

By: Representatives Currie, Arnold,  
Carpenter

To: Education

HOUSE BILL NO. 357

1 AN ACT TO PROVIDE FOR THE REPEAL OF THE COMMON CORE STATE  
2 STANDARDS CURRICULUM ADOPTED BY THE STATE BOARD OF EDUCATION AND  
3 TO PROHIBIT ANY FURTHER IMPLEMENTATION OR USE OF SUCH STANDARDS;  
4 TO RESTRICT THE USE OF THE PARTNERSHIP FOR ASSESSMENT OF READINESS  
5 FOR COLLEGE AND CAREERS (PARCC), OR ANY OTHER ASSESSMENT RELATED  
6 TO OR BASED ON THE COMMON CORE STATE STANDARDS, AS THE REQUIRED  
7 ASSESSMENT REQUIRED UNDER THE STATEWIDE TESTING PROGRAM; TO  
8 REQUIRE THE STATE SUPERINTENDENT OF PUBLIC EDUCATION AND THE STATE  
9 BOARD OF EDUCATION TO INITIATE PROCEDURES TO WITHDRAW FROM THE  
10 PARCC CONSORTIUM; TO PROVIDE THAT THE STATE OF MISSISSIPPI SHALL  
11 RETAIN SOLE CONTROL OVER THE DEVELOPMENT, ESTABLISHMENT AND  
12 REVISION OF CURRICULUM AND ACADEMIC CONTENT STANDARDS; TO PROVIDE  
13 THAT NO CURRICULUM STANDARDS DEVELOPED OUTSIDE THE STATE OF  
14 MISSISSIPPI MAY BE ADOPTED OR IMPLEMENTED WITHOUT PUBLIC HEARINGS  
15 HELD IN EACH CONGRESSIONAL DISTRICT, A ONE-YEAR OPEN COMMENT  
16 PERIOD AND OPEN HEARINGS BEFORE A JOINT COMMITTEE COMPOSED OF THE  
17 HOUSE AND SENATE EDUCATION COMMITTEES, FOLLOWED BY AN ACT OF THE  
18 LEGISLATURE; TO IMPOSE RESTRICTIONS UPON THE STATE DEPARTMENT OF  
19 EDUCATION WITH REGARDS TO THE EXPENDITURE OF CERTAIN FUNDS AND  
20 DISCLOSING PERSONALLY IDENTIFIABLE INFORMATION PERTAINING TO  
21 STUDENTS AND TEACHERS; TO AMEND SECTION 37-1-3, MISSISSIPPI CODE  
22 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

23 WHEREAS, academic standards are statements of what students  
24 are expected to know and to be able to do at specific grade  
25 levels, to which, the establishment of academic standards has been  
26 within the jurisdiction of each state; and



27           WHEREAS, in 2004, several states began collaborating on the  
28 development of common state standards in Mathematics and English  
29 Language Arts; and

30           WHEREAS, during the late 2000s, the National Governors  
31 Association, representing all states' chief executives, and the  
32 Council of Chief State School Officers, representing each state's  
33 top government official overseeing education, began to coordinate  
34 the effort to develop common state standards, which effort  
35 culminated in the development of the Common Core State Standards;  
36 and

37           WHEREAS, the State Board of Education adopted the Common Core  
38 State Standards in 2010 to replace the Mississippi Curriculum  
39 Frameworks, to provide a consistent, clear understanding of what  
40 students are expected to learn so that teachers and parents know  
41 what they need to do to help them, and established to be phased in  
42 over the transitional timeline adopted by the board on May 17,  
43 2013, for full implementation beginning with the 2013-2014  
44 scholastic term; and

45           WHEREAS, members of the Mississippi Legislature are cognizant  
46 that many concerns have been raised by individual Mississippians  
47 as well as various organizations within Mississippi about the  
48 adoption of the Common Core State Standards; and

