

By: Representative Mettetal

To: Universities and  
Colleges

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2

1 AN ACT TO AMEND SECTION 37-163-1, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE COMPOSITION OF THE EDUCATION ACHIEVEMENT COUNCIL BY  
3 ADDING TWO ADDITIONAL MEMBERS; AND FOR RELATED PURPOSES.

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

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

7 37-163-1. (1) There is created an Education Achievement  
8 Council whose purpose is to sustain attention to the state's goal  
9 of increasing the educational attainment and skill levels of the  
10 state's working-age population benchmark to the national average  
11 by 2025.

12 (2) The Education Achievement Council shall consist of \* \* \*  
13 twenty-five (25) members:

14 (a) The Chairmen of the House and Senate Universities  
15 and Colleges Committees;

16 (b) The Chairmen of the House and Senate Education  
17 Committees;



18 (c) A representative of the Governor's office appointed  
19 by the Governor;

20 (d) Two (2) members of the Board of Trustees of State  
21 Institutions of Higher Learning;

22 (e) The Chairman of the State Board of Education, or  
23 his designee;

24 (f) The Chairman and one (1) member of the Mississippi  
25 Community College Board, or his designee;

26 (g) The State Superintendent of Public Education, or  
27 his designee;

28 (h) The Commissioner of Higher Education, or his  
29 designee;

30 (i) The Executive Director of the Mississippi Community  
31 College Board, or his designee;

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

36 (k) Three (3) community and junior college presidents  
37 appointed by the Mississippi Community College Board;

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

40 (m) The President and Chief Executive Officer of the  
41 Mississippi Economic Council; \* \* \*



42 (n) The Chairmen of the House and Senate Appropriations  
43 Committees, or their designees \* \* \*;

44 (o) The Executive Director of the Mississippi  
45 Association of Independent Colleges and Universities; and

46 (p) The President of the Mississippi Association of  
47 Proprietary Schools.

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

53 (4) The Education Achievement Council shall:

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

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

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

62 (d) Research and develop a new funding mechanism for  
63 public community colleges and state institutions of higher  
64 learning based upon productivity goals and accomplishments as well  
65 as enrollment, and submit a report thereon with necessary  
66 legislation to the Governor and the appropriate committees of the



67 Legislature on or before November 1, 2012, for consideration at  
68 the 2013 Regular Session; and

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

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

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



91 (7) Within sixty (60) days of March 24, 2010, the Education  
92 Achievement Council shall meet and organize by selecting from its  
93 membership a chairman, vice chairman and secretary each for a  
94 one-year term of office. A majority of the membership will  
95 constitute a quorum. In the selection of its officers and the  
96 adoption of rules, resolutions and reports, an affirmative  
97 majority vote shall be required. All members must be notified in  
98 writing of all meetings at least five (5) days before the date on  
99 which a meeting is scheduled.

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

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



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

122 **SECTION 2.** This act shall take effect and be in force from  
123 and after July 1, 2016.

