

By: Representatives Brown (70th), Denton,  
Faulkner

To: Education

HOUSE BILL NO. 597

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP CURRICULA AND  
3 COURSES OF STUDY TO PROMOTE VOCATIONAL AND TECHNICAL EDUCATION,  
4 HOME ECONOMICS AND CHARACTER EDUCATION OBJECTIVES FOR ALL MIDDLE  
5 AND HIGH SCHOOL STUDENTS AND STUDENTS ASSIGNED TO AN ALTERNATIVE  
6 SCHOOL PROGRAM; TO PRESCRIBE THE MINIMUM COMPONENTS TO BE INCLUDED  
7 IN THE CURRICULUM; TO AMEND SECTIONS 37-13-92, 37-13-151,  
8 37-13-181 AND 37-31-61, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
9 THERETO; TO AMEND SECTION 37-13-153, MISSISSIPPI CODE OF 1972, TO  
10 REQUIRE THAT STATE FUNDING FOR HOME ECONOMICS BE INCLUDED IN THE  
11 ADEQUATE EDUCATION PROGRAM AND VOCATIONAL EDUCATION APPROPRIATION  
12 BILLS FOR THE APPROPRIATE FISCAL YEAR; TO AMEND SECTION 37-31-205,  
13 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
14 ACT; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** Section 37-1-3, Mississippi Code of 1972, is  
17 amended as follows:

18 37-1-3. (1) The State Board of Education shall adopt rules  
19 and regulations and set standards and policies for the  
20 organization, operation, management, planning, budgeting and  
21 programs of the State Department of Education.

22 (a) The board is directed to identify all functions of  
23 the department that contribute to or comprise a part of the state  
24 system of educational accountability and to establish and maintain



25 within the department the necessary organizational structure,  
26 policies and procedures for effectively coordinating such  
27 functions. Such policies and procedures shall clearly fix and  
28 delineate responsibilities for various aspects of the system and  
29 for overall coordination of the total system and its effective  
30 management.

31 (b) The board shall establish and maintain a  
32 system-wide plan of performance, policy and directions of public  
33 education not otherwise provided for.

34 (c) The board shall effectively use the personnel and  
35 resources of the department to enhance technical assistance to  
36 school districts in instruction and management therein.

37 (d) The board shall establish and maintain a central  
38 budget policy.

39 (e) The board shall establish and maintain within the  
40 State Department of Education a central management capacity under  
41 the direction of the State Superintendent of Public Education.

42 (f) The board, with recommendations from the  
43 superintendent, shall design and maintain a five-year plan and  
44 program for educational improvement that shall set forth  
45 objectives for system performance and development and be the basis  
46 for budget requests and legislative initiatives.

47 (2) (a) The State Board of Education shall adopt and  
48 maintain a curriculum and a course of study to be used in the  
49 public school districts that is designed to prepare the state's



50 children and youth to be productive, informed, creative citizens,  
51 workers and leaders, and it shall regulate all matters arising in  
52 the practical administration of the school system not otherwise  
53 provided for.

54 (b) Before the 1999-2000 school year, the State Board  
55 of Education shall develop personal living and finances objectives  
56 that focus on money management skills for individuals and families  
57 for appropriate, existing courses at the secondary level. The  
58 objectives must require the teaching of those skills necessary to  
59 handle personal business and finances and must include instruction  
60 in the following:

- 61 (i) Opening a bank account and assessing the  
62 quality of a bank's services;
- 63 (ii) Balancing a checkbook;
- 64 (iii) Managing debt, including retail and credit  
65 card debt;
- 66 (iv) Completing a loan application;
- 67 (v) The implications of an inheritance;
- 68 (vi) The basics of personal insurance policies;
- 69 (vii) Consumer rights and responsibilities;
- 70 (viii) Dealing with salesmen and merchants;
- 71 (ix) Computing state and federal income taxes;
- 72 (x) Local tax assessments;
- 73 (xi) Computing interest rates by various  
74 mechanisms;



75 (xii) Understanding simple contracts; and  
76 (xiii) Contesting an incorrect billing statement.

77 (c) Before the start of the 2023-2024 school year, the  
78 State Board of Education shall require the inclusion of vocational  
79 and technical courses and character education courses as a  
80 mandatory component of the curriculum used by local school  
81 districts in providing instructions and life skills for all middle  
82 and high school students and those students assigned to an  
83 alternative school program. The board shall grant each school  
84 district the discretion to determine at which grade level each of  
85 the required course offerings shall be made available.

