

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2602

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

68 **SECTION 1.** (1) This act shall be known and may be referred
69 to as the "Mississippi Education Reform Act of 2006."

70 (2) The Legislature finds and determines that the quality
71 and accountability of public education and its effect upon the
72 social, cultural and economic enhancement of the people of
73 Mississippi is a matter of public policy, the object of which is
74 the education and performance of its children and youth.

75 **SECTION 2.** Section 37-19-7, Mississippi Code of 1972, is
76 amended as follows:

77 37-19-7. (1) This section shall be known and may be cited
78 as the Mississippi "Teacher Opportunity Program (TOP)." The
79 allowance in the minimum education program and the Mississippi
80 Adequate Education Program for teachers' salaries in each county
81 and separate school district shall be determined and paid in
82 accordance with the scale for teachers' salaries as provided in
83 this subsection. For teachers holding the following types of
84 licenses or the equivalent as determined by the State Board of
85 Education, and the following number of years of teaching
86 experience, the scale shall be as follows:

87 * * *

88 **2005-2006 School Year and School Years Thereafter**

89 **Less Than 25 Years of Teaching Experience**

| | | |
|----|-----------|--------------|
| 90 | AAAA..... | \$ 34,000.00 |
| 91 | AAA..... | 33,000.00 |
| 92 | AA..... | 32,000.00 |
| 93 | A..... | 30,000.00 |

94 **25 or More Years of Teaching Experience**

| | | |
|----|-----------|--------------|
| 95 | AAAA..... | \$ 36,000.00 |
| 96 | AAA..... | 35,000.00 |
| 97 | AA..... | 34,000.00 |
| 98 | A..... | 32,000.00 |

99 The State Board of Education shall revise the salary scale
100 prescribed above for the 2005-2006 school year to conform to any
101 adjustments made to the salary scale in prior fiscal years due to
102 revenue growth over and above five percent (5%). For each one
103 percent (1%) that the Sine Die General Fund Revenue Estimate
104 Growth exceeds five percent (5%) for fiscal year 2006, as
105 certified by the Legislative Budget Office to the State Board of
106 Education and subject to specific appropriation therefor by the
107 Legislature, the State Board of Education shall revise the salary
108 scale to provide an additional one percent (1%) across the board
109 increase in the base salaries for each type of license.

110 It is the intent of the Legislature that any state funds made
111 available for salaries of licensed personnel in excess of the
112 funds paid for such salaries for the 1986-1987 school year shall
113 be paid to licensed personnel pursuant to a personnel appraisal
114 and compensation system implemented by the State Board of
115 Education. The State Board of Education shall have the authority
116 to adopt and amend rules and regulations as are necessary to
117 establish, administer and maintain the system.

118 All teachers employed on a full-time basis shall be paid a
119 minimum salary in accordance with the above scale. However, no
120 school district shall receive any funds under this section for any
121 school year during which the local supplement paid to any
122 individual teacher shall have been reduced to a sum less than that
123 paid to that individual teacher for performing the same duties
124 from local supplement during the immediately preceding school
125 year. The amount actually spent for the purposes of group health
126 and/or life insurance shall be considered as a part of the
127 aggregate amount of local supplement but shall not be considered a
128 part of the amount of individual local supplement.

129 * * *

130 **2005-2006 School Year**

131 **and School Years Thereafter Annual Increments**

132 For teachers holding a Class AAAA license, the minimum base
133 pay specified in this subsection shall be increased by the sum of
134 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
135 experience possessed by the person holding such license until such
136 person shall have twenty-five (25) years of teaching experience.

137 For teachers holding a Class AAA license, the minimum base
138 pay specified in this subsection shall be increased by the sum of
139 Seven Hundred Five Dollars (\$705.00) for each year of teaching
140 experience possessed by the person holding such license until such
141 person shall have twenty-five (25) years of teaching experience.

142 For teachers holding a Class AA license, the minimum base pay
143 specified in this subsection shall be increased by the sum of Six
144 Hundred Forty Dollars (\$640.00) for each year of teaching
145 experience possessed by the person holding such license until such
146 person shall have twenty-five (25) years of teaching experience.

147 For teachers holding a Class A license, the minimum base pay
148 specified in this subsection shall be increased by the sum of Four
149 Hundred Eighty Dollars (\$480.00) for each year of teaching

150 experience possessed by the person holding such license until such
151 person shall have twenty-four (24) years of teaching experience.

152 The level of professional training of each teacher to be used
153 in establishing the salary allotment for the teachers for each
154 year shall be determined by the type of valid teacher's license
155 issued to those teachers on or before October 1 of the current
156 school year.

157 (2) (a) The following employees shall receive an annual
158 salary supplement in the amount of Six Thousand Dollars
159 (\$6,000.00), plus fringe benefits, in addition to any other
160 compensation to which the employee may be entitled:

161 (i) Any licensed teacher who has met the
162 requirements and acquired a Master Teacher certificate from the
163 National Board for Professional Teaching Standards and who is
164 employed by a local school board or the State Board of Education
165 as a teacher and not as an administrator. Such teacher shall
166 submit documentation to the State Department of Education that the
167 certificate was received prior to October 15 in order to be
168 eligible for the full salary supplement in the current school
169 year, or the teacher shall submit such documentation to the State
170 Department of Education prior to February 15 in order to be
171 eligible for a prorated salary supplement beginning with the
172 second term of the school year.

173 (ii) A licensed nurse who has met the requirements
174 and acquired a certificate from the National Board for
175 Certification of School Nurses, Inc., and who is employed by a
176 local school board or the State Board of Education as a school
177 nurse and not as an administrator. The licensed school nurse
178 shall submit documentation to the State Department of Education
179 that the certificate was received before October 15 in order to be
180 eligible for the full salary supplement in the current school
181 year, or the licensed school nurse shall submit the documentation

182 to the State Department of Education before February 15 in order
183 to be eligible for a prorated salary supplement beginning with the
184 second term of the school year. Provided, however, that the total
185 number of licensed school nurses eligible for a salary supplement
186 under this paragraph (ii) shall not exceed twenty (20).

187 (iii) Any licensed school counselor who has met
188 the requirements and acquired a National Certified School
189 Counselor (NCSC) endorsement from the National Board of Certified
190 Counselors and who is employed by a local school board or the
191 State Board of Education as a counselor and not as an
192 administrator. Such licensed school counselor shall submit
193 documentation to the State Department of Education that the
194 endorsement was received prior to October 15 in order to be
195 eligible for the full salary supplement in the current school
196 year, or the licensed school counselor shall submit such
197 documentation to the State Department of Education prior to
198 February 15 in order to be eligible for a prorated salary
199 supplement beginning with the second term of the school year.
200 However, any school counselor who started the National Board for
201 Professional Teaching Standards process for school counselors
202 between June 1, 2003, and June 30, 2004, and completes the
203 requirements and acquires the master teacher certificate shall be
204 entitled to the master teacher supplement, and those counselors
205 who complete the process shall be entitled to a one-time
206 reimbursement for the actual cost of the process as outlined in
207 paragraph (b) of this subsection.

208 (iv) Any licensed speech-language pathologist and
209 audiologist who has met the requirements and acquired a
210 Certificate of Clinical Competence from the American
211 Speech-Language-Hearing Association and who is employed by a local
212 school board. Such licensed speech-language pathologist and
213 audiologist shall submit documentation to the State Department of

214 Education that the certificate or endorsement was received prior
215 to October 15 in order to be eligible for the full salary
216 supplement in the current school year, or the licensed
217 speech-language pathologist and audiologist shall submit such
218 documentation to the State Department of Education prior to
219 February 15 in order to be eligible for a prorated salary
220 supplement beginning with the second term of the school year.

221 (b) An employee shall be reimbursed one (1) time for
222 the actual cost of completing the process of acquiring the
223 certificate or endorsement, excluding any costs incurred for
224 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
225 for a school counselor or speech-language pathologist and
226 audiologist, regardless of whether or not the process resulted in
227 the award of the certificate or endorsement. A local school
228 district or any private individual or entity may pay the cost of
229 completing the process of acquiring the certificate or endorsement
230 for any employee of the school district described under paragraph
231 (a), and the State Department of Education shall reimburse the
232 school district for such cost, regardless of whether or not the
233 process resulted in the award of the certificate or endorsement.
234 If a private individual or entity has paid the cost of completing
235 the process of acquiring the certificate or endorsement for an
236 employee, the local school district may agree to directly
237 reimburse the individual or entity for such cost on behalf of the
238 employee.

239 (c) All salary supplements, fringe benefits and process
240 reimbursement authorized under this subsection shall be paid
241 directly by the State Department of Education to the local school
242 district and shall be in addition to its minimum education program
243 allotments and not a part thereof in accordance with regulations
244 promulgated by the State Board of Education, and subject to
245 appropriation by the Legislature. Local school districts shall

246 not reduce the local supplement paid to any employee receiving
247 such salary supplement, and the employee shall receive any local
248 supplement to which employees with similar training and experience
249 otherwise are entitled.

250 (d) The State Department of Education may not pay any
251 process reimbursement to a school district for an employee who
252 does not complete the certification or endorsement process
253 required to be eligible for the certificate or endorsement. If an
254 employee for whom such cost has been paid in full or in part by a
255 local school district or private individual or entity fails to
256 complete the certification or endorsement process, the employee
257 shall be liable to the school district or individual or entity for
258 all amounts paid by the school district or individual or entity on
259 behalf of that employee toward his or her certificate or
260 endorsement.

261 (3) (a) Effective July 1, 2007, if funds are available for
262 that purpose, the Legislature may authorize state funds for
263 additional base compensation for teachers holding licenses in
264 critical subject areas or the equivalent and who teach at least a
265 majority of their courses in a critical subject area, as
266 determined by the State Board of Education.

267 (b) Effective July 1, 2007, if funds are available for
268 that purpose, the Legislature may authorize state funds for
269 additional base compensation for teachers employed in a public
270 school district located in a geographic area of the state
271 designated as a critical teacher shortage area by the State Board
272 of Education.

273 (4) (a) This section shall be known and may be cited as the
274 "Mississippi Performance Based Pay (MPBP)" plan. In addition to
275 the minimum base pay described in this section, only after full
276 funding of MAEP and if funds are available for that purpose, the
277 State of Mississippi may provide monies from state funds to school

278 districts for the purposes of rewarding certified teachers,
279 administrators and nonlicensed personnel at individual schools
280 showing improvement in student test scores. The MPBP plan shall
281 be developed by the State Department of Education based on the
282 following criteria:

283 (i) It is the express intent of this legislation
284 that the MPBP plan shall utilize only existing standards of
285 accreditation and assessment as established by the State Board of
286 Education.

