

By: Representative Brown

To: Education;
Appropriations

HOUSE BILL NO. 1320

1 AN ACT TO AMEND SECTION 37-151-9, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE OFFICE OF EDUCATIONAL ACCOUNTABILITY OF THE
3 DEPARTMENT OF EDUCATION TO DEVELOP BEST PRACTICES FOR THE
4 MANAGEMENT OF PUBLIC SCHOOL DISTRICTS; TO ESTABLISH AN ADVISORY
5 BOARD TO ASSIST IN THE DEVELOPING OF THOSE PRACTICES; TO PROVIDE
6 FOR PILOT AUDITS OF BEST PRACTICES; TO PROVIDE FOR THE CREATION OF
7 A FIVE-YEAR CYCLE OF AUDITS FOR ALL SCHOOL DISTRICTS FOLLOWING
8 PILOT TESTING; TO PROVIDE THAT NO AUDITS OF THE FIVE-YEAR CYCLE
9 SHALL BE CONDUCTED IF THE LEGISLATURE DOES NOT SPECIFICALLY
10 APPROPRIATE FUNDS FOR THAT PURPOSE; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 37-151-9, Mississippi Code of 1972, is
13 amended as follows:

14 37-151-9. (1) The State Board of Education and State
15 Superintendent of Education shall establish within the State
16 Department of Education a special unit at the division level
17 called the Office of Educational Accountability. The Director of
18 the Office of Educational Accountability shall hold a position
19 comparable to a deputy superintendent and shall be appointed by
20 the State Board of Education with the advice and consent of the
21 Senate. He shall serve at the will and pleasure of the State
22 Board of Education and may employ necessary professional,
23 administrative and clerical staff. The Director of the Office of
24 Educational Accountability shall provide all reports to the
25 Legislature, Governor, Mississippi Commission on School
26 Accreditation and State Board of Education and respond to any
27 inquiries for information.

28 (2) The Office of Educational Accountability is responsible
29 for monitoring and reviewing programs developed under the
30 Education Reform Act, the Mississippi Adequate Education Program
31 Act of 1994, the Education Enhancement Fund, and subsequent



32 education initiatives, and shall provide information,
33 recommendations and an annual assessment to the Legislature,
34 Governor, Mississippi Commission on School Accreditation and the
35 State Board of Education. Commencing in 1995, the annual
36 assessment of education reform programs shall be performed by the
37 Office of Educational Accountability by December 1 of each year.
38 The Office of Educational Accountability shall specifically
39 monitor the implementation of Level III accreditation in all
40 school districts, and shall make an assessment with
41 recommendations to the 1996 Regular Session of the Legislature.

42 (3) In addition, the Office of Educational Accountability
43 shall have the following specific duties and responsibilities:

44 (a) Developing and maintaining a system of
45 communication with school district personnel;

46 (b) Provide opportunities for public comment on the
47 current functions of the State Department of Education's programs,
48 needed public education services and innovative suggestions;

49 (c) Assess both positive and negative impact on school
50 districts of new education programs, including but not limited to
51 The Mississippi Report Card and alternative school programs.

52 (4) The Office of Educational Accountability shall develop a
53 set of education management best practices for the public school
54 districts of the state. These best practices shall be prepared
55 for the purpose of promoting the most efficient use of state and
56 local resource utilization by the school districts. These best
57 practices shall address the following areas of school district
58 management:

59 (a) Management structures;

60 (b) Efficient delivery of educational services,
61 including instructional materials;

62 (c) Administrative and instructional technology;

63 (d) Personnel systems and benefits management;

64 (e) Facilities construction;



- 65 (f) Facilities maintenance;
66 (g) Student transportation; and
67 (h) Food services operations.

68 (5) The best practices shall utilize the expenditure
69 function codes in the Financial Accounting Manual for Public
70 School Districts developed by the State Auditor, for instructional
71 costs, administrative costs, operation and maintenance of plant
72 costs, ancillary support costs and other function codes related to
73 the described areas of cost. The Office of Accountability shall
74 develop these best practices no later than March 1, 2004, and
75 shall distribute a report of these proposed best practices to each
76 school district for review and comment.

77 (6) There is established an Education Best Practices
78 Advisory Board consisting of the following persons: three (3) lay
79 persons appointed by the Governor, one (1) from each Supreme Court
80 district; three (3) business persons appointed by the State
81 Superintendent of Education, one (1) from each Supreme Court
82 district; and three (3) persons involved in graduate education of
83 teachers and administrators appointed by the Commissioner of
84 Higher Education. The board shall be appointed no later than
85 January 1, 2004, and shall serve until June 30, 2005. Members of
86 the board may receive per diem and mileage as authorized by
87 Sections 25-3-41 and 25-3-69. These shall be paid by the State
88 Department of Education. The board shall:

89 (a) Review the recommended best practices and suggest
90 revision to the Office of Educational Accountability;

91 (b) Review comments and suggestions from school
92 districts;

93 (c) Review the results of pilot studies required by
94 this act; and

95 (d) Make recommendations to the Office of Educational
96 Accountability regarding possible revisions to the best practices
97 based on the results of pilot studies.



98 (7) From funds appropriated by the Legislature for
99 expenditure in fiscal year 2005, the Office of Educational
100 Accountability shall conduct pilot studies of at least six (6)
101 school districts to determine the following:

102 (a) The extent to which the districts are employing the
103 best practices recommended by the Office of Educational
104 Accountability; and

105 (b) District ability to capture and compile information
106 needed to determine compliance with best practices.

107 The Office of Educational Accountability may seek proposals
108 from contractors to perform these pilot studies. The board shall
109 review all pilot studies and shall make recommendations in the
110 Office of Educational Accountability on any revisions it deems
111 necessary in the best practices. After completion of all pilot
112 studies, the Office of Accountability shall prepare a report on
113 its recommended best practices and distribute it to each school
114 district and to the Legislature.

115 (9) From funds specifically appropriated for this purpose in
116 fiscal year 2006, and for each year thereafter, the Office of
117 Educational Accountability shall commence an annual cycle of
118 evaluating each district's compliance with best practices. The
119 office shall evaluate each district on a five-year cycle, in
120 conducting reviews, the office may utilize the services of
121 contractors if it determines that the requirements of the best
122 practices review program would be best suited by their use. The
123 office shall annually prepare a report to the Legislature on
124 district compliance with best practices, and shall further extend
125 certificates of merit to any district in compliance with the best
126 practices. The office may at any time revise the best practices
127 if it believes the revision is in the best interests of efficient
128 and effective education. All cycle audits shall be submitted to
129 the State Board of Education for its review and comment.



130 (10) The office shall not conduct any best practices reviews
131 required by this section if funds are not specifically
132 appropriated for that purpose.

133 **SECTION 2.** This act shall take effect and be in force from
134 and after July 1, 2003.

