

April 23, 2015

TO THE MISSISSIPPI STATE SENATE

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2161

I am returning without my approval Senate Bill Number 2161: "AN ACT TO ESTABLISH A MISSISSIPPI COMMISSION ON COLLEGE AND CAREER READINESS TO DEVELOP AND RECOMMEND NEW CURRICULUM AND ASSESSMENT STANDARDS FOR THE PUBLIC SCHOOLS BASED ON NATIONAL AND INTERNATIONAL BENCHMARKS; TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND TO PROVIDE THAT THE COMMISSION SHALL BE LOCATED ADMINISTRATIVELY IN THE STATE DEPARTMENT OF EDUCATION; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO CONSIDER THE NEW MISSISSIPPI COLLEGE AND CAREER READINESS STANDARDS RECOMMENDED BY THE COMMISSION; TO DIRECT THE STATE BOARD OF EDUCATION TO REMOVE THE COMMON CORE COPYRIGHT AND ANY REFERENCES TO THE COMMON CORE STANDARDS FROM THE MISSISSIPPI COLLEGE AND CAREER READINESS STANDARDS; TO PROVIDE FOR STUDENT CONFIDENTIALITY; TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO DISCONTINUE PARCC STUDENT ASSESSMENTS OR ANY OTHER CONSORTIA DEVELOPED TEST; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO DELETE UNTIL JANUARY 1, 2017, THE REQUIREMENT THAT THE STATE DEPARTMENT OF EDUCATION COMBINE THE STATE SCHOOL ACCOUNTABILITY SYSTEM WITH THE FEDERAL SYSTEM; TO CONFORM REFERENCES TO THE STATE ACCOUNTABILITY STANDARDS TO THE "MISSISSIPPI COLLEGE AND CAREER-READY STANDARDS"; TO AMEND SECTION 37-177-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES," and assign the following reasons for my veto.

The 10th Amendment to the United States Constitution provides that all powers not specifically granted to the federal government are reserved to the States or citizens. In *Brown v. Board of Education*, the United States Supreme Court has recognized that "education is perhaps the most important function of state and local governments." In Miss. Code Ann., Section 37-1-2, it states that the policy of the State of Mississippi is "[t]o establish, raise and maintain educational standards." These educational standards are essential in providing high-quality education for all public school students.

In 2010, the State Board of Education adopted new educational standards "based on a finding of imminent peril to public welfare in the loss of substantial federal funds from the Race to the Top Grant." These Common Core standards were intended to be clearer and more rigorous, but their implementation was rushed. Initial optimism surrounding Common Core has waned, and opposition has soared across the country.

Over the past several years, Mississippians' concern about Common Core has increased steadily. Parents have strongly expressed their dissatisfaction with a system many feel replaces their right to a voice in the education of their children with a centralized, top-down approach that cedes an uncomfortable amount of control to a centralized federal agenda.

If Common Core has taught us anything, it's that process matters. The process to develop educational standards must be open, transparent, collaborative and impartial. Standards must be locally controlled and nationally renowned. And college and career readiness must be seen as a shared mission. The 2015 Legislative Session was an opportunity to apply the lessons learned from Common Core. Unfortunately, this bill does not capitalize on that opportunity.

Section 1 of the bill, which establishes the 15-member Mississippi Commission on College and Career Readiness, is deeply flawed. I am not fundamentally opposed to using a study group to help solve a problem. But the Board of Education has no mandate to adopt any recommendations of the study group. This is unacceptable. The original version of the bill, which I could have supported, would have required the Board of Education to adopt and implement new standards before July 1, 2016, voiding previously adopted standards. And the version of the bill that passed the House of Representatives, which I could have supported, authorized the commission to recommend additional standards or propose changes to existing standards and required the Board of Education to adopt a minimum of 75% of the commission's recommendations. I cannot in good conscience allow this bill, which is devoid of earlier-version mandates, to become law under the guise that it would lead to the demise of Common Core.

While there are other provisions of the bill that I support, they do not outweigh my serious concerns with the commission's lack of meaningful authority. These provisions include language purporting to safeguard the privacy of students and their parents, to remove the PARCC test mandate and to remove the requirement of passing an end-of-course subject area test as a prerequisite to graduation. It is my understanding that these are addressed either by current law or Education Department policy.

In summary, I am steadfast in my belief that Common Core must be abandoned, and SB2161 would do nothing to realistically accomplish that. Educators, parents, students and other citizens deserve realistic expectations.

The decision to disapprove SB2161 was not made lightly, however. Over the last four years, the Legislature has made transformational changes in education. In the coming years, I believe Mississippi will make more progress in educational achievement, but that progress will require more than SB2161 offers.

Accordingly, I am vetoing Senate Bill 2161.

Respectfully submitted,

PHIL BRYANT
GOVERNOR