MISSISSIPPI LEGISLATURE
REGULAR SESSION 2012

By: Representative McGee
To: Education

HOUSE BILL NO. 1101

AN ACT TO CREATE THE MISSISSIPPI UPSTART PROJECT TO SERVE AS A HOME-BASED EDUCATIONAL TECHNOLOGY PROGRAM TO DEVELOP SCHOOL READINESS SKILLS IN PRESCHOOL CHILDREN; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO CONTRACT WITH A NOT-FOR-PROFIT ORGANIZATION FOR PURPOSES OF DELIVERING THE PROGRAM TO PRESCHOOL CHILDREN; TO PRESCRIBE THE RESPONSIBILITIES AND DUTIES OF THE PROVIDER FOR THE ADMINISTRATION OF THE PROGRAM; TO REQUIRE THAT THE CONTRACT PROVIDE FOR ONE YEAR OF FUNDING FOR THE PROGRAM WITH AN OPTION TO EXTEND THE CONTRACT FOR ADDITIONAL YEARS OR EXPAND THE PROGRAM TO A GREATER NUMBER OF PRESCHOOL CHILDREN; TO AUTHORIZE A LOCAL SCHOOL DISTRICT TO PARTICIPATE IN MISSISSIPPI UPSTART IF THE LOCAL SCHOOL BOARD AGREES TO WORK IN COOPERATION WITH THE CONTRACTOR; TO AUTHORIZE FAMILY PARTICIPATION IN THE PROGRAM AND TO PRESCRIBE THE MANNER OF SOLICITING FAMILY PARTICIPATION; TO AUTHORIZE THE STATE BOARD OF EDUCATION OR PARTICIPATING LOCAL SCHOOL DISTRICT TO PURCHASE CERTAIN EQUIPMENT AND SERVICES TO BE USED IN THE PROGRAM; TO REQUIRE AN ANNUAL AUDIT OF THE CONTRACTOR'S USE OF FUNDS FOR MISSISSIPPI UPSTART; TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE AN ANNUAL LEGISLATIVE REPORT BEFORE NOVEMBER 30 EACH YEAR; TO PROVIDE THAT NO STATE GENERAL FUNDS MAY BE USED TO CARRY OUT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. For purposes of this act, the following words and phrases have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) "Contractor" means a not-for-profit, source provider of educational technology services selected by the State Board of Education under Section 2.

(b) "Low income" means an income below two hundred percent (200%) of the federal poverty guideline.

(c) "Preschool children" means children who are age four (4) or five (5) years and who have not entered kindergarten.

(d) "Mississippi UPSTART" means the project established under Section 2 of this act which uses a home-based educational
technology program to develop school readiness skills of preschool children.

**SECTION 2.** (1) Mississippi UPSTART, is established within the public education system of the state. Mississippi UPSTART is created to:

(a) Evaluate the effectiveness of providing preschool children with at-home access to interactive individualized instruction delivered by computers and the Internet to prepare them academically for success in school; and

(b) Test the feasibility of scaling a home-based curriculum in reading, math and science delivered by computers and the Internet to all preschool children in the State of Mississippi.

(2) The State Board of Education, acting on behalf of the Mississippi Virtual Public School Program, may contract with a not-for-profit organization for the delivery of a home-based educational technology program for preschool children which meets the requirements of subsection (3).

(3) A home-based educational technology program for preschool children must meet the following standards:

(a) The contractor must provide computer-assisted instruction for preschool children on a home computer connected by the Internet to a centralized file storage facility;

(b) The contractor must:

(i) Provide technical support to families for the installation and operation of the instructional software; and

(ii) Provide for the installation of computer and Internet access in homes of low income families that cannot afford the equipment and service;

(c) The contractor must have the capability of performing the following functions through the Internet:

(i) Communicating with parents;

(ii) Updating the instructional software;
(iii) Validating user access;
(iv) Collecting usage data;
(v) Storing research data; and
(vi) Producing reports for parents, schools and the Legislature;

(d) The program must include the following components:

(i) Computer-assisted, individualized instruction in reading, mathematics and science;

(ii) A multisensory reading tutoring program; and

(iii) A validated computer adaptive reading test that does not require the presence of trained adults to administer and is an accurate indicator of reading readiness of children who cannot read;

(e) The contractor must have the capability to quickly and efficiently modify, improve and support the product;

(f) The contractor must work in cooperation with school district personnel who will provide administrative and technical support of the program as provided in Section 3 of this act;

(g) The contractor must solicit families to participate in the program, as required under Section 4 of this act; and

(h) In implementing the home-based educational technology program, the contractor must seek the advice and expertise of early childhood education professionals within Mississippi's institutions of higher learning on issues such as:

(i) Soliciting families to participate in the program;

(ii) Providing training to families; and

(iii) Motivating families to regularly use the instructional software.

