

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2776: School and district accreditation rating terminology; direct State Dept. of Education to change to "A," "B," "C," "D," "D-" and "F".

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

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

11 **SECTION 1.** Section 37-17-6, Mississippi Code of 1972, is
12 amended as follows:

13 37-17-6. (1) The State Board of Education, acting through
14 the Commission on School Accreditation, shall establish and
15 implement a permanent performance-based accreditation system, and
16 all public elementary and secondary schools shall be accredited
17 under this system.

18 (2) No later than June 30, 1995, the State Board of
19 Education, acting through the Commission on School Accreditation,
20 shall require school districts to provide school classroom space
21 that is air-conditioned as a minimum requirement for
22 accreditation.

23 (3) (a) Beginning with the 1994-1995 school year, the State
24 Board of Education, acting through the Commission on School
25 Accreditation, shall require that school districts employ
26 certified school librarians according to the following formula:

27 Number of Students	Number of Certified
28 Per School Library	School Librarians
29 0 - 499 Students	1/2 Full-time Equivalent
30	Certified Librarian
31 500 or More Students	1 Full-time Certified



Librarian

(b) The State Board of Education, however, may increase the number of positions beyond the above requirements.

(c) The assignment of certified school librarians to the particular schools shall be at the discretion of the local school district. No individual shall be employed as a certified school librarian without appropriate training and certification as a school librarian by the State Department of Education.

(d) School librarians in the district shall spend at least fifty percent (50%) of direct work time in a school library and shall devote no more than one-fourth (1/4) of the workday to administrative activities that are library related.

(e) Nothing in this subsection shall prohibit any school district from employing more certified school librarians than are provided for in this section.

(f) Any additional millage levied to fund school librarians required for accreditation under this subsection shall be included in the tax increase limitation set forth in Sections 37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) On or before December 31, 2002, the State Board of Education shall implement the performance-based accreditation system for school districts and for individual schools which shall include the following:

(a) High expectations for students and high standards for all schools, with a focus on the basic curriculum;

(b) Strong accountability for results with appropriate local flexibility for local implementation;

(c) A process to implement accountability at both the school district level and the school level;

(d) Individual schools shall be held accountable for student growth and performance;



64 (e) Set annual performance standards for each of the
65 schools of the state and measure the performance of each school
66 against itself through the standard that has been set for it;

67 (f) A determination of which schools exceed their
68 standards and a plan for providing recognition and rewards to
69 those schools;

70 (g) A determination of which schools are failing to
71 meet their standards and a determination of the appropriate role
72 of the State Board of Education and the State Department of
73 Education in providing assistance and initiating possible
74 intervention. A failing district is a district that fails to meet
75 both the absolute student achievement standards and the rate of
76 annual growth expectation standards as set by the State Board of
77 Education for two (2) consecutive years. The State Board of
78 Education shall establish the level of benchmarks by which
79 absolute student achievement and growth expectations shall be
80 assessed. In setting the benchmarks for school districts, the
81 State Board of Education may also take into account such factors
82 as graduation rates, dropout rates, completion rates, the extent
83 to which the school or district employs qualified teachers in
84 every classroom, and any other factors deemed appropriate by the
85 State Board of Education. The State Board of Education, acting
86 through the State Department of Education, shall apply a simple
87 "A," "B," "C," "D" and "F" designation to the current school and
88 school district statewide accountability performance
89 classification labels beginning with the State Accountability
90 Results for the 2011-2012 school year and following, and in the
91 school, district and state report cards required under state and
92 federal law. Under the new designations, a school or school
93 district that would have earned a "Star" rating shall be
94 designated an "A" school or school district; a school or school
95 district that would have earned a "High-Performing" rating shall



96 be designated a "B" school or school district; a school or school
97 district that would have earned a "Successful" rating shall be
98 designated a "C" school or school district; a school or school
99 district that would have earned an "Academic Watch" rating shall
100 be designated a "D" school or school district; a school or school
101 district that would have earned a "Low-Performing," "At-Risk of
102 Failing" or "Failing" rating shall be designated an "F" school or
103 school district. Effective with the implementation of any new
104 curriculum and assessment standards, the State Board of Education,
105 acting through the State Department of Education, is further
106 authorized and directed to change the school and school district
107 accreditation rating system to a simple "A," "B," "C," "D," and
108 "F" designation based on a combination of student achievement
109 scores and student growth as measured by the statewide testing
110 programs developed by the State Board of Education pursuant to
111 Chapter 16, Title 37, Mississippi Code of 1972. In any statute or
112 regulation containing the former accreditation designations, the
113 new designations shall be applicable;

