

By: Representative Harness

To: Education

HOUSE BILL NO. 345

1 AN ACT TO REQUIRE THE DISCONTINUATION OF END-OF-COURSE  
 2 SUBJECT AREA TESTING AND ALL STATEWIDE ASSESSMENTS OTHER THAN A  
 3 SINGLE UNIFORM BASIC SKILLS TEST FOR GRADES 3, 8 AND 11; TO AMEND  
 4 SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENTS IN  
 5 GRADES 3, 8 AND 11 TO COMPLETE A SINGLE BASIC SKILLS TEST THAT  
 6 ASSESSES ALL BASIC SKILLS AND CONTENT REQUIRED BY THE DEPARTMENT  
 7 TO BE TESTED IN THE RESPECTIVE GRADES; TO AMEND SECTIONS 37-3-49,  
 8 37-15-38, 37-16-17 AND 37-35-3, MISSISSIPPI CODE OF 1972, IN  
 9 CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 37-177-1,  
 10 MISSISSIPPI CODE OF 1972, TO REQUIRE THIRD GRADE READING  
 11 ASSESSMENTS TO BE CONDUCTED AS PART OF THE GRADE 3 BASIC SKILLS  
 12 TEST; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Beginning in the 2023-2024 school year, the State  
 15 Board of Education shall discontinue requiring the administration  
 16 of end-of-course subject area tests and all statewide assessment  
 17 tests other than the uniform basic skills test in Grades 3, 8 and  
 18 11 which is required under Section 37-16-3.

19 **SECTION 2.** Section 37-16-3, Mississippi Code of 1972, is  
 20 amended as follows:

21 37-16-3. (1) The State Department of Education is directed  
 22 to implement a program of statewide assessment testing which shall  
 23 provide for the improvement of the operation and management of the



24 public schools. The statewide program shall be timed, as far as  
25 possible, so as not to conflict with ongoing district assessment  
26 programs. As part of the program, the department shall:

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

33 (b) Conduct a uniform statewide testing program in  
34 Grades \* \* \* 3, 8 and 11 in the public schools, including charter  
35 schools, which shall include the administration of a  
36 career-readiness assessment, such as, but not limited to, the ACT  
37 WorkKeys Assessment, deemed appropriate by the Mississippi  
38 Department of Education working in coordination with the Office of  
39 Workforce Development, to any students electing to take the  
40 assessment. Each individual school district shall determine  
41 whether the assessment is administered in the tenth, eleventh or  
42 twelfth grade. The program may test skill areas, basic skills and  
43 high school course content.

44 (c) Monitor the results of the assessment program and,  
45 at any time the composite student performance of a school or basic  
46 program is found to be below the established minimum standards,  
47 notify the district superintendent or the governing board of the  
48 charter school, as the case may be, the school principal and the



49 school advisory committee or other existing parent group of the  
50 situation within thirty (30) days of its determination. The  
51 department shall further provide technical assistance to a school  
52 district in the identification of the causes of this deficiency  
53 and shall recommend courses of action for its correction.

54 (d) Provide technical assistance to the school  
55 districts, when requested, in the development of student  
56 performance standards in addition to the established minimum  
57 statewide standards.

58 (e) Issue security procedure regulations providing for  
59 the security and integrity of the tests that are administered  
60 under the basic skills assessment program.

61 (f) In case of an allegation of a testing irregularity  
62 that prompts a need for an investigation by the Department of  
63 Education, the department may, in its discretion, take complete  
64 control of the statewide test administration in a school district  
65 or any part thereof, including, but not limited to, obtaining  
66 control of the test booklets and answer documents. In the case of  
67 any verified testing irregularity that jeopardized the security  
68 and integrity of the test(s), validity or the accuracy of the test  
69 results, the cost of the investigation and any other actual and  
70 necessary costs related to the investigation paid by the  
71 Department of Education shall be reimbursed by the local school  
72 district from funds other than federal funds, Mississippi Adequate  
73 Education Program funds, or any other state funds within six (6)



74 months from the date of notice by the department to the school  
75 district to make reimbursement to the department.

