

By: Representatives Darnell, Ford (73rd),
McLean, Owen

To: Education

HOUSE BILL NO. 1142

1 AN ACT TO AMEND SECTION 37-177-9, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT FOR THE 2021-2022 SCHOOL YEAR THE STATE DEPARTMENT
3 OF EDUCATION SHALL WAIVE THE LEVEL 3 PASSING SCORE REQUIRED ON THE
4 3RD GRADE MAAP-ELA ASSESSMENT FOR PROMOTION TO GRADE 4; TO PROVIDE
5 THAT FOR THE 2021-2022 SCHOOL YEAR, THE DEPARTMENT SHALL ALLOW
6 STUDENTS EARNING A LEVEL 2 OR HIGHER ON THE MAAP-ELA ASSESSMENT
7 FOR PROMOTION TO GRADE 4; TO PROVIDE FOR THE REPEAL OF THE WAIVER
8 ON JULY 1, 2023; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 37-177-9, Mississippi Code of 1972, is
11 amended as follows:

12 37-177-9. (1) A public school student may not be assigned a
13 grade level based solely on the student's age or any other factors
14 that constitute social promotion.

15 (2) Beginning in the 2014-2015 school year, if a student's
16 reading deficiency is not remedied by the end of the student's
17 third-grade year, as demonstrated by the student scoring at the
18 lowest achievement level in reading on the state annual
19 accountability assessment or on an approved alternative
20 standardized assessment for third grade, the student shall not be
21 promoted to fourth grade.



22 (3) Beginning in the 2018-2019 school year, if a student's
23 reading deficiency is not remedied by the end of the student's
24 third-grade year, as demonstrated by the student scoring above the
25 lowest two (2) achievement levels in reading on the state annual
26 accountability assessment or on an approved alternative
27 standardized assessment for third grade, the student shall not be
28 promoted to fourth grade.

29 (4) For the 2021-2022 school year, the State Department of
30 Education shall waive the requirement for students to earn a Level
31 3 or higher on the multiple choice portion of the 3rd Grade
32 MAAP-ELA Assessment, the 3rd Grade Reading Alternative Assessment
33 or earning a Level 3 composite score on the 3rd Grade MAAP-ELA
34 Assessment for promotion to Grade 4. Instead, the department
35 shall allow any student earning a Level 2 or higher on the
36 multiple-choice portion of the 3rd Grade MAAP-ELA Assessment, 3rd
37 Grade Reading Alternative Assessment or earning a Level 2 or
38 higher composite score on the 3rd Grade MAAP-ELA Assessment for
39 promotion to Grade 4. This subsection (4) shall stand repealed on
40 July 1, 2023.

41 **SECTION 2.** This act shall take effect and be in force from
42 and after its passage.