114 (h) Development of a comprehensive student assessment
115 system to implement these requirements; and

116 (i) The State Board of Education may, based on a
117 written request that contains specific reasons for requesting a
118 waiver from the school districts affected by Hurricane Katrina of
119 2005, hold harmless school districts from assignment of district
120 and school level accountability ratings for the 2005-2006 school
121 year. The State Board of Education upon finding an extreme
122 hardship in the school district may grant the request. It is the
123 intent of the Legislature that all school districts maintain the
124 highest possible academic standards and instructional programs in
125 all schools as required by law and the State Board of Education.

126 The State Board of Education may continue to assign school
127 district performance levels by using a number classification and



128 may assign individual school performance levels by using a number
129 classification to be consistent with school district performance
130 levels.

131 (5) Nothing in this section shall be deemed to require a
132 nonpublic school that receives no local, state or federal funds
133 for support to become accredited by the State Board of Education.

134 (6) The State Board of Education shall create an
135 accreditation audit unit under the Commission on School
136 Accreditation to determine whether schools are complying with
137 accreditation standards.

138 (7) The State Board of Education shall be specifically
139 authorized and empowered to withhold adequate education program
140 fund allocations, whichever is applicable, to any public school
141 district for failure to timely report student, school personnel
142 and fiscal data necessary to meet state and/or federal
143 requirements.

144 (8) Deleted.

145 (9) The State Board of Education shall establish, for those
146 school districts failing to meet accreditation standards, a
147 program of development to be complied with in order to receive
148 state funds, except as otherwise provided in subsection (14) of
149 this section when the Governor has declared a state of emergency
150 in a school district or as otherwise provided in Section 206,
151 Mississippi Constitution of 1890. The state board, in
152 establishing these standards, shall provide for notice to schools
153 and sufficient time and aid to enable schools to attempt to meet
154 these standards, unless procedures under subsection (14) of this
155 section have been invoked.

156 (10) Beginning July 1, 1998, the State Board of Education
157 shall be charged with the implementation of the program of
158 development in each applicable school district as follows:



159 (a) Develop an impairment report for each district
160 failing to meet accreditation standards in conjunction with school
161 district officials;

162 (b) Notify any applicable school district failing to
163 meet accreditation standards that it is on probation until
164 corrective actions are taken or until the deficiencies have been
165 removed. The local school district shall develop a corrective
166 action plan to improve its deficiencies. For district academic
167 deficiencies, the corrective action plan for each such school
168 district shall be based upon a complete analysis of the following:
169 student test data, student grades, student attendance reports,
170 student dropout data, existence and other relevant data. The
171 corrective action plan shall describe the specific measures to be
172 taken by the particular school district and school to improve:
173 (i) instruction; (ii) curriculum; (iii) professional development;
174 (iv) personnel and classroom organization; (v) student incentives
175 for performance; (vi) process deficiencies; and (vii) reporting to
176 the local school board, parents and the community. The corrective
177 action plan shall describe the specific individuals responsible
178 for implementing each component of the recommendation and how each
179 will be evaluated. All corrective action plans shall be provided
180 to the State Board of Education as may be required. The decision
181 of the State Board of Education establishing the probationary
182 period of time shall be final;

183 (c) Offer, during the probationary period, technical
184 assistance to the school district in making corrective actions.
185 Beginning July 1, 1998, subject to the availability of funds, the
186 State Department of Education shall provide technical and/or
187 financial assistance to all such school districts in order to
188 implement each measure identified in that district's corrective
189 action plan through professional development and on-site
190 assistance. Each such school district shall apply for and utilize



191 all available federal funding in order to support its corrective
192 action plan in addition to state funds made available under this
193 paragraph;

194 (d) Assign department personnel or contract, in its
195 discretion, with the institutions of higher learning or other
196 appropriate private entities with experience in the academic,
197 finance and other operational functions of schools to assist
198 school districts;

199 (e) Provide for publication of public notice at least
200 one time during the probationary period, in a newspaper published
201 within the jurisdiction of the school district failing to meet
202 accreditation standards, or if no newspaper is published therein,
203 then in a newspaper having a general circulation therein. The
204 publication shall include the following: declaration of school
205 system's status as being on probation; all details relating to the
206 impairment report; and other information as the State Board of
207 Education deems appropriate. Public notices issued under this
208 section shall be subject to Section 13-3-31 and not contrary to
209 other laws regarding newspaper publication.