76 (2) A single uniform basic skills \* \* \* test that includes  
77 an assessment of all basic skills and content required by the  
78 department to be tested in a particular grade shall be completed  
79 by each student in \* \* \* Grades 3, 8 and 11. These tests shall be  
80 administered in such a manner as to preserve the integrity and  
81 validity of the assessment. In the event of excused or unexcused  
82 student absences, make-up tests shall be given. The school  
83 superintendent of every school district in the state and the  
84 principal of each charter school shall annually certify to the  
85 State Department of Education that each student enrolled in the  
86 appropriate grade has completed the required basic skills  
87 assessment test for his or her grade in a valid test  
88 administration.

89 (3) Within five (5) days of completing the administration of  
90 a statewide test, the principal of the school where the test was  
91 administered shall certify under oath to the State Department of  
92 Education that the statewide test was administered in strict  
93 accordance with the Requirements of the Mississippi Statewide  
94 Assessment System as adopted by the State Board of Education. The  
95 principal's sworn certification shall be set forth on a form  
96 developed and approved by the Department of Education. If,  
97 following the administration of a statewide test, the principal  
98 has reason to believe that the test was not administered in strict



99 accordance with the Requirements of the Mississippi Statewide  
100 Assessment System as adopted by the State Board of Education, the  
101 principal shall submit a sworn certification to the Department of  
102 Education setting forth all information known or believed by the  
103 principal about all potential violations of the Requirements of  
104 the Mississippi Statewide Assessment System as adopted by the  
105 State Board of Education. The submission of false information or  
106 false certification to the Department of Education by any licensed  
107 educator may result in licensure disciplinary action pursuant to  
108 Section 37-3-2 and criminal prosecution pursuant to Section  
109 37-16-4.

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

112 37-3-49. (1) The State Department of Education shall  
113 provide an instructional program and establish guidelines and  
114 procedures for managing such program in the public schools within  
115 the school districts throughout the state as part of the State  
116 Program of Educational Accountability and Assessment of  
117 Performance as prescribed in Section 37-3-46. Public school  
118 districts may: (a) elect to adopt the instructional program and  
119 management system provided by the State Department of  
120 Education \* \* \*; or (b) elect to adopt an instructional program  
121 and management system which meets or exceeds criteria established  
122 by the State Department of Education for such. This provision  
123 shall begin with the courses taught in Grades K-8 which contain



124 skills tested in Grades 3 and 8 through the Mississippi Basic  
125 Skills Assessment Program and shall proceed through all secondary  
126 school courses mandated for graduation and all secondary school  
127 courses \* \* \* included in the Grade 11 statewide basic skills  
128 test. Other state core objectives must be included in the  
129 district's instructional program as they are provided by the State  
130 Department of Education along with instructional practices,  
131 resources, evaluation items and management procedures. Districts  
132 are encouraged to adapt this program and accompanying procedures  
133 to all other instructional areas. The department shall provide  
134 that such program and guidelines, or a program and guidelines  
135 developed by a local school district which incorporates the core  
136 objectives from the curriculum structure, are enforced through the  
137 performance-based accreditation system. It is the intent of the  
138 Legislature that every effort be made to protect the instructional  
139 time in the classroom and reduce the amount of paperwork which  
140 must be completed by teachers. The State Department of Education  
141 shall take steps to insure that school districts properly use  
142 staff development time to work on the districts' instructional  
143 management plans.

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

147 (a) All courses taught in Grades K-8 which contain  
148 skills which are tested in Grades 3 and 8 through the Mississippi



149 Basic Skills Assessment Program, all secondary school courses  
150 mandated for graduation, and all courses in the \* \* \* Grade 11  
151 statewide basic skills test shall include the State Department of  
152 Education's written list of learning objectives.

153 (b) The local school board must adopt the objectives  
154 that will form the core curriculum which will be systematically  
155 delivered throughout the district.

156 (c) The set of objectives provided by the State  
157 Department of Education must be accompanied by suggested  
158 instructional practices and resources that would help teachers  
159 organize instruction so as to promote student learning of the  
160 objectives. Objectives added by the school district must also be  
161 accompanied by suggested instructional practices and resources  
162 that would help teachers organize instruction. The instructional  
163 practices and resources that are identified are to be used as  
164 suggestions and not as requirements that teachers must follow.  
165 The goal of the program is to have students to achieve the desired  
166 objective and not to limit teachers in the way they teach.