287 (ii) To ensure that all of Mississippi's teachers,
288 administrators and nonlicensed personnel at all schools have equal
289 access to the monies set aside in this section, the MPBP program
290 shall be designed to calculate each school's performance as
291 determined by the school's increase in scores from the prior
292 school year. The MPBP program shall be based on a standardized
293 scores rating where all levels of schools can be judged in a
294 statistically fair and reasonable way upon implementation. At the
295 end of each year, after all student achievement scores have been
296 standardized, the State Department of Education shall implement
297 the MPBP plan.

298 (iii) To ensure all teachers cooperate in the
299 spirit of teamwork, individual schools shall submit a plan to the
300 local school educational authority to be approved before the
301 beginning of each school year beginning July 1, 2008. The plan
302 shall include, but not be limited to, how all teachers, regardless
303 of subject area, and administrators will be responsible for
304 improving student achievement for their individual school.

305 (b) The State Board of Education shall develop the
306 processes and procedures for designating schools eligible to
307 participate in the MPBP. State assessment results, growth in
308 student achievement at individual schools and other measures
309 deemed appropriate in designating successful student achievement

310 shall be used in establishing MPBP criteria. The State Board of
311 Education shall develop the MPBP policies and procedures and
312 report to the Legislature and Governor by December 1, 2006.

313 (5) (a) Beginning in the 2006-2007 school year, if funds
314 are available for that purpose, each middle school in Mississippi
315 shall have at least two (2) mentor teachers, as defined by
316 Sections 37-9-201 through 37-9-213, who shall receive additional
317 base compensation provided for by the State Legislature in the
318 amount of One Thousand Dollars (\$1,000.00). For the purposes of
319 this subsection (5), "middle school" means any school composed
320 individually or of some composite of Grades 6 through 8.

321 (b) To be eligible for this state funding, the
322 individual school must have a classroom management program
323 approved by the local school board.

324 (c) If funds are available for that purpose, the state
325 shall provide additional funding under this subsection for two (2)
326 mentor teachers per middle school; however, local school districts
327 may provide additional salary supplements for more than two (2)
328 teacher mentors from nonadequate education program funds. The
329 state department may develop an implementation process that fairly
330 distributes these funds for the consideration of the Legislature.

331 **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is
332 amended as follows:

333 37-3-2. (1) There is established within the State
334 Department of Education the Commission on Teacher and
335 Administrator Education, Certification and Licensure and
336 Development. It shall be the purpose and duty of the commission
337 to make recommendations to the State Board of Education regarding
338 standards for the certification and licensure and continuing
339 professional development of those who teach or perform tasks of an
340 educational nature in the public schools of Mississippi.

341 (2) The commission shall be composed of fifteen (15)
342 qualified members. The membership of the commission shall be
343 composed of the following members to be appointed, three (3) from
344 each congressional district: four (4) classroom teachers; three
345 (3) school administrators; one (1) representative of schools of
346 education of institutions of higher learning located within the
347 state to be recommended by the Board of Trustees of State
348 Institutions of Higher Learning; one (1) representative from the
349 schools of education of independent institutions of higher
350 learning to be recommended by the Board of the Mississippi
351 Association of Independent Colleges; one (1) representative from
352 public community and junior colleges located within the state to
353 be recommended by the State Board for Community and Junior
354 Colleges; one (1) local school board member; and four (4) lay
355 persons. All appointments shall be made by the State Board of
356 Education after consultation with the State Superintendent of
357 Public Education. The first appointments by the State Board of
358 Education shall be made as follows: five (5) members shall be
359 appointed for a term of one (1) year; five (5) members shall be
360 appointed for a term of two (2) years; and five (5) members shall
361 be appointed for a term of three (3) years. Thereafter, all
362 members shall be appointed for a term of four (4) years.

363 (3) The State Board of Education when making appointments
364 shall designate a chairman. The commission shall meet at least
365 once every two (2) months or more often if needed. Members of the
366 commission shall be compensated at a rate of per diem as
367 authorized by Section 25-3-69 and be reimbursed for actual and
368 necessary expenses as authorized by Section 25-3-41.

369 (4) An appropriate staff member of the State Department of
370 Education shall be designated and assigned by the State
371 Superintendent of Public Education to serve as executive secretary
372 and coordinator for the commission. No less than two (2) other

373 appropriate staff members of the State Department of Education
374 shall be designated and assigned by the State Superintendent of
375 Public Education to serve on the staff of the commission.

376 (5) It shall be the duty of the commission to:

377 (a) Set standards and criteria, subject to the approval
378 of the State Board of Education, for all educator preparation
379 programs in the state;

380 (b) Recommend to the State Board of Education each year
381 approval or disapproval of each educator preparation program in
382 the state;

383 (c) Establish, subject to the approval of the State
384 Board of Education, standards for initial teacher certification
385 and licensure in all fields;

386 (d) Establish, subject to the approval of the State
387 Board of Education, standards for the renewal of teacher licenses
388 in all fields;

389 (e) Review and evaluate objective measures of teacher
390 performance, such as test scores, which may form part of the
391 licensure process, and to make recommendations for their use;

392 (f) Review all existing requirements for certification
393 and licensure;

394 (g) Consult with groups whose work may be affected by
395 the commission's decisions;

396 (h) Prepare reports from time to time on current
397 practices and issues in the general area of teacher education and
398 certification and licensure;

399 (i) Hold hearings concerning standards for teachers'
400 and administrators' education and certification and licensure with
401 approval of the State Board of Education;

402 (j) Hire expert consultants with approval of the State
403 Board of Education;

404 (k) Set up ad hoc committees to advise on specific
405 areas; and

406 (l) Perform such other functions as may fall within
407 their general charge and which may be delegated to them by the
408 State Board of Education.

409 (6) (a) **Standard License - Approved Program Route.** An
410 educator entering the school system of Mississippi for the first
411 time and meeting all requirements as established by the State
412 Board of Education shall be granted a standard five-year license.
413 Persons who possess two (2) years of classroom experience as an
414 assistant teacher or who have taught for one (1) year in an
415 accredited public or private school shall be allowed to fulfill
416 student teaching requirements under the supervision of a qualified
417 participating teacher approved by an accredited college of
418 education. The local school district in which the assistant
419 teacher is employed shall compensate such assistant teachers at
420 the required salary level during the period of time such
421 individual is completing student teaching requirements.

422 Applicants for a standard license shall submit to the department:

423 (i) An application on a department form;

424 (ii) An official transcript of completion of a
425 teacher education program approved by the department or a
426 nationally accredited program, subject to the following:

427 Licensure to teach in Mississippi prekindergarten through
428 kindergarten classrooms shall require completion of a teacher
429 education program or a bachelor of science degree with child
430 development emphasis from a program accredited by the American
431 Association of Family and Consumer Sciences (AAFCS) or by the
432 National Association for Education of Young Children (NAEYC) or by
433 the National Council for Accreditation of Teacher Education
434 (NCATE). Licensure to teach in Mississippi kindergarten, for
435 those applicants who have completed a teacher education program,

436 and in Grade 1 through Grade 4 shall require the completion of an
437 interdisciplinary program of studies. Licenses for Grades 4
438 through 8 shall require the completion of an interdisciplinary
439 program of studies with two (2) or more areas of concentration.
440 Licensure to teach in Mississippi Grades 7 through 12 shall
441 require a major in an academic field other than education, or a
442 combination of disciplines other than education. Students
443 preparing to teach a subject shall complete a major in the
444 respective subject discipline. All applicants for standard
445 licensure shall demonstrate that such person's college preparation
446 in those fields was in accordance with the standards set forth by
447 the National Council for Accreditation of Teacher Education
448 (NCATE) or the National Association of State Directors of Teacher
449 Education and Certification (NASDTEC) or, for those applicants who
450 have a bachelor of science degree with child development emphasis,
451 the American Association of Family and Consumer Sciences (AAFCS);

452 (iii) A copy of test scores evidencing
453 satisfactory completion of nationally administered examinations of
454 achievement, such as the Educational Testing Service's teacher
455 testing examinations; and

456 (iv) Any other document required by the State
457 Board of Education.

458 (b) **Standard License - Nontraditional Teaching Route.**
459 Beginning January 1, 2004, an individual who has a passing score
460 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
461 the requested area of endorsement may apply for the Teach
462 Mississippi Institute (TMI) program to teach students in Grades 7
463 through 12 if the individual meets the requirements of this
464 paragraph (b). The State Board of Education shall adopt rules
465 requiring that teacher preparation institutions which provide the
466 Teach Mississippi Institute (TMI) program for the preparation of

467 nontraditional teachers shall meet the standards and comply with
468 the provisions of this paragraph.

469 (i) The Teach Mississippi Institute (TMI) shall
470 include an intensive eight-week, nine-semester-hour summer program
471 or a curriculum of study in which the student matriculates in the
472 fall or spring semester, which shall include, but not be limited
473 to, instruction in education, effective teaching strategies,
474 classroom management, state curriculum requirements, planning and
475 instruction, instructional methods and pedagogy, using test
476 results to improve instruction, and a one (1) semester three-hour
477 supervised internship to be completed while the teacher is
478 employed as a full-time teacher intern in a local school district.
479 The TMI shall be implemented on a pilot program basis, with
480 courses to be offered at up to four (4) locations in the state,
481 with one (1) TMI site to be located in each of the three (3)
482 Mississippi Supreme Court districts.

483 (ii) The school sponsoring the teacher intern
484 shall enter into a written agreement with the institution
485 providing the Teach Mississippi Institute (TMI) program, under
486 terms and conditions as agreed upon by the contracting parties,
487 providing that the school district shall provide teacher interns
488 seeking a nontraditional provisional teaching license with a
489 one-year classroom teaching experience. The teacher intern shall
490 successfully complete the one (1) semester three-hour intensive
491 internship in the school district during the semester immediately
492 following successful completion of the TMI and prior to the end of
493 the one-year classroom teaching experience.

