

By: Representatives Stamps, Brown (70th)

To: Education

HOUSE BILL NO. 1120

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP CURRICULA AND
3 COURSES OF STUDY TO PROMOTE VOCATIONAL AGRICULTURAL AND FORESTRY
4 EDUCATION, CIVICS AND HOME ECONOMICS FOR ALL HIGH SCHOOL STUDENTS;
5 TO PRESCRIBE THE MINIMUM COMPONENTS TO BE INCLUDED IN THE
6 CURRICULUM; TO AMEND SECTIONS 37-13-92, 37-13-151, 37-13-181 AND
7 37-31-61, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO
8 AMEND SECTION 37-13-153, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT
9 STATE FUNDING FOR VOCATIONAL AGRICULTURAL AND FORESTRY EDUCATION,
10 CIVICS AND HOME ECONOMICS BE INCLUDED IN THE ADEQUATE EDUCATION
11 PROGRAM AND VOCATIONAL EDUCATION APPROPRIATION BILLS FOR THE
12 APPROPRIATE FISCAL YEAR; TO AMEND SECTION 37-31-205, MISSISSIPPI
13 CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR
14 RELATED PURPOSES.

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

16 **SECTION 1.** Section 37-1-3, Mississippi Code of 1972, is
17 amended as follows:

18 37-1-3. (1) The State Board of Education shall adopt rules
19 and regulations and set standards and policies for the
20 organization, operation, management, planning, budgeting and
21 programs of the State Department of Education.

22 (a) The board is directed to identify all functions of
23 the department that contribute to or comprise a part of the state
24 system of educational accountability and to establish and maintain



25 within the department the necessary organizational structure,
26 policies and procedures for effectively coordinating such
27 functions. Such policies and procedures shall clearly fix and
28 delineate responsibilities for various aspects of the system and
29 for overall coordination of the total system and its effective
30 management.

31 (b) The board shall establish and maintain a
32 system-wide plan of performance, policy and directions of public
33 education not otherwise provided for.

34 (c) The board shall effectively use the personnel and
35 resources of the department to enhance technical assistance to
36 school districts in instruction and management therein.

37 (d) The board shall establish and maintain a central
38 budget policy.

39 (e) The board shall establish and maintain within the
40 State Department of Education a central management capacity under
41 the direction of the State Superintendent of Public Education.

42 (f) The board, with recommendations from the
43 superintendent, shall design and maintain a five-year plan and
44 program for educational improvement that shall set forth
45 objectives for system performance and development and be the basis
46 for budget requests and legislative initiatives.

47 (2) (a) The State Board of Education shall adopt and
48 maintain a curriculum and a course of study to be used in the
49 public school districts that is designed to prepare the state's



children and youth to be productive, informed, creative citizens, workers and leaders, and it shall regulate all matters arising in the practical administration of the school system not otherwise provided for.

(b) Before the 1999-2000 school year, the State Board of Education shall develop personal living and finances objectives that focus on money management skills for individuals and families for appropriate, existing courses at the secondary level. The objectives must require the teaching of those skills necessary to handle personal business and finances and must include instruction in the following:

- (i) Opening a bank account and assessing the quality of a bank's services;
- (ii) Balancing a checkbook;
- (iii) Managing debt, including retail and credit card debt;
- (iv) Completing a loan application;
- (v) The implications of an inheritance;
- (vi) The basics of personal insurance policies;
- (vii) Consumer rights and responsibilities;
- (viii) Dealing with salesmen and merchants;
- (ix) Computing state and federal income taxes;
- (x) Local tax assessments;
- (xi) Computing interest rates by various mechanisms;



(xii) Understanding simple contracts; and

(xiii) Contesting an incorrect billing statement.

(c) Before the start of the 2022-2023 school year, the State Board of Education shall require the inclusion of vocational agricultural and forestry courses as a mandatory component of the curriculum used by local school districts in providing instructions for all high school students. The board shall grant each school district the discretion to determine at which grade level, each of the required course offerings shall be made available.

