

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2564**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

51        **SECTION 1.** The provisions of Sections 1 through 6 of this  
52 act shall be known as the "Comprehensive Career and Technical  
53 Education Reform" or "CCATER" Act.

54        **SECTION 2.** Section 37-15-38, Mississippi Code of 1972, is  
55 amended as follows:

56        37-15-38. (1) The following phrases have the meanings  
57 ascribed in this section unless the context clearly requires  
58 otherwise:



59 (a) A dual enrolled student is a student who is  
60 enrolled in a community or junior college or state institution of  
61 higher learning while enrolled in high school.

62 (b) A dual credit student is a student who is enrolled  
63 in a community or junior college or state institution of higher  
64 learning while enrolled in high school and who is receiving high  
65 school and college credit for postsecondary coursework.

66 (2) A local school board, the Board of Trustees of State  
67 Institutions of Higher Learning and the Mississippi Community  
68 College Board shall establish a dual enrollment system under which  
69 students in the school district who meet the prescribed criteria  
70 of this section may be enrolled in a postsecondary institution in  
71 Mississippi while they are still in school.

72 (3) **Dual credit eligibility.** Before credits earned by a  
73 qualified high school student from a community or junior college  
74 or state institution of higher learning may be transferred to the  
75 student's home school district, the student must be properly  
76 enrolled in a dual enrollment program.

77 (4) **Admission criteria for dual enrollment in community and**  
78 **junior college or university programs.** The Mississippi Community  
79 College Board and the Board of Trustees of State Institutions of  
80 Higher Learning may recommend to the State Board of Education  
81 admission criteria for dual enrollment programs under which high  
82 school students may enroll at a community or junior college or  
83 university while they are still attending high school and enrolled



84 in high school courses. Students may be admitted to enroll in  
85 community or junior college courses under the dual enrollment  
86 programs if they meet that individual institution's stated dual  
87 enrollment admission requirements.

88 (5) **Tuition and cost responsibility.** Tuition and costs for  
89 university-level courses and community and junior college courses  
90 offered under a dual enrollment program may be paid for by the  
91 postsecondary institution, the local school district, the parents  
92 or legal guardians of the student, or by grants, foundations or  
93 other private or public sources. Payment for tuition and any  
94 other costs must be made directly to the credit-granting  
95 institution.

96 (6) **Transportation responsibility.** Any transportation  
97 required by a student to participate in the dual enrollment  
98 program is the responsibility of the parent, custodian or legal  
99 guardian of the student. Transportation costs may be paid from  
100 any available public or private sources, including the local  
101 school district.

102 (7) **School district average daily attendance credit.** When  
103 dually enrolled, the student may be counted, for adequate  
104 education program funding purposes, in the average daily  
105 attendance of the public school district in which the student  
106 attends high school.

107 (8) **High school student transcript transfer requirements.**  
108 Grades and college credits earned by a student admitted to a dual



109 credit program must be recorded on the high school student record  
110 and on the college transcript at the university or community or  
111 junior college where the student attends classes. The transcript  
112 of the university or community or junior college coursework may be  
113 released to another institution or applied toward college  
114 graduation requirements.

115       (9) **Determining factor of prerequisites for dual enrollment**  
116 **courses.** Each university and community or junior college  
117 participating in a dual enrollment program shall determine course  
118 prerequisites. Course prerequisites shall be the same for dual  
119 enrolled students as for regularly enrolled students at that  
120 university or community or junior college.

121       (10) **Process for determining articulation of curriculum**  
122 **between high school, university, and community and junior college**  
123 **courses.** All dual credit courses must meet the standards  
124 established at the postsecondary level. Postsecondary level  
125 developmental courses may not be considered as meeting the  
126 requirements of the dual credit program. Dual credit memorandum  
127 of understandings must be established between each postsecondary  
128 institution and the school district implementing a dual credit  
129 program.

130       (11) [Deleted]

131       (12) **Eligible courses for dual credit programs.** Courses  
132 eligible for dual credit include, but are not necessarily limited  
133 to, foreign languages, advanced math courses, advanced science



134 courses, performing arts, advanced business and technology, and  
135 career and technical courses. Distance Learning Collaborative  
136 Program courses approved under Section 37-67-1 shall be fully  
137 eligible for dual credit. All courses being considered for dual  
138 credit must receive unconditional approval from the superintendent  
139 of the local school district and the chief instructional officer  
140 at the participating community or junior college or university in  
141 order for college credit to be awarded. A university or community  
142 or junior college shall make the final decision on what courses  
143 are eligible for semester hour credits.

144 (13) **High school Carnegie unit equivalency.** One (1)  
145 three-hour university or community or junior college course is  
146 equal to one (1) high school Carnegie unit.

147 (14) **Course alignment.** The universities, community and  
148 junior colleges and the State Department of Education shall  
149 periodically review their respective policies and assess the place  
150 of dual credit courses within the context of their traditional  
151 offerings.

152 (15) **Maximum dual credits allowed.** It is the intent of the  
153 dual enrollment program to make it possible for every eligible  
154 student who desires to earn a semester's worth of college credit  
155 in high school to do so. A qualified dually enrolled high school  
156 student must be allowed to earn an unlimited number of college or  
157 university credits for dual credit.



158           (16) **Dual credit program allowances.** A student may be  
159 granted credit delivered through the following means:

160           (a) Examination preparation taught at a high school by  
161 a qualified teacher. A student may receive credit at the  
162 secondary level after completion of an approved course and passing  
163 the standard examination, such as an Advanced Placement or  
164 International Baccalaureate course through which a high school  
165 student is allowed CLEP credit by making a three (3) or higher on  
166 the end-of-course examination.

167           (b) College or university courses taught at a high  
168 school or designated postsecondary site by a qualified teacher who  
169 is an employee of the school district and approved as an  
170 instructor by the collaborating college or university.

171           (c) College or university courses taught at a college,  
172 university or high school by an instructor employed by the college  
173 or university and approved by the collaborating school district.

174           (d) Online courses of any public university, community  
175 or junior college in Mississippi.

176           (17) **Qualifications of dual credit instructors.** A dual  
177 credit academic instructor must meet the requirements set forth by  
178 the regional accrediting association (Southern Association of  
179 College and Schools). University and community and junior college  
180 personnel have the sole authority in the selection of dual credit  
181 instructors.



182 A dual credit career and technical education instructor must  
183 meet the requirements set forth by the Mississippi Community  
184 College Board in the qualifications manual for postsecondary  
185 career and technical personnel. Such instructor shall not be  
186 required to hold an associate or bachelor's degree if he or she is  
187 providing instruction in a nondegree certificate or associate  
188 degree career and technical education program provided that he or  
189 she satisfies all other alternative minimum requirements for such  
190 positions.

191 (18) **Guidance on local agreements.** The Chief Academic  
192 Officer of the State Board of Trustees of State Institutions of  
193 Higher Learning and the Chief Instructional Officers of the  
194 Mississippi Community College Board and the State Department of  
195 Education, working collaboratively, shall develop a template to be  
196 used by the individual community and junior colleges and  
197 institutions of higher learning for consistent implementation of  
198 the dual enrollment program throughout the State of Mississippi.

199 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**  
200 A local school board and the local community colleges board shall  
201 establish a Mississippi Works Dual Enrollment-Dual Credit Option  
202 Program under which potential or recent student dropouts may  
203 dually enroll in their home school and a local community college  
204 in a dual credit program consisting of high school completion  
205 coursework and a community college credential, certificate or  
206 degree program. Students completing the dual enrollment-credit



207 option may obtain their high school diploma while obtaining a  
208 community college credential, certificate or degree. The  
209 Mississippi Department of Employment Security shall assist  
210 students who have successfully completed the Mississippi Works  
211 Dual Enrollment-Dual Credit Option in securing a job upon the  
212 application of the student or the participating school or  
213 community college. The Mississippi Works Dual Enrollment-Dual  
214 Credit Option Program will be implemented statewide in the  
215 2012-2013 school year and thereafter. The State Board of  
216 Education, local school board and the local community college  
217 board shall establish criteria for the Dual Enrollment-Dual Credit  
218 Program. Students enrolled in the program will not be eligible to  
219 participate in interscholastic sports or other extracurricular  
220 activities at the home school district. Tuition and costs for  
221 community college courses offered under the Dual Enrollment-Dual  
222 Credit Program shall not be charged to the student, parents or  
223 legal guardians. When dually enrolled, the student shall be  
224 counted for adequate education program funding purposes, in the  
225 average daily attendance of the public school district in which  
226 the student attends high school, as provided in Section  
227 37-151-7(1)(a). Any transportation required by the student to  
228 participate in the Dual Enrollment-Dual Credit Program is the  
229 responsibility of the parent or legal guardian of the student, and  
230 transportation costs may be paid from any available public or  
231 private sources, including the local school district. Grades and





232 college credits earned by a student admitted to this Dual  
233 Enrollment-Dual Credit Program shall be recorded on the high  
234 school student record and on the college transcript at the  
235 community college and high school where the student attends  
236 classes. The transcript of the community college coursework may  
237 be released to another institution or applied toward college  
238 graduation requirements. Any course that is required for subject  
239 area testing as a requirement for graduation from a public school  
240 in Mississippi is eligible for dual credit, and courses eligible  
241 for dual credit shall also include career, technical and degree  
242 program courses. All courses eligible for dual credit shall be  
243 approved by the superintendent of the local school district and  
244 the chief instructional officer at the participating community  
245 college in order for college credit to be awarded. A community  
246 college shall make the final decision on what courses are eligible  
247 for semester hour credits and the local school superintendent,  
248 subject to approval by the Mississippi Department of Education,  
249 shall make the final decision on the transfer of college courses  
250 credited to the student's high school transcript.

251 **SECTION 3.** Section 37-16-17, Mississippi Code of 1972, is  
252 amended as follows:

253 37-16-17. (1) Purpose. (a) The purpose of this section is  
254 to create a quality option in Mississippi's high schools for  
255 students not wishing to pursue a baccalaureate degree, which shall  
256 consist of challenging academic courses and modern



257 career-technical studies. The goal for students pursuing the  
258 career track is to graduate from high school with a standard  
259 diploma and credit toward a community college certification in a  
260 career-technical field. These students also shall be encouraged  
261 to take the national assessment in the career-technical field in  
262 which they become certified.

263 (b) The State Board of Education shall develop and  
264 adopt course and curriculum requirements for career track programs  
265 offered by local public school boards in accordance with this  
266 section. The Mississippi Community College Board and the State  
267 Board of Education jointly shall determine course and curriculum  
268 requirements for the career track program. The State Board of  
269 Education shall provide notice to all incoming middle school  
270 students and junior high students of the career track programs  
271 offered by local school boards. Such notice shall include the  
272 career track programs available, the course requirements of each  
273 program, how to enroll in the program and any other necessary  
274 information as determined by the State Board of Education.

275 (2) Alternative career track; description; curriculum. (a)  
276 A career track shall provide a student with greater technical  
277 skill and a strong academic core and shall be offered to each high  
278 school student enrolled in a public school district. The career  
279 track program shall be linked to postsecondary options and shall  
280 prepare students to pursue either a degree or certification from a  
281 postsecondary institution, an industry-based training or



282 certification, an apprenticeship, the military, or immediate  
283 entrance into a career field. The career track shall be designed  
284 primarily for those students who are not college bound and shall  
285 provide them with alternatives to entrance into a four-year  
286 university or college after high school graduation. All students  
287 in the career and technical education track shall be required to  
288 take the ACT WorkKeys Assessment.

289 (b) Students pursuing a career track shall be afforded  
290 the opportunity to dually enroll in a community or technical  
291 college or to participate in a business internship or work-study  
292 program, when such opportunities are available and appropriate.

293 (c) Each public school district shall offer a career  
294 track program approved by the State Board of Education.

295 (d) Students in a career track program shall complete  
296 an academic core of courses and a career and technical sequence of  
297 courses.

298 (e) The twenty-one (21) course unit requirements for  
299 the career track shall consist of the following:

300 (i) At least four (4) English credits, including  
301 English I \* \* \*, English II, technical writing and computer  
302 programming.

303 (ii) At least three (3) mathematics credits,  
304 including one (1) unit of Algebra I, personal finance,  
305 business/construction mathematics and computer science.



306 (iii) At least three (3) science credits,  
307 including one (1) unit of biology and earth/environmental science.

308 (iv) At least three (3) social studies credits,  
309 including one (1) unit of U.S. History and one (1) unit of  
310 Mississippi Studies/U.S. Government.

311 (v) At least one-half (1/2) credit in  
312 health \* \* \*, physical education or soft skills, which include,  
313 but are not limited to, social graces, communication abilities,  
314 language skills, personal habits, cognitive or emotional empathy,  
315 time management, teamwork and leadership traits.

316 (vi) At least four (4) credits in career and  
317 technical education courses in the dual enrollment-dual credit  
318 programs authorized under Section 37-15-38.

319 (vii) At least one (1) credit in integrated  
320 technology with optional end of course testing.

321 (viii) At least two and one-half (2-1/2) credits  
322 in additional electives or career and technical education courses  
323 required by the local school board, as approved by the State Board  
324 of Education. Academic courses within the career track of the  
325 standard diploma shall provide the knowledge and skill necessary  
326 for proficiency on the state subject area tests.

327 (f) The courses provided in paragraph (e) of this  
328 subsection may be tailored to the individual needs of the school  
329 district as long as the amendments align with the basic course  
330 requirements of paragraph (e).



331 (3) Nothing in this section shall disallow the development  
332 of a dual enrollment program with a technical college so long as  
333 an individual school district, with approval from the State  
334 Department of Education, agrees to implement such a program in  
335 connection with a technical college and the agreement is also  
336 approved by the proprietary school's commission.

337 (4) The career track program for students not pursuing a  
338 Baccalaureate Degree shall not be available to any student  
339 entering the Ninth Grade in the 2017-2018 school year or  
340 thereafter.

341 **SECTION 4.** Section 37-3-2, Mississippi Code of 1972, is  
342 amended as follows:

343 37-3-2. (1) There is established within the State  
344 Department of Education the Commission on Teacher and  
345 Administrator Education, Certification and Licensure and  
346 Development. It shall be the purpose and duty of the commission  
347 to make recommendations to the State Board of Education regarding  
348 standards for the certification and licensure and continuing  
349 professional development of those who teach or perform tasks of an  
350 educational nature in the public schools of Mississippi.

351 (2) (a) The commission shall be composed of fifteen (15)  
352 qualified members. The membership of the commission shall be  
353 composed of the following members to be appointed, three (3) from  
354 each of the four (4) congressional districts, as such districts  
355 existed on January 1, 2011, in accordance with the population



356 calculations determined by the 2010 federal decennial census,  
357 including: four (4) classroom teachers; three (3) school  
358 administrators; one (1) representative of schools of education of  
359 public institutions of higher learning located within the state to  
360 be recommended by the Board of Trustees of State Institutions of  
361 Higher Learning; one (1) representative from the schools of  
362 education of independent institutions of higher learning to be  
363 recommended by the Board of the Mississippi Association of  
364 Independent Colleges; one (1) representative from public community  
365 and junior colleges located within the state to be recommended by  
366 the Mississippi Community College Board; one (1) local school  
367 board member; and four (4) laypersons. Three (3) members of the  
368 commission, at the sole discretion of the State Board of  
369 Education, shall be appointed from the state at large.

370 (b) All appointments shall be made by the State Board  
371 of Education after consultation with the State Superintendent of  
372 Public Education. The first appointments by the State Board of  
373 Education shall be made as follows: five (5) members shall be  
374 appointed for a term of one (1) year; five (5) members shall be  
375 appointed for a term of two (2) years; and five (5) members shall  
376 be appointed for a term of three (3) years. Thereafter, all  
377 members shall be appointed for a term of four (4) years.

378 (3) The State Board of Education when making appointments  
379 shall designate a chairman. The commission shall meet at least  
380 once every two (2) months or more often if needed. Members of the



381 commission shall be compensated at a rate of per diem as  
382 authorized by Section 25-3-69 and be reimbursed for actual and  
383 necessary expenses as authorized by Section 25-3-41.

