

By: Representative Arnold

To: Education;
Appropriations

HOUSE BILL NO. 1470

1 AN ACT TO CREATE NEW SECTION 37-179-5, MISSISSIPPI CODE OF
2 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO REIMBURSE A
3 SCHOOL DISTRICT DESIGNATED AS A DISTRICT OF INNOVATION FOR COSTS
4 INCURRED IN CREATING ONLINE CLASSES; TO REQUIRE A SCHOOL DISTRICT
5 THAT ENROLLS STUDENTS IN AN ONLINE CLASS MADE AVAILABLE THROUGH
6 ANOTHER SCHOOL DISTRICT DESIGNATED AS A DISTRICT OF INNOVATION TO
7 PAY THE DISTRICT OF INNOVATION FOR THE STUDENTS' ENROLLMENT IN THE
8 ONLINE CLASS; TO BRING FORWARD SECTIONS 37-179-1 AND 37-179-3,
9 MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE DISTRICTS OF INNOVATION
10 AND ESTABLISH REQUIREMENTS FOR SUCH DISTRICTS, FOR PURPOSES OF
11 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** The following shall be codified as Section
14 37-179-5, Mississippi Code of 1972:

15 37-179-5. (1) The State Department of Education shall
16 reimburse each district of innovation that establishes an approved
17 online class pursuant to Section 37-179-3(4)(f) an amount equal to
18 Two Thousand Five Hundred Dollars (\$2,500.00) per online class to
19 help defray the costs incurred in the creation and maintenance of
20 the course. Payments made under this subsection to a school
21 district must be in addition to all other funds allocated to that
22 district under the adequate education program.



(2) A school district that is authorized to enroll students in an online class made available by another district that is designated as a district of innovation shall pay to the district of innovation an amount not to exceed Two Hundred Dollars (\$200.00) to help defray the costs of the online class and an additional amount not to exceed Fifty Dollars (\$50.00) for administrative expenses for each student enrolled in the online class from that school district. The school board of a student's home school district, in its discretion, may require each student enrolled in an online class in the district of innovation to pay a fee, not to exceed the actual cost paid by the student's home school district to the district of innovation, for the student's enrollment in the online class.

SECTION 2. Section 37-179-1, Mississippi Code of 1972, is brought forward as follows:

37-179-1. (1) For purposes of this chapter, the following terms shall have the meaning ascribed herein, unless the context clearly indicates otherwise:

(a) "District of innovation" means a district that has developed a plan of innovation in compliance with this section and has been approved by the State Board of Education to be exempted from certain administrative regulations and statutory provisions to improve the educational performance of students within the district;



(b) "Innovation" means a new or creative alternative to existing instructional and administrative practices intended to improve student learning and student performance of all students;

(c) "School of innovation" means a school that voluntarily participates in a district of innovation plan to improve instruction, including waivers and exemptions from local school board policies, selected provisions of rules and regulations promulgated by the State Board of Education, and selected sections of the Mississippi Code of 1972, as permitted under this section and Section 37-179-3;

(d) "Board" means the State Board of Education;

(e) "Department" means the State Department of Education.

(2) The State Board of Education is authorized to approve districts of innovation for the purposes of improving students' educational performance. Districts of innovation shall be provided flexibility from selected board regulations, Title 37, Mississippi Code of 1972, and local school board policies for school administrators, teachers and staff to meet the diverse needs of students. The initial approval of a district of innovation shall be for a five-year period. Each renewal of a district of innovation shall not exceed five (5) years and shall comply with administrative regulations promulgated by the board pursuant to subsection (4) of this section.



71 (3) The board shall promulgate administrative rules and
72 regulations to prescribe the conditions and procedures to be used
73 by a local school board to be approved as a district of innovation
74 and shall publish the same on or before December 31, 2015.

75 (4) Administrative rules and regulations promulgated by the
76 board under subsection (3) of this section shall specify:

77 (a) The regulatory areas which may be exempted or
78 modified if approved by the board, except as provided in Section
79 37-179-3(2), and in addition to those areas identified in Section
80 37-179-3(3);

81 (b) The application, plan review, approval and
82 amendment process for a district;

83 (c) Timelines for initial approval as a district of
84 innovation, the renewal process and ongoing evaluative procedures
85 required of the district;

86 (d) Acceptable documentation of a critical mass of
87 parental, community, educator and business support and capacity to
88 effect a change;

89 (e) Evidence of teacher collaboration and shared
90 leadership within the district and the schools to be designated as
91 schools of innovation;

92 (f) The process of revocation of the designation of
93 district of innovation or school of innovation;

94 (g) Reporting and oversight responsibilities of the
95 district and the State Department of Education;



(h) The financial detail relating to budgets of schools and evidence of sound fiscal management practices;

(i) Acceptable areas of emphasis for innovation;

(j) Acceptable documentation of job-embedded professional development within the proposed innovation design; and

(k) Other components deemed necessary to implement this section and Section 37-179-3.

