By: Representatives Gunn, Miles To: Workforce Development

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1388

AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM" ACT; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, TO PILOT A CAREER COACHING PROGRAM TO SUPPORT MIDDLE SCHOOL AND HIGH 5 SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND CONNECTED TO CAREER AVENUES WITHIN AND BEYOND THE CLASSROOM SETTING; TO REQUIRE THE 7 MISSISSIPPI DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ENSURE ALIGNMENT OF 8 9 CAREER AND TECHNICAL EDUCATION COURSES ACROSS THE PUBLIC SCHOOL 10 SYSTEM AND COMMUNITY COLLEGE SYSTEM, WHICH INCLUDES DUAL ENROLLMENT COURSES; TO REQUIRE THE STATE WORKFORCE INVESTMENT 11 12 BOARD TO CREATE A SINGLE LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR CERTAIN REIMBURSEMENTS; 14 TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO REVISE 15 THE DEFINITION OF "QUALIFYING INDUSTRY CERTIFICATION"; TO REQUIRE 16 17 THE OFFICE OF WORKFORCE DEVELOPMENT TO WORK IN PARTNERSHIP WITH 18 THE MISSISSIPPI DEPARTMENT OF EDUCATION AND THE MISSISSIPPI 19 COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM INVENTORY AND RETURN 20 ON INVESTMENT ANALYSIS OF WORKFORCE DEVELOPMENT PROGRAMS IN THE 21 STATE; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG K-12 EDUCATION, EMPLOYERS AND 22 23 INDUSTRY AND POSTSECONDARY EDUCATION TO COMPLETE CERTAIN 24 OBJECTIVES; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO 25 PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT 26 PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, 27 OR A CAREER-READINESS ASSESSMENT DEEMED APPROPRIATE BY THE 28 MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH 29 THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER 30 31 PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE 32 OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT 33 CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER 34 LICENSE FROM ONE YEAR TO FIVE YEARS; TO AMEND SECTION 37-16-3,

- 35 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIFORM STATEWIDE
- 36 TESTING PROGRAM SHALL PROVIDE FOR THE ADMINISTRATION OF THE ACT
- 37 WORKKEYS ASSESSMENT, OR A CAREER-READINESS ASSESSMENT DEEMED
- 38 APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN
- 39 COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY
- 40 STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH
- 41 INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT
- 42 IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO
- 43 AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REVISE THE
- 44 TERMINOLOGY USED FOR CAREER EDUCATION FROM "TRACK" TO "CAREER
- 45 TECHNICAL EDUCATION PATHWAYS"; TO PROVIDE THE CURRICULUM THAT MAY
- 46 BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO PROVIDE
- 47 THAT THE CAREER TECHNICAL EDUCATION PATHWAYS COURSES MAY BE
- 48 TAILORED TO THE INDIVIDUAL NEEDS OF EACH SCHOOL DISTRICT; TO BRING
- 49 FORWARD SECTIONS 37-15-38 AND 37-71-11, MISSISSIPPI CODE OF 1972,
- 50 FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
- 51 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
- 52 **SECTION 1.** The provisions of this act shall be known and may
- 53 be cited as the "Comprehensive Career and Technical Education
- 54 Reform" or "CCATER" Act.
- 55 **SECTION 2.** (1) Subject to appropriation by the Legislature,
- 56 the Office of Workforce Development shall pilot a career coaching
- 57 program to support middle schools and high schools as students are
- 58 exposed, prepared and connected to career avenues within and
- 59 beyond the classroom setting. Through strong partnerships with
- 60 economic and business leaders, paired with viable relationships
- 61 with school districts, the career coaches shall target the
- 62 alignment of students' strengths with intentional academic and
- 63 work-based learning in pursuit of meaningful professional
- 64 employment.
- 65 (2) Subject to appropriation by the Legislature, the Office
- of Workforce Development, working through the Department of
- 67 Employment Security as fiscal agent, shall establish rules and

- 68 regulations to operate the career coaching program, which may
- 69 include granting funds to eligible recipients such as state
- 70 agencies, regional workforce entities and other nonprofits, to
- 71 hire coaches. The Office of Workforce Development shall establish
- 72 criteria for coaches and shall work with partner organizations to
- 73 identify candidates and measure outcomes.
- 74 **SECTION 3.** The Mississippi Department of Education shall
- 75 work in conjunction with the Mississippi Community College Board
- 76 to ensure alignment of career technical education courses across
- 77 the public school system and community college system. This
- 78 alignment shall include career technical education dual-credit
- 79 courses that lead to high-demand, high-skill and high-wage
- 80 occupations meeting the needs of local business and industry. All
- 81 dual credit courses offered, regardless of location, shall meet
- 82 applicable college accreditation requirements. If a community
- 83 college chooses not to participate in the dual credit program,
- 84 eliqible high school students may enroll in dual credit courses
- 85 and attend such courses at the campus of another participating
- 86 community college within the state.
- 87 **SECTION 4.** The State Workforce Investment Board, by and
- 88 through the Office of Workforce Development, shall create, in
- 89 consultation with the Mississippi Department of Education, the
- 90 Mississippi Community College Board, the Mississippi State
- 91 University Research and Curriculum Unit and other appropriate
- 92 business and industry stakeholders, a single list of nationally

- 93 recognized industry certifications for use in the Mississippi
- 94 statewide accountability system, in diploma endorsement
- 95 requirements and for reimbursement under Section 37-153-15.
- 96 **SECTION 5.** Section 37-153-15, Mississippi Code of 1972, is
- 97 amended as follows:
- 98 37-153-15. (1) As used in this chapter:
- 99 (a) The words "industry certification" mean a * * *
- 100 process through which students are assessed by an independent,
- 101 third-party certifying entity using predetermined standards for
- 102 knowledge, skills and competencies, resulting in the award of a
- 103 credential that is nationally recognized and must be at least one
- 104 (1) of the following:
- 105 (i) Within an industry that addresses a critical
- 106 local, regional or statewide economic need;
- 107 (ii) Linked to an occupation that is included in
- 108 the State Department of Employment Security's occupations in
- 109 high-demand list; or
- 110 (iii) Linked to an occupation that is identified
- 111 as emerging.
- 112 (b) The words "qualifying industry certification" mean
- 113 an industry certification that is linked to an occupation with
- 114 wages of at least seventy percent (70%) of the * * * median state
- income unless the industry certification is stackable to another
- 116 postsecondary or professional credential which is linked to an
- 117 occupation which meets the wage criterion.

118	(2) The State Workforce Investment Board shall provide the
119	State Board of Education annually with a list of qualifying
120	industry certifications. If the occupations identified in the
121	list are not substantially the same as those occupations
122	identified in the prior year, the State Board of Education shall
123	provide reasonable notice of the changes to school districts.

- (3) Beginning in fiscal year 2019-2020 and subject to available funding, the Department of Education shall pay a career and technical education incentive grant to the public school for each student enrolled in the public school who earns a qualifying industry certification. The amount per student for the career and technical education incentive grant shall be Six Hundred Dollars (\$600.00). If the statewide sum of the career and technical education incentive grants awarded pursuant to this section exceeds the amount of available funds appropriated for the grants, the grants per student shall be reduced proportionately to cover all eligible grants under this section. Any costs accrued during one (1) fiscal year may be claimed and reimbursed in the following fiscal year.
- 137 (4) The grants may be used for qualifying industry
 138 certification examination fees, professional development for
 139 teachers in career and technical education programs under this
 140 section, student instructional support for programs that lead to
 141 qualifying industry certifications, or to increase access to
 142 qualifying industry certifications. Any grants awarded under this

143	section	may	not	be	used	to	supplant	funds	provide	ed :	for	the	basic
144	operatio	n of	the	ca	reer	and	technica	al educ	cation p	prog	gram	ıs.	

- 145 (5) On or before * * * October 1 of each year, the

 146 Department of Education, working in collaboration with other

 147 entities as necessary, shall submit a report to the Governor, the

 148 Lieutenant Governor, the Speaker of the House of Representatives,

 149 the Chairmen of the House and Senate Education Committees, the

 150 Chairman of the House Workforce Development Committee and the
- 152 (a) The number of students who enrolled in a career and 153 technical education course or program that leads to a qualifying 154 industry certification.
- 155 (b) The number of students who earned a qualifying 156 industry certification by certification.

Chairman of the Senate Labor Committee on the following:

- 157 (c) The amount of career and technical education 158 incentive grants awarded by the school.
- 159 (d) The amount of career and technical education 160 incentive grants awarded per student.
- (e) Aggregated demographic data on the students who earned a qualifying industry certification, including the qualifying industry certifications earned by rural and urban students.
- SECTION 6. (1) The Office of Workforce Development shall work in partnership with the Mississippi Department of Education and the Mississippi Community College Board to complete a program

inventory and return on investment analysis of workforce programs and career technical education programs in both the K-12 and community college system, with the expectation that results will be used in conjunction with labor market analysis information and other relevant data to adjust program offerings to best meet the future needs of Mississippi business and industry and to provide

high-demand, high-skill and high-wage pathways.

- 175 (2) The Office of Workforce Development, in collaboration
 176 with the Mississippi Community College Board, the Mississippi
 177 Department of Education and the Mississippi State University
 178 Research and Curriculum Unit, shall develop cross-sector
 179 partnerships among K-12 education, employers and industry, and
 180 postsecondary education to meet at least quarterly or more often
 181 as the industry needs require to complete the following
- (a) The state's K-12 and community college career
 technical education programs emphasize high-demand, high-skill and
 high-wage pathways, as determined by state and regional labor
 market data, and aligned with the current and projected state
 economic priorities.
- 188 (b) Employers and industry are consulted and help lead
 189 the development of K-12 and community college career technical
 190 education program standards, curricula, instructional strategies
 191 and industry-valued credentials.

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objectives:

192	(c) K-12 and community college career technical
193	education programs feature experiential learning opportunities
194	such as internships, externships, apprenticeships or other
195	work-based learning opportunities.

- 196 (d) K-12 career technical education programs are linked 197 to postsecondary courses and credential programs and provide a 198 seamless transition to a postsecondary credential.
- 199 (e) The state shall annually publish and promote a list
 200 of K-12 and community college industry-recognized certifications
 201 relevant to specific career technical education pathways and
 202 linked to high-demand, high-skill and high-wage pathways.
- 203 (f) K-12 and community college career technical 204 education programs shall be annually reviewed to ensure that 205 offerings do not lead to dead-end pathways and to develop new 206 offerings to meet industry needs and strengthen existing 207 offerings.
- 208 (g) K-12 and community college career technical
 209 education programs shall be reviewed annually to ensure student
 210 participation and success rates, including career technical
 211 education concentrators and students earning industry-recognized
 212 credentials. This review shall also include an examination of
 213 student participation and success by demographics to ensure
 214 equitable access and completion by all students.
- 215 (h) Best practices in cross-sector partnerships are 216 developed and shared across the state.

