and School
110 Employees Life and Health Insurance Plan and the Public Employees'
111 Retirement System.

112 SECTION 7. This act shall take effect and be in force from
113 and after July 1, 2001.