

By: Representative Wilson

To: Education

## HOUSE BILL NO. 1176

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT  
3 OBJECTIVES THAT FOCUS ON THE ACADEMIC STANDARDS IN SOCIAL STUDIES,  
4 CIVICS AND UNITED STATES HISTORY AND TO REQUIRE THE ADMINISTRATION  
5 OF AN AMERICAN CIVICS ASSESSMENT, IDENTICAL TO THE PORTION OF THE  
6 EXAMINATION ADMINISTERED BY UNITED STATES CITIZENSHIP AND  
7 IMMIGRATION SERVICES (USCIS) FOR NATURALIZATION, AS A CONDITION OF  
8 GRADUATION; TO REQUIRE HIGH SCHOOL STUDENTS TO CORRECTLY ANSWER AT  
9 LEAST 60% OF THE QUESTIONS TO BE ELIGIBLE FOR GRADUATION; TO  
10 PROVIDE THAT BEGINNING WITH THE 2017-2018 SCHOOL YEAR, THE BOARD  
11 SHALL REQUIRE THE DEVELOPED OBJECTIVES TO BE INCORPORATED INTO THE  
12 UNITED STATES HISTORY CURRICULUM REQUIRED FOR HIGH SCHOOL STUDENTS  
13 AS MEASURED BY THE SUBJECT AREA TEST FOR THAT COURSE; TO AUTHORIZE  
14 THE BOARD TO DETERMINE THE METHOD AND MANNER IN WHICH TO  
15 ADMINISTER THE ASSESSMENT; TO PROVIDE THAT STUDENTS SHALL HAVE  
16 ADDITIONAL OPPORTUNITIES TO TAKE THE ASSESSMENT UNTIL A PASSING  
17 SCORE IS OBTAINED; TO AMEND SECTIONS 37-3-49 AND 37-16-3,  
18 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION  
19 37-15-38, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY COURSE  
20 REQUIRED FOR THE AMERICAN CIVICS ASSESSMENT AS A REQUIREMENT FOR  
21 GRADUATION FROM A PUBLIC SCHOOL OR CHARTER SCHOOL IN MISSISSIPPI  
22 SHALL NOT BE ELIGIBLE FOR DUAL CREDIT; TO BRING FORWARD SECTION  
23 37-16-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE  
24 AMENDMENTS; TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO  
25 REQUIRE EACH SCHOOL BOARD, IN THE ESTABLISHMENT OF ITS MINIMUM  
26 STANDARDS FOR GRADUATION, TO INCLUDE MASTERY OF MINIMUM ACADEMIC  
27 SKILLS AS MEASURED BY THE AMERICAN CIVICS ASSESSMENT IDENTICAL TO  
28 THE PORTION OF THE EXAMINATION ADMINISTERED BY UNITED STATES  
29 CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) FOR NATURALIZATION;  
30 TO EXEMPT STUDENTS CLASSIFIED WITH CERTAIN INTELLECTUAL  
31 DISABILITIES FROM THE REQUIREMENT OF OBTAINING A PASSING SCORE ON  
32 THE AMERICAN CIVICS ASSESSMENT AS A CONDITION OF GRADUATION AND  
33 RECEIPT OF A SPECIAL DIPLOMA OR CERTIFICATE; TO AMEND SECTION



34 37-16-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR  
35 RELATED PURPOSES.

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

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

39 37-1-3. (1) The State Board of Education shall adopt rules  
40 and regulations and set standards and policies for the  
41 organization, operation, management, planning, budgeting and  
42 programs of the State Department of Education.

43 (a) The board is directed to identify all functions of  
44 the department that contribute to or comprise a part of the state  
45 system of educational accountability and to establish and maintain  
46 within the department the necessary organizational structure,  
47 policies and procedures for effectively coordinating such  
48 functions. Such policies and procedures shall clearly fix and  
49 delineate responsibilities for various aspects of the system and  
50 for overall coordination of the total system and its effective  
51 management.

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

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

58 (d) The board shall establish and maintain a central  
59 budget policy.



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

63 (f) The board, with recommendations from the  
64 superintendent, shall design and maintain a five-year plan and  
65 program for educational improvement that shall set forth  
66 objectives for system performance and development and be the basis  
67 for budget requests and legislative initiatives.