494 (iii) Upon completion of the nine-semester-hour
495 TMI or the fall or spring semester option, the individual shall
496 submit his transcript to the commission for provisional licensure
497 of the intern teacher, and the intern teacher shall be issued a
498 provisional teaching license by the commission, which will allow

499 the individual to legally serve as a teacher while the person
500 completes a nontraditional teacher preparation internship program.

501 (iv) During the semester of internship in the
502 school district, the teacher preparation institution shall monitor
503 the performance of the intern teacher. The school district that
504 employs the provisional teacher shall supervise the provisional
505 teacher during the teacher's intern year of employment under a
506 nontraditional provisional license, and shall, in consultation
507 with the teacher intern's mentor at the school district of
508 employment, submit to the commission a comprehensive evaluation of
509 the teacher's performance sixty (60) days prior to the expiration
510 of the nontraditional provisional license. If the comprehensive
511 evaluation establishes that the provisional teacher intern's
512 performance fails to meet the standards of the approved
513 nontraditional teacher preparation internship program, the
514 individual shall not be approved for a standard license.

515 (v) An individual issued a provisional teaching
516 license under this nontraditional route shall successfully
517 complete, at a minimum, a one-year beginning teacher mentoring and
518 induction program administered by the employing school district
519 with the assistance of the State Department of Education.

520 (vi) Upon successful completion of the TMI and the
521 internship provisional license period, applicants for a Standard
522 License - Nontraditional Route shall submit to the commission a
523 transcript of successful completion of the twelve (12) semester
524 hours required in the internship program, and the employing school
525 district shall submit to the commission a recommendation for
526 standard licensure of the intern. If the school district
527 recommends licensure, the applicant shall be issued a Standard
528 License - Nontraditional Route which shall be valid for a
529 five-year period and be renewable.

530 (vii) At the discretion of the teacher preparation
531 institution, the individual shall be allowed to credit the twelve
532 (12) semester hours earned in the nontraditional teacher
533 internship program toward the graduate hours required for a Master
534 of Arts in Teacher (MAT) Degree.

535 (viii) The local school district in which the
536 nontraditional teacher intern or provisional licensee is employed
537 shall compensate such teacher interns at Step 1 of the required
538 salary level during the period of time such individual is
539 completing teacher internship requirements and shall compensate
540 such Standard License - Nontraditional Route teachers at Step 3 of
541 the required salary level when they complete license requirements.

542 Implementation of the TMI program provided for under this
543 paragraph (b) shall be contingent upon the availability of funds
544 appropriated specifically for such purpose by the Legislature.
545 Such implementation of the TMI program may not be deemed to
546 prohibit the State Board of Education from developing and
547 implementing additional alternative route teacher licensure
548 programs, as deemed appropriate by the board. The emergency
549 certification program in effect prior to July 1, 2002, shall
550 remain in effect.

551 The State Department of Education shall compile and report,
552 in consultation with the commission, information relating to
553 nontraditional teacher preparation internship programs, including
554 the number of programs available and geographic areas in which
555 they are available, the number of individuals who apply for and
556 possess a nontraditional conditional license, the subject areas in
557 which individuals who possess nontraditional conditional licenses
558 are teaching and where they are teaching, and shall submit its
559 findings and recommendations to the legislative committees on
560 education by December 1, 2004.

561 A Standard License - Approved Program Route shall be issued
562 for a five-year period, and may be renewed. Recognizing teaching
563 as a profession, a hiring preference shall be granted to persons
564 holding a Standard License - Approved Program Route or Standard
565 License - Nontraditional Teaching Route over persons holding any
566 other license.

567 (c) **Special License - Expert Citizen.** In order to
568 allow a school district to offer specialized or technical courses,
569 the State Department of Education, in accordance with rules and
570 regulations established by the State Board of Education, may grant
571 a one-year expert citizen-teacher license to local business or
572 other professional personnel to teach in a public school or
573 nonpublic school accredited or approved by the state. Such person
574 may begin teaching upon his employment by the local school board
575 and licensure by the Mississippi Department of Education. The
576 board shall adopt rules and regulations to administer the expert
577 citizen-teacher license. A Special License - Expert Citizen may
578 be renewed in accordance with the established rules and
579 regulations of the State Department of Education.

580 (d) **Special License - Nonrenewable.** The State Board of
581 Education is authorized to establish rules and regulations to
582 allow those educators not meeting requirements in subsection
583 (6)(a), (b) or (c) to be licensed for a period of not more than
584 three (3) years, except by special approval of the State Board of
585 Education.

586 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
587 person may teach for a maximum of three (3) periods per teaching
588 day in a public school or a nonpublic school accredited/approved
589 by the state. Such person shall submit to the department a
590 transcript or record of his education and experience which
591 substantiates his preparation for the subject to be taught and
592 shall meet other qualifications specified by the commission and

593 approved by the State Board of Education. In no case shall any
594 local school board hire nonlicensed personnel as authorized under
595 this paragraph in excess of five percent (5%) of the total number
596 of licensed personnel in any single school.

597 (f) **Special License - Transitional Bilingual Education.**
598 Beginning July 1, 2003, the commission shall grant special
599 licenses to teachers of transitional bilingual education who
600 possess such qualifications as are prescribed in this section.
601 Teachers of transitional bilingual education shall be compensated
602 by local school boards at not less than one (1) step on the
603 regular salary schedule applicable to permanent teachers licensed
604 under this section. The commission shall grant special licenses
605 to teachers of transitional bilingual education who present the
606 commission with satisfactory evidence that they (i) possess a
607 speaking and reading ability in a language, other than English, in
608 which bilingual education is offered and communicative skills in
609 English; (ii) are in good health and sound moral character; (iii)
610 possess a bachelor's degree or an associate's degree in teacher
611 education from an accredited institution of higher education; (iv)
612 meet such requirements as to courses of study, semester hours
613 therein, experience and training as may be required by the
614 commission; and (v) are legally present in the United States and
615 possess legal authorization for employment. A teacher of
616 transitional bilingual education serving under a special license
617 shall be under an exemption from standard licensure if he achieves
618 the requisite qualifications therefor. Two (2) years of service
619 by a teacher of transitional bilingual education under such an
620 exemption shall be credited to the teacher in acquiring a Standard
621 Educator License. Nothing in this paragraph shall be deemed to
622 prohibit a local school board from employing a teacher licensed in
623 an appropriate field as approved by the State Department of

624 Education to teach in a program in transitional bilingual
625 education.

626 (g) In the event any school district meets Level 4 or 5
627 accreditation standards, the State Board of Education, in its
628 discretion, may exempt such school district from any restrictions
629 in paragraph (e) relating to the employment of nonlicensed
630 teaching personnel.

631 (h) Highly Qualified Teachers. Beginning July 1, 2006,
632 any teacher from any state meeting the federal definition of
633 highly qualified, as described in the No Child Left Behind Act,
634 must be granted a standard five-year license by the State
635 Department of Education.

636 (7) **Administrator License.** The State Board of Education is
637 authorized to establish rules and regulations and to administer
638 the licensure process of the school administrators in the State of
639 Mississippi. There will be four (4) categories of administrator
640 licensure with exceptions only through special approval of the
641 State Board of Education.

642 (a) **Administrator License - Nonpracticing.** Those
643 educators holding administrative endorsement but have no
644 administrative experience or not serving in an administrative
645 position on January 15, 1997.

646 (b) **Administrator License - Entry Level.** Those
647 educators holding administrative endorsement and having met the
648 department's qualifications to be eligible for employment in a
649 Mississippi school district. Administrator License - Entry Level
650 shall be issued for a five-year period and shall be nonrenewable.

651 (c) **Standard Administrator License - Career Level.** An
652 administrator who has met all the requirements of the department
653 for standard administrator licensure.

654 (d) **Administrator License - Nontraditional Route.** The
655 board may establish a nontraditional route for licensing

656 administrative personnel. Such nontraditional route for
657 administrative licensure shall be available for persons holding,
658 but not limited to, a master of business administration degree, a
659 master of public administration degree, a master of public
660 planning and policy degree or a doctor of jurisprudence degree
661 from an accredited college or university, with five (5) years of
662 administrative or supervisory experience. Successful completion
663 of the requirements of alternate route licensure for
664 administrators shall qualify the person for a standard
665 administrator license.

666 The State Department of Education shall compile and report,
667 in consultation with the commission, information relating to
668 nontraditional administrator preparation internship programs,
669 including the number of programs available and geographic areas in
670 which they are available, the number of individuals who apply for
671 and possess a nontraditional conditional license and where they
672 are employed, and shall submit its findings and recommendations to
673 the legislative committees on education by December 1, 2004.

674 Beginning with the 1997-1998 school year, individuals seeking
675 school administrator licensure under paragraph (b), (c) or (d)
676 shall successfully complete a training program and an assessment
677 process prescribed by the State Board of Education. Applicants
678 seeking school administrator licensure prior to June 30, 1997, and
679 completing all requirements for provisional or standard
680 administrator certification and who have never practiced, shall be
681 exempt from taking the Mississippi Assessment Battery Phase I.
682 Applicants seeking school administrator licensure during the
683 period beginning July 1, 1997, through June 30, 1998, shall
684 participate in the Mississippi Assessment Battery, and upon
685 request of the applicant, the department shall reimburse the
686 applicant for the cost of the assessment process required. After
687 June 30, 1998, all applicants for school administrator licensure

688 shall meet all requirements prescribed by the department under
689 paragraph (b), (c) or (d), and the cost of the assessment process
690 required shall be paid by the applicant.

691 (8) **Reciprocity.** (a) The department shall grant a standard
692 license to any individual who possesses a valid standard license
693 from another state * * *.

694 (b) The department shall grant a nonrenewable special
695 license to any individual who possesses a credential which is less
696 than a standard license or certification from another state * * *.
697 Such special license shall be valid for the current school year
698 plus one (1) additional school year to expire on June 30 of the
699 second year, not to exceed a total period of twenty-four (24)
700 months, during which time the applicant shall be required to
701 complete the requirements for a standard license in Mississippi.

702 (9) **Renewal and Reinstatement of Licenses.** The State Board
703 of Education is authorized to establish rules and regulations for
704 the renewal and reinstatement of educator and administrator
705 licenses. Effective May 15, 1997, the valid standard license held
706 by an educator shall be extended five (5) years beyond the
707 expiration date of the license in order to afford the educator
708 adequate time to fulfill new renewal requirements established
709 pursuant to this subsection. An educator completing a master of
710 education, educational specialist or doctor of education degree in
711 May 1997 for the purpose of upgrading the educator's license to a
712 higher class shall be given this extension of five (5) years plus
713 five (5) additional years for completion of a higher degree.

