

By: Representative Miles

To: Education

HOUSE BILL NO. 119

1 AN ACT TO REQUIRE THE DISCONTINUATION OF END-OF-COURSE
2 SUBJECT AREA TESTING IN PUBLIC HIGH SCHOOLS; TO REQUIRE ALL HIGH
3 SCHOOL STUDENTS TO TAKE THE ACT TEST; TO AMEND SECTIONS 37-16-7,
4 37-3-49, 37-15-38, 37-16-17 AND 37-35-3, MISSISSIPPI CODE OF 1972,
5 IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Beginning in the 2022-2023 school year, the State
9 Board of Education shall cease to require the administration of
10 all end-of-course subject area tests. In lieu of the
11 end-of-course tests, students enrolled in the public secondary
12 schools must be administered the ACT test, the results of which
13 may not be used as a condition of graduation.

14 **SECTION 2.** Section 37-16-7, Mississippi Code of 1972, is
15 amended as follows:

16 37-16-7. (1) Each district school board shall establish
17 standards for graduation from its schools which shall include as a
18 minimum:



19 (a) Mastery of minimum academic skills as measured by
20 assessments * * * administered by the State Board of
21 Education * * *; and

22 (b) Completion of a minimum number of academic credits,
23 and all other applicable requirements prescribed by the district
24 school board.

25 (* * *2) The school board of each school district shall
26 maintain, by school, information on high school graduation rates.
27 High schools with graduation rates lower than eighty percent (80%)
28 must submit a detailed plan to the * * * State Department of
29 Education to restructure the high school experience to improve
30 graduation rates.

31 (* * *3) A student who meets all requirements prescribed in
32 subsection (1) of this section shall be awarded a standard diploma
33 in a form prescribed by the State Board of Education.

34 (* * *4) The State Board of Education may establish student
35 proficiency standards for promotion to grade levels leading to
36 graduation.

37 **SECTION 3.** Section 37-3-49, Mississippi Code of 1972, is
38 amended as follows:

39 37-3-49. (1) The State Department of Education shall
40 provide an instructional program and establish guidelines and
41 procedures for managing such program in the public schools within
42 the school districts throughout the state as part of the State
43 Program of Educational Accountability and Assessment of



44 Performance as prescribed in Section 37-3-46. Public school
45 districts may (a) elect to adopt the instructional program and
46 management system provided by the State Department of Education,
47 or (b) elect to adopt an instructional program and management
48 system which meets or exceeds criteria established by the State
49 Department of Education for such. This provision shall begin with
50 the courses taught in Grades K-8 which contain skills tested
51 through the Mississippi Basic Skills Assessment Program and shall
52 proceed through all secondary school courses mandated for
53 graduation * * *. Other state core objectives must be included in
54 the district's instructional program as they are provided by the
55 State Department of Education along with instructional practices,
56 resources, evaluation items and management procedures. Districts
57 are encouraged to adapt this program and accompanying procedures
58 to all other instructional areas. The department shall provide
59 that such program and guidelines, or a program and guidelines
60 developed by a local school district which incorporates the core
61 objectives from the curriculum structure are enforced through the
62 performance-based accreditation system. It is the intent of the
63 Legislature that every effort be made to protect the instructional
64 time in the classroom and reduce the amount of paperwork which
65 must be completed by teachers. The State Department of Education
66 shall take steps to insure that school districts properly use
67 staff development time to work on the districts' instructional
68 management plans.



69 (2) The State Department of Education shall provide such
70 instructional program and management guidelines which shall
71 require for every public school district that:

72 (a) All courses taught in Grades K-8 which contain
73 skills which are tested through the Mississippi Basic Skills
74 Assessment Program * * * and all secondary school courses mandated
75 for graduation * * * shall include the State Department of
76 Education's written list of learning objectives.

77 (b) The local school board must adopt the objectives
78 that will form the core curriculum which will be systematically
79 delivered throughout the district.