49           WHEREAS, as advocates for the public's best interest, the  
50 Legislature urges the State Superintendent of Public Education and  
51 the State Board of Education to ensure that Mississippi's academic



52 standards are thoroughly rigorous and effective for all  
53 Mississippi students; and

54 WHEREAS, the State Superintendent of Public Education and the  
55 State Board of Education are urged to ensure that Mississippi's  
56 academic standards are adapted to the specific needs of  
57 Mississippi, and to consult with Mississippi parents, students,  
58 teachers, school administrators, school board members,  
59 representatives of institutions of higher learning and business  
60 and community leaders before adopting any new academic standards;  
61 and

62 WHEREAS, the State Superintendent of Public Education and the  
63 State Board of Education are urged to ensure that public schools  
64 continue to maintain absolute flexibility in the curriculum that  
65 they provide under Mississippi's proud tradition of home rule;  
66 and

67 WHEREAS, the State Superintendent of Public Education and the  
68 State Board of Education are urged to ensure that Mississippi's  
69 academic standards are not burdensome and costly to public  
70 schools, nor do they result in intrusion into student and family  
71 privacy or in the collection or reporting of additional data to  
72 the federal government; NOW, THEREFORE,

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

74 **SECTION 1.** The following words and phrases shall have the  
75 meanings ascribed herein unless the context clearly indicates  
76 otherwise:



77 (a) "Board" means the Mississippi Board of Education.

78 (b) "Common Core State Standards" mean the educational  
79 standards developed for kindergarten through Grade 12 by the  
80 Common Core State Standards Initiative.

81 (c) "Department" means the State Department of  
82 Education.

83 (d) "Education entity" means any agency or department  
84 of state or local government that exercises any responsibility  
85 with respect to K-12 public education in the State of Mississippi.

86 (e) "Personally identifiable information" shall have  
87 the same meaning as that term is given in 34 CFR Part 99.3.

88 (f) "State official" means any official in state or  
89 local government in Mississippi, whether elected or appointed.

90 **SECTION 2.** (1) Notwithstanding any other provision of law  
91 to the contrary, the State Board of Education and the State  
92 Department of Education shall cease the implementation and use of  
93 the Common Core State Standards as of the effective date of this  
94 section. Any further action taken by the board with regard to the  
95 sustained use of Common Core State Standards is void ab initio.  
96 The K-12 math standards in effect in California on January 1,  
97 2010, and the English Language Arts standards in effect in Texas  
98 on January 1, 2010, shall serve as the Mississippi standards for  
99 those subjects. Nor shall the board use the Partnership for  
100 Assessment of Readiness for College and Careers (PARCC), or any  
101 other assessment related to or based on the Common Core State



102 Standards, as any of the assessments required under the curriculum  
103 established by the board under the authority granted under  
104 Sections 37-1-3 and 37-16-1 et seq.

105 (2) Upon the effective date of this section, the State  
106 Superintendent of Public Education and the State Board of  
107 Education shall immediately initiate the procedure, outlined in  
108 the Bylaws of the Partnership for Assessment of Readiness for  
109 College and Careers (adopted April 12, 2012), to withdraw the  
110 state from such consortium. All statewide K-12 tests and  
111 assessments shall be solely owned and solely controlled by the  
112 state.

113 (3) The State of Mississippi shall retain sole control over  
114 the development, establishment and revision of curriculum and  
115 academic content standards. Neither the board nor any other state  
116 education entity, nor any state official, may join any consortium  
117 or any other organization when participation in that consortium or  
118 organization would cede any measure of control over any aspect of  
119 Mississippi public education to entities outside the state, nor  
120 may any such person or entity condition or delay a decision on  
121 standards or curriculum on the decision of any consortium,  
122 organization, any other state government, or the federal  
123 government. No curriculum standards developed outside the State  
124 of Mississippi, including, but not limited to, the Next Generation  
125 Science Standards, the National Curriculum Standards for Social  
126 Studies, the National Health Education Standards, and the National



127 Sexuality Education Standards, and no standards that use the same  
128 model frameworks as such standards developed primarily by entities  
129 outside the State of Mississippi, may be adopted or implemented  
130 without public hearings held in each congressional district, an  
131 open comment period of one (1) year, and open hearings before a  
132 joint committee composed of the House Education Committee and  
133 Senate Education Committee, followed by an act of the Legislature.  
134 The board shall post notice of each hearing on the department's  
135 website and in a newspaper of general circulation in the  
136 respective congressional district.