217	SECTION 7. Section 37-17-6, Miss	sissippi Code of 1972, is
218	amended as follows:	
219	37-17-6. (1) The State Board of	Education, acting through
220	the Commission on School Accreditation	n, shall establish and
221	implement a permanent performance-base	ed accreditation system, and
222	all noncharter public elementary and s	secondary schools shall be
223	accredited under this system.	
224	(2) No later than June 30, 1995,	the State Board of
225	Education, acting through the Commissi	ion on School Accreditation,
226	shall require school districts to prov	vide school classroom space
227	that is air-conditioned as a minimum r	requirement for
228	accreditation.	
229	(3) (a) Beginning with the 1994	1-1995 school year, the State
230	Board of Education, acting through the	e Commission on School
231	Accreditation, shall require that scho	ool districts employ
232	certified school librarians according	to the following formula:
233	Number of Students	Number of Certified
234	Per School Library	School Librarians
235	0 - 499 Students	1/2 Full-time Equivalent
236		Certified Librarian
237	500 or More Students	1 Full-time Certified
238		Librarian
239	(b) The State Board of Educ	cation, however, may increase

the number of positions beyond the above requirements.

241	(c) The assignment of certified school librarians to
242	the particular schools shall be at the discretion of the local
243	school district. No individual shall be employed as a certified
244	school librarian without appropriate training and certification as

246 (d) School librarians in the district shall spend at 247 least fifty percent (50%) of direct work time in a school library

a school librarian by the State Department of Education.

- 248 and shall devote no more than one-fourth (1/4) of the workday to
- 249 administrative activities that are library related.
- 250 (e) Nothing in this subsection shall prohibit any
 251 school district from employing more certified school librarians
 252 than are provided for in this section.
- 253 (f) Any additional millage levied to fund school
 254 librarians required for accreditation under this subsection shall
 255 be included in the tax increase limitation set forth in Sections
 256 37-57-105 and 37-57-107 and shall not be deemed a new program for
 257 purposes of the limitation.
- 258 (4) On or before December 31, 2002, the State Board of
 259 Education shall implement the performance-based accreditation
 260 system for school districts and for individual noncharter public
 261 schools which shall include the following:
- 262 (a) High expectations for students and high standards 263 for all schools, with a focus on the basic curriculum;
- 264 (b) Strong accountability for results with appropriate 265 local flexibility for local implementation;

266		(C)	A proce	ess to	implement	accountability	at	both	the
267	school	district	level	and t	he school	level:			

- Individual schools shall be held accountable for 268 (d) 269 student growth and performance;
- 270 Set annual performance standards for each of the 271 schools of the state and measure the performance of each school 272 against itself through the standard that has been set for it;
- A determination of which schools exceed their 273 (f) 274 standards and a plan for providing recognition and rewards to 275 those schools;
 - A determination of which schools are failing to meet their standards and a determination of the appropriate role of the State Board of Education and the State Department of Education in providing assistance and initiating possible intervention. A failing district is a district that fails to meet both the absolute student achievement standards and the rate of annual growth expectation standards as set by the State Board of Education for two (2) consecutive years. The State Board of Education shall establish the level of benchmarks by which absolute student achievement and growth expectations shall be assessed. In setting the benchmarks for school districts, the State Board of Education may also take into account such factors as graduation rates, dropout rates, completion rates, the extent to which the school or district employs qualified teachers in

every classroom, and any other factors deemed appropriate by the

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     State Board of Education. The State Board of Education, acting
     through the State Department of Education, shall apply a simple
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     "A," "B," "C," "D" and "F" designation to the current school and
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     school district statewide accountability performance
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     classification labels beginning with the State Accountability
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     Results for the 2011-2012 school year and following, and in the
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     school, district and state report cards required under state and
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     federal law. Under the new designations, a school or school
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     district that has earned a "Star" rating shall be designated an
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     "A" school or school district; a school or school district that
     has earned a "High-Performing" rating shall be designated a "B"
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     school or school district; a school or school district that has
     earned a "Successful" rating shall be designated a "C" school or
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     school district; a school or school district that has earned an
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     "Academic Watch" rating shall be designated a "D" school or school
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     district; a school or school district that has earned a
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     "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
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     be designated an "F" school or school district. Effective with
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     the implementation of any new curriculum and assessment standards,
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     the State Board of Education, acting through the State Department
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     of Education, is further authorized and directed to change the
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     school and school district accreditation rating system to a simple
     "A," "B," "C," "D," and "F" designation based on a combination of
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     student achievement scores and student growth as measured by the
     statewide testing programs developed by the State Board of
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316	Education	pursuant	to	Chapter	16,	Title	37	, Mississippi	Code	of

- 317 1972. In any statute or regulation containing the former
- 318 accreditation designations, the new designations shall be
- 319 applicable;
- 320 (h) Development of a comprehensive student assessment
- 321 system to implement these requirements; and
- 322 (i) The State Board of Education may, based on a
- 323 written request that contains specific reasons for requesting a
- 324 waiver from the school districts affected by Hurricane Katrina of
- 325 2005, hold harmless school districts from assignment of district
- 326 and school level accountability ratings for the 2005-2006 school
- 327 year. The State Board of Education upon finding an extreme
- 328 hardship in the school district may grant the request. It is the
- 329 intent of the Legislature that all school districts maintain the
- 330 highest possible academic standards and instructional programs in
- 331 all schools as required by law and the State Board of Education.
- 332 (5) (a) Effective with the 2013-2014 school year, the State
- 333 Department of Education, acting through the Mississippi Commission
- 334 on School Accreditation, shall revise and implement a single "A"
- 335 through "F" school and school district accountability system
- 336 complying with applicable federal and state requirements in order
- 337 to reach the following educational goals:
- 338 (i) To mobilize resources and supplies to ensure
- 339 that all students exit third grade reading on grade level by 2015;

340 (ii)	To	reduce	the	student	dropout	rate	to
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- 341 thirteen percent (13%) by 2015; and
- 342 (iii) To have sixty percent (60%) of students
- 343 scoring proficient and advanced on the assessments of the Common
- 344 Core State Standards by 2016 with incremental increases of three
- 345 percent (3%) each year thereafter.
- 346 (b) The State Department of Education shall combine the
- 347 state school and school district accountability system with the
- 348 federal system in order to have a single system.
- 349 (c) The State Department of Education shall establish
- 350 five (5) performance categories ("A," "B," "C," "D" and "F") for
- 351 the accountability system based on the following criteria:
- 352 (i) Student Achievement: the percent of students
- 353 proficient and advanced on the current state assessments;
- 354 (ii) Individual student growth: the percent of
- 355 students making one (1) year's progress in one (1) year's time on
- 356 the state assessment, with an emphasis on the progress of the
- 357 lowest twenty-five percent (25%) of students in the school or
- 358 district;
- 359 (iii) Four-year graduation rate: the percent of
- 360 students graduating with a standard high school diploma in four
- 361 (4) years, as defined by federal regulations;
- 362 (iv) Categories shall identify schools as Reward
- 363 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
- 364 at least five percent (5%) of schools in the state are not graded

365	as "F" schools, the lowest five percent (5%) of school grade point
366	designees will be identified as Priority schools. If at least ten
367	percent (10%) of schools in the state are not graded as "D"
368	schools, the lowest ten percent (10%) of school grade point
369	designees will be identified as Focus schools;
370	(v) The State Department of Education shall
371	discontinue the use of Star School, High-Performing, Successful,
372	Academic Watch, Low-Performing, At-Risk of Failing and Failing
373	school accountability designations;
374	(vi) The system shall include the federally
375	compliant four-year graduation rate in school and school district
376	accountability system calculations. Graduation rate will apply to
377	high school and school district accountability ratings as a
378	compensatory component. The system shall discontinue the use of
379	the High School Completer Index (HSCI);
380	(vii) The school and school district
381	accountability system shall incorporate a standards-based growth
382	model, in order to support improvement of individual student
383	learning;
384	(viii) The State Department of Education shall
385	discontinue the use of the Quality Distribution Index (QDI);
386	(ix) The State Department of Education shall
387	determine feeder patterns of schools that do not earn a school
388	grade because the grades and subjects taught at the school do not
389	have statewide standardized assessments needed to calculate a

have statewide standardized assessments needed to calculate a

390	school grade. Upon determination of the feeder pattern, the
391	department shall notify schools and school districts prior to the
392	release of the school grades beginning in 2013. Feeder schools
393	will be assigned the accountability designation of the school to

394 which they provide students;

- 395 (x) Standards for student, school and school
 396 district performance will be increased when student proficiency is
 397 at a seventy-five percent (75%) and/or when sixty-five percent
 398 (65%) of the schools and/or school districts are earning a grade
 399 of "B" or higher, in order to raise the standard on performance
 400 after targets are met.
- 401 (xi) The system shall include student performance
 402 on the administration of the ACT WorkKeys Assessment, or a
 403 career-readiness assessment deemed appropriate by the Mississippi
 404 Department of Education working in coordination with the Office of
 405 Workforce Development.
 - (6) Nothing in this section shall be deemed to require a nonpublic school that receives no local, state or federal funds for support to become accredited by the State Board of Education.
- 409 (7) The State Board of Education shall create an
 410 accreditation audit unit under the Commission on School
 411 Accreditation to determine whether schools are complying with
 412 accreditation standards.
- 413 (8) The State Board of Education shall be specifically
 414 authorized and empowered to withhold adequate education program

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- 415 fund allocations, whichever is applicable, to any public school
- 416 district for failure to timely report student, school personnel
- 417 and fiscal data necessary to meet state and/or federal
- 418 requirements.
- 419 (9) [Deleted]
- 420 (10) The State Board of Education shall establish, for those
- 421 school districts failing to meet accreditation standards, a
- 422 program of development to be complied with in order to receive
- 423 state funds, except as otherwise provided in subsection (15) of
- 424 this section when the Governor has declared a state of emergency
- 425 in a school district or as otherwise provided in Section 206,
- 426 Mississippi Constitution of 1890. The state board, in
- 427 establishing these standards, shall provide for notice to schools
- 428 and sufficient time and aid to enable schools to attempt to meet
- 429 these standards, unless procedures under subsection (15) of this
- 430 section have been invoked.
- 431 (11) Beginning July 1, 1998, the State Board of Education
- 432 shall be charged with the implementation of the program of
- 433 development in each applicable school district as follows:
- 434 (a) Develop an impairment report for each district
- 435 failing to meet accreditation standards in conjunction with school
- 436 district officials;
- 437 (b) Notify any applicable school district failing to
- 438 meet accreditation standards that it is on probation until
- 439 corrective actions are taken or until the deficiencies have been

441 action plan to improve its deficiencies. For district academic 442 deficiencies, the corrective action plan for each such school district shall be based upon a complete analysis of the following: 443 444 student test data, student grades, student attendance reports, 445 student dropout data, existence and other relevant data. 446 corrective action plan shall describe the specific measures to be 447 taken by the particular school district and school to improve: 448 (i) instruction; (ii) curriculum; (iii) professional development; 449 (iv) personnel and classroom organization; (v) student incentives 450 for performance; (vi) process deficiencies; and (vii) reporting to 451 the local school board, parents and the community. The corrective 452 action plan shall describe the specific individuals responsible 453 for implementing each component of the recommendation and how each 454 will be evaluated. All corrective action plans shall be provided 455 to the State Board of Education as may be required. The decision 456 of the State Board of Education establishing the probationary 457 period of time shall be final; 458 Offer, during the probationary period, technical 459 assistance to the school district in making corrective actions. 460 Beginning July 1, 1998, subject to the availability of funds, the 461 State Department of Education shall provide technical and/or 462 financial assistance to all such school districts in order to 463 implement each measure identified in that district's corrective action plan through professional development and on-site 464

