

By: Representatives Henley, Hopkins

To: Education

HOUSE BILL NO. 914

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) REQUIRED BY 8 USCS SECTION 1423 FOR
 8 NATURALIZATION, TO PROVIDE THAT THE SCORE OBTAINED BY THE STUDENT
 9 ON THE ASSESSMENT SHALL BE CALCULATED INTO THE STUDENTS OVERALL
 10 GRADE FOR THE SOCIAL STUDIES COURSE OF ENROLLMENT AT THE TIME OF
 11 THE ASSESSMENT; TO PROVIDE THAT BEGINNING WITH THE 2018-2019
 12 SCHOOL YEAR, THE BOARD SHALL REQUIRE THE DEVELOPED OBJECTIVES TO
 13 BE INCORPORATED INTO THE UNITED STATES HISTORY CURRICULUM FOR
 14 AMERICAN GOVERNMENT REQUIRED FOR HIGH SCHOOL STUDENTS AS MEASURED
 15 BY THE SUBJECT AREA TEST FOR THAT COURSE; TO AUTHORIZE THE BOARD
 16 TO DETERMINE THE METHOD AND MANNER IN WHICH TO ADMINISTER THE
 17 ASSESSMENT; TO PROVIDE THAT STUDENTS SHALL HAVE ADDITIONAL
 18 OPPORTUNITIES TO TAKE THE ASSESSMENT UNTIL A PASSING SCORE IS
 19 OBTAINED; TO AMEND SECTIONS 37-3-49 AND 37-16-3, MISSISSIPPI CODE
 20 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

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

24 37-1-3. (1) The State Board of Education shall adopt rules
 25 and regulations and set standards and policies for the
 26 organization, operation, management, planning, budgeting and
 27 programs of the State Department of Education.



28 (a) The board is directed to identify all functions of
29 the department that contribute to or comprise a part of the state
30 system of educational accountability and to establish and maintain
31 within the department the necessary organizational structure,
32 policies and procedures for effectively coordinating such
33 functions. Such policies and procedures shall clearly fix and
34 delineate responsibilities for various aspects of the system and
35 for overall coordination of the total system and its effective
36 management.

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

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

43 (d) The board shall establish and maintain a central
44 budget policy.

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

48 (f) The board, with recommendations from the
49 superintendent, shall design and maintain a five-year plan and
50 program for educational improvement that shall set forth
51 objectives for system performance and development and be the basis
52 for budget requests and legislative initiatives.



53 (2) (a) The State Board of Education shall adopt and
54 maintain a curriculum and a course of study to be used in the
55 public school districts that * * * are designed to prepare the
56 state's children and youth to be productive, informed, creative
57 citizens, workers and leaders, and it shall regulate all matters
58 arising in the practical administration of the school system not
59 otherwise provided for.

60 (b) * * * The State Board of Education shall develop
61 personal living and finances objectives that focus on money
62 management skills for individuals and families for appropriate,
63 existing courses at the secondary level. The objectives must
64 require the teaching of those skills necessary to handle personal
65 business and finances and must include instruction in the
66 following:

- 67 (i) Opening a bank account and assessing the
68 quality of a bank's services;
- 69 (ii) Balancing a checkbook;
- 70 (iii) Managing debt, including retail and credit
71 card debt;
- 72 (iv) Completing a loan application;
- 73 (v) The implications of an inheritance;
- 74 (vi) The basics of personal insurance policies;
- 75 (vii) Consumer rights and responsibilities;
- 76 (viii) Dealing with salesmen and merchants;
- 77 (ix) Computing state and federal income taxes;



- 78 (x) Local tax assessments;
- 79 (xi) Computing interest rates by various
- 80 mechanisms;
- 81 (xii) Understanding simple contracts; and
- 82 (xiii) Contesting an incorrect billing statement.

83 (c) The State Board of Education shall develop and

84 implement objectives that focus on the academic standards in

85 social studies, civics and United States history for appropriate,

86 existing courses at the secondary level, and shall require the

87 administration of an American Civics assessment, identical to the

88 portion of the examination administered by United States

89 Citizenship and Immigration Services (USCIS) used to demonstrate

90 an applicant-for-naturalization's knowledge and understanding of

91 the fundamentals of United States history, principles and form of

92 United States government as required by 8 USCS Section 1423, which

93 secondary school students' scores shall be calculated into the

94 students' overall grade for the social studies course in American

95 Government or United States history. Beginning with the 2018-2019

96 school year, the board shall require the stipulations of this

97 subsection to be incorporated into the United States history or

98 American Government curriculum required for high school students

99 as measured by the subject area test for that course.

100 Additionally, the board may determine the method and manner in

101 which to administer the assessment at no cost to the student.



102 (3) The State Board of Education shall have authority to
103 expend any available federal funds, or any other funds expressly
104 designated, to pay training, educational expenses, salary
105 incentives and salary supplements to licensed teachers employed in
106 local school districts or schools administered by the State Board
107 of Education. Such incentive payments shall not be considered
108 part of a school district's local supplement as defined in Section
109 37-151-5(o), nor shall the incentives be considered part of the
110 local supplement paid to an individual teacher for the purposes of
111 Section 37-19-7(1). MAEP funds or any other state funds shall not
112 be used to provide such incentives unless specifically authorized
113 by law.

