

By: Representatives Bell (21st), Ford (73rd) To: Workforce Development

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 539

1 AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL
2 EDUCATION REFORM (CCATER) ACT"; TO BRING FORWARD SECTION 37-15-38,
3 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
4 TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE
5 THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING
6 MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL
7 EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE ALL
8 STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE THAT EACH
9 INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ACT
10 WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR
11 ELEVENTH GRADE; TO REVISE THE CURRICULUM IN THE CAREER AND
12 TECHNICAL EDUCATION PROGRAM; TO AMEND SECTION 37-3-2, MISSISSIPPI
13 CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL
14 PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S
15 DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE;
16 TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE
17 YEARS; TO PROVIDE THAT CERTAIN INSTRUCTIONAL STAFF EMPLOYED BY A
18 PUBLIC SCHOOL DISTRICT OR NONPUBLIC SCHOOL ACCREDITED OR APPROVED
19 BY THE STATE FOR A MINIMUM OF FIVE YEARS SHALL BE GRANTED A
20 STANDARD TEACHER LICENSE; TO REQUIRE SUCH TEACHERS TO COMPLY WITH
21 ANY ADDITIONAL REQUIREMENTS FOR EXISTING TEACHERS, INCLUDING
22 PROFESSIONAL DEVELOPMENT TRAINING AND COMPLETION OF THE REQUIRED
23 CONTINUING EDUCATION UNITS; TO AMEND SECTION 37-16-3, MISSISSIPPI
24 CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND
25 SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
26 ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE
27 ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE
28 WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO
29 REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE
30 COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION
31 AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD
32 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE
33 EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS
34 CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II



35 EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM;
36 AND FOR RELATED PURPOSES.

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

38 **SECTION 1.** The provisions of this act shall be known as the
39 "Comprehensive Career and Technical Education Reform" or "CCATER"
40 Act.

41 **SECTION 2.** Section 37-15-38, Mississippi Code of 1972, is
42 brought forward as follows:

43 37-15-38. (1) The following phrases have the meanings
44 ascribed in this section unless the context clearly requires
45 otherwise:

46 (a) A dual enrolled student is a student who is
47 enrolled in a community or junior college or state institution of
48 higher learning while enrolled in high school.

49 (b) A dual credit student is a student who is enrolled
50 in a community or junior college or state institution of higher
51 learning while enrolled in high school and who is receiving high
52 school and college credit for postsecondary coursework.

53 (2) A local school board, the Board of Trustees of State
54 Institutions of Higher Learning and the Mississippi Community
55 College Board shall establish a dual enrollment system under which
56 students in the school district who meet the prescribed criteria
57 of this section may be enrolled in a postsecondary institution in
58 Mississippi while they are still in school.

59 (3) **Dual credit eligibility.** Before credits earned by a
60 qualified high school student from a community or junior college



61 or state institution of higher learning may be transferred to the
62 student's home school district, the student must be properly
63 enrolled in a dual enrollment program.

64 (4) **Admission criteria for dual enrollment in community and**
65 **junior college or university programs.** The Mississippi Community
66 College Board and the Board of Trustees of State Institutions of
67 Higher Learning may recommend to the State Board of Education
68 admission criteria for dual enrollment programs under which high
69 school students may enroll at a community or junior college or
70 university while they are still attending high school and enrolled
71 in high school courses. Students may be admitted to enroll in
72 community or junior college courses under the dual enrollment
73 programs if they meet that individual institution's stated dual
74 enrollment admission requirements.

75 (5) **Tuition and cost responsibility.** Tuition and costs for
76 university-level courses and community and junior college courses
77 offered under a dual enrollment program may be paid for by the
78 postsecondary institution, the local school district, the parents
79 or legal guardians of the student, or by grants, foundations or
80 other private or public sources. Payment for tuition and any
81 other costs must be made directly to the credit-granting
82 institution.

83 (6) **Transportation responsibility.** Any transportation
84 required by a student to participate in the dual enrollment
85 program is the responsibility of the parent, custodian or legal



86 guardian of the student. Transportation costs may be paid from
87 any available public or private sources, including the local
88 school district.

89 (7) **School district average daily attendance credit.** When
90 dually enrolled, the student may be counted, for adequate
91 education program funding purposes, in the average daily
92 attendance of the public school district in which the student
93 attends high school.

94 (8) **High school student transcript transfer requirements.**
95 Grades and college credits earned by a student admitted to a dual
96 credit program must be recorded on the high school student record
97 and on the college transcript at the university or community or
98 junior college where the student attends classes. The transcript
99 of the university or community or junior college coursework may be
100 released to another institution or applied toward college
101 graduation requirements.

102 (9) **Determining factor of prerequisites for dual enrollment**
103 **courses.** Each university and community or junior college
104 participating in a dual enrollment program shall determine course
105 prerequisites. Course prerequisites shall be the same for dual
106 enrolled students as for regularly enrolled students at that
107 university or community or junior college.

108 (10) **Process for determining articulation of curriculum**
109 **between high school, university, and community and junior college**
110 **courses.** All dual credit courses must meet the standards



111 established at the postsecondary level. Postsecondary level
112 developmental courses may not be considered as meeting the
113 requirements of the dual credit program. Dual credit memorandum
114 of understandings must be established between each postsecondary
115 institution and the school district implementing a dual credit
116 program.

117 (11) [Deleted]

118 (12) **Eligible courses for dual credit programs.** Courses
119 eligible for dual credit include, but are not necessarily limited
120 to, foreign languages, advanced math courses, advanced science
121 courses, performing arts, advanced business and technology, and
122 career and technical courses. Distance Learning Collaborative
123 Program courses approved under Section 37-67-1 shall be fully
124 eligible for dual credit. All courses being considered for dual
125 credit must receive unconditional approval from the superintendent
126 of the local school district and the chief instructional officer
127 at the participating community or junior college or university in
128 order for college credit to be awarded. A university or community
129 or junior college shall make the final decision on what courses
130 are eligible for semester hour credits.

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

134 (14) **Course alignment.** The universities, community and
135 junior colleges and the State Department of Education shall



136 periodically review their respective policies and assess the place
137 of dual credit courses within the context of their traditional
138 offerings.

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

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

147 (a) Examination preparation taught at a high school by
148 a qualified teacher. A student may receive credit at the
149 secondary level after completion of an approved course and passing
150 the standard examination, such as an Advanced Placement or
151 International Baccalaureate course through which a high school
152 student is allowed CLEP credit by making a three (3) or higher on
153 the end-of-course examination.

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

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



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

163 (17) **Qualifications of dual credit instructors.** A dual
164 credit academic instructor must meet the requirements set forth by
165 the regional accrediting association (Southern Association of
166 College and Schools). University and community and junior college
167 personnel have the sole authority in the selection of dual credit
168 instructors.

169 A dual credit career and technical education instructor must
170 meet the requirements set forth by the Mississippi Community
171 College Board in the qualifications manual for postsecondary
172 career and technical personnel.

173 (18) **Guidance on local agreements.** The Chief Academic
174 Officer of the State Board of Trustees of State Institutions of
175 Higher Learning and the Chief Instructional Officers of the
176 Mississippi Community College Board and the State Department of
177 Education, working collaboratively, shall develop a template to be
178 used by the individual community and junior colleges and
179 institutions of higher learning for consistent implementation of
180 the dual enrollment program throughout the State of Mississippi.

181 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**
182 A local school board and the local community colleges board shall
183 establish a Mississippi Works Dual Enrollment-Dual Credit Option
184 Program under which potential or recent student dropouts may
185 dually enroll in their home school and a local community college



186 in a dual credit program consisting of high school completion
187 coursework and a community college credential, certificate or
188 degree program. Students completing the dual enrollment-credit
189 option may obtain their high school diploma while obtaining a
190 community college credential, certificate or degree. The
191 Mississippi Department of Employment Security shall assist
192 students who have successfully completed the Mississippi Works
193 Dual Enrollment-Dual Credit Option in securing a job upon the
194 application of the student or the participating school or
195 community college. The Mississippi Works Dual Enrollment-Dual
196 Credit Option Program will be implemented statewide in the
197 2012-2013 school year and thereafter. The State Board of
198 Education, local school board and the local community college
199 board shall establish criteria for the Dual Enrollment-Dual Credit
200 Program. Students enrolled in the program will not be eligible to
201 participate in interscholastic sports or other extracurricular
202 activities at the home school district. Tuition and costs for
203 community college courses offered under the Dual Enrollment-Dual
204 Credit Program shall not be charged to the student, parents or
205 legal guardians. When dually enrolled, the student shall be
206 counted for adequate education program funding purposes, in the
207 average daily attendance of the public school district in which
208 the student attends high school, as provided in Section
209 37-151-7(1)(a). Any transportation required by the student to
210 participate in the Dual Enrollment-Dual Credit Program is the



211 responsibility of the parent or legal guardian of the student, and
212 transportation costs may be paid from any available public or
213 private sources, including the local school district. Grades and
214 college credits earned by a student admitted to this Dual
215 Enrollment-Dual Credit Program shall be recorded on the high
216 school student record and on the college transcript at the
217 community college and high school where the student attends
218 classes. The transcript of the community college coursework may
219 be released to another institution or applied toward college
220 graduation requirements. Any course that is required for subject
221 area testing as a requirement for graduation from a public school
222 in Mississippi is eligible for dual credit, and courses eligible
223 for dual credit shall also include career, technical and degree
224 program courses. All courses eligible for dual credit shall be
225 approved by the superintendent of the local school district and
226 the chief instructional officer at the participating community
227 college in order for college credit to be awarded. A community
228 college shall make the final decision on what courses are eligible
229 for semester hour credits and the local school superintendent,
230 subject to approval by the Mississippi Department of Education,
231 shall make the final decision on the transfer of college courses
232 credited to the student's high school transcript.

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



235 37-16-17. (1) Purpose. (a) The purpose of this section is
236 to create a quality option in Mississippi's high schools for
237 students not wishing to pursue a baccalaureate degree, which shall
238 consist of challenging academic courses and modern
239 career-technical studies. The goal for students pursuing the
240 career track is to graduate from high school with a standard
241 diploma and credit toward a community college certification in a
242 career-technical field. These students also shall be encouraged
243 to take the national assessment in the career-technical field in
244 which they become certified.