210 (11) (a) If the recommendations for corrective action are
211 not taken by the local school district or if the deficiencies are
212 not removed by the end of the probationary period, the Commission
213 on School Accreditation shall conduct a hearing to allow the
214 affected school district to present evidence or other reasons why
215 its accreditation should not be withdrawn. After its
216 consideration of the results of the hearing, the Commission on
217 School Accreditation shall be authorized, with the approval of the
218 State Board of Education, to withdraw the accreditation of a
219 public school district, and issue a request to the Governor that a
220 state of emergency be declared in that district.

221 (b) If the State Board of Education and the Commission
222 on School Accreditation determine that an extreme emergency



223 situation exists in a school district that jeopardizes the safety,
224 security or educational interests of the children enrolled in the
225 schools in that district and that emergency situation is believed
226 to be related to a serious violation or violations of
227 accreditation standards or state or federal law, or when a school
228 district meets the State Board of Education's definition of a
229 failing school district for two (2) consecutive full school years,
230 or if more than fifty percent (50%) of the schools within the
231 school district are designated as Schools At-Risk in any one (1)
232 year, the State Board of Education may request the Governor to
233 declare a state of emergency in that school district. For
234 purposes of this paragraph, the declarations of a state of
235 emergency shall not be limited to those instances when a school
236 district's impairments are related to a lack of financial
237 resources, but also shall include serious failure to meet minimum
238 academic standards, as evidenced by a continued pattern of poor
239 student performance.

240 (c) Whenever the Governor declares a state of emergency
241 in a school district in response to a request made under paragraph
242 (a) or (b) of this subsection, the State Board of Education may
243 take one or more of the following actions:

244 (i) Declare a state of emergency, under which some
245 or all of state funds can be escrowed except as otherwise provided
246 in Section 206, Constitution of 1890, until the board determines
247 corrective actions are being taken or the deficiencies have been
248 removed, or that the needs of students warrant the release of
249 funds. The funds may be released from escrow for any program
250 which the board determines to have been restored to standard even
251 though the state of emergency may not as yet be terminated for the
252 district as a whole;

253 (ii) Override any decision of the local school
254 board or superintendent of education, or both, concerning the



255 management and operation of the school district, or initiate and
256 make decisions concerning the management and operation of the
257 school district;

258 (iii) Assign an interim conservator, or in its
259 discretion, contract with a private entity with experience in the
260 academic, finance and other operational functions of schools and
261 school districts, who will have those powers and duties prescribed
262 in subsection (14) of this section;

263 (iv) Grant transfers to students who attend this
264 school district so that they may attend other accredited schools
265 or districts in a manner that is not in violation of state or
266 federal law;

267 (v) For states of emergency declared under
268 paragraph (a) only, if the accreditation deficiencies are related
269 to the fact that the school district is too small, with too few
270 resources, to meet the required standards and if another school
271 district is willing to accept those students, abolish that
272 district and assign that territory to another school district or
273 districts. If the school district has proposed a voluntary
274 consolidation with another school district or districts, then if
275 the State Board of Education finds that it is in the best interest
276 of the pupils of the district for the consolidation to proceed,
277 the voluntary consolidation shall have priority over any such
278 assignment of territory by the State Board of Education;

279 (vi) For states of emergency declared under
280 paragraph (b) only, reduce local supplements paid to school
281 district employees, including, but not limited to, instructional
282 personnel, assistant teachers and extracurricular activities
283 personnel, if the district's impairment is related to a lack of
284 financial resources, but only to an extent that will result in the
285 salaries being comparable to districts similarly situated, as
286 determined by the State Board of Education;



287 (vii) For states of emergency declared under
288 paragraph (b) only, the State Board of Education may take any
289 action as prescribed in Section 37-17-13.