(d) Before the start of 2022-2023 school year, the State Board of Education shall develop a curriculum and a course of study to promote home economics objectives that focus on the knowledge, understanding and skills necessary for living as an individual, as a member of a household, personal life management and postsecondary education advancement for appropriate, existing courses at the secondary level. The objectives must require the teaching of those skills essential to family and consumer science and must include instruction in the following:

(i) Cooking, including food safety, preparation and preservation and the nutritional benefits of a balanced meal;

(ii) Child development that provides instruction as to how to correctly respond to children at each stage;

(iii) Education and community awareness;

(iv) Home management and design;



100 (v) Sewing and textiles;
101 (vi) Budgeting and economics; and
102 (vii) Health and hygiene.
103 (e) The State Board of Education shall develop a civics
104 curriculum to be incorporated into the existing curriculum
105 mandated for all public high schools. The civics curriculum must
106 be designed to provide students with the knowledge and social
107 skills that are critical to the responsibilities of citizenship in
108 the constitutional democracy of the United States. The board
109 shall require each school district to implement the civics
110 curriculum in the 2022-2023 school year. At a minimum the
111 curriculum shall focus on the knowledge, understanding and skills
112 necessary for living as an individual citizen within the sovereign
113 democracy of the United States, social awareness and personal life
114 management skills. The objectives must require the teaching of
115 those skills essential to the National Standards for Civics and
116 Government and must include instruction in the following:
117 (i) Civic knowledge which embodies the form of
118 five significant and enduring inquiries that engage the thoughts
119 of every citizen, including:
120 1. Civic life, politics and government;
121 2. The foundations of the American political
122 system;



123 3. Government as established by the
124 Constitution and purposes, values and principles of American
125 democracy it embodies;

126 4. The relationship of the United States to
127 other nations and to world affairs; and

128 5. The roles of citizens in American
129 democracy;

130 (ii) Intellectual and participatory civic skills
131 of citizenship to freely exercise one's rights and discharge of
132 responsibilities as members of self-governing communities, in
133 addition to the ability to think critically about a political
134 issue, its history, its contemporary relevance, as well as command
135 of a set of intellectual tools or considerations useful in dealing
136 with such an issue; and

137 (iii) Civic dispositions, which are traits of
138 private and public character essential to the maintenance and
139 improvement of constitutional democracy, which include:

140 1. Becoming an independent member of society,
141 adhering voluntarily to self-imposed standards of behavior rather
142 than requiring the imposition of external controls, accepting
143 responsibility for the consequences of one's actions and
144 fulfilling the moral and legal obligations of membership in a
145 democratic society;

146 2. Assuming the personal, political, and
147 economic responsibilities of a citizen, including:



148 a. Taking care of one's self, supporting
149 one's family by caring for, nurturing and educating one's
150 children;

151 b. Being informed about public issues;

152 c. Voting;

153 d. Paying taxes;

154 e. Serving on juries;

155 f. Performing public service; and

156 g. Serving in leadership positions
157 commensurate with one's talents;

158 3. Respecting individual worth and human
159 dignity by acknowledging the opinions of others, behaving in a
160 civil manner, considering the rights and interests of fellow
161 citizens, and adhering to the principle of majority rule but
162 recognizing the right of the minority to dissent;

163 4. Participating in civic affairs in a
164 thoughtful and effective manner including:

165 a. Becoming informed prior to voting or
166 participating in public debate;

167 b. Engaging in civil and reflective
168 discourse;

169 c. Assuming leadership when appropriate;

170 d. Evaluating whether and when one's
171 obligations as a citizen require that personal desires and
172 interests be subordinated to the public good; and



173 e. Evaluating whether and when one's
174 obligations or constitutional principles obligate one to reject
175 certain civic expectations; and

176 5. Promoting the healthy functioning of
177 constitutional democracy, which entails:

178 a. Being informed and attentive to
179 public affairs;

180 b. Learning about and deliberating on
181 constitutional values and principles;

182 c. Monitoring the adherence of political
183 leaders and public agencies to those values and principles; and

184 d. Taking appropriate action if
185 adherence is lacking.

186 (f) The State Board of Education shall, during the
187 2021-2022 academic year, plan and develop the curricula for the
188 courses of instruction required to be implemented under paragraphs
189 (c), (d) and (e) of the subsection.

190 (3) The State Board of Education shall have authority to
191 expend any available federal funds, or any other funds expressly
192 designated, to pay training, educational expenses, salary
193 incentives and salary supplements to licensed teachers employed in
194 local school districts or schools administered by the State Board
195 of Education. Such incentive payments shall not be considered
196 part of a school district's local supplement as defined in Section
197 37-151-5(o), nor shall the incentives be considered part of the
198 local supplement paid to an individual teacher for the purposes of



199 Section 37-19-7(1). MAEP funds or any other state funds shall not
200 be used to provide such incentives unless specifically authorized
201 by law.

202 (4) The State Board of Education shall through its actions
203 seek to implement the policies set forth in Section 37-1-2.