714 (10) All controversies involving the issuance, revocation,
715 suspension or any change whatsoever in the licensure of an
716 educator required to hold a license shall be initially heard in a
717 hearing de novo, by the commission or by a subcommittee
718 established by the commission and composed of commission members
719 for the purpose of holding hearings. Any complaint seeking the

720 denial of issuance, revocation or suspension of a license shall be
721 by sworn affidavit filed with the Commission of Teacher and
722 Administrator Education, Certification and Licensure and
723 Development. The decision thereon by the commission or its
724 subcommittee shall be final, unless the aggrieved party shall
725 appeal to the State Board of Education, within ten (10) days, of
726 the decision of the committee or its subcommittee. An appeal to
727 the State Board of Education shall be on the record previously
728 made before the commission or its subcommittee unless otherwise
729 provided by rules and regulations adopted by the board. The State
730 Board of Education in its authority may reverse, or remand with
731 instructions, the decision of the committee or its subcommittee.
732 The decision of the State Board of Education shall be final.

733 (11) The State Board of Education, acting through the
734 commission, may deny an application for any teacher or
735 administrator license for one or more of the following:

736 (a) Lack of qualifications which are prescribed by law
737 or regulations adopted by the State Board of Education;

738 (b) The applicant has a physical, emotional or mental
739 disability that renders the applicant unfit to perform the duties
740 authorized by the license, as certified by a licensed psychologist
741 or psychiatrist;

742 (c) The applicant is actively addicted to or actively
743 dependent on alcohol or other habit-forming drugs or is a habitual
744 user of narcotics, barbiturates, amphetamines, hallucinogens or
745 other drugs having similar effect, at the time of application for
746 a license;

747 (d) Revocation of an applicant's certificate or license
748 by another state;

749 (e) Fraud or deceit committed by the applicant in
750 securing or attempting to secure such certification and license;

751 (f) Failing or refusing to furnish reasonable evidence
752 of identification;

753 (g) The applicant has been convicted, has pled guilty
754 or entered a plea of nolo contendere to a felony, as defined by
755 federal or state law; or

756 (h) The applicant has been convicted, has pled guilty
757 or entered a plea of nolo contendere to a sex offense as defined
758 by federal or state law.

759 (12) The State Board of Education, acting on the
760 recommendation of the commission, may revoke or suspend any
761 teacher or administrator license for specified periods of time for
762 one or more of the following:

763 (a) Breach of contract or abandonment of employment may
764 result in the suspension of the license for one (1) school year as
765 provided in Section 37-9-57;

766 (b) Obtaining a license by fraudulent means shall
767 result in immediate suspension and continued suspension for one
768 (1) year after correction is made;

769 (c) Suspension or revocation of a certificate or
770 license by another state shall result in immediate suspension or
771 revocation and shall continue until records in the prior state
772 have been cleared;

773 (d) The license holder has been convicted, has pled
774 guilty or entered a plea of nolo contendere to a felony, as
775 defined by federal or state law;

776 (e) The license holder has been convicted, has pled
777 guilty or entered a plea of nolo contendere to a sex offense, as
778 defined by federal or state law; or

779 (f) The license holder knowingly and willfully
780 committing any of the acts affecting validity of mandatory uniform
781 test results as provided in Section 37-16-4(1).

782 (13) (a) Dismissal or suspension of a licensed employee by
783 a local school board pursuant to Section 37-9-59 may result in the
784 suspension or revocation of a license for a length of time which
785 shall be determined by the commission and based upon the severity
786 of the offense.

787 (b) Any offense committed or attempted in any other
788 state shall result in the same penalty as if committed or
789 attempted in this state.

790 (c) A person may voluntarily surrender a license. The
791 surrender of such license may result in the commission
792 recommending any of the above penalties without the necessity of a
793 hearing. However, any such license which has voluntarily been
794 surrendered by a licensed employee may only be reinstated by a
795 majority vote of all members of the commission present at the
796 meeting called for such purpose.

797 (14) A person whose license has been suspended on any
798 grounds except criminal grounds may petition for reinstatement of
799 the license after one (1) year from the date of suspension, or
800 after one-half (1/2) of the suspended time has lapsed, whichever
801 is greater. A license suspended or revoked on the criminal
802 grounds may be reinstated upon petition to the commission filed
803 after expiration of the sentence and parole or probationary period
804 imposed upon conviction. A revoked, suspended or surrendered
805 license may be reinstated upon satisfactory showing of evidence of
806 rehabilitation. The commission shall require all who petition for
807 reinstatement to furnish evidence satisfactory to the commission
808 of good character, good mental, emotional and physical health and
809 such other evidence as the commission may deem necessary to
810 establish the petitioner's rehabilitation and fitness to perform
811 the duties authorized by the license.

812 (15) Reporting procedures and hearing procedures for dealing
813 with infractions under this section shall be promulgated by the

814 commission, subject to the approval of the State Board of
815 Education. The revocation or suspension of a license shall be
816 effected at the time indicated on the notice of suspension or
817 revocation. The commission shall immediately notify the
818 superintendent of the school district or school board where the
819 teacher or administrator is employed of any disciplinary action
820 and also notify the teacher or administrator of such revocation or
821 suspension and shall maintain records of action taken. The State
822 Board of Education may reverse or remand with instructions any
823 decision of the commission regarding a petition for reinstatement
824 of a license, and any such decision of the State Board of
825 Education shall be final.

826 (16) An appeal from the action of the State Board of
827 Education in denying an application, revoking or suspending a
828 license or otherwise disciplining any person under the provisions
829 of this section shall be filed in the Chancery Court of the First
830 Judicial District of Hinds County on the record made, including a
831 verbatim transcript of the testimony at the hearing. The appeal
832 shall be filed within thirty (30) days after notification of the
833 action of the board is mailed or served and the proceedings in
834 chancery court shall be conducted as other matters coming before
835 the court. The appeal shall be perfected upon filing notice of
836 the appeal and by the prepayment of all costs, including the cost
837 of preparation of the record of the proceedings by the State Board
838 of Education, and the filing of a bond in the sum of Two Hundred
839 Dollars (\$200.00) conditioned that if the action of the board be
840 affirmed by the chancery court, the applicant or license holder
841 shall pay the costs of the appeal and the action of the chancery
842 court.

843 (17) All such programs, rules, regulations, standards and
844 criteria recommended or authorized by the commission shall become

845 effective upon approval by the State Board of Education as
846 designated by appropriate orders entered upon the minutes thereof.

847 (18) The granting of a license shall not be deemed a
848 property right nor a guarantee of employment in any public school
849 district. A license is a privilege indicating minimal eligibility
850 for teaching in the public schools of Mississippi. This section
851 shall in no way alter or abridge the authority of local school
852 districts to require greater qualifications or standards of
853 performance as a prerequisite of initial or continued employment
854 in such districts.

855 (19) In addition to the reasons specified in subsections
856 (12) and (13) of this section, the board shall be authorized to
857 suspend the license of any licensee for being out of compliance
858 with an order for support, as defined in Section 93-11-153. The
859 procedure for suspension of a license for being out of compliance
860 with an order for support, and the procedure for the reissuance or
861 reinstatement of a license suspended for that purpose, and the
862 payment of any fees for the reissuance or reinstatement of a
863 license suspended for that purpose, shall be governed by Section
864 93-11-157 or 93-11-163, as the case may be. Actions taken by the
865 board in suspending a license when required by Section 93-11-157
866 or 93-11-163 are not actions from which an appeal may be taken
867 under this section. Any appeal of a license suspension that is
868 required by Section 93-11-157 or 93-11-163 shall be taken in
869 accordance with the appeal procedure specified in Section
870 93-11-157 or 93-11-163, as the case may be, rather than the
871 procedure specified in this section. If there is any conflict
872 between any provision of Section 93-11-157 or 93-11-163 and any
873 provision of this chapter, the provisions of Section 93-11-157 or
874 93-11-163, as the case may be, shall control.

875 **SECTION 4.** Section 37-61-33, Mississippi Code of 1972, is
876 amended as follows:

877 37-61-33. (1) There is created within the State Treasury a
878 special fund to be designated the "Education Enhancement Fund"
879 into which shall be deposited all the revenues collected pursuant
880 to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

881 (2) Of the amount deposited into the Education Enhancement
882 Fund, Sixteen Million Dollars (\$16,000,000.00) shall be
883 appropriated each fiscal year to the State Department of Education
884 to be distributed to all school districts. Such money shall be
885 distributed to all school districts in the proportion that the
886 average daily attendance of each school district bears to the
887 average daily attendance of all school districts within the state
888 for the following purposes:

889 (a) Purchasing, erecting, repairing, equipping,
890 remodeling and enlarging school buildings and related facilities,
891 including gymnasiums, auditoriums, lunchrooms, vocational training
892 buildings, libraries, teachers' homes, school barns,
893 transportation vehicles (which shall include new and used
894 transportation vehicles) and garages for transportation vehicles,
895 and purchasing land therefor.

896 (b) Establishing and equipping school athletic fields
897 and necessary facilities connected therewith, and purchasing land
898 therefor.

899 (c) Providing necessary water, light, heating, air
900 conditioning and sewerage facilities for school buildings, and
901 purchasing land therefor.

902 (d) As a pledge to pay all or a portion of the debt
903 service on debt issued by the school district under Sections
904 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
905 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
906 and 37-41-81, or debt issued by boards of supervisors for
907 agricultural high schools pursuant to Section 37-27-65, if such
908 pledge is accomplished pursuant to a written contract or

909 resolution approved and spread upon the minutes of an official
910 meeting of the district's school board or board of supervisors.
911 The annual grant to such district in any subsequent year during
912 the term of the resolution or contract shall not be reduced below
913 an amount equal to the district's grant amount for the year in
914 which the contract or resolution was adopted. The intent of this
915 provision is to allow school districts to irrevocably pledge a
916 certain, constant stream of revenue as security for long-term
917 obligations issued under the code sections enumerated in this
918 paragraph or as otherwise allowed by law. It is the intent of the
919 Legislature that the provisions of this paragraph shall be
920 cumulative and supplemental to any existing funding programs or
921 other authority conferred upon school districts or school boards.
922 Debt of a district secured by a pledge of sales tax revenue
923 pursuant to this paragraph shall not be subject to any debt
924 limitation contained in the foregoing enumerated code sections.

