

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for House Bill No. 1301

BY: Representative Bell (21st)

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

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

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

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



40 (a) A dual enrolled student is a student who is
41 enrolled in a community or junior college or state institution of
42 higher learning while enrolled in high school.

43 (b) A dual credit student is a student who is enrolled
44 in a community or junior college or state institution of higher
45 learning while enrolled in high school and who is receiving high
46 school and college credit for postsecondary coursework.

47 (2) A local school board, the Board of Trustees of State
48 Institutions of Higher Learning and the Mississippi Community
49 College Board shall establish a dual enrollment system under which
50 students in the school district who meet the prescribed criteria
51 of this section may be enrolled in a postsecondary institution in
52 Mississippi while they are still in school.

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

58 (4) **Admission criteria for dual enrollment in community and**
59 **junior college or university programs.** The Mississippi Community
60 College Board and the Board of Trustees of State Institutions of
61 Higher Learning may recommend to the State Board of Education
62 admission criteria for dual enrollment programs under which high
63 school students may enroll at a community or junior college or
64 university while they are still attending high school and enrolled



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

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

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

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

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



90 credit program must be recorded on the high school student record
91 and on the college transcript at the university or community or
92 junior college where the student attends classes. The transcript
93 of the university or community or junior college coursework may be
94 released to another institution or applied toward college
95 graduation requirements.

96 (9) **Determining factor of prerequisites for dual enrollment**
97 **courses.** Each university and community or junior college
98 participating in a dual enrollment program shall determine course
99 prerequisites. Course prerequisites shall be the same for dual
100 enrolled students as for regularly enrolled students at that
101 university or community or junior college.

102 (10) **Process for determining articulation of curriculum**
103 **between high school, university, and community and junior college**
104 **courses.** All dual credit courses must meet the standards
105 established at the postsecondary level. Postsecondary level
106 developmental courses may not be considered as meeting the
107 requirements of the dual credit program. Dual credit memorandum
108 of understandings must be established between each postsecondary
109 institution and the school district implementing a dual credit
110 program.

111 (11) [Deleted]

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



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

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

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

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



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

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

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

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

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

157 (17) **Qualifications of dual credit instructors.** A dual
158 credit academic instructor must meet the requirements set forth by
159 the regional accrediting association (Southern Association of
160 College and Schools). University and community and junior college
161 personnel have the sole authority in the selection of dual credit
162 instructors.



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

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

(19) **Mississippi Works Dual Enrollment-Dual Credit Option.** A local school board and the local community colleges board shall establish a Mississippi Works Dual Enrollment-Dual Credit Option Program under which potential or recent student dropouts may dually enroll in their home school and a local community college in a dual credit program consisting of high school completion coursework and a community college credential, certificate or degree program. Students completing the dual enrollment-credit option may obtain their high school diploma while obtaining a community college credential, certificate or degree. The Mississippi Department of Employment Security shall assist students who have successfully completed the Mississippi Works Dual Enrollment-Dual Credit Option in securing a job upon the



188 application of the student or the participating school or
189 community college. The Mississippi Works Dual Enrollment-Dual
190 Credit Option Program will be implemented statewide in the
191 2012-2013 school year and thereafter. The State Board of
192 Education, local school board and the local community college
193 board shall establish criteria for the Dual Enrollment-Dual Credit
194 Program. Students enrolled in the program will not be eligible to
195 participate in interscholastic sports or other extracurricular
196 activities at the home school district. Tuition and costs for
197 community college courses offered under the Dual Enrollment-Dual
198 Credit Program shall not be charged to the student, parents or
199 legal guardians. When dually enrolled, the student shall be
200 counted for adequate education program funding purposes, in the
201 average daily attendance of the public school district in which
202 the student attends high school, as provided in Section
203 37-151-7(1)(a). Any transportation required by the student to
204 participate in the Dual Enrollment-Dual Credit Program is the
205 responsibility of the parent or legal guardian of the student, and
206 transportation costs may be paid from any available public or
207 private sources, including the local school district. Grades and
208 college credits earned by a student admitted to this Dual
209 Enrollment-Dual Credit Program shall be recorded on the high
210 school student record and on the college transcript at the
211 community college and high school where the student attends
212 classes. The transcript of the community college coursework may



213 be released to another institution or applied toward college
214 graduation requirements. Any course that is required for subject
215 area testing as a requirement for graduation from a public school
216 in Mississippi is eligible for dual credit, and courses eligible
217 for dual credit shall also include career, technical and degree
218 program courses. All courses eligible for dual credit shall be
219 approved by the superintendent of the local school district and
220 the chief instructional officer at the participating community
221 college in order for college credit to be awarded. A community
222 college shall make the final decision on what courses are eligible
223 for semester hour credits and the local school superintendent,
224 subject to approval by the Mississippi Department of Education,
225 shall make the final decision on the transfer of college courses
226 credited to the student's high school transcript.

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

229 37-16-17. (1) Purpose. (a) The purpose of this section is
230 to create a quality option in Mississippi's high schools for
231 students not wishing to pursue a baccalaureate degree, which shall
232 consist of challenging academic courses and modern
233 career-technical studies. The goal for students pursuing the
234 career * * * technical education pathways is to graduate from high
235 school with a standard diploma and credit toward a community
236 college certification in a career-technical field. These students



also shall be encouraged to take the national assessment in the career-technical field in which they become certified.

(b) The State Board of Education shall develop and adopt course and curriculum requirements for career * * * technical education pathways offered by local public school boards in accordance with this section. The Mississippi Community College Board and the State Board of Education jointly shall determine course and curriculum requirements for the career * * * technical education pathways. The State Board of Education shall require school districts to provide notice to all incoming middle school students and junior high students of the career technical education pathways offered by local school boards. Such notice shall include the career technical education pathways available, the course requirements of each pathways, how to enroll in the pathway and any other necessary information as determined by the State Board of Education.

(2) * * * Career technical education pathway; description; curriculum. (a) A career * * * technical education pathway shall provide a student with greater technical skill and a strong academic core and shall be offered to each high school student enrolled in a public school district. The career * * * technical education pathway shall be linked to postsecondary options and shall prepare students to pursue either a degree or certification from a postsecondary institution, an industry-based training or certification, an apprenticeship, the military, or immediate



entrance into a career field. The career * * * technical education pathway shall be designed primarily for those students who are not college bound and shall provide them with alternatives to entrance into a four-year university or college after high school graduation.

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

(c) Each public school district shall offer a career * * * technical education pathway approved by the State Board of Education.

(d) Students in a career * * * technical education pathway shall complete an academic core of courses and a career and technical sequence of courses.