384 (4) (a) An appropriate staff member of the State Department  
385 of Education shall be designated and assigned by the State  
386 Superintendent of Public Education to serve as executive secretary  
387 and coordinator for the commission. No less than two (2) other  
388 appropriate staff members of the State Department of Education  
389 shall be designated and assigned by the State Superintendent of  
390 Public Education to serve on the staff of the commission.

391 (b) An Office of Educator Misconduct Evaluations shall  
392 be established within the State Department of Education to assist  
393 the commission in responding to infractions and violations, and in  
394 conducting hearings and enforcing the provisions of subsections  
395 (11), (12), (13), (14) and (15) of this section, and violations of  
396 the Mississippi Educator Code of Ethics.

397 (5) It shall be the duty of the commission to:

398 (a) Set standards and criteria, subject to the approval  
399 of the State Board of Education, for all educator preparation  
400 programs in the state;

401 (b) Recommend to the State Board of Education each year  
402 approval or disapproval of each educator preparation program in  
403 the state, subject to a process and schedule determined by the  
404 State Board of Education;



405           (c) Establish, subject to the approval of the State  
406 Board of Education, standards for initial teacher certification  
407 and licensure in all fields;

408           (d) Establish, subject to the approval of the State  
409 Board of Education, standards for the renewal of teacher licenses  
410 in all fields;

411           (e) Review and evaluate objective measures of teacher  
412 performance, such as test scores, which may form part of the  
413 licensure process, and to make recommendations for their use;

414           (f) Review all existing requirements for certification  
415 and licensure;

416           (g) Consult with groups whose work may be affected by  
417 the commission's decisions;

418           (h) Prepare reports from time to time on current  
419 practices and issues in the general area of teacher education and  
420 certification and licensure;

421           (i) Hold hearings concerning standards for teachers'  
422 and administrators' education and certification and licensure with  
423 approval of the State Board of Education;

424           (j) Hire expert consultants with approval of the State  
425 Board of Education;

426           (k) Set up ad hoc committees to advise on specific  
427 areas; and





428 (1) Perform such other functions as may fall within  
429 their general charge and which may be delegated to them by the  
430 State Board of Education.

431 (6) (a) **Standard License - Approved Program Route.** An  
432 educator entering the school system of Mississippi for the first  
433 time and meeting all requirements as established by the State  
434 Board of Education shall be granted a standard five-year license.  
435 Persons who possess two (2) years of classroom experience as an  
436 assistant teacher or who have taught for one (1) year in an  
437 accredited public or private school shall be allowed to fulfill  
438 student teaching requirements under the supervision of a qualified  
439 participating teacher approved by an accredited college of  
440 education. The local school district in which the assistant  
441 teacher is employed shall compensate such assistant teachers at  
442 the required salary level during the period of time such  
443 individual is completing student teaching requirements.

444 Applicants for a standard license shall submit to the department:

- 445 (i) An application on a department form;
- 446 (ii) An official transcript of completion of a  
447 teacher education program approved by the department or a  
448 nationally accredited program, subject to the following:  
449 Licensure to teach in Mississippi prekindergarten through  
450 kindergarten classrooms shall require completion of a teacher  
451 education program or a Bachelor of Science degree with child  
452 development emphasis from a program accredited by the American



453 Association of Family and Consumer Sciences (AAFCS) or by the  
454 National Association for Education of Young Children (NAEYC) or by  
455 the National Council for Accreditation of Teacher Education  
456 (NCATE). Licensure to teach in Mississippi kindergarten, for  
457 those applicants who have completed a teacher education program,  
458 and in Grade 1 through Grade 4 shall require the completion of an  
459 interdisciplinary program of studies. Licenses for Grades 4  
460 through 8 shall require the completion of an interdisciplinary  
461 program of studies with two (2) or more areas of concentration.  
462 Licensure to teach in Mississippi Grades 7 through 12 shall  
463 require a major in an academic field other than education, or a  
464 combination of disciplines other than education. Students  
465 preparing to teach a subject shall complete a major in the  
466 respective subject discipline. All applicants for standard  
467 licensure shall demonstrate that such person's college preparation  
468 in those fields was in accordance with the standards set forth by  
469 the National Council for Accreditation of Teacher Education  
470 (NCATE) or the National Association of State Directors of Teacher  
471 Education and Certification (NASDTEC) or, for those applicants who  
472 have a Bachelor of Science degree with child development emphasis,  
473 the American Association of Family and Consumer Sciences (AAFCS).  
474 Effective July 1, 2016, for initial elementary education  
475 licensure, a teacher candidate must earn a passing score on a  
476 rigorous test of scientifically research-based reading instruction



477 and intervention and data-based decision-making principles as  
478 approved by the State Board of Education;

479 (iii) A copy of test scores evidencing  
480 satisfactory completion of nationally administered examinations of  
481 achievement, such as the Educational Testing Service's teacher  
482 testing examinations;

483 (iv) Any other document required by the State  
484 Board of Education; and

485 (v) From and after September 30, 2015, no teacher  
486 candidate shall be licensed to teach in Mississippi who did not  
487 meet the following criteria for entrance into an approved teacher  
488 education program:

489 1. Twenty-one (21) ACT equivalent or achieve  
490 the nationally recommended passing score on the Praxis Core  
491 Academic Skills for Educators examination; and

492 2. No less than 2.75 GPA on pre-major  
493 coursework of the institution's approved teacher education program  
494 provided that the accepted cohort of candidates meets or exceeds a  
495 3.0 GPA on pre-major coursework.

496 (b) **Standard License - Nontraditional Teaching Route.**

497 From and after September 30, 2015, no teacher candidate shall be  
498 licensed to teach in Mississippi under the alternate route who did  
499 not meet the following criteria:



500 (i) Twenty-one (21) ACT equivalent or achieve the  
501 nationally recommended passing score on the Praxis Core Academic  
502 Skills for Educators examination; and

503 (ii) No less than 2.75 GPA on content coursework  
504 in the requested area of certification or passing Praxis II scores  
505 at or above the national recommended score provided that the  
506 accepted cohort of candidates of the institution's teacher  
507 education program meets or exceeds a 3.0 GPA on pre-major  
508 coursework.

509 Beginning January 1, 2004, an individual who has a passing  
510 score on the Praxis I Basic Skills and Praxis II Specialty Area  
511 Test in the requested area of endorsement may apply for the Teach  
512 Mississippi Institute (TMI) program to teach students in Grades 7  
513 through 12 if the individual meets the requirements of this  
514 paragraph (b). The State Board of Education shall adopt rules  
515 requiring that teacher preparation institutions which provide the  
516 Teach Mississippi Institute (TMI) program for the preparation of  
517 nontraditional teachers shall meet the standards and comply with  
518 the provisions of this paragraph.

519 (i) The Teach Mississippi Institute (TMI) shall  
520 include an intensive eight-week, nine-semester-hour summer program  
521 or a curriculum of study in which the student matriculates in the  
522 fall or spring semester, which shall include, but not be limited  
523 to, instruction in education, effective teaching strategies,  
524 classroom management, state curriculum requirements, planning and



525 instruction, instructional methods and pedagogy, using test  
526 results to improve instruction, and a one (1) semester three-hour  
527 supervised internship to be completed while the teacher is  
528 employed as a full-time teacher intern in a local school district.  
529 The TMI shall be implemented on a pilot program basis, with  
530 courses to be offered at up to four (4) locations in the state,  
531 with one (1) TMI site to be located in each of the three (3)  
532 Mississippi Supreme Court districts.

533           (ii) The school sponsoring the teacher intern  
534 shall enter into a written agreement with the institution  
535 providing the Teach Mississippi Institute (TMI) program, under  
536 terms and conditions as agreed upon by the contracting parties,  
537 providing that the school district shall provide teacher interns  
538 seeking a nontraditional provisional teaching license with a  
539 one-year classroom teaching experience. The teacher intern shall  
540 successfully complete the one (1) semester three-hour intensive  
541 internship in the school district during the semester immediately  
542 following successful completion of the TMI and prior to the end of  
543 the one-year classroom teaching experience.

544           (iii) Upon completion of the nine-semester-hour  
545 TMI or the fall or spring semester option, the individual shall  
546 submit his transcript to the commission for provisional licensure  
547 of the intern teacher, and the intern teacher shall be issued a  
548 provisional teaching license by the commission, which will allow



549 the individual to legally serve as a teacher while the person  
550 completes a nontraditional teacher preparation internship program.

551 (iv) During the semester of internship in the  
552 school district, the teacher preparation institution shall monitor  
553 the performance of the intern teacher. The school district that  
554 employs the provisional teacher shall supervise the provisional  
555 teacher during the teacher's intern year of employment under a  
556 nontraditional provisional license, and shall, in consultation  
557 with the teacher intern's mentor at the school district of  
558 employment, submit to the commission a comprehensive evaluation of  
559 the teacher's performance sixty (60) days prior to the expiration  
560 of the nontraditional provisional license. If the comprehensive  
561 evaluation establishes that the provisional teacher intern's  
562 performance fails to meet the standards of the approved  
563 nontraditional teacher preparation internship program, the  
564 individual shall not be approved for a standard license.

565 (v) An individual issued a provisional teaching  
566 license under this nontraditional route shall successfully  
567 complete, at a minimum, a one-year beginning teacher mentoring and  
568 induction program administered by the employing school district  
569 with the assistance of the State Department of Education.

570 (vi) Upon successful completion of the TMI and the  
571 internship provisional license period, applicants for a Standard  
572 License - Nontraditional Route shall submit to the commission a  
573 transcript of successful completion of the twelve (12) semester



574 hours required in the internship program, and the employing school  
575 district shall submit to the commission a recommendation for  
576 standard licensure of the intern. If the school district  
577 recommends licensure, the applicant shall be issued a Standard  
578 License - Nontraditional Route which shall be valid for a  
579 five-year period and be renewable.

580 (vii) At the discretion of the teacher preparation  
581 institution, the individual shall be allowed to credit the twelve  
582 (12) semester hours earned in the nontraditional teacher  
583 internship program toward the graduate hours required for a Master  
584 of Arts in Teacher (MAT) Degree.

585 (viii) The local school district in which the  
586 nontraditional teacher intern or provisional licensee is employed  
587 shall compensate such teacher interns at Step 1 of the required  
588 salary level during the period of time such individual is  
589 completing teacher internship requirements and shall compensate  
590 such Standard License - Nontraditional Route teachers at Step 3 of  
591 the required salary level when they complete license requirements.

592 Implementation of the TMI program provided for under this  
593 paragraph (b) shall be contingent upon the availability of funds  
594 appropriated specifically for such purpose by the Legislature.  
595 Such implementation of the TMI program may not be deemed to  
596 prohibit the State Board of Education from developing and  
597 implementing additional alternative route teacher licensure  
598 programs, as deemed appropriate by the board. The emergency



599 certification program in effect prior to July 1, 2002, shall  
600 remain in effect.

601 A Standard License - Approved Program Route shall be issued  
602 for a five-year period, and may be renewed. Recognizing teaching  
603 as a profession, a hiring preference shall be granted to persons  
604 holding a Standard License - Approved Program Route or Standard  
605 License - Nontraditional Teaching Route over persons holding any  
606 other license.

607 (c) **Special License - Expert Citizen.** In order to  
608 allow a school district to offer specialized or technical courses,  
609 the State Department of Education, in accordance with rules and  
610 regulations established by the State Board of Education, may grant  
611 a one-year expert citizen-teacher license to local business or  
612 other professional personnel to teach in a public school or  
613 nonpublic school accredited or approved by the state. Such person  
614 shall not be required to hold an associate or bachelor's degree,  
615 provided that he or she possesses the minimum qualifications  
616 required for his or her profession, and may begin teaching upon  
617 his employment by the local school board and licensure by the  
618 Mississippi Department of Education. The board shall adopt rules  
619 and regulations to administer the expert citizen-teacher license.  
620 A Special License - Expert Citizen may be renewed in accordance  
621 with the established rules and regulations of the State Department  
622 of Education.





623           (d) **Special License - Nonrenewable.** The State Board of  
624 Education is authorized to establish rules and regulations to  
625 allow those educators not meeting requirements in paragraph (a),  
626 (b) or (c) of this subsection (6) to be licensed for a period of  
627 not more than three (3) years, except by special approval of the  
628 State Board of Education.

629           (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
630 person may teach for a maximum of three (3) periods per teaching  
631 day in a public school district or a nonpublic school  
632 accredited/approved by the state. Such person shall submit to the  
633 department a transcript or record of his education and experience  
634 which substantiates his preparation for the subject to be taught  
635 and shall meet other qualifications specified by the commission  
636 and approved by the State Board of Education. In no case shall  
637 any local school board hire nonlicensed personnel as authorized  
638 under this paragraph in excess of five percent (5%) of the total  
639 number of licensed personnel in any single school.

640           (f) **Special License - Transitional Bilingual Education.**  
641 Beginning July 1, 2003, the commission shall grant special  
642 licenses to teachers of transitional bilingual education who  
643 possess such qualifications as are prescribed in this section.  
644 Teachers of transitional bilingual education shall be compensated  
645 by local school boards at not less than one (1) step on the  
646 regular salary schedule applicable to permanent teachers licensed  
647 under this section. The commission shall grant special licenses



648 to teachers of transitional bilingual education who present the  
649 commission with satisfactory evidence that they (i) possess a  
650 speaking and reading ability in a language, other than English, in  
651 which bilingual education is offered and communicative skills in  
652 English; (ii) are in good health and sound moral character; (iii)  
653 possess a bachelor's degree or an associate's degree in teacher  
654 education from an accredited institution of higher education; (iv)  
655 meet such requirements as to courses of study, semester hours  
656 therein, experience and training as may be required by the  
657 commission; and (v) are legally present in the United States and  
658 possess legal authorization for employment. A teacher of  
659 transitional bilingual education serving under a special license  
660 shall be under an exemption from standard licensure if he achieves  
661 the requisite qualifications therefor. Two (2) years of service  
662 by a teacher of transitional bilingual education under such an  
663 exemption shall be credited to the teacher in acquiring a Standard  
664 Educator License. Nothing in this paragraph shall be deemed to  
665 prohibit a local school board from employing a teacher licensed in  
666 an appropriate field as approved by the State Department of  
667 Education to teach in a program in transitional bilingual  
668 education.

669 (g) In the event any school district meets the highest  
670 accreditation standards as defined by the State Board of Education  
671 in the accountability system, the State Board of Education, in its  
672 discretion, may exempt such school district from any restrictions



673 in paragraph (e) relating to the employment of nonlicensed  
674 teaching personnel.

675 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
676 any teacher from any state meeting the federal definition of  
677 highly qualified, as described in the No Child Left Behind Act,  
678 must be granted a standard five-year license by the State  
679 Department of Education.

680 (7) **Administrator License.** The State Board of Education is  
681 authorized to establish rules and regulations and to administer  
682 the licensure process of the school administrators in the State of  
683 Mississippi. There will be four (4) categories of administrator  
684 licensure with exceptions only through special approval of the  
685 State Board of Education.

686 (a) **Administrator License - Nonpracticing.** Those  
687 educators holding administrative endorsement but having no  
688 administrative experience or not serving in an administrative  
689 position on January 15, 1997.

690 (b) **Administrator License - Entry Level.** Those  
691 educators holding administrative endorsement and having met the  
692 department's qualifications to be eligible for employment in a  
693 Mississippi school district. Administrator License - Entry Level  
694 shall be issued for a five-year period and shall be nonrenewable.

695 (c) **Standard Administrator License - Career Level.** An  
696 administrator who has met all the requirements of the department  
697 for standard administrator licensure.



698 (d) **Administrator License - Nontraditional Route.** The  
699 board may establish a nontraditional route for licensing  
700 administrative personnel. Such nontraditional route for  
701 administrative licensure shall be available for persons holding,  
702 but not limited to, a master of business administration degree, a  
703 master of public administration degree, a master of public  
704 planning and policy degree or a doctor of jurisprudence degree  
705 from an accredited college or university, with five (5) years of  
706 administrative or supervisory experience. Successful completion  
707 of the requirements of alternate route licensure for  
708 administrators shall qualify the person for a standard  
709 administrator license.