68 (2) (a) The State Board of Education shall adopt and  
69 maintain a curriculum and a course of study to be used in the  
70 public school districts that \* \* \* are designed to prepare the  
71 state's children and youth to be productive, informed, creative  
72 citizens, workers and leaders, and it shall regulate all matters  
73 arising in the practical administration of the school system not  
74 otherwise provided for.

75 (b) \* \* \* The State Board of Education shall develop  
76 personal living and finances objectives that focus on money  
77 management skills for individuals and families for appropriate,  
78 existing courses at the secondary level. The objectives must  
79 require the teaching of those skills necessary to handle personal  
80 business and finances and must include instruction in the  
81 following:

82 (i) Opening a bank account and assessing the  
83 quality of a bank's services;

84 (ii) Balancing a checkbook;



85 (iii) Managing debt, including retail and credit  
86 card debt;

87 (iv) Completing a loan application;

88 (v) The implications of an inheritance;

89 (vi) The basics of personal insurance policies;

90 (vii) Consumer rights and responsibilities;

91 (viii) Dealing with salesmen and merchants;

92 (ix) Computing state and federal income taxes;

93 (x) Local tax assessments;

94 (xi) Computing interest rates by various  
95 mechanisms;

96 (xii) Understanding simple contracts; and

97 (xiii) Contesting an incorrect billing statement.

98 (c) The State Board of Education shall develop and  
99 implement objectives that focus on the academic standards in  
100 social studies, civics and United States history for appropriate,  
101 existing courses at the secondary level and shall require the  
102 administration of an American Civics assessment, identical to the  
103 portion of the examination administered by United States  
104 Citizenship and Immigration Services (USCIS) used to demonstrate  
105 an applicant-for-naturalization's knowledge and understanding of  
106 the fundamentals of United States history, principles and form of  
107 United States government as required by 8 USCS Section 1423, on  
108 which secondary school students must answer correctly at least  
109 sixty percent (60%) of the questions as a condition of graduation.



110 Beginning with the 2017-2018 school year, the board shall require  
111 the objectives of this paragraph to be incorporated into the  
112 United States history curriculum required for high school students  
113 as measured by the subject area test for that course.

114 Additionally, the board may determine the method and manner in  
115 which to administer the assessment at no cost to the student and  
116 must provide additional opportunities for students to take the  
117 assessment until a passing score is obtained.

118 (3) The State Board of Education shall have authority to  
119 expend any available federal funds, or any other funds expressly  
120 designated, to pay training, educational expenses, salary  
121 incentives and salary supplements to licensed teachers employed in  
122 local school districts or schools administered by the State Board  
123 of Education. Such incentive payments shall not be considered  
124 part of a school district's local supplement as defined in Section  
125 37-151-5(o), nor shall the incentives be considered part of the  
126 local supplement paid to an individual teacher for the purposes of  
127 Section 37-19-7(1). MAEP funds or any other state funds shall not  
128 be used to provide such incentives unless specifically authorized  
129 by law.

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

132 **SECTION 2.** Section 37-3-49, Mississippi Code of 1972, is  
133 amended as follows:



134           37-3-49. (1) The State Department of Education shall  
135 provide an instructional program and establish guidelines and  
136 procedures for managing such program in the public schools within  
137 the school districts throughout the state as part of the State  
138 Program of Educational Accountability and Assessment of  
139 Performance as prescribed in Section 37-3-46. Public school  
140 districts may (a) elect to adopt the instructional program and  
141 management system provided by the State Department of Education,  
142 or (b) elect to adopt an instructional program and management  
143 system which meets or exceeds criteria established by the State  
144 Department of Education for such. This provision shall begin with  
145 the courses taught in Grades K-8 which contain skills tested  
146 through the Mississippi Basic Skills Assessment Program and shall  
147 proceed through all secondary school courses mandated for  
148 graduation, \* \* \* all secondary school courses in the Mississippi  
149 end-of-course testing program and the American Civics assessment.  
150 Other state core objectives must be included in the district's  
151 instructional program as they are provided by the State Department  
152 of Education along with instructional practices, resources,  
153 evaluation items and management procedures. Districts are  
154 encouraged to adapt this program and accompanying procedures to  
155 all other instructional areas. The department shall provide that  
156 such program and guidelines, or a program and guidelines developed  
157 by a local school district which incorporates the core objectives  
158 from the curriculum structure are enforced through the



159 performance-based accreditation system. It is the intent of the  
160 Legislature that every effort be made to protect the instructional  
161 time in the classroom and reduce the amount of paperwork which  
162 must be completed by teachers. The State Department of Education  
163 shall take steps to insure that school districts properly use  
164 staff development time to work on the districts' instructional  
165 management plans.