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

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

118 37-3-49. (1) The State Department of Education shall
119 provide an instructional program and establish guidelines and
120 procedures for managing such program in the public schools within
121 the school districts throughout the state as part of the State
122 Program of Educational Accountability and Assessment of
123 Performance as prescribed in Section 37-3-46. Public school
124 districts may (a) elect to adopt the instructional program and
125 management system provided by the State Department of Education,
126 or (b) elect to adopt an instructional program and management



127 system which meets or exceeds criteria established by the State
128 Department of Education for such. This provision shall begin with
129 the courses taught in Grades K-8 which contain skills tested
130 through the Mississippi Basic Skills Assessment Program and shall
131 proceed through all secondary school courses mandated for
132 graduation, * * * all secondary school courses in the Mississippi
133 end-of-course testing program and the American Civics assessment.
134 Other state core objectives must be included in the district's
135 instructional program as they are provided by the State Department
136 of Education along with instructional practices, resources,
137 evaluation items and management procedures. Districts are
138 encouraged to adapt this program and accompanying procedures to
139 all other instructional areas. The department shall provide that
140 such program and guidelines, or a program and guidelines developed
141 by a local school district which incorporates the core objectives
142 from the curriculum structure are enforced through the
143 performance-based accreditation system. It is the intent of the
144 Legislature that every effort be made to protect the instructional
145 time in the classroom and reduce the amount of paperwork which
146 must be completed by teachers. The State Department of Education
147 shall take steps to insure that school districts properly use
148 staff development time to work on the districts' instructional
149 management plans.



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

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

159 (b) The local school board must adopt the objectives
160 that will form the core curriculum which will be systematically
161 delivered throughout the district.

162 (c) The set of objectives provided by the State
163 Department of Education must be accompanied by suggested
164 instructional practices and resources that would help teachers
165 organize instruction so as to promote student learning of the
166 objectives. Objectives added by the school district must also be
167 accompanied by suggested instructional practices and resources
168 that would help teachers organize instruction. The instructional
169 practices and resources that are identified are to be used as
170 suggestions and not as requirements that teachers must follow.
171 The goal of the program is to have students to achieve the desired
172 objective and not to limit teachers in the way they teach.

173 (d) Standards for student performance must be
174 established for each core objective in the local program and those



175 standards establish the district's definition of mastery for each
176 objective.

177 (e) There shall be an annual review of student
178 performance in the instructional program against locally
179 established standards. When weaknesses exist in the local
180 instructional program, the district shall take action to improve
181 student performance.

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

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

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

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

196 37-16-3. (1) The State Department of Education is directed
197 to implement a program of statewide assessment testing which shall
198 provide for the improvement of the operation and management of the
199 public schools. The statewide program shall be timed, as far as



200 possible, so as not to conflict with ongoing district assessment
201 programs. As part of the program, the department shall:

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

208 (b) Conduct a uniform statewide testing program in
209 grades deemed appropriate in the public schools, including charter
210 schools. The program may test skill areas, basic skills * * *,
211 high school course content and high school students' knowledge and
212 understanding of the fundamentals of United States history and
213 American Government, principles and form of United States
214 government.

215 (c) Monitor the results of the assessment program and,
216 at any time the composite student performance of a school or basic
217 program is found to be below the established minimum standards,
218 notify the district superintendent or the governing board of the
219 charter school, as the case may be, the school principal and the
220 school advisory committee or other existing parent group of the
221 situation within thirty (30) days of its determination. The
222 department shall further provide technical assistance to a school
223 district in the identification of the causes of this deficiency
224 and shall recommend courses of action for its correction.



225 (d) Provide technical assistance to the school
226 districts, when requested, in the development of student
227 performance standards in addition to the established minimum
228 statewide standards.

229 (e) Issue security procedure regulations providing for
230 the security and integrity of the tests that are administered
231 under the basic skills assessment program.

232 (f) In case of an allegation of a testing irregularity
233 that prompts a need for an investigation by the Department of
234 Education, the department may, in its discretion, take complete
235 control of the statewide test administration in a school district
236 or any part thereof, including, but not limited to, obtaining
237 control of the test booklets and answer documents. In the case of
238 any verified testing irregularity that jeopardized the security
239 and integrity of the test(s), validity or the accuracy of the test
240 results, the cost of the investigation and any other actual and
241 necessary costs related to the investigation paid by the
242 Department of Education shall be reimbursed by the local school
243 district from funds other than federal funds, Mississippi Adequate
244 Education Program funds, or any other state funds within six (6)
245 months from the date of notice by the department to the school
246 district to make reimbursement to the department.

247 (2) Uniform basic skills tests shall be completed by each
248 student in the appropriate grade. These tests shall be
249 administered in such a manner as to preserve the integrity and



250 validity of the assessment. In the event of excused or unexcused
251 student absences, make-up tests shall be given. The school
252 superintendent of every school district in the state and the
253 principal of each charter school shall annually certify to the
254 State Department of Education that each student enrolled in the
255 appropriate grade has completed the required basic skills
256 assessment test for his or her grade in a valid test
257 administration.

258 (3) Within five (5) days of completing the administration of
259 a statewide test, the principal of the school where the test was
260 administered shall certify under oath to the State Department of
261 Education that the statewide test was administered in strict
262 accordance with the Requirements of the Mississippi Statewide
263 Assessment System as adopted by the State Board of Education. The
264 principal's sworn certification shall be set forth on a form
265 developed and approved by the Department of Education. If,
266 following the administration of a statewide test, the principal
267 has reason to believe that the test was not administered in strict
268 accordance with the Requirements of the Mississippi Statewide
269 Assessment System as adopted by the State Board of Education, the
270 principal shall submit a sworn certification to the Department of
271 Education setting forth all information known or believed by the
272 principal about all potential violations of the Requirements of
273 the Mississippi Statewide Assessment System as adopted by the
274 State Board of Education. The submission of false information or



275 false certification to the Department of Education by any licensed
276 educator may result in licensure disciplinary action pursuant to
277 Section 37-3-2 and criminal prosecution pursuant to Section
278 37-16-4.

279 **SECTION 4.** This act shall take effect and be in force from
280 and after July 1, 2018.