245 (b) The State Board of Education shall develop and
246 adopt course and curriculum requirements for career track programs
247 offered by local public school boards in accordance with this
248 section. The Mississippi Community College Board and the State
249 Board of Education jointly shall determine course and curriculum
250 requirements for the career track program. The State Board of
251 Education shall provide notice to all incoming middle school
252 students and junior high students of the career and technical
253 education programs offered by local school boards. Such notice
254 shall include the career and technical education programs
255 available, the course requirements of each program, how to enroll
256 in the program and any other necessary information as determined
257 by the State Board of Education.

258 (2) Alternative career track; description; curriculum. (a)
259 A career track shall provide a student with greater technical



260 skill and a strong academic core and shall be offered to each high
261 school student enrolled in a public school district. The career
262 track program shall be linked to postsecondary options and shall
263 prepare students to pursue either a degree or certification from a
264 postsecondary institution, an industry-based training or
265 certification, an apprenticeship, the military, or immediate
266 entrance into a career field. The career track shall be designed
267 primarily for those students who are not college bound and shall
268 provide them with alternatives to entrance into a four-year
269 university or college after high school graduation. All students
270 shall be required to take the ACT WorkKeys Assessment. Each
271 individual school district shall determine whether the ACT
272 WorkKeys Assessment is administered in the ninth, tenth or
273 eleventh grade.

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

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

280 (d) Students in a career track program shall complete
281 an academic core of courses and a career and technical sequence of
282 courses.

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



285 (i) At least four (4) English credits, including
286 English I * * *, English II, technical writing and computer
287 programming.

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

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

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

296 (v) At least one-half (1/2) credit in health or
297 physical education.

298 (vi) School districts must incorporate in the
299 curriculum soft skills, which include, but are not limited to,
300 social graces, communication abilities, language skills, personal
301 habits, cognitive or emotional empathy, time management, teamwork
302 and leadership traits.

303 (* * * vii) At least four (4) credits in career
304 and technical education courses in the dual enrollment-dual credit
305 programs authorized under Section 37-15-38.

306 (* * * viii) At least one (1) credit in integrated
307 technology with optional end of course testing.

308 (* * * ix) At least two and one-half (2-1/2)
309 credits in additional electives or career and technical education



310 courses required by the local school board, as approved by the
311 State Board of Education. Academic courses within the career
312 track of the standard diploma shall provide the knowledge and
313 skill necessary for proficiency on the state subject area tests.

314 (f) The courses provided in paragraph (e) of this
315 subsection may be tailored to the individual needs of the school
316 district as long as the amendments align with the basic course
317 requirements of paragraph (e).

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

324 * * *

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

327 37-3-2. (1) There is established within the State
328 Department of Education the Commission on Teacher and
329 Administrator Education, Certification and Licensure and
330 Development. It shall be the purpose and duty of the commission
331 to make recommendations to the State Board of Education regarding
332 standards for the certification and licensure and continuing
333 professional development of those who teach or perform tasks of an
334 educational nature in the public schools of Mississippi.



335 (2) (a) The commission shall be composed of fifteen (15)
336 qualified members. The membership of the commission shall be
337 composed of the following members to be appointed, three (3) from
338 each of the four (4) congressional districts, as such districts
339 existed on January 1, 2011, in accordance with the population
340 calculations determined by the 2010 federal decennial census,
341 including: four (4) classroom teachers; three (3) school
342 administrators; one (1) representative of schools of education of
343 public institutions of higher learning located within the state to
344 be recommended by the Board of Trustees of State Institutions of
345 Higher Learning; one (1) representative from the schools of
346 education of independent institutions of higher learning to be
347 recommended by the Board of the Mississippi Association of
348 Independent Colleges; one (1) representative from public community
349 and junior colleges located within the state to be recommended by
350 the Mississippi Community College Board; one (1) local school
351 board member; and four (4) laypersons. Three (3) members of the
352 commission, at the sole discretion of the State Board of
353 Education, shall be appointed from the state at large.

354 (b) All appointments shall be made by the State Board
355 of Education after consultation with the State Superintendent of
356 Public Education. The first appointments by the State Board of
357 Education shall be made as follows: five (5) members shall be
358 appointed for a term of one (1) year; five (5) members shall be
359 appointed for a term of two (2) years; and five (5) members shall



360 be appointed for a term of three (3) years. Thereafter, all
361 members shall be appointed for a term of four (4) years.

362 (3) The State Board of Education when making appointments
363 shall designate a chairman. The commission shall meet at least
364 once every two (2) months or more often if needed. Members of the
365 commission shall be compensated at a rate of per diem as
366 authorized by Section 25-3-69 and be reimbursed for actual and
367 necessary expenses as authorized by Section 25-3-41.

368 (4) (a) An appropriate staff member of the State Department
369 of Education shall be designated and assigned by the State
370 Superintendent of Public Education to serve as executive secretary
371 and coordinator for the commission. No less than two (2) other
372 appropriate staff members of the State Department of Education
373 shall be designated and assigned by the State Superintendent of
374 Public Education to serve on the staff of the commission.

375 (b) An Office of Educator Misconduct Evaluations shall
376 be established within the State Department of Education to assist
377 the commission in responding to infractions and violations, and in
378 conducting hearings and enforcing the provisions of subsections
379 (11), (12), (13), (14) and (15) of this section, and violations of
380 the Mississippi Educator Code of Ethics.

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

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



385 (b) Recommend to the State Board of Education each year
386 approval or disapproval of each educator preparation program in
387 the state, subject to a process and schedule determined by the
388 State Board of Education;

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

392 (d) Establish, subject to the approval of the State
393 Board of Education, standards for the renewal of teacher licenses
394 in all fields;

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

398 (f) Review all existing requirements for certification
399 and licensure;

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

402 (h) Prepare reports from time to time on current
403 practices and issues in the general area of teacher education and
404 certification and licensure;

405 (i) Hold hearings concerning standards for teachers'
406 and administrators' education and certification and licensure with
407 approval of the State Board of Education;

408 (j) Hire expert consultants with approval of the State
409 Board of Education;



410 (k) Set up ad hoc committees to advise on specific
411 areas; and

412 (l) Perform such other functions as may fall within
413 their general charge and which may be delegated to them by the
414 State Board of Education.

415 (6) (a) **Standard License - Approved Program Route.** An
416 educator entering the school system of Mississippi for the first
417 time and meeting all requirements as established by the State
418 Board of Education shall be granted a standard five-year license.
419 Persons who possess two (2) years of classroom experience as an
420 assistant teacher or who have taught for one (1) year in an
421 accredited public or private school shall be allowed to fulfill
422 student teaching requirements under the supervision of a qualified
423 participating teacher approved by an accredited college of
424 education. The local school district in which the assistant
425 teacher is employed shall compensate such assistant teachers at
426 the required salary level during the period of time such
427 individual is completing student teaching requirements.
428 Applicants for a standard license shall submit to the department:

429 (i) An application on a department form;

430 (ii) An official transcript of completion of a
431 teacher education program approved by the department or a
432 nationally accredited program, subject to the following:
433 Licensure to teach in Mississippi prekindergarten through
434 kindergarten classrooms shall require completion of a teacher



435 education program or a Bachelor of Science degree with child
436 development emphasis from a program accredited by the American
437 Association of Family and Consumer Sciences (AAFCS) or by the
438 National Association for Education of Young Children (NAEYC) or by
439 the National Council for Accreditation of Teacher Education
440 (NCATE). Licensure to teach in Mississippi kindergarten, for
441 those applicants who have completed a teacher education program,
442 and in Grade 1 through Grade 4 shall require the completion of an
443 interdisciplinary program of studies. Licenses for Grades 4
444 through 8 shall require the completion of an interdisciplinary
445 program of studies with two (2) or more areas of concentration.
446 Licensure to teach in Mississippi Grades 7 through 12 shall
447 require a major in an academic field other than education, or a
448 combination of disciplines other than education. Students
449 preparing to teach a subject shall complete a major in the
450 respective subject discipline. All applicants for standard
451 licensure shall demonstrate that such person's college preparation
452 in those fields was in accordance with the standards set forth by
453 the National Council for Accreditation of Teacher Education
454 (NCATE) or the National Association of State Directors of Teacher
455 Education and Certification (NASDTEC) or, for those applicants who
456 have a Bachelor of Science degree with child development emphasis,
457 the American Association of Family and Consumer Sciences (AAFCS).
458 Effective July 1, 2016, for initial elementary education
459 licensure, a teacher candidate must earn a passing score on a



460 rigorous test of scientifically research-based reading instruction
461 and intervention and data-based decision-making principles as
462 approved by the State Board of Education;

463 (iii) A copy of test scores evidencing
464 satisfactory completion of nationally administered examinations of
465 achievement, such as the Educational Testing Service's teacher
466 testing examinations;

467 (iv) Any other document required by the State
468 Board of Education; and

469 (v) From and after July 1, 2020, no teacher
470 candidate shall be licensed to teach in Mississippi who did not
471 meet the following criteria for entrance into an approved teacher
472 education program:

473 1. An ACT Score of twenty-one (21) (or SAT
474 equivalent); or

475 2. Achieve a qualifying passing score on the
476 Praxis Core Academic Skills for Educators examination as
477 established by the State Board of Education; or

478 3. A minimum GPA of 3.0 on coursework prior
479 to admission to an approved teacher education program * * *; and

480 (vi) Except as otherwise provided, any teacher,
481 who has been granted a provisional license, but has not yet
482 achieved the nationally recommended passing scores on the Praxis
483 Core Academic Skills for Educators examination and Praxis II, and
484 has been employed by a public school district or a nonpublic



485 school accredited/approved by the state for a minimum of five (5)
486 years in a full-time instructional capacity before the effective
487 date of this act, shall be granted a standard five-year renewable
488 license, and shall be required to complete all necessary
489 professional development trainings, continuing education unit
490 courses and any other requirement stipulated by the commission for
491 licensure renewal going forward.