166 (2) The State Department of Education shall provide such  
167 instructional program and management guidelines which shall  
168 require for every public school district that:

169 (a) All courses taught in Grades K-8 which contain  
170 skills which are tested through the Mississippi Basic Skills  
171 Assessment Program, all secondary school courses mandated for  
172 graduation, and all courses in the end-of-course testing program  
173 and the American Civics assessment shall include the State  
174 Department of Education's written list of learning objectives.

175 (b) The local school board must adopt the objectives  
176 that will form the core curriculum which will be systematically  
177 delivered throughout the district.

178 (c) The set of objectives provided by the State  
179 Department of Education must be accompanied by suggested  
180 instructional practices and resources that would help teachers  
181 organize instruction so as to promote student learning of the  
182 objectives. Objectives added by the school district must also be  
183 accompanied by suggested instructional practices and resources



184 that would help teachers organize instruction. The instructional  
185 practices and resources that are identified are to be used as  
186 suggestions and not as requirements that teachers must follow.  
187 The goal of the program is to have students to achieve the desired  
188 objective and not to limit teachers in the way they teach.

189 (d) Standards for student performance must be  
190 established for each core objective in the local program and those  
191 standards establish the district's definition of mastery for each  
192 objective.

193 (e) There shall be an annual review of student  
194 performance in the instructional program against locally  
195 established standards. When weaknesses exist in the local  
196 instructional program, the district shall take action to improve  
197 student performance.

198 (3) The State Board of Education and the board of trustees  
199 of each school district shall adopt policies to limit and reduce  
200 the number and length of written reports that classroom teachers  
201 are required to prepare.

202 (4) This section shall not be construed to limit teachers  
203 from using their own professional skills to help students master  
204 instructional objectives, nor shall it be construed as a call for  
205 more detailed or complex lesson plans or any increase in testing  
206 at the local school district level.





207 (5) Districts meeting the highest levels of accreditation  
208 standards, as defined by the State Board of Education, shall be  
209 exempted from the provisions of subsection (2) of this section.

210 **SECTION 3.** Section 37-16-3, Mississippi Code of 1972, is  
211 amended as follows:

212 37-16-3. (1) The State Department of Education is directed  
213 to implement a program of statewide assessment testing which shall  
214 provide for the improvement of the operation and management of the  
215 public schools. The statewide program shall be timed, as far as  
216 possible, so as not to conflict with ongoing district assessment  
217 programs. As part of the program, the department shall:

218 (a) Establish, with the approval of the State Board of  
219 Education, minimum performance standards related to the goals for  
220 education contained in the state's plan including, but not limited  
221 to, basic skills in reading, writing \* \* \*, mathematics, science  
222 and social studies. The minimum performance standards shall be  
223 approved by April 1 in each year they are established.

224 (b) Conduct a uniform statewide testing program in  
225 grades deemed appropriate in the public schools, including charter  
226 schools. The program may test skill areas, basic skills \* \* \*,  
227 high school course content and high school students' knowledge and  
228 understanding of the fundamentals of United States history,  
229 principles and form of United States government.

230 (c) Monitor the results of the assessment program and,  
231 at any time the composite student performance of a school or basic



232 program is found to be below the established minimum standards,  
233 notify the district superintendent or the governing board of the  
234 charter school, as the case may be, the school principal and the  
235 school advisory committee or other existing parent group of the  
236 situation within thirty (30) days of its determination. The  
237 department shall further provide technical assistance to a school  
238 district in the identification of the causes of this deficiency  
239 and shall recommend courses of action for its correction.