80 (c) The set of objectives provided by the State
81 Department of Education must be accompanied by suggested
82 instructional practices and resources that would help teachers
83 organize instruction so as to promote student learning of the
84 objectives. Objectives added by the school district must also be
85 accompanied by suggested instructional practices and resources
86 that would help teachers organize instruction. The instructional
87 practices and resources that are identified are to be used as
88 suggestions and not as requirements that teachers must follow.
89 The goal of the program is to have students to achieve the desired
90 objective and not to limit teachers in the way they teach.

91 (d) Standards for student performance must be
92 established for each core objective in the local program and those



93 standards establish the district's definition of mastery for each
94 objective.

95 (e) There shall be an annual review of student
96 performance in the instructional program against locally
97 established standards. When weaknesses exist in the local
98 instructional program, the district shall take action to improve
99 student performance.

100 (3) The State Board of Education and the board of trustees
101 of each school district shall adopt policies to limit and reduce
102 the number and length of written reports that classroom teachers
103 are required to prepare.

104 (4) This section shall not be construed to limit teachers
105 from using their own professional skills to help students master
106 instructional objectives, nor shall it be construed as a call for
107 more detailed or complex lesson plans or any increase in testing
108 at the local school district level.

109 (5) Districts meeting the highest levels of accreditation
110 standards, as defined by the State Board of Education, shall be
111 exempted from the provisions of subsection (2) of this section.

112 **SECTION 4.** Section 37-15-38, Mississippi Code of 1972, is
113 amended as follows:

114 37-15-38. (1) The following phrases have the meanings
115 ascribed in this section unless the context clearly requires
116 otherwise:



117 (a) A dual enrolled student is a student who is
118 enrolled in a community or junior college or state institution of
119 higher learning while enrolled in high school.

120 (b) A dual credit student is a student who is enrolled
121 in a community or junior college or state institution of higher
122 learning while enrolled in high school and who is receiving high
123 school and college credit for postsecondary coursework.

124 (2) A local school board, the Board of Trustees of State
125 Institutions of Higher Learning and the Mississippi Community
126 College Board shall establish a dual enrollment system under which
127 students in the school district who meet the prescribed criteria
128 of this section may be enrolled in a postsecondary institution in
129 Mississippi while they are still in school.

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

135 (4) **Admission criteria for dual enrollment in community and**
136 **junior college or university programs.** The Mississippi Community
137 College Board and the Board of Trustees of State Institutions of
138 Higher Learning may recommend to the State Board of Education
139 admission criteria for dual enrollment programs under which high
140 school students may enroll at a community or junior college or
141 university while they are still attending high school and enrolled



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

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

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

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

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



167 credit program must be recorded on the high school student record
168 and on the college transcript at the university or community or
169 junior college where the student attends classes. The transcript
170 of the university or community or junior college coursework may be
171 released to another institution or applied toward college
172 graduation requirements.

173 (9) **Determining factor of prerequisites for dual enrollment**
174 **courses.** Each university and community or junior college
175 participating in a dual enrollment program shall determine course
176 prerequisites. Course prerequisites shall be the same for dual
177 enrolled students as for regularly enrolled students at that
178 university or community or junior college.

179 (10) **Process for determining articulation of curriculum**
180 **between high school, university, and community and junior college**
181 **courses.** All dual credit courses must meet the standards
182 established at the postsecondary level. Postsecondary level
183 developmental courses may not be considered as meeting the
184 requirements of the dual credit program. Dual credit memorandum
185 of understandings must be established between each postsecondary
186 institution and the school district implementing a dual credit
187 program.

188 (11) [Deleted]

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



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

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

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

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



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

218 (a) Examination preparation taught at a high school by
219 a qualified teacher. A student may receive credit at the
220 secondary level after completion of an approved course and passing
221 the standard examination, such as an Advanced Placement or
222 International Baccalaureate course through which a high school
223 student is allowed CLEP credit by making a three (3) or higher on
224 the end-of-course examination.

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

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

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

234 (17) **Qualifications of dual credit instructors.** A dual
235 credit academic instructor must meet the requirements set forth by
236 the regional accrediting association (Southern Association of
237 College and Schools). University and community and junior college
238 personnel have the sole authority in the selection of dual credit
239 instructors.