290 (d) At the time that satisfactory corrective action has
291 been taken in a school district in which a state of emergency has
292 been declared, the State Board of Education may request the
293 Governor to declare that the state of emergency no longer exists
294 in the district.

295 (e) There is established a Mississippi Recovery School
296 District within the State Department of Education under the
297 supervision of a deputy superintendent appointed by the State
298 Superintendent of Public Education, who is subject to the approval
299 by the State Board of Education. The Mississippi Recovery School
300 District shall provide leadership and oversight of all school
301 districts that are subject to state conservatorship, as defined in
302 Chapters 17 and 18, Title 37, Mississippi Code of 1972, and shall
303 have all the authority granted under these two (2) chapters. The
304 Mississippi Department of Education, with the approval of the
305 State Board of Education, shall develop policies for the operation
306 and management of the Mississippi Recovery School District. The
307 deputy state superintendent is responsible for the Mississippi
308 Recovery School District and shall be authorized to oversee the
309 administration of the Mississippi Recovery School District,
310 oversee conservators assigned by the State Board of Education to a
311 local school district, hear appeals from school districts under
312 conservatorship that would normally be filed by students, parents
313 or employees and heard by a local school board, which hearings on
314 appeal shall be conducted in a prompt and timely manner in the
315 school district from which the appeal originated in order to
316 ensure the ability of appellants, other parties and witnesses to
317 appeal without undue burden of travel costs or loss of time from
318 work, and perform other related duties as assigned by the State



319 Superintendent of Public Education. The deputy state
320 superintendent is responsible for the Mississippi Recovery School
321 District and shall determine, based on rigorous professional
322 qualifications set by the State Board of Education, the
323 appropriate individuals to be engaged to be conservators and
324 financial advisors, if applicable, of all school districts subject
325 to state conservatorship. After State Board of Education
326 approval, these individuals shall be deemed independent
327 contractors.

328 (12) Upon the declaration of a state of emergency in a
329 school district under subsection (11) of this section, the
330 Commission on School Accreditation shall be responsible for public
331 notice at least once a week for at least three (3) consecutive
332 weeks in a newspaper published within the jurisdiction of the
333 school district failing to meet accreditation standards, or if no
334 newspaper is published therein, then in a newspaper having a
335 general circulation therein. The size of the notice shall be no
336 smaller than one-fourth (1/4) of a standard newspaper page and
337 shall be printed in bold print. If a conservator has been
338 appointed for the school district, the notice shall begin as
339 follows: "By authority of Section 37-17-6, Mississippi Code of
340 1972, as amended, adopted by the Mississippi Legislature during
341 the 1991 Regular Session, this school district (name of school
342 district) is hereby placed under the jurisdiction of the State
343 Department of Education acting through its appointed conservator
344 (name of conservator)."

345 The notice also shall include, in the discretion of the State
346 Board of Education, any or all details relating to the school
347 district's emergency status, including the declaration of a state
348 of emergency in the school district and a description of the
349 district's impairment deficiencies, conditions of any
350 conservatorship and corrective actions recommended and being



351 taken. Public notices issued under this section shall be subject
352 to Section 13-3-31 and not contrary to other laws regarding
353 newspaper publication.

354 Upon termination of the state of emergency in a school
355 district, the Commission on School Accreditation shall cause
356 notice to be published in the school district in the same manner
357 provided in this section, to include any or all details relating
358 to the corrective action taken in the school district that
359 resulted in the termination of the state of emergency.

360 (13) The State Board of Education or the Commission on
361 School Accreditation shall have the authority to require school
362 districts to produce the necessary reports, correspondence,
363 financial statements, and any other documents and information
364 necessary to fulfill the requirements of this section.

365 Nothing in this section shall be construed to grant any
366 individual, corporation, board or conservator the authority to
367 levy taxes except in accordance with presently existing statutory
368 provisions.