167 (d) Standards for student performance must be  
168 established for each core objective in the local program, and  
169 those standards establish the district's definition of mastery for  
170 each objective.

171 (e) There shall be an annual review of student  
172 performance in the instructional program against locally  
173 established standards. When weaknesses exist in the local



174 instructional program, the district shall take action to improve  
175 student performance.

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

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

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

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

190 37-15-38. (1) The following phrases have the meanings  
191 ascribed in this section unless the context clearly requires  
192 otherwise:

193 (a) A dual enrolled student is a student who is  
194 enrolled in a community or junior college or state institution of  
195 higher learning while enrolled in high school.

196 (b) A dual credit student is a student who is enrolled  
197 in a community or junior college or state institution of higher





198 learning while enrolled in high school and who is receiving high  
199 school and college credit for postsecondary coursework.

200 (2) A local school board, the Board of Trustees of State  
201 Institutions of Higher Learning and the Mississippi Community  
202 College Board shall establish a dual enrollment system under which  
203 students in the school district who meet the prescribed criteria  
204 of this section may be enrolled in a postsecondary institution in  
205 Mississippi while they are still in school.

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

211 (4) **Admission criteria for dual enrollment in community and**  
212 **junior college or university programs.** The Mississippi Community  
213 College Board and the Board of Trustees of State Institutions of  
214 Higher Learning may recommend to the State Board of Education  
215 admission criteria for dual enrollment programs under which high  
216 school students may enroll at a community or junior college or  
217 university while they are still attending high school and enrolled  
218 in high school courses. Students may be admitted to enroll in  
219 community or junior college courses under the dual enrollment  
220 programs if they meet that individual institution's stated dual  
221 enrollment admission requirements.



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

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

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

241           (8) **High school student transcript transfer requirements.**  
242 Grades and college credits earned by a student admitted to a dual  
243 credit program must be recorded on the high school student record  
244 and on the college transcript at the university or community or  
245 junior college where the student attends classes. The transcript  
246 of the university or community or junior college coursework may be



247 released to another institution or applied toward college  
248 graduation requirements.

249 (9) **Determining factor of prerequisites for dual enrollment**  
250 **courses.** Each university and community or junior college  
251 participating in a dual enrollment program shall determine course  
252 prerequisites. Course prerequisites shall be the same for dual  
253 enrolled students as for regularly enrolled students at that  
254 university or community or junior college.

255 (10) **Process for determining articulation of curriculum**  
256 **between high school, university, and community and junior college**  
257 **courses.** All dual credit courses must meet the standards  
258 established at the postsecondary level. Postsecondary level  
259 developmental courses may not be considered as meeting the  
260 requirements of the dual credit program. A dual credit memorandum  
261 of \* \* \* understanding must be established between each  
262 postsecondary institution and the school district implementing a  
263 dual credit program.

264 (11) [Deleted]

265 (12) **Eligible courses for dual credit programs.** Courses  
266 eligible for dual credit include, but are not necessarily limited  
267 to, foreign languages, advanced math courses, advanced science  
268 courses, performing arts, advanced business and technology, and  
269 career and technical courses. Distance Learning Collaborative  
270 Program courses approved under Section 37-67-1 shall be fully  
271 eligible for dual credit. All courses being considered for dual



272 credit must receive unconditional approval from the superintendent  
273 of the local school district and the chief instructional officer  
274 at the participating community or junior college or university in  
275 order for college credit to be awarded. A university or community  
276 or junior college shall make the final decision on what courses  
277 are eligible for semester hour credits.

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

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

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

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

294 (a) Examination preparation taught at a high school by  
295 a qualified teacher. A student may receive credit at the  
296 secondary level after completion of an approved course and passing



297 the standard examination, such as an Advanced Placement or  
298 International Baccalaureate course through which a high school  
299 student is allowed CLEP credit by making a three (3) or higher on  
300 the end-of-course examination.

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

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

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

310 (17) **Qualifications of dual credit instructors.** A dual  
311 credit academic instructor must meet the requirements set forth by  
312 the regional accrediting association (Southern Association of  
313 College and Schools). University and community and junior college  
314 personnel have the sole authority in the selection of dual credit  
315 instructors.