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

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

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



265 application of the student or the participating school or
266 community college. The Mississippi Works Dual Enrollment-Dual
267 Credit Option Program will be implemented statewide in the
268 2012-2013 school year and thereafter. The State Board of
269 Education, local school board and the local community college
270 board shall establish criteria for the Dual Enrollment-Dual Credit
271 Program. Students enrolled in the program will not be eligible to
272 participate in interscholastic sports or other extracurricular
273 activities at the home school district. Tuition and costs for
274 community college courses offered under the Dual Enrollment-Dual
275 Credit Program shall not be charged to the student, parents or
276 legal guardians. When dually enrolled, the student shall be
277 counted for adequate education program funding purposes, in the
278 average daily attendance of the public school district in which
279 the student attends high school, as provided in Section
280 37-151-7(1)(a). Any transportation required by the student to
281 participate in the Dual Enrollment-Dual Credit Program is the
282 responsibility of the parent or legal guardian of the student, and
283 transportation costs may be paid from any available public or
284 private sources, including the local school district. Grades and
285 college credits earned by a student admitted to this Dual
286 Enrollment-Dual Credit Program shall be recorded on the high
287 school student record and on the college transcript at the
288 community college and high school where the student attends
289 classes. The transcript of the community college coursework may



290 be released to another institution or applied toward college
291 graduation requirements. * * * Courses eligible for dual
292 credit * * * include career, technical and degree program courses.
293 All courses eligible for dual credit shall be approved by the
294 superintendent of the local school district and the chief
295 instructional officer at the participating community college in
296 order for college credit to be awarded. A community college shall
297 make the final decision on what courses are eligible for semester
298 hour credits and the local school superintendent, subject to
299 approval by the Mississippi Department of Education, shall make
300 the final decision on the transfer of college courses credited to
301 the student's high school transcript.

302 **SECTION 5.** Section 37-16-17, Mississippi Code of 1972, is
303 amended as follows:

304 37-16-17. (1) Purpose. (a) The purpose of this section is
305 to create a quality option in Mississippi's high schools for
306 students not wishing to pursue a baccalaureate degree, which shall
307 consist of challenging academic courses and modern
308 career-technical studies. The goal for students pursuing the
309 career track is to graduate from high school with a standard
310 diploma and credit toward a community college certification in a
311 career-technical field. These students also shall be encouraged
312 to take the national assessment in the career-technical field in
313 which they become certified.



314 (b) The State Board of Education shall develop and
315 adopt course and curriculum requirements for career track programs
316 offered by local public school boards in accordance with this
317 section. The Mississippi Community College Board and the State
318 Board of Education jointly shall determine course and curriculum
319 requirements for the career track program.

320 (2) Alternative career track; description; curriculum. (a)
321 A career track shall provide a student with greater technical
322 skill and a strong academic core and shall be offered to each high
323 school student enrolled in a public school district. The career
324 track program shall be linked to postsecondary options and shall
325 prepare students to pursue either a degree or certification from a
326 postsecondary institution, an industry-based training or
327 certification, an apprenticeship, the military, or immediate
328 entrance into a career field. The career track shall be designed
329 primarily for those students who are not college bound and shall
330 provide them with alternatives to entrance into a four-year
331 university or college after high school graduation.

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

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



338 (d) Students in a career track program shall complete
339 an academic core of courses and a career and technical sequence of
340 courses.

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

343 (i) At least four (4) English credits, including
344 English I and English II.

345 (ii) At least three (3) mathematics credits,
346 including Algebra I.

347 (iii) At least three (3) science credits,
348 including one (1) unit of biology.

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

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

354 (vi) At least four (4) credits in career and
355 technical education courses in the dual enrollment-dual credit
356 programs authorized under Section 37-15-38.

357 (vii) At least one (1) credit in integrated
358 technology * * *.

359 (viii) At least two and one-half (2-1/2) credits
360 in additional electives or career and technical education courses
361 required by the local school board, as approved by the State Board
362 of Education. Academic courses within the career track of the



363 standard diploma shall provide the knowledge and skill necessary
364 for proficiency on the * * * ACT test.