710 Individuals seeking school administrator licensure under  
711 paragraph (b), (c) or (d) shall successfully complete a training  
712 program and an assessment process prescribed by the State Board of  
713 Education. All applicants for school administrator licensure  
714 shall meet all requirements prescribed by the department under  
715 paragraph (b), (c) or (d), and the cost of the assessment process  
716 required shall be paid by the applicant.

717 (8) **Reciprocity.** (a) The department shall grant a standard  
718 license to any individual who possesses a valid standard license  
719 from another state and meets minimum Mississippi license  
720 requirements or equivalent requirements as determined by the State  
721 Board of Education. The issuance of a license by reciprocity to a



722 military-trained applicant or military spouse shall be subject to  
723 the provisions of Section 73-50-1.

724 (b) The department shall grant a nonrenewable special  
725 license to any individual who possesses a credential which is less  
726 than a standard license or certification from another state. Such  
727 special license shall be valid for the current school year plus  
728 one (1) additional school year to expire on June 30 of the second  
729 year, not to exceed a total period of twenty-four (24) months,  
730 during which time the applicant shall be required to complete the  
731 requirements for a standard license in Mississippi.

732 (9) **Renewal and Reinstatement of Licenses.** The State Board  
733 of Education is authorized to establish rules and regulations for  
734 the renewal and reinstatement of educator and administrator  
735 licenses. Effective May 15, 1997, the valid standard license held  
736 by an educator shall be extended five (5) years beyond the  
737 expiration date of the license in order to afford the educator  
738 adequate time to fulfill new renewal requirements established  
739 pursuant to this subsection. An educator completing a master of  
740 education, educational specialist or doctor of education degree in  
741 May 1997 for the purpose of upgrading the educator's license to a  
742 higher class shall be given this extension of five (5) years plus  
743 five (5) additional years for completion of a higher degree.

744 (10) All controversies involving the issuance, revocation,  
745 suspension or any change whatsoever in the licensure of an  
746 educator required to hold a license shall be initially heard in a



747 hearing de novo, by the commission or by a subcommittee  
748 established by the commission and composed of commission members,  
749 or by a hearing officer retained and appointed by the commission,  
750 for the purpose of holding hearings. Any complaint seeking the  
751 denial of issuance, revocation or suspension of a license shall be  
752 by sworn affidavit filed with the Commission on Teacher and  
753 Administrator Education, Certification and Licensure and  
754 Development. The decision thereon by the commission, its  
755 subcommittee or hearing officer, shall be final, unless the  
756 aggrieved party shall appeal to the State Board of Education,  
757 within ten (10) days, of the decision of the commission, its  
758 subcommittee or hearing officer. An appeal to the State Board of  
759 Education shall be perfected upon filing a notice of the appeal  
760 and by the prepayment of the costs of the preparation of the  
761 record of proceedings by the commission, its subcommittee or  
762 hearing officer. An appeal shall be on the record previously made  
763 before the commission, its subcommittee or hearing officer, unless  
764 otherwise provided by rules and regulations adopted by the board.  
765 The decision of the commission, its subcommittee or hearing  
766 officer shall not be disturbed on appeal if supported by  
767 substantial evidence, was not arbitrary or capricious, within the  
768 authority of the commission, and did not violate some statutory or  
769 constitutional right. The State Board of Education in its  
770 authority may reverse, or remand with instructions, the decision



771 of the commission, its subcommittee or hearing officer. The  
772 decision of the State Board of Education shall be final.

773 (11) (a) The State Board of Education, acting through the  
774 commission, may deny an application for any teacher or  
775 administrator license for one or more of the following:

776 (i) Lack of qualifications which are prescribed by  
777 law or regulations adopted by the State Board of Education;

778 (ii) The applicant has a physical, emotional or  
779 mental disability that renders the applicant unfit to perform the  
780 duties authorized by the license, as certified by a licensed  
781 psychologist or psychiatrist;

782 (iii) The applicant is actively addicted to or  
783 actively dependent on alcohol or other habit-forming drugs or is a  
784 habitual user of narcotics, barbiturates, amphetamines,  
785 hallucinogens or other drugs having similar effect, at the time of  
786 application for a license;

787 (iv) Fraud or deceit committed by the applicant in  
788 securing or attempting to secure such certification and license;

789 (v) Failing or refusing to furnish reasonable  
790 evidence of identification;

791 (vi) The applicant has been convicted, has pled  
792 guilty or entered a plea of nolo contendere to a felony, as  
793 defined by federal or state law. For purposes of this  
794 subparagraph (vi) of this paragraph (a), a "guilty plea" includes



795 a plea of guilty, entry of a plea of nolo contendere, or entry of  
796 an order granting pretrial or judicial diversion;

797 (vii) The applicant or licensee is on probation or  
798 post-release supervision for a felony or conviction, as defined by  
799 federal or state law. However, this disqualification expires upon  
800 the end of the probationary or post-release supervision period.

801 (b) The State Board of Education, acting through the  
802 commission, shall deny an application for any teacher or  
803 administrator license, or immediately revoke the current teacher  
804 or administrator license, for one or more of the following:

805 (i) If the applicant or licensee has been  
806 convicted, has pled guilty or entered a plea of nolo contendere to  
807 a sex offense as defined by federal or state law. For purposes of  
808 this subparagraph (i) of this paragraph (b), a "guilty plea"  
809 includes a plea of guilty, entry of a plea of nolo contendere, or  
810 entry of an order granting pretrial or judicial diversion;

811 (ii) The applicant or licensee is on probation or  
812 post-release supervision for a sex offense conviction, as defined  
813 by federal or state law;

814 (iii) The license holder has fondled a student as  
815 described in Section 97-5-23, or had any type of sexual  
816 involvement with a student as described in Section 97-3-95; or

817 (iv) The license holder has failed to report  
818 sexual involvement of a school employee with a student as required  
819 by Section 97-5-24.





820           (12) The State Board of Education, acting through the  
821 commission, may revoke, suspend or refuse to renew any teacher or  
822 administrator license for specified periods of time or may place  
823 on probation, reprimand a licensee, or take other disciplinary  
824 action with regard to any license issued under this chapter for  
825 one or more of the following:

826           (a) Breach of contract or abandonment of employment may  
827 result in the suspension of the license for one (1) school year as  
828 provided in Section 37-9-57;

829           (b) Obtaining a license by fraudulent means shall  
830 result in immediate suspension and continued suspension for one  
831 (1) year after correction is made;

832           (c) Suspension or revocation of a certificate or  
833 license by another state shall result in immediate suspension or  
834 revocation and shall continue until records in the prior state  
835 have been cleared;

836           (d) The license holder has been convicted, has pled  
837 guilty or entered a plea of nolo contendere to a felony, as  
838 defined by federal or state law. For purposes of this paragraph,  
839 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
840 contendere, or entry of an order granting pretrial or judicial  
841 diversion;

842           (e) The license holder knowingly and willfully  
843 committing any of the acts affecting validity of mandatory uniform  
844 test results as provided in Section 37-16-4(1);



845           (f) The license holder has engaged in unethical conduct  
846 relating to an educator/student relationship as identified by the  
847 State Board of Education in its rules;

848           (g) The license holder served as superintendent or  
849 principal in a school district during the time preceding and/or  
850 that resulted in the Governor declaring a state of emergency and  
851 the State Board of Education appointing a conservator;

852           (h) The license holder submitted a false certification  
853 to the State Department of Education that a statewide test was  
854 administered in strict accordance with the Requirements of the  
855 Mississippi Statewide Assessment System; or

856           (i) The license holder has failed to comply with the  
857 Procedures for Reporting Infractions as promulgated by the  
858 commission and approved by the State Board of Education pursuant  
859 to subsection (15) of this section.

860           For purposes of this subsection, probation shall be defined  
861 as a length of time determined by the commission, its subcommittee  
862 or hearing officer, and based on the severity of the offense in  
863 which the license holder shall meet certain requirements as  
864 prescribed by the commission, its subcommittee or hearing officer.  
865 Failure to complete the requirements in the time specified shall  
866 result in immediate suspension of the license for one (1) year.

867           (13) (a) Dismissal or suspension of a licensed employee by  
868 a local school board pursuant to Section 37-9-59 may result in the  
869 suspension or revocation of a license for a length of time which



870 shall be determined by the commission and based upon the severity  
871 of the offense.

872 (b) Any offense committed or attempted in any other  
873 state shall result in the same penalty as if committed or  
874 attempted in this state.

875 (c) A person may voluntarily surrender a license. The  
876 surrender of such license may result in the commission  
877 recommending any of the above penalties without the necessity of a  
878 hearing. However, any such license which has voluntarily been  
879 surrendered by a licensed employee may only be reinstated by a  
880 majority vote of all members of the commission present at the  
881 meeting called for such purpose.

882 (14) (a) A person whose license has been suspended or  
883 surrendered on any grounds except criminal grounds may petition  
884 for reinstatement of the license after one (1) year from the date  
885 of suspension or surrender, or after one-half (1/2) of the  
886 suspended or surrendered time has lapsed, whichever is greater. A  
887 person whose license has been suspended or revoked on any grounds  
888 or violations under subsection (12) of this section may be  
889 reinstated automatically or approved for a reinstatement hearing,  
890 upon submission of a written request to the commission. A license  
891 suspended, revoked or surrendered on criminal grounds may be  
892 reinstated upon petition to the commission filed after expiration  
893 of the sentence and parole or probationary period imposed upon  
894 conviction. A revoked, suspended or surrendered license may be



895 reinstated upon satisfactory showing of evidence of  
896 rehabilitation. The commission shall require all who petition for  
897 reinstatement to furnish evidence satisfactory to the commission  
898 of good character, good mental, emotional and physical health and  
899 such other evidence as the commission may deem necessary to  
900 establish the petitioner's rehabilitation and fitness to perform  
901 the duties authorized by the license.

902 (b) A person whose license expires while under  
903 investigation by the Office of Educator Misconduct for an alleged  
904 violation may not be reinstated without a hearing before the  
905 commission if required based on the results of the investigation.

906 (15) Reporting procedures and hearing procedures for dealing  
907 with infractions under this section shall be promulgated by the  
908 commission, subject to the approval of the State Board of  
909 Education. The revocation or suspension of a license shall be  
910 effected at the time indicated on the notice of suspension or  
911 revocation. The commission shall immediately notify the  
912 superintendent of the school district or school board where the  
913 teacher or administrator is employed of any disciplinary action  
914 and also notify the teacher or administrator of such revocation or  
915 suspension and shall maintain records of action taken. The State  
916 Board of Education may reverse or remand with instructions any  
917 decision of the commission, its subcommittee or hearing officer  
918 regarding a petition for reinstatement of a license, and any such  
919 decision of the State Board of Education shall be final.



920           (16) An appeal from the action of the State Board of  
921 Education in denying an application, revoking or suspending a  
922 license or otherwise disciplining any person under the provisions  
923 of this section shall be filed in the Chancery Court of the First  
924 Judicial District of Hinds County, Mississippi, on the record  
925 made, including a verbatim transcript of the testimony at the  
926 hearing. The appeal shall be filed within thirty (30) days after  
927 notification of the action of the board is mailed or served and  
928 the proceedings in chancery court shall be conducted as other  
929 matters coming before the court. The appeal shall be perfected  
930 upon filing notice of the appeal and by the prepayment of all  
931 costs, including the cost of preparation of the record of the  
932 proceedings by the State Board of Education, and the filing of a  
933 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
934 if the action of the board be affirmed by the chancery court, the  
935 applicant or license holder shall pay the costs of the appeal and  
936 the action of the chancery court.

937           (17) All such programs, rules, regulations, standards and  
938 criteria recommended or authorized by the commission shall become  
939 effective upon approval by the State Board of Education as  
940 designated by appropriate orders entered upon the minutes thereof.

941           (18) The granting of a license shall not be deemed a  
942 property right nor a guarantee of employment in any public school  
943 district. A license is a privilege indicating minimal eligibility  
944 for teaching in the public school districts of Mississippi. This



945 section shall in no way alter or abridge the authority of local  
946 school districts to require greater qualifications or standards of  
947 performance as a prerequisite of initial or continued employment  
948 in such districts.

949 (19) In addition to the reasons specified in subsections  
950 (12) and (13) of this section, the board shall be authorized to  
951 suspend the license of any licensee for being out of compliance  
952 with an order for support, as defined in Section 93-11-153. The  
953 procedure for suspension of a license for being out of compliance  
954 with an order for support, and the procedure for the reissuance or  
955 reinstatement of a license suspended for that purpose, and the  
956 payment of any fees for the reissuance or reinstatement of a  
957 license suspended for that purpose, shall be governed by Section  
958 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
959 board in suspending a license when required by Section 93-11-157  
960 or 93-11-163 are not actions from which an appeal may be taken  
961 under this section. Any appeal of a license suspension that is  
962 required by Section 93-11-157 or 93-11-163 shall be taken in  
963 accordance with the appeal procedure specified in Section  
964 93-11-157 or 93-11-163, as the case may be, rather than the  
965 procedure specified in this section. If there is any conflict  
966 between any provision of Section 93-11-157 or 93-11-163 and any  
967 provision of this chapter, the provisions of Section 93-11-157 or  
968 93-11-163, as the case may be, shall control.



969           **SECTION 5.** Section 37-16-3, Mississippi Code of 1972, is  
970 amended as follows:

971           37-16-3. (1) The State Department of Education is directed  
972 to implement a program of statewide assessment testing which shall  
973 provide for the improvement of the operation and management of the  
974 public schools. The statewide program shall be timed, as far as  
975 possible, so as not to conflict with ongoing district assessment  
976 programs. As part of the program, the department shall:

977           (a) Establish, with the approval of the State Board of  
978 Education, minimum performance standards related to the goals for  
979 education contained in the state's plan including, but not limited  
980 to, basic skills in reading, writing and mathematics. The minimum  
981 performance standards shall be approved by April 1 in each year  
982 they are established.

983           (b) Conduct a uniform statewide testing program in  
984 grades deemed appropriate in the public schools, including charter  
985 schools, which shall provide for the administration of the ACT  
986 WorkKeys Assessment to all public and charter school students in  
987 the career and technical education track. The program may test  
988 skill areas, basic skills and high school course content.

989           (c) Monitor the results of the assessment program and,  
990 at any time the composite student performance of a school or basic  
991 program is found to be below the established minimum standards,  
992 notify the district superintendent or the governing board of the  
993 charter school, as the case may be, the school principal and the



994 school advisory committee or other existing parent group of the  
995 situation within thirty (30) days of its determination. The  
996 department shall further provide technical assistance to a school  
997 district in the identification of the causes of this deficiency  
998 and shall recommend courses of action for its correction.

999 (d) Provide technical assistance to the school  
1000 districts, when requested, in the development of student  
1001 performance standards in addition to the established minimum  
1002 statewide standards.

1003 (e) Issue security procedure regulations providing for  
1004 the security and integrity of the tests that are administered  
1005 under the basic skills assessment program.

1006 (f) In case of an allegation of a testing irregularity  
1007 that prompts a need for an investigation by the Department of  
1008 Education, the department may, in its discretion, take complete  
1009 control of the statewide test administration in a school district  
1010 or any part thereof, including, but not limited to, obtaining  
1011 control of the test booklets and answer documents. In the case of  
1012 any verified testing irregularity that jeopardized the security  
1013 and integrity of the test(s), validity or the accuracy of the test  
1014 results, the cost of the investigation and any other actual and  
1015 necessary costs related to the investigation paid by the  
1016 Department of Education shall be reimbursed by the local school  
1017 district from funds other than federal funds, Mississippi Adequate  
1018 Education Program funds, or any other state funds within six (6)





1019 months from the date of notice by the department to the school  
1020 district to make reimbursement to the department.