(e) Students pursuing a career technical education pathway must complete the * * * twenty-four (24) course unit requirements for * * * a regular high school diploma, which may include, but not be limited to * * * the following course content:

* * *

(i) English I;

(ii) English II;

(iii) Technical writing;

(iv) Computer programming;



(v) Algebra I;
(vi) Personal Finance;
(vii) Advanced technical mathematics;
(viii) Computer science;
(ix) Biology;
(x) Earth and Space Science;
(xi) U.S. History;
(xii) Mississippi Studies/U.S. Government;
(xiii) Health;
(xiv) Physical Education;
(xv) Soft skills, which include, but are not
limited to, social graces, communication abilities, language
skills, personal habits, cognitive or emotional empathy, time
management, teamwork and leadership traits;
(xvi) Career technical education pathway courses;
and
(xvii) Integrated technology.

Academic courses within the career * * * technical education
pathway of the standard diploma shall provide the knowledge and
skill necessary for proficiency on the state subject area tests.

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



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

317 * * *

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

320 37-3-2. (1) There is established within the State
321 Department of Education the Commission on Teacher and
322 Administrator Education, Certification and Licensure and
323 Development. It shall be the purpose and duty of the commission
324 to make recommendations to the State Board of Education regarding
325 standards for the certification and licensure and continuing
326 professional development of those who teach or perform tasks of an
327 educational nature in the public schools of Mississippi.

328 (2) (a) The commission shall be composed of fifteen (15)
329 qualified members. The membership of the commission shall be
330 composed of the following members to be appointed, three (3) from
331 each of the four (4) congressional districts, as such districts
332 existed on January 1, 2011, in accordance with the population
333 calculations determined by the 2010 federal decennial census,
334 including: four (4) classroom teachers; three (3) school
335 administrators; one (1) representative of schools of education of



public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

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

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



361 (4) (a) An appropriate staff member of the State Department
362 of Education shall be designated and assigned by the State
363 Superintendent of Public Education to serve as executive secretary
364 and coordinator for the commission. No less than two (2) other
365 appropriate staff members of the State Department of Education
366 shall be designated and assigned by the State Superintendent of
367 Public Education to serve on the staff of the commission.

368 (b) An Office of Educator Misconduct Evaluations shall
369 be established within the State Department of Education to assist
370 the commission in responding to infractions and violations, and in
371 conducting hearings and enforcing the provisions of subsections
372 (11), (12), (13), (14) and (15) of this section, and violations of
373 the Mississippi Educator Code of Ethics.

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

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

378 (b) Recommend to the State Board of Education each year
379 approval or disapproval of each educator preparation program in
380 the state, subject to a process and schedule determined by the
381 State Board of Education;

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



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

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

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

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

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

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

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

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

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

(6) (a) **Standard License - Approved Program Route.** An educator entering the school system of Mississippi for the first



410 time and meeting all requirements as established by the State
411 Board of Education shall be granted a standard five-year license.
412 Persons who possess two (2) years of classroom experience as an
413 assistant teacher or who have taught for one (1) year in an
414 accredited public or private school shall be allowed to fulfill
415 student teaching requirements under the supervision of a qualified
416 participating teacher approved by an accredited college of
417 education. The local school district in which the assistant
418 teacher is employed shall compensate such assistant teachers at
419 the required salary level during the period of time such
420 individual is completing student teaching requirements.
421 Applicants for a standard license shall submit to the department:
422 (i) An application on a department form;
423 (ii) An official transcript of completion of a
424 teacher education program approved by the department or a
425 nationally accredited program, subject to the following:
426 Licensure to teach in Mississippi prekindergarten through
427 kindergarten classrooms shall require completion of a teacher
428 education program or a Bachelor of Science degree with child
429 development emphasis from a program accredited by the American
430 Association of Family and Consumer Sciences (AAFCS) or by the
431 National Association for Education of Young Children (NAEYC) or by
432 the National Council for Accreditation of Teacher Education
433 (NCATE). Licensure to teach in Mississippi kindergarten, for
434 those applicants who have completed a teacher education program,



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

456 (iii) A copy of test scores evidencing
457 satisfactory completion of nationally administered examinations of
458 achievement, such as the Educational Testing Service's teacher
459 testing examinations;



460 (iv) Any other document required by the State
461 Board of Education; and

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

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

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

471 3. A minimum GPA of 3.0 on coursework prior
472 to admission to an approved teacher education program.

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

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

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

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

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



(ii) Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

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



the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

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

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

*** * *4.** During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the



provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

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

*** * *6.** Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be



issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

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

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

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

(iv) A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed.



Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) **Special License - Expert Citizen.** In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a * * * five-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person shall be required to have a high school diploma, an industry-recognized certification related to the subject area in which they are teaching and a minimum of five (5) years of relevant experience but shall not be required to hold an associate or bachelor's degree, provided that he or she possesses the minimum qualifications required for his or her profession, and may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. If a school board hires a career technical education pathway instructor who does not have an industry certification in his or her area of expertise but does have the required experience, the school board shall spread their decision on the minutes at their next meeting and provide a detailed explanation for why they hired the instructor. Such instructor shall present the minutes of the



608 school board to the State Department of Education when he or she
609 applies for an expert citizen license. The board shall adopt
610 rules and regulations to administer the expert citizen-teacher
611 license. A Special License - Expert Citizen may be renewed in
612 accordance with the established rules and regulations of the State
613 Department of Education.

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

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

631 (f) **Special License - Transitional Bilingual Education.**
632 Beginning July 1, 2003, the commission shall grant special



633 licenses to teachers of transitional bilingual education who
634 possess such qualifications as are prescribed in this section.
635 Teachers of transitional bilingual education shall be compensated
636 by local school boards at not less than one (1) step on the
637 regular salary schedule applicable to permanent teachers licensed
638 under this section. The commission shall grant special licenses
639 to teachers of transitional bilingual education who present the
640 commission with satisfactory evidence that they (i) possess a
641 speaking and reading ability in a language, other than English, in
642 which bilingual education is offered and communicative skills in
643 English; (ii) are in good health and sound moral character; (iii)
644 possess a bachelor's degree or an associate's degree in teacher
645 education from an accredited institution of higher education; (iv)
646 meet such requirements as to courses of study, semester hours
647 therein, experience and training as may be required by the
648 commission; and (v) are legally present in the United States and
649 possess legal authorization for employment. A teacher of
650 transitional bilingual education serving under a special license
651 shall be under an exemption from standard licensure if he achieves
652 the requisite qualifications therefor. Two (2) years of service
653 by a teacher of transitional bilingual education under such an
654 exemption shall be credited to the teacher in acquiring a Standard
655 Educator License. Nothing in this paragraph shall be deemed to
656 prohibit a local school board from employing a teacher licensed in
657 an appropriate field as approved by the State Department of



658 Education to teach in a program in transitional bilingual
659 education.

660 (g) In the event any school district meets the highest
661 accreditation standards as defined by the State Board of Education
662 in the accountability system, the State Board of Education, in its
663 discretion, may exempt such school district from any restrictions
664 in paragraph (e) relating to the employment of nonlicensed
665 teaching personnel.

