

By: Senator(s) Wilemon

To: Education

SENATE BILL NO. 2055

1 AN ACT TO AMEND SECTION 37-17-11, MISSISSIPPI CODE OF 1972,
 2 TO AUTHORIZE THE LOCAL SCHOOL BOARD OF ANY SCHOOL DISTRICT WITH AN
 3 ACCREDITATION RATING OF "A," "B" OR "C" TO EXEMPT ITSELF FROM ANY
 4 COMPULSORY STANDARD OF ACCREDITATION BY THE STATE DEPARTMENT OF
 5 EDUCATION WHICH IS NOT REQUIRED BY STATUTE WITH CERTAIN
 6 EXCEPTIONS, AND TO OPERATE UNDER THE SAME GUIDELINES AS CHARTER
 7 SCHOOLS ARE ALLOWED TO OPERATE; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-17-11, Mississippi Code of 1972, is
 10 amended as follows:

11 37-17-11. (1) The State Board of Education, in its
 12 discretion, may exempt any school district meeting the highest
 13 levels of state accreditation standards, as defined by the State
 14 Board of Education, from any compulsory standard of accreditation.
 15 However, if the standard of accreditation is an educational policy
 16 required by statute, any such exemption shall only be made if
 17 specifically authorized by law.

18 (2) The local school board of any Mississippi school
 19 district with an accreditation rating of "A," "B" or "C," by a
 20 vote of sixty percent (60%) of the school board membership, may



21 exempt the school district under its jurisdiction from any
22 compulsory standard of accreditation which is not an educational
23 policy required by statute and may operate under the same
24 restrictions as public charter schools as provided hereinafter:

25 (a) Exempt public school districts are subject to the
26 same civil rights, health and safety requirements applicable to
27 nonexempt public schools in the state.

28 (b) Exempt public school districts are subject to the
29 student assessment and accountability requirements applicable to
30 nonexempt public schools in the state; however, this requirement
31 does not preclude an exempt public school district from
32 establishing additional student assessment measures that go beyond
33 state requirements.

34 (c) An exempt public school district is not subject to
35 any rule, regulation, policy or procedure adopted by the State
36 Board of Education or the State Department of Education unless
37 otherwise required by the local school board.

38 (d) Exempt public school districts are not exempt from
39 the following statutes:

40 (i) Chapter 41, Title 25, Mississippi Code of
41 1972, which relate to open meetings of public bodies.

42 (ii) Chapter 61, Title 25, Mississippi Code of
43 1972, which relate to public access to public records.



44 (iii) Section 37-3-51, which requires notice by
45 the district attorney of licensed school employees who are
46 convicted of certain sex offenses.

47 (iv) Section 37-3-53, which requires publication
48 of the Mississippi Report Card by the State Board of Education.

49 (v) Section 37-11-18, which requires the automatic
50 expulsion of a student possessing a weapon or controlled substance
51 on educational property.

52 (vi) Section 37-11-18.1, which requires expulsion
53 of certain habitually disruptive students.

54 (vii) Section 37-11-19, which requires suspension
55 or expulsion of a student who damages school property.

56 (viii) Section 37-11-20, which prohibits acts of
57 intimidation intended to keep a student from attending school.

58 (ix) Section 37-11-21, which prohibits parental
59 abuse of school staff.

60 (x) Section 37-11-23, which prohibits the willful
61 disruption of school and school meetings.

62 (xi) Sections 37-11-29 and 37-11-31, which relate
63 to reporting requirements regarding unlawful or violent acts on
64 school property.

65 (xii) Section 37-11-67, which prohibits bullying
66 or harassing behavior in public schools.

67 (xiii) Section 37-13-3, which prohibits doctrinal,
68 sectarian or denominational teaching in public schools.



69 (xiv) Sections 37-13-5 and 37-13-6, which require
70 the flags of the United States and the State of Mississippi to be
71 displayed near the school building.

72 (xv) Section 37-13-63(1), which prescribes the
73 minimum number of days that public schools must be kept in session
74 during a scholastic year.

75 (xvi) Section 37-13-91, which is the Mississippi
76 Compulsory School Attendance Law.

77 (xvii) Section 37-13-171(2) and (4), which
78 requires any course containing sex-related education to include
79 instruction in abstinence-only or abstinence-plus education.

80 (xviii) Section 37-13-173, which requires notice
81 to parents before instruction on human sexuality is provided in
82 public classrooms.

83 (xix) Section 37-13-193, which relates to civil
84 rights and human rights education in the public schools.

85 (xx) Sections 37-15-1 and 37-15-3, which relate to
86 the maintenance and transfer of permanent student records in
87 public schools.

88 (xxi) Section 37-15-6, which requires the State
89 Department of Education to maintain a record of expulsions from
90 the public schools.

91 (xxii) Section 37-15-9, which establishes minimum
92 age requirements for Kindergarten and First-Grade enrollment in
93 public schools.



94 (xxiii) Section 37-15-11, which requires a parent,
95 legal guardian or custodian to accompany a child seeking
96 enrollment in a public school.

97 (xxiv) Sections 37-16-1, 37-16-3, 37-16-4 and
98 37-16-9, which relate to the Statewide Assessment Testing Program.

99 (xxv) Section 37-18-1, which establishes the
100 Superior-Performing Schools Program and Exemplary Schools Program
101 to recognize public schools that improve.

102 (e) Exempt public school districts must comply with
103 applicable federal laws, rules and regulations regarding the
104 qualification of teachers and other instructional staff. No more
105 than twenty-five percent (25%) of teachers in an exempt public
106 school district may be exempt from state teacher licensure
107 requirements. Administrators of charter schools are exempt from
108 state administrator licensure requirements. However, teachers and
109 administrators must have a bachelor's degree as a minimum
110 requirement, and teachers must have demonstrated subject-matter
111 competency. Within three (3) years of a teacher's employment, a
112 charter school teacher must have, at a minimum, alternative
113 licensure approved by the Commission on Teacher and Administrator
114 Education, Certification and Licensure and Development.

115 (f) Employees in exempt public school districts must
116 have the same general rights and privileges as other public school
117 employees, including:



118 (i) Covered under the Education Employment
119 Procedures Law (Section 37-9-103); and

120 (ii) Subject to the state salary requirements
121 prescribed in Section 37-19-7.

122 (g) Exempt public school district school teachers and
123 other school personnel, as well as members of the governing board
124 and any education service provider with whom a charter school
125 contracts, are subject to criminal history record checks and
126 fingerprinting requirements applicable to employees of other
127 public schools.

128 (h) Each exempt public school district shall certify
129 annually to the State Department of Education its student
130 enrollment, average daily attendance and student participation in
131 the National School Lunch Program, special education, vocational
132 education, gifted education, alternative school program, and
133 federal programs in the same manner as other school districts.

134 **SECTION 2.** This act shall take effect and be in force from
135 and after July 1, 2019.