The local school district shall develop a corrective

assistance. Each such school district shall apply for and utilize all available federal funding in order to support its corrective action plan in addition to state funds made available under this paragraph;

- (d) Assign department personnel or contract, in its
 discretion, with the institutions of higher learning or other
 appropriate private entities with experience in the academic,
 finance and other operational functions of schools to assist
 school districts;
- 474 Provide for publication of public notice at least 475 one time during the probationary period, in a newspaper published 476 within the jurisdiction of the school district failing to meet 477 accreditation standards, or if no newspaper is published therein, 478 then in a newspaper having a general circulation therein. publication shall include the following: declaration of school 479 480 system's status as being on probation; all details relating to the 481 impairment report; and other information as the State Board of 482 Education deems appropriate. Public notices issued under this 483 section shall be subject to Section 13-3-31 and not contrary to 484 other laws regarding newspaper publication.
- (12) (a) If the recommendations for corrective action are 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

490 its accreditation should not be withdrawn. Additionally, if the 491 local school district violates accreditation standards that have 492 been determined by the policies and procedures of the State Board 493 of Education to be a basis for withdrawal of school district's 494 accreditation without a probationary period, the Commission on 495 School Accreditation shall conduct a hearing to allow the affected 496 school district to present evidence or other reasons why its 497 accreditation should not be withdrawn. After its consideration of 498 the results of the hearing, the Commission on School Accreditation 499 shall be authorized, with the approval of the State Board of 500 Education, to withdraw the accreditation of a public school 501 district, and issue a request to the Governor that a state of 502 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, or if more than fifty percent (50%) of the schools within the school district are designated as Schools At-Risk in any one (1) year, the State Board of Education may request the Governor to

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declare a state of emergency in that school district. For
purposes of this paragraph, the declarations of a state of
emergency shall not be limited to those instances when a school
district's impairments are related to a lack of financial
resources, but also shall include serious failure to meet minimum
academic standards, as evidenced by a continued pattern of poor
student performance.

- 522 (c) Whenever the Governor declares a state of emergency 523 in a school district in response to a request made under paragraph 524 (a) or (b) of this subsection, the State Board of Education may 525 take one or more of the following actions:
 - (i) Declare a state of emergency, under which some or all of state funds can be escrowed except as otherwise provided in Section 206, Constitution of 1890, until the board determines corrective actions are being taken or the deficiencies have been removed, or that the needs of students warrant the release of funds. The funds may be released from escrow for any program which the board determines to have been restored to standard even though the state of emergency may not as yet be terminated for the district as a whole;
- 535 (ii) Override any decision of the local school 536 board or superintendent of education, or both, concerning the 537 management and operation of the school district, or initiate and 538 make decisions concerning the management and operation of the 539 school district;

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540	(iii) Assign an interim superintendent, or in its
541	discretion, contract with a private entity with experience in the
542	academic, finance and other operational functions of schools and
543	school districts, who will have those powers and duties prescribed
544	in subsection (15) of this section;
545	(iv) Grant transfers to students who attend this
546	school district so that they may attend other accredited schools
547	or districts in a manner that is not in violation of state or
548	federal law;
549	(v) For states of emergency declared under
550	paragraph (a) only, if the accreditation deficiencies are related
551	to the fact that the school district is too small, with too few
552	resources, to meet the required standards and if another school
553	district is willing to accept those students, abolish that
554	district and assign that territory to another school district or
555	districts. If the school district has proposed a voluntary
556	consolidation with another school district or districts, then if
557	the State Board of Education finds that it is in the best interest
558	of the pupils of the district for the consolidation to proceed,
559	the voluntary consolidation shall have priority over any such
560	assignment of territory by the State Board of Education;
561	(vi) For states of emergency declared under
562	paragraph (b) only, reduce local supplements paid to school
563	district employees, including, but not limited to, instructional
564	personnel, assistant teachers and extracurricular activities

personnel, if the district's impairment is related to a lack of financial resources, but only to an extent that will result in the

567 salaries being comparable to districts similarly situated, as

568 determined by the State Board of Education;

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

572 (d) At the time that satisfactory corrective action has
573 been taken in a school district in which a state of emergency has
574 been declared, the State Board of Education may request the
575 Governor to declare that the state of emergency no longer exists
576 in the district.

(e) The parent or legal guardian of a school-age child who is enrolled in a school district whose accreditation has been withdrawn by the Commission on School Accreditation and without approval of that school district may file a petition in writing to a school district accredited by the Commission on School Accreditation for a legal transfer. The school district accredited by the Commission on School Accreditation may grant the transfer according to the procedures of Section 37-15-31(1)(b). In the event the accreditation of the student's home district is restored after a transfer has been approved, the student may continue to attend the transferee school district. The per-pupil amount of the adequate education program allotment, including the

collective "add-on program" costs for the student's home school

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590	district shall be transferred monthly to the school district
591	accredited by the Commission on School Accreditation that has
592	granted the transfer of the school-age child.

- (f) Upon the declaration of a state of emergency for any school district in which the Governor has previously declared a state of emergency, the State Board of Education may either:
- 596 (i) Place the school district into district 597 transformation, in which the school district shall remain until it 598 has fulfilled all conditions related to district transformation. If the district was assigned an accreditation rating of "D" or "F" 599 600 when placed into district transformation, the district shall be eligible to return to local control when the school district has 601 602 attained a "C" rating or higher for five (5) consecutive years, 603 unless the State Board of Education determines that the district 604 is eligible to return to local control in less than the five-year 605 period;
- 606 (ii) Abolish the school district and 607 administratively consolidate the school district with one or more 608 existing school districts;
- (iii) Reduce the size of the district and
 administratively consolidate parts of the district, as determined
 by the State Board of Education. However, no school district
 which is not in district transformation shall be required to
 accept additional territory over the objection of the district; or

614	(iv) Require the school district to develop and
615	implement a district improvement plan with prescriptive guidance
616	and support from the State Department of Education, with the goal
617	of helping the district improve student achievement. Failure of
618	the school board, superintendent and school district staff to
619	implement the plan with fidelity and participate in the activities
620	provided as support by the department shall result in the school
621	district retaining its eligibility for district transformation.
622	(g) There is established a Mississippi Recovery School
623	District within the State Department of Education under the
624	supervision of a deputy superintendent appointed by the State
625	Superintendent of Public Education, who is subject to the approval
626	by the State Board of Education. The Mississippi Recovery School
627	District shall provide leadership and oversight of all school
628	districts that are subject to district transformation status, as
629	defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,
630	and shall have all the authority granted under these two (2)
631	chapters. The Mississippi Department of Education, with the
632	approval of the State Board of Education, shall develop policies
633	for the operation and management of the Mississippi Recovery
634	School District. The deputy state superintendent is responsible
635	for the Mississippi Recovery School District and shall be
636	authorized to oversee the administration of the Mississippi
637	Recovery School District, oversee the interim superintendent
638	assigned by the State Board of Education to a local school

639 district, hear appeals that would normally be filed by students, 640 parents or employees and heard by a local school board, which hearings on appeal shall be conducted in a prompt and timely 641 642 manner in the school district from which the appeal originated in 643 order to ensure the ability of appellants, other parties and 644 witnesses to appeal without undue burden of travel costs or loss 645 of time from work, and perform other related duties as assigned by 646 the State Superintendent of Public Education. The deputy state 647 superintendent is responsible for the Mississippi Recovery School 648 District and shall determine, based on rigorous professional 649 qualifications set by the State Board of Education, the 650 appropriate individuals to be engaged to be interim 651 superintendents and financial advisors, if applicable, of all 652 school districts subject to district transformation status. After 653 State Board of Education approval, these individuals shall be 654 deemed independent contractors.

(13) Upon the declaration of a state of emergency in a school district under subsection (12) of this section, the Commission on School Accreditation shall be responsible for public notice at least once a week for at least three (3) consecutive weeks in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The size of the notice shall be no smaller than one-fourth (1/4) of a standard newspaper page and

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664 shall be printed in bold print. If an interim superintendent has 665 been appointed for the school district, the notice shall begin as 666 "By authority of Section 37-17-6, Mississippi Code of 667 1972, as amended, adopted by the Mississippi Legislature during 668 the 1991 Regular Session, this school district (name of school 669 district) is hereby placed under the jurisdiction of the State 670 Department of Education acting through its appointed interim superintendent (name of interim superintendent)." 671

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

Upon termination of the state of emergency in a school district, the Commission on School Accreditation shall cause notice to be published in the school district in the same manner 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.

687 (14) The State Board of Education or the Commission on 688 School Accreditation shall have the authority to require school

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689 districts to produce the necessary reports, correspondence,

690 financial statements, and any other documents and information

691 necessary to fulfill the requirements of this section.

Nothing in this section shall be construed to grant any

693 individual, corporation, board or interim superintendent the

authority to levy taxes except in accordance with presently

695 existing statutory provisions.

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(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:

706 Approving or disapproving all financial (i) 707 obligations of the district, including, but not limited to, the 708 employment, termination, nonrenewal and reassignment of all 709 licensed and nonlicensed personnel, contractual agreements and 710 purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving 711 712 employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to 713

714	comply	with	the	time	limitations	prescribed	in	Sections	37-	9-	.15

- 715 and 37-9-105;
- 716 (ii) Supervising the day-to-day activities of the
- 717 district's staff, including reassigning the duties and
- 718 responsibilities of personnel in a manner which, in the
- 719 determination of the interim superintendent, will best suit the
- 720 needs of the district;
- 721 (iii) Reviewing the district's total financial
- 722 obligations and operations and making recommendations to the
- 723 district for cost savings, including, but not limited to,
- 724 reassigning the duties and responsibilities of staff;
- 725 (iv) Attending all meetings of the district's
- 726 school board and administrative staff;
- 727 (v) Approving or disapproving all athletic, band
- 728 and other extracurricular activities and any matters related to
- 729 those activities;
- 730 (vi) Maintaining a detailed account of
- 731 recommendations made to the district and actions taken in response
- 732 to those recommendations;
- 733 (vii) Reporting periodically to the State Board of
- 734 Education on the progress or lack of progress being made in the
- 735 district to improve the district's impairments during the state of
- 736 emergency; and
- 737 (viii) Appointing a parent advisory committee,
- 738 comprised of parents of students in the school district that may

make recommendations to the interim superintendent concerning the administration, management and operation of the school district.

741 The cost of the salary of the interim superintendent and any 742 other actual and necessary costs related to district 743 transformation status paid by the State Department of Education 744 shall be reimbursed by the local school district from funds other 745 than adequate education program funds. The department shall 746 submit an itemized statement to the superintendent of the local 747 school district for reimbursement purposes, and any unpaid balance 748 may be withheld from the district's adequate education program 749 funds.