1021 (2) Uniform basic skills tests shall be completed by each  
1022 student in the appropriate grade. These tests shall be  
1023 administered in such a manner as to preserve the integrity and  
1024 validity of the assessment. In the event of excused or unexcused  
1025 student absences, make-up tests shall be given. The school  
1026 superintendent of every school district in the state and the  
1027 principal of each charter school shall annually certify to the  
1028 State Department of Education that each student enrolled in the  
1029 appropriate grade has completed the required basic skills  
1030 assessment test for his or her grade in a valid test  
1031 administration.

1032 (3) Within five (5) days of completing the administration of  
1033 a statewide test, the principal of the school where the test was  
1034 administered shall certify under oath to the State Department of  
1035 Education that the statewide test was administered in strict  
1036 accordance with the Requirements of the Mississippi Statewide  
1037 Assessment System as adopted by the State Board of Education. The  
1038 principal's sworn certification shall be set forth on a form  
1039 developed and approved by the Department of Education. If,  
1040 following the administration of a statewide test, the principal  
1041 has reason to believe that the test was not administered in strict  
1042 accordance with the Requirements of the Mississippi Statewide  
1043 Assessment System as adopted by the State Board of Education, the



1044 principal shall submit a sworn certification to the Department of  
1045 Education setting forth all information known or believed by the  
1046 principal about all potential violations of the Requirements of  
1047 the Mississippi Statewide Assessment System as adopted by the  
1048 State Board of Education. The submission of false information or  
1049 false certification to the Department of Education by any licensed  
1050 educator may result in licensure disciplinary action pursuant to  
1051 Section 37-3-2 and criminal prosecution pursuant to Section  
1052 37-16-4.

1053       **SECTION 6.** Section 37-17-6, Mississippi Code of 1972, is  
1054 amended as follows:

1055       37-17-6. (1) The State Board of Education, acting through  
1056 the Commission on School Accreditation, shall establish and  
1057 implement a permanent performance-based accreditation system, and  
1058 all noncharter public elementary and secondary schools shall be  
1059 accredited under this system.

1060       (2) No later than June 30, 1995, the State Board of  
1061 Education, acting through the Commission on School Accreditation,  
1062 shall require school districts to provide school classroom space  
1063 that is air-conditioned as a minimum requirement for  
1064 accreditation.

1065       (3) (a) Beginning with the 1994-1995 school year, the State  
1066 Board of Education, acting through the Commission on School  
1067 Accreditation, shall require that school districts employ  
1068 certified school librarians according to the following formula:



1069	Number of Students	Number of Certified
1070	Per School Library	School Librarians
1071	0 - 499 Students	1/2 Full-time Equivalent
1072		Certified Librarian
1073	500 or More Students	1 Full-time Certified
1074		Librarian

1075 (b) The State Board of Education, however, may increase  
1076 the number of positions beyond the above requirements.

1077 (c) The assignment of certified school librarians to  
1078 the particular schools shall be at the discretion of the local  
1079 school district. No individual shall be employed as a certified  
1080 school librarian without appropriate training and certification as  
1081 a school librarian by the State Department of Education.

1082 (d) School librarians in the district shall spend at  
1083 least fifty percent (50%) of direct work time in a school library  
1084 and shall devote no more than one-fourth (1/4) of the workday to  
1085 administrative activities that are library related.

1086 (e) Nothing in this subsection shall prohibit any  
1087 school district from employing more certified school librarians  
1088 than are provided for in this section.

1089 (f) Any additional millage levied to fund school  
1090 librarians required for accreditation under this subsection shall  
1091 be included in the tax increase limitation set forth in Sections  
1092 37-57-105 and 37-57-107 and shall not be deemed a new program for  
1093 purposes of the limitation.



1094 (4) On or before December 31, 2002, the State Board of  
1095 Education shall implement the performance-based accreditation  
1096 system for school districts and for individual noncharter public  
1097 schools which shall include the following:

1098 (a) High expectations for students and high standards  
1099 for all schools, with a focus on the basic curriculum;

1100 (b) Strong accountability for results with appropriate  
1101 local flexibility for local implementation;

1102 (c) A process to implement accountability at both the  
1103 school district level and the school level;

1104 (d) Individual schools shall be held accountable for  
1105 student growth and performance;

1106 (e) Set annual performance standards for each of the  
1107 schools of the state and measure the performance of each school  
1108 against itself through the standard that has been set for it;

1109 (f) A determination of which schools exceed their  
1110 standards and a plan for providing recognition and rewards to  
1111 those schools;

1112 (g) A determination of which schools are failing to  
1113 meet their standards and a determination of the appropriate role  
1114 of the State Board of Education and the State Department of  
1115 Education in providing assistance and initiating possible  
1116 intervention. A failing district is a district that fails to meet  
1117 both the absolute student achievement standards and the rate of  
1118 annual growth expectation standards as set by the State Board of



1119 Education for two (2) consecutive years. The State Board of  
1120 Education shall establish the level of benchmarks by which  
1121 absolute student achievement and growth expectations shall be  
1122 assessed. In setting the benchmarks for school districts, the  
1123 State Board of Education may also take into account such factors  
1124 as graduation rates, dropout rates, completion rates, the extent  
1125 to which the school or district employs qualified teachers in  
1126 every classroom, and any other factors deemed appropriate by the  
1127 State Board of Education. The State Board of Education, acting  
1128 through the State Department of Education, shall apply a simple  
1129 "A," "B," "C," "D" and "F" designation to the current school and  
1130 school district statewide accountability performance  
1131 classification labels beginning with the State Accountability  
1132 Results for the 2011-2012 school year and following, and in the  
1133 school, district and state report cards required under state and  
1134 federal law. Under the new designations, a school or school  
1135 district that has earned a "Star" rating shall be designated an  
1136 "A" school or school district; a school or school district that  
1137 has earned a "High-Performing" rating shall be designated a "B"  
1138 school or school district; a school or school district that has  
1139 earned a "Successful" rating shall be designated a "C" school or  
1140 school district; a school or school district that has earned an  
1141 "Academic Watch" rating shall be designated a "D" school or school  
1142 district; a school or school district that has earned a  
1143 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall



1144 be designated an "F" school or school district. Effective with  
1145 the implementation of any new curriculum and assessment standards,  
1146 the State Board of Education, acting through the State Department  
1147 of Education, is further authorized and directed to change the  
1148 school and school district accreditation rating system to a simple  
1149 "A," "B," "C," "D," and "F" designation based on a combination of  
1150 student achievement scores and student growth as measured by the  
1151 statewide testing programs developed by the State Board of  
1152 Education pursuant to Chapter 16, Title 37, Mississippi Code of  
1153 1972. In any statute or regulation containing the former  
1154 accreditation designations, the new designations shall be  
1155 applicable;

1156 (h) Development of a comprehensive student assessment  
1157 system to implement these requirements; and

1158 (i) The State Board of Education may, based on a  
1159 written request that contains specific reasons for requesting a  
1160 waiver from the school districts affected by Hurricane Katrina of  
1161 2005, hold harmless school districts from assignment of district  
1162 and school level accountability ratings for the 2005-2006 school  
1163 year. The State Board of Education upon finding an extreme  
1164 hardship in the school district may grant the request. It is the  
1165 intent of the Legislature that all school districts maintain the  
1166 highest possible academic standards and instructional programs in  
1167 all schools as required by law and the State Board of Education.



1168 (5) (a) Effective with the 2013-2014 school year, the State  
1169 Department of Education, acting through the Mississippi Commission  
1170 on School Accreditation, shall revise and implement a single "A"  
1171 through "F" school and school district accountability system  
1172 complying with applicable federal and state requirements in order  
1173 to reach the following educational goals:

1174 (i) To mobilize resources and supplies to ensure  
1175 that all students exit third grade reading on grade level by 2015;

1176 (ii) To reduce the student dropout rate to  
1177 thirteen percent (13%) by 2015; and

1178 (iii) To have sixty percent (60%) of students  
1179 scoring proficient and advanced on the assessments of the Common  
1180 Core State Standards by 2016 with incremental increases of three  
1181 percent (3%) each year thereafter.

1182 (b) The State Department of Education shall combine the  
1183 state school and school district accountability system with the  
1184 federal system in order to have a single system.

1185 (c) The State Department of Education shall establish  
1186 five (5) performance categories ("A," "B," "C," "D" and "F") for  
1187 the accountability system based on the following criteria:

1188 (i) Student Achievement: the percent of students  
1189 proficient and advanced on the current state assessments;

1190 (ii) Individual student growth: the percent of  
1191 students making one (1) year's progress in one (1) year's time on  
1192 the state assessment, with an emphasis on the progress of the



1193 lowest twenty-five percent (25%) of students in the school or  
1194 district;

1195 (iii) Four-year graduation rate: the percent of  
1196 students graduating with a standard high school diploma in four  
1197 (4) years, as defined by federal regulations;

1198 (iv) Categories shall identify schools as Reward  
1199 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If  
1200 at least five percent (5%) of schools in the state are not graded  
1201 as "F" schools, the lowest five percent (5%) of school grade point  
1202 designees will be identified as Priority schools. If at least ten  
1203 percent (10%) of schools in the state are not graded as "D"  
1204 schools, the lowest ten percent (10%) of school grade point  
1205 designees will be identified as Focus schools;

1206 (v) The State Department of Education shall  
1207 discontinue the use of Star School, High-Performing, Successful,  
1208 Academic Watch, Low-Performing, At-Risk of Failing and Failing  
1209 school accountability designations;

1210 (vi) The system shall include the federally  
1211 compliant four-year graduation rate in school and school district  
1212 accountability system calculations. Graduation rate will apply to  
1213 high school and school district accountability ratings as a  
1214 compensatory component. The system shall discontinue the use of  
1215 the High School Completer Index (HSCI);

1216 (vii) The school and school district  
1217 accountability system shall incorporate a standards-based growth





1218 model, in order to support improvement of individual student  
1219 learning;

1220 (viii) The State Department of Education shall  
1221 discontinue the use of the Quality Distribution Index (QDI);

1222 (ix) The State Department of Education shall  
1223 determine feeder patterns of schools that do not earn a school  
1224 grade because the grades and subjects taught at the school do not  
1225 have statewide standardized assessments needed to calculate a  
1226 school grade. Upon determination of the feeder pattern, the  
1227 department shall notify schools and school districts prior to the  
1228 release of the school grades beginning in 2013. Feeder schools  
1229 will be assigned the accountability designation of the school to  
1230 which they provide students;

1231 (x) Standards for student, school and school  
1232 district performance will be increased when student proficiency is  
1233 at a seventy-five percent (75%) and/or when sixty-five percent  
1234 (65%) of the schools and/or school districts are earning a grade  
1235 of "B" or higher, in order to raise the standard on performance  
1236 after targets are met \* \* \*; and

1237 (xi) The system shall include student performance  
1238 on the administration of the ACT WorkKeys Assessment, which shall  
1239 be weighted in the same percentage as the standard ACT Assessment  
1240 as administered to students in Grade 11, for inclusion in the  
1241 college and career readiness portion of the accountability rating  
1242 system. To ensure equitable distribution of points under the



1243 accountability rating, in comparison to the ACT Assessment, a  
1244 Silver Status on the ACT WorkKeys Assessment shall be equivalent  
1245 to an ACT composite score of 22 to 25.

1246 (6) Nothing in this section shall be deemed to require a  
1247 nonpublic school that receives no local, state or federal funds  
1248 for support to become accredited by the State Board of Education.

1249 (7) The State Board of Education shall create an  
1250 accreditation audit unit under the Commission on School  
1251 Accreditation to determine whether schools are complying with  
1252 accreditation standards.

1253 (8) The State Board of Education shall be specifically  
1254 authorized and empowered to withhold adequate education program  
1255 fund allocations, whichever is applicable, to any public school  
1256 district for failure to timely report student, school personnel  
1257 and fiscal data necessary to meet state and/or federal  
1258 requirements.

1259 (9) [Deleted]

1260 (10) The State Board of Education shall establish, for those  
1261 school districts failing to meet accreditation standards, a  
1262 program of development to be complied with in order to receive  
1263 state funds, except as otherwise provided in subsection (15) of  
1264 this section when the Governor has declared a state of emergency  
1265 in a school district or as otherwise provided in Section 206,  
1266 Mississippi Constitution of 1890. The state board, in  
1267 establishing these standards, shall provide for notice to schools



1268 and sufficient time and aid to enable schools to attempt to meet  
1269 these standards, unless procedures under subsection (15) of this  
1270 section have been invoked.

1271 (11) Beginning July 1, 1998, the State Board of Education  
1272 shall be charged with the implementation of the program of  
1273 development in each applicable school district as follows:

1274 (a) Develop an impairment report for each district  
1275 failing to meet accreditation standards in conjunction with school  
1276 district officials;

1277 (b) Notify any applicable school district failing to  
1278 meet accreditation standards that it is on probation until  
1279 corrective actions are taken or until the deficiencies have been  
1280 removed. The local school district shall develop a corrective  
1281 action plan to improve its deficiencies. For district academic  
1282 deficiencies, the corrective action plan for each such school  
1283 district shall be based upon a complete analysis of the following:  
1284 student test data, student grades, student attendance reports,  
1285 student dropout data, existence and other relevant data. The  
1286 corrective action plan shall describe the specific measures to be  
1287 taken by the particular school district and school to improve:  
1288 (i) instruction; (ii) curriculum; (iii) professional development;  
1289 (iv) personnel and classroom organization; (v) student incentives  
1290 for performance; (vi) process deficiencies; and (vii) reporting to  
1291 the local school board, parents and the community. The corrective  
1292 action plan shall describe the specific individuals responsible



1293 for implementing each component of the recommendation and how each  
1294 will be evaluated. All corrective action plans shall be provided  
1295 to the State Board of Education as may be required. The decision  
1296 of the State Board of Education establishing the probationary  
1297 period of time shall be final;

1298 (c) Offer, during the probationary period, technical  
1299 assistance to the school district in making corrective actions.  
1300 Beginning July 1, 1998, subject to the availability of funds, the  
1301 State Department of Education shall provide technical and/or  
1302 financial assistance to all such school districts in order to  
1303 implement each measure identified in that district's corrective  
1304 action plan through professional development and on-site  
1305 assistance. Each such school district shall apply for and utilize  
1306 all available federal funding in order to support its corrective  
1307 action plan in addition to state funds made available under this  
1308 paragraph;

1309 (d) Assign department personnel or contract, in its  
1310 discretion, with the institutions of higher learning or other  
1311 appropriate private entities with experience in the academic,  
1312 finance and other operational functions of schools to assist  
1313 school districts;

1314 (e) Provide for publication of public notice at least  
1315 one time during the probationary period, in a newspaper published  
1316 within the jurisdiction of the school district failing to meet  
1317 accreditation standards, or if no newspaper is published therein,



1318 then in a newspaper having a general circulation therein. The  
1319 publication shall include the following: declaration of school  
1320 system's status as being on probation; all details relating to the  
1321 impairment report; and other information as the State Board of  
1322 Education deems appropriate. Public notices issued under this  
1323 section shall be subject to Section 13-3-31 and not contrary to  
1324 other laws regarding newspaper publication.

1325 (12) (a) If the recommendations for corrective action are  
1326 not taken by the local school district or if the deficiencies are  
1327 not removed by the end of the probationary period, the Commission  
1328 on School Accreditation shall conduct a hearing to allow the  
1329 affected school district to present evidence or other reasons why  
1330 its accreditation should not be withdrawn. Additionally, if the  
1331 local school district violates accreditation standards that have  
1332 been determined by the policies and procedures of the State Board  
1333 of Education to be a basis for withdrawal of school district's  
1334 accreditation without a probationary period, the Commission on  
1335 School Accreditation shall conduct a hearing to allow the affected  
1336 school district to present evidence or other reasons why its  
1337 accreditation should not be withdrawn. After its consideration of  
1338 the results of the hearing, the Commission on School Accreditation  
1339 shall be authorized, with the approval of the State Board of  
1340 Education, to withdraw the accreditation of a public school  
1341 district, and issue a request to the Governor that a state of  
1342 emergency be declared in that district.