137 (4) The State Board of Education shall provide public notice  
138 of any proposed adoption or revision of academic content standards  
139 on the department's website. The board shall request comments on  
140 the proposed changes from the general public for the time  
141 specified in subsection (3) of this section, including parents,  
142 teachers, experts on academic content standards, representatives  
143 of political, educational and faith-based organizations, and  
144 nonpartisan policy institutes.

145 (5) The State Superintendent of Public Education, the State  
146 Board of Education, the department or any other state entity that  
147 deals with education shall not do any of the following:

148 (a) Expend any funds on construction, enhancement or  
149 expansion of any statewide longitudinal data system designed to  
150 track students, or compile personally identifiable student



151 information, beyond what is necessary for basic administrative  
152 needs, for academic evaluation of programs and student progress,  
153 or for compliance with paragraph (e) of this subsection;

154 (b) Share any personally identifiable information of  
155 students or teachers with any entity outside the state, except as  
156 provided in paragraph (e) of this subsection. The prohibition of  
157 this paragraph does not apply to virtual, online or hard drive  
158 file storage hosted by third parties outside of the state;

159 (c) Share any personally identifiable information of  
160 students or teachers with any entity that intends to use that  
161 information to develop commercial products or services or that  
162 intends to transfer the information to any other entity for use in  
163 developing commercial products or services;

164 (d) Share any personally identifiable information of  
165 students or teachers with any entity within the state, unless that  
166 entity is an educational agency or an institution which the state  
167 expressly prohibits, in writing, the agency or institution from  
168 the following:

169 (i) Using the information to develop commercial  
170 products or services or transferring the information to any other  
171 entity to develop commercial products or services; or

172 (ii) Using the transfer of information for  
173 economic or workforce development planning;



174 (e) Share any personally identifiable information of  
175 students or teachers with the United States Department of  
176 Education, unless all of the following apply:

177 (i) The sharing of information is required as a  
178 condition of receiving a federal education grant;

179 (ii) The United States Department of Education  
180 agrees, in writing, to all of the following:

181 1. To use the information only to evaluate  
182 the program or programs funded by the grant;

183 2. That the information will not be used for  
184 any research beyond that related to the evaluation of the program  
185 or programs funded by the grant, unless the teacher or parent or  
186 guardian of any student whose information will be used for the  
187 research affirmatively consents to that use in writing;

188 3. That it will not share the information  
189 with any other governmental or private entity, unless the teacher  
190 or parent or guardian of any student whose information will be  
191 shared affirmatively consents to that sharing in writing; and

192 4. That it will agree to destroy the  
193 information upon completion of the evaluation of the program or  
194 programs funded by the grant;

195 (iii) The grant or program for which the  
196 information is required is authorized by federal statute or by  
197 federal rule adopted under 5 USCS Section 500 et seq.





198           (6) If the United States Department of Education requires,  
199 as a condition of a federal education grant, that the grant  
200 recipient provide personally identifiable information of students  
201 or teachers in a way that does not comply with subsection (5)(e)  
202 of this section, the grant recipient shall provide the teacher or  
203 parent or guardian of any student whose information is required  
204 with notification that includes all of the following:

205           (a) That the grant recipient has been required to turn  
206 over the teacher's or student's information to the United States  
207 Department of Education;

208           (b) That neither the grant recipient nor any other  
209 entity or official within the state will have control of the use  
210 or further sharing of that information; and

211           (c) The contact information, including telephone number  
212 and electronic mail address, of the United States Department of  
213 Education official seeking the information.