492 (b) (i) **Standard License - Nontraditional Teaching**

493 **Route.** From and after July 1, 2020, no teacher candidate shall be
494 licensed to teach in Mississippi under the alternate route who did
495 not meet the following criteria:

496 * * *1. An ACT Score of twenty-one (21) (or
497 SAT equivalent); or

498 * * *2. Achieve a qualifying passing score
499 on the Praxis Core Academic Skills for Educators examination as
500 established by the State Board of Education; or

501 * * *3. A minimum GPA of 3.0 on coursework
502 prior to admission to an approved teacher education program.

503 (ii) Beginning July 1, 2020, an individual who has
504 attained a passing score on the Praxis Core Academic Skills for
505 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
506 or a minimum GPA of 3.0 on coursework prior to admission to an
507 approved teacher education program and a passing score on the
508 Praxis Subject Assessment in the requested area of endorsement may
509 apply for admission to the Teach Mississippi Institute (TMI)



510 program to teach students in Grades 7 through 12 if the individual
511 meets the requirements of this paragraph (b). The State Board of
512 Education shall adopt rules requiring that teacher preparation
513 institutions which provide the Teach Mississippi Institute (TMI)
514 program for the preparation of nontraditional teachers shall meet
515 the standards and comply with the provisions of this paragraph.

516 * * *1. The Teach Mississippi Institute
517 (TMI) shall include an intensive eight-week, nine-semester-hour
518 summer program or a curriculum of study in which the student
519 matriculates in the fall or spring semester, which shall include,
520 but not be limited to, instruction in education, effective
521 teaching strategies, classroom management, state curriculum
522 requirements, planning and instruction, instructional methods and
523 pedagogy, using test results to improve instruction, and a one (1)
524 semester three-hour supervised internship to be completed while
525 the teacher is employed as a full-time teacher intern in a local
526 school district. The TMI shall be implemented on a pilot program
527 basis, with courses to be offered at up to four (4) locations in
528 the state, with one (1) TMI site to be located in each of the
529 three (3) Mississippi Supreme Court districts.

530 * * *2. The school sponsoring the teacher
531 intern shall enter into a written agreement with the institution
532 providing the Teach Mississippi Institute (TMI) program, under
533 terms and conditions as agreed upon by the contracting parties,
534 providing that the school district shall provide teacher interns



535 seeking a nontraditional provisional teaching license with a
536 one-year classroom teaching experience. The teacher intern shall
537 successfully complete the one (1) semester three-hour intensive
538 internship in the school district during the semester immediately
539 following successful completion of the TMI and prior to the end of
540 the one-year classroom teaching experience.

541 * * *3. Upon completion of the
542 nine-semester-hour TMI or the fall or spring semester option, the
543 individual shall submit his transcript to the commission for
544 provisional licensure of the intern teacher, and the intern
545 teacher shall be issued a provisional teaching license by the
546 commission, which will allow the individual to legally serve as a
547 teacher while the person completes a nontraditional teacher
548 preparation internship program.

549 * * *4. During the semester of internship in
550 the school district, the teacher preparation institution shall
551 monitor the performance of the intern teacher. The school
552 district that employs the provisional teacher shall supervise the
553 provisional teacher during the teacher's intern year of employment
554 under a nontraditional provisional license, and shall, in
555 consultation with the teacher intern's mentor at the school
556 district of employment, submit to the commission a comprehensive
557 evaluation of the teacher's performance sixty (60) days prior to
558 the expiration of the nontraditional provisional license. If the
559 comprehensive evaluation establishes that the provisional teacher



560 intern's performance fails to meet the standards of the approved
561 nontraditional teacher preparation internship program, the
562 individual shall not be approved for a standard license.

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

569 * * *6. Upon successful completion of the
570 TMI and the internship provisional license period, applicants for
571 a Standard License - Nontraditional Route shall submit to the
572 commission a transcript of successful completion of the twelve
573 (12) semester hours required in the internship program, and the
574 employing school district shall submit to the commission a
575 recommendation for standard licensure of the intern. If the
576 school district recommends licensure, the applicant shall be
577 issued a Standard License - Nontraditional Route which shall be
578 valid for a five-year period and be renewable.

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



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

591 (iii) Implementation of the TMI program provided
592 for under this paragraph (b) shall be contingent upon the
593 availability of funds appropriated specifically for such purpose
594 by the Legislature. Such implementation of the TMI program may
595 not be deemed to prohibit the State Board of Education from
596 developing and implementing additional alternative route teacher
597 licensure programs, as deemed appropriate by the board. The
598 emergency certification program in effect prior to July 1, 2002,
599 shall remain in effect.

600 (iv) A Standard License - Approved Program Route
601 shall be issued for a five-year period, and may be renewed.
602 Except as otherwise provided, any alternate route teacher, who has
603 been granted a provisional license, but has not yet achieved the
604 nationally recommended passing scores on the Praxis Core Academic
605 Skills for Educators examination and Praxis II, and has been
606 employed by a public school district or a nonpublic school
607 accredited/approved by the state for a minimum of five (5) years
608 in a full-time instructional capacity before the effective date of



609 this act, shall be granted a standard five-year renewable license,
610 and shall be required to complete all necessary professional
611 development trainings, continuing education unit courses and any
612 other requirement stipulated by the commission for licensure
613 renewal going forward. Recognizing teaching as a profession, a
614 hiring preference shall be granted to persons holding a Standard
615 License - Approved Program Route or Standard License -
616 Nontraditional Teaching Route over persons holding any other
617 license.

618 (c) **Special License - Expert Citizen.** In order to
619 allow a school district to offer specialized or technical courses,
620 the State Department of Education, in accordance with rules and
621 regulations established by the State Board of Education, may grant
622 a * * * five-year expert citizen-teacher license to local business
623 or other professional personnel to teach in a public school or
624 nonpublic school accredited or approved by the state. Such person
625 shall be required to have a high school diploma and a minimum of
626 five (5) years experience but shall not be required to hold an
627 associate or bachelor's degree, provided that he or she possesses
628 the minimum qualifications required for his or her profession, and
629 may begin teaching upon his employment by the local school board
630 and licensure by the Mississippi Department of Education. The
631 board shall adopt rules and regulations to administer the expert
632 citizen-teacher license. A Special License - Expert Citizen may



633 be renewed in accordance with the established rules and
634 regulations of the State Department of Education.

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

641 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
642 person may teach for a maximum of three (3) periods per teaching
643 day in a public school district or a nonpublic school
644 accredited/approved by the state. Such person shall submit to the
645 department a transcript or record of his education and experience
646 which substantiates his preparation for the subject to be taught
647 and shall meet other qualifications specified by the commission
648 and approved by the State Board of Education. In no case shall
649 any local school board hire nonlicensed personnel as authorized
650 under this paragraph in excess of * * * ten percent (10%) of the
651 total number of licensed personnel in any single school. Any
652 person authorized to teach under the provisions of this paragraph
653 (e), who has been employed by a public school district or a
654 nonpublic school accredited/approved by the state for a minimum of
655 five (5) years before the effective date of this act, shall be
656 granted a standard five-year renewable license, and shall be
657 required to complete all necessary professional development



658 trainings, continuing education unit courses and any other
659 requirement stipulated by the commission for licensure renewal
660 going forward.

661 (f) **Special License - Transitional Bilingual Education.**

662 Beginning July 1, 2003, the commission shall grant special
663 licenses to teachers of transitional bilingual education who
664 possess such qualifications as are prescribed in this section.
665 Teachers of transitional bilingual education shall be compensated
666 by local school boards at not less than one (1) step on the
667 regular salary schedule applicable to permanent teachers licensed
668 under this section. The commission shall grant special licenses
669 to teachers of transitional bilingual education who present the
670 commission with satisfactory evidence that they (i) possess a
671 speaking and reading ability in a language, other than English, in
672 which bilingual education is offered and communicative skills in
673 English; (ii) are in good health and sound moral character; (iii)
674 possess a bachelor's degree or an associate's degree in teacher
675 education from an accredited institution of higher education; (iv)
676 meet such requirements as to courses of study, semester hours
677 therein, experience and training as may be required by the
678 commission; and (v) are legally present in the United States and
679 possess legal authorization for employment. A teacher of
680 transitional bilingual education serving under a special license
681 shall be under an exemption from standard licensure if he achieves
682 the requisite qualifications therefor. Two (2) years of service



683 by a teacher of transitional bilingual education under such an
684 exemption shall be credited to the teacher in acquiring a Standard
685 Educator License. Nothing in this paragraph shall be deemed to
686 prohibit a local school board from employing a teacher licensed in
687 an appropriate field as approved by the State Department of
688 Education to teach in a program in transitional bilingual
689 education.

690 (g) In the event any school district meets the highest
691 accreditation standards as defined by the State Board of Education
692 in the accountability system, the State Board of Education, in its
693 discretion, may exempt such school district from any restrictions
694 in paragraph (e) relating to the employment of nonlicensed
695 teaching personnel.

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

701 (7) **Administrator License.** The State Board of Education is
702 authorized to establish rules and regulations and to administer
703 the licensure process of the school administrators in the State of
704 Mississippi. There will be four (4) categories of administrator
705 licensure with exceptions only through special approval of the
706 State Board of Education.



707 (a) **Administrator License - Nonpracticing.** Those
708 educators holding administrative endorsement but having no
709 administrative experience or not serving in an administrative
710 position on January 15, 1997.

711 (b) **Administrator License - Entry Level.** Those
712 educators holding administrative endorsement and having met the
713 department's qualifications to be eligible for employment in a
714 Mississippi school district. Administrator License - Entry Level
715 shall be issued for a five-year period and shall be nonrenewable.

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

719 (d) **Administrator License - Nontraditional Route.** The
720 board may establish a nontraditional route for licensing
721 administrative personnel. Such nontraditional route for
722 administrative licensure shall be available for persons holding,
723 but not limited to, a master of business administration degree, a
724 master of public administration degree, a master of public
725 planning and policy degree or a doctor of jurisprudence degree
726 from an accredited college or university, with five (5) years of
727 administrative or supervisory experience. Successful completion
728 of the requirements of alternate route licensure for
729 administrators shall qualify the person for a standard
730 administrator license.