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

671 (7) **Administrator License.** The State Board of Education is
672 authorized to establish rules and regulations and to administer
673 the licensure process of the school administrators in the State of
674 Mississippi. There will be four (4) categories of administrator
675 licensure with exceptions only through special approval of the
676 State Board of Education.

677 (a) **Administrator License - Nonpracticing.** Those
678 educators holding administrative endorsement but having no
679 administrative experience or not serving in an administrative
680 position on January 15, 1997.

681 (b) **Administrator License - Entry Level.** Those
682 educators holding administrative endorsement and having met the



department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

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

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

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



708 (8) **Reciprocity.** (a) The department shall grant a standard
709 license to any individual who possesses a valid standard license
710 from another state and meets minimum Mississippi license
711 requirements or equivalent requirements as determined by the State
712 Board of Education. The issuance of a license by reciprocity to a
713 military-trained applicant or military spouse shall be subject to
714 the provisions of Section 73-50-1.

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

723 (9) **Renewal and Reinstatement of Licenses.** The State Board
724 of Education is authorized to establish rules and regulations for
725 the renewal and reinstatement of educator and administrator
726 licenses. Effective May 15, 1997, the valid standard license held
727 by an educator shall be extended five (5) years beyond the
728 expiration date of the license in order to afford the educator
729 adequate time to fulfill new renewal requirements established
730 pursuant to this subsection. An educator completing a master of
731 education, educational specialist or doctor of education degree in
732 May 1997 for the purpose of upgrading the educator's license to a



higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by



substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

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

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

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

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

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

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



782 (vi) The applicant has been convicted, has pled
783 guilty or entered a plea of nolo contendere to a felony, as
784 defined by federal or state law. For purposes of this
785 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
786 a plea of guilty, entry of a plea of nolo contendere, or entry of
787 an order granting pretrial or judicial diversion;

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

792 (b) The State Board of Education, acting through the
793 commission, shall deny an application for any teacher or
794 administrator license, or immediately revoke the current teacher
795 or administrator license, for one or more of the following:

796 (i) If the applicant or licensee has been
797 convicted, has pled guilty or entered a plea of nolo contendere to
798 a sex offense as defined by federal or state law. For purposes of
799 this subparagraph (i) of this paragraph (b), a "guilty plea"
800 includes a plea of guilty, entry of a plea of nolo contendere, or
801 entry of an order granting pretrial or judicial diversion;

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



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

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

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

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

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

823 (c) Suspension or revocation of a certificate or
824 license by another state shall result in immediate suspension or
825 revocation and shall continue until records in the prior state
826 have been cleared;

827 (d) The license holder has been convicted, has pled
828 guilty or entered a plea of nolo contendere to a felony, as
829 defined by federal or state law. For purposes of this paragraph,



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

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

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

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

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

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

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as



prescribed by the commission, its subcommittee or hearing officer.
Failure to complete the requirements in the time specified shall
result in immediate suspension of the license for one (1) year.

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

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

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

(14) (a) A person whose license has been suspended or
surrendered on any grounds except criminal grounds may petition
for reinstatement of the license after one (1) year from the date
of suspension or surrender, or after one-half (1/2) of the
suspended or surrendered time has lapsed, whichever is greater. A
person whose license has been suspended or revoked on any grounds
or violations under subsection (12) of this section may be



reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

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

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action



and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

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

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become



effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

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

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section



93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

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

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

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

(b) Conduct a uniform statewide testing program in grades deemed appropriate in the public schools, including charter schools, which shall provide for the administration of the ACT WorkKeys Assessment to any students electing to take the assessment. Each individual school district shall determine whether the ACT WorkKeys Assessment is administered in the ninth,



980 tenth or eleventh grade. The program may test skill areas, basic
981 skills and high school course content.

982 (c) Monitor the results of the assessment program and,
983 at any time the composite student performance of a school or basic
984 program is found to be below the established minimum standards,
985 notify the district superintendent or the governing board of the
986 charter school, as the case may be, the school principal and the
987 school advisory committee or other existing parent group of the
988 situation within thirty (30) days of its determination. The
989 department shall further provide technical assistance to a school
990 district in the identification of the causes of this deficiency
991 and shall recommend courses of action for its correction.

992 (d) Provide technical assistance to the school
993 districts, when requested, in the development of student
994 performance standards in addition to the established minimum
995 statewide standards.

996 (e) Issue security procedure regulations providing for
997 the security and integrity of the tests that are administered
998 under the basic skills assessment program.

999 (f) In case of an allegation of a testing irregularity
1000 that prompts a need for an investigation by the Department of
1001 Education, the department may, in its discretion, take complete
1002 control of the statewide test administration in a school district
1003 or any part thereof, including, but not limited to, obtaining
1004 control of the test booklets and answer documents. In the case of



any verified testing irregularity that jeopardized the security and integrity of the test(s), validity or the accuracy of the test results, the cost of the investigation and any other actual and necessary costs related to the investigation paid by the Department of Education shall be reimbursed by the local school district from funds other than federal funds, Mississippi Adequate Education Program funds, or any other state funds within six (6) months from the date of notice by the department to the school district to make reimbursement to the department.

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

(3) Within five (5) days of completing the administration of a statewide test, the principal of the school where the test was administered shall certify under oath to the State Department of Education that the statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide



1030 Assessment System as adopted by the State Board of Education. The
1031 principal's sworn certification shall be set forth on a form
1032 developed and approved by the Department of Education. If,
1033 following the administration of a statewide test, the principal
1034 has reason to believe that the test was not administered in strict
1035 accordance with the Requirements of the Mississippi Statewide
1036 Assessment System as adopted by the State Board of Education, the
1037 principal shall submit a sworn certification to the Department of
1038 Education setting forth all information known or believed by the
1039 principal about all potential violations of the Requirements of
1040 the Mississippi Statewide Assessment System as adopted by the
1041 State Board of Education. The submission of false information or
1042 false certification to the Department of Education by any licensed
1043 educator may result in licensure disciplinary action pursuant to
1044 Section 37-3-2 and criminal prosecution pursuant to Section
1045 37-16-4.

1046 **SECTION 6.** Section 37-17-6, Mississippi Code of 1972, is
1047 amended as follows:

1048 37-17-6. (1) The State Board of Education, acting through
1049 the Commission on School Accreditation, shall establish and
1050 implement a permanent performance-based accreditation system, and
1051 all noncharter public elementary and secondary schools shall be
1052 accredited under this system.