750 At the time that the Governor, in accordance with the request 751 of the State Board of Education, declares that the state of 752 emergency no longer exists in a school district, the powers and 753 responsibilities of the interim superintendent assigned to the 754 district shall cease.

(b) In order to provide loans to school districts under a state of emergency or in district transformation status that have impairments related to a lack of financial resources, the School District Emergency Assistance Fund is created as a special fund in the State Treasury into which monies may be transferred or appropriated by the Legislature from any available public education funds. Funds in the School District Emergency Assistance Fund up to a maximum balance of Three Million Dollars (\$3,000,000.00) annually shall not lapse but shall be available

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764 for expenditure in subsequent years subject to approval of the 765 State Board of Education. Any amount in the fund in excess of 766 Three Million Dollars (\$3,000,000.00) at the end of the fiscal 767 year shall lapse into the State General Fund or the Education 768 Enhancement Fund, depending on the source of the fund. 769 The State Board of Education may loan monies from the School 770 District Emergency Assistance Fund to a school district that is 771 under a state of emergency or in district transformation status, 772 in those amounts, as determined by the board, that are necessary 773 to correct the district's impairments related to a lack of 774 financial resources. The loans shall be evidenced by an agreement 775 between the school district and the State Board of Education and 776 shall be repayable in principal, without necessity of interest, to 777 the School District Emergency Assistance Fund by the school 778 district from any allowable funds that are available. 779 amount loaned to the district shall be due and payable within five 780 (5) years after the impairments related to a lack of financial 781 resources are corrected. If a school district fails to make 782 payments on the loan in accordance with the terms of the agreement 783 between the district and the State Board of Education, the State 784 Department of Education, in accordance with rules and regulations 785 established by the State Board of Education, may withhold that 786 district's adequate education program funds in an amount and 787 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.

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 in that school district under subsection (12), whichever occurs first. In that case, the State Board of Education, acting through the interim superintendent, shall have all powers which were held

by the previously existing school board, and may take any action as prescribed in Section 37-17-13 and/or one or more of the actions authorized in this section.

816 (a) If the Governor declares a state of emergency in a (17)817 school district, the State Board of Education may take all such 818 action pertaining to that school district as is authorized under 819 subsection (12) or (15) of this section, including the appointment 820 of an interim superintendent. The State Board of Education shall 821 also have the authority to issue a written request with documentation to the Governor asking that the office of the 822 823 superintendent of the school district be subject to recall. Ιf 824 the Governor declares that the office of the superintendent of the school district is subject to recall, the local school board or 825 826 the county election commission, as the case may be, shall take the 827 following action:

(i) If the office of superintendent is an elected office, in those years in which there is no general election, the name shall be submitted by the State Board of Education to the county election commission, and the county election commission shall submit the question at a special election to the voters eligible to vote for the office of superintendent within the county, and the special election shall be held within sixty (60) days from notification by the State Board of Education. The ballot shall read substantially as follows:

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838	name of the superintendent shall be inserted) of the
839	(here the title of the school district shall be inserted) be
840	retained in office? Yes No"
841	If a majority of those voting on the question votes against
842	retaining the superintendent in office, a vacancy shall exist
843	which shall be filled in the manner provided by law; otherwise,
844	the superintendent shall remain in office for the term of that
845	office, and at the expiration of the term shall be eligible for
846	qualification and election to another term or terms.
847	(ii) If the office of superintendent is an
848	appointive office, the name of the superintendent shall be
849	submitted by the president of the local school board at the next
850	regular meeting of the school board for retention in office or
851	dismissal from office. If a majority of the school board voting
852	on the question vote against retaining the superintendent in
853	office, a vacancy shall exist which shall be filled as provided by
854	law, otherwise the superintendent shall remain in office for the
855	duration of his employment contract.
856	(b) The State Board of Education may issue a written
857	request with documentation to the Governor asking that the
858	membership of the school board of the school district shall be
859	subject to recall. Whenever the Governor declares that the
860	membership of the school board is subject to recall, the county

"Shall County Superintendent of Education (here the

861 election commission or the local governing authorities, as the 862 case may be, shall take the following action: 863 If the members of the local school board are (i) 864 elected to office, in those years in which the specific member's 865 office is not up for election, the name of the school board member 866 shall be submitted by the State Board of Education to the county 867 election commission, and the county election commission at a 868 special election shall submit the question to the voters eligible 869 to vote for the particular member's office within the county or 870 school district, as the case may be, and the special election 871 shall be held within sixty (60) days from notification by the 872 State Board of Education. The ballot shall read substantially as 873 follows: 874 "Members of the (here the title of the school 875 district shall be inserted) School Board who are not up for 876 election this year are subject to recall because of the school 877 district's failure to meet critical accountability standards as 878 defined in the letter of notification to the Governor from the 879 State Board of Education. Shall the member of the school board representing this area, (here the name of the school 880 board member holding the office shall be inserted), be retained in 881 office? Yes _____ No " 882 883 If a majority of those voting on the question vote against 884 retaining the member of the school board in office, a vacancy in

that board member's office shall exist, which shall be filled in

886 the manner provided by law; otherwise, the school board member 887 shall remain in office for the term of that office, and at the 888 expiration of the term of office, the member shall be eliqible for 889 qualification and election to another term or terms of office. 890 However, if a majority of the school board members are recalled in 891 the special election, the Governor shall authorize the board of 892 supervisors of the county in which the school district is situated to appoint members to fill the offices of the members recalled. 893 894 The board of supervisors shall make those appointments in the 895 manner provided by law for filling vacancies on the school board, 896 and the appointed members shall serve until the office is filled 897 at the next regular special election or general election. 898 (ii) If the local school board is an appointed 899 school board, the name of all school board members shall be 900 submitted as a collective board by the president of the municipal 901 or county governing authority, as the case may be, at the next 902 regular meeting of the governing authority for retention in office 903 or dismissal from office. If a majority of the governing 904 authority voting on the question vote against retaining the board 905 in office, a vacancy shall exist in each school board member's 906 office, which shall be filled as provided by law; otherwise, the 907 members of the appointed school board shall remain in office for 908 the duration of their term of appointment, and those members may 909 be reappointed.

- 910 (iii) If the local school board is comprised of 911 both elected and appointed members, the elected members shall be 912 subject to recall in the manner provided in subparagraph (i) of 913 this paragraph (b), and the appointed members shall be subject to 914 recall in the manner provided in subparagraph (ii).
- 915 (18) Beginning with the school district audits conducted for 916 the 1997-1998 fiscal year, the State Board of Education, acting 917 through the Commission on School Accreditation, shall require each 918 school district to comply with standards established by the State 919 Department of Audit for the verification of fixed assets and the 920 auditing of fixed assets records as a minimum requirement for 921 accreditation.
 - (19) Before December 1, 1999, the State Board of Education shall recommend a program to the Education Committees of the House of Representatives and the Senate for identifying and rewarding public schools that improve or are high performing. The program shall be described by the board in a written report, which shall include criteria and a process through which improving schools and high-performing schools will be identified and rewarded.
- 929 The State Superintendent of Public Education and the State
 930 Board of Education also shall develop a comprehensive
 931 accountability plan to ensure that local school boards,
 932 superintendents, principals and teachers are held accountable for
 933 student achievement. A written report on the accountability plan
 934 shall be submitted to the Education Committees of both houses of

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- 935 the Legislature before December 1, 1999, with any necessary
- 936 legislative recommendations.
- 937 (20) Before January 1, 2008, the State Board of Education
- 938 shall evaluate and submit a recommendation to the Education
- 939 Committees of the House of Representatives and the Senate on
- 940 inclusion of graduation rate and dropout rate in the school level
- 941 accountability system.
- 942 (21) If a local school district is determined as failing and
- 943 placed into district transformation status for reasons authorized
- 944 by the provisions of this section, the interim superintendent
- 945 appointed to the district shall, within forty-five (45) days after
- 946 being appointed, present a detailed and structured corrective
- 947 action plan to move the local school district out of district
- 948 transformation status to the deputy superintendent. A copy of the
- 949 interim superintendent's corrective action plan shall also be
- 950 filed with the State Board of Education.
- 951 **SECTION 8.** Section 37-3-2, Mississippi Code of 1972, is
- 952 amended as follows:
- 953 37-3-2. (1) There is established within the State
- 954 Department of Education the Commission on Teacher and
- 955 Administrator Education, Certification and Licensure and
- 956 Development. It shall be the purpose and duty of the commission
- 957 to make recommendations to the State Board of Education regarding
- 958 standards for the certification and licensure and continuing

professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

- 961 The commission shall be composed of fifteen (15) (2) (a) 962 qualified members. The membership of the commission shall be 963 composed of the following members to be appointed, three (3) from 964 each of the four (4) congressional districts, as such districts 965 existed on January 1, 2011, in accordance with the population 966 calculations determined by the 2010 federal decennial census, 967 including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of 968 969 public institutions of higher learning located within the state to 970 be recommended by the Board of Trustees of State Institutions of 971 Higher Learning; one (1) representative from the schools of 972 education of independent institutions of higher learning to be 973 recommended by the Board of the Mississippi Association of 974 Independent Colleges; one (1) representative from public community 975 and junior colleges located within the state to be recommended by 976 the Mississippi Community College Board; one (1) local school 977 board member; and four (4) laypersons. Three (3) members of the 978 commission, at the sole discretion of the State Board of 979 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

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- 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.
- 988 (3) The State Board of Education when making appointments
 989 shall designate a chairman. The commission shall meet at least
 990 once every two (2) months or more often if needed. Members of the
 991 commission shall be compensated at a rate of per diem as
 992 authorized by Section 25-3-69 and be reimbursed for actual and
 993 necessary expenses as authorized by Section 25-3-41.
- 994 (4)(a) An appropriate staff member of the State Department 995 of Education shall be designated and assigned by the State 996 Superintendent of Public Education to serve as executive secretary 997 and coordinator for the commission. No less than two (2) other 998 appropriate staff members of the State Department of Education 999 shall be designated and assigned by the State Superintendent of 1000 Public Education to serve on the staff of the commission.
- (b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.
- 1007 (5) It shall be the duty of the commission to:

1008		(a)	Set	sta	indards	and	crit	teria	, sub	ject	to	the	approval
1009	of the	State	Board	of	Educat	ion,	for	all	educat	tor p	prep	parat	cion
1010	program	ns in t	he sta	ate:									

- 1011 (b) Recommend to the State Board of Education each year
 1012 approval or disapproval of each educator preparation program in
 1013 the state, subject to a process and schedule determined by the
 1014 State Board of Education;
- 1015 (c) Establish, subject to the approval of the State
 1016 Board of Education, standards for initial teacher certification
 1017 and licensure in all fields;
- 1018 (d) Establish, subject to the approval of the State
 1019 Board of Education, standards for the renewal of teacher licenses
 1020 in all fields;
- 1021 (e) Review and evaluate objective measures of teacher
 1022 performance, such as test scores, which may form part of the
 1023 licensure process, and to make recommendations for their use;
- 1024 (f) Review all existing requirements for certification and licensure;
- 1026 (g) Consult with groups whose work may be affected by 1027 the commission's decisions;
- 1028 (h) Prepare reports from time to time on current
 1029 practices and issues in the general area of teacher education and
 1030 certification and licensure;

1031	(i) Hold hearings concerning standards for teachers'
1032	and administrators' education and certification and licensure with
1033	approval of the State Board of Education;
1034	(j) Hire expert consultants with approval of the State
1035	Board of Education;
1036	(k) Set up ad hoc committees to advise on specific
1037	areas; and
1038	(1) Perform such other functions as may fall within
1039	their general charge and which may be delegated to them by the
1040	State Board of Education.
1041	(6) (a) Standard License - Approved Program Route. An
1042	educator entering the school system of Mississippi for the first
1043	time and meeting all requirements as established by the State
1044	Board of Education shall be granted a standard five-year license.
1045	Persons who possess two (2) years of classroom experience as an
1046	assistant teacher or who have taught for one (1) year in an
1047	accredited public or private school shall be allowed to fulfill
1048	student teaching requirements under the supervision of a qualified

assistant teacher or who have taught for one (1) year in an
accredited public or private school shall be allowed to fulfill
student teaching requirements under the supervision of a qualified
participating teacher approved by an accredited college of
education. The local school district in which the assistant
teacher is employed shall compensate such assistant teachers at
the required salary level during the period of time such
individual is completing student teaching requirements.