731 Individuals seeking school administrator licensure under
732 paragraph (b), (c) or (d) shall successfully complete a training
733 program and an assessment process prescribed by the State Board of
734 Education. All applicants for school administrator licensure
735 shall meet all requirements prescribed by the department under
736 paragraph (b), (c) or (d), and the cost of the assessment process
737 required shall be paid by the applicant.

738 (8) **Reciprocity.** (a) The department shall grant a standard
739 license to any individual who possesses a valid standard license
740 from another state and meets minimum Mississippi license
741 requirements or equivalent requirements as determined by the State
742 Board of Education. The issuance of a license by reciprocity to a
743 military-trained applicant or military spouse shall be subject to
744 the provisions of Section 73-50-1.

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

753 (9) **Renewal and Reinstatement of Licenses.** The State Board
754 of Education is authorized to establish rules and regulations for
755 the renewal and reinstatement of educator and administrator



756 licenses. Effective May 15, 1997, the valid standard license held
757 by an educator shall be extended five (5) years beyond the
758 expiration date of the license in order to afford the educator
759 adequate time to fulfill new renewal requirements established
760 pursuant to this subsection. An educator completing a master of
761 education, educational specialist or doctor of education degree in
762 May 1997 for the purpose of upgrading the educator's license to a
763 higher class shall be given this extension of five (5) years plus
764 five (5) additional years for completion of a higher degree.

765 (10) All controversies involving the issuance, revocation,
766 suspension or any change whatsoever in the licensure of an
767 educator required to hold a license shall be initially heard in a
768 hearing de novo, by the commission or by a subcommittee
769 established by the commission and composed of commission members,
770 or by a hearing officer retained and appointed by the commission,
771 for the purpose of holding hearings. Any complaint seeking the
772 denial of issuance, revocation or suspension of a license shall be
773 by sworn affidavit filed with the Commission on Teacher and
774 Administrator Education, Certification and Licensure and
775 Development. The decision thereon by the commission, its
776 subcommittee or hearing officer, shall be final, unless the
777 aggrieved party shall appeal to the State Board of Education,
778 within ten (10) days, of the decision of the commission, its
779 subcommittee or hearing officer. An appeal to the State Board of
780 Education shall be perfected upon filing a notice of the appeal



781 and by the prepayment of the costs of the preparation of the
782 record of proceedings by the commission, its subcommittee or
783 hearing officer. An appeal shall be on the record previously made
784 before the commission, its subcommittee or hearing officer, unless
785 otherwise provided by rules and regulations adopted by the board.
786 The decision of the commission, its subcommittee or hearing
787 officer shall not be disturbed on appeal if supported by
788 substantial evidence, was not arbitrary or capricious, within the
789 authority of the commission, and did not violate some statutory or
790 constitutional right. The State Board of Education in its
791 authority may reverse, or remand with instructions, the decision
792 of the commission, its subcommittee or hearing officer. The
793 decision of the State Board of Education shall be final.

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

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

799 (ii) The applicant has a physical, emotional or
800 mental disability that renders the applicant unfit to perform the
801 duties authorized by the license, as certified by a licensed
802 psychologist or psychiatrist;

803 (iii) The applicant is actively addicted to or
804 actively dependent on alcohol or other habit-forming drugs or is a
805 habitual user of narcotics, barbiturates, amphetamines,



806 hallucinogens or other drugs having similar effect, at the time of
807 application for a license;

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

810 (v) Failing or refusing to furnish reasonable
811 evidence of identification;

812 (vi) The applicant has been convicted, has pled
813 guilty or entered a plea of nolo contendere to a felony, as
814 defined by federal or state law. For purposes of this
815 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
816 a plea of guilty, entry of a plea of nolo contendere, or entry of
817 an order granting pretrial or judicial diversion;

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

822 (b) The State Board of Education, acting through the
823 commission, shall deny an application for any teacher or
824 administrator license, or immediately revoke the current teacher
825 or administrator license, for one or more of the following:

826 (i) If the applicant or licensee has been
827 convicted, has pled guilty or entered a plea of nolo contendere to
828 a sex offense as defined by federal or state law. For purposes of
829 this subparagraph (i) of this paragraph (b), a "guilty plea"



830 includes a plea of guilty, entry of a plea of nolo contendere, or
831 entry of an order granting pretrial or judicial diversion;

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

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

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

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

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

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

853 (c) Suspension or revocation of a certificate or
854 license by another state shall result in immediate suspension or



855 revocation and shall continue until records in the prior state
856 have been cleared;

857 (d) The license holder has been convicted, has pled
858 guilty or entered a plea of nolo contendere to a felony, as
859 defined by federal or state law. For purposes of this paragraph,
860 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
861 contendere, or entry of an order granting pretrial or judicial
862 diversion;

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

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

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

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

877 (i) The license holder has failed to comply with the
878 Procedures for Reporting Infractions as promulgated by the



879 commission and approved by the State Board of Education pursuant
880 to subsection (15) of this section.

881 For purposes of this subsection, probation shall be defined
882 as a length of time determined by the commission, its subcommittee
883 or hearing officer, and based on the severity of the offense in
884 which the license holder shall meet certain requirements as
885 prescribed by the commission, its subcommittee or hearing officer.
886 Failure to complete the requirements in the time specified shall
887 result in immediate suspension of the license for one (1) year.

888 (13) (a) Dismissal or suspension of a licensed employee by
889 a local school board pursuant to Section 37-9-59 may result in the
890 suspension or revocation of a license for a length of time which
891 shall be determined by the commission and based upon the severity
892 of the offense.

893 (b) Any offense committed or attempted in any other
894 state shall result in the same penalty as if committed or
895 attempted in this state.

896 (c) A person may voluntarily surrender a license. The
897 surrender of such license may result in the commission
898 recommending any of the above penalties without the necessity of a
899 hearing. However, any such license which has voluntarily been
900 surrendered by a licensed employee may only be reinstated by a
901 majority vote of all members of the commission present at the
902 meeting called for such purpose.



903 (14) (a) A person whose license has been suspended or
904 surrendered on any grounds except criminal grounds may petition
905 for reinstatement of the license after one (1) year from the date
906 of suspension or surrender, or after one-half (1/2) of the
907 suspended or surrendered time has lapsed, whichever is greater. A
908 person whose license has been suspended or revoked on any grounds
909 or violations under subsection (12) of this section may be
910 reinstated automatically or approved for a reinstatement hearing,
911 upon submission of a written request to the commission. A license
912 suspended, revoked or surrendered on criminal grounds may be
913 reinstated upon petition to the commission filed after expiration
914 of the sentence and parole or probationary period imposed upon
915 conviction. A revoked, suspended or surrendered license may be
916 reinstated upon satisfactory showing of evidence of
917 rehabilitation. The commission shall require all who petition for
918 reinstatement to furnish evidence satisfactory to the commission
919 of good character, good mental, emotional and physical health and
920 such other evidence as the commission may deem necessary to
921 establish the petitioner's rehabilitation and fitness to perform
922 the duties authorized by the license.

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



927 (15) Reporting procedures and hearing procedures for dealing
928 with infractions under this section shall be promulgated by the
929 commission, subject to the approval of the State Board of
930 Education. The revocation or suspension of a license shall be
931 effected at the time indicated on the notice of suspension or
932 revocation. The commission shall immediately notify the
933 superintendent of the school district or school board where the
934 teacher or administrator is employed of any disciplinary action
935 and also notify the teacher or administrator of such revocation or
936 suspension and shall maintain records of action taken. The State
937 Board of Education may reverse or remand with instructions any
938 decision of the commission, its subcommittee or hearing officer
939 regarding a petition for reinstatement of a license, and any such
940 decision of the State Board of Education shall be final.

941 (16) An appeal from the action of the State Board of
942 Education in denying an application, revoking or suspending a
943 license or otherwise disciplining any person under the provisions
944 of this section shall be filed in the Chancery Court of the First
945 Judicial District of Hinds County, Mississippi, on the record
946 made, including a verbatim transcript of the testimony at the
947 hearing. The appeal shall be filed within thirty (30) days after
948 notification of the action of the board is mailed or served and
949 the proceedings in chancery court shall be conducted as other
950 matters coming before the court. The appeal shall be perfected
951 upon filing notice of the appeal and by the prepayment of all



952 costs, including the cost of preparation of the record of the
953 proceedings by the State Board of Education, and the filing of a
954 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
955 if the action of the board be affirmed by the chancery court, the
956 applicant or license holder shall pay the costs of the appeal and
957 the action of the chancery court.

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

962 (18) The granting of a license shall not be deemed a
963 property right nor a guarantee of employment in any public school
964 district. A license is a privilege indicating minimal eligibility
965 for teaching in the public school districts of Mississippi. This
966 section shall in no way alter or abridge the authority of local
967 school districts to require greater qualifications or standards of
968 performance as a prerequisite of initial or continued employment
969 in such districts.

970 (19) In addition to the reasons specified in subsections
971 (12) and (13) of this section, the board shall be authorized to
972 suspend the license of any licensee for being out of compliance
973 with an order for support, as defined in Section 93-11-153. The
974 procedure for suspension of a license for being out of compliance
975 with an order for support, and the procedure for the reissuance or
976 reinstatement of a license suspended for that purpose, and the



977 payment of any fees for the reissuance or reinstatement of a
978 license suspended for that purpose, shall be governed by Section
979 93-11-157 or 93-11-163, as the case may be. Actions taken by the
980 board in suspending a license when required by Section 93-11-157
981 or 93-11-163 are not actions from which an appeal may be taken
982 under this section. Any appeal of a license suspension that is
983 required by Section 93-11-157 or 93-11-163 shall be taken in
984 accordance with the appeal procedure specified in Section
985 93-11-157 or 93-11-163, as the case may be, rather than the
986 procedure specified in this section. If there is any conflict
987 between any provision of Section 93-11-157 or 93-11-163 and any
988 provision of this chapter, the provisions of Section 93-11-157 or
989 93-11-163, as the case may be, shall control.