240 (d) Provide technical assistance to the school  
241 districts, when requested, in the development of student  
242 performance standards in addition to the established minimum  
243 statewide standards.

244 (e) Issue security procedure regulations providing for  
245 the security and integrity of the tests that are administered  
246 under the basic skills assessment program.

247 (f) In case of an allegation of a testing irregularity  
248 that prompts a need for an investigation by the Department of  
249 Education, the department may, in its discretion, take complete  
250 control of the statewide test administration in a school district  
251 or any part thereof, including, but not limited to, obtaining  
252 control of the test booklets and answer documents. In the case of  
253 any verified testing irregularity that jeopardized the security  
254 and integrity of the test(s), validity or the accuracy of the test  
255 results, the cost of the investigation and any other actual and  
256 necessary costs related to the investigation paid by the



257 Department of Education shall be reimbursed by the local school  
258 district from funds other than federal funds, Mississippi Adequate  
259 Education Program funds, or any other state funds within six (6)  
260 months from the date of notice by the department to the school  
261 district to make reimbursement to the department.

262 (2) Uniform basic skills tests shall be completed by each  
263 student in the appropriate grade. These tests shall be  
264 administered in such a manner as to preserve the integrity and  
265 validity of the assessment. In the event of excused or unexcused  
266 student absences, make-up tests shall be given. The school  
267 superintendent of every school district in the state and the  
268 principal of each charter school shall annually certify to the  
269 State Department of Education that each student enrolled in the  
270 appropriate grade has completed the required basic skills  
271 assessment test for his or her grade in a valid test  
272 administration.

273 (3) Within five (5) days of completing the administration of  
274 a statewide test, the principal of the school where the test was  
275 administered shall certify under oath to the State Department of  
276 Education that the statewide test was administered in strict  
277 accordance with the Requirements of the Mississippi Statewide  
278 Assessment System as adopted by the State Board of Education. The  
279 principal's sworn certification shall be set forth on a form  
280 developed and approved by the Department of Education. If,  
281 following the administration of a statewide test, the principal



282 has reason to believe that the test was not administered in strict  
283 accordance with the Requirements of the Mississippi Statewide  
284 Assessment System as adopted by the State Board of Education, the  
285 principal shall submit a sworn certification to the Department of  
286 Education setting forth all information known or believed by the  
287 principal about all potential violations of the Requirements of  
288 the Mississippi Statewide Assessment System as adopted by the  
289 State Board of Education. The submission of false information or  
290 false certification to the Department of Education by any licensed  
291 educator may result in licensure disciplinary action pursuant to  
292 Section 37-3-2 and criminal prosecution pursuant to Section  
293 37-16-4.

294 **SECTION 4.** Section 37-15-38, Mississippi Code of 1972, is  
295 amended as follows:

296 37-15-38. (1) The following phrases have the meanings  
297 ascribed in this section unless the context clearly requires  
298 otherwise:

299 (a) A dual enrolled student is a student who is  
300 enrolled in a community or junior college or state institution of  
301 higher learning while enrolled in high school.

302 (b) A dual credit student is a student who is enrolled  
303 in a community or junior college or state institution of higher  
304 learning while enrolled in high school and who is receiving high  
305 school and college credit for postsecondary coursework.



306 (2) A local school board, the Board of Trustees of State  
307 Institutions of Higher Learning and the Mississippi Community  
308 College Board shall establish a dual enrollment system under which  
309 students in the school district who meet the prescribed criteria  
310 of this section may be enrolled in a postsecondary institution in  
311 Mississippi while they are still in school.

312 (3) **Dual credit eligibility.** Before credits earned by a  
313 qualified high school student from a community or junior college  
314 or state institution of higher learning may be transferred to the  
315 student's home school district, the student must be properly  
316 enrolled in a dual enrollment program.

317 (4) **Admission criteria for dual enrollment in community and**  
318 **junior college or university programs.** The Mississippi Community  
319 College Board and the Board of Trustees of State Institutions of  
320 Higher Learning may recommend to the State Board of Education  
321 admission criteria for dual enrollment programs under which high  
322 school students may enroll at a community or junior college or  
323 university while they are still attending high school and enrolled  
324 in high school courses. Students may be admitted to enroll in  
325 community or junior college courses under the dual enrollment  
326 programs if they meet that individual institution's stated dual  
327 enrollment admission requirements.