1343           (b) If the State Board of Education and the Commission  
1344 on School Accreditation determine that an extreme emergency  
1345 situation exists in a school district that jeopardizes the safety,  
1346 security or educational interests of the children enrolled in the  
1347 schools in that district and that emergency situation is believed  
1348 to be related to a serious violation or violations of  
1349 accreditation standards or state or federal law, or when a school  
1350 district meets the State Board of Education's definition of a  
1351 failing school district for two (2) consecutive full school years,  
1352 or if more than fifty percent (50%) of the schools within the  
1353 school district are designated as Schools At-Risk in any one (1)  
1354 year, the State Board of Education may request the Governor to  
1355 declare a state of emergency in that school district. For  
1356 purposes of this paragraph, the declarations of a state of  
1357 emergency shall not be limited to those instances when a school  
1358 district's impairments are related to a lack of financial  
1359 resources, but also shall include serious failure to meet minimum  
1360 academic standards, as evidenced by a continued pattern of poor  
1361 student performance.

1362           (c) Whenever the Governor declares a state of emergency  
1363 in a school district in response to a request made under paragraph  
1364 (a) or (b) of this subsection, the State Board of Education may  
1365 take one or more of the following actions:

1366                   (i) Declare a state of emergency, under which some  
1367 or all of state funds can be escrowed except as otherwise provided



1368 in Section 206, Constitution of 1890, until the board determines  
1369 corrective actions are being taken or the deficiencies have been  
1370 removed, or that the needs of students warrant the release of  
1371 funds. The funds may be released from escrow for any program  
1372 which the board determines to have been restored to standard even  
1373 though the state of emergency may not as yet be terminated for the  
1374 district as a whole;

1375 (ii) Override any decision of the local school  
1376 board or superintendent of education, or both, concerning the  
1377 management and operation of the school district, or initiate and  
1378 make decisions concerning the management and operation of the  
1379 school district;

1380 (iii) Assign an interim superintendent, or in its  
1381 discretion, contract with a private entity with experience in the  
1382 academic, finance and other operational functions of schools and  
1383 school districts, who will have those powers and duties prescribed  
1384 in subsection (15) of this section;

1385 (iv) Grant transfers to students who attend this  
1386 school district so that they may attend other accredited schools  
1387 or districts in a manner that is not in violation of state or  
1388 federal law;

1389 (v) For states of emergency declared under  
1390 paragraph (a) only, if the accreditation deficiencies are related  
1391 to the fact that the school district is too small, with too few  
1392 resources, to meet the required standards and if another school



1393 district is willing to accept those students, abolish that  
1394 district and assign that territory to another school district or  
1395 districts. If the school district has proposed a voluntary  
1396 consolidation with another school district or districts, then if  
1397 the State Board of Education finds that it is in the best interest  
1398 of the pupils of the district for the consolidation to proceed,  
1399 the voluntary consolidation shall have priority over any such  
1400 assignment of territory by the State Board of Education;

1401 (vi) For states of emergency declared under  
1402 paragraph (b) only, reduce local supplements paid to school  
1403 district employees, including, but not limited to, instructional  
1404 personnel, assistant teachers and extracurricular activities  
1405 personnel, if the district's impairment is related to a lack of  
1406 financial resources, but only to an extent that will result in the  
1407 salaries being comparable to districts similarly situated, as  
1408 determined by the State Board of Education;

1409 (vii) For states of emergency declared under  
1410 paragraph (b) only, the State Board of Education may take any  
1411 action as prescribed in Section 37-17-13.

1412 (d) At the time that satisfactory corrective action has  
1413 been taken in a school district in which a state of emergency has  
1414 been declared, the State Board of Education may request the  
1415 Governor to declare that the state of emergency no longer exists  
1416 in the district.





1417           (e) The parent or legal guardian of a school-age child  
1418 who is enrolled in a school district whose accreditation has been  
1419 withdrawn by the Commission on School Accreditation and without  
1420 approval of that school district may file a petition in writing to  
1421 a school district accredited by the Commission on School  
1422 Accreditation for a legal transfer. The school district  
1423 accredited by the Commission on School Accreditation may grant the  
1424 transfer according to the procedures of Section 37-15-31(1)(b).  
1425 In the event the accreditation of the student's home district is  
1426 restored after a transfer has been approved, the student may  
1427 continue to attend the transferee school district. The per-pupil  
1428 amount of the adequate education program allotment, including the  
1429 collective "add-on program" costs for the student's home school  
1430 district shall be transferred monthly to the school district  
1431 accredited by the Commission on School Accreditation that has  
1432 granted the transfer of the school-age child.

1433           (f) Upon the declaration of a state of emergency for  
1434 any school district in which the Governor has previously declared  
1435 a state of emergency, the State Board of Education may either:

1436           (i) Place the school district into district  
1437 transformation, in which the school district shall remain until it  
1438 has fulfilled all conditions related to district transformation.  
1439 If the district was assigned an accreditation rating of "D" or "F"  
1440 when placed into district transformation, the district shall be  
1441 eligible to return to local control when the school district has



1442 attained a "C" rating or higher for five (5) consecutive years,  
1443 unless the State Board of Education determines that the district  
1444 is eligible to return to local control in less than the five-year  
1445 period;

1446 (ii) Abolish the school district and  
1447 administratively consolidate the school district with one or more  
1448 existing school districts;

1449 (iii) Reduce the size of the district and  
1450 administratively consolidate parts of the district, as determined  
1451 by the State Board of Education. However, no school district  
1452 which is not in district transformation shall be required to  
1453 accept additional territory over the objection of the district; or

1454 (iv) Require the school district to develop and  
1455 implement a district improvement plan with prescriptive guidance  
1456 and support from the State Department of Education, with the goal  
1457 of helping the district improve student achievement. Failure of  
1458 the school board, superintendent and school district staff to  
1459 implement the plan with fidelity and participate in the activities  
1460 provided as support by the department shall result in the school  
1461 district retaining its eligibility for district transformation.

1462 (g) There is established a Mississippi Recovery School  
1463 District within the State Department of Education under the  
1464 supervision of a deputy superintendent appointed by the State  
1465 Superintendent of Public Education, who is subject to the approval  
1466 by the State Board of Education. The Mississippi Recovery School



1467 District shall provide leadership and oversight of all school  
1468 districts that are subject to district transformation status, as  
1469 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,  
1470 and shall have all the authority granted under these two (2)  
1471 chapters. The Mississippi Department of Education, with the  
1472 approval of the State Board of Education, shall develop policies  
1473 for the operation and management of the Mississippi Recovery  
1474 School District. The deputy state superintendent is responsible  
1475 for the Mississippi Recovery School District and shall be  
1476 authorized to oversee the administration of the Mississippi  
1477 Recovery School District, oversee the interim superintendent  
1478 assigned by the State Board of Education to a local school  
1479 district, hear appeals that would normally be filed by students,  
1480 parents or employees and heard by a local school board, which  
1481 hearings on appeal shall be conducted in a prompt and timely  
1482 manner in the school district from which the appeal originated in  
1483 order to ensure the ability of appellants, other parties and  
1484 witnesses to appeal without undue burden of travel costs or loss  
1485 of time from work, and perform other related duties as assigned by  
1486 the State Superintendent of Public Education. The deputy state  
1487 superintendent is responsible for the Mississippi Recovery School  
1488 District and shall determine, based on rigorous professional  
1489 qualifications set by the State Board of Education, the  
1490 appropriate individuals to be engaged to be interim  
1491 superintendents and financial advisors, if applicable, of all



1492 school districts subject to district transformation status. After  
1493 State Board of Education approval, these individuals shall be  
1494 deemed independent contractors.

1495 (13) Upon the declaration of a state of emergency in a  
1496 school district under subsection (12) of this section, the  
1497 Commission on School Accreditation shall be responsible for public  
1498 notice at least once a week for at least three (3) consecutive  
1499 weeks in a newspaper published within the jurisdiction of the  
1500 school district failing to meet accreditation standards, or if no  
1501 newspaper is published therein, then in a newspaper having a  
1502 general circulation therein. The size of the notice shall be no  
1503 smaller than one-fourth (1/4) of a standard newspaper page and  
1504 shall be printed in bold print. If an interim superintendent has  
1505 been appointed for the school district, the notice shall begin as  
1506 follows: "By authority of Section 37-17-6, Mississippi Code of  
1507 1972, as amended, adopted by the Mississippi Legislature during  
1508 the 1991 Regular Session, this school district (name of school  
1509 district) is hereby placed under the jurisdiction of the State  
1510 Department of Education acting through its appointed interim  
1511 superintendent (name of interim superintendent)."

1512 The notice also shall include, in the discretion of the State  
1513 Board of Education, any or all details relating to the school  
1514 district's emergency status, including the declaration of a state  
1515 of emergency in the school district and a description of the  
1516 district's impairment deficiencies, conditions of any district



1517 transformation status and corrective actions recommended and being  
1518 taken. Public notices issued under this section shall be subject  
1519 to Section 13-3-31 and not contrary to other laws regarding  
1520 newspaper publication.

1521       Upon termination of the state of emergency in a school  
1522 district, the Commission on School Accreditation shall cause  
1523 notice to be published in the school district in the same manner  
1524 provided in this section, to include any or all details relating  
1525 to the corrective action taken in the school district that  
1526 resulted in the termination of the state of emergency.

1527       (14) The State Board of Education or the Commission on  
1528 School Accreditation shall have the authority to require school  
1529 districts to produce the necessary reports, correspondence,  
1530 financial statements, and any other documents and information  
1531 necessary to fulfill the requirements of this section.

1532       Nothing in this section shall be construed to grant any  
1533 individual, corporation, board or interim superintendent the  
1534 authority to levy taxes except in accordance with presently  
1535 existing statutory provisions.

1536       (15) (a) Whenever the Governor declares a state of  
1537 emergency in a school district in response to a request made under  
1538 subsection (12) of this section, the State Board of Education, in  
1539 its discretion, may assign an interim superintendent to the school  
1540 district, or in its discretion, may contract with an appropriate  
1541 private entity with experience in the academic, finance and other



1542 operational functions of schools and school districts, who will be  
1543 responsible for the administration, management and operation of  
1544 the school district, including, but not limited to, the following  
1545 activities:

1546                   (i) Approving or disapproving all financial  
1547 obligations of the district, including, but not limited to, the  
1548 employment, termination, nonrenewal and reassignment of all  
1549 licensed and nonlicensed personnel, contractual agreements and  
1550 purchase orders, and approving or disapproving all claim dockets  
1551 and the issuance of checks; in approving or disapproving  
1552 employment contracts of superintendents, assistant superintendents  
1553 or principals, the interim superintendent shall not be required to  
1554 comply with the time limitations prescribed in Sections 37-9-15  
1555 and 37-9-105;

1556                   (ii) Supervising the day-to-day activities of the  
1557 district's staff, including reassigning the duties and  
1558 responsibilities of personnel in a manner which, in the  
1559 determination of the interim superintendent, will best suit the  
1560 needs of the district;

1561                   (iii) Reviewing the district's total financial  
1562 obligations and operations and making recommendations to the  
1563 district for cost savings, including, but not limited to,  
1564 reassigning the duties and responsibilities of staff;

1565                   (iv) Attending all meetings of the district's  
1566 school board and administrative staff;



1567 (v) Approving or disapproving all athletic, band  
1568 and other extracurricular activities and any matters related to  
1569 those activities;

1570 (vi) Maintaining a detailed account of  
1571 recommendations made to the district and actions taken in response  
1572 to those recommendations;

1573 (vii) Reporting periodically to the State Board of  
1574 Education on the progress or lack of progress being made in the  
1575 district to improve the district's impairments during the state of  
1576 emergency; and

1577 (viii) Appointing a parent advisory committee,  
1578 comprised of parents of students in the school district that may  
1579 make recommendations to the interim superintendent concerning the  
1580 administration, management and operation of the school district.

1581 The cost of the salary of the interim superintendent and any  
1582 other actual and necessary costs related to district  
1583 transformation status paid by the State Department of Education  
1584 shall be reimbursed by the local school district from funds other  
1585 than adequate education program funds. The department shall  
1586 submit an itemized statement to the superintendent of the local  
1587 school district for reimbursement purposes, and any unpaid balance  
1588 may be withheld from the district's adequate education program  
1589 funds.

1590 At the time that the Governor, in accordance with the request  
1591 of the State Board of Education, declares that the state of



1592 emergency no longer exists in a school district, the powers and  
1593 responsibilities of the interim superintendent assigned to the  
1594 district shall cease.

1595           (b) In order to provide loans to school districts under  
1596 a state of emergency or in district transformation status that  
1597 have impairments related to a lack of financial resources, the  
1598 School District Emergency Assistance Fund is created as a special  
1599 fund in the State Treasury into which monies may be transferred or  
1600 appropriated by the Legislature from any available public  
1601 education funds. Funds in the School District Emergency  
1602 Assistance Fund up to a maximum balance of Three Million Dollars  
1603 (\$3,000,000.00) annually shall not lapse but shall be available  
1604 for expenditure in subsequent years subject to approval of the  
1605 State Board of Education. Any amount in the fund in excess of  
1606 Three Million Dollars (\$3,000,000.00) at the end of the fiscal  
1607 year shall lapse into the State General Fund or the Education  
1608 Enhancement Fund, depending on the source of the fund.

1609           The State Board of Education may loan monies from the School  
1610 District Emergency Assistance Fund to a school district that is  
1611 under a state of emergency or in district transformation status,  
1612 in those amounts, as determined by the board, that are necessary  
1613 to correct the district's impairments related to a lack of  
1614 financial resources. The loans shall be evidenced by an agreement  
1615 between the school district and the State Board of Education and  
1616 shall be repayable in principal, without necessity of interest, to





1617 the School District Emergency Assistance Fund by the school  
1618 district from any allowable funds that are available. The total  
1619 amount loaned to the district shall be due and payable within five  
1620 (5) years after the impairments related to a lack of financial  
1621 resources are corrected. If a school district fails to make  
1622 payments on the loan in accordance with the terms of the agreement  
1623 between the district and the State Board of Education, the State  
1624 Department of Education, in accordance with rules and regulations  
1625 established by the State Board of Education, may withhold that  
1626 district's adequate education program funds in an amount and  
1627 manner that will effectuate repayment consistent with the terms of  
1628 the agreement; the funds withheld by the department shall be  
1629 deposited into the School District Emergency Assistance Fund.

1630 The State Board of Education shall develop a protocol that  
1631 will outline the performance standards and requisite timeline  
1632 deemed necessary for extreme emergency measures. If the State  
1633 Board of Education determines that an extreme emergency exists,  
1634 simultaneous with the powers exercised in this subsection, it  
1635 shall take immediate action against all parties responsible for  
1636 the affected school districts having been determined to be in an  
1637 extreme emergency. The action shall include, but not be limited  
1638 to, initiating civil actions to recover funds and criminal actions  
1639 to account for criminal activity. Any funds recovered by the  
1640 State Auditor or the State Board of Education from the surety  
1641 bonds of school officials or from any civil action brought under



1642 this subsection shall be applied toward the repayment of any loan  
1643 made to a school district hereunder.

1644 (16) If a majority of the membership of the school board of  
1645 any school district resigns from office, the State Board of  
1646 Education shall be authorized to assign an interim superintendent,  
1647 who shall be responsible for the administration, management and  
1648 operation of the school district until the time as new board  
1649 members are selected or the Governor declares a state of emergency  
1650 in that school district under subsection (12), whichever occurs  
1651 first. In that case, the State Board of Education, acting through  
1652 the interim superintendent, shall have all powers which were held  
1653 by the previously existing school board, and may take any action  
1654 as prescribed in Section 37-17-13 and/or one or more of the  
1655 actions authorized in this section.

