SENATE BILL NO. 2055

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

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

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

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

(2) The local school board of any Mississippi school district with an accreditation rating of "A," "B" or "C," by a vote of sixty percent (60%) of the school board membership, may
exempt the school district under its jurisdiction from any compulsory standard of accreditation which is not an educational policy required by statute and may operate under the same restrictions as public charter schools as provided hereinafter:

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

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

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

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

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

   (ii) Chapter 61, Title 25, Mississippi Code of 1972, which relate to public access to public records.
(iii) Section 37-3-51, which requires notice by the district attorney of licensed school employees who are convicted of certain sex offenses.

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

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

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

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

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

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

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

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

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

(xiii) Section 37-13-3, which prohibits doctrinal, sectarian or denominational teaching in public schools.
(xiv) Sections 37-13-5 and 37-13-6, which require the flags of the United States and the State of Mississippi to be displayed near the school building.

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

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

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

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

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

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

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

(xxii) Section 37-15-9, which establishes minimum age requirements for Kindergarten and First-Grade enrollment in public schools.
(xxiii) Section 37-15-11, which requires a parent, legal guardian or custodian to accompany a child seeking enrollment in a public school.

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

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

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

(f) Employees in exempt public school districts must have the same general rights and privileges as other public school employees, including:
ST: High-performance school districts; authorize local school boards to operate under same rules as charter schools.

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

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

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

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

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