86 (d) Before the start of the 2023-2024 school year, the  
87 State Board of Education shall develop a curriculum and a course  
88 of study to promote home economics objectives that focus on the  
89 knowledge, understanding and skills necessary for living as an  
90 individual, as a member of a household, personal life management  
91 and postsecondary education advancement for appropriate, existing  
92 courses at the secondary level. The objectives must require the  
93 teaching of those skills essential to family and consumer science  
94 and must include instruction in the following:

95 (i) Cooking, including food safety, preparation  
96 and preservation and the nutritional benefits of a balanced meal;

97 (ii) Child development that provides instruction  
98 as to how to correctly respond to children at each stage;

99 (iii) Education and community awareness;



- 100                   (iv) Home management and design;
- 101                   (v) Sewing and textiles;
- 102                   (vi) Budgeting and economics; and
- 103                   (vii) Health and hygiene.

104           (3) The State Board of Education shall have authority to  
105 expend any available federal funds, or any other funds expressly  
106 designated, to pay training, educational expenses, salary  
107 incentives and salary supplements to licensed teachers employed in  
108 local school districts or schools administered by the State Board  
109 of Education. Such incentive payments shall not be considered  
110 part of a school district's local supplement as defined in Section  
111 37-151-5(o), nor shall the incentives be considered part of the  
112 local supplement paid to an individual teacher for the purposes of  
113 Section 37-19-7(1). MAEP funds or any other state funds shall not  
114 be used to provide such incentives unless specifically authorized  
115 by law.

116           (4) The State Board of Education shall through its actions  
117 seek to implement the policies set forth in Section 37-1-2.

118           **SECTION 2.** Section 37-13-92, Mississippi Code of 1972, is  
119 amended as follows:

120           37-13-92. (1) Beginning with the school year 2004-2005, the  
121 school boards of all school districts shall establish, maintain  
122 and operate, in connection with the regular programs of the school  
123 district, an alternative school program or behavior modification  
124 program as defined by the State Board of Education for, but not



125 limited to, the following categories of compulsory-school-age  
126 students:

127 (a) Any compulsory-school-age child who has been  
128 suspended for more than ten (10) days or expelled from school,  
129 except for any student expelled for possession of a weapon or  
130 other felonious conduct;

131 (b) Any compulsory-school-age child referred to such  
132 alternative school based upon a documented need for placement in  
133 the alternative school program by the parent, legal guardian or  
134 custodian of such child due to disciplinary problems;

135 (c) Any compulsory-school-age child referred to such  
136 alternative school program by the dispositive order of a  
137 chancellor or youth court judge, with the consent of the  
138 superintendent of the child's school district;

139 (d) Any compulsory-school-age child whose presence in  
140 the classroom, in the determination of the school superintendent  
141 or principal, is a disruption to the educational environment of  
142 the school or a detriment to the interest and welfare of the  
143 students and teachers of such class as a whole; and

144 (e) No school district is required to place a child  
145 returning from out-of-home placement in the mental health,  
146 juvenile justice or foster care system in alternative school.  
147 Placement of a child in the alternative school shall be done  
148 consistently, and for students identified under the Individuals  
149 with Disabilities Education Act (IDEA), shall adhere to the



150 requirements of the Individuals with Disabilities Education  
151 Improvement Act of 2004. If a school district chooses to place a  
152 child in alternative school the district will make an individual  
153 assessment and evaluation of that child in the following time  
154 periods:

155 (i) Five (5) days for a child transitioning from a  
156 group home, mental health care system, and/or the custody of the  
157 Department of Human Services, Division of Youth and Family  
158 Services;

159 (ii) Ten (10) days for a child transitioning from  
160 a dispositional placement order by a youth court pursuant to  
161 Section 43-21-605; and

162 (iii) An individualized assessment for youth  
163 transitioning from out-of-home placement to the alternative school  
164 shall include:

165 1. A strength needs assessment.

166 2. A determination of the child's academic  
167 strengths and deficiencies.

168 3. A proposed plan for transitioning the  
169 child to a regular education placement at the earliest possible  
170 date.

