

By: Representatives Cockerham, Jackson,
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To: Education

HOUSE BILL NO. 302

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

1. Art, music, drama and creative writing;

2. Hands-on experience with engineering or science;

3. Tutoring and homework help; and

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

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



74 1. English as a second language class;
75 2. Citizenship preparation;
76 3. Computer skills;
77 4. Art;
78 5. GED classes; or
79 6. Other programs that bring community
80 members into the building for meetings or events;
81 (iv) Include, as a meaningful part of its
82 curriculum, a Science, Technology, Engineering and Mathematics
83 (STEM) program component commensurate and appropriate to the grade
84 level of the school; and
85 (v) Collaborative leadership and practices, which
86 build a culture of professional learning, collective trust, and
87 shared responsibility using strategies which shall, at a minimum,
88 include:
89 1. A school-based leadership team;
90 2. A community school director; and
91 3. A community-wide leadership team, which
92 may include, but not limited to:
93 A. Other leadership and governance
94 teams;
95 B. Teacher learning communities; and
96 C. Other staff to manage the multiple,
97 complex, joint work of school and community organizations.
98 (g) "Community School Director" means a person who:



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

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



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

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

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

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

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

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

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

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

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



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

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

(i) Acceptable areas of emphasis for innovation;

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

(a) Use capital outlay funds for operational costs;

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



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

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

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

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

(g) Use a flexible school calendar;

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

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

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



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

296 **SECTION 3.** This act shall take effect and be in force from
297 and after July 1, 2021.