1053 (2) No later than June 30, 1995, the State Board of
1054 Education, acting through the Commission on School Accreditation,



1055 shall require school districts to provide school classroom space
1056 that is air-conditioned as a minimum requirement for
1057 accreditation.

1058 (3) (a) Beginning with the 1994-1995 school year, the State
1059 Board of Education, acting through the Commission on School
1060 Accreditation, shall require that school districts employ
1061 certified school librarians according to the following formula:

1062	Number of Students	Number of Certified
1063	Per School Library	School Librarians
1064	0 - 499 Students	1/2 Full-time Equivalent
1065		Certified Librarian
1066	500 or More Students	1 Full-time Certified
1067		Librarian

1068 (b) The State Board of Education, however, may increase
1069 the number of positions beyond the above requirements.

1070 (c) The assignment of certified school librarians to
1071 the particular schools shall be at the discretion of the local
1072 school district. No individual shall be employed as a certified
1073 school librarian without appropriate training and certification as
1074 a school librarian by the State Department of Education.

1075 (d) School librarians in the district shall spend at
1076 least fifty percent (50%) of direct work time in a school library
1077 and shall devote no more than one-fourth (1/4) of the workday to
1078 administrative activities that are library related.



1079 (e) Nothing in this subsection shall prohibit any
1080 school district from employing more certified school librarians
1081 than are provided for in this section.

1082 (f) Any additional millage levied to fund school
1083 librarians required for accreditation under this subsection shall
1084 be included in the tax increase limitation set forth in Sections
1085 37-57-105 and 37-57-107 and shall not be deemed a new program for
1086 purposes of the limitation.

1087 (4) On or before December 31, 2002, the State Board of
1088 Education shall implement the performance-based accreditation
1089 system for school districts and for individual noncharter public
1090 schools which shall include the following:

1091 (a) High expectations for students and high standards
1092 for all schools, with a focus on the basic curriculum;

1093 (b) Strong accountability for results with appropriate
1094 local flexibility for local implementation;

1095 (c) A process to implement accountability at both the
1096 school district level and the school level;

1097 (d) Individual schools shall be held accountable for
1098 student growth and performance;

1099 (e) Set annual performance standards for each of the
1100 schools of the state and measure the performance of each school
1101 against itself through the standard that has been set for it;



1102 (f) A determination of which schools exceed their
1103 standards and a plan for providing recognition and rewards to
1104 those schools;

1105 (g) A determination of which schools are failing to
1106 meet their standards and a determination of the appropriate role
1107 of the State Board of Education and the State Department of
1108 Education in providing assistance and initiating possible
1109 intervention. A failing district is a district that fails to meet
1110 both the absolute student achievement standards and the rate of
1111 annual growth expectation standards as set by the State Board of
1112 Education for two (2) consecutive years. The State Board of
1113 Education shall establish the level of benchmarks by which
1114 absolute student achievement and growth expectations shall be
1115 assessed. In setting the benchmarks for school districts, the
1116 State Board of Education may also take into account such factors
1117 as graduation rates, dropout rates, completion rates, the extent
1118 to which the school or district employs qualified teachers in
1119 every classroom, and any other factors deemed appropriate by the
1120 State Board of Education. The State Board of Education, acting
1121 through the State Department of Education, shall apply a simple
1122 "A," "B," "C," "D" and "F" designation to the current school and
1123 school district statewide accountability performance
1124 classification labels beginning with the State Accountability
1125 Results for the 2011-2012 school year and following, and in the
1126 school, district and state report cards required under state and



1127 federal law. Under the new designations, a school or school
1128 district that has earned a "Star" rating shall be designated an
1129 "A" school or school district; a school or school district that
1130 has earned a "High-Performing" rating shall be designated a "B"
1131 school or school district; a school or school district that has
1132 earned a "Successful" rating shall be designated a "C" school or
1133 school district; a school or school district that has earned an
1134 "Academic Watch" rating shall be designated a "D" school or school
1135 district; a school or school district that has earned a
1136 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
1137 be designated an "F" school or school district. Effective with
1138 the implementation of any new curriculum and assessment standards,
1139 the State Board of Education, acting through the State Department
1140 of Education, is further authorized and directed to change the
1141 school and school district accreditation rating system to a simple
1142 "A," "B," "C," "D," and "F" designation based on a combination of
1143 student achievement scores and student growth as measured by the
1144 statewide testing programs developed by the State Board of
1145 Education pursuant to Chapter 16, Title 37, Mississippi Code of
1146 1972. In any statute or regulation containing the former
1147 accreditation designations, the new designations shall be
1148 applicable;

1149 (h) Development of a comprehensive student assessment
1150 system to implement these requirements; and



1151 (i) The State Board of Education may, based on a
1152 written request that contains specific reasons for requesting a
1153 waiver from the school districts affected by Hurricane Katrina of
1154 2005, hold harmless school districts from assignment of district
1155 and school level accountability ratings for the 2005-2006 school
1156 year. The State Board of Education upon finding an extreme
1157 hardship in the school district may grant the request. It is the
1158 intent of the Legislature that all school districts maintain the
1159 highest possible academic standards and instructional programs in
1160 all schools as required by law and the State Board of Education.

1161 (5) (a) Effective with the 2013-2014 school year, the State
1162 Department of Education, acting through the Mississippi Commission
1163 on School Accreditation, shall revise and implement a single "A"
1164 through "F" school and school district accountability system
1165 complying with applicable federal and state requirements in order
1166 to reach the following educational goals:

1167 (i) To mobilize resources and supplies to ensure
1168 that all students exit third grade reading on grade level by 2015;

1169 (ii) To reduce the student dropout rate to
1170 thirteen percent (13%) by 2015; and

1171 (iii) To have sixty percent (60%) of students
1172 scoring proficient and advanced on the assessments of the Common
1173 Core State Standards by 2016 with incremental increases of three
1174 percent (3%) each year thereafter.



1175 (b) The State Department of Education shall combine the
1176 state school and school district accountability system with the
1177 federal system in order to have a single system.