328 (5) **Tuition and cost responsibility.** Tuition and costs for  
329 university-level courses and community and junior college courses  
330 offered under a dual enrollment program may be paid for by the



331 postsecondary institution, the local school district, the parents  
332 or legal guardians of the student, or by grants, foundations or  
333 other private or public sources. Payment for tuition and any  
334 other costs must be made directly to the credit-granting  
335 institution.

336       (6) **Transportation responsibility.** Any transportation  
337 required by a student to participate in the dual enrollment  
338 program is the responsibility of the parent, custodian or legal  
339 guardian of the student. Transportation costs may be paid from  
340 any available public or private sources, including the local  
341 school district.

342       (7) **School district average daily attendance credit.** When  
343 dually enrolled, the student may be counted, for adequate  
344 education program funding purposes, in the average daily  
345 attendance of the public school district in which the student  
346 attends high school.

347       (8) **High school student transcript transfer requirements.**  
348 Grades and college credits earned by a student admitted to a dual  
349 credit program must be recorded on the high school student record  
350 and on the college transcript at the university or community or  
351 junior college where the student attends classes. The transcript  
352 of the university or community or junior college coursework may be  
353 released to another institution or applied toward college  
354 graduation requirements.



355           (9)   **Determining factor of prerequisites for dual enrollment**  
356 **courses.** Each university and community or junior college  
357 participating in a dual enrollment program shall determine course  
358 prerequisites. Course prerequisites shall be the same for dual  
359 enrolled students as for regularly enrolled students at that  
360 university or community or junior college.

361           (10)   **Process for determining articulation of curriculum**  
362 **between high school, university, and community and junior college**  
363 **courses.** All dual credit courses must meet the standards  
364 established at the postsecondary level. Postsecondary level  
365 developmental courses may not be considered as meeting the  
366 requirements of the dual credit program. Dual credit memorandum  
367 of understandings must be established between each postsecondary  
368 institution and the school district implementing a dual credit  
369 program.

370           (11)   \* \* \* **Ineligible courses for dual credit programs.** Any  
371 course that is required for the American Civics assessment as a  
372 requirement for graduation from a public school or charter school  
373 in Mississippi is not eligible for dual credit.

374           (12)   **Eligible courses for dual credit programs.** Courses  
375 eligible for dual credit include, but are not necessarily limited  
376 to, foreign languages, advanced math courses, advanced science  
377 courses, performing arts, advanced business and technology, and  
378 career and technical courses. Distance Learning Collaborative  
379 Program courses approved under Section 37-67-1 shall be fully



380 eligible for dual credit. All courses being considered for dual  
381 credit must receive unconditional approval from the superintendent  
382 of the local school district and the chief instructional officer  
383 at the participating community or junior college or university in  
384 order for college credit to be awarded. A university or community  
385 or junior college shall make the final decision on what courses  
386 are eligible for semester hour credits.

387 (13) **High school Carnegie unit equivalency.** One (1)  
388 three-hour university or community or junior college course is  
389 equal to one (1) high school Carnegie unit.

390 (14) **Course alignment.** The universities, community and  
391 junior colleges and the State Department of Education shall  
392 periodically review their respective policies and assess the place  
393 of dual credit courses within the context of their traditional  
394 offerings.

395 (15) **Maximum dual credits allowed.** It is the intent of the  
396 dual enrollment program to make it possible for every eligible  
397 student who desires to earn a semester's worth of college credit  
398 in high school to do so. A qualified dually enrolled high school  
399 student must be allowed to earn an unlimited number of college or  
400 university credits for dual credit.

401 (16) **Dual credit program allowances.** A student may be  
402 granted credit delivered through the following means:

403 (a) Examination preparation taught at a high school by  
404 a qualified teacher. A student may receive credit at the





405 secondary level after completion of an approved course and passing  
406 the standard examination, such as an Advanced Placement or  
407 International Baccalaureate course through which a high school  
408 student is allowed CLEP credit by making a three (3) or higher on  
409 the end-of-course examination.