369 (14) (a) Whenever the Governor declares a state of
370 emergency in a school district in response to a request made under
371 subsection (11) of this section, the State Board of Education, in
372 its discretion, may assign an interim conservator to the school
373 district, or in its discretion, may contract with an appropriate
374 private entity with experience in the academic, finance and other
375 operational functions of schools and school districts, who will be
376 responsible for the administration, management and operation of
377 the school district, including, but not limited to, the following
378 activities:

379 (i) Approving or disapproving all financial
380 obligations of the district, including, but not limited to, the
381 employment, termination, nonrenewal and reassignment of all
382 licensed and nonlicensed personnel, contractual agreements and



383 purchase orders, and approving or disapproving all claim dockets
384 and the issuance of checks; in approving or disapproving
385 employment contracts of superintendents, assistant superintendents
386 or principals, the interim conservator shall not be required to
387 comply with the time limitations prescribed in Sections 37-9-15
388 and 37-9-105;

389 (ii) Supervising the day-to-day activities of the
390 district's staff, including reassigning the duties and
391 responsibilities of personnel in a manner which, in the
392 determination of the conservator, will best suit the needs of the
393 district;

394 (iii) Reviewing the district's total financial
395 obligations and operations and making recommendations to the
396 district for cost savings, including, but not limited to,
397 reassigning the duties and responsibilities of staff;

398 (iv) Attending all meetings of the district's
399 school board and administrative staff;

400 (v) Approving or disapproving all athletic, band
401 and other extracurricular activities and any matters related to
402 those activities;

403 (vi) Maintaining a detailed account of
404 recommendations made to the district and actions taken in response
405 to those recommendations;

406 (vii) Reporting periodically to the State Board of
407 Education on the progress or lack of progress being made in the
408 district to improve the district's impairments during the state of
409 emergency; and

410 (viii) Appointing a parent advisory committee,
411 comprised of parents of students in the school district that may
412 make recommendations to the conservator concerning the
413 administration, management and operation of the school district.



414 Except when, in the determination of the State Board of
415 Education, the school district's impairment is related to a lack
416 of financial resources, the cost of the salary of the conservator
417 and any other actual and necessary costs related to the
418 conservatorship paid by the State Department of Education shall be
419 reimbursed by the local school district from funds other than
420 adequate education program funds. The department shall submit an
421 itemized statement to the superintendent of the local school
422 district for reimbursement purposes, and any unpaid balance may be
423 withheld from the district's adequate education program funds.

424 At the time that the Governor, in accordance with the request
425 of the State Board of Education, declares that the state of
426 emergency no longer exists in a school district, the powers and
427 responsibilities of the interim conservator assigned to the
428 district shall cease.

429 (b) In order to provide loans to school districts under
430 a state of emergency that have impairments related to a lack of
431 financial resources, the School District Emergency Assistance Fund
432 is created as a special fund in the State Treasury into which
433 monies may be transferred or appropriated by the Legislature from
434 any available public education funds.

435 The State Board of Education may loan monies from the School
436 District Emergency Assistance Fund to a school district that is
437 under a state of emergency in those amounts, as determined by the
438 board, that are necessary to correct the district's impairments
439 related to a lack of financial resources. The loans shall be
440 evidenced by an agreement between the school district and the
441 State Board of Education and shall be repayable in principal,
442 without necessity of interest, to the State General Fund or the
443 Education Enhancement Fund, depending on the source of funding for
444 the loan, by the school district from any allowable funds that are
445 available. The total amount loaned to the district shall be due



446 and payable within five (5) years after the impairments related to
447 a lack of financial resources are corrected. If a school district
448 fails to make payments on the loan in accordance with the terms of
449 the agreement between the district and the State Board of
450 Education, the State Department of Education, in accordance with
451 rules and regulations established by the State Board of Education,
452 may withhold that district's adequate education program funds in
453 an amount and manner that will effectuate repayment consistent
454 with the terms of the agreement; the funds withheld by the
455 department shall be deposited into the State General Fund or the
456 Education Enhancement Fund, as the case may be.

457 The State Board of Education shall develop a protocol that
458 will outline the performance standards and requisite time line
459 deemed necessary for extreme emergency measures. If the State
460 Board of Education determines that an extreme emergency exists,
461 simultaneous with the powers exercised in this subsection, it
462 shall take immediate action against all parties responsible for
463 the affected school districts having been determined to be in an
464 extreme emergency. The action shall include, but not be limited
465 to, initiating civil actions to recover funds and criminal actions
466 to account for criminal activity. Any funds recovered by the
467 State Auditor or the State Board of Education from the surety
468 bonds of school officials or from any civil action brought under
469 this subsection shall be applied toward the repayment of any loan
470 made to a school district hereunder.