1178 (c) The State Department of Education shall establish
1179 five (5) performance categories ("A," "B," "C," "D" and "F") for
1180 the accountability system based on the following criteria:

1181 (i) Student Achievement: the percent of students
1182 proficient and advanced on the current state assessments;

1183 (ii) Individual student growth: the percent of
1184 students making one (1) year's progress in one (1) year's time on
1185 the state assessment, with an emphasis on the progress of the
1186 lowest twenty-five percent (25%) of students in the school or
1187 district;

1188 (iii) Four-year graduation rate: the percent of
1189 students graduating with a standard high school diploma in four
1190 (4) years, as defined by federal regulations;

1191 (iv) Categories shall identify schools as Reward
1192 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
1193 at least five percent (5%) of schools in the state are not graded
1194 as "F" schools, the lowest five percent (5%) of school grade point
1195 designees will be identified as Priority schools. If at least ten
1196 percent (10%) of schools in the state are not graded as "D"
1197 schools, the lowest ten percent (10%) of school grade point
1198 designees will be identified as Focus schools;



1199 (v) The State Department of Education shall
1200 discontinue the use of Star School, High-Performing, Successful,
1201 Academic Watch, Low-Performing, At-Risk of Failing and Failing
1202 school accountability designations;

1203 (vi) The system shall include the federally
1204 compliant four-year graduation rate in school and school district
1205 accountability system calculations. Graduation rate will apply to
1206 high school and school district accountability ratings as a
1207 compensatory component. The system shall discontinue the use of
1208 the High School Completer Index (HSCI);

1209 (vii) The school and school district
1210 accountability system shall incorporate a standards-based growth
1211 model, in order to support improvement of individual student
1212 learning;

1213 (viii) The State Department of Education shall
1214 discontinue the use of the Quality Distribution Index (QDI);

1215 (ix) The State Department of Education shall
1216 determine feeder patterns of schools that do not earn a school
1217 grade because the grades and subjects taught at the school do not
1218 have statewide standardized assessments needed to calculate a
1219 school grade. Upon determination of the feeder pattern, the
1220 department shall notify schools and school districts prior to the
1221 release of the school grades beginning in 2013. Feeder schools
1222 will be assigned the accountability designation of the school to
1223 which they provide students;



1224 (x) Standards for student, school and school
1225 district performance will be increased when student proficiency is
1226 at a seventy-five percent (75%) and/or when sixty-five percent
1227 (65%) of the schools and/or school districts are earning a grade
1228 of "B" or higher, in order to raise the standard on performance
1229 after targets are met * * *; and

1230 (xi) The system shall include student performance
1231 on the administration of the ACT WorkKeys Assessment, which shall
1232 be weighted in the same percentage as the standard ACT Assessment
1233 as administered to students in Grade 11, for inclusion in the
1234 college and career readiness portion of the accountability rating
1235 system. The State Department of Education shall ensure equitable
1236 distribution of points under the accountability rating, in
1237 comparison to the ACT Assessment, for a Silver Status on the ACT
1238 WorkKeys Assessment. A student shall not be required to complete
1239 all of the courses within his or her career pathway for his or her
1240 performance on the ACT WorkKeys Assessment to be included in the
1241 system.

1242 (6) Nothing in this section shall be deemed to require a
1243 nonpublic school that receives no local, state or federal funds
1244 for support to become accredited by the State Board of Education.

1245 (7) The State Board of Education shall create an
1246 accreditation audit unit under the Commission on School
1247 Accreditation to determine whether schools are complying with
1248 accreditation standards.



1249 (8) The State Board of Education shall be specifically
1250 authorized and empowered to withhold adequate education program
1251 fund allocations, whichever is applicable, to any public school
1252 district for failure to timely report student, school personnel
1253 and fiscal data necessary to meet state and/or federal
1254 requirements.

1255 (9) [Deleted]

1256 (10) The State Board of Education shall establish, for those
1257 school districts failing to meet accreditation standards, a
1258 program of development to be complied with in order to receive
1259 state funds, except as otherwise provided in subsection (15) of
1260 this section when the Governor has declared a state of emergency
1261 in a school district or as otherwise provided in Section 206,
1262 Mississippi Constitution of 1890. The state board, in
1263 establishing these standards, shall provide for notice to schools
1264 and sufficient time and aid to enable schools to attempt to meet
1265 these standards, unless procedures under subsection (15) of this
1266 section have been invoked.

1267 (11) Beginning July 1, 1998, the State Board of Education
1268 shall be charged with the implementation of the program of
1269 development in each applicable school district as follows:

1270 (a) Develop an impairment report for each district
1271 failing to meet accreditation standards in conjunction with school
1272 district officials;



1273 (b) Notify any applicable school district failing to
1274 meet accreditation standards that it is on probation until
1275 corrective actions are taken or until the deficiencies have been
1276 removed. The local school district shall develop a corrective
1277 action plan to improve its deficiencies. For district academic
1278 deficiencies, the corrective action plan for each such school
1279 district shall be based upon a complete analysis of the following:
1280 student test data, student grades, student attendance reports,
1281 student dropout data, existence and other relevant data. The
1282 corrective action plan shall describe the specific measures to be
1283 taken by the particular school district and school to improve:
1284 (i) instruction; (ii) curriculum; (iii) professional development;
1285 (iv) personnel and classroom organization; (v) student incentives
1286 for performance; (vi) process deficiencies; and (vii) reporting to
1287 the local school board, parents and the community. The corrective
1288 action plan shall describe the specific individuals responsible
1289 for implementing each component of the recommendation and how each
1290 will be evaluated. All corrective action plans shall be provided
1291 to the State Board of Education as may be required. The decision
1292 of the State Board of Education establishing the probationary
1293 period of time shall be final;

1294 (c) Offer, during the probationary period, technical
1295 assistance to the school district in making corrective actions.
1296 Beginning July 1, 1998, subject to the availability of funds, the
1297 State Department of Education shall provide technical and/or



1298 financial assistance to all such school districts in order to
1299 implement each measure identified in that district's corrective
1300 action plan through professional development and on-site
1301 assistance. Each such school district shall apply for and utilize
1302 all available federal funding in order to support its corrective
1303 action plan in addition to state funds made available under this
1304 paragraph;

1305 (d) Assign department personnel or contract, in its
1306 discretion, with the institutions of higher learning or other
1307 appropriate private entities with experience in the academic,
1308 finance and other operational functions of schools to assist
1309 school districts;

1310 (e) Provide for publication of public notice at least
1311 one time during the probationary period, in a newspaper published
1312 within the jurisdiction of the school district failing to meet
1313 accreditation standards, or if no newspaper is published therein,
1314 then in a newspaper having a general circulation therein. The
1315 publication shall include the following: declaration of school
1316 system's status as being on probation; all details relating to the
1317 impairment report; and other information as the State Board of
1318 Education deems appropriate. Public notices issued under this
1319 section shall be subject to Section 13-3-31 and not contrary to
1320 other laws regarding newspaper publication.

1321 (12) (a) If the recommendations for corrective action are
1322 not taken by the local school district or if the deficiencies are



not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have been determined by the policies and procedures of the State Board of Education to be a basis for withdrawal of school district's accreditation without a probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. After its consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, or when a school district meets the State Board of Education's definition of a failing school district for two (2) consecutive full school years,



1348 or if more than fifty percent (50%) of the schools within the
1349 school district are designated as Schools At-Risk in any one (1)
1350 year, the State Board of Education may request the Governor to
1351 declare a state of emergency in that school district. For
1352 purposes of this paragraph, the declarations of a state of
1353 emergency shall not be limited to those instances when a school
1354 district's impairments are related to a lack of financial
1355 resources, but also shall include serious failure to meet minimum
1356 academic standards, as evidenced by a continued pattern of poor
1357 student performance.

