

By: Representatives Buck (5th), Buck (72nd),  
Barker

To: Universities and  
Colleges

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 875

1 AN ACT TO AMEND SECTION 37-163-1, MISSISSIPPI CODE OF 1972,  
2 TO DIRECT THE MISSISSIPPI EDUCATION ACHIEVEMENT COUNCIL TO  
3 RESEARCH AND DEVELOP A NEW FUNDING MECHANISM FOR COMMUNITY  
4 COLLEGES AND INSTITUTIONS OF HIGHER LEARNING BASED UPON  
5 PRODUCTIVITY AND MAKE A REPORT TO THE 2013 REGULAR SESSION; AND  
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-163-1, Mississippi Code of 1972, is  
9 amended as follows:

10 37-163-1. (1) There is created an Education Achievement  
11 Council whose purpose is to sustain attention to the state's goal  
12 of increasing the educational attainment and skill levels of the  
13 state's working-age population benchmark to the national average  
14 by 2025.

15 (2) The Education Achievement Council shall consist of  
16 twenty-three (23) members:

17 (a) The Chairmen of the House and Senate Universities  
18 and Colleges Committees;

19 (b) The Chairmen of the House and Senate Education  
20 Committees;

21 (c) A representative of the Governor's office appointed  
22 by the Governor;

23 (d) Two (2) members of the Board of Trustees of State  
24 Institutions of Higher Learning;

25 (e) The Chairman of the State Board of Education, or  
26 his designee;

27 (f) The Chairman and one (1) member of the State Board  
28 for Community and Junior Colleges, or his designee;



29 (g) The State Superintendent of Public Education, or  
30 his designee;

31 (h) The Commissioner of Higher Education, or his  
32 designee;

33 (i) The Executive Director of the State Board for  
34 Community and Junior Colleges, or his designee;

35 (j) Three (3) presidents of state institutions of  
36 higher learning appointed by the Board of Trustees of State  
37 Institutions of Higher Learning, one (1) of which must be from a  
38 historically black institution of higher learning;

39 (k) Three (3) community and junior college presidents  
40 appointed by the State Board for Community and Junior Colleges;

41 (l) The Executive Director of the Mississippi  
42 Department of Mental Health, or his designee;

43 (m) The President and Chief Executive Officer of the  
44 Mississippi Economic Council; and

45 (n) The Chairmen of the House and Senate Appropriation  
46 Committees, or their designees.

47 (3) The Education Achievement Council shall work  
48 collaboratively with the Board of Trustees of State Institutions  
49 of Higher Learning and the State Board for Community and Junior  
50 Colleges to achieve the state's goal, and shall not displace any  
51 governing or coordinating responsibilities.

52 (4) The Education Achievement Council shall:

53 (a) Establish the education achievement goals for the  
54 state;

55 (b) Develop and prescribe appropriate planning  
56 processes;

57 (c) Establish appropriate benchmarks to measure  
58 progress, including degrees awarded per one hundred (100)  
59 full-time equivalent (FTE) students calculated using completed  
60 credit hours; conduct the necessary studies and analysis; \* \* \*



61           (d) Research and develop a new funding mechanism for  
62 public community colleges and state institutions of higher  
63 learning based upon productivity goals and accomplishments as well  
64 as enrollment, and submit a report thereon with necessary  
65 legislation to the Governor and the appropriate committees of the  
66 Legislature on or before November 1, 2012, for consideration at  
67 the 2013 Regular Session; and

68           (e) Contract for any professional services that it  
69 deems necessary to complete its work.

70           (5) The Education Achievement Council shall monitor and  
71 report on the state's progress toward these education achievement  
72 goals by preparing an annual state report card compiled from the  
73 annual reports prepared and submitted by each state institution of  
74 higher learning and community and junior college in the state.  
75 The state's annual report shall be made available on the Education  
76 Achievement Council website, as well as the websites of the Board  
77 of Trustees of State Institutions of Higher Learning and the State  
78 Board for Community and Junior Colleges.

79           (6) Each state institution of higher learning and community  
80 and junior college shall be required to develop and publish an  
81 annual report as prescribed by the Education Achievement Council.  
82 By November 1 of each year, as prescribed by the Education  
83 Achievement Council, each institution's annual report shall be  
84 published in a newspaper having general circulation in the county  
85 and posted on the institution's website in printable form. The  
86 public notice shall include information on the report's  
87 availability on the institution's website, with the website  
88 address, and the locations where a copy of the report may be  
89 obtained.

90           (7) Within sixty (60) days of March 24, 2010, the Education  
91 Achievement Council shall meet and organize by selecting from its  
92 membership a chairman, vice chairman and secretary each for a  
93 one-year term of office. A majority of the membership will



94 constitute a quorum. In the selection of its officers and the  
95 adoption of rules, resolutions and reports, an affirmative  
96 majority vote shall be required. All members must  
97 be notified in writing of all meetings at least five (5) days  
98 before the date on which a meeting is scheduled.

99 (8) The Legislature may appropriate funds to the Board of  
100 Trustees of State Institutions of Higher Learning for the  
101 administrative, contractual costs, travel and other expenses of  
102 the Education Achievement Council.

103 (9) Members of the Education Achievement Council who are not  
104 legislators, state officials or state employees may be compensated  
105 at the per diem rate authorized by Section 25-3-41 for mileage and  
106 actual expense incurred in the performance of their duties.  
107 Legislative members of the Education Achievement Council may be  
108 paid from the contingent expense funds of their respective houses,  
109 but only with the specific approval of the Senate Rules Committee  
110 or House Management Committee; however, no per diem or expense is  
111 authorized for attending meetings of the Education Achievement  
112 Council when the Legislature is in session. Nonlegislative  
113 members may be paid from any funds made available for that  
114 purpose.

115 (10) The Commissioner of Higher Education, or his designee,  
116 shall serve as the principal staff to support the Education  
117 Achievement Council. The Commissioner of Higher Education and the  
118 Executive Director of the State Board for Community and Junior  
119 Colleges shall provide appropriate staff to support the work of  
120 the Education Achievement Council.

121 **SECTION 2.** This act shall take effect and be in force from  
122 and after July 1, 2011.