410 (b) College or university courses taught at a high  
411 school or designated postsecondary site by a qualified teacher who  
412 is an employee of the school district and approved as an  
413 instructor by the collaborating college or university.

414 (c) College or university courses taught at a college,  
415 university or high school by an instructor employed by the college  
416 or university and approved by the collaborating school district.

417 (d) Online courses of any public university, community  
418 or junior college in Mississippi.

419 (17) **Qualifications of dual credit instructors.** A dual  
420 credit academic instructor must meet the requirements set forth by  
421 the regional accrediting association (Southern Association of  
422 College and Schools). University and community and junior college  
423 personnel have the sole authority in the selection of dual credit  
424 instructors.

425 A dual credit career and technical education instructor must  
426 meet the requirements set forth by the Mississippi Community  
427 College Board in the qualifications manual for postsecondary  
428 career and technical personnel.



429           (18)   **Guidance on local agreements.**   The Chief Academic  
430 Officer of the State Board of Trustees of State Institutions of  
431 Higher Learning and the Chief Instructional Officers of the  
432 Mississippi Community College Board and the State Department of  
433 Education, working collaboratively, shall develop a template to be  
434 used by the individual community and junior colleges and  
435 institutions of higher learning for consistent implementation of  
436 the dual enrollment program throughout the State of Mississippi.

437           (19)   **Mississippi Works Dual Enrollment-Dual Credit Option.**  
438 A local school board and the local community colleges board shall  
439 establish a Mississippi Works Dual Enrollment-Dual Credit Option  
440 Program under which potential or recent student dropouts may  
441 dually enroll in their home school and a local community college  
442 in a dual credit program consisting of high school completion  
443 coursework and a community college credential, certificate or  
444 degree program. Students completing the dual enrollment-credit  
445 option may obtain their high school diploma while obtaining a  
446 community college credential, certificate or degree. The  
447 Mississippi Department of Employment Security shall assist  
448 students who have successfully completed the Mississippi Works  
449 Dual Enrollment-Dual Credit Option in securing a job upon the  
450 application of the student or the participating school or  
451 community college. The Mississippi Works Dual Enrollment-Dual  
452 Credit Option Program will be implemented statewide in the  
453 2012-2013 school year and thereafter. The State Board of



454 Education, local school board and the local community college  
455 board shall establish criteria for the Dual Enrollment-Dual Credit  
456 Program. Students enrolled in the program will not be eligible to  
457 participate in interscholastic sports or other extracurricular  
458 activities at the home school district. Tuition and costs for  
459 community college courses offered under the Dual Enrollment-Dual  
460 Credit Program shall not be charged to the student, parents or  
461 legal guardians. When dually enrolled, the student shall be  
462 counted for adequate education program funding purposes, in the  
463 average daily attendance of the public school district in which  
464 the student attends high school, as provided in Section  
465 37-151-7(1)(a). Any transportation required by the student to  
466 participate in the Dual Enrollment-Dual Credit Program is the  
467 responsibility of the parent or legal guardian of the student, and  
468 transportation costs may be paid from any available public or  
469 private sources, including the local school district. Grades and  
470 college credits earned by a student admitted to this Dual  
471 Enrollment-Dual Credit Program shall be recorded on the high  
472 school student record and on the college transcript at the  
473 community college and high school where the student attends  
474 classes. The transcript of the community college coursework may  
475 be released to another institution or applied toward college  
476 graduation requirements. Any course that is required for subject  
477 area testing as a requirement for graduation from a public school  
478 in Mississippi is eligible for dual credit, and courses eligible



479 for dual credit shall also include career, technical and degree  
480 program courses. All courses eligible for dual credit shall be  
481 approved by the superintendent of the local school district and  
482 the chief instructional officer at the participating community  
483 college in order for college credit to be awarded. A community  
484 college shall make the final decision on what courses are eligible  
485 for semester hour credits and the local school superintendent,  
486 subject to approval by the Mississippi Department of Education,  
487 shall make the final decision on the transfer of college courses  
488 credited to the student's high school transcript.