1656 (17) (a) If the Governor declares a state of emergency in a  
1657 school district, the State Board of Education may take all such  
1658 action pertaining to that school district as is authorized under  
1659 subsection (12) or (15) of this section, including the appointment  
1660 of an interim superintendent. The State Board of Education shall  
1661 also have the authority to issue a written request with  
1662 documentation to the Governor asking that the office of the  
1663 superintendent of the school district be subject to recall. If  
1664 the Governor declares that the office of the superintendent of the  
1665 school district is subject to recall, the local school board or



1666 the county election commission, as the case may be, shall take the  
1667 following action:

1668 (i) If the office of superintendent is an elected  
1669 office, in those years in which there is no general election, the  
1670 name shall be submitted by the State Board of Education to the  
1671 county election commission, and the county election commission  
1672 shall submit the question at a special election to the voters  
1673 eligible to vote for the office of superintendent within the  
1674 county, and the special election shall be held within sixty (60)  
1675 days from notification by the State Board of Education. The  
1676 ballot shall read substantially as follows:

1677 "Shall County Superintendent of Education \_\_\_\_\_ (here the  
1678 name of the superintendent shall be inserted) of the \_\_\_\_\_  
1679 (here the title of the school district shall be inserted) be  
1680 retained in office? Yes \_\_\_\_\_ No \_\_\_\_\_"

1681 If a majority of those voting on the question votes against  
1682 retaining the superintendent in office, a vacancy shall exist  
1683 which shall be filled in the manner provided by law; otherwise,  
1684 the superintendent shall remain in office for the term of that  
1685 office, and at the expiration of the term shall be eligible for  
1686 qualification and election to another term or terms.

1687 (ii) If the office of superintendent is an  
1688 appointive office, the name of the superintendent shall be  
1689 submitted by the president of the local school board at the next  
1690 regular meeting of the school board for retention in office or



1691 dismissal from office. If a majority of the school board voting  
1692 on the question vote against retaining the superintendent in  
1693 office, a vacancy shall exist which shall be filled as provided by  
1694 law, otherwise the superintendent shall remain in office for the  
1695 duration of his employment contract.

1696 (b) The State Board of Education may issue a written  
1697 request with documentation to the Governor asking that the  
1698 membership of the school board of the school district shall be  
1699 subject to recall. Whenever the Governor declares that the  
1700 membership of the school board is subject to recall, the county  
1701 election commission or the local governing authorities, as the  
1702 case may be, shall take the following action:

1703 (i) If the members of the local school board are  
1704 elected to office, in those years in which the specific member's  
1705 office is not up for election, the name of the school board member  
1706 shall be submitted by the State Board of Education to the county  
1707 election commission, and the county election commission at a  
1708 special election shall submit the question to the voters eligible  
1709 to vote for the particular member's office within the county or  
1710 school district, as the case may be, and the special election  
1711 shall be held within sixty (60) days from notification by the  
1712 State Board of Education. The ballot shall read substantially as  
1713 follows:

1714 "Members of the \_\_\_\_\_ (here the title of the school  
1715 district shall be inserted) School Board who are not up for



1716 election this year are subject to recall because of the school  
1717 district's failure to meet critical accountability standards as  
1718 defined in the letter of notification to the Governor from the  
1719 State Board of Education. Shall the member of the school board  
1720 representing this area, \_\_\_\_\_ (here the name of the school  
1721 board member holding the office shall be inserted), be retained in  
1722 office? Yes \_\_\_\_\_ No \_\_\_\_\_"

1723 If a majority of those voting on the question vote against  
1724 retaining the member of the school board in office, a vacancy in  
1725 that board member's office shall exist, which shall be filled in  
1726 the manner provided by law; otherwise, the school board member  
1727 shall remain in office for the term of that office, and at the  
1728 expiration of the term of office, the member shall be eligible for  
1729 qualification and election to another term or terms of office.  
1730 However, if a majority of the school board members are recalled in  
1731 the special election, the Governor shall authorize the board of  
1732 supervisors of the county in which the school district is situated  
1733 to appoint members to fill the offices of the members recalled.  
1734 The board of supervisors shall make those appointments in the  
1735 manner provided by law for filling vacancies on the school board,  
1736 and the appointed members shall serve until the office is filled  
1737 at the next regular special election or general election.

1738 (ii) If the local school board is an appointed  
1739 school board, the name of all school board members shall be  
1740 submitted as a collective board by the president of the municipal



1741 or county governing authority, as the case may be, at the next  
1742 regular meeting of the governing authority for retention in office  
1743 or dismissal from office. If a majority of the governing  
1744 authority voting on the question vote against retaining the board  
1745 in office, a vacancy shall exist in each school board member's  
1746 office, which shall be filled as provided by law; otherwise, the  
1747 members of the appointed school board shall remain in office for  
1748 the duration of their term of appointment, and those members may  
1749 be reappointed.

1750 (iii) If the local school board is comprised of  
1751 both elected and appointed members, the elected members shall be  
1752 subject to recall in the manner provided in subparagraph (i) of  
1753 this paragraph (b), and the appointed members shall be subject to  
1754 recall in the manner provided in subparagraph (ii).

1755 (18) Beginning with the school district audits conducted for  
1756 the 1997-1998 fiscal year, the State Board of Education, acting  
1757 through the Commission on School Accreditation, shall require each  
1758 school district to comply with standards established by the State  
1759 Department of Audit for the verification of fixed assets and the  
1760 auditing of fixed assets records as a minimum requirement for  
1761 accreditation.

1762 (19) Before December 1, 1999, the State Board of Education  
1763 shall recommend a program to the Education Committees of the House  
1764 of Representatives and the Senate for identifying and rewarding  
1765 public schools that improve or are high performing. The program



1766 shall be described by the board in a written report, which shall  
1767 include criteria and a process through which improving schools and  
1768 high-performing schools will be identified and rewarded.

1769         The State Superintendent of Public Education and the State  
1770 Board of Education also shall develop a comprehensive  
1771 accountability plan to ensure that local school boards,  
1772 superintendents, principals and teachers are held accountable for  
1773 student achievement. A written report on the accountability plan  
1774 shall be submitted to the Education Committees of both houses of  
1775 the Legislature before December 1, 1999, with any necessary  
1776 legislative recommendations.

1777         (20) Before January 1, 2008, the State Board of Education  
1778 shall evaluate and submit a recommendation to the Education  
1779 Committees of the House of Representatives and the Senate on  
1780 inclusion of graduation rate and dropout rate in the school level  
1781 accountability system.

1782         (21) If a local school district is determined as failing and  
1783 placed into district transformation status for reasons authorized  
1784 by the provisions of this section, the interim superintendent  
1785 appointed to the district shall, within forty-five (45) days after  
1786 being appointed, present a detailed and structured corrective  
1787 action plan to move the local school district out of district  
1788 transformation status to the deputy superintendent. A copy of the  
1789 interim superintendent's corrective action plan shall also be  
1790 filed with the State Board of Education.



1791           **SECTION 7.** The provisions of Sections 7 through 14 of this  
1792 act shall be known and may be cited as the "Mississippi Workforce  
1793 Incentive Act of 2020."

1794           **SECTION 8.** (1) Each public community college district shall  
1795 annually provide the Mississippi Community College Board and the  
1796 Chairs of the House and Senate Appropriation Committees a list of  
1797 career and technical program equipment, lab upgrades and  
1798 renovations that are needed to start or enhance career and  
1799 technical programs at the community college. The list of career  
1800 and technical program equipment, lab upgrades and renovations  
1801 provided must be geared toward training the high-skilled labor  
1802 force required to drive economic innovation in the 21st century.

1803           (2) In addition to the requirements of subsection (1) of  
1804 this section, each community college shall provide the Mississippi  
1805 Community College Board with supporting documentation that details  
1806 the need for the career and technical program equipment, lab  
1807 upgrades and renovations that are needed to start or enhance  
1808 career and technical programs at the community college. Such  
1809 documentation shall also provide details that show that the  
1810 community college and the local business and industries have  
1811 coordinated their request for the career and technical program  
1812 equipment, lab upgrades and renovations that are needed to start  
1813 or enhance career and technical programs at the community college.

1814           (3) Beginning with fiscal year 2021, and subject to  
1815 available funding, the Mississippi Community College Board shall





1816 adopt guidelines and allocate funding to the public community and  
1817 junior colleges for the purpose of supporting career and technical  
1818 infrastructure for the career and technical program equipment, lab  
1819 upgrades and renovations.

1820 (4) Subject to available funding, the Legislature shall  
1821 appropriate the funding required under this section to the  
1822 Mississippi Community College Board for aid and support of the  
1823 public community and junior colleges for the purposes of providing  
1824 start-up costs for new or expanding career and technical programs,  
1825 supporting career and technical infrastructure for program  
1826 equipment, lab upgrades and renovations, and incentives for the  
1827 expansion of career and technical dual enrollment and dual credit.

1828 (5) The provisions of this Section 8 shall stand repealed on  
1829 June 30, 2024.

1830 **SECTION 9.** (1) There is created the Dual Credit Community  
1831 College Scholarship Program, hereinafter referred to in this  
1832 Section 9 as "the program." The program shall consist of the  
1833 Academic Dual Credit Community College Scholarship Program and the  
1834 Career and Technical Community College Scholarship Program.

1835 (2) The program shall be administered by the Mississippi  
1836 Community College Board. The Mississippi Community College Board  
1837 shall develop rules and regulations to implement a scholarship  
1838 program for participating public community colleges who provide  
1839 dual credit and dual enrollment opportunities to high school  
1840 students who meet certain qualifications. The Mississippi



1841 Community College Board shall create a platform for interested  
1842 students to apply online for the scholarships. Funding from  
1843 approved scholarships shall be awarded to the credit of the public  
1844 community college providing the dual credit instruction. Public  
1845 community colleges shall be the sole provider of dual credit for  
1846 students participating in the Dual Credit College Scholarship  
1847 Program. Funding for this program shall be administered through a  
1848 special fund at the Mississippi Community College Board and shall  
1849 be subject to appropriation.

1850           (3) (a) The Academic Dual Credit Community College  
1851 Scholarship Program shall be limited to one hundred thirty  
1852 thousand (130,000) semester hours of credit in the academic year  
1853 beginning 2020-2021. Subject to appropriation, for the academic  
1854 year beginning in 2020-2021, each academic dual credit student  
1855 scholarship shall be funded at One Hundred Fifty Dollars (\$150.00)  
1856 per semester hour of credit, and for each academic year  
1857 thereafter, the public community colleges shall adjust the per  
1858 semester credit hour rate based on system-wide actual tuition  
1859 costs.

1860           (b) All eligible public high school students shall be  
1861 approved for participation in the Academic Dual Credit Community  
1862 College Scholarship Program subject to the following criteria:

1863                   (i) All dual credit standards including, but not  
1864 limited to, Academic & Eligibility Requirements, Course  
1865 Requirements, Faculty and Institutional Qualifications and



1866 Southern Association of Colleges and Schools Commission on  
1867 Colleges (SACSCOC) accreditation criteria as provided in the  
1868 *Procedures Manual for the State of Mississippi Dual Enrollment and*  
1869 *Accelerated Programs*, jointly adopted by the Board of Trustees of  
1870 the Institutions of Higher Learning and the Mississippi Community  
1871 College Board, or a subsequent document, must be strictly adhered  
1872 to.

1873 (ii) Students participating in the program must  
1874 reside within the State of Mississippi.

1875 (iii) Students participating in the program are  
1876 responsible for books, supplies and transportation costs.

1877 (4) (a) The Career and Technical Dual Credit Community  
1878 College Scholarship Program shall be limited to twenty thousand  
1879 (20,000) semester hours of credit in the academic year beginning  
1880 2020-2021. Subject to appropriation, each career and technical  
1881 dual credit student scholarship shall be funded at Two Hundred  
1882 Fifty Dollars (\$250.00) per semester hour of credit beginning in  
1883 the 2020-2021 academic year.

1884 (b) All eligible public high school students shall be  
1885 approved for participation in the Career and Technical Dual Credit  
1886 Community College Scholarship Program subject to the following  
1887 criteria:

1888 (i) All dual credit standards including, but not  
1889 limited to, Career and Technical Eligibility Requirements, Course  
1890 Requirements, Faculty and Institutional Qualifications and



1891 Southern Association of Colleges and Schools Commission on  
1892 Colleges (SACSCOC) accreditation criteria as provided in the  
1893 *Procedures Manual for the State of Mississippi Dual Enrollment and*  
1894 *Accelerated Programs*, jointly adopted by the Board of Trustees of  
1895 the Institutions of Higher Learning and the Mississippi Community  
1896 College Board, or a subsequent document, must be strictly adhered  
1897 to.

1898 (ii) Laboratories designed for providing  
1899 instruction in career and technical courses must meet community  
1900 colleges' standards of quality.

1901 (iii) Students participating in the program must  
1902 reside within the State of Mississippi.

1903 (iv) Students participating in the program are  
1904 responsible for books, tools, supplies and transportation costs.

1905 (5) The Mississippi Community College Board shall set  
1906 application deadlines for dual credit students applying for Dual  
1907 Credit Community College Scholarship Program funds. If funds are  
1908 insufficient to fully fund scholarship awards for eligible  
1909 students, scholarship awards shall be prorated among all eligible  
1910 students to the credit of public community colleges.

1911 (6) The Legislature may appropriate funds annually to  
1912 implement, administer and make awards under the programs provided  
1913 for in this section. The Mississippi Community College Board may  
1914 seek, accept and expend funds from any source, including private



1915 business, industry, foundations and other groups as well as any  
1916 federal or other governmental funding available for this purpose.

1917 (7) At the end of the fiscal year, any unexpended balances  
1918 appropriated by the Legislature for the implementation or  
1919 administration of programs provided for in this section shall not  
1920 lapse into the State General Fund, but shall carry over and be  
1921 available for expenditure in the succeeding fiscal year for the  
1922 same purpose.

1923 (8) The Dual Credit Community College Scholarship Program  
1924 shall be suspended if funding is not provided.

1925 **SECTION 10.** Subject to appropriation, the Legislature shall  
1926 appropriate funds to the Mississippi Community College Board for  
1927 each student enrolled in career and technical education in an  
1928 amount not to exceed Five Hundred Dollars (\$500.00) per student.  
1929 Such appropriation shall not exceed Five Million Dollars  
1930 (\$5,000,000.00). The purpose of the funds is to help close the  
1931 gap between funding required for academic students and funding  
1932 required for career and technical education students.

1933 **SECTION 11.** The Legislature may appropriate funding to the  
1934 Mississippi Community College Board for the purpose of defraying  
1935 the costs of community and junior colleges related to program  
1936 start-up costs, new equipment and ensuring that community colleges  
1937 are able to hire or train their career and technical faculty with  
1938 the credentials required to enter into collaborative arrangements  
1939 with Mississippi's public universities that assist in the



1940 production of applied baccalaureate degree programs in the fields  
1941 of applied science and applied technology.

1942         **SECTION 12.** (1) (a) There is created in the State Treasury  
1943 a special fund to be designated as the "Noncredit Workforce Skills  
1944 Training Fund," to be administered by the Executive Director of  
1945 the Mississippi Community College Board. The special fund shall  
1946 consist of monies as may be appropriated by the Legislature and  
1947 any other monies authorized under this section.

1948                 (b) Monies in the Noncredit Workforce Skills Training  
1949 Fund shall be used to increase the efficiency of noncredit  
1950 workforce skills training and provide faster response to workforce  
1951 training needs.

1952                 (2) Beginning in fiscal year 2021 and subject to available  
1953 funding, the Mississippi Community College Board shall disburse  
1954 these one-time funds through a project application system to the  
1955 fifteen (15) public community colleges.

1956                 (3) The provisions of this Section 12 shall stand repealed  
1957 on June 30, 2021.

1958         **SECTION 13.** Section 27-65-75, Mississippi Code of 1972, is  
1959 brought forward as follows:

1960                 27-65-75. On or before the fifteenth day of each month, the  
1961 revenue collected under the provisions of this chapter during the  
1962 preceding month shall be paid and distributed as follows:

1963                 (1) (a) On or before August 15, 1992, and each succeeding  
1964 month thereafter through July 15, 1993, eighteen percent (18%) of



1965 the total sales tax revenue collected during the preceding month  
1966 under the provisions of this chapter, except that collected under  
1967 the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
1968 business activities within a municipal corporation shall be  
1969 allocated for distribution to the municipality and paid to the  
1970 municipal corporation. Except as otherwise provided in this  
1971 paragraph (a), on or before August 15, 1993, and each succeeding  
1972 month thereafter, eighteen and one-half percent (18-1/2%) of the  
1973 total sales tax revenue collected during the preceding month under  
1974 the provisions of this chapter, except that collected under the  
1975 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
1976 27-65-24, on business activities within a municipal corporation  
1977 shall be allocated for distribution to the municipality and paid  
1978 to the municipal corporation. However, in the event the State  
1979 Auditor issues a certificate of noncompliance pursuant to Section  
1980 21-35-31, the Department of Revenue shall withhold ten percent  
1981 (10%) of the allocations and payments to the municipality that  
1982 would otherwise be payable to the municipality under this  
1983 paragraph (a) until such time that the department receives written  
1984 notice of the cancellation of a certificate of noncompliance from  
1985 the State Auditor.