204 **SECTION 2.** Section 37-13-92, Mississippi Code of 1972, is
205 amended as follows:

206 37-13-92. (1) Beginning with the school year 2004-2005, the
207 school boards of all school districts shall establish, maintain
208 and operate, in connection with the regular programs of the school
209 district, an alternative school program or behavior modification
210 program as defined by the State Board of Education for, but not
211 limited to, the following categories of compulsory-school-age
212 students:

213 (a) Any compulsory-school-age child who has been
214 suspended for more than ten (10) days or expelled from school,
215 except for any student expelled for possession of a weapon or
216 other felonious conduct;

217 (b) Any compulsory-school-age child referred to such
218 alternative school based upon a documented need for placement in
219 the alternative school program by the parent, legal guardian or
220 custodian of such child due to disciplinary problems;

221 (c) Any compulsory-school-age child referred to such
222 alternative school program by the dispositive order of a



chancellor or youth court judge, with the consent of the
superintendent of the child's school district;

(d) Any compulsory-school-age child whose presence in
the classroom, in the determination of the school superintendent
or principal, is a disruption to the educational environment of
the school or a detriment to the interest and welfare of the
students and teachers of such class as a whole; and

(e) No school district is required to place a child
returning from out-of-home placement in the mental health,
juvenile justice or foster care system in alternative school.
Placement of a child in the alternative school shall be done
consistently, and for students identified under the Individuals
with Disabilities Education Act (IDEA), shall adhere to the
requirements of the Individuals with Disabilities Education
Improvement Act of 2004. If a school district chooses to place a
child in alternative school the district will make an individual
assessment and evaluation of that child in the following time
periods:

(i) Five (5) days for a child transitioning from a
group home, mental health care system, and/or the custody of the
Department of Human Services, Division of Youth and Family
Services;

(ii) Ten (10) days for a child transitioning from
a dispositional placement order by a youth court pursuant to
Section 43-21-605; and



(iii) An individualized assessment for youth transitioning from out-of-home placement to the alternative school shall include:

1. A strength needs assessment.
2. A determination of the child's academic strengths and deficiencies.
3. A proposed plan for transitioning the child to a regular education placement at the earliest possible date.

(2) The principal or program administrator of any such alternative school program shall require verification from the appropriate guidance counselor of any such child referred to the alternative school program regarding the suitability of such child for attendance at the alternative school program. Before a student may be removed to an alternative school education program, the superintendent of the student's school district must determine that the written and distributed disciplinary policy of the local district is being followed. The policy shall include standards for:

(a) The removal of a student to an alternative education program that will include a process of educational review to develop the student's individual instruction plan and the evaluation at regular intervals of the student's educational progress; the process shall include classroom teachers and/or other appropriate professional personnel, as defined in the



district policy, to ensure a continuing educational program for the removed student;

(b) The duration of alternative placement; and

(c) The notification of parents or guardians, and their appropriate inclusion in the removal and evaluation process, as defined in the district policy. Nothing in this paragraph should be defined in a manner to circumvent the principal's or the superintendent's authority to remove a student to alternative education.

(3) The local school board or the superintendent shall provide for the continuing education of a student who has been removed to an alternative school program.

(4) A school district, in its discretion, may provide a program of High School Equivalency Diploma preparatory instruction in the alternative school program. However, any High School Equivalency Diploma preparation program offered in an alternative school program must be administered in compliance with the rules and regulations established for such programs under Sections 37-35-1 through 37-35-11 and by the Mississippi Community College Board. The school district may administer the High School Equivalency Diploma Testing Program under the policies and guidelines of the Testing Service of the American Council on Education in the alternative school program or may authorize the test to be administered through the community/junior college district in which the alternative school is situated.



298 (5) Any such alternative school program operated under the
299 authority of this section shall meet all appropriate accreditation
300 requirements of the State Department of Education.

301 (6) The alternative school program may be held within such
302 school district or may be operated by two (2) or more adjacent
303 school districts, pursuant to a contract approved by the State
304 Board of Education. When two (2) or more school districts
305 contract to operate an alternative school program, the school
306 board of a district designated to be the lead district shall serve
307 as the governing board of the alternative school program.
308 Transportation for students attending the alternative school
309 program shall be the responsibility of the local school district.
310 The expense of establishing, maintaining and operating such
311 alternative school program may be paid from funds contributed or
312 otherwise made available to the school district for such purpose
313 or from local district maintenance funds.