489 **SECTION 5.** Section 37-16-5, Mississippi Code of 1972, is  
490 brought forward as follows:

491 37-16-5. The school board of every district in this state  
492 shall periodically assess student performance and achievement in  
493 each school. Such assessment programs shall be based upon local  
494 goals and objectives which are compatible with the state's plan  
495 for education and which supplement the minimum performance  
496 standards approved by the State Board of Education. Data from  
497 district assessment programs shall be provided to the State  
498 Department of Education when such data is required in order to  
499 evaluate specific instructional programs or processes or when the  
500 data is needed for other research or evaluation projects. Each  
501 district may provide acceptable, compatible district assessment  
502 data to substitute for any assessment data needed at the state



503 level when the State Department of Education certifies that such  
504 data is acceptable for the purposes of Section 37-16-3.

505 **SECTION 6.** Section 37-16-7, Mississippi Code of 1972, is  
506 amended as follows:

507 37-16-7. (1) Each district school board shall establish  
508 standards for graduation from its schools which shall include as a  
509 minimum:

510 (a) Mastery of minimum academic skills as measured by  
511 assessments developed and administered by the State Board of  
512 Education.

513 (b) Completion of a minimum number of academic credits,  
514 and all other applicable requirements prescribed by the district  
515 school board.

516 (c) By school, information on high school graduation  
517 rates. High schools with graduation rates lower than eighty  
518 percent (80%) must submit a detailed plan to the Mississippi  
519 Department of Education to restructure the high school experience  
520 to improve graduation rates.

521 (d) (i) Mastery of minimum academic skills as measured  
522 by the American Civics assessment, administered under the  
523 statewide testing program, which must be identical to the portion  
524 of the examination administered by United States Citizenship and  
525 Immigration Services (USCIS) used to demonstrate an  
526 applicant-for-naturalization's knowledge and understanding of the



527 fundamentals of United States history, principles and form of  
528 United States government as required by 8 USCS Section 1423.

529 (ii) The provisions of this paragraph are not  
530 applicable to any student classified under Section 37-16-11 as  
531 being entitled to receive a special diploma or certificate based  
532 upon any such student's intellectual disability.

533 (2) A student who meets all requirements prescribed in  
534 subsection (1) of this section shall be awarded a standard diploma  
535 in a form prescribed by the State Board of Education.

536 (3) The State Board of Education may establish student  
537 proficiency standards for promotion to grade levels leading to  
538 graduation.

539 **SECTION 7.** Section 37-16-11, Mississippi Code of 1972, is  
540 amended as follows:

541 37-16-11. (1) A student who has been properly classified,  
542 in accordance with rules established by the state board as  
543 "educable person with an intellectual disability," "trainable  
544 person with an intellectual disability," "deaf," "specific  
545 learning disabled," "physically handicapped whose ability to  
546 communicate orally or in writing is seriously impaired" or  
547 "emotionally handicapped" shall not be required to meet all  
548 requirements of Section 37-16-7, including the requirement to  
549 obtain a passing score on the American Civics assessment, and  
550 shall, upon meeting all applicable requirements prescribed by the  
551 district school board, be awarded a special diploma in a form



552 prescribed by the state board; however, such special graduation  
553 requirements prescribed by the district school board shall include  
554 minimum graduation requirements as prescribed by the state board.  
555 Any such student who meets all special requirements of the  
556 district school board for his exceptionality, but is unable to  
557 meet the appropriate special state minimum requirements, shall be  
558 awarded a special certificate of completion in a form prescribed  
559 by the state board. Nothing provided in this section, however,  
560 shall be construed to limit or restrict the right of an  
561 exceptional student solely to a special diploma. Any such student  
562 shall, upon proper request, be afforded the opportunity to fully  
563 meet all requirements of Section 37-16-7 through the standard  
564 procedures established therein and thereby qualify for a standard  
565 diploma upon graduation.

566 (2) The State Board of Education shall develop and issue  
567 criteria for a Mississippi Occupational Diploma for students  
568 having a disability as defined by the federal Individuals with  
569 Disabilities Education Act. Beginning with the 2002-2003 school  
570 year, any such student, upon proper request, shall be afforded the  
571 opportunity to fully meet such requirements and qualify for an  
572 occupational diploma upon graduation.

573 **SECTION 8.** This act shall take effect and be in force from  
574 and after July 1, 2017.