1986 A municipal corporation, for the purpose of distributing the  
1987 tax under this subsection, shall mean and include all incorporated  
1988 cities, towns and villages.



1989            Monies allocated for distribution and credited to a municipal  
1990 corporation under this paragraph may be pledged as security for a  
1991 loan if the distribution received by the municipal corporation is  
1992 otherwise authorized or required by law to be pledged as security  
1993 for such a loan.

1994            In any county having a county seat that is not an  
1995 incorporated municipality, the distribution provided under this  
1996 subsection shall be made as though the county seat was an  
1997 incorporated municipality; however, the distribution to the  
1998 municipality shall be paid to the county treasury in which the  
1999 municipality is located, and those funds shall be used for road,  
2000 bridge and street construction or maintenance in the county.

2001            (b) On or before August 15, 2006, and each succeeding  
2002 month thereafter, eighteen and one-half percent (18-1/2%) of the  
2003 total sales tax revenue collected during the preceding month under  
2004 the provisions of this chapter, except that collected under the  
2005 provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on  
2006 business activities on the campus of a state institution of higher  
2007 learning or community or junior college whose campus is not  
2008 located within the corporate limits of a municipality, shall be  
2009 allocated for distribution to the state institution of higher  
2010 learning or community or junior college and paid to the state  
2011 institution of higher learning or community or junior college.

2012            (c) On or before August 15, 2018, and each succeeding  
2013 month thereafter until August 14, 2019, two percent (2%) of the





2014 total sales tax revenue collected during the preceding month under  
2015 the provisions of this chapter, except that collected under the  
2016 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
2017 27-65-24, on business activities within the corporate limits of  
2018 the City of Jackson, Mississippi, shall be deposited into the  
2019 Capitol Complex Improvement District Project Fund created in  
2020 Section 29-5-215. On or before August 15, 2019, and each  
2021 succeeding month thereafter until August 14, 2020, four percent  
2022 (4%) of the total sales tax revenue collected during the preceding  
2023 month under the provisions of this chapter, except that collected  
2024 under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21  
2025 and 27-65-24, on business activities within the corporate limits  
2026 of the City of Jackson, Mississippi, shall be deposited into the  
2027 Capitol Complex Improvement District Project Fund created in  
2028 Section 29-5-215. On or before August 15, 2020, and each  
2029 succeeding month thereafter, six percent (6%) of the total sales  
2030 tax revenue collected during the preceding month under the  
2031 provisions of this chapter, except that collected under the  
2032 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and  
2033 27-65-24, on business activities within the corporate limits of  
2034 the City of Jackson, Mississippi, shall be deposited into the  
2035 Capitol Complex Improvement District Project Fund created in  
2036 Section 29-5-215.

2037 (d) (i) On or before the fifteenth day of the month  
2038 that the diversion authorized by this section begins, and each



2039 succeeding month thereafter, eighteen and one-half percent  
2040 (18-1/2%) of the total sales tax revenue collected during the  
2041 preceding month under the provisions of this chapter, except that  
2042 collected under the provisions of Sections 27-65-15, 27-65-19(3)  
2043 and 27-65-21, on business activities within a redevelopment  
2044 project area developed under a redevelopment plan adopted under  
2045 the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be  
2046 allocated for distribution to the county in which the project area  
2047 is located if:

2048                               1. The county borders on the Mississippi  
2049 Sound and the State of Alabama;

2050                               2. The county has issued bonds under Section  
2051 21-45-9 to finance all or a portion of a redevelopment project in  
2052 the redevelopment project area;

2053                               3. Any debt service for the indebtedness  
2054 incurred is outstanding; and

2055                               4. A development with a value of Ten Million  
2056 Dollars (\$10,000,000.00) or more is, or will be, located in the  
2057 redevelopment area.

2058                               (ii) Before any sales tax revenue may be allocated  
2059 for distribution to a county under this paragraph, the county  
2060 shall certify to the Department of Revenue that the requirements  
2061 of this paragraph have been met, the amount of bonded indebtedness  
2062 that has been incurred by the county for the redevelopment project



2063 and the expected date the indebtedness incurred by the county will  
2064 be satisfied.

2065 (iii) The diversion of sales tax revenue  
2066 authorized by this paragraph shall begin the month following the  
2067 month in which the Department of Revenue determines that the  
2068 requirements of this paragraph have been met. The diversion shall  
2069 end the month the indebtedness incurred by the county is  
2070 satisfied. All revenue received by the county under this  
2071 paragraph shall be deposited in the fund required to be created in  
2072 the tax increment financing plan under Section 21-45-11 and be  
2073 utilized solely to satisfy the indebtedness incurred by the  
2074 county.

2075 (2) On or before September 15, 1987, and each succeeding  
2076 month thereafter, from the revenue collected under this chapter  
2077 during the preceding month, One Million One Hundred Twenty-five  
2078 Thousand Dollars (\$1,125,000.00) shall be allocated for  
2079 distribution to municipal corporations as defined under subsection  
2080 (1) of this section in the proportion that the number of gallons  
2081 of gasoline and diesel fuel sold by distributors to consumers and  
2082 retailers in each such municipality during the preceding fiscal  
2083 year bears to the total gallons of gasoline and diesel fuel sold  
2084 by distributors to consumers and retailers in municipalities  
2085 statewide during the preceding fiscal year. The Department of  
2086 Revenue shall require all distributors of gasoline and diesel fuel  
2087 to report to the department monthly the total number of gallons of



2088 gasoline and diesel fuel sold by them to consumers and retailers  
2089 in each municipality during the preceding month. The Department  
2090 of Revenue shall have the authority to promulgate such rules and  
2091 regulations as is necessary to determine the number of gallons of  
2092 gasoline and diesel fuel sold by distributors to consumers and  
2093 retailers in each municipality. In determining the percentage  
2094 allocation of funds under this subsection for the fiscal year  
2095 beginning July 1, 1987, and ending June 30, 1988, the Department  
2096 of Revenue may consider gallons of gasoline and diesel fuel sold  
2097 for a period of less than one (1) fiscal year. For the purposes  
2098 of this subsection, the term "fiscal year" means the fiscal year  
2099 beginning July 1 of a year.

2100 (3) On or before September 15, 1987, and on or before the  
2101 fifteenth day of each succeeding month, until the date specified  
2102 in Section 65-39-35, the proceeds derived from contractors' taxes  
2103 levied under Section 27-65-21 on contracts for the construction or  
2104 reconstruction of highways designated under the highway program  
2105 created under Section 65-3-97 shall, except as otherwise provided  
2106 in Section 31-17-127, be deposited into the State Treasury to the  
2107 credit of the State Highway Fund to be used to fund that highway  
2108 program. The Mississippi Department of Transportation shall  
2109 provide to the Department of Revenue such information as is  
2110 necessary to determine the amount of proceeds to be distributed  
2111 under this subsection.



2112 (4) On or before August 15, 1994, and on or before the  
2113 fifteenth day of each succeeding month through July 15, 1999, from  
2114 the proceeds of gasoline, diesel fuel or kerosene taxes as  
2115 provided in Section 27-5-101(a)(ii)1, Four Million Dollars  
2116 (\$4,000,000.00) shall be deposited in the State Treasury to the  
2117 credit of a special fund designated as the "State Aid Road Fund,"  
2118 created by Section 65-9-17. On or before August 15, 1999, and on  
2119 or before the fifteenth day of each succeeding month, from the  
2120 total amount of the proceeds of gasoline, diesel fuel or kerosene  
2121 taxes apportioned by Section 27-5-101(a)(ii)1, Four Million  
2122 Dollars (\$4,000,000.00) or an amount equal to twenty-three and  
2123 one-fourth percent (23-1/4%) of those funds, whichever is the  
2124 greater amount, shall be deposited in the State Treasury to the  
2125 credit of the "State Aid Road Fund," created by Section 65-9-17.  
2126 Those funds shall be pledged to pay the principal of and interest  
2127 on state aid road bonds heretofore issued under Sections 19-9-51  
2128 through 19-9-77, in lieu of and in substitution for the funds  
2129 previously allocated to counties under this section. Those funds  
2130 may not be pledged for the payment of any state aid road bonds  
2131 issued after April 1, 1981; however, this prohibition against the  
2132 pledging of any such funds for the payment of bonds shall not  
2133 apply to any bonds for which intent to issue those bonds has been  
2134 published for the first time, as provided by law before March 29,  
2135 1981. From the amount of taxes paid into the special fund under  
2136 this subsection and subsection (9) of this section, there shall be



2137 first deducted and paid the amount necessary to pay the expenses  
2138 of the Office of State Aid Road Construction, as authorized by the  
2139 Legislature for all other general and special fund agencies. The  
2140 remainder of the fund shall be allocated monthly to the several  
2141 counties in accordance with the following formula:

2142 (a) One-third (1/3) shall be allocated to all counties  
2143 in equal shares;

2144 (b) One-third (1/3) shall be allocated to counties  
2145 based on the proportion that the total number of rural road miles  
2146 in a county bears to the total number of rural road miles in all  
2147 counties of the state; and

2148 (c) One-third (1/3) shall be allocated to counties  
2149 based on the proportion that the rural population of the county  
2150 bears to the total rural population in all counties of the state,  
2151 according to the latest federal decennial census.

2152 For the purposes of this subsection, the term "gasoline,  
2153 diesel fuel or kerosene taxes" means such taxes as defined in  
2154 paragraph (f) of Section 27-5-101.

2155 The amount of funds allocated to any county under this  
2156 subsection for any fiscal year after fiscal year 1994 shall not be  
2157 less than the amount allocated to the county for fiscal year 1994.

2158 Any reference in the general laws of this state or the  
2159 Mississippi Code of 1972 to Section 27-5-105 shall mean and be  
2160 construed to refer and apply to subsection (4) of Section  
2161 27-65-75.



2162 (5) One Million Six Hundred Sixty-six Thousand Six Hundred  
2163 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into  
2164 the special fund known as the "State Public School Building Fund"  
2165 created and existing under the provisions of Sections 37-47-1  
2166 through 37-47-67. Those payments into that fund are to be made on  
2167 the last day of each succeeding month hereafter.

2168 (6) An amount each month beginning August 15, 1983, through  
2169 November 15, 1986, as specified in Section 6, Chapter 542, Laws of  
2170 1983, shall be paid into the special fund known as the  
2171 Correctional Facilities Construction Fund created in Section 6,  
2172 Chapter 542, Laws of 1983.

2173 (7) On or before August 15, 1992, and each succeeding month  
2174 thereafter through July 15, 2000, two and two hundred sixty-six  
2175 one-thousandths percent (2.266%) of the total sales tax revenue  
2176 collected during the preceding month under the provisions of this  
2177 chapter, except that collected under the provisions of Section  
2178 27-65-17(2), shall be deposited by the department into the School  
2179 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On  
2180 or before August 15, 2000, and each succeeding month thereafter,  
2181 two and two hundred sixty-six one-thousandths percent (2.266%) of  
2182 the total sales tax revenue collected during the preceding month  
2183 under the provisions of this chapter, except that collected under  
2184 the provisions of Section 27-65-17(2), shall be deposited into the  
2185 School Ad Valorem Tax Reduction Fund created under Section  
2186 37-61-35 until such time that the total amount deposited into the



2187 fund during a fiscal year equals Forty-two Million Dollars  
2188 (\$42,000,000.00). Thereafter, the amounts diverted under this  
2189 subsection (7) during the fiscal year in excess of Forty-two  
2190 Million Dollars (\$42,000,000.00) shall be deposited into the  
2191 Education Enhancement Fund created under Section 37-61-33 for  
2192 appropriation by the Legislature as other education needs and  
2193 shall not be subject to the percentage appropriation requirements  
2194 set forth in Section 37-61-33.

2195 (8) On or before August 15, 1992, and each succeeding month  
2196 thereafter, nine and seventy-three one-thousandths percent  
2197 (9.073%) of the total sales tax revenue collected during the  
2198 preceding month under the provisions of this chapter, except that  
2199 collected under the provisions of Section 27-65-17(2), shall be  
2200 deposited into the Education Enhancement Fund created under  
2201 Section 37-61-33.

2202 (9) On or before August 15, 1994, and each succeeding month  
2203 thereafter, from the revenue collected under this chapter during  
2204 the preceding month, Two Hundred Fifty Thousand Dollars  
2205 (\$250,000.00) shall be paid into the State Aid Road Fund.

2206 (10) On or before August 15, 1994, and each succeeding month  
2207 thereafter through August 15, 1995, from the revenue collected  
2208 under this chapter during the preceding month, Two Million Dollars  
2209 (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad  
2210 Valorem Tax Reduction Fund established in Section 27-51-105.





2211           (11) Notwithstanding any other provision of this section to  
2212 the contrary, on or before February 15, 1995, and each succeeding  
2213 month thereafter, the sales tax revenue collected during the  
2214 preceding month under the provisions of Section 27-65-17(2) and  
2215 the corresponding levy in Section 27-65-23 on the rental or lease  
2216 of private carriers of passengers and light carriers of property  
2217 as defined in Section 27-51-101 shall be deposited, without  
2218 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund  
2219 established in Section 27-51-105.

2220           (12) Notwithstanding any other provision of this section to  
2221 the contrary, on or before August 15, 1995, and each succeeding  
2222 month thereafter, the sales tax revenue collected during the  
2223 preceding month under the provisions of Section 27-65-17(1) on  
2224 retail sales of private carriers of passengers and light carriers  
2225 of property, as defined in Section 27-51-101 and the corresponding  
2226 levy in Section 27-65-23 on the rental or lease of these vehicles,  
2227 shall be deposited, after diversion, into the Motor Vehicle Ad  
2228 Valorem Tax Reduction Fund established in Section 27-51-105.

2229           (13) On or before July 15, 1994, and on or before the  
2230 fifteenth day of each succeeding month thereafter, that portion of  
2231 the avails of the tax imposed in Section 27-65-22 that is derived  
2232 from activities held on the Mississippi State Fairgrounds Complex  
2233 shall be paid into a special fund that is created in the State  
2234 Treasury and shall be expended upon legislative appropriation



2235 solely to defray the costs of repairs and renovation at the Trade  
2236 Mart and Coliseum.

2237 (14) On or before August 15, 1998, and each succeeding month  
2238 thereafter through July 15, 2005, that portion of the avails of  
2239 the tax imposed in Section 27-65-23 that is derived from sales by  
2240 cotton compresses or cotton warehouses and that would otherwise be  
2241 paid into the General Fund shall be deposited in an amount not to  
2242 exceed Two Million Dollars (\$2,000,000.00) into the special fund  
2243 created under Section 69-37-39. On or before August 15, 2007, and  
2244 each succeeding month thereafter through July 15, 2010, that  
2245 portion of the avails of the tax imposed in Section 27-65-23 that  
2246 is derived from sales by cotton compresses or cotton warehouses  
2247 and that would otherwise be paid into the General Fund shall be  
2248 deposited in an amount not to exceed Two Million Dollars  
2249 (\$2,000,000.00) into the special fund created under Section  
2250 69-37-39 until all debts or other obligations incurred by the  
2251 Certified Cotton Growers Organization under the Mississippi Boll  
2252 Weevil Management Act before January 1, 2007, are satisfied in  
2253 full. On or before August 15, 2010, and each succeeding month  
2254 thereafter through July 15, 2011, fifty percent (50%) of that  
2255 portion of the avails of the tax imposed in Section 27-65-23 that  
2256 is derived from sales by cotton compresses or cotton warehouses  
2257 and that would otherwise be paid into the General Fund shall be  
2258 deposited into the special fund created under Section 69-37-39  
2259 until such time that the total amount deposited into the fund



2260 during a fiscal year equals One Million Dollars (\$1,000,000.00).  
2261 On or before August 15, 2011, and each succeeding month  
2262 thereafter, that portion of the avails of the tax imposed in  
2263 Section 27-65-23 that is derived from sales by cotton compresses  
2264 or cotton warehouses and that would otherwise be paid into the  
2265 General Fund shall be deposited into the special fund created  
2266 under Section 69-37-39 until such time that the total amount  
2267 deposited into the fund during a fiscal year equals One Million  
2268 Dollars (\$1,000,000.00).

