

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1301

BY: Committee

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

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

10 37-16-3. (1) The State Department of Education is directed
11 to implement a program of statewide assessment testing which shall
12 provide for the improvement of the operation and management of the
13 public schools. The statewide program shall be timed, as far as
14 possible, so as not to conflict with ongoing district assessment
15 programs. As part of the program, the department shall:

16 (a) Establish, with the approval of the State Board of
17 Education, minimum performance standards related to the goals for



18 education contained in the state's plan including, but not limited
19 to, basic skills in reading, writing and mathematics. The minimum
20 performance standards shall be approved by April 1 in each year
21 they are established.

22 (b) Conduct a uniform statewide testing program in
23 grades deemed appropriate in the public schools, including charter
24 schools, which shall provide for the administration of a career
25 readiness assessment to any students electing to take the
26 assessment in the ninth, tenth or eleventh grade. The program may
27 test skill areas, basic skills and high school course content.

28 (c) Monitor the results of the assessment program and,
29 at any time the composite student performance of a school or basic
30 program is found to be below the established minimum standards,
31 notify the district superintendent or the governing board of the
32 charter school, as the case may be, the school principal and the
33 school advisory committee or other existing parent group of the
34 situation within thirty (30) days of its determination. The
35 department shall further provide technical assistance to a school
36 district in the identification of the causes of this deficiency
37 and shall recommend courses of action for its correction.

38 (d) Provide technical assistance to the school
39 districts, when requested, in the development of student
40 performance standards in addition to the established minimum
41 statewide standards.



42 (e) Issue security procedure regulations providing for
43 the security and integrity of the tests that are administered
44 under the basic skills assessment program.

45 (f) In case of an allegation of a testing irregularity
46 that prompts a need for an investigation by the Department of
47 Education, the department may, in its discretion, take complete
48 control of the statewide test administration in a school district
49 or any part thereof, including, but not limited to, obtaining
50 control of the test booklets and answer documents. In the case of
51 any verified testing irregularity that jeopardized the security
52 and integrity of the test(s), validity or the accuracy of the test
53 results, the cost of the investigation and any other actual and
54 necessary costs related to the investigation paid by the
55 Department of Education shall be reimbursed by the local school
56 district from funds other than federal funds, Mississippi Adequate
57 Education Program funds, or any other state funds within six (6)
58 months from the date of notice by the department to the school
59 district to make reimbursement to the department.

60 (2) Uniform basic skills tests shall be completed by each
61 student in the appropriate grade. These tests shall be
62 administered in such a manner as to preserve the integrity and
63 validity of the assessment. In the event of excused or unexcused
64 student absences, make-up tests shall be given. The school
65 superintendent of every school district in the state and the
66 principal of each charter school shall annually certify to the



67 State Department of Education that each student enrolled in the
68 appropriate grade has completed the required basic skills
69 assessment test for his or her grade in a valid test
70 administration.

71 (3) Within five (5) days of completing the administration of
72 a statewide test, the principal of the school where the test was
73 administered shall certify under oath to the State Department of
74 Education that the statewide test was administered in strict
75 accordance with the Requirements of the Mississippi Statewide
76 Assessment System as adopted by the State Board of Education. The
77 principal's sworn certification shall be set forth on a form
78 developed and approved by the Department of Education. If,
79 following the administration of a statewide test, the principal
80 has reason to believe that the test was not administered in strict
81 accordance with the Requirements of the Mississippi Statewide
82 Assessment System as adopted by the State Board of Education, the
83 principal shall submit a sworn certification to the Department of
84 Education setting forth all information known or believed by the
85 principal about all potential violations of the Requirements of
86 the Mississippi Statewide Assessment System as adopted by the
87 State Board of Education. The submission of false information or
88 false certification to the Department of Education by any licensed
89 educator may result in licensure disciplinary action pursuant to
90 Section 37-3-2 and criminal prosecution pursuant to Section
91 37-16-4.



92 **SECTION 2.** This act shall take effect and be in force from
93 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 AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL CONDUCT A UNIFORM
3 STATEWIDE TESTING PROGRAM IN PUBLIC AND CHARTER SCHOOLS WHICH
4 SHALL PROVIDE FOR THE ADMINISTRATION OF A CAREER READINESS
5 ASSESSMENT TO ANY STUDENTS ELECTING TO TAKE THE ASSESSMENT IN
6 NINTH, TENTH OR ELEVENTH GRADE; AND FOR RELATED PURPOSES.