Applicants for a standard license shall submit to the department:

(i)

An application on a department form;

L056	(ii) An official transcript of completion of a
L057	teacher education program approved by the department or a
L058	nationally accredited program, subject to the following:
L059	Licensure to teach in Mississippi prekindergarten through
L060	kindergarten classrooms shall require completion of a teacher
L061	education program or a Bachelor of Science degree with child
L062	development emphasis from a program accredited by the American
L063	Association of Family and Consumer Sciences (AAFCS) or by the
L064	National Association for Education of Young Children (NAEYC) or by
L065	the National Council for Accreditation of Teacher Education
L066	(NCATE). Licensure to teach in Mississippi kindergarten, for
L067	those applicants who have completed a teacher education program,
L068	and in Grade 1 through Grade 4 shall require the completion of an
L069	interdisciplinary program of studies. Licenses for Grades 4
L070	through 8 shall require the completion of an interdisciplinary
L071	program of studies with two (2) or more areas of concentration.
L072	Licensure to teach in Mississippi Grades 7 through 12 shall
L073	require a major in an academic field other than education, or a
L074	combination of disciplines other than education. Students
L075	preparing to teach a subject shall complete a major in the
L076	respective subject discipline. All applicants for standard
L077	licensure shall demonstrate that such person's college preparation
L078	in those fields was in accordance with the standards set forth by
L079	the National Council for Accreditation of Teacher Education
1080	(NCATE) or the National Association of State Directors of Teacher

1081	Education	and	Certification	(NASDTEC)	or,	for	those	applicants	who
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- 1082 have a Bachelor of Science degree with child development emphasis,
- 1083 the American Association of Family and Consumer Sciences (AAFCS).
- 1084 Effective July 1, 2016, for initial elementary education
- 1085 licensure, a teacher candidate must earn a passing score on a
- 1086 rigorous test of scientifically research-based reading instruction
- 1087 and intervention and data-based decision-making principles as
- 1088 approved by the State Board of Education;
- 1089 (iii) A copy of test scores evidencing
- 1090 satisfactory completion of nationally administered examinations of
- 1091 achievement, such as the Educational Testing Service's teacher
- 1092 testing examinations;
- 1093 (iv) Any other document required by the State
- 1094 Board of Education; and
- 1095 (v) From and after July 1, 2020, no teacher
- 1096 candidate shall be licensed to teach in Mississippi who did not
- 1097 meet the following criteria for entrance into an approved teacher
- 1098 education program:
- 1099 1. An ACT Score of twenty-one (21) (or SAT
- 1100 equivalent); or
- 1101 2. Achieve a qualifying passing score on the
- 1102 Praxis Core Academic Skills for Educators examination as
- 1103 established by the State Board of Education; or
- 1104 3. A minimum GPA of 3.0 on coursework prior
- 1105 to admission to an approved teacher education program.

1106	(b) <u>(i)</u> Standard License - Nontraditional Teaching
1107	Route. From and after July 1, 2020, no teacher candidate shall be
1108	licensed to teach in Mississippi under the alternate route who did
1109	not meet the following criteria:
1110	* * \star 1. An ACT Score of twenty-one (21) (or
1111	SAT equivalent); or
1112	* * $\frac{*}{2}$ Achieve a qualifying passing score
1113	on the Praxis Core Academic Skills for Educators examination as
1114	established by the State Board of Education; or
1115	* * *3. A minimum GPA of 3.0 on coursework
1116	prior to admission to an approved teacher education program.
1117	(ii) Beginning July 1, 2020, an individual who has
1118	attained a passing score on the Praxis Core Academic Skills for
1119	Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
1120	or a minimum GPA of 3.0 on coursework prior to admission to an
1121	approved teacher education program and a passing score on the
1122	Praxis Subject Assessment in the requested area of endorsement may
1123	apply for admission to the Teach Mississippi Institute (TMI)
1124	program to teach students in Grades 7 through 12 if the individual
1125	meets the requirements of this paragraph (b). The State Board of
1126	Education shall adopt rules requiring that teacher preparation
1127	institutions which provide the Teach Mississippi Institute (TMI)
1128	program for the preparation of nontraditional teachers shall meet
1129	the standards and comply with the provisions of this paragraph.

L130	* * $\frac{1}{2}$ The Teach Mississippi Institute
L131	(TMI) shall include an intensive eight-week, nine-semester-hour
L132	summer program or a curriculum of study in which the student
L133	matriculates in the fall or spring semester, which shall include,
L134	but not be limited to, instruction in education, effective
L135	teaching strategies, classroom management, state curriculum
L136	requirements, planning and instruction, instructional methods and
L137	pedagogy, using test results to improve instruction, and a one (1)
L138	semester three-hour supervised internship to be completed while
L139	the teacher is employed as a full-time teacher intern in a local
L140	school district. The TMI shall be implemented on a pilot program
L141	basis, with courses to be offered at up to four (4) locations in
L142	the state, with one (1) TMI site to be located in each of the
L143	three (3) Mississippi Supreme Court districts.
L144	* * $*2.$ The school sponsoring the teacher
L145	intern shall enter into a written agreement with the institution
L146	providing the Teach Mississippi Institute (TMI) program, under
L147	terms and conditions as agreed upon by the contracting parties,
L148	providing that the school district shall provide teacher interns
L149	seeking a nontraditional provisional teaching license with a
L150	one-year classroom teaching experience. The teacher intern shall
L151	successfully complete the one (1) semester three-hour intensive
L152	internship in the school district during the semester immediately
L153	following successful completion of the TMI and prior to the end of
115/	the one-wear classroom teaching experience

1133	* * * <u>3.</u> Upon completion of the
L156	nine-semester-hour TMI or the fall or spring semester option, the
L157	individual shall submit his transcript to the commission for
L158	provisional licensure of the intern teacher, and the intern
L159	teacher shall be issued a provisional teaching license by the
L160	commission, which will allow the individual to legally serve as a
L161	teacher while the person completes a nontraditional teacher
L162	preparation internship program.
L163	* * $*4$. During the semester of internship in
L164	the school district, the teacher preparation institution shall
L165	monitor the performance of the intern teacher. The school
L166	district that employs the provisional teacher shall supervise the
L167	provisional teacher during the teacher's intern year of employment
L168	under a nontraditional provisional license, and shall, in
L169	consultation with the teacher intern's mentor at the school
L170	district of employment, submit to the commission a comprehensive
L171	evaluation of the teacher's performance sixty (60) days prior to
L172	the expiration of the nontraditional provisional license. If the
L173	comprehensive evaluation establishes that the provisional teacher
L174	intern's performance fails to meet the standards of the approved
L175	nontraditional teacher preparation internship program, the
L176	individual shall not be approved for a standard license.
L177	* * \star 5. An individual issued a provisional
L178	teaching license under this nontraditional route shall
L179	successfully complete, at a minimum, a one-year beginning teacher

mentoring and induction program administered by the employing 1181 school district with the assistance of the State Department of 1182 Education.

1183 * * *6. Upon successful completion of the 1184 TMI and the internship provisional license period, applicants for 1185 a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve 1186 1187 (12) semester hours required in the internship program, and the 1188 employing school district shall submit to the commission a 1189 recommendation for standard licensure of the intern. If the 1190 school district recommends licensure, the applicant shall be 1191 issued a Standard License - Nontraditional Route which shall be 1192 valid for a five-year period and be renewable.

* * *7. At the discretion of the teacher

1194 preparation institution, the individual shall be allowed to credit

1195 the twelve (12) semester hours earned in the nontraditional

1196 teacher internship program toward the graduate hours required for

1197 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.

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1205	(iii) Implementation of the TMI program provided
1206	for under this paragraph (b) shall be contingent upon the
1207	availability of funds appropriated specifically for such purpose
1208	by the Legislature. Such implementation of the TMI program may
1209	not be deemed to prohibit the State Board of Education from
1210	developing and implementing additional alternative route teacher
1211	licensure programs, as deemed appropriate by the board. The
1212	emergency certification program in effect prior to July 1, 2002,
1213	shall remain in effect.
1214	(iv) A Standard License - Approved Program Route
1215	shall be issued for a five-year period, and may be renewed.
1216	Recognizing teaching as a profession, a hiring preference shall be
1217	granted to persons holding a Standard License - Approved Program
1218	Route or Standard License - Nontraditional Teaching Route over
1219	persons holding any other license.
1220	(c) Special License - Expert Citizen. In order to
1221	allow a school district to offer specialized or technical courses,
1222	the State Department of Education, in accordance with rules and
1223	regulations established by the State Board of Education, may grant
1224	a * * * <u>five</u> -year expert citizen-teacher license to local business
1225	or other professional personnel to teach in a public school or
1226	nonpublic school accredited or approved by the state. Such person
1227	shall be required to have a high school diploma, an
1228	industry-recognized certification related to the subject area in
1229	which they are teaching and a minimum of five (5) years of

L230	relevant experience but shall not be required to hold an associate
L231	or bachelor's degree, provided that he or she possesses the
L232	minimum qualifications required for his or her profession, and may
L233	begin teaching upon his employment by the local school board and
L234	licensure by the Mississippi Department of Education. <u>If a school</u>
L235	board hires a career technical education pathway instructor who
L236	does not have an industry certification in his or her area of
L237	expertise but does have the required experience, the school board
L238	shall spread their decision on the minutes at their next meeting
L239	and provide a detailed explanation for why they hired the
L240	instructor. Such instructor shall present the minutes of the
L241	school board to the State Department of Education when he or she
L242	applies for an expert citizen license. The board shall adopt
L243	rules and regulations to administer the expert citizen-teacher
L244	license. A Special License - Expert Citizen may be renewed in
L245	accordance with the established rules and regulations of the State
L246	Department of Education.