171 (2) The principal or program administrator of any such  
172 alternative school program shall require verification from the  
173 appropriate guidance counselor of any such child referred to the  
174 alternative school program regarding the suitability of such child



175 for attendance at the alternative school program. Before a  
176 student may be removed to an alternative school education program,  
177 the superintendent of the student's school district must determine  
178 that the written and distributed disciplinary policy of the local  
179 district is being followed. The policy shall include standards  
180 for:

181 (a) The removal of a student to an alternative  
182 education program that will include a process of educational  
183 review to develop the student's individual instruction plan and  
184 the evaluation at regular intervals of the student's educational  
185 progress; the process shall include classroom teachers and/or  
186 other appropriate professional personnel, as defined in the  
187 district policy, to ensure a continuing educational program for  
188 the removed student;

189 (b) The duration of alternative placement; and

190 (c) The notification of parents or guardians, and their  
191 appropriate inclusion in the removal and evaluation process, as  
192 defined in the district policy. Nothing in this paragraph should  
193 be defined in a manner to circumvent the principal's or the  
194 superintendent's authority to remove a student to alternative  
195 education.

196 (3) The local school board or the superintendent shall  
197 provide for the continuing education of a student who has been  
198 removed to an alternative school program.





199 (4) A school district, in its discretion, may provide a  
200 program of High School Equivalency Diploma preparatory instruction  
201 in the alternative school program. However, any High School  
202 Equivalency Diploma preparation program offered in an alternative  
203 school program must be administered in compliance with the rules  
204 and regulations established for such programs under Sections  
205 37-35-1 through 37-35-11 and by the Mississippi Community College  
206 Board. The school district may administer the High School  
207 Equivalency Diploma Testing Program under the policies and  
208 guidelines of the Testing Service of the American Council on  
209 Education in the alternative school program or may authorize the  
210 test to be administered through the community/junior college  
211 district in which the alternative school is situated.

212 (5) Any such alternative school program operated under the  
213 authority of this section shall meet all appropriate accreditation  
214 requirements of the State Department of Education.

215 (6) The alternative school program may be held within such  
216 school district or may be operated by two (2) or more adjacent  
217 school districts, pursuant to a contract approved by the State  
218 Board of Education. When two (2) or more school districts  
219 contract to operate an alternative school program, the school  
220 board of a district designated to be the lead district shall serve  
221 as the governing board of the alternative school program.  
222 Transportation for students attending the alternative school  
223 program shall be the responsibility of the local school district.



224 The expense of establishing, maintaining and operating such  
225 alternative school program may be paid from funds contributed or  
226 otherwise made available to the school district for such purpose  
227 or from local district maintenance funds.

228 (7) The State Board of Education shall promulgate minimum  
229 guidelines for alternative school programs. The guidelines shall  
230 require, at a minimum, the formulation of an individual  
231 instruction plan for each student referred to the alternative  
232 school program and, upon a determination that it is in a student's  
233 best interest for that student to receive High School Equivalency  
234 Diploma preparatory instruction, that the local school board  
235 assign the student to a High School Equivalency Diploma  
236 preparatory program established under subsection (4) of this  
237 section. The minimum guidelines for alternative school programs  
238 shall also require the following components:

239 (a) Clear guidelines and procedures for placement of  
240 students into alternative education programs which at a minimum  
241 shall prescribe due process procedures for disciplinary and High  
242 School Equivalency Diploma placement;

243 (b) Clear and consistent goals for students and  
244 parents;

245 (c) Curricula addressing cultural and learning style  
246 differences;

247 (d) Direct supervision of all activities on a closed  
248 campus;



249 (e) Attendance requirements that allow for educational  
250 and workforce development opportunities;

251 (f) Selection of program from options provided by the  
252 local school district, Division of Youth Services or the youth  
253 court, including transfer to a community-based alternative school;

254 (g) Continual monitoring and evaluation and formalized  
255 passage from one (1) step or program to another;

256 (h) A motivated and culturally diverse staff;

257 (i) Counseling for parents and students;

258 (j) Administrative and community support for the  
259 program; \* \* \*

260 (k) Clear procedures for annual alternative school  
261 program review and evaluation \* \* \*; and

262 (l) Grade-appropriate curricula for vocational and  
263 technical courses, home economics and character education  
264 instruction.

265 (8) On request of a school district, the State Department of  
266 Education shall provide the district informational material on  
267 developing an alternative school program that takes into  
268 consideration size, wealth and existing facilities in determining  
269 a program best suited to a district.

270 (9) Any compulsory-school-age child who becomes involved in  
271 any criminal or violent behavior shall be removed from such  
272 alternative school program and, if probable cause exists, a case  
273 shall be referred to the youth court.



274 (10) The State Board of Education shall promulgate  
275 guidelines for alternative school programs which provide broad  
276 authority to school boards of local school districts to establish  
277 alternative education programs to meet the specific needs of the  
278 school district.