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

992 37-16-3. (1) The State Department of Education is directed
993 to implement a program of statewide assessment testing which shall
994 provide for the improvement of the operation and management of the
995 public schools. The statewide program shall be timed, as far as
996 possible, so as not to conflict with ongoing district assessment
997 programs. As part of the program, the department shall:

998 (a) Establish, with the approval of the State Board of
999 Education, minimum performance standards related to the goals for
1000 education contained in the state's plan including, but not limited
1001 to, basic skills in reading, writing and mathematics. The minimum



1002 performance standards shall be approved by April 1 in each year
1003 they are established.

1004 (b) Conduct a uniform statewide testing program in
1005 grades deemed appropriate in the public schools, including charter
1006 schools, which shall provide for the administration of the ACT
1007 WorkKeys Assessment to all public and charter school students.
1008 Each individual school district shall determine whether the ACT
1009 WorkKeys Assessment is administered in the ninth, tenth or
1010 eleventh grade. The program may test skill areas, basic skills
1011 and high school course content.

1012 (c) Monitor the results of the assessment program and,
1013 at any time the composite student performance of a school or basic
1014 program is found to be below the established minimum standards,
1015 notify the district superintendent or the governing board of the
1016 charter school, as the case may be, the school principal and the
1017 school advisory committee or other existing parent group of the
1018 situation within thirty (30) days of its determination. The
1019 department shall further provide technical assistance to a school
1020 district in the identification of the causes of this deficiency
1021 and shall recommend courses of action for its correction.

1022 (d) Provide technical assistance to the school
1023 districts, when requested, in the development of student
1024 performance standards in addition to the established minimum
1025 statewide standards.



1026 (e) Issue security procedure regulations providing for
1027 the security and integrity of the tests that are administered
1028 under the basic skills assessment program.

1029 (f) In case of an allegation of a testing irregularity
1030 that prompts a need for an investigation by the Department of
1031 Education, the department may, in its discretion, take complete
1032 control of the statewide test administration in a school district
1033 or any part thereof, including, but not limited to, obtaining
1034 control of the test booklets and answer documents. In the case of
1035 any verified testing irregularity that jeopardized the security
1036 and integrity of the test(s), validity or the accuracy of the test
1037 results, the cost of the investigation and any other actual and
1038 necessary costs related to the investigation paid by the
1039 Department of Education shall be reimbursed by the local school
1040 district from funds other than federal funds, Mississippi Adequate
1041 Education Program funds, or any other state funds within six (6)
1042 months from the date of notice by the department to the school
1043 district to make reimbursement to the department.

1044 (2) Uniform basic skills tests shall be completed by each
1045 student in the appropriate grade. These tests shall be
1046 administered in such a manner as to preserve the integrity and
1047 validity of the assessment. In the event of excused or unexcused
1048 student absences, make-up tests shall be given. The school
1049 superintendent of every school district in the state and the
1050 principal of each charter school shall annually certify to the



1051 State Department of Education that each student enrolled in the
1052 appropriate grade has completed the required basic skills
1053 assessment test for his or her grade in a valid test
1054 administration.

1055 (3) Within five (5) days of completing the administration of
1056 a statewide test, the principal of the school where the test was
1057 administered shall certify under oath to the State Department of
1058 Education that the statewide test was administered in strict
1059 accordance with the Requirements of the Mississippi Statewide
1060 Assessment System as adopted by the State Board of Education. The
1061 principal's sworn certification shall be set forth on a form
1062 developed and approved by the Department of Education. If,
1063 following the administration of a statewide test, the principal
1064 has reason to believe that the test was not administered in strict
1065 accordance with the Requirements of the Mississippi Statewide
1066 Assessment System as adopted by the State Board of Education, the
1067 principal shall submit a sworn certification to the Department of
1068 Education setting forth all information known or believed by the
1069 principal about all potential violations of the Requirements of
1070 the Mississippi Statewide Assessment System as adopted by the
1071 State Board of Education. The submission of false information or
1072 false certification to the Department of Education by any licensed
1073 educator may result in licensure disciplinary action pursuant to
1074 Section 37-3-2 and criminal prosecution pursuant to Section
1075 37-16-4.



1076 **SECTION 6.** Section 37-17-6, Mississippi Code of 1972, is
1077 amended as follows:

1078 37-17-6. (1) The State Board of Education, acting through
1079 the Commission on School Accreditation, shall establish and
1080 implement a permanent performance-based accreditation system, and
1081 all noncharter public elementary and secondary schools shall be
1082 accredited under this system.

1083 (2) No later than June 30, 1995, the State Board of
1084 Education, acting through the Commission on School Accreditation,
1085 shall require school districts to provide school classroom space
1086 that is air-conditioned as a minimum requirement for
1087 accreditation.

1088 (3) (a) Beginning with the 1994-1995 school year, the State
1089 Board of Education, acting through the Commission on School
1090 Accreditation, shall require that school districts employ
1091 certified school librarians according to the following formula:

1092 Number of Students	Number of Certified
1093 Per School Library	School Librarians
1094 0 - 499 Students	1/2 Full-time Equivalent
1095	Certified Librarian
1096 500 or More Students	1 Full-time Certified
1097	Librarian

1098 (b) The State Board of Education, however, may increase
1099 the number of positions beyond the above requirements.



1100 (c) The assignment of certified school librarians to
1101 the particular schools shall be at the discretion of the local
1102 school district. No individual shall be employed as a certified
1103 school librarian without appropriate training and certification as
1104 a school librarian by the State Department of Education.

1105 (d) School librarians in the district shall spend at
1106 least fifty percent (50%) of direct work time in a school library
1107 and shall devote no more than one-fourth (1/4) of the workday to
1108 administrative activities that are library related.

1109 (e) Nothing in this subsection shall prohibit any
1110 school district from employing more certified school librarians
1111 than are provided for in this section.

1112 (f) Any additional millage levied to fund school
1113 librarians required for accreditation under this subsection shall
1114 be included in the tax increase limitation set forth in Sections
1115 37-57-105 and 37-57-107 and shall not be deemed a new program for
1116 purposes of the limitation.

1117 (4) On or before December 31, 2002, the State Board of
1118 Education shall implement the performance-based accreditation
1119 system for school districts and for individual noncharter public
1120 schools which shall include the following:

1121 (a) High expectations for students and high standards
1122 for all schools, with a focus on the basic curriculum;

1123 (b) Strong accountability for results with appropriate
1124 local flexibility for local implementation;



1125 (c) A process to implement accountability at both the
1126 school district level and the school level;

1127 (d) Individual schools shall be held accountable for
1128 student growth and performance;

1129 (e) Set annual performance standards for each of the
1130 schools of the state and measure the performance of each school
1131 against itself through the standard that has been set for it;

1132 (f) A determination of which schools exceed their
1133 standards and a plan for providing recognition and rewards to
1134 those schools;

1135 (g) A determination of which schools are failing to
1136 meet their standards and a determination of the appropriate role
1137 of the State Board of Education and the State Department of
1138 Education in providing assistance and initiating possible
1139 intervention. A failing district is a district that fails to meet
1140 both the absolute student achievement standards and the rate of
1141 annual growth expectation standards as set by the State Board of
1142 Education for two (2) consecutive years. The State Board of
1143 Education shall establish the level of benchmarks by which
1144 absolute student achievement and growth expectations shall be
1145 assessed. In setting the benchmarks for school districts, the
1146 State Board of Education may also take into account such factors
1147 as graduation rates, dropout rates, completion rates, the extent
1148 to which the school or district employs qualified teachers in
1149 every classroom, and any other factors deemed appropriate by the



1150 State Board of Education. The State Board of Education, acting
1151 through the State Department of Education, shall apply a simple
1152 "A," "B," "C," "D" and "F" designation to the current school and
1153 school district statewide accountability performance
1154 classification labels beginning with the State Accountability
1155 Results for the 2011-2012 school year and following, and in the
1156 school, district and state report cards required under state and
1157 federal law. Under the new designations, a school or school
1158 district that has earned a "Star" rating shall be designated an
1159 "A" school or school district; a school or school district that
1160 has earned a "High-Performing" rating shall be designated a "B"
1161 school or school district; a school or school district that has
1162 earned a "Successful" rating shall be designated a "C" school or
1163 school district; a school or school district that has earned an
1164 "Academic Watch" rating shall be designated a "D" school or school
1165 district; a school or school district that has earned a
1166 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
1167 be designated an "F" school or school district. Effective with
1168 the implementation of any new curriculum and assessment standards,
1169 the State Board of Education, acting through the State Department
1170 of Education, is further authorized and directed to change the
1171 school and school district accreditation rating system to a simple
1172 "A," "B," "C," "D," and "F" designation based on a combination of
1173 student achievement scores and student growth as measured by the
1174 statewide testing programs developed by the State Board of



1175 Education pursuant to Chapter 16, Title 37, Mississippi Code of
1176 1972. In any statute or regulation containing the former
1177 accreditation designations, the new designations shall be
1178 applicable;

1179 (h) Development of a comprehensive student assessment
1180 system to implement these requirements; and

1181 (i) The State Board of Education may, based on a
1182 written request that contains specific reasons for requesting a
1183 waiver from the school districts affected by Hurricane Katrina of
1184 2005, hold harmless school districts from assignment of district
1185 and school level accountability ratings for the 2005-2006 school
1186 year. The State Board of Education upon finding an extreme
1187 hardship in the school district may grant the request. It is the
1188 intent of the Legislature that all school districts maintain the
1189 highest possible academic standards and instructional programs in
1190 all schools as required by law and the State Board of Education.

1191 (5) (a) Effective with the 2013-2014 school year, the State
1192 Department of Education, acting through the Mississippi Commission
1193 on School Accreditation, shall revise and implement a single "A"
1194 through "F" school and school district accountability system
1195 complying with applicable federal and state requirements in order
1196 to reach the following educational goals:

1197 (i) To mobilize resources and supplies to ensure
1198 that all students exit third grade reading on grade level by 2015;



1199 (ii) To reduce the student dropout rate to
1200 thirteen percent (13%) by 2015; and

1201 (iii) To have sixty percent (60%) of students
1202 scoring proficient and advanced on the assessments of the Common
1203 Core State Standards by 2016 with incremental increases of three
1204 percent (3%) each year thereafter.

1205 (b) The State Department of Education shall combine the
1206 state school and school district accountability system with the
1207 federal system in order to have a single system.

