

By: Representative Dixon

To: Education

HOUSE BILL NO. 833

0 AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION FROM
1 REQUIRING STUDENTS TO ACHIEVE A PASSING SCORE ON END-OF-COURSE
2 TESTS ADMINISTERED UNDER THE SUBJECT AREA TESTING PROGRAM AS A
3 REQUIREMENT FOR GRADUATION; TO AMEND SECTION 37-16-7, MISSISSIPPI
4 CODE OF 1972, TO PROHIBIT LOCAL SCHOOL DISTRICTS FROM USING THE
5 END-OF-COURSE TESTS TO DETERMINE IF STUDENTS HAVE MASTERED MINIMUM
6 ACADEMIC SKILLS REQUIRED FOR GRADUATION; TO AMEND SECTIONS
7 37-3-49, 37-16-17 AND 37-35-3, MISSISSIPPI CODE OF 1972, IN
8 CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.
9

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

11 **SECTION 1.** Beginning in the 2017-2018 school year, students
12 enrolled in Mississippi public schools may not be required to pass
13 any end-of-course test administered under the Subject Area Testing
14 Program as a requirement for graduation. The State Board of
15 Education shall adopt a policy requiring the administration of
16 those end-of-course tests mandated under the federal requirements
17 of the Every Student Succeeds Act and Title I. However, the
18 policy must provide that a student who fails to achieve a passing
19 score on an end-of-course test may not be prohibited from
20 graduating from high school if the student has fulfilled the
21 requirements for a standard Mississippi high school diploma, as



demonstrated by having achieved the requisite number of academic credits or Carnegie units and successful mastery of each course of instruction with a satisfactory grade.

SECTION 2. Section 37-16-7, Mississippi Code of 1972, is amended as follows:

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

(a) Mastery of minimum academic skills as measured by assessments developed and administered by the State Board of Education. However, passage of end-of-course assessments administered under the Subject Area Testing Program shall not be required for graduation.

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

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

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



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

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

37-3-49. (1) The State Department of Education shall provide an instructional program and establish guidelines and procedures for managing such program in the public schools within the school districts throughout the state as part of the State Program of Educational Accountability and Assessment of Performance as prescribed in Section 37-3-46. Public school districts may (a) elect to adopt the instructional program and management system provided by the State Department of Education, or (b) elect to adopt an instructional program and management system which meets or exceeds criteria established by the State Department of Education for such. This provision shall begin with the courses taught in Grades K-8 which contain skills tested through the Mississippi Basic Skills Assessment Program and shall proceed through all secondary school courses mandated for graduation and all secondary school courses in the Mississippi end-of-course testing program, except as otherwise provided under Section 1 of this act. Other state core objectives must be included in the district's instructional program as they are provided by the State Department of Education along with instructional practices, resources, evaluation items and



71 management procedures. Districts are encouraged to adapt this
72 program and accompanying procedures to all other instructional
73 areas. The department shall provide that such program and
74 guidelines, or a program and guidelines developed by a local
75 school district which incorporates the core objectives from the
76 curriculum structure are enforced through the performance-based
77 accreditation system. It is the intent of the Legislature that
78 every effort be made to protect the instructional time in the
79 classroom and reduce the amount of paperwork which must be
80 completed by teachers. The State Department of Education shall
81 take steps to insure that school districts properly use staff
82 development time to work on the districts' instructional
83 management plans.

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

87 (a) All courses taught in Grades K-8 which contain
88 skills which are tested through the Mississippi Basic Skills
89 Assessment Program, all secondary school courses mandated for
90 graduation, and all courses in the end-of-course testing program
91 shall include the State Department of Education's written list of
92 learning objectives.

93 (b) The local school board must adopt the objectives
94 that will form the core curriculum which will be systematically
95 delivered throughout the district.



96 (c) The set of objectives provided by the State
97 Department of Education must be accompanied by suggested
98 instructional practices and resources that would help teachers
99 organize instruction so as to promote student learning of the
100 objectives. Objectives added by the school district must also be
101 accompanied by suggested instructional practices and resources
102 that would help teachers organize instruction. The instructional
103 practices and resources that are identified are to be used as
104 suggestions and not as requirements that teachers must follow.
105 The goal of the program is to have students to achieve the desired
106 objective and not to limit teachers in the way they teach.

107 (d) Standards for student performance must be
108 established for each core objective in the local program and those
109 standards establish the district's definition of mastery for each
110 objective.

111 (e) There shall be an annual review of student
112 performance in the instructional program against locally
113 established standards. When weaknesses exist in the local
114 instructional program, the district shall take action to improve
115 student performance.

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



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

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

SECTION 4. Section 37-16-17, Mississippi Code of 1972, is amended as follows:

37-16-17. (1) Purpose. (a) The purpose of this section is to create a quality option in Mississippi's high schools for students not wishing to pursue a baccalaureate degree, which shall consist of challenging academic courses and modern career-technical studies. The goal for students pursuing the career track is to graduate from high school with a standard diploma and credit toward a community college certification in a career-technical field. These students also shall be encouraged to take the national assessment in the career-technical field in which they become certified.

(b) The State Board of Education shall develop and adopt course and curriculum requirements for career track programs offered by local public school boards in accordance with this section. The Mississippi Community College Board and the State



Board of Education jointly shall determine course and curriculum requirements for the career track program.

(2) Alternative career track; description; curriculum. (a)

A career track shall provide a student with greater technical skill and a strong academic core and shall be offered to each high school student enrolled in a public school district. The career track program shall be linked to postsecondary options and shall prepare students to pursue either a degree or certification from a postsecondary institution, an industry-based training or certification, an apprenticeship, the military, or immediate entrance into a career field. The career track shall be designed primarily for those students who are not college bound and shall provide them with alternatives to entrance into a four-year university or college after high school graduation.