1358 (c) Whenever the Governor declares a state of emergency
1359 in a school district in response to a request made under paragraph
1360 (a) or (b) of this subsection, the State Board of Education may
1361 take one or more of the following actions:

1362 (i) Declare a state of emergency, under which some
1363 or all of state funds can be escrowed except as otherwise provided
1364 in Section 206, Constitution of 1890, until the board determines
1365 corrective actions are being taken or the deficiencies have been
1366 removed, or that the needs of students warrant the release of
1367 funds. The funds may be released from escrow for any program
1368 which the board determines to have been restored to standard even
1369 though the state of emergency may not as yet be terminated for the
1370 district as a whole;

1371 (ii) Override any decision of the local school
1372 board or superintendent of education, or both, concerning the



1373 management and operation of the school district, or initiate and
1374 make decisions concerning the management and operation of the
1375 school district;

1376 (iii) Assign an interim superintendent, or in its
1377 discretion, contract with a private entity with experience in the
1378 academic, finance and other operational functions of schools and
1379 school districts, who will have those powers and duties prescribed
1380 in subsection (15) of this section;

1381 (iv) Grant transfers to students who attend this
1382 school district so that they may attend other accredited schools
1383 or districts in a manner that is not in violation of state or
1384 federal law;

1385 (v) For states of emergency declared under
1386 paragraph (a) only, if the accreditation deficiencies are related
1387 to the fact that the school district is too small, with too few
1388 resources, to meet the required standards and if another school
1389 district is willing to accept those students, abolish that
1390 district and assign that territory to another school district or
1391 districts. If the school district has proposed a voluntary
1392 consolidation with another school district or districts, then if
1393 the State Board of Education finds that it is in the best interest
1394 of the pupils of the district for the consolidation to proceed,
1395 the voluntary consolidation shall have priority over any such
1396 assignment of territory by the State Board of Education;



1397 (vi) For states of emergency declared under
1398 paragraph (b) only, reduce local supplements paid to school
1399 district employees, including, but not limited to, instructional
1400 personnel, assistant teachers and extracurricular activities
1401 personnel, if the district's impairment is related to a lack of
1402 financial resources, but only to an extent that will result in the
1403 salaries being comparable to districts similarly situated, as
1404 determined by the State Board of Education;

1405 (vii) For states of emergency declared under
1406 paragraph (b) only, the State Board of Education may take any
1407 action as prescribed in Section 37-17-13.

1408 (d) At the time that satisfactory corrective action has
1409 been taken in a school district in which a state of emergency has
1410 been declared, the State Board of Education may request the
1411 Governor to declare that the state of emergency no longer exists
1412 in the district.

1413 (e) The parent or legal guardian of a school-age child
1414 who is enrolled in a school district whose accreditation has been
1415 withdrawn by the Commission on School Accreditation and without
1416 approval of that school district may file a petition in writing to
1417 a school district accredited by the Commission on School
1418 Accreditation for a legal transfer. The school district
1419 accredited by the Commission on School Accreditation may grant the
1420 transfer according to the procedures of Section 37-15-31(1)(b).
1421 In the event the accreditation of the student's home district is



1422 restored after a transfer has been approved, the student may
1423 continue to attend the transferee school district. The per-pupil
1424 amount of the adequate education program allotment, including the
1425 collective "add-on program" costs for the student's home school
1426 district shall be transferred monthly to the school district
1427 accredited by the Commission on School Accreditation that has
1428 granted the transfer of the school-age child.

1429 (f) Upon the declaration of a state of emergency for
1430 any school district in which the Governor has previously declared
1431 a state of emergency, the State Board of Education may either:

1432 (i) Place the school district into district
1433 transformation, in which the school district shall remain until it
1434 has fulfilled all conditions related to district transformation.
1435 If the district was assigned an accreditation rating of "D" or "F"
1436 when placed into district transformation, the district shall be
1437 eligible to return to local control when the school district has
1438 attained a "C" rating or higher for five (5) consecutive years,
1439 unless the State Board of Education determines that the district
1440 is eligible to return to local control in less than the five-year
1441 period;

1442 (ii) Abolish the school district and
1443 administratively consolidate the school district with one or more
1444 existing school districts;

1445 (iii) Reduce the size of the district and
1446 administratively consolidate parts of the district, as determined



1447 by the State Board of Education. However, no school district
1448 which is not in district transformation shall be required to
1449 accept additional territory over the objection of the district; or

1450 (iv) Require the school district to develop and
1451 implement a district improvement plan with prescriptive guidance
1452 and support from the State Department of Education, with the goal
1453 of helping the district improve student achievement. Failure of
1454 the school board, superintendent and school district staff to
1455 implement the plan with fidelity and participate in the activities
1456 provided as support by the department shall result in the school
1457 district retaining its eligibility for district transformation.

1458 (g) There is established a Mississippi Recovery School
1459 District within the State Department of Education under the
1460 supervision of a deputy superintendent appointed by the State
1461 Superintendent of Public Education, who is subject to the approval
1462 by the State Board of Education. The Mississippi Recovery School
1463 District shall provide leadership and oversight of all school
1464 districts that are subject to district transformation status, as
1465 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,
1466 and shall have all the authority granted under these two (2)
1467 chapters. The Mississippi Department of Education, with the
1468 approval of the State Board of Education, shall develop policies
1469 for the operation and management of the Mississippi Recovery
1470 School District. The deputy state superintendent is responsible
1471 for the Mississippi Recovery School District and shall be



1472 authorized to oversee the administration of the Mississippi
1473 Recovery School District, oversee the interim superintendent
1474 assigned by the State Board of Education to a local school
1475 district, hear appeals that would normally be filed by students,
1476 parents or employees and heard by a local school board, which
1477 hearings on appeal shall be conducted in a prompt and timely
1478 manner in the school district from which the appeal originated in
1479 order to ensure the ability of appellants, other parties and
1480 witnesses to appeal without undue burden of travel costs or loss
1481 of time from work, and perform other related duties as assigned by
1482 the State Superintendent of Public Education. The deputy state
1483 superintendent is responsible for the Mississippi Recovery School
1484 District and shall determine, based on rigorous professional
1485 qualifications set by the State Board of Education, the
1486 appropriate individuals to be engaged to be interim
1487 superintendents and financial advisors, if applicable, of all
1488 school districts subject to district transformation status. After
1489 State Board of Education approval, these individuals shall be
1490 deemed independent contractors.