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

371 (4) The career track program for students not pursuing a
372 Baccalaureate Degree shall not be available to any student
373 entering the Ninth Grade in the 2017-2018 school year or
374 thereafter.

375 **SECTION 6.** Section 37-35-3, Mississippi Code of 1972, is
376 amended as follows:

377 37-35-3. (1) The board of trustees of any school district,
378 including any community/junior college, may establish and maintain
379 classes for adults, including general educational development
380 classes, under the regulations authorized in this chapter and
381 pursuant to the standards prescribed in subsection (3). The
382 property and facilities of the public school districts may be used
383 for this purpose where such use does not conflict with uses
384 already established.

385 (2) The trustees of any school district desiring to
386 establish such program may request the taxing authority of the
387 district to levy additional ad valorem taxes for the support of



388 this program. The board of supervisors, in the case of a county
389 school district, a special municipal separate school district, or
390 a community/junior college district, and the governing authority
391 of any municipality, in the case of a municipal separate school
392 district, is authorized, in its discretion, to levy a tax not
393 exceeding one (1) mill upon all the taxable property of the
394 district for the support of this program. The tax shall be in
395 addition to all other taxes authorized by law to be levied. In
396 addition to the funds realized from any such levy, the board of
397 trustees of any school district is authorized to use any surplus
398 funds that it may have or that may be made available to it from
399 local sources to supplement this program.

400 (3) (a) Any student participating in an approved High
401 School Equivalency Diploma Option program administered by a local
402 school district or a local school district with an approved
403 contractual agreement with a community/junior college or other
404 local entity shall not be considered a dropout. Students in such
405 a program administered by a local school district shall be
406 considered as enrolled within the school district of origin for
407 the purpose of enrollment for * * * adequate education program
408 funding only. Such students shall not be considered as enrolled
409 in the regular school program for academic or programmatic
410 purposes.

411 (b) Students participating in an approved High School
412 Equivalency Diploma Option program shall have an individual career



413 plan developed at the time of placement to insure that the
414 student's academic and job skill needs will be met. The
415 Individual Career Plan will address, but is not limited to, the
416 following:

417 (i) Academic/instructional needs of the student;
418 (ii) Job readiness needs of the student; and
419 (iii) Work experience program options available
420 for the student.

421 (c) Students participating in an approved High School
422 Equivalency Diploma Option program may participate in existing job
423 and skills development programs or in similar programs developed
424 in conjunction with the High School Equivalency Diploma Option
425 program and the vocational director.

426 (d) High School Equivalency Diploma Option programs may
427 be operated by local school districts or may be operated by two
428 (2) or more adjacent school districts, pursuant to a contract
429 approved by the State Board of Education. When two (2) or more
430 school districts contract to operate a High School Equivalency
431 Diploma Option program, the school board of a district designated
432 to be the lead district shall serve as the governing board of the
433 High School Equivalency Diploma Option program. Transportation
434 for students placed in the High School Equivalency Diploma Option
435 program shall be the responsibility of the school district of
436 origin. The expense of establishing, maintaining and operating
437 such High School Equivalency Diploma Option programs may be paid



438 from funds made available to the school district through
439 contributions, * * * adequate education program funds or from
440 local district maintenance funds.

441 (e) The State Department of Education will develop
442 procedures and criteria for placement of a student in the High
443 School Equivalency Diploma Option programs. Students placed in
444 High School Equivalency Diploma Option programs shall have
445 parental approval for such placement and must meet the following
446 criteria:

447 (i) The student must be at least sixteen (16)
448 years of age;

449 (ii) The student must be at least one (1) full
450 grade level behind his or her ninth grade cohort or must have
451 acquired less than four (4) Carnegie units;

452 (iii) The student must have taken every
453 opportunity to continue to participate in coursework leading to a
454 diploma; and

455 (iv) The student must be certified to be eligible
456 to participate in the GED course by the school district
457 superintendent, based on the developed criteria.

458 (f) Students participating in an approved High School
459 Equivalency Diploma Option program * * * shall not be required to
460 take the * * * ACT test as a condition of earning a High School
461 Equivalency Diploma.



462 **SECTION 7.** This act shall take effect and be in force from
463 and after July 1, 2022.