- (d) Special License Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.
- 1253 (e) **Nonlicensed Teaching Personnel**. A nonlicensed 1254 person may teach for a maximum of three (3) periods per teaching

1255 day in a public school district or a nonpublic school 1256 accredited/approved by the state. Such person shall submit to the 1257 department a transcript or record of his education and experience 1258 which substantiates his preparation for the subject to be taught 1259 and shall meet other qualifications specified by the commission 1260 and approved by the State Board of Education. In no case shall 1261 any local school board hire nonlicensed personnel as authorized 1262 under this paragraph in excess of five percent (5%) of the total 1263 number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education.

1265 Beginning July 1, 2003, the commission shall grant special 1266 licenses to teachers of transitional bilingual education who 1267 possess such qualifications as are prescribed in this section. 1268 Teachers of transitional bilingual education shall be compensated 1269 by local school boards at not less than one (1) step on the 1270 regular salary schedule applicable to permanent teachers licensed 1271 under this section. The commission shall grant special licenses 1272 to teachers of transitional bilingual education who present the 1273 commission with satisfactory evidence that they (i) possess a 1274 speaking and reading ability in a language, other than English, in 1275 which bilingual education is offered and communicative skills in 1276 English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher 1277 1278 education from an accredited institution of higher education; (iv) 1279 meet such requirements as to courses of study, semester hours

1280 therein, experience and training as may be required by the 1281 commission; and (v) are legally present in the United States and 1282 possess legal authorization for employment. A teacher of 1283 transitional bilingual education serving under a special license 1284 shall be under an exemption from standard licensure if he achieves 1285 the requisite qualifications therefor. Two (2) years of service 1286 by a teacher of transitional bilingual education under such an 1287 exemption shall be credited to the teacher in acquiring a Standard 1288 Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in 1289 1290 an appropriate field as approved by the State Department of 1291 Education to teach in a program in transitional bilingual 1292 education.

- 1293 (g) In the event any school district meets the highest
 1294 accreditation standards as defined by the State Board of Education
 1295 in the accountability system, the State Board of Education, in its
 1296 discretion, may exempt such school district from any restrictions
 1297 in paragraph (e) relating to the employment of nonlicensed
 1298 teaching personnel.
- (h) **Highly Qualified Teachers**. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five-year license by the State Department of Education.

1304	(7) Administrator License. The State Board of Education is
1305	authorized to establish rules and regulations and to administer
1306	the licensure process of the school administrators in the State of
1307	Mississippi. There will be four (4) categories of administrator
1308	licensure with exceptions only through special approval of the
1309	State Board of Education.

- 1310 (a) Administrator License Nonpracticing. Those
 1311 educators holding administrative endorsement but having no
 1312 administrative experience or not serving in an administrative
 1313 position on January 15, 1997.
- 1314 (b) Administrator License Entry Level. Those

 1315 educators holding administrative endorsement and having met the

 1316 department's qualifications to be eligible for employment in a

 1317 Mississippi school district. Administrator License Entry Level

 1318 shall be issued for a five-year period and shall be nonrenewable.
- 1319 (c) **Standard Administrator License Career Level.** An 1320 administrator who has met all the requirements of the department for standard administrator licensure.
- 1322 (d) Administrator License - Nontraditional Route. The 1323 board may establish a nontraditional route for licensing 1324 administrative personnel. Such nontraditional route for 1325 administrative licensure shall be available for persons holding, 1326 but not limited to, a master of business administration degree, a master of public administration degree, a master of public 1327 1328 planning and policy degree or a doctor of jurisprudence degree

1329 from an accredited college or university, with five (5) years of

1330 administrative or supervisory experience. Successful completion

1331 of the requirements of alternate route licensure for

1332 administrators shall qualify the person for a standard

1333 administrator license.

1334 Individuals seeking school administrator licensure under

1335 paragraph (b), (c) or (d) shall successfully complete a training

1336 program and an assessment process prescribed by the State Board of

1337 Education. All applicants for school administrator licensure

1338 shall meet all requirements prescribed by the department under

1339 paragraph (b), (c) or (d), and the cost of the assessment process

1340 required shall be paid by the applicant.

1341 (8) **Reciprocity.** The department shall grant a standard

1342 five-year license to any individual who possesses a valid standard

1343 license from another state within a period of twenty-one (21) days

1344 from the date of a completed application. The issuance of a

1345 license by reciprocity to a military-trained applicant, military

1346 spouse or person who establishes residence in this state shall be

1347 subject to the provisions of Section 73-50-1 or 73-50-2, as

1348 applicable.

1349 (9) Renewal and Reinstatement of Licenses. The State Board

1350 of Education is authorized to establish rules and regulations for

1351 the renewal and reinstatement of educator and administrator

1352 licenses. Effective May 15, 1997, the valid standard license held

1353 by an educator shall be extended five (5) years beyond the

1354 expiration date of the license in order to afford the educator 1355 adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of 1356 education, educational specialist or doctor of education degree in 1357 1358 May 1997 for the purpose of upgrading the educator's license to a 1359 higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. For 1360 1361 all license types with a current valid expiration date of June 30, 1362 2021, the State Department of Education shall grant a one-year extension to June 30, 2022. Beginning July 1, 2022, and 1363 1364 thereafter, applicants for licensure renewal shall meet all 1365 requirements in effect on the date that the complete application 1366 is received by the State Department of Education. All controversies involving the issuance, revocation, 1367 1368 suspension or any change whatsoever in the licensure of an 1369 educator required to hold a license shall be initially heard in a 1370 hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, 1371 1372 or by a hearing officer retained and appointed by the commission, 1373 for the purpose of holding hearings. Any complaint seeking the 1374 denial of issuance, revocation or suspension of a license shall be 1375 by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and 1376 1377 Development. The decision thereon by the commission, its 1378 subcommittee or hearing officer, shall be final, unless the

1379	aggrieved party shall appeal to the State Board of Education,
1380	within ten (10) days, of the decision of the commission, its
1381	subcommittee or hearing officer. An appeal to the State Board of
1382	Education shall be perfected upon filing a notice of the appeal
1383	and by the prepayment of the costs of the preparation of the
1384	record of proceedings by the commission, its subcommittee or
1385	hearing officer. An appeal shall be on the record previously made
1386	before the commission, its subcommittee or hearing officer, unless
1387	otherwise provided by rules and regulations adopted by the board.
1388	The decision of the commission, its subcommittee or hearing
1389	officer shall not be disturbed on appeal if supported by
1390	substantial evidence, was not arbitrary or capricious, within the
1391	authority of the commission, and did not violate some statutory or
1392	constitutional right. The State Board of Education in its
1393	authority may reverse, or remand with instructions, the decision
1394	of the commission, its subcommittee or hearing officer. The
1395	decision of the State Board of Education shall be final.
1396	(11) (a) The State Board of Education, acting through the
1397	commission, may deny an application for any teacher or
1398	administrator license for one or more of the following:
1399	(i) Lack of qualifications which are prescribed by
1400	law or regulations adopted by the State Board of Education;
1401	(ii) The applicant has a physical, emotional or
1402	mental disability that renders the applicant unfit to perform the

1403	duties	authorized	by the	e license,	as	certified	bу	a	licensed
1404	psvchol	logist or ps	svchiat	rist;					

- 1405 (iii) The applicant is actively addicted to or
 1406 actively dependent on alcohol or other habit-forming drugs or is a
 1407 habitual user of narcotics, barbiturates, amphetamines,
 1408 hallucinogens or other drugs having similar effect, at the time of
- 1409 application for a license;
 1410 (iv) Fraud or deceit committed by the applicant in
- 1411 securing or attempting to secure such certification and license;

 1412 (v) Failing or refusing to furnish reasonable
- 1413 evidence of identification;
- (vi) The applicant has been convicted, has pled
 quilty or entered a plea of nolo contendere to a felony, as
 defined by federal or state law. For purposes of this
 subparagraph (vi) of this paragraph (a), 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;
- 1420 (vii) The applicant or licensee is on probation or 1421 post-release supervision for a felony or conviction, as defined by 1422 federal or state law. However, this disqualification expires upon 1423 the end of the probationary or post-release supervision period.
- 1424 (b) The State Board of Education, acting through the
 1425 commission, shall deny an application for any teacher or
 1426 administrator license, or immediately revoke the current teacher
 1427 or administrator license, for one or more of the following:

1428	(i) If the applicant or licensee has been
1429	convicted, has pled guilty or entered a plea of nolo contendere to
1430	a sex offense as defined by federal or state law. For purposes of
1431	this subparagraph (i) of this paragraph (b), a "guilty plea"
1432	includes a plea of guilty, entry of a plea of nolo contendere, or
1433	entry of an order granting pretrial or judicial diversion;
1434	(ii) The applicant or licensee is on probation or
1435	post-release supervision for a sex offense conviction, as defined
1436	by federal or state law;
1437	(iii) The license holder has fondled a student as
1438	described in Section 97-5-23, or had any type of sexual
1439	involvement with a student as described in Section 97-3-95; or
1440	(iv) The license holder has failed to report
1441	sexual involvement of a school employee with a student as required
1442	by Section 97-5-24.
1443	(12) The State Board of Education, acting through the
1444	commission, may revoke, suspend or refuse to renew any teacher or
1445	administrator license for specified periods of time or may place
1446	on probation, reprimand a licensee, or take other disciplinary
1447	action with regard to any license issued under this chapter for
1448	one or more of the following:

result in the suspension of the license for one (1) school year as

(a) Breach of contract or abandonment of employment may

1451 provided in Section 37-9-57;

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1452		(b)	Obtai	ning	a 1:	icens	e by	fraudu	lent	means	shall	-
1453	result in	imme	diate	suspe	ensi	on an	.d cc	ntinued	susp	pension	for	one
1454	(1) year a	after	corre	ectior	nis	made	;					

- 1455 (c) Suspension or revocation of a certificate or
 1456 license by another state shall result in immediate suspension or
 1457 revocation and shall continue until records in the prior state
 1458 have been cleared;
- (d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as 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;
- 1465 (e) The license holder knowingly and willfully
 1466 committing any of the acts affecting validity of mandatory uniform
 1467 test results as provided in Section 37-16-4(1);
- 1468 (f) The license holder has engaged in unethical conduct 1469 relating to an educator/student relationship as identified by the 1470 State Board of Education in its rules;
- 1471 (g) The license holder served as superintendent or
 1472 principal in a school district during the time preceding and/or
 1473 that resulted in the Governor declaring a state of emergency and
 1474 the State Board of Education appointing a conservator;
- 1475 (h) The license holder submitted a false certification 1476 to the State Department of Education that a statewide test was

1477	administered	in	strict	accordance	with	the	Requirements	of	the

1479 The license holder has failed to comply with the

to subsection (15) of this section.