1208 (c) The State Department of Education shall establish
1209 five (5) performance categories ("A," "B," "C," "D" and "F") for
1210 the accountability system based on the following criteria:

1211 (i) Student Achievement: the percent of students
1212 proficient and advanced on the current state assessments;

1213 (ii) Individual student growth: the percent of
1214 students making one (1) year's progress in one (1) year's time on
1215 the state assessment, with an emphasis on the progress of the
1216 lowest twenty-five percent (25%) of students in the school or
1217 district;

1218 (iii) Four-year graduation rate: the percent of
1219 students graduating with a standard high school diploma in four
1220 (4) years, as defined by federal regulations;

1221 (iv) Categories shall identify schools as Reward
1222 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
1223 at least five percent (5%) of schools in the state are not graded



1224 as "F" schools, the lowest five percent (5%) of school grade point
1225 designees will be identified as Priority schools. If at least ten
1226 percent (10%) of schools in the state are not graded as "D"
1227 schools, the lowest ten percent (10%) of school grade point
1228 designees will be identified as Focus schools;

1229 (v) The State Department of Education shall
1230 discontinue the use of Star School, High-Performing, Successful,
1231 Academic Watch, Low-Performing, At-Risk of Failing and Failing
1232 school accountability designations;

1233 (vi) The system shall include the federally
1234 compliant four-year graduation rate in school and school district
1235 accountability system calculations. Graduation rate will apply to
1236 high school and school district accountability ratings as a
1237 compensatory component. The system shall discontinue the use of
1238 the High School Completer Index (HSCI);

1239 (vii) The school and school district
1240 accountability system shall incorporate a standards-based growth
1241 model, in order to support improvement of individual student
1242 learning;

1243 (viii) The State Department of Education shall
1244 discontinue the use of the Quality Distribution Index (QDI);

1245 (ix) The State Department of Education shall
1246 determine feeder patterns of schools that do not earn a school
1247 grade because the grades and subjects taught at the school do not
1248 have statewide standardized assessments needed to calculate a



1249 school grade. Upon determination of the feeder pattern, the
1250 department shall notify schools and school districts prior to the
1251 release of the school grades beginning in 2013. Feeder schools
1252 will be assigned the accountability designation of the school to
1253 which they provide students;

1254 (x) Standards for student, school and school
1255 district performance will be increased when student proficiency is
1256 at a seventy-five percent (75%) and/or when sixty-five percent
1257 (65%) of the schools and/or school districts are earning a grade
1258 of "B" or higher, in order to raise the standard on performance
1259 after targets are met * * *; and

1260 (xi) The system shall include student performance
1261 on the administration of the ACT WorkKeys Assessment, which shall
1262 be weighted in the same percentage as the standard ACT Assessment
1263 as administered to students in Grade 11, for inclusion in the
1264 college and career readiness portion of the accountability rating
1265 system. The State Department of Education shall ensure equitable
1266 distribution of points under the accountability rating, in
1267 comparison to the ACT Assessment, for a Silver Status on the ACT
1268 WorkKeys Assessment. A student shall not be required to complete
1269 all of the courses within his or her career pathway for his or her
1270 performance on the ACT WorkKeys Assessment to be included in the
1271 system. Each individual school district shall determine whether
1272 the ACT WorkKeys Assessment is administered in the ninth, tenth or
1273 eleventh grade.



1274 (6) Nothing in this section shall be deemed to require a
1275 nonpublic school that receives no local, state or federal funds
1276 for support to become accredited by the State Board of Education.

1277 (7) The State Board of Education shall create an
1278 accreditation audit unit under the Commission on School
1279 Accreditation to determine whether schools are complying with
1280 accreditation standards.

1281 (8) The State Board of Education shall be specifically
1282 authorized and empowered to withhold adequate education program
1283 fund allocations, whichever is applicable, to any public school
1284 district for failure to timely report student, school personnel
1285 and fiscal data necessary to meet state and/or federal
1286 requirements.

1287 (9) [Deleted]

1288 (10) The State Board of Education shall establish, for those
1289 school districts failing to meet accreditation standards, a
1290 program of development to be complied with in order to receive
1291 state funds, except as otherwise provided in subsection (15) of
1292 this section when the Governor has declared a state of emergency
1293 in a school district or as otherwise provided in Section 206,
1294 Mississippi Constitution of 1890. The state board, in
1295 establishing these standards, shall provide for notice to schools
1296 and sufficient time and aid to enable schools to attempt to meet
1297 these standards, unless procedures under subsection (15) of this
1298 section have been invoked.



1299 (11) Beginning July 1, 1998, the State Board of Education
1300 shall be charged with the implementation of the program of
1301 development in each applicable school district as follows:

1302 (a) Develop an impairment report for each district
1303 failing to meet accreditation standards in conjunction with school
1304 district officials;

1305 (b) Notify any applicable school district failing to
1306 meet accreditation standards that it is on probation until
1307 corrective actions are taken or until the deficiencies have been
1308 removed. The local school district shall develop a corrective
1309 action plan to improve its deficiencies. For district academic
1310 deficiencies, the corrective action plan for each such school
1311 district shall be based upon a complete analysis of the following:
1312 student test data, student grades, student attendance reports,
1313 student dropout data, existence and other relevant data. The
1314 corrective action plan shall describe the specific measures to be
1315 taken by the particular school district and school to improve:
1316 (i) instruction; (ii) curriculum; (iii) professional development;
1317 (iv) personnel and classroom organization; (v) student incentives
1318 for performance; (vi) process deficiencies; and (vii) reporting to
1319 the local school board, parents and the community. The corrective
1320 action plan shall describe the specific individuals responsible
1321 for implementing each component of the recommendation and how each
1322 will be evaluated. All corrective action plans shall be provided
1323 to the State Board of Education as may be required. The decision



1324 of the State Board of Education establishing the probationary
1325 period of time shall be final;

1326 (c) Offer, during the probationary period, technical
1327 assistance to the school district in making corrective actions.
1328 Beginning July 1, 1998, subject to the availability of funds, the
1329 State Department of Education shall provide technical and/or
1330 financial assistance to all such school districts in order to
1331 implement each measure identified in that district's corrective
1332 action plan through professional development and on-site
1333 assistance. Each such school district shall apply for and utilize
1334 all available federal funding in order to support its corrective
1335 action plan in addition to state funds made available under this
1336 paragraph;

1337 (d) Assign department personnel or contract, in its
1338 discretion, with the institutions of higher learning or other
1339 appropriate private entities with experience in the academic,
1340 finance and other operational functions of schools to assist
1341 school districts;

1342 (e) Provide for publication of public notice at least
1343 one time during the probationary period, in a newspaper published
1344 within the jurisdiction of the school district failing to meet
1345 accreditation standards, or if no newspaper is published therein,
1346 then in a newspaper having a general circulation therein. The
1347 publication shall include the following: declaration of school
1348 system's status as being on probation; all details relating to the



1349 impairment report; and other information as the State Board of
1350 Education deems appropriate. Public notices issued under this
1351 section shall be subject to Section 13-3-31 and not contrary to
1352 other laws regarding newspaper publication.

1353 (12) (a) If the recommendations for corrective action are
1354 not taken by the local school district or if the deficiencies are
1355 not removed by the end of the probationary period, the Commission
1356 on School Accreditation shall conduct a hearing to allow the
1357 affected school district to present evidence or other reasons why
1358 its accreditation should not be withdrawn. Additionally, if the
1359 local school district violates accreditation standards that have
1360 been determined by the policies and procedures of the State Board
1361 of Education to be a basis for withdrawal of school district's
1362 accreditation without a probationary period, the Commission on
1363 School Accreditation shall conduct a hearing to allow the affected
1364 school district to present evidence or other reasons why its
1365 accreditation should not be withdrawn. After its consideration of
1366 the results of the hearing, the Commission on School Accreditation
1367 shall be authorized, with the approval of the State Board of
1368 Education, to withdraw the accreditation of a public school
1369 district, and issue a request to the Governor that a state of
1370 emergency be declared in that district.

1371 (b) If the State Board of Education and the Commission
1372 on School Accreditation determine that an extreme emergency
1373 situation exists in a school district that jeopardizes the safety,



1374 security or educational interests of the children enrolled in the
1375 schools in that district and that emergency situation is believed
1376 to be related to a serious violation or violations of
1377 accreditation standards or state or federal law, or when a school
1378 district meets the State Board of Education's definition of a
1379 failing school district for two (2) consecutive full school years,
1380 or if more than fifty percent (50%) of the schools within the
1381 school district are designated as Schools At-Risk in any one (1)
1382 year, the State Board of Education may request the Governor to
1383 declare a state of emergency in that school district. For
1384 purposes of this paragraph, the declarations of a state of
1385 emergency shall not be limited to those instances when a school
1386 district's impairments are related to a lack of financial
1387 resources, but also shall include serious failure to meet minimum
1388 academic standards, as evidenced by a continued pattern of poor
1389 student performance.

1390 (c) Whenever the Governor declares a state of emergency
1391 in a school district in response to a request made under paragraph
1392 (a) or (b) of this subsection, the State Board of Education may
1393 take one or more of the following actions:

1394 (i) Declare a state of emergency, under which some
1395 or all of state funds can be escrowed except as otherwise provided
1396 in Section 206, Constitution of 1890, until the board determines
1397 corrective actions are being taken or the deficiencies have been
1398 removed, or that the needs of students warrant the release of



1399 funds. The funds may be released from escrow for any program
1400 which the board determines to have been restored to standard even
1401 though the state of emergency may not as yet be terminated for the
1402 district as a whole;

1403 (ii) Override any decision of the local school
1404 board or superintendent of education, or both, concerning the
1405 management and operation of the school district, or initiate and
1406 make decisions concerning the management and operation of the
1407 school district;

1408 (iii) Assign an interim superintendent, or in its
1409 discretion, contract with a private entity with experience in the
1410 academic, finance and other operational functions of schools and
1411 school districts, who will have those powers and duties prescribed
1412 in subsection (15) of this section;

1413 (iv) Grant transfers to students who attend this
1414 school district so that they may attend other accredited schools
1415 or districts in a manner that is not in violation of state or
1416 federal law;

1417 (v) For states of emergency declared under
1418 paragraph (a) only, if the accreditation deficiencies are related
1419 to the fact that the school district is too small, with too few
1420 resources, to meet the required standards and if another school
1421 district is willing to accept those students, abolish that
1422 district and assign that territory to another school district or
1423 districts. If the school district has proposed a voluntary



1424 consolidation with another school district or districts, then if
1425 the State Board of Education finds that it is in the best interest
1426 of the pupils of the district for the consolidation to proceed,
1427 the voluntary consolidation shall have priority over any such
1428 assignment of territory by the State Board of Education;

1429 (vi) For states of emergency declared under
1430 paragraph (b) only, reduce local supplements paid to school
1431 district employees, including, but not limited to, instructional
1432 personnel, assistant teachers and extracurricular activities
1433 personnel, if the district's impairment is related to a lack of
1434 financial resources, but only to an extent that will result in the
1435 salaries being comparable to districts similarly situated, as
1436 determined by the State Board of Education;

1437 (vii) For states of emergency declared under
1438 paragraph (b) only, the State Board of Education may take any
1439 action as prescribed in Section 37-17-13.

