

By: Representative Peranich

To: Education

HOUSE BILL NO. 562

1 AN ACT TO AMEND SECTION 37-13-61, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IN THE LOCAL SCHOOL BOARD'S EXERCISE OF AUTHORITY
3 TO FIX THE OPENING AND CLOSING DATES OF THE SCHOOL TERM, THE BOARD
4 SHALL NOT SET THE OPENING DATE BEFORE THE FOURTH MONDAY IN AUGUST;
5 TO REQUIRE THE BOARD IN ESTABLISHING THE OPENING AND CLOSING DATES
6 TO SATISFY THE REQUIRED MINIMUM NUMBER OF DAYS FOR A SCHOLASTIC
7 YEAR; TO PROVIDE THAT ALL INSTRUCTIONAL DAYS SHALL BE CONDUCTED IN
8 A MANNER CONSISTENT WITH FULFILLING THE MINIMUM NUMBER OF DAYS FOR
9 THE ACADEMIC YEAR BEGINNING WITH THE 2010-2011 SCHOOL TERM; TO
10 PROHIBIT STAFF DEVELOPMENT TRAINING DURING A REGULAR SCHOOL DAY;
11 TO PROVIDE THAT SUCH TRAINING MAY BE CONDUCTED AFTER REGULAR
12 SCHOOL HOURS OR DURING THE SUMMER INTERIM; TO PROVIDE THAT ONLY
13 CERTAIN HOLIDAYS SHALL BE OBSERVED AS SCHOOL HOLIDAYS; TO CREATE
14 THE "MISSISSIPPI SUCCESSFUL SCHOOL PERFORMANCE TASK FORCE"; TO
15 PROVIDE FOR THE COMPOSITION OF ITS MEMBERSHIP AND ITS DUTIES; AND
16 FOR RELATED PURPOSES.

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

18 **SECTION 1.** Section 37-13-61, Mississippi Code of 1972, is
19 amended as follows:

20 37-13-61. The local school board shall have the power and
21 authority to fix the date for the opening of the school term,
22 which shall not be before the fourth Monday of August, and the
23 date for the closing of the school term. In establishing the
24 opening and closing dates of the school term, the school board
25 must satisfy the required minimum number of days which schools
26 must be in session during a scholastic year, as prescribed under
27 Section 37-13-63. However, local school boards are authorized to
28 keep school in session in excess of the minimum number of days
29 prescribed in Section 37-13-63.

30 **SECTION 2.** (1) Beginning with the 2010-2011 school term,
31 all instructional days in the public schools shall be conducted in
32 a manner that is consistent with fulfilling the minimum number of
33 days for the academic calendar year prescribed in Section



34 37-13-63, but does not impede student attendance or student
35 performance.

36 (2) In satisfying the requirement of subsection (1) of this
37 section, staff development training shall not be held during a
38 regular school day; however, staff development training may be
39 offered after the regular school day has been completed or
40 conducted during the interim summer term between the closing date
41 of an academic year and the beginning date of the immediately
42 following academic year.

43 (3) All holidays shall be days of instruction, except for
44 the following, which shall be observed as school holidays: Labor
45 Day, Thanksgiving Day, Christmas Day, New Year's Day, Dr. Martin
46 Luther King, Jr., Day, Spring Break and Good Friday. Permanent
47 early release days are prohibited.

48 **SECTION 3.** (1) There is created a task force to be known as
49 the "Mississippi Successful School Performance Task Force" to
50 monitor and evaluate two (2) successfully performing school
51 districts in each of the state's four (4) congressional districts
52 to develop a plan to increase the aptitude of the State of
53 Mississippi's educable and compulsory-school-age children and to
54 improve the accreditation levels of those schools in our state
55 that are failing as defined by the State Board of Education. In
56 making its selection of schools to be monitored and evaluated, the
57 task force shall select only those schools that are performing at
58 the highest level of accreditation as defined by the State Board
59 of Education, and that also have increased ethnic and
60 socio-economic diversity among the students enrolled and increased
61 participation in the federal free and reduced lunch program. The
62 task force shall make a report of its findings and
63 recommendations, including any recommended legislation, to the
64 Governor and Legislature before December 15, 2010.

65 (2) The task force shall be composed of the following
66 fifteen (15) members:



67 (a) The Chairman of the House of Representatives
68 Education Committee, or his or her designee;

69 (b) The Chairman of the Senate Education Committee, or
70 his or her designee;

71 (c) The State Superintendent of Public Education, or
72 his or her designee;

73 (d) The Director of the Office of Accreditation within
74 the State Department of Education, or his or her designee;

75 (e) Two (2) persons from each of the four (4)
76 congressional districts who are current or former educators, one
77 (1) of whom shall be appointed by the Lieutenant Governor, and one
78 (1) of whom shall be appointed by the Speaker of the House, for a
79 total of eight (8) members.

80 (f) One (1) person to be appointed by the Governor, who
81 shall have ten (10) or more years experience in school
82 administration;

83 (g) One (1) person to be appointed by the Mississippi
84 Association of School Superintendents to serve as representative
85 of the association; and

86 (h) One (1) person to be appointed by the Mississippi
87 School Boards Association to serve as representative of the
88 association.

89 (3) All members of the task force must be appointed within
90 thirty (30) days after the effective date of this act. The task
91 force shall hold its first meeting no later than August 15, 2010,
92 on the call of the Governor at a place designated by him. At that
93 first meeting, the task force shall elect from among its
94 membership a chairman and other officers, if any, determined to be
95 necessary. A majority of the membership of the task force shall
96 constitute a quorum, and an affirmative vote of a majority of the
97 task force shall be required for all actions taken. All members
98 must be notified in writing of all meetings at least five (5) days
99 before the date on which a meeting of the task force is scheduled.



100 (4) The task force shall make an assessment of the monitored
101 schools' curriculums, academic performances, nonathletic
102 extracurricular activities, teacher retention, career and guidance
103 counseling, parental involvement, administrator-teacher
104 relationships, students-to-teacher ratios, class sizes, duration
105 of instructional periods, availability of after-school programs
106 and the frequency with which those programs meet, approaches to
107 educating students determined to be at risk, community
108 involvement, and any other areas that the task force deems
109 necessary for an efficient evaluation of the schools. The task
110 force shall use the information gathered from the monitored
111 schools' evaluations to compare those schools' similarities and
112 differences and to formulate and recommend a plan for implementing
113 a structured model program with clear and consistent goals for
114 those schools and districts that are failing as defined by the
115 State Board of Education, and a framework of educational
116 benchmarks to be used in order for those schools to achieve the
117 stated goals.

118 (5) Members of the task force other than the legislative
119 members shall receive reimbursement for travel expenses incurred
120 while engaged in official business of the task force in accordance
121 with Section 25-3-41, and the legislative members of the task
122 force shall receive the compensation authorized for committee
123 meetings when the Legislature is not in session. Payment of these
124 expenses must be from funds made available specifically for that
125 purpose by the Legislature or from any other public or private
126 source.

127 (6) The State Department of Education, any state agency to
128 which a request for support is made and the local school districts
129 in which the school under monitoring and evaluation are located,
130 acting collaboratively, shall provide appropriate staff support to
131 assist the task force in carrying out its duties. Each entity



132 shall designate an appropriate employee to act as a point of
133 contact for the provision of staff support to the task force.

134 (7) Upon presentation of its report, the task force shall be
135 dissolved.

136 **SECTION 4.** This act shall take effect and be in force from
137 and after July 1, 2010.