314 (7) The State Board of Education shall promulgate minimum
315 guidelines for alternative school programs. The guidelines shall
316 require, at a minimum, the formulation of an individual
317 instruction plan for each student referred to the alternative
318 school program and, upon a determination that it is in a student's
319 best interest for that student to receive High School Equivalency
320 Diploma preparatory instruction, that the local school board
321 assign the student to a High School Equivalency Diploma
322 preparatory program established under subsection (4) of this



section. The minimum guidelines for alternative school programs shall also require the following components:

(a) Clear guidelines and procedures for placement of students into alternative education programs which at a minimum shall prescribe due process procedures for disciplinary and High School Equivalency Diploma placement;

(b) Clear and consistent goals for students and parents;

(c) Curricula addressing cultural and learning style differences;

(d) Direct supervision of all activities on a closed campus;

(e) Attendance requirements that allow for educational and workforce development opportunities;

(f) Selection of program from options provided by the local school district, Division of Youth Services or the youth court, including transfer to a community-based alternative school;

(g) Continual monitoring and evaluation and formalized passage from one (1) step or program to another;

(h) A motivated and culturally diverse staff;

(i) Counseling for parents and students;

(j) Administrative and community support for the program; * * *

(k) Clear procedures for annual alternative school program review and evaluation * * *; and



348 (1) Grade-appropriate curricula for vocational
349 agricultural and forestry education courses, civics and home
350 economics instruction.

351 (8) On request of a school district, the State Department of
352 Education shall provide the district informational material on
353 developing an alternative school program that takes into
354 consideration size, wealth and existing facilities in determining
355 a program best suited to a district.

356 (9) Any compulsory-school-age child who becomes involved in
357 any criminal or violent behavior shall be removed from such
358 alternative school program and, if probable cause exists, a case
359 shall be referred to the youth court.

360 (10) The State Board of Education shall promulgate
361 guidelines for alternative school programs which provide broad
362 authority to school boards of local school districts to establish
363 alternative education programs to meet the specific needs of the
364 school district.

365 (11) Each school district having an alternative school
366 program shall submit a report by July 31 of each calendar year to
367 the State Department of Education describing the results of its
368 annual alternative school program review and evaluation undertaken
369 pursuant to subsection (7)(k). The report shall include a
370 detailed account of any actions taken by the school district
371 during the previous year to comply with substantive guidelines
372 promulgated by the State Board of Education under subsection



(7)(a) through (j). In the report to be implemented under this section, the State Department of Education shall prescribe the appropriate measures on school districts that fail to file the annual report. The report should be made available online via the department's website to ensure transparency, accountability and efficiency.

SECTION 3. Section 37-13-151, Mississippi Code of 1972, is amended as follows:

37-13-151. Before * * * August 1, 2022, all local school districts shall provide programs of education in home economics, in Grade 9, 10, 11 or 12, which include course work in responsible parenting and family living skills. These programs shall contain instruction to prepare students to understand children's physical, mental, emotional and social growth and development as well as to assume responsibility for their care and guidance, with emphasis on nutrition, emotional health and physical health. All such programs shall be * * * aligned with the curriculum and course of study for home economics developed by the State Board of Education * * *.

SECTION 4. Section 37-13-153, Mississippi Code of 1972, is amended as follows:

37-13-153. Beginning with the 2022-2023 school year, and each year thereafter, state funding for the home economics programs required in Section 37-13-151 and for civics and vocational agricultural and forestry education shall be * * *



398 included in the * * * adequate education program and vocational
399 education appropriation bills for each fiscal year * * *. There
400 shall be a line item specifying the amount that is to be expended
401 to employ no less than one (1) instructor in each * * * school
402 district in the state. Any funds so appropriated by line item
403 which are not expended for this purpose in the vocational
404 education appropriation may be expended for other related home
405 economics vocational purposes during the fiscal year for which
406 those funds were appropriated. * * *

407 **SECTION 5.** Section 37-31-61, Mississippi Code of 1972, is
408 amended as follows:

409 37-31-61. The State Board of Education is hereby authorized
410 and empowered to establish and conduct schools, classes or
411 courses, for preparing, equipping and training citizens of the
412 State of Mississippi for employment in gainful vocational and
413 technical occupations which do not terminate in a bachelors
414 degree, in conjunction with any public school, agricultural high
415 school or community/junior college, which shall be required for
416 all high school students.

417 The trustees of such school districts, as classified and
418 defined by law, including those already having this authority, and
419 the trustees of agricultural high schools and community/junior
420 colleges may, with the consent in writing of the State Board of
421 Education, establish and conduct such schools, classes or courses,



under the provisions herein stated and under the general supervision of the board.

