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To: Education

HOUSE BILL NO. 1139

1 AN ACT TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE
2 OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE
3 CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS
4 RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL
5 APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO
6 FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE
7 ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS
8 AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS
9 A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED
10 BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS
11 FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO
12 PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF
13 INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY
14 AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF
15 PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS;
16 AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** Section 37-179-1, Mississippi Code of 1972, is
19 amended as follows:

20 37-179-1. (1) For purposes of this chapter, the following
21 terms shall have the meaning ascribed herein, unless the context
22 clearly indicates otherwise:

23 (a) "District of innovation" means a district that has
24 developed a plan of innovation in compliance with this section and
25 has been approved by the State Board of Education to be exempted



26 from certain administrative regulations and statutory provisions
27 to improve the educational performance of students within the
28 district;

29 (b) "Innovation" means a new or creative alternative to
30 existing instructional and administrative practices intended to
31 improve student learning and student performance of all students,
32 including community schools;

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

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

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

43 (f) "Community school" means a traditional district
44 public school that partners with community-based organizations to
45 coordinate academic, social, physical health and mental health
46 services, to reduce barriers to learning and improve education
47 outcomes. Community schools include all five (5) of the
48 following:



49 (i) Integrated student supports coordinated by a
50 community school director, which may include, but are not limited
51 to:

52 1. Medical, dental, vision care and mental
53 health services; or

54 2. Counselors to assist with housing,
55 transportation, nutrition, or criminal justice issues;

56 (ii) Expanded and enriched learning time and
57 opportunities including before school, after school, weekend and
58 summer programs, which provide additional academic instruction,
59 individualized academic support, enrichment activities, and
60 learning opportunities that emphasize real-world learning and
61 community problem solving, and which may include, but are not
62 limited to:

63 1. Art, music, drama and creative writing;

64 2. Hands-on experience with engineering or
65 science;

66 3. Tutoring and homework help; and

67 4. Recreational programs that enhance and are
68 consistent with the school's curriculum;

69 (iii) Active family and community engagement which
70 brings students' families and the community into the school as
71 partners in children's education and makes the school a
72 neighborhood hub, providing adults with educational opportunities
73 they want, including, but not limited to:



- 74 1. English as a second language class;
75 2. Citizenship preparation;
76 3. Computer skills;
77 4. Art;
78 5. GED classes; or
79 6. Other programs that bring community
80 members into the building for meetings or events;

81 (iv) Include, as a meaningful part of its
82 curriculum, a Science, Technology, Engineering and Mathematics
83 (STEM) program component commensurate and appropriate to the grade
84 level of the school; and

85 (v) Collaborative leadership and practices, which
86 build a culture of professional learning, collective trust, and
87 shared responsibility using strategies which shall, at a minimum,
88 include:

- 89 1. A school-based leadership team;
90 2. A community school director; and
91 3. A community-wide leadership team, which

92 may include, but not limited to:

- 93 A. Other leadership and governance
94 teams;
95 B. Teacher learning communities; and
96 C. Other staff to manage the multiple,
97 complex, joint work of school and community organizations.

98 (g) "Community School Director" means a person who:



99 (i) Is a full-time staff member serving one (1)
100 eligible school;
101 (ii) Is responsible for the identification,
102 implementation and coordination of integrated student supports,
103 expanded and enriched learning time and opportunities, family and
104 community engagement and collaborative leadership and practices;
105 (iii) Serves as a member of the school-based
106 leadership team;
107 (iv) Serves as the lead for the needs and assets
108 assessment and community school plan; and
109 (v) Coordinates the needs and assets assessment
110 and stakeholder-driven approach to problem-solving and continuous
111 improvement.

112 (2) The State Board of Education is authorized to approve
113 districts of innovation for the purposes of improving students'
114 educational performance. Districts of innovation shall be
115 provided flexibility from selected board regulations, Title 37,
116 Mississippi Code of 1972, and local school board policies for
117 school administrators, teachers and staff to meet the diverse
118 needs of students. A low-performing school or school district
119 managing the transition of multiple schools to the community
120 school model shall be provided a three-year transition before
121 becoming eligible for state takeover. The initial approval of a
122 district of innovation shall be for a five-year period. Each
123 renewal of a district of innovation shall not exceed five (5)



124 years and shall comply with administrative regulations promulgated
125 by the board pursuant to subsection (4) of this section.