2269 (15) Notwithstanding any other provision of this section to  
2270 the contrary, on or before September 15, 2000, and each succeeding  
2271 month thereafter, the sales tax revenue collected during the  
2272 preceding month under the provisions of Section  
2273 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,  
2274 without diversion, into the Telecommunications Ad Valorem Tax  
2275 Reduction Fund established in Section 27-38-7.

2276 (16) (a) On or before August 15, 2000, and each succeeding  
2277 month thereafter, the sales tax revenue collected during the  
2278 preceding month under the provisions of this chapter on the gross  
2279 proceeds of sales of a project as defined in Section 57-30-1 shall  
2280 be deposited, after all diversions except the diversion provided  
2281 for in subsection (1) of this section, into the Sales Tax  
2282 Incentive Fund created in Section 57-30-3.

2283 (b) On or before August 15, 2007, and each succeeding  
2284 month thereafter, eighty percent (80%) of the sales tax revenue



2285 collected during the preceding month under the provisions of this  
2286 chapter from the operation of a tourism project under the  
2287 provisions of Sections 57-26-1 through 57-26-5, shall be  
2288 deposited, after the diversions required in subsections (7) and  
2289 (8) of this section, into the Tourism Project Sales Tax Incentive  
2290 Fund created in Section 57-26-3.

2291 (17) Notwithstanding any other provision of this section to  
2292 the contrary, on or before April 15, 2002, and each succeeding  
2293 month thereafter, the sales tax revenue collected during the  
2294 preceding month under Section 27-65-23 on sales of parking  
2295 services of parking garages and lots at airports shall be  
2296 deposited, without diversion, into the special fund created under  
2297 Section 27-5-101(d).

2298 (18) [Repealed]

2299 (19) (a) On or before August 15, 2005, and each succeeding  
2300 month thereafter, the sales tax revenue collected during the  
2301 preceding month under the provisions of this chapter on the gross  
2302 proceeds of sales of a business enterprise located within a  
2303 redevelopment project area under the provisions of Sections  
2304 57-91-1 through 57-91-11, and the revenue collected on the gross  
2305 proceeds of sales from sales made to a business enterprise located  
2306 in a redevelopment project area under the provisions of Sections  
2307 57-91-1 through 57-91-11 (provided that such sales made to a  
2308 business enterprise are made on the premises of the business  
2309 enterprise), shall, except as otherwise provided in this



2310 subsection (19), be deposited, after all diversions, into the  
2311 Redevelopment Project Incentive Fund as created in Section  
2312 57-91-9.

2313           (b) For a municipality participating in the Economic  
2314 Redevelopment Act created in Sections 57-91-1 through 57-91-11,  
2315 the diversion provided for in subsection (1) of this section  
2316 attributable to the gross proceeds of sales of a business  
2317 enterprise located within a redevelopment project area under the  
2318 provisions of Sections 57-91-1 through 57-91-11, and attributable  
2319 to the gross proceeds of sales from sales made to a business  
2320 enterprise located in a redevelopment project area under the  
2321 provisions of Sections 57-91-1 through 57-91-11 (provided that  
2322 such sales made to a business enterprise are made on the premises  
2323 of the business enterprise), shall be deposited into the  
2324 Redevelopment Project Incentive Fund as created in Section  
2325 57-91-9, as follows:

2326           (i) For the first six (6) years in which payments  
2327 are made to a developer from the Redevelopment Project Incentive  
2328 Fund, one hundred percent (100%) of the diversion shall be  
2329 deposited into the fund;

2330           (ii) For the seventh year in which such payments  
2331 are made to a developer from the Redevelopment Project Incentive  
2332 Fund, eighty percent (80%) of the diversion shall be deposited  
2333 into the fund;



2334 (iii) For the eighth year in which such payments  
2335 are made to a developer from the Redevelopment Project Incentive  
2336 Fund, seventy percent (70%) of the diversion shall be deposited  
2337 into the fund;

2338 (iv) For the ninth year in which such payments are  
2339 made to a developer from the Redevelopment Project Incentive Fund,  
2340 sixty percent (60%) of the diversion shall be deposited into the  
2341 fund; and

2342 (v) For the tenth year in which such payments are  
2343 made to a developer from the Redevelopment Project Incentive Fund,  
2344 fifty percent (50%) of the funds shall be deposited into the fund.

2345 (20) On or before January 15, 2007, and each succeeding  
2346 month thereafter, eighty percent (80%) of the sales tax revenue  
2347 collected during the preceding month under the provisions of this  
2348 chapter from the operation of a tourism project under the  
2349 provisions of Sections 57-28-1 through 57-28-5 shall be deposited,  
2350 after the diversions required in subsections (7) and (8) of this  
2351 section, into the Tourism Sales Tax Incentive Fund created in  
2352 Section 57-28-3.

2353 (21) (a) On or before April 15, 2007, and each succeeding  
2354 month thereafter through June 15, 2013, One Hundred Fifty Thousand  
2355 Dollars (\$150,000.00) of the sales tax revenue collected during  
2356 the preceding month under the provisions of this chapter shall be  
2357 deposited into the MMEIA Tax Incentive Fund created in Section  
2358 57-101-3.



2359 (b) On or before July 15, 2013, and each succeeding  
2360 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)  
2361 of the sales tax revenue collected during the preceding month  
2362 under the provisions of this chapter shall be deposited into the  
2363 Mississippi Development Authority Job Training Grant Fund created  
2364 in Section 57-1-451.

2365 (22) Notwithstanding any other provision of this section to  
2366 the contrary, on or before August 15, 2009, and each succeeding  
2367 month thereafter, the sales tax revenue collected during the  
2368 preceding month under the provisions of Section 27-65-201 shall be  
2369 deposited, without diversion, into the Motor Vehicle Ad Valorem  
2370 Tax Reduction Fund established in Section 27-51-105.

2371 (23) (a) On or before August 15, 2019, and each month  
2372 thereafter through July 15, 2020, one percent (1%) of the total  
2373 sales tax revenue collected during the preceding month from  
2374 restaurants and hotels shall be allocated for distribution to the  
2375 Mississippi Development Authority Tourism Advertising Fund  
2376 established under Section 57-1-64, to be used exclusively for the  
2377 purpose stated therein. On or before August 15, 2020, and each  
2378 month thereafter through July 15, 2021, two percent (2%) of the  
2379 total sales tax revenue collected during the preceding month from  
2380 restaurants and hotels shall be allocated for distribution to the  
2381 Mississippi Development Authority Tourism Advertising Fund  
2382 established under Section 57-1-64, to be used exclusively for the  
2383 purpose stated therein. On or before August 15, 2021, and each



2384 month thereafter, three percent (3%) of the total sales tax  
2385 revenue collected during the preceding month from restaurants and  
2386 hotels shall be allocated for distribution to the Mississippi  
2387 Development Authority Tourism Advertising Fund established under  
2388 Section 57-1-64, to be used exclusively for the purpose stated  
2389 therein. The revenue diverted pursuant to this subsection shall  
2390 not be available for expenditure until February 1, 2020.

2391 (b) The Joint Legislative Committee on Performance  
2392 Evaluation and Expenditure Review (PEER) must provide an annual  
2393 report to the Legislature indicating the amount of funds deposited  
2394 into the Mississippi Development Authority Tourism Advertising  
2395 Fund established under Section 57-1-64, and a detailed record of  
2396 how the funds are spent.

2397 (24) The remainder of the amounts collected under the  
2398 provisions of this chapter shall be paid into the State Treasury  
2399 to the credit of the General Fund.

2400 (25) (a) It shall be the duty of the municipal officials of  
2401 any municipality that expands its limits, or of any community that  
2402 incorporates as a municipality, to notify the commissioner of that  
2403 action thirty (30) days before the effective date. Failure to so  
2404 notify the commissioner shall cause the municipality to forfeit  
2405 the revenue that it would have been entitled to receive during  
2406 this period of time when the commissioner had no knowledge of the  
2407 action.





2408 (b) (i) Except as otherwise provided in subparagraph  
2409 (ii) of this paragraph, if any funds have been erroneously  
2410 disbursed to any municipality or any overpayment of tax is  
2411 recovered by the taxpayer, the commissioner may make correction  
2412 and adjust the error or overpayment with the municipality by  
2413 withholding the necessary funds from any later payment to be made  
2414 to the municipality.

2415 (ii) Subject to the provisions of Sections  
2416 27-65-51 and 27-65-53, if any funds have been erroneously  
2417 disbursed to a municipality under subsection (1) of this section  
2418 for a period of three (3) years or more, the maximum amount that  
2419 may be recovered or withheld from the municipality is the total  
2420 amount of funds erroneously disbursed for a period of three (3)  
2421 years beginning with the date of the first erroneous disbursement.  
2422 However, if during such period, a municipality provides written  
2423 notice to the Department of Revenue indicating the erroneous  
2424 disbursement of funds, then the maximum amount that may be  
2425 recovered or withheld from the municipality is the total amount of  
2426 funds erroneously disbursed for a period of one (1) year beginning  
2427 with the date of the first erroneous disbursement.

2428 **SECTION 14.** (1) The Mississippi Community College Board, in  
2429 collaboration with the state's fifteen (15) community and junior  
2430 colleges, has been seeking to address this challenge through a  
2431 statewide integrated career pathway initiative entitled the  
2432 "Mississippi Integrated Basic Education and Skills Training



2433 (MI-BEST)." This initiative targets primarily high school  
2434 dropouts, low-income persons, and other nontraditional students  
2435 and accelerates their transition from basic skills education to  
2436 postsecondary programs of study. MI-BEST is premised on the  
2437 highly successful, evidence-based Integrated Basic Education and  
2438 Skills Training (I-BEST) model, launched in Washington, that  
2439 incorporates contextualized learning by concurrently delivering  
2440 Adult Basic Education (ABE) and Career and Technical Education  
2441 (CTE) classes using a team-teaching approach.

2442 (2) All MI-BEST students must be current residents of  
2443 Mississippi.

2444 (3) The MI-BEST initiative was initially supported  
2445 financially through private foundation funding, but that funding  
2446 is expiring at the end for fiscal year 2020.

2447 (4) The Legislature may appropriate annual funding for this  
2448 section to the Mississippi Community College Board for the support  
2449 of the fifteen (15) community and junior colleges for the purpose  
2450 of increasing the supply of workforce training delivered through  
2451 community college's nonaccredited skill-based training by  
2452 increasing the support services for high school drop-outs earning  
2453 a high school equivalent credential and a skills-based  
2454 certification (MI-BEST).

2455 (5) Beginning in fiscal year 2021 and subject to available  
2456 funding, the Mississippi Community College Board shall disburse  
2457 these funds to the public community colleges for the purpose of



2458 enrolling low-skill adults in career pathways that combine high  
2459 school equivalency, skill training and workforce credentials in an  
2460 intensive program that produces adults who can compete for jobs.  
2461 Half of the funding shall be allocated equally, and the remaining  
2462 half shall be allocated on the basis of the prior year headcount  
2463 enrollment in Adult Education, MI-BEST or other career pathway  
2464 programs.

2465         **SECTION 15.** This act shall take effect and be in force from  
2466 and after July 1, 2020.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL  
2 EDUCATION REFORM (CCATER) ACT"; TO AMEND SECTION 37-15-38,  
3 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT DUAL CREDIT CAREER AND  
4 TECHNICAL EDUCATION INSTRUCTORS SHALL NOT BE REQUIRED TO HOLD AN  
5 ASSOCIATE OR BACHELOR'S DEGREE; TO AMEND SECTION 37-16-17,  
6 MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION  
7 TO PROVIDE NOTICE TO ALL INCOMING MIDDLE SCHOOL AND JUNIOR HIGH  
8 STUDENTS OF THE CAREER TRACK PROGRAMS OFFERED BY LOCAL SCHOOL  
9 BOARDS; TO REQUIRE ALL STUDENTS IN THE CAREER AND TECHNICAL  
10 EDUCATION TRACK TO TAKE THE ACT WORKKEYS ASSESSMENT; TO REVISE THE  
11 CURRICULUM IN THE CAREER TRACK PROGRAM; TO AMEND SECTION 37-3-2,  
12 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER  
13 PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE  
14 OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED A ONE-YEAR EXPERT  
15 CITIZEN-TEACHER LICENSE; TO AMEND SECTION 37-16-3, MISSISSIPPI  
16 CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND  
17 SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
18 ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE  
19 ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE  
20 WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO  
21 CREATE THE MISSISSIPPI WORKFORCE INCENTIVE ACT OF 2020; TO REQUIRE  
22 EACH PUBLIC COMMUNITY COLLEGE TO PROVIDE THE MISSISSIPPI COMMUNITY  
23 COLLEGE BOARD A LIST OF THE CAREER AND TECHNICAL EQUIPMENT, LAB  
24 UPGRADES AND RENOVATIONS THAT ARE NEEDED TO START OR ENHANCE  
25 CAREER AND TECHNICAL PROGRAMS AT THE COMMUNITY COLLEGES; TO  
26 REQUIRE THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ADOPT



27 GUIDELINES AND PROVIDE FUNDING TO THE PUBLIC COMMUNITY AND JUNIOR  
28 COLLEGES FOR THE PURPOSE OF SUPPORTING CAREER AND TECHNICAL  
29 INFRASTRUCTURE FOR THE CAREER AND TECHNICAL PROGRAM EQUIPMENT, LAB  
30 UPGRADES AND RENOVATIONS; TO CREATE THE DUAL CREDIT COMMUNITY  
31 COLLEGE SCHOLARSHIP PROGRAM, WHICH SHALL CONSIST OF THE ACADEMIC  
32 DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM AND THE CAREER  
33 AND TECHNICAL COMMUNITY COLLEGE SCHOLARSHIP PROGRAM; TO REQUIRE  
34 THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ADMINISTER THE  
35 SCHOLARSHIP PROGRAM; TO REQUIRE THE LEGISLATURE TO APPROPRIATE  
36 FUNDS TO THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR EACH STUDENT  
37 ENROLLED IN CAREER AND TECHNICAL EDUCATION; TO CREATE THE  
38 "NONCREDIT WORKFORCE SKILLS TRAINING FUND" IN THE STATE TREASURY  
39 TO BE ADMINISTERED BY THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI  
40 COMMUNITY COLLEGE BOARD; TO PROVIDE THAT MONIES IN THE FUND SHALL  
41 BE USED TO INCREASE THE EFFICIENCY OF NONCREDIT WORKFORCE SKILLS  
42 TRAINING AND PROVIDE FASTER RESPONSE TO WORKFORCE TRAINING NEEDS;  
43 TO BRING FORWARD SECTION 27-65-75, MISSISSIPPI CODE OF 1972, WHICH  
44 PROVIDES FOR THE DISTRIBUTION OF TAX REVENUES, FOR THE PURPOSE OF  
45 POSSIBLE AMENDMENT; TO INCREASE THE SUPPLY OF WORKFORCE TRAINING  
46 DELIVERED THROUGH COMMUNITY COLLEGE NONACCREDITED SKILL-BASED  
47 TRAINING BY INCREASING THE SUPPORT SERVICES FOR HIGH SCHOOL  
48 DROP-OUTS EARNING A HIGH SCHOOL EQUIVALENT CREDENTIAL AND A  
49 SKILLS-BASED CERTIFICATION (MI-BEST); AND FOR RELATED PURPOSES.