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

320 (18) **Guidance on local agreements.** The Chief Academic  
321 Officer of the \* \* \* Board of Trustees of State Institutions of



322 Higher Learning and the Chief Instructional Officers of the  
323 Mississippi Community College Board and the State Department of  
324 Education, working collaboratively, shall develop a template to be  
325 used by the individual community and junior colleges and  
326 institutions of higher learning for consistent implementation of  
327 the dual enrollment program throughout the State of Mississippi.

328 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**

329 A local school board and the local community \* \* \* college board  
330 shall establish a Mississippi Works Dual Enrollment-Dual Credit  
331 Option Program under which potential or recent student dropouts  
332 may dually enroll in their home school and a local community  
333 college in a dual credit program consisting of high school  
334 completion coursework and a community college credential,  
335 certificate or degree program. Students completing the dual  
336 enrollment-credit option may obtain their high school diploma  
337 while obtaining a community college credential, certificate or  
338 degree. The Mississippi Department of Employment Security shall  
339 assist students who have successfully completed the Mississippi  
340 Works Dual Enrollment-Dual Credit Option in securing a job upon  
341 the application of the student or the participating school or  
342 community college. The Mississippi Works Dual Enrollment-Dual  
343 Credit Option Program will be implemented statewide in the  
344 2012-2013 school year and thereafter. The State Board of  
345 Education, local school board and the local community college  
346 board shall establish criteria for the Dual Enrollment-Dual Credit



347 Program. Students enrolled in the program will not be eligible to  
348 participate in interscholastic sports or other extracurricular  
349 activities at the home school district. Tuition and costs for  
350 community college courses offered under the Dual Enrollment-Dual  
351 Credit Program shall not be charged to the student, parents or  
352 legal guardians. When dually enrolled, the student shall be  
353 counted, for adequate education program funding purposes, in the  
354 average daily attendance of the public school district in which  
355 the student attends high school, as provided in Section  
356 37-151-7(1)(a). Any transportation required by the student to  
357 participate in the Dual Enrollment-Dual Credit Program is the  
358 responsibility of the parent or legal guardian of the student, and  
359 transportation costs may be paid from any available public or  
360 private sources, including the local school district. Grades and  
361 college credits earned by a student admitted to this Dual  
362 Enrollment-Dual Credit Program shall be recorded on the high  
363 school student record and on the college transcript at the  
364 community college and high school where the student attends  
365 classes. The transcript of the community college coursework may  
366 be released to another institution or applied toward college  
367 graduation requirements. \* \* \* Courses eligible for dual  
368 credit \* \* \* include career, technical and degree program courses.  
369 All courses eligible for dual credit shall be approved by the  
370 superintendent of the local school district and the chief  
371 instructional officer at the participating community college in



372 order for college credit to be awarded. A community college shall  
373 make the final decision on what courses are eligible for semester  
374 hour credits, and the local school superintendent, subject to  
375 approval by the \* \* \* State Department of Education, shall make  
376 the final decision on the transfer of college courses credited to  
377 the student's high school transcript.

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

380 37-16-17. (1) Purpose. (a) The purpose of this section is  
381 to create a quality option in Mississippi's high schools for  
382 students not wishing to pursue a baccalaureate degree, which shall  
383 consist of challenging academic courses and modern  
384 career-technical studies. The goal for students pursuing the  
385 career technical education pathways is to graduate from high  
386 school with a standard diploma and credit toward a community  
387 college certification in a career-technical field. These students  
388 also shall be encouraged to take the national assessment in the  
389 career-technical field in which they become certified.

390 (b) The State Board of Education shall develop and  
391 adopt course and curriculum requirements for career technical  
392 education pathways offered by local public school boards in  
393 accordance with this section. The Mississippi Community College  
394 Board and the State Board of Education jointly shall determine  
395 course and curriculum requirements for the career technical  
396 education pathways. The State Board of Education shall require





397 school districts to provide notice to all incoming middle school  
398 students and junior high students of the career technical  
399 education pathways offered by local school boards. Such notice  
400 shall include the career technical education pathways available,  
401 the course requirements of each pathway, how to enroll in the  
402 pathway and any other necessary information as determined by the  
403 State Board of Education.