SECTION 3. Section 37-179-3, Mississippi Code of 1972, is brought forward as follows:

37-179-3. (1) A district which is an applicant to be designated as a district of innovation under Section 37-179-1 shall:

(a) Establish goals and performance targets for the district of innovation proposal, which may include:

(i) Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving;

(ii) Increasing pupil learning through the implementation of high, rigorous standards for pupil performance;

(iii) Increasing the participation of students in various curriculum components and instructional components within selected schools to enhance at each grade level;

(iv) Increasing the number of students who are college and career-ready;



(v) Motivating students at different grade levels by offering more curriculum choices and student learning opportunities to parents and students within the district;

(b) Identify changes needed in the district and schools to lead to better prepared students for success in life and work;

(c) Have a districtwide plan of innovation that describes and justifies which schools and innovative practices will be incorporated;

(d) Provide documentation of community, educator, parental, and the local board's support of the proposed innovations;

(e) Provide detailed information regarding the rationale of requests for waivers from Title 37, Mississippi Code of 1972, which relate to the elementary and secondary education of public school students, and administrative regulations, and exemptions for selected schools regarding waivers of local school board policies;

(f) Document the fiscal and human resources the board will provide throughout the term of the implementation of the innovations within its plan; and

(g) Provide other materials as required by the department in compliance with the board's administrative regulations and application procedures.

(2) The district and all schools participating in a district's innovation plan shall:



(a) Ensure the same health, safety, civil rights, and disability rights requirements as are applied to all public schools;

(b) Ensure students meet compulsory attendance requirements under Sections 37-13-91 and 37-13-92;

(c) Ensure that high school course offerings meet or exceed the minimum required under Sections 37-16-7 and 37-3-49, for high school graduation or meet early graduation requirements that may be enacted by the Mississippi Legislature;

(d) Ensure the student performance standards meet or exceed those adopted by the State Board of Education as required by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance with the statewide assessment system specified in Chapter 16, Title 37, Mississippi Code of 1972;

(e) Adhere to the same financial audits, audit procedures, and audit requirements as are applied under Section 7-7-211(e);

(f) Require state and criminal background checks for staff and volunteers as required of all public school employees and volunteers within the public schools and specified in Section 37-9-17;

(g) Comply with open records and open meeting requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

(h) Comply with purchasing requirements and limitations under Chapter 39, Title 37, Mississippi Code of 1972;



(i) Provide overall instructional time that is equivalent to or greater than that required under Sections 37-1-11 and 37-13-67, but which may include on-site instruction, distance learning, online courses, and work-based learning on nontraditional school days or hours; and

(j) Provide data to the department as deemed necessary to generate school and district reports.

(3) (a) Only schools that choose to be designated as schools of innovation shall be included in a district's application;

(b) As used in this paragraph, "eligible employees" means employees that are regularly employed at the school and those employees whose primary job duties will be affected by the plan; and

(c) Notwithstanding the provisions of paragraph (a) of this subsection, a local school board may require a school that has been identified as a persistently low-achieving school under provisions of Section 37-17-6 to participate in the district's plan of innovation.

(4) Notwithstanding any statutes to the contrary, the board may approve the requests of districts of innovation to:

(a) Use capital outlay funds for operational costs;

(b) Hire persons for classified positions in nontraditional school and district assignments who have bachelors and advanced degrees from postsecondary education institutions



196 accredited by a regional accrediting association (Southern
197 Association of Colleges and Schools) or by an organization
198 affiliated with the National Commission on Accrediting;

199 (c) Employ teachers on extended employment contracts or
200 extra duty contracts and compensate them on a salary schedule
201 other than the single salary schedule;

202 (d) Extend the school days as is appropriate within the
203 district with compensation for the employees as determined
204 locally;

205 (e) Establish alternative education programs and
206 services that are delivered in nontraditional hours and which may
207 be jointly provided in cooperation with another school district or
208 consortia of districts;

209 (f) Establish online classes within the district for
210 delivering alternative classes in a blended environment to meet
211 high school graduation requirements;

212 (g) Use a flexible school calendar;

213 (h) Convert existing schools into schools of
214 innovation; and

215 (i) Modify the formula under Section 37-151-7 for
216 distributing support education funds for students in average daily
217 attendance in nontraditional programming time, including
218 alternative programs and virtual programs. Funds granted to a
219 district shall not exceed those that would have otherwise been



220 distributed based on average daily attendance during regular
221 instructional days.

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