Mississippi Statewide Assessment System; or

- Procedures for Reporting Infractions as promulgated by the 1480 1481 commission and approved by the State Board of Education pursuant
- For purposes of this subsection, probation shall be defined 1484 as a length of time determined by the commission, its subcommittee 1485 or hearing officer, and based on the severity of the offense in
- which the license holder shall meet certain requirements as 1486
- prescribed by the commission, its subcommittee or hearing officer. 1487
- 1488 Failure to complete the requirements in the time specified shall
- 1489 result in immediate suspension of the license for one (1) year.
- Dismissal or suspension of a licensed employee by 1490
- a local school board pursuant to Section 37-9-59 may result in the 1491
- 1492 suspension or revocation of a license for a length of time which
- 1493 shall be determined by the commission and based upon the severity
- 1494 of the offense.

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- 1495 Any offense committed or attempted in any other (b)
- 1496 state shall result in the same penalty as if committed or
- 1497 attempted in this state.
- 1498 A person may voluntarily surrender a license.
- surrender of such license may result in the commission 1499
- 1500 recommending any of the above penalties without the necessity of a
- hearing. However, any such license which has voluntarily been 1501

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.

- 1505 A person whose license has been suspended or 1506 surrendered on any grounds except criminal grounds may petition 1507 for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the 1508 1509 suspended or surrendered time has lapsed, whichever is greater. A 1510 person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be 1511 1512 reinstated automatically or approved for a reinstatement hearing, 1513 upon submission of a written request to the commission. A license 1514 suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration 1515 1516 of the sentence and parole or probationary period imposed upon 1517 conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of 1518 rehabilitation. The commission shall require all who petition for 1519 1520 reinstatement to furnish evidence satisfactory to the commission 1521 of good character, good mental, emotional and physical health and 1522 such other evidence as the commission may deem necessary to 1523 establish the petitioner's rehabilitation and fitness to perform 1524 the duties authorized by the license.
- 1525 (b) A person whose license expires while under
 1526 investigation by the Office of Educator Misconduct for an alleged

1527 violation may not be reinstated without a hearing before the 1528 commission if required based on the results of the investigation.

- Reporting procedures and hearing procedures for dealing 1529 1530 with infractions under this section shall be promulgated by the 1531 commission, subject to the approval of the State Board of 1532 Education. The revocation or suspension of a license shall be 1533 effected at the time indicated on the notice of suspension or 1534 The commission shall immediately notify the revocation. 1535 superintendent of the school district or school board where the 1536 teacher or administrator is employed of any disciplinary action 1537 and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. 1538 The State 1539 Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer 1540 1541 regarding a petition for reinstatement of a license, and any such 1542 decision of the State Board of Education shall be final.
- 1543 An appeal from the action of the State Board of Education in denying an application, revoking or suspending a 1544 1545 license or otherwise disciplining any person under the provisions 1546 of this section shall be filed in the Chancery Court of the First 1547 Judicial District of Hinds County, Mississippi, on the record 1548 made, including a verbatim transcript of the testimony at the The appeal shall be filed within thirty (30) days after 1549 1550 notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other 1551

1552 matters coming before the court. The appeal shall be perfected 1553 upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the 1554 proceedings by the State Board of Education, and the filing of a 1555 1556 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that 1557 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 1558 1559 the action of the chancery court.

- All such programs, rules, regulations, standards and (17)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.
- The granting of a license shall not be deemed a property right nor a quarantee of employment in any public school 1566 district. A license is a privilege indicating minimal eligibility 1567 for teaching in the public school districts of Mississippi. 1568 section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of 1569 1570 performance as a prerequisite of initial or continued employment 1571 in such districts.
- 1572 In addition to the reasons specified in subsections 1573 (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance 1574 with an order for support, as defined in Section 93-11-153. 1575 procedure for suspension of a license for being out of compliance 1576

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1577 with an order for support, and the procedure for the reissuance or 1578 reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a 1579 1580 license suspended for that purpose, shall be governed by Section 1581 93-11-157 or 93-11-163, as the case may be. Actions taken by the 1582 board in suspending a license when required by Section 93-11-157 1583 or 93-11-163 are not actions from which an appeal may be taken 1584 under this section. Any appeal of a license suspension that is 1585 required by Section 93-11-157 or 93-11-163 shall be taken in 1586 accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the 1587 procedure specified in this section. If there is any conflict 1588 1589 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 1590 1591 93-11-163, as the case may be, shall control.

SECTION 9. 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:

1600 (a) Establish, with the approval of the State Board of 1601 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.

- 1606 Conduct a uniform statewide testing program in (b) 1607 grades deemed appropriate in the public schools, including charter 1608 schools, which shall provide for the administration of the ACT 1609 WorkKeys Assessment, or a career-readiness assessment deemed 1610 appropriate by the Mississippi Department of Education working in 1611 coordination with the Office of Workforce Development, to any 1612 students electing to take the assessment. Each individual school 1613 district shall determine whether the assessment is administered in 1614 the ninth, tenth, eleventh or twelfth grade. The program may test skill areas, basic skills and high school course content. 1615
 - (c) Monitor the results of the assessment program and, at any time the composite student performance of a school or basic program is found to be below the established minimum standards, notify the district superintendent or the governing board of the charter school, as the case may be, the school principal and the school advisory committee or other existing parent group of the situation within thirty (30) days of its determination. The department shall further provide technical assistance to a school district in the identification of the causes of this deficiency and shall recommend courses of action for its correction.

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1626	(d) Provide technical assistance to the school
1627	districts, when requested, in the development of student
1628	performance standards in addition to the established minimum
1629	statewide standards.

- 1630 (e) Issue security procedure regulations providing for
 1631 the security and integrity of the tests that are administered
 1632 under the basic skills assessment program.
- 1633 In case of an allegation of a testing irregularity 1634 that prompts a need for an investigation by the Department of 1635 Education, the department may, in its discretion, take complete 1636 control of the statewide test administration in a school district or any part thereof, including, but not limited to, obtaining 1637 1638 control of the test booklets and answer documents. In the case of any verified testing irregularity that jeopardized the security 1639 and integrity of the test(s), validity or the accuracy of the test 1640 1641 results, the cost of the investigation and any other actual and 1642 necessary costs related to the investigation paid by the Department of Education shall be reimbursed by the local school 1643 1644 district from funds other than federal funds, Mississippi Adequate 1645 Education Program funds, or any other state funds within six (6) 1646 months from the date of notice by the department to the school 1647 district to make reimbursement to the department.
- 1648 (2) Uniform basic skills tests shall be completed by each
 1649 student in the appropriate grade. These tests shall be
 1650 administered in such a manner as to preserve the integrity and

1651 validity of the assessment. In the event of excused or unexcused 1652 student absences, make-up tests shall be given. The school superintendent of every school district in the state and the 1653 1654 principal of each charter school shall annually certify to the 1655 State Department of Education that each student enrolled in the 1656 appropriate grade has completed the required basic skills 1657 assessment test for his or her grade in a valid test 1658 administration.

1659 Within five (5) days of completing the administration of (3) 1660 a statewide test, the principal of the school where the test was 1661 administered shall certify under oath to the State Department of 1662 Education that the statewide test was administered in strict 1663 accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. 1664 The 1665 principal's sworn certification shall be set forth on a form 1666 developed and approved by the Department of Education. 1667 following the administration of a statewide test, the principal 1668 has reason to believe that the test was not administered in strict 1669 accordance with the Requirements of the Mississippi Statewide 1670 Assessment System as adopted by the State Board of Education, the 1671 principal shall submit a sworn certification to the Department of 1672 Education setting forth all information known or believed by the 1673 principal about all potential violations of the Requirements of 1674 the Mississippi Statewide Assessment System as adopted by the The submission of false information or 1675 State Board of Education.

false certification to the Department of Education by any licensed educator may result in licensure disciplinary action pursuant to Section 37-3-2 and criminal prosecution pursuant to Section 37-16-4.

SECTION 10. Section 37-16-17, Mississippi Code of 1972, is amended as follows:

37-16-17. (1) 1682 Purpose. (a) The purpose of this section is 1683 to create a quality option in Mississippi's high schools for 1684 students not wishing to pursue a baccalaureate degree, which shall 1685 consist of challenging academic courses and modern 1686 career-technical studies. The goal for students pursuing the career * * * technical education pathways is to graduate from high 1687 1688 school with a standard diploma and credit toward a community college certification in a career-technical field. 1689 These students 1690 also shall be encouraged to take the national assessment in the 1691 career-technical field in which they become certified.

1692 The State Board of Education shall develop and (b) adopt course and curriculum requirements for career * * * 1693 1694 technical education pathways offered by local public school boards 1695 in accordance with this section. The Mississippi Community 1696 College Board and the State Board of Education jointly shall 1697 determine course and curriculum requirements for the career * * * 1698 technical education pathways. The State Board of Education shall 1699 require school districts to provide notice to all incoming middle 1700 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,
- 1703 the course requirements of each pathway, how to enroll in the
- 1704 pathway and any other necessary information as determined by the
- 1705 State Board of Education.
- 1706 (2) * * * Career technical education pathway; description;
- 1707 curriculum. (a) A career * * * technical education pathway shall
- 1708 provide a student with greater technical skill and a strong
- 1709 academic core and shall be offered to each high school student
- 1710 enrolled in a public school district. The career * * * technical
- 1711 education pathway shall be linked to postsecondary options and
- 1712 shall prepare students to pursue either a degree or certification
- 1713 from a postsecondary institution, an industry-based training or
- 1714 certification, an apprenticeship, the military, or immediate
- 1715 entrance into a career field. The career * * * technical
- 1716 education pathway shall * * * provide * * * students with
- 1717 alternatives to entrance into a four-year university or college
- 1718 after high school graduation.
- 1719 (b) Students pursuing a career * * * technical
- 1720 education pathway shall be afforded the opportunity to dually
- 1721 enroll in a community or technical college or to participate in a
- 1722 business internship or work-study program, when such opportunities
- 1723 are available and appropriate.

1724	(c) Each public school district shall offer a
1725	career * * * technical education pathway approved by the State
1726	Board of Education.
1727	(d) Students in a career * * * technical education
1728	<pre>pathway shall complete an academic core of courses and a career</pre>
1729	and technical sequence of courses.
1730	(e) Students pursuing a career technical education
1731	<pre>pathway must complete the * * * twenty-four (24) course unit</pre>
1732	requirements for * * * $\frac{1}{2}$ a regular high school diploma, which may
1733	<pre>include, but not be limited to * * * the following course content:</pre>
1734	* * *
1735	(i) English I;
1736	(ii) English II;
1737	(iii) Technical writing;
1738	(iv) Computer programming;
1739	(v) Algebra I;
1740	(vi) Personal Finance;
1741	(vii) Advanced technical mathematics;
1742	(viii) Computer science;
1743	(ix) Biology;
1744	(x) Earth and Space Science;
1745	(xi) U.S. History;
1746	(xii) Mississippi Studies/U.S. Government;
1747	(xiii) Health;
1748	<pre>(xiv) Physical Education;</pre>

	-
1750	limited to, social graces, communication abilities, language
1751	skills, personal habits, cognitive or emotional empathy, time
1752	management, teamwork and leadership traits;
1753	(xvi) Career technical education pathway courses;
1754	and
1755	(xvii) Integrated technology.
1756	Academic courses within the career * * * technical education
1757	pathway of the standard diploma shall provide the knowledge and
1758	skill necessary for proficiency on the state subject area tests.
1759	(f) The courses provided in paragraph (e) of this
1760	subsection may be tailored to the individual needs of the school
1761	district as long as the amendments align with the basic course
1762	requirements of paragraph (e).
1763	(3) Nothing in this section shall disallow the development
1764	of a dual enrollment program with a technical college so long as
1765	an individual school district, with approval from the State
1766	Department of Education, agrees to implement such a program in
1767	connection with a technical college and the agreement is also
1768	approved by the proprietary school's commission.
1769	* * *
1770	SECTION 11. Section 37-15-38, Mississippi Code of 1972, is
1771	brought forward as follows:

(xv) Soft skills, which include, but are not

1772	37-15-38.	(1) The	following	phrases	have the	meanings
1773	ascribed in this	section	unless the	e context	clearly	requires
1774	otherwise.					