925 (3) The remainder of the money deposited into the Education
926 Enhancement Fund shall be appropriated as follows:

927 (a) To the State Department of Education as follows:

928 (i) Sixteen and sixty-one one-hundredths percent
929 (16.61%) to the cost of the adequate education program determined
930 under Section 37-151-7; of the funds generated by the percentage
931 set forth in this section for the support of the adequate
932 education program, one and one hundred seventy-eight
933 one-thousandths percent (1.178%) of the funds shall be
934 appropriated to be used by the State Department of Education for
935 the purchase of textbooks to be loaned under Sections 37-43-1
936 through 37-43-59 to approved nonpublic schools, as described in
937 Section 37-43-1. The funds to be distributed to each nonpublic
938 school shall be in the proportion that the average daily
939 attendance of each nonpublic school bears to the total average
940 daily attendance of all nonpublic schools;

941 (ii) Seven and ninety-seven one-hundredths percent
942 (7.97%) to assist the funding of transportation operations and
943 maintenance pursuant to Section 37-19-23; and

944 (iii) Nine and sixty-one one-hundredths percent
945 (9.61%) for classroom supplies, instructional materials and
946 equipment, including computers and computer software, to be
947 distributed to all school districts in the proportion that the
948 average daily attendance of each school district bears to the
949 average daily attendance of all school districts within the state.
950 Classroom supply funds shall not be expended for administrative
951 purposes. Local school districts shall allocate classroom supply
952 funds equally among all classroom teachers in the school district.
953 For purposes of this subparagraph, "teacher" means any employee of
954 the school board of a school district who is required by law to
955 obtain a teacher's license from the State Department of Education
956 and who is assigned to an instructional area of work as defined by
957 the department, but shall not include a federally funded teacher.
958 Two (2) or more teachers may agree to pool their classroom supply
959 funds for the benefit of a school within the district. It is the
960 intent of the Legislature that all classroom teachers shall be
961 involved in the development of a spending plan that addresses
962 individual classroom needs and supports the overall goals of the
963 school regarding supplies, instructional materials, equipment,
964 computers or computer software under the provisions of this
965 subparagraph, including the type, quantity and quality of such
966 supplies, materials and equipment. This plan shall be submitted
967 in writing to the school principal for approval. Classroom supply
968 funds allocated under this subparagraph shall supplement, not
969 replace, other local and state funds available for the same
970 purposes. School districts need not fully expend the funds
971 received under this subparagraph in the year in which they are
972 received, but such funds may be carried forward for expenditure in

973 any succeeding school year. Any individual teacher or group of
974 teachers with an approved spending plan that has not been fully
975 funded need not expend the funds allocated under this subparagraph
976 in the year in which such funds are received. Such funds may be
977 carried forward for expenditure in any subsequent school year in
978 which the plan is fully funded. However, beginning July 1, 2006,
979 any funds allocated under this subparagraph which are not reserved
980 in an approved spending plan but remain unspent on March 31 of the
981 fiscal year in which the funds were allotted must be utilized by
982 the school where the teacher is employed for instructional supply
983 and equipment purposes. The State Board of Education shall
984 develop and promulgate rules and regulations for the
985 administration of this subparagraph consistent with the above
986 criteria, with particular emphasis on allowing the individual
987 teachers to expend funds as they deem appropriate;

988 (b) Twenty-two and nine one-hundredths percent (22.09%)
989 to the Board of Trustees of State Institutions of Higher Learning
990 for the purpose of supporting institutions of higher learning; and

991 (c) Fourteen and forty-one one-hundredths percent
992 (14.41%) to the State Board for Community and Junior Colleges for
993 the purpose of providing support to community and junior colleges.

994 (4) The amount remaining in the Education Enhancement Fund
995 after funds are distributed as provided in subsections (2) and (3)
996 of this section shall be disbursed as follows:

997 (a) Twenty-five Million Dollars (\$25,000,000.00) shall
998 be deposited into the Working Cash-Stabilization Reserve Fund
999 created pursuant to Section 27-103-203(1), until the balance in
1000 such fund reaches the maximum balance of seven and one-half
1001 percent (7-1/2%) of the General Fund appropriations in the
1002 appropriate fiscal year. After the maximum balance in the Working
1003 Cash-Stabilization Reserve Fund is reached, such money shall

1004 remain in the Education Enhancement Fund to be appropriated in the
1005 manner provided for in paragraph (b) of this subsection.

1006 (b) The remainder shall be appropriated for other
1007 educational needs.

1008 (5) None of the funds appropriated pursuant to subsection
1009 (3)(a) of this section shall be used to reduce the state's General
1010 Fund appropriation for the categories listed in an amount below
1011 the following amounts:

1012 (a) For subsection (3)(a)(ii) of this section,
1013 Thirty-six Million Seven Hundred Thousand Dollars
1014 (\$36,700,000.00);

1015 (b) For the aggregate of minimum program allotments in
1016 the 1997 fiscal year, formerly provided for in Chapter 19, Title
1017 37, Mississippi Code of 1972, as amended, excluding those funds
1018 for transportation as provided for in subsection (5)(a) in this
1019 section.

1020 **SECTION 5.** The following shall be codified as Section
1021 37-7-301.1, Mississippi Code of 1972:

1022 37-7-301.1. The school board of a school district may adopt
1023 any orders, resolutions or ordinances with respect to school
1024 district affairs, property and finances which are not inconsistent
1025 with the Mississippi Constitution of 1890, the Mississippi Code of
1026 1972, or any other statute or law of the State of Mississippi.
1027 Except as otherwise provided in this section, the powers granted
1028 to the school boards in this section are complete without the
1029 existence of or reference to any specific authority granted in any
1030 other statute or law of the State of Mississippi. Unless such
1031 actions are specifically authorized by another statute or law of
1032 the State of Mississippi, this section shall not authorize a
1033 school board to: (a) levy taxes of any kind or increase the levy
1034 of any authorized tax; (b) issue bonds of any kind; or (c) enter
1035 into collective bargaining agreements.

1036 **SECTION 6.** (1) There is created the Office of Dropout
1037 Prevention within the State Department of Education. The office
1038 shall be responsible for the administration of a statewide dropout
1039 prevention program and the Office of Compulsory School Attendance
1040 Enforcement.

1041 (2) The State Superintendent of Public Education shall
1042 appoint a director for the Office of Dropout Prevention, who shall
1043 meet all qualifications established by the State Superintendent of
1044 Public Education and the State Personnel Board. The director
1045 shall be responsible for the proper administration of the Office
1046 of Dropout Prevention and any other regulations or policies that
1047 may be adopted by the State Board of Education. The director
1048 shall report to the Legislature on the activities and programs of
1049 the office by January 1 of each year beginning in 2009.

1050 (3) Each school district shall implement a dropout
1051 prevention program approved by the Office of Dropout Prevention of
1052 the State Department of Education by the 2008-2009 school year.

1053 (4) It is the intent of the Legislature that, through the
1054 statewide dropout prevention program and the dropout prevention
1055 programs implemented by each school district, the graduation rate
1056 for cohort classes will be increased to not less than eighty-five
1057 percent (85%) by the 2018-2019 school year. The Office of Dropout
1058 Prevention shall establish graduation rate benchmarks for each
1059 two-year period from the 2008-2009 school year through the
1060 2018-2019 school year, which shall serve as guidelines for
1061 increasing the graduation rate for cohort classes on a systematic
1062 basis to eighty-five percent (85%) by the 2018-2019 school year.

1063 **SECTION 7.** Section 37-13-81, Mississippi Code of 1972, is
1064 amended as follows:

1065 37-13-81. There is created the Office of Compulsory School
1066 Attendance Enforcement within the Office of Dropout Prevention of
1067 the State Department of Education. The office shall be

1068 responsible for the administration of a statewide system of
1069 enforcement of the Mississippi Compulsory School Attendance Law
1070 (Section 37-13-91) and for the supervision of school attendance
1071 officers throughout the state.

1072 **SECTION 8.** Section 37-13-83, Mississippi Code of 1972, is
1073 amended as follows:

1074 37-13-83. The State Superintendent of Public Education shall
1075 appoint a director for the Office of Compulsory School Attendance
1076 Enforcement, who shall meet all qualifications established for
1077 school attendance officer supervisors and any additional
1078 qualifications that may be established by the State Superintendent
1079 of Public Education or State Personnel Board. The director shall
1080 be responsible for the proper administration of the Office of
1081 Compulsory School Attendance Enforcement in conformity with the
1082 Mississippi Compulsory School Attendance Law and any other
1083 regulations or policies that may be adopted by the State Board of
1084 Education. The director shall report directly to the director of
1085 the Office of Dropout Prevention.

1086 **SECTION 9.** Section 37-9-18, Mississippi Code of 1972, is
1087 amended as follows:

1088 37-9-18. (1) The superintendent of schools shall furnish to
1089 the school board a financial statement of receipts and
1090 disbursements, by funds, on or before the last working day of the
1091 following month covering the prior month. The school board shall
1092 be authorized to investigate and audit all financial records of
1093 the superintendent of schools at any and all times.