214           **SECTION 3.** Section 37-1-3, Mississippi Code of 1972, is  
215 amended as follows:

216           37-1-3. (1) The State Board of Education shall adopt rules  
217 and regulations and set standards and policies for the  
218 organization, operation, management, planning, budgeting and  
219 programs of the State Department of Education.

220           (a) The board is directed to identify all functions of  
221 the department that contribute to or comprise a part of the state  
222 system of educational accountability and to establish and maintain



223 within the department the necessary organizational structure,  
224 policies and procedures for effectively coordinating such  
225 functions. Such policies and procedures shall clearly fix and  
226 delineate responsibilities for various aspects of the system and  
227 for overall coordination of the total system and its effective  
228 management.

229 (b) The board shall establish and maintain a  
230 system-wide plan of performance, policy and directions of public  
231 education not otherwise provided for.

232 (c) The board shall effectively use the personnel and  
233 resources of the department to enhance technical assistance to  
234 school districts in instruction and management therein.

235 (d) The board shall establish and maintain a central  
236 budget policy.

237 (e) The board shall establish and maintain within the  
238 State Department of Education a central management capacity under  
239 the direction of the State Superintendent of Public Education.

240 (f) The board, with recommendations from the  
241 superintendent, shall design and maintain a five-year plan and  
242 program for educational improvement that shall set forth  
243 objectives for system performance and development and be the basis  
244 for budget requests and legislative initiatives.

245 (2) (a) The State Board of Education shall adopt and  
246 maintain a curriculum and a course of study to be used in the  
247 public school districts that is designed to prepare the state's



248 children and youth to be productive, informed, creative citizens,  
249 workers and leaders, and it shall regulate all matters arising in  
250 the practical administration of the school system not otherwise  
251 provided for. However, the State Board of Education shall take no  
252 action regarding a statewide curriculum that is not consistent  
253 with the provisions of Section 2 of this act.

254 (b) Before the 1999-2000 school year, the State Board  
255 of Education shall develop personal living and finances objectives  
256 that focus on money management skills for individuals and families  
257 for appropriate, existing courses at the secondary level. The  
258 objectives must require the teaching of those skills necessary to  
259 handle personal business and finances and must include instruction  
260 in the following:

- 261 (i) Opening a bank account and assessing the  
262 quality of a bank's services;
- 263 (ii) Balancing a checkbook;
- 264 (iii) Managing debt, including retail and credit  
265 card debt;
- 266 (iv) Completing a loan application;
- 267 (v) The implications of an inheritance;
- 268 (vi) The basics of personal insurance policies;
- 269 (vii) Consumer rights and responsibilities;
- 270 (viii) Dealing with salesmen and merchants;
- 271 (ix) Computing state and federal income taxes;
- 272 (x) Local tax assessments;



- 273 (xi) Computing interest rates by various  
274 mechanisms;
- 275 (xii) Understanding simple contracts; and  
276 (xiii) Contesting an incorrect billing statement.

277 (3) The State Board of Education shall have authority to  
278 expend any available federal funds, or any other funds expressly  
279 designated, to pay training, educational expenses, salary  
280 incentives and salary supplements to licensed teachers employed in  
281 local school districts or schools administered by the State Board  
282 of Education. Such incentive payments shall not be considered  
283 part of a school district's local supplement as defined in Section  
284 37-151-5(o), nor shall the incentives be considered part of the  
285 local supplement paid to an individual teacher for the purposes of  
286 Section 37-19-7(1). MAEP funds or any other state funds shall not  
287 be used to provide such incentives unless specifically authorized  
288 by law.

289 (4) The State Board of Education shall through its actions  
290 seek to implement the policies set forth in Section 37-1-2.

291 **SECTION 4.** This act shall take effect and be in force from  
292 and after July 1, 2017.