1440 (d) At the time that satisfactory corrective action has
1441 been taken in a school district in which a state of emergency has
1442 been declared, the State Board of Education may request the
1443 Governor to declare that the state of emergency no longer exists
1444 in the district.

1445 (e) The parent or legal guardian of a school-age child
1446 who is enrolled in a school district whose accreditation has been
1447 withdrawn by the Commission on School Accreditation and without
1448 approval of that school district may file a petition in writing to



1449 a school district accredited by the Commission on School
1450 Accreditation for a legal transfer. The school district
1451 accredited by the Commission on School Accreditation may grant the
1452 transfer according to the procedures of Section 37-15-31(1)(b).
1453 In the event the accreditation of the student's home district is
1454 restored after a transfer has been approved, the student may
1455 continue to attend the transferee school district. The per-pupil
1456 amount of the adequate education program allotment, including the
1457 collective "add-on program" costs for the student's home school
1458 district shall be transferred monthly to the school district
1459 accredited by the Commission on School Accreditation that has
1460 granted the transfer of the school-age child.

1461 (f) Upon the declaration of a state of emergency for
1462 any school district in which the Governor has previously declared
1463 a state of emergency, the State Board of Education may either:

1464 (i) Place the school district into district
1465 transformation, in which the school district shall remain until it
1466 has fulfilled all conditions related to district transformation.
1467 If the district was assigned an accreditation rating of "D" or "F"
1468 when placed into district transformation, the district shall be
1469 eligible to return to local control when the school district has
1470 attained a "C" rating or higher for five (5) consecutive years,
1471 unless the State Board of Education determines that the district
1472 is eligible to return to local control in less than the five-year
1473 period;



1474 (ii) Abolish the school district and
1475 administratively consolidate the school district with one or more
1476 existing school districts;

1477 (iii) Reduce the size of the district and
1478 administratively consolidate parts of the district, as determined
1479 by the State Board of Education. However, no school district
1480 which is not in district transformation shall be required to
1481 accept additional territory over the objection of the district; or

1482 (iv) Require the school district to develop and
1483 implement a district improvement plan with prescriptive guidance
1484 and support from the State Department of Education, with the goal
1485 of helping the district improve student achievement. Failure of
1486 the school board, superintendent and school district staff to
1487 implement the plan with fidelity and participate in the activities
1488 provided as support by the department shall result in the school
1489 district retaining its eligibility for district transformation.

1490 (g) There is established a Mississippi Recovery School
1491 District within the State Department of Education under the
1492 supervision of a deputy superintendent appointed by the State
1493 Superintendent of Public Education, who is subject to the approval
1494 by the State Board of Education. The Mississippi Recovery School
1495 District shall provide leadership and oversight of all school
1496 districts that are subject to district transformation status, as
1497 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,
1498 and shall have all the authority granted under these two (2)



1499 chapters. The Mississippi Department of Education, with the
1500 approval of the State Board of Education, shall develop policies
1501 for the operation and management of the Mississippi Recovery
1502 School District. The deputy state superintendent is responsible
1503 for the Mississippi Recovery School District and shall be
1504 authorized to oversee the administration of the Mississippi
1505 Recovery School District, oversee the interim superintendent
1506 assigned by the State Board of Education to a local school
1507 district, hear appeals that would normally be filed by students,
1508 parents or employees and heard by a local school board, which
1509 hearings on appeal shall be conducted in a prompt and timely
1510 manner in the school district from which the appeal originated in
1511 order to ensure the ability of appellants, other parties and
1512 witnesses to appeal without undue burden of travel costs or loss
1513 of time from work, and perform other related duties as assigned by
1514 the State Superintendent of Public Education. The deputy state
1515 superintendent is responsible for the Mississippi Recovery School
1516 District and shall determine, based on rigorous professional
1517 qualifications set by the State Board of Education, the
1518 appropriate individuals to be engaged to be interim
1519 superintendents and financial advisors, if applicable, of all
1520 school districts subject to district transformation status. After
1521 State Board of Education approval, these individuals shall be
1522 deemed independent contractors.



1523 (13) Upon the declaration of a state of emergency in a
1524 school district under subsection (12) of this section, the
1525 Commission on School Accreditation shall be responsible for public
1526 notice at least once a week for at least three (3) consecutive
1527 weeks in a newspaper published within the jurisdiction of the
1528 school district failing to meet accreditation standards, or if no
1529 newspaper is published therein, then in a newspaper having a
1530 general circulation therein. The size of the notice shall be no
1531 smaller than one-fourth (1/4) of a standard newspaper page and
1532 shall be printed in bold print. If an interim superintendent has
1533 been appointed for the school district, the notice shall begin as
1534 follows: "By authority of Section 37-17-6, Mississippi Code of
1535 1972, as amended, adopted by the Mississippi Legislature during
1536 the 1991 Regular Session, this school district (name of school
1537 district) is hereby placed under the jurisdiction of the State
1538 Department of Education acting through its appointed interim
1539 superintendent (name of interim superintendent)."

1540 The notice also shall include, in the discretion of the State
1541 Board of Education, any or all details relating to the school
1542 district's emergency status, including the declaration of a state
1543 of emergency in the school district and a description of the
1544 district's impairment deficiencies, conditions of any district
1545 transformation status and corrective actions recommended and being
1546 taken. Public notices issued under this section shall be subject



1547 to Section 13-3-31 and not contrary to other laws regarding
1548 newspaper publication.

1549 Upon termination of the state of emergency in a school
1550 district, the Commission on School Accreditation shall cause
1551 notice to be published in the school district in the same manner
1552 provided in this section, to include any or all details relating
1553 to the corrective action taken in the school district that
1554 resulted in the termination of the state of emergency.

1555 (14) The State Board of Education or the Commission on
1556 School Accreditation shall have the authority to require school
1557 districts to produce the necessary reports, correspondence,
1558 financial statements, and any other documents and information
1559 necessary to fulfill the requirements of this section.

1560 Nothing in this section shall be construed to grant any
1561 individual, corporation, board or interim superintendent the
1562 authority to levy taxes except in accordance with presently
1563 existing statutory provisions.

1564 (15) (a) Whenever the Governor declares a state of
1565 emergency in a school district in response to a request made under
1566 subsection (12) of this section, the State Board of Education, in
1567 its discretion, may assign an interim superintendent to the school
1568 district, or in its discretion, may contract with an appropriate
1569 private entity with experience in the academic, finance and other
1570 operational functions of schools and school districts, who will be
1571 responsible for the administration, management and operation of



1572 the school district, including, but not limited to, the following
1573 activities:

1574 (i) Approving or disapproving all financial
1575 obligations of the district, including, but not limited to, the
1576 employment, termination, nonrenewal and reassignment of all
1577 licensed and nonlicensed personnel, contractual agreements and
1578 purchase orders, and approving or disapproving all claim dockets
1579 and the issuance of checks; in approving or disapproving
1580 employment contracts of superintendents, assistant superintendents
1581 or principals, the interim superintendent shall not be required to
1582 comply with the time limitations prescribed in Sections 37-9-15
1583 and 37-9-105;

1584 (ii) Supervising the day-to-day activities of the
1585 district's staff, including reassigning the duties and
1586 responsibilities of personnel in a manner which, in the
1587 determination of the interim superintendent, will best suit the
1588 needs of the district;

1589 (iii) Reviewing the district's total financial
1590 obligations and operations and making recommendations to the
1591 district for cost savings, including, but not limited to,
1592 reassigning the duties and responsibilities of staff;

1593 (iv) Attending all meetings of the district's
1594 school board and administrative staff;



1595 (v) Approving or disapproving all athletic, band
1596 and other extracurricular activities and any matters related to
1597 those activities;

1598 (vi) Maintaining a detailed account of
1599 recommendations made to the district and actions taken in response
1600 to those recommendations;

1601 (vii) Reporting periodically to the State Board of
1602 Education on the progress or lack of progress being made in the
1603 district to improve the district's impairments during the state of
1604 emergency; and

1605 (viii) Appointing a parent advisory committee,
1606 comprised of parents of students in the school district that may
1607 make recommendations to the interim superintendent concerning the
1608 administration, management and operation of the school district.

1609 The cost of the salary of the interim superintendent and any
1610 other actual and necessary costs related to district
1611 transformation status paid by the State Department of Education
1612 shall be reimbursed by the local school district from funds other
1613 than adequate education program funds. The department shall
1614 submit an itemized statement to the superintendent of the local
1615 school district for reimbursement purposes, and any unpaid balance
1616 may be withheld from the district's adequate education program
1617 funds.

1618 At the time that the Governor, in accordance with the request
1619 of the State Board of Education, declares that the state of



1620 emergency no longer exists in a school district, the powers and
1621 responsibilities of the interim superintendent assigned to the
1622 district shall cease.