1094 (2) The State Auditor, in his discretion, shall audit the
1095 financial records of school districts. The State Auditor shall
1096 give reasonable notice to school districts regarding the times
1097 during which he will perform such audits. In any fiscal year in
1098 which the State Auditor is not scheduled to perform an audit, the
1099 school board shall cause all the financial records of the

1100 superintendent of schools to be audited by a certified public
1101 accountant licensed to practice accounting in the State of
1102 Mississippi. If the school board so elects by resolution adopted
1103 each year, the audit shall be performed by the State Auditor.
1104 Contracts for the audit of public school districts shall be let by
1105 the school board in the manner prescribed by the State Auditor.
1106 The audit shall be conducted in accordance with generally accepted
1107 auditing standards and generally accepted accounting principles,
1108 and the report presented thereon shall be in accordance with
1109 generally accepted accounting principles. If the Auditor's
1110 opinion on the general purpose financial statements is a
1111 disclaimer, as that term is defined by generally accepted auditing
1112 standards, or if the State Auditor determines the existence of
1113 serious financial conditions in the district, the State Auditor
1114 shall immediately notify the State Board of Education. Upon
1115 receiving the notice, the State Superintendent of Public Education
1116 shall direct the school district to immediately cease all
1117 expenditures until a financial advisor is appointed by the state
1118 superintendent. However, if the disclaimer is a result of
1119 conditions caused by Hurricane Katrina 2005 and applies to fiscal
1120 years 2005 and/or 2006, then the Superintendent of Education may
1121 appoint a financial advisor, and may direct the school district to
1122 immediately cease all expenditures until a financial advisor is
1123 appointed. The financial advisor shall be an agent of the State
1124 Board of Education and shall be a certified public accountant or a
1125 qualified business officer. The financial advisor shall, with the
1126 approval of the State Board of Education:

1127 (a) Approve or disapprove all expenditures and all
1128 financial obligations of the district;

1129 (b) Ensure compliance with any statutes and State Board
1130 of Education rules or regulations concerning expenditures by
1131 school districts;

1132 (c) Review salaries and the number of all district
1133 personnel and make recommendations to the local school board of
1134 any needed adjustments. Should such recommendations necessitate
1135 the reduction in local salary supplement, such recommended
1136 reductions shall be only to the extent which will result in the
1137 salaries being comparable to districts similarly situated, as
1138 determined by the State Board of Education. The local school
1139 board, in considering either a reduction in personnel or a
1140 reduction in local supplements, shall not be required to comply
1141 with the time limitations prescribed in Sections 37-9-15 and
1142 37-9-105 and, further, shall not be required to comply with
1143 Sections 37-19-11 and 37-19-7(1) in regard to reducing local
1144 supplements and the number of personnel;

1145 (d) Work with the school district's business office to
1146 correct all inappropriate accounting procedures and/or uses of
1147 school district funds and to prepare the school district's budget
1148 for the next fiscal year; and

1149 (e) Report frequently to the State Board of Education
1150 on the corrective actions being taken and the progress being made
1151 in the school district. The financial advisor shall serve until
1152 such time as corrective action and progress is being made in such
1153 school district as determined by the State Board of Education with
1154 the concurrence of the State Auditor, or until such time as an
1155 interim conservator is assigned to such district by the State
1156 Board of Education under Section 37-17-6. The school district
1157 shall be responsible for all expenses associated with the use of
1158 the financial advisor. If the audit report reflects a failure by
1159 the school district to meet accreditation standards, the State
1160 Board of Education shall proceed under Section 37-17-6.

1161 (3) When conducting an audit of a public school district,
1162 the Auditor shall test to insure that the school district is
1163 complying with the requirements of Section 37-61-33(3)(a)(iii)

1164 relating to classroom supply funds. The audit must include a
1165 report of all classroom supply funds carried over from previous
1166 years. Based upon the audit report, the State Auditor shall
1167 compile a report on the compliance or noncompliance by all school
1168 districts with the requirements of Section 37-61-33(3)(a)(iii),
1169 which report must be submitted to the Chairmen of the Education
1170 and Appropriations Committees of the House of Representatives and
1171 Senate.

1172 (4) When conducting an audit of a public school district the
1173 State Auditor shall test to ensure correct and appropriate coding
1174 at the function level. The audit must include a report showing
1175 correct and appropriate functional level expenditure codes in
1176 expenditures by the school district. Compliance standards for
1177 this audit provision shall be established by the Office of the
1178 State Auditor. Based upon the audit report, the State Auditor
1179 shall compile a report on the compliance or noncompliance by all
1180 public school districts with correct and appropriate coding at the
1181 function level, which report must be submitted to the Chairman of
1182 the Education and Appropriations Committees of the Senate and the
1183 House of Representatives.

1184 (5) In the event the State Auditor does not perform the
1185 audit examination, then the audit report of the school district
1186 shall be reviewed by the State Auditor for compliance with
1187 applicable state laws before final payment is made on the audit by
1188 the school board. All financial records, books, vouchers,
1189 cancelled checks and other financial records required by law to be
1190 kept and maintained in the case of municipalities shall be
1191 faithfully kept and maintained in the office of the superintendent
1192 of schools under the same provisions and penalties provided by law
1193 in the case of municipal officials. At the request of the
1194 Mississippi Department of Education, the Office of the State

1195 Auditor shall provide advice for implementation of this
1196 subsection.

1197 **SECTION 10.** (1) The Legislature finds and declares the
1198 following:

1199 (a) Meeting the educational needs of children in our
1200 state's schools is of the greatest importance to the future
1201 welfare of the State of Mississippi;

1202 (b) Closing the achievement gap between high-performing
1203 students, including the achievement gap among at-risk students, is
1204 a significant and present challenge;

1205 (c) Providing a broader range of educational options to
1206 parents and utilizing existing resources, along with technology,
1207 may help students in the state improve their academic achievement;
1208 and

1209 (d) Many of the state's school districts currently lack
1210 the capacity to provide other public school choices for students
1211 whose schools are low performing.

1212 (2) There is created the Mississippi Virtual Public School
1213 Program, which is the responsibility of the State Department of
1214 Education. It is the intent of the Legislature that the
1215 Mississippi Virtual Public School established under this section
1216 provide Mississippi families with an alternative choice to access
1217 additional educational resources in an effort to improve academic
1218 achievement. The Mississippi Virtual Public School must be
1219 recognized as a public school and provide equitable treatment and
1220 resources as are other public schools in the state. Private
1221 providers, overseen by the State Department of Education, may be
1222 selected by the State Board of Education to operate virtual school
1223 programs in this state.

1224 (3) Nothing in this section may be interpreted as precluding
1225 the use of computer- and Internet-based instruction for students

1226 in a virtual or remote setting utilizing the Mississippi Virtual
1227 Public School.

1228 (4) As used in this section, the following words and phrases
1229 have the meanings respectively ascribed unless the context clearly
1230 requires otherwise:

1231 (a) "Mississippi Virtual Public School" means a public
1232 school in which the state uses technology in order to deliver
1233 instruction to students via the Internet in a virtual or remote
1234 setting.

1235 (b) "Sponsor" means the public school district is
1236 responsible for the academic process for each student, including
1237 but not limited to, enrollment, awarding of credit and monitoring
1238 progress.

1239 (5) (a) The State Board of Education shall establish the
1240 Mississippi Virtual Public School beginning in school year
1241 2006-2007.

1242 (b) Students who enroll in the Mississippi Virtual
1243 Public School may reside anywhere in the State of Mississippi.

1244 (6) The Mississippi Virtual Public School must be evaluated
1245 annually according to the following criteria:

1246 (a) The accountability and viability of the Mississippi
1247 Virtual Public School, as demonstrated by its academic, fiscal and
1248 operational performance.

1249 (b) The access of each student in the Mississippi
1250 Virtual Public School to a sequential curriculum that meets or
1251 exceeds the state's academic standards and which has an
1252 interactive program with significant online components.

1253 (c) Whether or not each student achieves the required
1254 number of hours of learning opportunities prescribed by each
1255 course per academic year, or alternatively, has demonstrated
1256 mastery or completion of appropriate subject areas.

1257 (7) Subject to appropriation, the Mississippi Virtual Public
1258 School shall provide to each student enrolled in the school all
1259 necessary instructional materials. Subject to appropriation, the
1260 sponsored school must ensure that each student is provided access
1261 to the necessary technology, such as a computer and printer, and
1262 to an Internet connection for school work purposes.

1263 (8) The State Board of Education shall have approval
1264 authority for all coursework and policy of the Mississippi Virtual
1265 Public School.

1266 (9) Each teacher employed by or participating in the
1267 delivery of instruction through the Mississippi Virtual Public
1268 School must meet all qualifications for licensure in the State of
1269 Mississippi.

1270 (10) Any student who meets state residency requirements may
1271 enroll in the Mississippi Virtual Public School.

1272 (11) Enrollment in the Mississippi Virtual Public School
1273 must be free of charge to students. The costs associated with the
1274 operations of the virtual school must be shared by the State
1275 Department of Education, subject to appropriation, and/or the
1276 local school districts.

1277 **SECTION 11.** The following shall be codified as Section
1278 37-15-38, Mississippi Code of 1972:

1279 37-15-38. (1) A local school board, the Board of Trustees
1280 of State Institutions of Higher Learning and the State Board for
1281 Community and Junior Colleges may establish a dual enrollment
1282 system under which students in the school district who meet the
1283 prescribed criteria of this section may be enrolled in a
1284 postsecondary institution in Mississippi while they are still in
1285 school.

1286 (2) **Student eligibility.** Before credits earned by a
1287 qualified high school student from a community or junior college
1288 or state institutions of higher learning may be transferred to the

1289 student's home school district, the student must be properly
1290 enrolled in a dual enrollment program.

1291 (3) **Admission criteria for dual enrollment in community and**
1292 **junior college or university programs.** The boards of trustees of
1293 the community and junior college districts and the Board of
1294 Trustees of State Institutions of Higher Learning may recommend
1295 admission criteria for dual enrollment programs under which high
1296 school students may enroll at a community or junior college or
1297 university while they are still attending high school and enrolled
1298 in high school courses. Students may be admitted to enroll in
1299 community or junior college courses under the dual enrollment
1300 programs if they meet that individual institution's stated
1301 admission requirements.

1302 (4) **Tuition and cost responsibility.** Tuition and costs for
1303 university-level courses and community and junior college courses
1304 offered under a dual enrollment program may be paid for by the
1305 postsecondary institution, the local school district, the parents
1306 or legal guardians of the student, or by grants, foundations or
1307 other private or public sources. Payment for tuition and any
1308 other costs must be made directly to the credit-granting
1309 institution.

1310 (5) **Transportation responsibility.** Any transportation
1311 required by a student to participate in the dual enrollment
1312 program is the responsibility of the parent, custodian or legal
1313 guardian of the student. However, transportation costs may be
1314 paid from any available public or private sources.

1315 (6) **School district average daily attendance credit.** When
1316 dually enrolled, the student may be counted, for adequate
1317 education program funding purposes, in the average daily
1318 attendance of the public school district in which the student
1319 attends high school.

1320 (7) **High school student transcript transfer requirements.**

1321 Grades and college credits earned by students admitted to a dual
1322 enrollment program must be recorded on the college transcript at
1323 the university or community or junior college where the student
1324 attends classes. The transcript of the university or community or
1325 junior college course work may be released to another institution
1326 or applied toward college graduation requirements.