404 (2) Career technical education pathway; description;  
405 curriculum. (a) A career technical education pathway shall  
406 provide a student with greater technical skill and a strong  
407 academic core and shall be offered to each high school student  
408 enrolled in a public school district. The career technical  
409 education pathway shall be linked to postsecondary options and  
410 shall prepare students to pursue either a degree or certification  
411 from a postsecondary institution, an industry-based training or  
412 certification, an apprenticeship, the military, or immediate  
413 entrance into a career field. The career technical education  
414 pathway shall provide students with alternatives to entrance into  
415 a four-year university or college after high school graduation.

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



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

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

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

- 431                   (i) English I;
- 432                   (ii) English II;
- 433                   (iii) Technical writing;
- 434                   (iv) Computer programming;
- 435                   (v) Algebra I;
- 436                   (vi) Personal Finance;
- 437                   (vii) Advanced technical mathematics;
- 438                   (viii) Computer Science;
- 439                   (ix) Biology;
- 440                   (x) Earth and Space Science;
- 441                   (xi) U.S. History;
- 442                   (xii) Mississippi Studies/U.S. Government;
- 443                   (xiii) Health;
- 444                   (xiv) Physical Education;



445 (xv) Soft skills, which include, but are not  
446 limited to, communication ability, language skills, time  
447 management, teamwork and leadership traits;  
448 (xvi) Career technical education pathway courses;  
449 and  
450 (xvii) Integrated technology.

451 Academic courses within the career technical education  
452 pathway of the standard diploma shall provide the knowledge and  
453 skill necessary for proficiency on the \* \* \* Grade 11 statewide  
454 basic skills test.

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

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

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

467 37-35-3. (1) The board of trustees of any school district,  
468 including any community or junior college, may establish and  
469 maintain classes for adults, including general educational



470 development classes, under the regulations authorized in this  
471 chapter and pursuant to the standards prescribed in subsection  
472 (3). The property and facilities of the public school districts  
473 may be used for this purpose where such use does not conflict with  
474 uses already established.

475 (2) The trustees of any school district desiring to  
476 establish such program may request the taxing authority of the  
477 district to levy additional ad valorem taxes for the support of  
478 this program. The board of supervisors, in the case of a county  
479 school district, a special municipal separate school district, or  
480 a community or junior college district, and the governing  
481 authority of any municipality, in the case of a municipal separate  
482 school district, is authorized, in its discretion, to levy a tax  
483 not exceeding one (1) mill upon all the taxable property of the  
484 district for the support of this program. The tax shall be in  
485 addition to all other taxes authorized by law to be levied. In  
486 addition to the funds realized from any such levy, the board of  
487 trustees of any school district is authorized to use any surplus  
488 funds that it may have or that may be made available to it from  
489 local sources to supplement this program.

490 (3) (a) Any student participating in an approved High  
491 School Equivalency Diploma Option program administered by a local  
492 school district or a local school district with an approved  
493 contractual agreement with a community or junior college or other  
494 local entity shall not be considered a dropout. Students in such



495 a program administered by a local school district shall be  
496 considered as enrolled within the school district of origin for  
497 the purpose of enrollment for \* \* \* adequate education program  
498 funding only. Such students shall not be considered as enrolled  
499 in the regular school program for academic or programmatic  
500 purposes.

501 (b) Students participating in an approved High School  
502 Equivalency Diploma Option program shall have an individual career  
503 plan developed at the time of placement to insure that the  
504 student's academic and job skill needs will be met. The  
505 Individual Career Plan will address, but is not limited to, the  
506 following:

507 (i) Academic/instructional needs of the student;  
508 (ii) Job readiness needs of the student; and  
509 (iii) Work experience program options available  
510 for the student.

511 (c) Students participating in an approved High School  
512 Equivalency Diploma Option program may participate in existing job  
513 and skills development programs or in similar programs developed  
514 in conjunction with the High School Equivalency Diploma Option  
515 program and the vocational director.

516 (d) High School Equivalency Diploma Option programs may  
517 be operated by local school districts or may be operated by two  
518 (2) or more adjacent school districts, pursuant to a contract  
519 approved by the State Board of Education. When two (2) or more



520 school districts contract to operate a High School Equivalency  
521 Diploma Option program, the school board of a district designated  
522 to be the lead district shall serve as the governing board of the  
523 High School Equivalency Diploma Option program. Transportation  
524 for students placed in the High School Equivalency Diploma Option  
525 program shall be the responsibility of the school district of  
526 origin. The expense of establishing, maintaining and operating  
527 such High School Equivalency Diploma Option programs may be paid  
528 from funds made available to the school district through  
529 contributions, \* \* \* adequate education program funds or from  
530 local district maintenance funds.