(b) Students pursuing a career track shall be afforded the opportunity to dually enroll in a community or technical college or to participate in a business internship or work-study program, when such opportunities are available and appropriate.

(c) Each public school district shall offer a career track program approved by the State Board of Education.

(d) Students in a career track program shall complete an academic core of courses and a career and technical sequence of courses.

(e) The twenty-one (21) course unit requirements for the career track shall consist of the following:



(i) At least four (4) English credits, including English I and English II.

(ii) At least three (3) mathematics credits, including Algebra I.

(iii) At least three (3) science credits, including one (1) unit of biology.

(iv) At least three (3) social studies credits, including one (1) unit of U.S. History and one (1) unit of Mississippi Studies/U.S. Government.

(v) At least one-half (1/2) credit in health or physical education.

(vi) At least four (4) credits in career and technical education courses in the dual enrollment-dual credit programs authorized under Section 37-15-38.

(vii) At least one (1) credit in integrated technology with optional end-of-course testing.

(viii) At least two and one-half (2-1/2) credits in additional electives or career and technical education courses required by the local school board, as approved by the State Board of Education. Academic courses within the career track of the standard diploma shall provide the knowledge and skill necessary for proficiency on the state subject area tests, which shall be used only for purposes of determining proficiency and not as a requirement for graduation.



193 (3) Nothing in this section shall disallow the development
194 of a dual enrollment program with a technical college so long as
195 an individual school district, with approval from the State
196 Department of Education, agrees to implement such a program in
197 connection with a technical college and the agreement is also
198 approved by the proprietary school's commission.

199 (4) The career track program for students not pursuing a
200 Baccalaureate Degree shall not be available to any student
201 entering the Ninth Grade in the 2017-2018 school year or
202 thereafter.

203 **SECTION 5.** Section 37-35-3, Mississippi Code of 1972, is
204 amended as follows:

205 37-35-3. (1) The board of trustees of any school district,
206 including any community/junior college, may establish and maintain
207 classes for adults, including general educational development
208 classes, under the regulations authorized in this chapter and
209 pursuant to the standards prescribed in subsection (3). The
210 property and facilities of the public school districts may be used
211 for this purpose where such use does not conflict with uses
212 already established.

213 (2) The trustees of any school district desiring to
214 establish such program may request the taxing authority of the
215 district to levy additional ad valorem taxes for the support of
216 this program. The board of supervisors, in the case of a county
217 school district, a special municipal separate school district, or



218 a community/junior college district, and the governing authority
219 of any municipality, in the case of a municipal separate school
220 district, is authorized, in its discretion, to levy a tax not
221 exceeding one (1) mill upon all the taxable property of the
222 district for the support of this program. The tax shall be in
223 addition to all other taxes authorized by law to be levied. In
224 addition to the funds realized from any such levy, the board of
225 trustees of any school district is authorized to use any surplus
226 funds that it may have or that may be made available to it from
227 local sources to supplement this program.

228 (3) (a) Any student participating in an approved High
229 School Equivalency Diploma Option program administered by a local
230 school district or a local school district with an approved
231 contractual agreement with a community/junior college or other
232 local entity shall not be considered a dropout. Students in such
233 a program administered by a local school district shall be
234 considered as enrolled within the school district of origin for
235 the purpose of enrollment for minimum program funding only. Such
236 students shall not be considered as enrolled in the regular school
237 program for academic or programmatic purposes.

238 (b) Students participating in an approved High School
239 Equivalency Diploma Option program shall have an individual career
240 plan developed at the time of placement to insure that the
241 student's academic and job skill needs will be met. The



Individual Career Plan will address, but is not limited to, the following:

- (i) Academic/instructional needs of the student;
- (ii) Job readiness needs of the student; and
- (iii) Work experience program options available for the student.

(c) Students participating in an approved High School Equivalency Diploma Option program may participate in existing job and skills development programs or in similar programs developed in conjunction with the High School Equivalency Diploma Option program and the vocational director.

(d) High School Equivalency Diploma Option programs may be operated by local school districts or may be operated by two (2) or more adjacent school districts, pursuant to a contract approved by the State Board of Education. When two (2) or more school districts contract to operate a High School Equivalency Diploma Option program, the school board of a district designated to be the lead district shall serve as the governing board of the High School Equivalency Diploma Option program. Transportation for students placed in the High School Equivalency Diploma Option program shall be the responsibility of the school district of origin. The expense of establishing, maintaining and operating such High School Equivalency Diploma Option programs may be paid from funds made available to the school district through



contributions, minimum program funds or from local district maintenance funds.

(e) The State Department of Education will develop procedures and criteria for placement of a student in the High School Equivalency Diploma Option programs. Students placed in High School Equivalency Diploma Option programs shall have parental approval for such placement and must meet the following criteria:

(i) The student must be at least sixteen (16) years of age;

(ii) The student must be at least one (1) full grade level behind his or her ninth grade cohort or must have acquired less than four (4) Carnegie units;

(iii) The student must have taken every opportunity to continue to participate in coursework leading to a diploma; and

(iv) The student must be certified to be eligible to participate in the GED course by the school district superintendent, based on the developed criteria.

(f) Students participating in an approved High School Equivalency Diploma Option program, who are enrolled in subject area courses through January 31 in a school with a traditional class schedule or who are enrolled in subject area courses through October 31 or through March 31 in a school on a block schedule, shall be required to take the end-of-course subject area tests for



291 those courses in which they are enrolled. However, passage of
292 end-of-course assessments shall not be required as a condition of
293 receipt of a High School Equivalency Diploma.

294 **SECTION 6.** This act shall take effect and be in force from
295 and after July 1, 2018.