1491 (13) Upon the declaration of a state of emergency in a
1492 school district under subsection (12) of this section, the
1493 Commission on School Accreditation shall be responsible for public
1494 notice at least once a week for at least three (3) consecutive
1495 weeks in a newspaper published within the jurisdiction of the
1496 school district failing to meet accreditation standards, or if no



1497 newspaper is published therein, then in a newspaper having a
1498 general circulation therein. The size of the notice shall be no
1499 smaller than one-fourth (1/4) of a standard newspaper page and
1500 shall be printed in bold print. If an interim superintendent has
1501 been appointed for the school district, the notice shall begin as
1502 follows: "By authority of Section 37-17-6, Mississippi Code of
1503 1972, as amended, adopted by the Mississippi Legislature during
1504 the 1991 Regular Session, this school district (name of school
1505 district) is hereby placed under the jurisdiction of the State
1506 Department of Education acting through its appointed interim
1507 superintendent (name of interim superintendent)."

1508 The notice also shall include, in the discretion of the State
1509 Board of Education, any or all details relating to the school
1510 district's emergency status, including the declaration of a state
1511 of emergency in the school district and a description of the
1512 district's impairment deficiencies, conditions of any district
1513 transformation status and corrective actions recommended and being
1514 taken. Public notices issued under this section shall be subject
1515 to Section 13-3-31 and not contrary to other laws regarding
1516 newspaper publication.

1517 Upon termination of the state of emergency in a school
1518 district, the Commission on School Accreditation shall cause
1519 notice to be published in the school district in the same manner
1520 provided in this section, to include any or all details relating



to the corrective action taken in the school district that resulted in the termination of the state of emergency.

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

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

(15) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (12) of this section, the State Board of Education, in its discretion, may assign an interim superintendent to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel, contractual agreements and



1546 purchase orders, and approving or disapproving all claim dockets
1547 and the issuance of checks; in approving or disapproving
1548 employment contracts of superintendents, assistant superintendents
1549 or principals, the interim superintendent shall not be required to
1550 comply with the time limitations prescribed in Sections 37-9-15
1551 and 37-9-105;

1552 (ii) Supervising the day-to-day activities of the
1553 district's staff, including reassigning the duties and
1554 responsibilities of personnel in a manner which, in the
1555 determination of the interim superintendent, will best suit the
1556 needs of the district;

1557 (iii) Reviewing the district's total financial
1558 obligations and operations and making recommendations to the
1559 district for cost savings, including, but not limited to,
1560 reassigning the duties and responsibilities of staff;

1561 (iv) Attending all meetings of the district's
1562 school board and administrative staff;

1563 (v) Approving or disapproving all athletic, band
1564 and other extracurricular activities and any matters related to
1565 those activities;

1566 (vi) Maintaining a detailed account of
1567 recommendations made to the district and actions taken in response
1568 to those recommendations;

1569 (vii) Reporting periodically to the State Board of
1570 Education on the progress or lack of progress being made in the



1571 district to improve the district's impairments during the state of
1572 emergency; and

1573 (viii) Appointing a parent advisory committee,
1574 comprised of parents of students in the school district that may
1575 make recommendations to the interim superintendent concerning the
1576 administration, management and operation of the school district.

1577 The cost of the salary of the interim superintendent and any
1578 other actual and necessary costs related to district
1579 transformation status paid by the State Department of Education
1580 shall be reimbursed by the local school district from funds other
1581 than adequate education program funds. The department shall
1582 submit an itemized statement to the superintendent of the local
1583 school district for reimbursement purposes, and any unpaid balance
1584 may be withheld from the district's adequate education program
1585 funds.

1586 At the time that the Governor, in accordance with the request
1587 of the State Board of Education, declares that the state of
1588 emergency no longer exists in a school district, the powers and
1589 responsibilities of the interim superintendent assigned to the
1590 district shall cease.

1591 (b) In order to provide loans to school districts under
1592 a state of emergency or in district transformation status that
1593 have impairments related to a lack of financial resources, the
1594 School District Emergency Assistance Fund is created as a special
1595 fund in the State Treasury into which monies may be transferred or



1596 appropriated by the Legislature from any available public
1597 education funds. Funds in the School District Emergency
1598 Assistance Fund up to a maximum balance of Three Million Dollars
1599 (\$3,000,000.00) annually shall not lapse but shall be available
1600 for expenditure in subsequent years subject to approval of the
1601 State Board of Education. Any amount in the fund in excess of
1602 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
1603 year shall lapse into the State General Fund or the Education
1604 Enhancement Fund, depending on the source of the fund.

1605 The State Board of Education may loan monies from the School
1606 District Emergency Assistance Fund to a school district that is
1607 under a state of emergency or in district transformation status,
1608 in those amounts, as determined by the board, that are necessary
1609 to correct the district's impairments related to a lack of
1610 financial resources. The loans shall be evidenced by an agreement
1611 between the school district and the State Board of Education and
1612 shall be repayable in principal, without necessity of interest, to
1613 the School District Emergency Assistance Fund by the school
1614 district from any allowable funds that are available. The total
1615 amount loaned to the district shall be due and payable within five
1616 (5) years after the impairments related to a lack of financial
1617 resources are corrected. If a school district fails to make
1618 payments on the loan in accordance with the terms of the agreement
1619 between the district and the State Board of Education, the State
1620 Department of Education, in accordance with rules and regulations



established by the State Board of Education, may withhold that district's adequate education program funds in an amount and manner that will effectuate repayment consistent with the terms of the agreement; the funds withheld by the department shall be deposited into the School District Emergency Assistance Fund.

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

(16) If a majority of the membership of the school board of any school district resigns from office, the State Board of Education shall be authorized to assign an interim superintendent, who shall be responsible for the administration, management and operation of the school district until the time as new board members are selected or the Governor declares a state of emergency



1646 in that school district under subsection (12), whichever occurs
1647 first. In that case, the State Board of Education, acting through
1648 the interim superintendent, shall have all powers which were held
1649 by the previously existing school board, and may take any action
1650 as prescribed in Section 37-17-13 and/or one or more of the
1651 actions authorized in this section.

