

By: Representative Miles

To: Education

HOUSE BILL NO. 475

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

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

8 **SECTION 1.** Beginning in the 2023-2024 school year, the State  
 9 Board of Education shall cease to require the administration of  
 10 all end-of-course subject area tests. In lieu of the  
 11 end-of-course tests, students enrolled in the public secondary  
 12 schools must be administered the ACT test, the results of which  
 13 may not be used as a condition of graduation.

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

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



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

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

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

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

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

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

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



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



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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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



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

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

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

188 (11) [Deleted]

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





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

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

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

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



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

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

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

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

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

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



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

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

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



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



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

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

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



314           (b) The State Board of Education shall develop and  
315 adopt course and curriculum requirements for career technical  
316 education pathways offered by local public school boards in  
317 accordance with this section. The Mississippi Community College  
318 Board and the State Board of Education jointly shall determine  
319 course and curriculum requirements for the career technical  
320 education pathways. The State Board of Education shall require  
321 school districts to provide notice to all incoming middle school  
322 students and junior high students of the career technical  
323 education pathways offered by local school boards. Such notice  
324 shall include the career technical education pathways available,  
325 the course requirements of each pathway, how to enroll in the  
326 pathway and any other necessary information as determined by the  
327 State Board of Education.

328           (2) Career technical education pathway; description;  
329 curriculum. (a) A career technical education pathway shall  
330 provide a student with greater technical skill and a strong  
331 academic core and shall be offered to each high school student  
332 enrolled in a public school district. The career technical  
333 education pathway shall be linked to postsecondary options and  
334 shall prepare students to pursue either a degree or certification  
335 from a postsecondary institution, an industry-based training or  
336 certification, an apprenticeship, the military, or immediate  
337 entrance into a career field. The career technical education



338 pathway shall provide students with alternatives to entrance into  
339 a four-year university or college after high school graduation.

340 (b) Students pursuing a career technical education  
341 pathway shall be afforded the opportunity to dually enroll in a  
342 community or technical college or to participate in a business  
343 internship or work-study program, when such opportunities are  
344 available and appropriate.

345 (c) Each public school district shall offer a career  
346 technical education pathway approved by the State Board of  
347 Education.

348 (d) Students in a career technical education pathway  
349 shall complete an academic core of courses and a career and  
350 technical sequence of courses.

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

- 355 (i) English I;
- 356 (ii) English II;
- 357 (iii) Technical writing;
- 358 (iv) Computer programming;
- 359 (v) Algebra I;
- 360 (vi) Personal Finance;
- 361 (vii) Advanced technical mathematics;
- 362 (viii) Computer Science;



- 363 (ix) Biology;
- 364 (x) Earth and Space Science;
- 365 (xi) U.S. History;
- 366 (xii) Mississippi Studies/U.S. Government;
- 367 (xiii) Health;
- 368 (xiv) Physical Education;
- 369 (xv) Soft skills, which include, but are not
- 370 limited to, communication ability, language skills, time
- 371 management, teamwork and leadership traits;
- 372 (xvi) Career technical education pathway courses;
- 373 and
- 374 (xvii) Integrated technology.

375 Academic courses within the career technical education

376 pathway of the standard diploma shall provide the knowledge and

377 skill necessary for proficiency on the \* \* \* ACT test.

378 (f) The courses provided in paragraph (e) of this

379 subsection may be tailored to the individual needs of the school

380 district as long as the amendments align with the basic course

381 requirements of paragraph (e).

382 (3) Nothing in this section shall disallow the development

383 of a dual enrollment program with a technical college so long as

384 an individual school district, with approval from the State

385 Department of Education, agrees to implement such a program in

386 connection with a technical college and the agreement is also

387 approved by the proprietary school's commission.





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

390           37-35-3. (1) The board of trustees of any school district,  
391 including any community/junior college, may establish and maintain  
392 classes for adults, including general educational development  
393 classes, under the regulations authorized in this chapter and  
394 pursuant to the standards prescribed in subsection (3). The  
395 property and facilities of the public school districts may be used  
396 for this purpose where such use does not conflict with uses  
397 already established.

398           (2) The trustees of any school district desiring to  
399 establish such program may request the taxing authority of the  
400 district to levy additional ad valorem taxes for the support of  
401 this program. The board of supervisors, in the case of a county  
402 school district, a special municipal separate school district, or  
403 a community/junior college district, and the governing authority  
404 of any municipality, in the case of a municipal separate school  
405 district, is authorized, in its discretion, to levy a tax not  
406 exceeding one (1) mill upon all the taxable property of the  
407 district for the support of this program. The tax shall be in  
408 addition to all other taxes authorized by law to be levied. In  
409 addition to the funds realized from any such levy, the board of  
410 trustees of any school district is authorized to use any surplus  
411 funds that it may have or that may be made available to it from  
412 local sources to supplement this program.



413           (3) (a) Any student participating in an approved High  
414 School Equivalency Diploma Option program administered by a local  
415 school district or a local school district with an approved  
416 contractual agreement with a community/junior college or other  
417 local entity shall not be considered a dropout. Students in such  
418 a program administered by a local school district shall be  
419 considered as enrolled within the school district of origin for  
420 the purpose of enrollment for \* \* \* adequate education program  
421 funding only. Such students shall not be considered as enrolled  
422 in the regular school program for academic or programmatic  
423 purposes.

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

430                   (i) Academic/instructional needs of the student;  
431                   (ii) Job readiness needs of the student; and  
432                   (iii) Work experience program options available  
433 for the student.

434           (c) Students participating in an approved High School  
435 Equivalency Diploma Option program may participate in existing job  
436 and skills development programs or in similar programs developed



437 in conjunction with the High School Equivalency Diploma Option  
438 program and the vocational director.

439 (d) High School Equivalency Diploma Option programs may  
440 be operated by local school districts or may be operated by two  
441 (2) or more adjacent school districts, pursuant to a contract  
442 approved by the State Board of Education. When two (2) or more  
443 school districts contract to operate a High School Equivalency  
444 Diploma Option program, the school board of a district designated  
445 to be the lead district shall serve as the governing board of the  
446 High School Equivalency Diploma Option program. Transportation  
447 for students placed in the High School Equivalency Diploma Option  
448 program shall be the responsibility of the school district of  
449 origin. The expense of establishing, maintaining and operating  
450 such High School Equivalency Diploma Option programs may be paid  
451 from funds made available to the school district through  
452 contributions, \* \* \* adequate education program funds or from  
453 local district maintenance funds.

454 (e) The State Department of Education will develop  
455 procedures and criteria for placement of a student in the High  
456 School Equivalency Diploma Option programs. Students placed in  
457 High School Equivalency Diploma Option programs shall have  
458 parental approval for such placement and must meet the following  
459 criteria:

460 (i) The student must be at least sixteen (16)  
461 years of age;



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

465 (iii) The student must have taken every  
466 opportunity to continue to participate in coursework leading to a  
467 diploma; and

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

471 (f) Students participating in an approved High School  
472 Equivalency Diploma Option program \* \* \* shall not be required to  
473 take the \* \* \* ACT test as a condition of earning a High School  
474 Equivalency Diploma.

475 **SECTION 7.** This act shall take effect and be in force from  
476 and after July 1, 2023.