SECTION 6. Section 37-31-205, Mississippi Code of 1972, is amended as follows:

37-31-205. (1) The State Board of Education shall have the authority to:

(a) Expend funds received either by appropriation or directly from federal or private sources;

(b) Channel funds to secondary schools, community and junior colleges and regional vocational-technical facilities according to priorities set by the board;

(c) Allocate funds on an annual budgetary basis;

(d) Set standards for and approve all vocational and technical education programs in the public school system and community and junior colleges or other agencies or institutions which receive state funds and federal funds for such purposes, including, but not limited to, the following vocational and technical education programs: agriculture, trade and industry, * * * consumer * * * education, distributive education, business and office, health, industrial arts, guidance services, technical education, cooperative education, and all other specialized training not requiring a bachelor's degree, with the exception of programs of nursing education regulated under the provisions of Section 37-129-1. The State Board of Education shall authorize local school boards, within such school board's



447 discretion, to offer distributive education as a one-hour or
448 two-hour block course. There shall be no reduction of payments
449 from state funding for distributive education due to the selection
450 of either the one-hour or two-hour course offering;

451 (e) Set and publish licensure standards for vocational
452 and technical education personnel. The State Board of Education
453 shall recognize a vocational and technical education teacher's
454 work when school is not in session which is in the teacher's
455 particular field of instruction as a means for the teacher to
456 fulfill the requirements for renewal of the teacher's license.
457 The board shall establish, by rules and regulations, the
458 documentation of such work which must be submitted to the board
459 and the number of actual working hours required to fulfill renewal
460 requirements. If a vocational and technical education teacher who
461 does not have a bachelor's degree takes classes in fulfillment of
462 licensure renewal requirements, such classes must be in
463 furtherance of a bachelor's degree;

464 (f) Require data and information on program performance
465 from those programs receiving state funds;

466 (g) Expend funds to expand career information;

467 (h) Supervise and maintain the Division of Vocational
468 and Technical Education and to utilize, to the greatest extent
469 possible, the division as the administrative unit of the board
470 responsible for coordinating programs and services with local
471 institutions;



472 (i) Utilize appropriate staff of the State Department
473 of Education to perform services for the vocational student
474 organizations, including, but not limited to, procurement,
475 accounting services, tax services and banking services. The
476 department may also procure and pay for annual audits of the
477 vocational student organizations using vocational funds or other
478 available funds of the State Department of Education. It is the
479 intent of this provision that any related costs be paid with
480 vocational funds appropriated by the Legislature;

481 (j) Promulgate such rules and regulations necessary to
482 carry out the provisions of this chapter in accordance with
483 Section 25-43-1 et seq.;

484 (k) Set standards and approve all vocational and
485 technical education equipment and facilities purchased and/or
486 leased with state and federal vocational funds;

487 (l) Encourage provisions for lifelong learning and
488 changing personal career preferences and advancement of vocational
489 and technical education students through articulated programs
490 between high schools and community and junior colleges;

491 (m) Encourage the establishment of new linkages with
492 business and industry which will provide for a better
493 understanding of essential labor market concepts;

494 (n) Periodically review the funding and reporting
495 processes required of local school districts by the board or



496 division with the aim of simplifying or eliminating inefficient
497 practices and procedures;

498 (o) Assist in the development of high technology
499 programs and resource centers to support current and projected
500 industrial needs;

501 (p) Assist in the development of a technical assistance
502 program for business and industry which will provide for
503 industrial training and services, including the transfer of
504 information relative to new applications and advancements in
505 technology; and

506 (q) Enter into contracts and agreements with the
507 Mississippi Community College Board for conditions under which
508 vocational and technical education programs in community and
509 junior colleges shall receive state and federal funds which flow
510 through the State Board of Education for such purposes.

511 (2) It is the intent of the Legislature that no vocational
512 and technical education course or program existing on June 30,
513 1982, shall be eliminated by the State Board of Education under
514 the authority vested in paragraph (d) of subsection (1) of this
515 section prior to June 30, 1985. It is further the intent of the
516 Legislature that no vocational and technical education teacher or
517 other personnel employed on June 30, 1983, shall be discharged due
518 to licensure standards promulgated by the board under paragraph
519 (e) of subsection (1) of this section, if any such teacher or
520 personnel shall have complied with any newly published licensure



standards by June 30, 1985. Nothing contained in this section shall be construed to abrogate or affect in any manner the authority of local public school districts or community and junior colleges to eliminate vocational and technical education courses or programs or to discharge any vocational and technical education teacher or other personnel.

(3) The State Board of Education and the Mississippi Community College Board may provide that every vocational and technical education course or program in Mississippi may integrate academic and vocational-technical education through coherent sequences of courses, so that students in such programs achieve both academic and occupational competencies. The boards may expend federal funds available from the 1990 Perkins Act, or other available federal funds, for the alignment of vocational-technical programs with academic programs through the accreditation process and the teacher licensure process.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