1327 (8) **Determining factor of prerequisites for enrollment in**
1328 **dual credit courses.** Each university and community or junior
1329 college participating in a dual enrollment program shall determine
1330 course prerequisites for enrolling and receiving dual credit.

1331 (9) **Process for determining articulation of curriculum**
1332 **between high school, university, and community and junior college**
1333 **courses.** Postsecondary curricula for eligible courses currently
1334 offered through Mississippi Curriculum Frameworks must meet the
1335 prescribed competencies requirements. Eligible courses not
1336 offered in Mississippi Curriculum Frameworks must meet the
1337 standards established at the postsecondary level. Postsecondary
1338 level developmental courses may not be considered as meeting the
1339 requirements of the dual enrollment program. Dual credit
1340 memorandum of understandings must be established between each
1341 postsecondary institution and the school district implementing a
1342 dual credit program.

1343 (10) **Ineligible courses for dual credit programs.** Any
1344 course that is required for subject area testing as a requirement
1345 for graduation from a public school in Mississippi is not eligible
1346 for dual credit.

1347 (11) **Eligible courses for dual credit programs.** Courses
1348 eligible for dual credit include, but are not necessarily limited
1349 to, foreign languages, advanced math courses, advanced science
1350 courses, performing arts, advanced business and technology, and
1351 career and technical courses. These courses and any additional

1352 courses considered for dual credit must receive unconditional
1353 approval from the superintendent of the local school district and
1354 the chief academic officer at the participating community or
1355 junior college or university. A university or community or junior
1356 college shall make the final decision on what courses are eligible
1357 for semester hour credits. The local school superintendent shall
1358 make the final decision on the transfer of college or university
1359 courses credited to the student's high school transcript.

1360 (12) **High school Carnegie unit equivalency.** One (1)
1361 three-hour university or community or junior college course is
1362 equal to one-half (1/2) high school Carnegie unit. A full
1363 Carnegie unit may be awarded for a three-hour university or
1364 college course upon approval of the local superintendent. Partial
1365 credit agreements for postsecondary courses that are less than
1366 three (3) hours may be developed between a local school district
1367 and the participating postsecondary institution.

1368 (13) **Course alignment.** Once alignment is achieved between
1369 university courses, community and junior college courses and the
1370 State Board of Education approved high school courses, the
1371 universities, community and junior colleges and high schools shall
1372 review their respective policies and assess the place of dual
1373 credit courses within the context of their traditional offerings.

1374 (14) **Maximum dual credits allowed.** It is the intent of the
1375 dual enrollment program to make it possible for every student who
1376 desires to earn a semester's worth of college credit in high
1377 school to do so. A qualified dually enrolled high school student
1378 must be allowed to earn an unlimited number of college or
1379 university credits for dual credit as long as a B average is
1380 earned on the first two (2) approved dual credit courses. If a B
1381 average is not maintained after the completion of the student's
1382 first two (2) dual credit courses, the student may not continue in
1383 the dual credit program.

1384 (15) **Dual credit program allowances.** A student may be
1385 granted credit delivered through the following means:

1386 (a) Examination preparation taught at a high school by
1387 qualified teacher. A student may receive credit at the secondary
1388 level after completion of an approved course and passing the
1389 standard examination, such as an Advanced Placement or
1390 International Baccalaureate course through which a high school
1391 student is allowed CLEP credit by making a three (3) or higher on
1392 the end-of-course examination.

1393 (b) School-based courses taught at a high school or
1394 designated postsecondary site by a qualified teacher who is an
1395 employee of the school district and approved as an instructor by
1396 the collaborating college or university.

1397 (c) College or university-based courses taught at a
1398 college, university or high school by an instructor employed by
1399 the college or university and approved by the collaborating school
1400 district.

1401 (d) Online courses, including eligible courses offered
1402 by the Mississippi Virtual Public School or any postsecondary
1403 institution.

1404 (16) **Qualifications of dual credit instructors.** A dual
1405 credit academic instructor must have, at a minimum, a master's
1406 degree with at least eighteen (18) graduate semester hours in the
1407 instructor's field of expertise. University and community and
1408 junior college personnel have the sole authority in the selection
1409 of dual credit instructors.

1410 A dual credit career and technical education instructor must
1411 meet the requirements set forth by the State Board for Community
1412 and Junior Colleges in the qualifications manual for postsecondary
1413 career and technical personnel. University and community and
1414 junior college personnel have the sole authority in the selection
1415 of dual credit instructors.

1416 (17) **Guidance on local agreements.** The Chief Academic
1417 Officer of the State Board of Trustees of State Institutions of
1418 Higher Learning and the Chief Academic Officer of the State Board
1419 for Community and Junior Colleges, working collaboratively, shall
1420 develop a template to be used by the individual community and
1421 junior colleges and institutions of higher learning for consistent
1422 implementation of the dual enrollment program throughout the State
1423 of Mississippi.

1424 **SECTION 12.** The following shall be codified as Section
1425 37-15-39, Mississippi Code of 1972:

1426 37-15-39. (1) The purpose of this section is to ensure that
1427 each student has a sufficient education for success after high
1428 school and that all students have equal access to a substantive
1429 and rigorous curriculum that is designed to challenge their minds
1430 and enhance their knowledge skill.

1431 (2) The following words and phrases have the meanings
1432 ascribed in this section unless the context clearly requires
1433 otherwise:

1434 (a) "Advanced placement course" means any high school
1435 level preparatory course for a college advanced placement test
1436 that incorporates all topics specified by recognized advanced
1437 placement authorities on standards for a given subject area and
1438 is approved by recognized advanced placement authorities.

1439 (b) "Dual enrollment course" means a postsecondary
1440 level course offered by a state institution of higher learning or
1441 community or junior colleges, which, upon successful completion,
1442 qualifies for academic credit in both the postsecondary
1443 institution and public high school.

1444 (c) "Pre-advanced placement course" means a middle,
1445 junior high or high school level course that specifically prepares
1446 students to enroll and participate in an advanced placement
1447 course.

1448 (d) "Vertical team" means a group of educators from
1449 different grade levels in a given discipline working cooperatively
1450 to develop and implement a vertically aligned program aimed at
1451 helping students from diverse backgrounds acquire the academic
1452 skills necessary for success in the advanced placement program and
1453 other challenging course work.

1454 (e) "High concentration of low-income students" means,
1455 when used with respect to a public school or school district, a
1456 public school or school district that serves a student population
1457 with fifty percent (50%) or more being low-income individuals ages
1458 five (5) through seventeen (17) years from a low-income family on
1459 the basis of: data on children eligible for the free or
1460 reduced-price lunches under the National School Lunch Act; data on
1461 children in families receiving assistance under Part A of Title IV
1462 of the Social Security Act; data on children eligible to receive
1463 medical assistance under the Medicaid program under Title XIX of
1464 the Social Security Act; or an alternate method of identifying
1465 such children which combines or extrapolates that data.

1466 (3) The State Board of Education shall establish clear,
1467 specific and challenging training guidelines that require teachers
1468 of advanced placement courses and teachers of pre-advanced
1469 placement courses to obtain a recognized advanced placement
1470 authority endorsed training. A teacher of an advanced placement
1471 or pre-advanced placement course, or both, must obtain the
1472 appropriate training.

1473 (4) (a) In order to ensure that each student has a
1474 sufficient education for success after high school and that all
1475 students have equal access to a substantive and rigorous
1476 curriculum that is designed to challenge their minds and enhance
1477 their knowledge skill, school districts shall offer pre-advanced
1478 placement courses to prepare students for advanced placement
1479 course work.

1480 (b) Subject to appropriation, funding shall be made
1481 available for the 2007-2008 school year so that all sophomores in
1482 Mississippi's public schools may take an examination that measures
1483 the students' ability to succeed in an advanced placement course.
1484 The State Department of Education shall seek federal funding
1485 through the Advanced Placement Incentive Grant Program and other
1486 available funding for this purpose. Funding efforts must be
1487 focused with an intent to carry out advanced placement and
1488 pre-advanced placement activities in school districts targeted as
1489 serving a high concentration of low-income students.

1490 (c) The State Department of Education must approve all
1491 classes designated as pre-advanced placement courses. The
1492 department shall develop rules necessary for the implementation of
1493 advanced placement courses.

1494 (5) Beginning with the 2007-2008 school year, all school
1495 districts must offer at least one (1) advanced placement course in
1496 each of the four (4) core areas of math, English, science and
1497 social studies, for a total offering of no less than four (4)
1498 advanced placement courses. The use of the state's on-line
1499 Advanced Placement Instructional Program is an appropriate
1500 alternative for the delivery of advanced placement courses.

1501 Any public high school offering the International
1502 Baccalaureate Diploma Program is exempt from the requirements of
1503 this subsection. However, the school may participate in teacher
1504 training and program funding on the same basis as any high school
1505 offering advanced placement courses.

1506 **SECTION 13.** (1) There is established a commission to be
1507 known as the "Lifelong Learning Commission."

1508 (2) The commission shall consist of four (4) members, who
1509 shall serve ex officio, as follows:

1510 (a) The Governor of the State of Mississippi, who shall
1511 serve as chairman;

1512 (b) The State Superintendent of Public Education;

1513 (c) The Commissioner of the State Board for Community
1514 and Junior Colleges; and

1515 (d) The Commissioner of Higher Education.

1516 (3) The duties of the Lifelong Learning Commission shall
1517 include, but not necessarily be limited to, the following:

1518 (a) To assess the dropout crisis in Mississippi and
1519 recommend action steps to address it;

1520 (b) To create a set of common definitions for
1521 graduation and dropout rates which can be used to compare the
1522 commission's progress relative to other states;

1523 (c) To facilitate agreements that will make the
1524 Mississippi high school experience more meaningful;

1525 (d) To encourage more rigor and relevance in the high
1526 school experience;

1527 (e) To facilitate the transferability of education from
1528 secondary to postsecondary institutions;

1529 (f) To raise state awareness on the need for improving
1530 Mississippi's high schools;

1531 (g) To develop a series of best practices policy
1532 actions that state policymakers and legislators can implement to
1533 achieve system-wide high school reform; and

1534 (h) To convene town hall meetings around the state,
1535 when the commission determines necessary, where students,
1536 teachers, administrators and parents can discuss high school, the
1537 senior year and impediments to greater success.

1538 (4) The commission may prepare an annual report for the
1539 consideration of the Chairmen of the House and Senate Education
1540 and Universities and Colleges Committees pertaining to the
1541 information gathered in the performance of its duties.