279 (11) Each school district having an alternative school  
280 program shall submit a report by July 31 of each calendar year to  
281 the State Department of Education describing the results of its  
282 annual alternative school program review and evaluation undertaken  
283 pursuant to subsection (7)(k). The report shall include a  
284 detailed account of any actions taken by the school district  
285 during the previous year to comply with substantive guidelines  
286 promulgated by the State Board of Education under subsection  
287 (7)(a) through (j). In the report to be implemented under this  
288 section, the State Department of Education shall prescribe the  
289 appropriate measures on school districts that fail to file the  
290 annual report. The report should be made available online via the  
291 department's website to ensure transparency, accountability and  
292 efficiency.

293 **SECTION 3.** Section 37-13-151, Mississippi Code of 1972, is  
294 amended as follows:

295 37-13-151. Before \* \* \* August 1, 2023, all local school  
296 districts shall provide programs of education in home economics,  
297 in Grade 7, 8, 9, 10, 11 or 12, which include course work in  
298 responsible parenting and family living skills. These programs



299 shall contain instruction to prepare students to understand  
300 children's physical, mental, emotional and social growth and  
301 development as well as to assume responsibility for their care and  
302 guidance, with emphasis on nutrition, emotional health and  
303 physical health. All such programs shall be \* \* \* aligned with  
304 the curriculum and course of study for home economics developed by  
305 the State Board of Education \* \* \*.

306         **SECTION 4.** Section 37-13-153, Mississippi Code of 1972, is  
307 amended as follows:

308         37-13-153. Beginning with the 2023-2024 school year, and  
309 each year thereafter, state funding for the home economics  
310 programs required in Section 37-13-151 shall be \* \* \* included in  
311 the \* \* \* adequate education program and vocational education  
312 appropriation bills for each fiscal year \* \* \*. There shall be a  
313 line item specifying the amount that is to be expended to employ  
314 no less than one (1) instructor in each \* \* \* school district in  
315 the state. Any funds so appropriated by line item which are not  
316 expended for this purpose in the vocational education  
317 appropriation may be expended for other related home economics  
318 vocational purposes during the fiscal year for which those funds  
319 were appropriated. \* \* \*

320         **SECTION 5.** Section 37-13-181, Mississippi Code of 1972, is  
321 amended as follows:

322         37-13-181. The local school boards of the public school  
323 districts, in their discretion, may develop and implement, at the



324 beginning of the 1999-2000 school year, a comprehensive program  
325 for character education in Grades K-12 and alternative school  
326 programs. The definition of the character traits chosen by the  
327 school district for implementation shall reflect and be in keeping  
328 with both the spirit and the letter of the following founding  
329 documents: the Mississippi Constitution of 1890; the Constitution  
330 of the United States of America; the Declaration of Independence;  
331 and state and federal law. A public school or alternative school  
332 program may not define or teach character or character traits in  
333 any manner that might promote or encourage students to participate  
334 in conduct that would violate any state or federal law.

335 **SECTION 6.** Section 37-31-61, Mississippi Code of 1972, is  
336 amended as follows:

337 37-31-61. The State Board of Education is hereby authorized  
338 and empowered to establish and conduct schools, classes or  
339 courses, for preparing, equipping and training citizens of the  
340 State of Mississippi for employment in gainful vocational and  
341 technical occupations which do not terminate in a bachelors  
342 degree, in conjunction with any public school, agricultural high  
343 school or community/junior college, which shall be required for  
344 all middle and high school students.

345 The trustees of such school districts, as classified and  
346 defined by law, including those already having this authority, and  
347 the trustees of agricultural high schools and community/junior  
348 colleges may, with the consent in writing of the State Board of



349 Education, establish and conduct such schools, classes or courses,  
350 under the provisions herein stated and under the general  
351 supervision of the board.

352         **SECTION 7.** Section 37-31-205, Mississippi Code of 1972, is  
353 amended as follows:

354         37-31-205. (1) The State Board of Education shall have the  
355 authority to:

356                 (a) Expend funds received either by appropriation or  
357 directly from federal or private sources;

358                 (b) Channel funds to secondary schools, community and  
359 junior colleges and regional vocational-technical facilities  
360 according to priorities set by the board;

361                 (c) Allocate funds on an annual budgetary basis;

362                 (d) Set standards for and approve all vocational and  
363 technical education programs in the public school system and  
364 community and junior colleges or other agencies or institutions  
365 which receive state funds and federal funds for such purposes,  
366 including, but not limited to, the following vocational and  
367 technical education programs: agriculture, trade and  
368 industry, \* \* \* consumer \* \* \* education, distributive education,  
369 business and office, health, industrial arts, guidance services,  
370 technical education, cooperative education, and all other  
371 specialized training not requiring a bachelor's degree, with the  
372 exception of programs of nursing education regulated under the  
373 provisions of Section 37-129-1. The State Board of Education