471 (15) If a majority of the membership of the school board of
472 any school district resigns from office, the State Board of
473 Education shall be authorized to assign an interim conservator,
474 who shall be responsible for the administration, management and
475 operation of the school district until the time as new board
476 members are selected or the Governor declares a state of emergency
477 in that school district under subsection (11), whichever occurs



478 first. In that case, the State Board of Education, acting through
479 the interim conservator, shall have all powers which were held by
480 the previously existing school board, and may take any action as
481 prescribed in Section 37-17-13 and/or one or more of the actions
482 authorized in this section.

483 (16) (a) If the Governor declares a state of emergency in a
484 school district, the State Board of Education may take all such
485 action pertaining to that school district as is authorized under
486 subsection (11) or (14) of Section 37-17-6, including the
487 appointment of an interim conservator. The State Board of
488 Education shall also have the authority to issue a written request
489 with documentation to the Governor asking that the office of the
490 superintendent of the school district be subject to recall. If
491 the Governor declares that the office of the superintendent of the
492 school district is subject to recall, the local school board or
493 the county election commission, as the case may be, shall take the
494 following action:

495 (i) If the office of superintendent is an elected
496 office, in those years in which there is no general election, the
497 name shall be submitted by the State Board of Education to the
498 county election commission, and the county election commission
499 shall submit the question at a special election to the voters
500 eligible to vote for the office of superintendent within the
501 county, and the special election shall be held within sixty (60)
502 days from notification by the State Board of Education. The
503 ballot shall read substantially as follows:

504 "Shall County Superintendent of Education _____ (here the
505 name of the superintendent shall be inserted) of the _____
506 (here the title of the school district shall be inserted) be
507 retained in office? Yes _____ No _____"

508 If a majority of those voting on the question votes against
509 retaining the superintendent in office, a vacancy shall exist



510 which shall be filled in the manner provided by law; otherwise,
511 the superintendent shall remain in office for the term of that
512 office, and at the expiration of the term shall be eligible for
513 qualification and election to another term or terms.

514 (ii) If the office of superintendent is an
515 appointive office, the name of the superintendent shall be
516 submitted by the president of the local school board at the next
517 regular meeting of the school board for retention in office or
518 dismissal from office. If a majority of the school board voting
519 on the question vote against retaining the superintendent in
520 office, a vacancy shall exist which shall be filled as provided by
521 law, otherwise the superintendent shall remain in office for the
522 duration of his employment contract.

523 (b) The State Board of Education may issue a written
524 request with documentation to the Governor asking that the
525 membership of the school board of the school district shall be
526 subject to recall. Whenever the Governor declares that the
527 membership of the school board is subject to recall, the county
528 election commission or the local governing authorities, as the
529 case may be, shall take the following action:

530 (i) If the members of the local school board are
531 elected to office, in those years in which the specific member's
532 office is not up for election, the name of the school board member
533 shall be submitted by the State Board of Education to the county
534 election commission, and the county election commission at a
535 special election shall submit the question to the voters eligible
536 to vote for the particular member's office within the county or
537 school district, as the case may be, and the special election
538 shall be held within sixty (60) days from notification by the
539 State Board of Education. The ballot shall read substantially as
540 follows:



541 "Members of the _____ (here the title of the school
542 district shall be inserted) School Board who are not up for
543 election this year are subject to recall because of the school
544 district's failure to meet critical accountability standards as
545 defined in the letter of notification to the Governor from the
546 State Board of Education. Shall the member of the school board
547 representing this area, _____ (here the name of the school
548 board member holding the office shall be inserted), be retained in
549 office? Yes _____ No _____"

550 If a majority of those voting on the question vote against
551 retaining the member of the school board in office, a vacancy in
552 that board member's office shall exist, which shall be filled in
553 the manner provided by law; otherwise, the school board member
554 shall remain in office for the term of that office, and at the
555 expiration of the term of office, the member shall be eligible for
556 qualification and election to another term or terms of office.
557 However, if a majority of the school board members are recalled in
558 the special election, the Governor shall authorize the board of
559 supervisors of the county in which the school district is situated
560 to appoint members to fill the offices of the members recalled.
561 The board of supervisors shall make those appointments in the
562 manner provided by law for filling vacancies on the school board,
563 and the appointed members shall serve until the office is filled
564 at the next regular special election or general election.