1623 (b) In order to provide loans to school districts under
1624 a state of emergency or in district transformation status that
1625 have impairments related to a lack of financial resources, the
1626 School District Emergency Assistance Fund is created as a special
1627 fund in the State Treasury into which monies may be transferred or
1628 appropriated by the Legislature from any available public
1629 education funds. Funds in the School District Emergency
1630 Assistance Fund up to a maximum balance of Three Million Dollars
1631 (\$3,000,000.00) annually shall not lapse but shall be available
1632 for expenditure in subsequent years subject to approval of the
1633 State Board of Education. Any amount in the fund in excess of
1634 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
1635 year shall lapse into the State General Fund or the Education
1636 Enhancement Fund, depending on the source of the fund.

1637 The State Board of Education may loan monies from the School
1638 District Emergency Assistance Fund to a school district that is
1639 under a state of emergency or in district transformation status,
1640 in those amounts, as determined by the board, that are necessary
1641 to correct the district's impairments related to a lack of
1642 financial resources. The loans shall be evidenced by an agreement
1643 between the school district and the State Board of Education and
1644 shall be repayable in principal, without necessity of interest, to



1645 the School District Emergency Assistance Fund by the school
1646 district from any allowable funds that are available. The total
1647 amount loaned to the district shall be due and payable within five
1648 (5) years after the impairments related to a lack of financial
1649 resources are corrected. If a school district fails to make
1650 payments on the loan in accordance with the terms of the agreement
1651 between the district and the State Board of Education, the State
1652 Department of Education, in accordance with rules and regulations
1653 established by the State Board of Education, may withhold that
1654 district's adequate education program funds in an amount and
1655 manner that will effectuate repayment consistent with the terms of
1656 the agreement; the funds withheld by the department shall be
1657 deposited into the School District Emergency Assistance Fund.

1658 The State Board of Education shall develop a protocol that
1659 will outline the performance standards and requisite timeline
1660 deemed necessary for extreme emergency measures. If the State
1661 Board of Education determines that an extreme emergency exists,
1662 simultaneous with the powers exercised in this subsection, it
1663 shall take immediate action against all parties responsible for
1664 the affected school districts having been determined to be in an
1665 extreme emergency. The action shall include, but not be limited
1666 to, initiating civil actions to recover funds and criminal actions
1667 to account for criminal activity. Any funds recovered by the
1668 State Auditor or the State Board of Education from the surety
1669 bonds of school officials or from any civil action brought under



1670 this subsection shall be applied toward the repayment of any loan
1671 made to a school district hereunder.

1672 (16) If a majority of the membership of the school board of
1673 any school district resigns from office, the State Board of
1674 Education shall be authorized to assign an interim superintendent,
1675 who shall be responsible for the administration, management and
1676 operation of the school district until the time as new board
1677 members are selected or the Governor declares a state of emergency
1678 in that school district under subsection (12), whichever occurs
1679 first. In that case, the State Board of Education, acting through
1680 the interim superintendent, shall have all powers which were held
1681 by the previously existing school board, and may take any action
1682 as prescribed in Section 37-17-13 and/or one or more of the
1683 actions authorized in this section.

1684 (17) (a) If the Governor declares a state of emergency in a
1685 school district, the State Board of Education may take all such
1686 action pertaining to that school district as is authorized under
1687 subsection (12) or (15) of this section, including the appointment
1688 of an interim superintendent. The State Board of Education shall
1689 also have the authority to issue a written request with
1690 documentation to the Governor asking that the office of the
1691 superintendent of the school district be subject to recall. If
1692 the Governor declares that the office of the superintendent of the
1693 school district is subject to recall, the local school board or



1694 the county election commission, as the case may be, shall take the
1695 following action:

1696 (i) If the office of superintendent is an elected
1697 office, in those years in which there is no general election, the
1698 name shall be submitted by the State Board of Education to the
1699 county election commission, and the county election commission
1700 shall submit the question at a special election to the voters
1701 eligible to vote for the office of superintendent within the
1702 county, and the special election shall be held within sixty (60)
1703 days from notification by the State Board of Education. The
1704 ballot shall read substantially as follows:

1705 "Shall County Superintendent of Education _____ (here the
1706 name of the superintendent shall be inserted) of the _____
1707 (here the title of the school district shall be inserted) be
1708 retained in office? Yes _____ No _____"

1709 If a majority of those voting on the question votes against
1710 retaining the superintendent in office, a vacancy shall exist
1711 which shall be filled in the manner provided by law; otherwise,
1712 the superintendent shall remain in office for the term of that
1713 office, and at the expiration of the term shall be eligible for
1714 qualification and election to another term or terms.

1715 (ii) If the office of superintendent is an
1716 appointive office, the name of the superintendent shall be
1717 submitted by the president of the local school board at the next
1718 regular meeting of the school board for retention in office or



1719 dismissal from office. If a majority of the school board voting
1720 on the question vote against retaining the superintendent in
1721 office, a vacancy shall exist which shall be filled as provided by
1722 law, otherwise the superintendent shall remain in office for the
1723 duration of his employment contract.

1724 (b) The State Board of Education may issue a written
1725 request with documentation to the Governor asking that the
1726 membership of the school board of the school district shall be
1727 subject to recall. Whenever the Governor declares that the
1728 membership of the school board is subject to recall, the county
1729 election commission or the local governing authorities, as the
1730 case may be, shall take the following action:

1731 (i) If the members of the local school board are
1732 elected to office, in those years in which the specific member's
1733 office is not up for election, the name of the school board member
1734 shall be submitted by the State Board of Education to the county
1735 election commission, and the county election commission at a
1736 special election shall submit the question to the voters eligible
1737 to vote for the particular member's office within the county or
1738 school district, as the case may be, and the special election
1739 shall be held within sixty (60) days from notification by the
1740 State Board of Education. The ballot shall read substantially as
1741 follows:

1742 "Members of the _____ (here the title of the school
1743 district shall be inserted) School Board who are not up for



1744 election this year are subject to recall because of the school
1745 district's failure to meet critical accountability standards as
1746 defined in the letter of notification to the Governor from the
1747 State Board of Education. Shall the member of the school board
1748 representing this area, _____ (here the name of the school
1749 board member holding the office shall be inserted), be retained in
1750 office? Yes _____ No _____"

1751 If a majority of those voting on the question vote against
1752 retaining the member of the school board in office, a vacancy in
1753 that board member's office shall exist, which shall be filled in
1754 the manner provided by law; otherwise, the school board member
1755 shall remain in office for the term of that office, and at the
1756 expiration of the term of office, the member shall be eligible for
1757 qualification and election to another term or terms of office.
1758 However, if a majority of the school board members are recalled in
1759 the special election, the Governor shall authorize the board of
1760 supervisors of the county in which the school district is situated
1761 to appoint members to fill the offices of the members recalled.
1762 The board of supervisors shall make those appointments in the
1763 manner provided by law for filling vacancies on the school board,
1764 and the appointed members shall serve until the office is filled
1765 at the next regular special election or general election.

1766 (ii) If the local school board is an appointed
1767 school board, the name of all school board members shall be
1768 submitted as a collective board by the president of the municipal



1769 or county governing authority, as the case may be, at the next
1770 regular meeting of the governing authority for retention in office
1771 or dismissal from office. If a majority of the governing
1772 authority voting on the question vote against retaining the board
1773 in office, a vacancy shall exist in each school board member's
1774 office, which shall be filled as provided by law; otherwise, the
1775 members of the appointed school board shall remain in office for
1776 the duration of their term of appointment, and those members may
1777 be reappointed.

1778 (iii) If the local school board is comprised of
1779 both elected and appointed members, the elected members shall be
1780 subject to recall in the manner provided in subparagraph (i) of
1781 this paragraph (b), and the appointed members shall be subject to
1782 recall in the manner provided in subparagraph (ii).

1783 (18) Beginning with the school district audits conducted for
1784 the 1997-1998 fiscal year, the State Board of Education, acting
1785 through the Commission on School Accreditation, shall require each
1786 school district to comply with standards established by the State
1787 Department of Audit for the verification of fixed assets and the
1788 auditing of fixed assets records as a minimum requirement for
1789 accreditation.

1790 (19) Before December 1, 1999, the State Board of Education
1791 shall recommend a program to the Education Committees of the House
1792 of Representatives and the Senate for identifying and rewarding
1793 public schools that improve or are high performing. The program



1794 shall be described by the board in a written report, which shall
1795 include criteria and a process through which improving schools and
1796 high-performing schools will be identified and rewarded.

1797 The State Superintendent of Public Education and the State
1798 Board of Education also shall develop a comprehensive
1799 accountability plan to ensure that local school boards,
1800 superintendents, principals and teachers are held accountable for
1801 student achievement. A written report on the accountability plan
1802 shall be submitted to the Education Committees of both houses of
1803 the Legislature before December 1, 1999, with any necessary
1804 legislative recommendations.

1805 (20) Before January 1, 2008, the State Board of Education
1806 shall evaluate and submit a recommendation to the Education
1807 Committees of the House of Representatives and the Senate on
1808 inclusion of graduation rate and dropout rate in the school level
1809 accountability system.

1810 (21) If a local school district is determined as failing and
1811 placed into district transformation status for reasons authorized
1812 by the provisions of this section, the interim superintendent
1813 appointed to the district shall, within forty-five (45) days after
1814 being appointed, present a detailed and structured corrective
1815 action plan to move the local school district out of district
1816 transformation status to the deputy superintendent. A copy of the
1817 interim superintendent's corrective action plan shall also be
1818 filed with the State Board of Education.



1819 **SECTION 7.** Beginning with the 2021-2022 academic year, the
1820 State Board of Education, acting through the Commission on Teacher
1821 and Administrator Education, Certification and Licensure and
1822 Development, and in conjunction with the Board of Trustees of
1823 State Institutions of Higher Learning, shall require each educator
1824 preparation program in the state to include, as part of its
1825 curriculum, a Praxis Core Academic Skills for Educators
1826 examination and a Praxis II examination course of study, which
1827 shall serve as a preparatory review course with emphasis on the
1828 concepts and exam skills necessary for success on the exam, and
1829 reinforces students' knowledge through thought-provoking examples
1830 and Praxis exam questions. Upon completion of the course,
1831 students shall have mastered concepts as they are tested so that
1832 students can excel within the time constraints of the exam.

1833 **SECTION 8.** This act shall take effect and be in force from
1834 and after July 1, 2021.