- A dual enrolled student is a student who is 1775 (a) 1776 enrolled in a community or junior college or state institution of 1777 higher learning while enrolled in high school.
- (b) A dual credit student is a student who is enrolled 1778 1779 in a community or junior college or state institution of higher 1780 learning while enrolled in high school and who is receiving high 1781 school and college credit for postsecondary coursework.
- 1782 (2) A local school board, the Board of Trustees of State 1783 Institutions of Higher Learning and the Mississippi Community 1784 College Board shall establish a dual enrollment system under which students in the school district who meet the prescribed criteria 1785 1786 of this section may be enrolled in a postsecondary institution in 1787 Mississippi while they are still in school.
- 1788 (3) Dual credit eligibility. Before credits earned by a 1789 qualified high school student from a community or junior college 1790 or state institution of higher learning may be transferred to the 1791 student's home school district, the student must be properly 1792 enrolled in a dual enrollment program.
- 1793 Admission criteria for dual enrollment in community and 1794 junior college or university programs. The Mississippi Community 1795 College Board and the Board of Trustees of State Institutions of 1796 Higher Learning may recommend to the State Board of Education

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admission criteria for dual enrollment programs under which high
school students may enroll at a community or junior college or
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.

- 1804 Tuition and cost responsibility. Tuition and costs for 1805 university-level courses and community and junior college courses 1806 offered under a dual enrollment program may be paid for by the 1807 postsecondary institution, the local school district, the parents or legal guardians of the student, or by grants, foundations or 1808 1809 other private or public sources. Payment for tuition and any other costs must be made directly to the credit-granting 1810 1811 institution.
- 1812 (6) **Transportation responsibility.** Any transportation
 1813 required by a student to participate in the dual enrollment
 1814 program is the responsibility of the parent, custodian or legal
 1815 guardian of the student. Transportation costs may be paid from
 1816 any available public or private sources, including the local
 1817 school district.
- 1818 (7) School district average daily attendance credit. When
 1819 dually enrolled, the student may be counted, for adequate
 1820 education program funding purposes, in the average daily

1821 attendance of the public school district in which the student 1822 attends high school.

- High school student transcript transfer requirements. 1823 1824 Grades and college credits earned by a student admitted to a dual 1825 credit program must be recorded on the high school student record 1826 and on the college transcript at the university or community or junior college where the student attends classes. The transcript 1827 1828 of the university or community or junior college coursework may be 1829 released to another institution or applied toward college 1830 graduation requirements.
- 1831 (9) Determining factor of prerequisites for dual enrollment
 1832 courses. Each university and community or junior college
 1833 participating in a dual enrollment program shall determine course
 1834 prerequisites. Course prerequisites shall be the same for dual
 1835 enrolled students as for regularly enrolled students at that
 1836 university or community or junior college.
- 1837 Process for determining articulation of curriculum (10)between high school, university, and community and junior college 1838 1839 courses. All dual credit courses must meet the standards 1840 established at the postsecondary level. Postsecondary level 1841 developmental courses may not be considered as meeting the 1842 requirements of the dual credit program. Dual credit memorandum 1843 of understandings must be established between each postsecondary institution and the school district implementing a dual credit 1844 1845 program.

1846 (11)[Deleted]

- 1847 Eligible courses for dual credit programs. Courses eligible for dual credit include, but are not necessarily limited 1848 1849 to, foreign languages, advanced math courses, advanced science 1850 courses, performing arts, advanced business and technology, and 1851 career and technical courses. Distance Learning Collaborative 1852 Program courses approved under Section 37-67-1 shall be fully 1853 eligible for dual credit. All courses being considered for dual 1854 credit must receive unconditional approval from the superintendent 1855 of the local school district and the chief instructional officer 1856 at the participating community or junior college or university in 1857 order for college credit to be awarded. A university or community 1858 or junior college shall make the final decision on what courses are eligible for semester hour credits. 1859
- 1860 High school Carnegie unit equivalency. One (1) 1861 three-hour university or community or junior college course is 1862 equal to one (1) high school Carnegie unit.
- (14) Course alignment. The universities, community and 1863 1864 junior colleges and the State Department of Education shall 1865 periodically review their respective policies and assess the place 1866 of dual credit courses within the context of their traditional 1867 offerings.
- Maximum dual credits allowed. It is the intent of the 1868 (15)1869 dual enrollment program to make it possible for every eligible student who desires to earn a semester's worth of college credit 1870

1871	in high school to do so. A qualified dually enrolled high school
1872	student must be allowed to earn an unlimited number of college or
1873	university credits for dual credit.

- 1874 (16) **Dual credit program allowances.** A student may be 1875 granted credit delivered through the following means:
- 1876 (a) Examination preparation taught at a high school by
 1877 a qualified teacher. A student may receive credit at the
 1878 secondary level after completion of an approved course and passing
 1879 the standard examination, such as an Advanced Placement or
 1880 International Baccalaureate course through which a high school
 1881 student is allowed CLEP credit by making a three (3) or higher on
 1882 the end-of-course examination.
- 1883 (b) College or university courses taught at a high
 1884 school or designated postsecondary site by a qualified teacher who
 1885 is an employee of the school district and approved as an
 1886 instructor by the collaborating college or university.
- 1887 (c) College or university courses taught at a college,
 1888 university or high school by an instructor employed by the college
 1889 or university and approved by the collaborating school district.
- 1890 (d) Online courses of any public university, community
 1891 or junior college in Mississippi.
- 1892 (17) Qualifications of dual credit instructors. A dual
 1893 credit academic instructor must meet the requirements set forth by
 1894 the regional accrediting association (Southern Association of
 1895 College and Schools). University and community and junior college

1896 personnel have the sole authority in the selection of dual credit 1897 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.

- 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.
- 1910 Mississippi Works Dual Enrollment-Dual Credit Option. 1911 A local school board and the local community colleges board shall 1912 establish a Mississippi Works Dual Enrollment-Dual Credit Option Program under which potential or recent student dropouts may 1913 1914 dually enroll in their home school and a local community college 1915 in a dual credit program consisting of high school completion 1916 coursework and a community college credential, certificate or 1917 degree program. Students completing the dual enrollment-credit option may obtain their high school diploma while obtaining a 1918 community college credential, certificate or degree. 1919 Mississippi Department of Employment Security shall assist 1920

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1921	students who have successfully completed the Mississippi Works
1922	Dual Enrollment-Dual Credit Option in securing a job upon the
1923	application of the student or the participating school or
1924	community college. The Mississippi Works Dual Enrollment-Dual
1925	Credit Option Program will be implemented statewide in the
1926	2012-2013 school year and thereafter. The State Board of
1927	Education, local school board and the local community college
1928	board shall establish criteria for the Dual Enrollment-Dual Credit
1929	Program. Students enrolled in the program will not be eligible to
1930	participate in interscholastic sports or other extracurricular
1931	activities at the home school district. Tuition and costs for
1932	community college courses offered under the Dual Enrollment-Dual
1933	Credit Program shall not be charged to the student, parents or
1934	legal guardians. When dually enrolled, the student shall be
1935	counted for adequate education program funding purposes, in the
1936	average daily attendance of the public school district in which
1937	the student attends high school, as provided in Section
1938	37-151-7(1)(a). Any transportation required by the student to
1939	participate in the Dual Enrollment-Dual Credit Program is the
1940	responsibility of the parent or legal guardian of the student, and
1941	transportation costs may be paid from any available public or
1942	private sources, including the local school district. Grades and
1943	college credits earned by a student admitted to this Dual
1944	Enrollment-Dual Credit Program shall be recorded on the high
1945	school student record and on the college transcript at the

1946 community college and high school where the student attends 1947 The transcript of the community college coursework may be released to another institution or applied toward college 1948 1949 graduation requirements. Any course that is required for subject 1950 area testing as a requirement for graduation from a public school 1951 in Mississippi is eliqible for dual credit, and courses eliqible 1952 for dual credit shall also include career, technical and degree program courses. All courses eligible for dual credit shall be 1953 1954 approved by the superintendent of the local school district and 1955 the chief instructional officer at the participating community 1956 college in order for college credit to be awarded. A community 1957 college shall make the final decision on what courses are eligible 1958 for semester hour credits and the local school superintendent, 1959 subject to approval by the Mississippi Department of Education, shall make the final decision on the transfer of college courses 1960 1961 credited to the student's high school transcript.

1962 **SECTION 12.** Section 37-71-11, Mississippi Code of 1972, is 1963 brought forward as follows:

37-71-11. (1) Beginning with July 1, 2020, a licensing
authority shall grant a license to any student applicant who
participates in an alternative learning course, program or
opportunity or apprenticeship program, and who meets the following
criteria:

1969 (a) Completed an apprenticeship in the licensed 1970 occupation or profession;

1971	(b) Attained a satisfactory industry certification
1972	score on the WorkKeys assessment, if such assessment is a required
1973	component of the alternative course or apprenticeship:

- 1974 (c) Passed an examination, if one is deemed to be
 1975 necessary by the licensing authority; and
- 1976 (d) Paid any fees deemed necessary by the licensing 1977 authority.
- 1978 (2) Licensing authorities shall establish a passing score
 1979 for their respective examinations which shall not exceed the
 1980 passing score that is required under the standard licensing
 1981 processes. If the relevant licensing authority or provision of
 1982 law does not require an examination for the standard licensing
 1983 process for an occupation, no examination may be required for
 1984 applicants who complete an apprenticeship in that occupation.
 - (3) Licensing authorities shall establish a licensing fee, which shall not exceed the licensing fee that is required under the standard licensing processes. If the relevant licensing authority or state does not require a fee for the standard licensing process for an occupation, no fee can be required for applicants who complete an apprenticeship in that occupation.
- 1991 (4) Except as otherwise required by federal law,
 1992 apprenticeships for an occupation shall not be required to exceed
 1993 the number of hours required by the relevant licensing authority
 1994 or statute for that occupation.

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1995		(5)	Licensing	authori	ties	shall	adopt	necessary	rules	for
1996	the i	mplem	nentation o	of this	secti	ion.				

1997 **SECTION 13.** This act shall take effect and be in force from 1998 and after July 1, 2022.