374 shall authorize local school boards, within such school board's  
375 discretion, to offer distributive education as a one-hour or  
376 two-hour block course. There shall be no reduction of payments  
377 from state funding for distributive education due to the selection  
378 of either the one-hour or two-hour course offering;

379 (e) Set and publish licensure standards for vocational  
380 and technical education personnel. The State Board of Education  
381 shall recognize a vocational and technical education teacher's  
382 work when school is not in session which is in the teacher's  
383 particular field of instruction as a means for the teacher to  
384 fulfill the requirements for renewal of the teacher's license.  
385 The board shall establish, by rules and regulations, the  
386 documentation of such work which must be submitted to the board  
387 and the number of actual working hours required to fulfill renewal  
388 requirements. If a vocational and technical education teacher who  
389 does not have a bachelor's degree takes classes in fulfillment of  
390 licensure renewal requirements, such classes must be in  
391 furtherance of a bachelor's degree;

392 (f) Require data and information on program performance  
393 from those programs receiving state funds;

394 (g) Expend funds to expand career information;

395 (h) Supervise and maintain the Division of Vocational  
396 and Technical Education and to utilize, to the greatest extent  
397 possible, the division as the administrative unit of the board





398 responsible for coordinating programs and services with local  
399 institutions;

400 (i) Utilize appropriate staff of the State Department  
401 of Education to perform services for the vocational student  
402 organizations, including, but not limited to, procurement,  
403 accounting services, tax services and banking services. The  
404 department may also procure and pay for annual audits of the  
405 vocational student organizations using vocational funds or other  
406 available funds of the State Department of Education. It is the  
407 intent of this provision that any related costs be paid with  
408 vocational funds appropriated by the Legislature;

409 (j) Promulgate such rules and regulations necessary to  
410 carry out the provisions of this chapter in accordance with  
411 Section 25-43-1 et seq.;

412 (k) Set standards and approve all vocational and  
413 technical education equipment and facilities purchased and/or  
414 leased with state and federal vocational funds;

415 (l) Encourage provisions for lifelong learning and  
416 changing personal career preferences and advancement of vocational  
417 and technical education students through articulated programs  
418 between high schools and community and junior colleges;

419 (m) Encourage the establishment of new linkages with  
420 business and industry which will provide for a better  
421 understanding of essential labor market concepts;



422 (n) Periodically review the funding and reporting  
423 processes required of local school districts by the board or  
424 division with the aim of simplifying or eliminating inefficient  
425 practices and procedures;

426 (o) Assist in the development of high technology  
427 programs and resource centers to support current and projected  
428 industrial needs;

429 (p) Assist in the development of a technical assistance  
430 program for business and industry which will provide for  
431 industrial training and services, including the transfer of  
432 information relative to new applications and advancements in  
433 technology; and

434 (q) Enter into contracts and agreements with the  
435 Mississippi Community College Board for conditions under which  
436 vocational and technical education programs in community and  
437 junior colleges shall receive state and federal funds which flow  
438 through the State Board of Education for such purposes.

439 (2) It is the intent of the Legislature that no vocational  
440 and technical education course or program existing on June 30,  
441 1982, shall be eliminated by the State Board of Education under  
442 the authority vested in paragraph (d) of subsection (1) of this  
443 section prior to June 30, 1985. It is further the intent of the  
444 Legislature that no vocational and technical education teacher or  
445 other personnel employed on June 30, 1983, shall be discharged due  
446 to licensure standards promulgated by the board under paragraph



447 (e) of subsection (1) of this section, if any such teacher or  
448 personnel shall have complied with any newly published licensure  
449 standards by June 30, 1985. Nothing contained in this section  
450 shall be construed to abrogate or affect in any manner the  
451 authority of local public school districts or community and junior  
452 colleges to eliminate vocational and technical education courses  
453 or programs or to discharge any vocational and technical education  
454 teacher or other personnel.

455 (3) The State Board of Education and the Mississippi  
456 Community College Board may provide that every vocational and  
457 technical education course or program in Mississippi may integrate  
458 academic and vocational-technical education through coherent  
459 sequences of courses, so that students in such programs achieve  
460 both academic and occupational competencies. The boards may  
461 expend federal funds available from the 1990 Perkins Act, or other  
462 available federal funds, for the alignment of vocational-technical  
463 programs with academic programs through the accreditation process  
464 and the teacher licensure process.

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