565 (ii) If the local school board is an appointed
566 school board, the name of all school board members shall be
567 submitted as a collective board by the president of the municipal
568 or county governing authority, as the case may be, at the next
569 regular meeting of the governing authority for retention in office
570 or dismissal from office. If a majority of the governing
571 authority voting on the question vote against retaining the board
572 in office, a vacancy shall exist in each school board member's



573 office, which shall be filled as provided by law; otherwise, the
574 members of the appointed school board shall remain in office for
575 the duration of their term of appointment, and those members may
576 be reappointed.

577 (iii) If the local school board is comprised of
578 both elected and appointed members, the elected members shall be
579 subject to recall in the manner provided in subparagraph (i) of
580 this subsection, and the appointed members shall be subject to
581 recall in the manner provided in subparagraph (ii).

582 (17) Beginning with the school district audits conducted for
583 the 1997-1998 fiscal year, the State Board of Education, acting
584 through the Commission on School Accreditation, shall require each
585 school district to comply with standards established by the State
586 Department of Audit for the verification of fixed assets and the
587 auditing of fixed assets records as a minimum requirement for
588 accreditation.

589 (18) Before December 1, 1999, the State Board of Education
590 shall recommend a program to the Education Committees of the House
591 of Representatives and the Senate for identifying and rewarding
592 public schools that improve or are high performing. The program
593 shall be described by the board in a written report, which shall
594 include criteria and a process through which improving schools and
595 high-performing schools will be identified and rewarded.

596 The State Superintendent of Public Education and the State
597 Board of Education also shall develop a comprehensive
598 accountability plan to ensure that local school boards,
599 superintendents, principals and teachers are held accountable for
600 student achievement. A written report on the accountability plan
601 shall be submitted to the Education Committees of both houses of
602 the Legislature before December 1, 1999, with any necessary
603 legislative recommendations.



604 (19) Before January 1, 2008, the State Board of Education
605 shall evaluate and submit a recommendation to the Education
606 Committees of the House of Representatives and the Senate on
607 inclusion of graduation rate and dropout rate in the school level
608 accountability system.

609 (20) If a local school district is determined as failing and
610 placed into conservatorship for reasons authorized by the
611 provisions of this section, the conservator appointed to the
612 district shall, within forty-five (45) days after being appointed,
613 present a detailed and structured corrective action plan to move
614 the local school district out of conservatorship status to the
615 local school board and local superintendent of education if they
616 have not been removed by the conservator, or if the board and
617 superintendent have been removed, to the local governing authority
618 of the municipality or county in which the school district under
619 conservatorship is located. A copy of the conservator's
620 corrective action plan shall also be filed with the State Board of
621 Education.

622 **SECTION 2.** This act shall take effect and be in force from
623 and after July 1, 2012.

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

1 AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE AND DIRECT THE STATE BOARD OF EDUCATION AND THE STATE
3 DEPARTMENT OF EDUCATION TO CHANGE THE PERFORMANCE LEVEL
4 TERMINOLOGY FOR SCHOOLS AND SCHOOL DISTRICTS TO "A", "B", "C", "D"
5 AND "F" BASED ON ESTABLISHED BENCHMARKS OF STUDENT ACHIEVEMENT AND
6 GROWTH; TO PROVIDE THAT SUCH NEW TERMINOLOGY FOR ACCREDITATION



7 RATING PURPOSES SHALL BE EFFECTIVE UPON FULL IMPLEMENTATION OF
8 COMMON CORE STATE STANDARDS AND ASSESSMENTS; AND FOR RELATED
9 PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)
Tollison

X (SIGNED)
Collins

X (SIGNED)
Polk

CONFEREES FOR THE HOUSE

X (SIGNED)
Moore

X (SIGNED)
Holloway

X (SIGNED)
McGee