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

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

132 (a) The regulatory areas which may be exempted or
133 modified if approved by the board, except as provided in Section
134 37-179-3(2), and in addition to those areas identified in Section
135 37-179-3(3);

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

138 (c) Timelines for initial approval as a district of
139 innovation, the renewal process and ongoing evaluative procedures
140 required of the district;

141 (d) Acceptable documentation of a critical mass of
142 parental, community, educator and business support and capacity to
143 effect a change;

144 (e) Evidence of teacher collaboration and shared
145 leadership within the district and the schools to be designated as
146 schools of innovation;

147 (f) The process of revocation of the designation of
148 district of innovation or school of innovation;



149 (g) Reporting and oversight responsibilities of the
150 district and the State Department of Education;

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

153 (i) Acceptable areas of emphasis for innovation;

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

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

159 **SECTION 2.** Section 37-179-3, Mississippi Code of 1972, is
160 amended as follows:

161 37-179-3. (1) A district which is an applicant to be
162 designated as a district of innovation under Section 37-179-1
163 shall:

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

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

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

171 (iii) Increasing student attendance rates as well
172 as reducing chronic absenteeism;



173 (iv) Decreasing rates of student suspensions and
174 expulsions;

175 (* * * y) Increasing the participation of students
176 in various curriculum components and instructional components
177 within selected schools to enhance at each grade level;

178 (* * * vi) Increasing the number of students who
179 are college and career-ready and who have access to
180 dual-enrollment courses;

181 (vii) Increasing student college preparation to
182 enter secondary education in the areas of science, technology,
183 engineering and mathematics.

184 (* * * viii) Motivating students at different
185 grade levels by offering more curriculum choices and student
186 learning opportunities to parents and students within the
187 district;

188 (b) Make public its goals and performance targets and,
189 after five (5) years, share the performance target results with
190 members of the Mississippi House and Senate Education Committees,
191 as well as with the general public;

192 (* * * c) Identify changes needed from a comprehensive
193 needs and assets assessment in the district and schools to lead to
194 better prepared students for success in college, career and
195 life * * *;



196 (* * *d) Have a districtwide plan of innovation that
197 describes and justifies which schools and innovative practices
198 will be incorporated;

199 (* * *e) Provide documentation of community, educator,
200 parental, and the local board's support of the proposed
201 innovations;

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

208 (* * *g) Document the fiscal and human resources the
209 board will provide throughout the term of the implementation of
210 the innovations within its plan; and

211 (* * *h) Provide other materials as required by the
212 department in compliance with the board's administrative
213 regulations and application procedures.

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

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

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



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

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

230 (e) Adhere to the same financial audits, audit
231 procedures, and audit requirements as are applied under Section
232 7-7-211(e);

233 (f) Require state and criminal background checks for
234 staff and volunteers as required of all public school employees
235 and volunteers within the public schools and specified in Section
236 37-9-17;

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

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

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



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

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

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

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

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

262 (a) Use capital outlay funds for operational costs;

263 (b) Hire persons for classified positions in
264 nontraditional school and district assignments who have bachelors
265 and advanced degrees from postsecondary education institutions
266 accredited by a regional accrediting association (Southern
267 Association of Colleges and Schools) or by an organization
268 affiliated with the National Commission on Accrediting;



269 (c) Employ teachers on extended employment contracts or
270 extra duty contracts and compensate them on a salary schedule
271 other than the single salary schedule;

272 (d) Extend the school days as is appropriate within the
273 district with compensation for the employees as determined
274 locally;

275 (e) Establish alternative education programs and
276 services that are delivered in nontraditional hours and which may
277 be jointly provided in cooperation with another school district or
278 consortia of districts;

279 (f) Establish online classes within the district for
280 delivering alternative classes in a blended environment to meet
281 high school graduation requirements;

282 (g) Use a flexible school calendar;

283 (h) Convert existing schools into schools of
284 innovation; * * *

285 (i) Modify the formula under Section 37-151-7 for
286 distributing support education funds for students in average daily
287 attendance in nontraditional programming time, including
288 alternative programs and virtual programs. Funds granted to a
289 district shall not exceed those that would have otherwise been
290 distributed based on average daily attendance during regular
291 instructional days * * *; and

292 (j) Allow community schools to seek and accept gifts,
293 grants, donations, and funds from federal and state agencies,



294 private foundations, organizations, or individuals for purposes
295 related to its function as a community school.

296 **SECTION 3.** This act shall take effect and be in force from
297 and after July 1, 2020.