(4) The contractor shall provide funding for a home-based educational technology program for preschool children for one (1) year with an option to extend the contract for additional years or to expand the program to a greater number of preschool children,
subject to the availability of funding from any public or private
sources.

(5) Nothing in this section may be construed as limiting or
prohibiting the State Board of Education or local school boards
from entering into agreements with a not-for-profit provider to
provide home-based educational technology; however, any provider
of such services must meet the standards established in subsection
(3) of this section.

SECTION 3. (1) A school district may participate in
Mississippi UPSTART or any program similar in design to
Mississippi UPSTART if the local school board agrees to work in
cooperation with the contractor to provide administrative and
technical support for the project.

(2) Family participants in Mississippi UPSTART must be
solicited from school districts that participate in Mississippi
UPSTART.

(3) A school district that participates in Mississippi
UPSTART or a program similar in design shall:

(a) Receive funding for paraprofessional and technical
support staff, travel, materials and meeting costs of the program;
(b) Participate in program training by the contractor;
and

(c) Agree to adopt standardized policies and procedures
in implementing the project.

SECTION 4. (1) The contractor must solicit families to
participate in Mississippi UPSTART through a public information
campaign and referrals from participating school districts.

(2) (a) Preschool children who participate in Mississippi
UPSTART must:

(i) Be selected from families with diverse
socioeconomic and ethnic backgrounds; and

(ii) Reside in different regions of the state, in
both urban and rural areas.
(b) A minimum of at least thirty percent (30%) of the preschool children selected to participate in Mississippi UPSTART must be from low income families.

(3) A low income family that cannot afford a computer and Internet service to operate the instructional software designed for the project may obtain a computer and peripheral equipment on loan from the Mississippi Virtual Public School Program or local school district, if the district is a participant, and receive free Internet service for the duration of the family's participation in the project.

(4) The contractor shall make the home-based educational technology program available to families at an agreed-upon cost, which must be stipulated in the contract agreement with the State Board of Education or participating local school district before the program is implemented, if the number of families desiring to participate in Mississippi UPSTART exceeds the number of participants funded by any public or private funding source; however, no state funds may be appropriated by the Legislature for the purpose of funding participation in Mississippi UPSTART.

SECTION 5. The Mississippi Virtual Public School Program or a participating local school district may purchase computers, peripheral equipment and Internet service for low income families that cannot afford them through cooperative purchasing contracts administered by the State Department of Finance and Administration.

SECTION 6. (1) The State Auditor shall conduct an annual audit of the contractor's use of funds for Mississippi UPSTART or contract with an independent certified public accountant to conduct an annual audit.

(2) The State Board of Education shall require by contract that the contractor must open its books and records relating to its expenditure of funds under the contract to the State Auditor or the State Auditor's designee. The contract shall also require
the contractor to reimburse the State Auditor for the actual and necessary costs of the audit.

(3) No state general funds may be used to establish or implement any provision of the Mississippi UPSTART program established under this act.

SECTION 7. (1) The State Board of Education shall make a report on Mississippi UPSTART to the House of Representatives and State Senate Education Committees before November 30 of each year.

(2) The report must address the extent to which Mississippi UPSTART is accomplishing the purposes for which it was established as specified in Section 1 of this act, and must include the following:

(a) Information on the number of families:
   (i) Volunteering to participate in the program;
   (ii) Selected to participate in the program;
   (iii) Requesting computers; and
   (iv) Furnished with computers;

(b) Information on the frequency of use of the instructional software;

(c) Information on the obstacles encountered with software usage, hardware or providing technical assistance to families;

(d) Information on student performance on pre-kindergarten and post-kindergarten assessments conducted by school districts for students who participated in the home-based educational technology program and those who did not participate in the program; and

(e) Information, as made available, on the evaluation of the program conducted under Section 2 of this act.

SECTION 8. No state general funds may be expended to carry out the provisions of this act.

SECTION 9. This act shall take effect and be in force from and after July 1, 2012.