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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.