1652 (17) (a) If the Governor declares a state of emergency in a
1653 school district, the State Board of Education may take all such
1654 action pertaining to that school district as is authorized under
1655 subsection (12) or (15) of this section, including the appointment
1656 of an interim superintendent. The State Board of Education shall
1657 also have the authority to issue a written request with
1658 documentation to the Governor asking that the office of the
1659 superintendent of the school district be subject to recall. If
1660 the Governor declares that the office of the superintendent of the
1661 school district is subject to recall, the local school board or
1662 the county election commission, as the case may be, shall take the
1663 following action:

1664 (i) If the office of superintendent is an elected
1665 office, in those years in which there is no general election, the
1666 name shall be submitted by the State Board of Education to the
1667 county election commission, and the county election commission
1668 shall submit the question at a special election to the voters
1669 eligible to vote for the office of superintendent within the
1670 county, and the special election shall be held within sixty (60)



1671 days from notification by the State Board of Education. The
1672 ballot shall read substantially as follows:

1673 "Shall County Superintendent of Education _____ (here the
1674 name of the superintendent shall be inserted) of the _____
1675 (here the title of the school district shall be inserted) be
1676 retained in office? Yes _____ No _____"

1677 If a majority of those voting on the question votes against
1678 retaining the superintendent in office, a vacancy shall exist
1679 which shall be filled in the manner provided by law; otherwise,
1680 the superintendent shall remain in office for the term of that
1681 office, and at the expiration of the term shall be eligible for
1682 qualification and election to another term or terms.

1683 (ii) If the office of superintendent is an
1684 appointive office, the name of the superintendent shall be
1685 submitted by the president of the local school board at the next
1686 regular meeting of the school board for retention in office or
1687 dismissal from office. If a majority of the school board voting
1688 on the question vote against retaining the superintendent in
1689 office, a vacancy shall exist which shall be filled as provided by
1690 law, otherwise the superintendent shall remain in office for the
1691 duration of his employment contract.

1692 (b) The State Board of Education may issue a written
1693 request with documentation to the Governor asking that the
1694 membership of the school board of the school district shall be
1695 subject to recall. Whenever the Governor declares that the



1696 membership of the school board is subject to recall, the county
1697 election commission or the local governing authorities, as the
1698 case may be, shall take the following action:

1699 (i) If the members of the local school board are
1700 elected to office, in those years in which the specific member's
1701 office is not up for election, the name of the school board member
1702 shall be submitted by the State Board of Education to the county
1703 election commission, and the county election commission at a
1704 special election shall submit the question to the voters eligible
1705 to vote for the particular member's office within the county or
1706 school district, as the case may be, and the special election
1707 shall be held within sixty (60) days from notification by the
1708 State Board of Education. The ballot shall read substantially as
1709 follows:

1710 "Members of the _____ (here the title of the school
1711 district shall be inserted) School Board who are not up for
1712 election this year are subject to recall because of the school
1713 district's failure to meet critical accountability standards as
1714 defined in the letter of notification to the Governor from the
1715 State Board of Education. Shall the member of the school board
1716 representing this area, _____ (here the name of the school
1717 board member holding the office shall be inserted), be retained in
1718 office? Yes _____ No _____"

1719 If a majority of those voting on the question vote against
1720 retaining the member of the school board in office, a vacancy in



1721 that board member's office shall exist, which shall be filled in
1722 the manner provided by law; otherwise, the school board member
1723 shall remain in office for the term of that office, and at the
1724 expiration of the term of office, the member shall be eligible for
1725 qualification and election to another term or terms of office.
1726 However, if a majority of the school board members are recalled in
1727 the special election, the Governor shall authorize the board of
1728 supervisors of the county in which the school district is situated
1729 to appoint members to fill the offices of the members recalled.
1730 The board of supervisors shall make those appointments in the
1731 manner provided by law for filling vacancies on the school board,
1732 and the appointed members shall serve until the office is filled
1733 at the next regular special election or general election.

1734 (ii) If the local school board is an appointed
1735 school board, the name of all school board members shall be
1736 submitted as a collective board by the president of the municipal
1737 or county governing authority, as the case may be, at the next
1738 regular meeting of the governing authority for retention in office
1739 or dismissal from office. If a majority of the governing
1740 authority voting on the question vote against retaining the board
1741 in office, a vacancy shall exist in each school board member's
1742 office, which shall be filled as provided by law; otherwise, the
1743 members of the appointed school board shall remain in office for
1744 the duration of their term of appointment, and those members may
1745 be reappointed.



1746 (iii) If the local school board is comprised of
1747 both elected and appointed members, the elected members shall be
1748 subject to recall in the manner provided in subparagraph (i) of
1749 this paragraph (b), and the appointed members shall be subject to
1750 recall in the manner provided in subparagraph (ii).

1751 (18) Beginning with the school district audits conducted for
1752 the 1997-1998 fiscal year, the State Board of Education, acting
1753 through the Commission on School Accreditation, shall require each
1754 school district to comply with standards established by the State
1755 Department of Audit for the verification of fixed assets and the
1756 auditing of fixed assets records as a minimum requirement for
1757 accreditation.

1758 (19) Before December 1, 1999, the State Board of Education
1759 shall recommend a program to the Education Committees of the House
1760 of Representatives and the Senate for identifying and rewarding
1761 public schools that improve or are high performing. The program
1762 shall be described by the board in a written report, which shall
1763 include criteria and a process through which improving schools and
1764 high-performing schools will be identified and rewarded.

1765 The State Superintendent of Public Education and the State
1766 Board of Education also shall develop a comprehensive
1767 accountability plan to ensure that local school boards,
1768 superintendents, principals and teachers are held accountable for
1769 student achievement. A written report on the accountability plan
1770 shall be submitted to the Education Committees of both houses of



the Legislature before December 1, 1999, with any necessary legislative recommendations.

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

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

SECTION 7. Beginning with the 2021-2022 academic year, the State Board of Education, acting through the Commission on Teacher and Administrator Education, Certification and Licensure and Development, and in conjunction with the Board of Trustees of State Institutions of Higher Learning, shall require each educator preparation program in the state to include, as part of its curriculum, a Praxis Core Academic Skills for Educators examination and a Praxis II examination course of study, which shall serve as a preparatory review course with emphasis on the



1796 concepts and exam skills necessary for success on the exam, and
1797 reinforces students' knowledge through thought-provoking examples
1798 and Praxis exam questions. Upon completion of the course,
1799 students shall have mastered concepts as they are tested so that
1800 students can excel within the time constraints of the exam.

1801 **SECTION 8.** This act shall take effect and be in force from
1802 and after July 1, 2021.

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

1 AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL
2 EDUCATION REFORM (CCATER) ACT"; TO 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
8 CERTAIN STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE
9 THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE
10 ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR
11 ELEVENTH GRADE; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN
12 CAREER TECHNICAL EDUCATION PATHWAYS; TO AMEND SECTION 37-3-2,
13 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER
14 PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE
15 OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT
16 CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER
17 LICENSE FROM ONE YEAR TO FIVE YEARS; TO AMEND SECTION 37-16-3,
18 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO
19 AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
20 THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE
21 ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE
22 WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO
23 REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE
24 COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION
25 AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD
26 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE
27 EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS
28 CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II
29 EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM;
30 AND FOR RELATED PURPOSES.