531 (e) The State Department of Education will develop  
532 procedures and criteria for placement of a student in \* \* \* a High  
533 School Equivalency Diploma Option \* \* \* program. Students placed  
534 in High School Equivalency Diploma Option programs shall have  
535 parental approval for such placement and must meet the following  
536 criteria:

537 (i) The student must be at least sixteen (16)  
538 years of age;

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

542 (iii) The student must have taken every  
543 opportunity to continue to participate in coursework leading to a  
544 diploma; and



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

548 (f) Students participating in an approved High School  
549 Equivalency Diploma Option program \* \* \* shall not be required to  
550 take the \* \* \* Grade 11 basic skills test.

551 **SECTION 7.** Section 37-177-1, Mississippi Code of 1972, is  
552 amended as follows:

553 37-177-1. (1) There is established an act prohibiting  
554 social promotion to be known as the "Literacy-Based Promotion  
555 Act," the purpose of which is to improve the reading skills of  
556 kindergarten and first- through third-grade students enrolled in  
557 the public schools so that every student completing the third  
558 grade is able to read at or above grade level. It is the intent  
559 of the Legislature, in establishing this act, to ensure that:  
560 each kindergarten and first- through third-grade student's  
561 progression is determined, in part, upon the student's proficiency  
562 in reading; the policies of local school boards facilitate this  
563 proficiency; and each student and the student's parent or legal  
564 guardian is informed of the student's academic progress.

565 (2) Each public school student who exhibits a substantial  
566 deficiency in reading at any time, as demonstrated through  
567 performance on a reading screener approved or developed by the  
568 State Department of Education or through locally determined  
569 assessments and teacher observations conducted in kindergarten and



570 Grades 1 through 3 or through the statewide end-of-year \* \* \*  
571 Grade 3 basic skills test, must be given intensive reading  
572 instruction and intervention immediately following the  
573 identification of the reading deficiency. The intensive reading  
574 instruction and intervention must be documented for each student  
575 in an individual reading plan, which includes, at a minimum, the  
576 following:

- 577 (a) The student's specific, diagnosed reading skill  
578 deficiencies as determined (or identified) by diagnostic  
579 assessment data;
  - 580 (b) The goals and benchmarks for growth;
  - 581 (c) How progress will be monitored and evaluated;
  - 582 (d) The type of additional instructional services and  
583 interventions the student will receive;
  - 584 (e) The research-based reading instructional  
585 programming the teacher will use to provide reading instruction,  
586 addressing the areas of phonemic awareness, phonics, fluency,  
587 vocabulary and comprehension;
  - 588 (f) The strategies the student's parent is encouraged  
589 to use in assisting the student to achieve reading competency; and
  - 590 (g) Any additional services the teacher deems available  
591 and appropriate to accelerate the student's reading skill  
592 development.
- 593 (3) The universal reading screener or locally determined  
594 reading assessment may be given in the first thirty (30) days of





595 the school year and repeated if indicated at midyear and at the  
596 end of the school year to determine student progression in reading  
597 in kindergarten through third grade. If it is determined that the  
598 student continues to have a reading deficiency, the student must  
599 be provided with continued intensive reading instruction and  
600 intervention by the school district until the reading deficiency  
601 is remedied. A student exhibiting continued reading deficiency  
602 with continued intensive interventions should be considered for  
603 exceptional criteria evaluation.

604 (4) A kindergarten or first-, second- or third-grade student  
605 identified with a deficiency in reading must be provided intensive  
606 interventions in reading to ameliorate the student's specific  
607 reading deficiency, as identified by a valid and reliable  
608 diagnostic assessment. The intensive intervention must include  
609 effective instructional strategies, and appropriate teaching  
610 methodologies necessary to assist the student in becoming a  
611 successful reader, able to read at or above grade level, and ready  
612 for promotion to the next grade. A kindergarten, first-, second-  
613 or third-grade student identified with a reading deficiency or not  
614 promoted may be placed in a transition class.

615 **SECTION 8.** This act shall take effect and be in force from  
616 and after July 1, 2023.