1542 (5) The commission members shall meet at those times and
1543 places deemed necessary by the commission. The commission may use
1544 any available resources to fulfill its mission.

1545 **SECTION 14.** The following provision shall be codified as
1546 Section 37-3-95, Mississippi Code of 1972:

1547 37-3-95. The State Department of Education and the Board of
1548 Trustees of State Institutions of Higher Learning shall prepare
1549 jointly an annual report for the Legislature and Governor to be
1550 submitted before December 1 of each year beginning in 2006. The
1551 report shall be a compilation of existing data that may be used to
1552 create a rating system that measures the performance of the
1553 teacher education programs in the state.

1554 **SECTION 15.** The following provision shall be codified as
1555 Section 37-7-346, Mississippi Code of 1972:

1556 37-7-346. The State Department of Education and the Regional
1557 Education Service Agencies (RESAs) shall prepare jointly a report,
1558 to be submitted before December 15, 2006, for consideration of the
1559 Legislature and Governor, detailing the plans that shall be
1560 enacted by State Board of Education policy of how RESAs will work
1561 in partnership with the State Department of Education to increase
1562 their function as a local provider of educational services and
1563 purchasing consortia as provided in Section 37-7-345(6). These
1564 services must be prescribed by policies and standards of the State
1565 Department of Education and must include, but not necessarily be
1566 limited to, professional development, instructional materials,
1567 educational technology, curriculum development, alternative
1568 educational programs, purchasing cooperatives, insurance
1569 cooperatives, business manager services, auditing and accounting
1570 services, school safety/risk prevention, data processing and
1571 student records, communications/public information, employee
1572 background checks, grants management, printing/publications and
1573 internships.

1574 **SECTION 16.** The Department of Human Services shall establish
1575 the Mississippi Child Care Quality Step System by requiring the
1576 Office for Children and Youth of the Department of Human Services,
1577 the lead agency for the Child Care and Development Fund (CCDF), to
1578 develop and implement a pilot voluntary Quality Rating System
1579 (QRS). The purpose of the pilot system will be to improve the
1580 quality of all licensed early care and education and after school
1581 programs. The system is to be phased in over the next five (5)
1582 years beginning July 1, 2006, subject to appropriation. The QRS
1583 criteria will be the basis, at minimum, for the QRS, and shall
1584 address the following components: administrative policy,
1585 professional development, learning environment, and parental
1586 involvement and evaluation.

1587 In addition, the Office for Children and Youth shall develop
1588 and administer funds, based on appropriation, to create a Child
1589 Care Resource and Referral (CCR&R) statewide system in
1590 collaboration with community and junior colleges, universities,
1591 Mississippi Public Broadcasting, state agencies and/or nonprofit
1592 community entities. The CCR&R agencies shall provide training
1593 specific to the QRS criteria to enable early care and education
1594 program quality to improve as measured by the QRS system; and
1595 offer parent education information and training on what a quality
1596 early care and education program comprises and how to identify
1597 one. This program shall begin July 1, 2006, subject to
1598 appropriation.

1599 **SECTION 17.** The Office for Children and Youth of the
1600 Department of Human Services shall conduct a needs assessment to
1601 determine the need for an incentive program, which would allow
1602 participating early care and education programs in the Quality
1603 Rating System (QRS) access to funds to provide incentives to
1604 teachers/directors that make educational advancements that are
1605 listed in the QRS criteria. If determined to be feasible and

1606 depending on the availability of funds, guidelines for such an
1607 incentive program shall be developed by the Office for Children
1608 and Youth.

1609 **SECTION 18.** This act shall take effect and be in force from
1610 and after July 1, 2006.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT ENTITLED THE "MISSISSIPPI EDUCATION REFORM ACT OF
2 2006"; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
3 PROVIDE ADDITIONAL BASE COMPENSATION FOR TEACHERS HOLDING LICENSES
4 IN CRITICAL SUBJECT AREAS, TO PROVIDE ADDITIONAL COMPENSATION FOR
5 TEACHERS EMPLOYED IN CRITICAL SHORTAGE AREAS, TO ESTABLISH A
6 MISSISSIPPI PERFORMANCE BASED PAY PLAN TO REWARD LICENSED
7 EDUCATION PERSONNEL AT SCHOOLS SHOWING IMPROVEMENT IN STUDENT TEST
8 SCORES, AND TO PROVIDE ADDITIONAL BASE COMPENSATION FOR MENTOR
9 TEACHERS IN MIDDLE SCHOOLS WITH APPROVED CLASSROOM MANAGEMENT
10 PROGRAMS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
11 PROVIDE THAT ANY TEACHER FROM ANY STATE MEETING THE FEDERAL
12 STANDARDS OF A HIGHLY QUALIFIED TEACHER SHALL BE ELIGIBLE FOR A
13 STANDARD LICENSE IN MISSISSIPPI; TO AMEND SECTION 37-61-33,
14 MISSISSIPPI CODE OF 1972, TO AUTHORIZE TEACHERS TO CARRY FORWARD
15 APPROVED CLASSROOM SUPPLY EXPENDITURES INTO SUBSEQUENT FISCAL
16 YEARS; TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
17 37-7-301.1, MISSISSIPPI CODE OF 1972, TO GRANT HOME RULE TO LOCAL
18 SCHOOL DISTRICTS; TO CREATE THE OFFICE OF DROPOUT PREVENTION
19 WITHIN THE STATE DEPARTMENT OF EDUCATION; TO PROVIDE THAT THE
20 STATE SUPERINTENDENT SHALL APPOINT A DIRECTOR OF THE OFFICE; TO
21 REQUIRE EACH SCHOOL DISTRICT TO IMPLEMENT A DROPOUT PREVENTION
22 PROGRAM BY THE 2008 SCHOOL YEAR; TO AMEND SECTION 37-13-81,
23 MISSISSIPPI CODE OF 1972, TO PLACE THE OFFICE OF COMPULSORY SCHOOL
24 ATTENDANCE ENFORCEMENT UNDER THE OFFICE OF DROPOUT PREVENTION; TO
25 AMEND SECTION 37-13-83, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
26 DIRECTOR OF THE OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT
27 TO REPORT DIRECTLY TO THE DIRECTOR OF THE OFFICE OF DROPOUT
28 PREVENTION; TO AMEND SECTION 37-9-18, MISSISSIPPI CODE OF 1972, TO
29 REQUIRE THE STATE AUDITOR TO AUDIT SCHOOL DISTRICTS FOR COMPLIANCE
30 WITH APPROPRIATE FUNCTIONAL LEVEL EXPENDITURE CODES; TO AUTHORIZE
31 THE ESTABLISHMENT OF A MISSISSIPPI VIRTUAL PUBLIC SCHOOL PROGRAM
32 AND TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE PROGRAM; TO CREATE A
33 NEW SECTION TO BE CODIFIED AS SECTION 37-15-38, MISSISSIPPI CODE
34 OF 1972, TO PROVIDE FOR THE CREATION OF HIGH SCHOOL AND UNIVERSITY
35 OR COMMUNITY COLLEGE DUAL ENROLLMENT PROGRAMS, TO PRESCRIBE
36 CONDITIONS FOR PARTICIPATION IN THE PROGRAM, TO PROVIDE FOR THE
37 PAYMENT OF TUITION AND COSTS FOR UNIVERSITY AND COMMUNITY COLLEGE
38 LEVEL COURSES, AND TO CLARIFY THAT COURSE WORK TAKEN UNDER THE
39 PROGRAM SHALL BE DUAL CREDIT; TO CODIFY SECTION 37-15-39,
40 MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO OFFER
41 PRE-ADVANCED PLACEMENT COURSES, TO REQUIRE FUNDING TO BE MADE
42 AVAILABLE IN THE 2007-2008 SCHOOL YEAR FOR ALL SOPHOMORES TO TAKE
43 A NATIONALLY RECOGNIZED APTITUDE TEST FOR ADVANCED PLACEMENT
44 CLASSES, AND TO REQUIRE ALL HIGH SCHOOLS TO OFFER AT LEAST FOUR
45 ADVANCED PLACEMENT COURSES BEGINNING IN THE 2007-2008 SCHOOL YEAR;
46 TO ESTABLISH A LIFELONG LEARNING COMMISSION TO STUDY THE RELEVANCE
47 OF THE HIGH SCHOOL EXPERIENCE IN MISSISSIPPI; TO CODIFY SECTION
48 37-3-95, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT
49 OF EDUCATION AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF

50 HIGHER LEARNING TO JOINTLY PREPARE AN ANNUAL REPORT TO THE
51 LEGISLATURE ON THE TEACHER EDUCATION PROGRAMS IN THE STATE; TO
52 CODIFY SECTION 37-7-346, MISSISSIPPI CODE OF 1972, TO DIRECT THE
53 STATE DEPARTMENT OF EDUCATION AND THE REGIONAL EDUCATION SERVICE
54 AGENCIES TO JOINTLY DEVELOP A PLAN FOR INCREASING THE DUTIES AND
55 RESPONSIBILITIES OF THE AGENCIES; TO DIRECT THE DEPARTMENT OF
56 HUMAN SERVICES TO ESTABLISH THE MISSISSIPPI CHILD CARE QUALITY
57 STEP SYSTEM BY REQUIRING THE OFFICE FOR CHILDREN AND YOUTH OF THE
58 DEPARTMENT OF HUMAN SERVICES TO DEVELOP AND IMPLEMENT A PILOT
59 VOLUNTARY QUALITY RATING SYSTEM (QRS) FOR THE PURPOSE OF IMPROVING
60 THE QUALITY OF ALL LICENSED EARLY CARE AND EDUCATION AND AFTER
61 SCHOOL PROGRAMS; TO REQUIRE THE OFFICE FOR CHILDREN AND YOUTH TO
62 CONDUCT A NEEDS ASSESSMENT TO DETERMINE THE NEED FOR AN INCENTIVE
63 PROGRAM, WHICH WOULD ALLOW PARTICIPATING EARLY CARE AND EDUCATION
64 PROGRAMS IN THE QRS ACCESS TO FUNDS TO PROVIDE INCENTIVES TO
65 TEACHERS/DIRECTORS THAT MAKE EDUCATIONAL ADVANCEMENTS THAT ARE
66 LISTED IN THE QRS CRITERIA; AND FOR RELATED PURPOSES.