

By: Senator(s) Burton, Polk

To: Universities and  
Colleges

SENATE BILL NO. 2056  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-163-1, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE AND DIRECT THE EDUCATION ACHIEVEMENT COUNCIL TO  
3 DEVELOP AND MAKE SPECIFIC RECOMMENDATIONS TO THE 2014 REGULAR  
4 SESSION OF THE LEGISLATURE REGARDING COLLEGE READINESS,  
5 IMPLEMENTATION OF COMMON CORE STANDARDS AND IMPLEMENTATION OF  
6 PERFORMANCE-BASED BUDGETING FOR UNIVERSITIES AND COMMUNITY  
7 COLLEGES; AND FOR RELATED PURPOSES.

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

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

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

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

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



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

22 (c) The Chairmen of the House and Senate Appropriations  
23 Committees, or their designees;

24 ( \* \* \*d) A representative of the Governor's office  
25 appointed by the Governor;

26 ( \* \* \*e) Two (2) members of the Board of Trustees of  
27 State Institutions of Higher Learning;

28 ( \* \* \*f) The Chairman of the State Board of Education,  
29 or his designee;

30 ( \* \* \*g) The Chairman and one (1) member of the State  
31 Board for Community and Junior Colleges, or his designee;

32 ( \* \* \*h) The State Superintendent of Public Education,  
33 or his designee;

34 ( \* \* \*i) The Commissioner of Higher Education, or his  
35 designee;

36 ( \* \* \*j) The Executive Director of the State Board for  
37 Community and Junior Colleges, or his designee;

38 ( \* \* \*k) Three (3) presidents of state institutions of  
39 higher learning appointed by the Board of Trustees of State  
40 Institutions of Higher Learning, one (1) of which must be from a  
41 historically black institution of higher learning;

42 ( \* \* \*l) Three (3) community and junior college  
43 presidents appointed by the State Board for Community and Junior  
44 Colleges;



45 ( \* \* \*m) The Executive Director of the Mississippi  
46 Department of Mental Health, or his designee; and

47 ( \* \* \*n) The President and Chief Executive Officer of  
48 the Mississippi Economic Council \* \* \*.

49 \* \* \*

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

55 (4) The Education Achievement Council shall:

56 (a) Establish the education achievement goals for the  
57 state;

58 (b) Develop and prescribe appropriate planning  
59 processes;

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

64 (d) Research and develop a new performance-based  
65 funding mechanism for public community colleges and state  
66 institutions of higher learning based upon productivity goals and  
67 accomplishments as well as enrollment, in order to measure and  
68 base funding on the outcomes of job creation in critical work  
69 areas in the State of Mississippi, and submit a report thereon



70 with necessary legislation to the Governor and the appropriate  
71 committees of the Legislature on or before November 1, \* \* \* 2013,  
72 for consideration at the \* \* \* 2014 Regular Session; \* \* \*

73 (e) Research and develop recommendations for the  
74 improvement of college readiness to include (i) the development of  
75 indicators of common core state standards implementation and of  
76 educator effectiveness, with benchmarking reports; (ii) the  
77 requirements for increasing college-completion levels in the state  
78 by building awareness and improved time-to-completion performance  
79 standards; (iii) the implementation of statewide mathematics and  
80 literacy transition courses to support students college readiness;  
81 (iv) a plan to phase-out the funding of remedial education at the  
82 postsecondary level by the 2019-2020 academic year; (v) a plan to  
83 implement a policy requiring an undergraduate student to earn a  
84 degree without dropping more than eight (8) courses; and (vi) a  
85 plan to implement a policy providing for the refund of tuition and  
86 fees to a student who withdraws from a university; and submit a  
87 report thereon with necessary legislation to the Governor and the  
88 appropriate committees of the Legislature on or before November 1,  
89 2013, for consideration at the 2014 Regular Session; and

90 ( \* \* \* f) Contract for any professional services that  
91 it deems necessary to complete its work.

92 (5) The Education Achievement Council shall monitor and  
93 report on the state's progress toward these education achievement  
94 goals by preparing an annual state report card compiled from the



95 annual reports prepared and submitted by each state institution of  
96 higher learning and community and junior college in the state.  
97 The state's annual report shall be made available on the Education  
98 Achievement Council website, as well as the websites of the Board  
99 of Trustees of State Institutions of Higher Learning and the State  
100 Board for Community and Junior Colleges.

101 (6) Each state institution of higher learning and community  
102 and junior college shall be required to develop and publish an  
103 annual report as prescribed by the Education Achievement Council.  
104 By November 1 of each year, as prescribed by the Education  
105 Achievement Council, each institution's annual report shall be  
106 published in a newspaper having general circulation in the county  
107 and posted on the institution's website in printable form. The  
108 public notice shall include information on the report's  
109 availability on the institution's website, with the website  
110 address, and the locations where a copy of the report may be  
111 obtained.

112 (7) Within sixty (60) days of March 24, 2010, the Education  
113 Achievement Council shall meet and organize by selecting from its  
114 membership a chairman, vice chairman and secretary each for a  
115 one-year term of office. A majority of the membership will  
116 constitute a quorum. In the selection of its officers and the  
117 adoption of rules, resolutions and reports, an affirmative  
118 majority vote shall be required. All members must be notified in



119 writing of all meetings at least five (5) days before the date on  
120 which a meeting is scheduled.

121 (8) The Legislature may appropriate funds to the Board of  
122 Trustees of State Institutions of Higher Learning for the  
123 administrative, contractual costs, travel and other expenses of  
124 the Education Achievement Council.

125 (9) Members of the Education Achievement Council who are not  
126 legislators, state officials or state employees may be compensated  
127 at the per diem rate authorized by Section 25-3-41 for mileage and  
128 actual expense incurred in the performance of their duties.

129 Legislative members of the Education Achievement Council may be  
130 paid from the contingent expense funds of their respective houses,  
131 but only with the specific approval of the Senate Rules Committee  
132 or House Management Committee; however, no per diem or expense is  
133 authorized for attending meetings of the Education Achievement  
134 Council when the Legislature is in session. Nonlegislative  
135 members may be paid from any funds made available for that  
136 purpose.

137 (10) The Commissioner of Higher Education, or his designee,  
138 shall serve as the principal staff to support the Education  
139 Achievement Council. The Commissioner of Higher Education and the  
140 Executive Director of the State Board for Community and Junior  
141 Colleges shall provide appropriate staff to support the work of  
142 the Education Achievement Council.



143           **SECTION 2.** This act shall take effect and be in force from  
144 and after July 1, 2013, and shall stand repealed on June 30, 2013.

