

By: Representative Hopkins

To: Education

HOUSE BILL NO. 1367

1 AN ACT TO CREATE THE "ACADEMIC TRANSPARENCY ACT OF 2023"; TO
2 REQUIRE EACH PUBLIC SCHOOL AND CHARTER SCHOOL TO MAKE AVAILABLE
3 CERTAIN INSTRUCTIONAL, TRAINING AND FINANCIAL INFORMATION ON ITS
4 INTERNET WEBSITE; TO REQUIRE SUCH INFORMATION TO BE MADE AVAILABLE
5 TO THE PUBLIC NO LATER THAN THE SEVENTH DAY AFTER ITS PRODUCTION;
6 TO REQUIRE A TWO YEAR PERIOD OF INFORMATION RETENTION AFTER ITS
7 FIRST POSTING; TO REQUIRE EACH PUBLIC SCHOOL AND CHARTER SCHOOL
8 SHALL DESIGNATE AN ADMINISTRATOR TO BE RESPONSIBLE FOR ENSURING
9 THE IMPLEMENTATION OF THE PROVISIONS OF THIS ACT; TO REQUIRE
10 SCHOOL DISTRICTS AND CHARTER SCHOOLS TO DELIVER A STATEMENT OF
11 COMPLIANCE TO THE STATE DEPARTMENT OF EDUCATION AND TO THE
12 LEGISLATURE NO LATER THAN JANUARY 1 OF EACH ODD-NUMBERED YEAR; TO
13 PROVIDE THAT NOTHING IN THIS ACT MAY BE CONSTRUED TO REQUIRE THE
14 DIGITAL REPRODUCTION OR POSTING OF COPIES OF THE LEARNING
15 MATERIALS THEMSELVES, WHERE REPRODUCTION WOULD VIOLATE COPYRIGHT;
16 TO PROVIDE ALTERNATIVE MEANS OF ACCESSING LEARNING MATERIALS THAT
17 WOULD VIOLATE COPYRIGHT PROTECTION IF REPRODUCED; TO PROVIDE A
18 CAUSE OF LEGAL ACTION FOR VIOLATIONS OF PROVISIONS OF THIS ACT AND
19 IDENTIFY WHICH PUBLIC OFFICIALS MAY INITIATE THE LEGAL ACTION; TO
20 REQUIRE SCHOOL DISTRICTS TO HAVE A PROCEDURE FOR THE PARENT,
21 GUARDIAN OR AN ADULT STUDENT, 18 YEARS OF AGE OR OLDER, TO REVIEW
22 THE CONTENT OF THE INSTRUCTIONAL MATERIALS, OBJECT TO THE CONTENT
23 OF SUCH INSTRUCTIONAL MATERIAL AND MAKE ARRANGEMENTS FOR STUDENTS
24 TO BE PROVIDED ALTERNATIVE INSTRUCTION; TO STIPULATE THAT THE
25 SCHOOL DISTRICT WILL NOT PAY THE COST OF THE ALTERNATIVE
26 INSTRUCTION PROVIDED BY A PARENT, GUARDIAN OR ADULT STUDENT; TO
27 PROHIBIT SCHOOL PERSONNEL FROM IMPOSING AN ACADEMIC OR OTHER
28 PENALTY UPON A STUDENT MERELY FOR ARRANGING ALTERNATIVE
29 INSTRUCTION; TO REQUIRE THE CLASSROOM TEACHER OF RECORD MUST MAKE
30 ELECTRONICALLY AVAILABLE TO STUDENTS AND PARENTS A SYLLABUS WITHIN
31 THE FIRST TWO WEEKS OF THE SCHOOL TERM; TO REQUIRE THE ISSUANCE OF
32 A NEW SYLLABUS IF MORE THAN 20% OF THE TOPIC COVERED IN THE TERM
33 DEVIATES FROM THE ORIGINAL SYLLABUS; TO PROHIBIT THE STATE BOARD
34 OF EDUCATION AND ANY PUBLIC SCHOOL OR CHARTER SCHOOL FROM



35 CONTRACTING WITH ANY VENDOR FOR PROPRIETARY MATERIALS AND USING
36 SUCH MATERIALS THAT ARE PROHIBITED FROM PUBLIC REVIEW; TO REQUIRE
37 STATE INSTITUTIONS OF HIGHER EDUCATION, OTHER THAN THE UNIVERSITY
38 OF MISSISSIPPI MEDICAL SCHOOL, TO MAKE INFORMATION FOR EACH
39 UNDERGRADUATE CLASSROOM COURSE OFFERED FOR CREDIT BY THE
40 INSTITUTION AVAILABLE TO THE PUBLIC ON THE INSTITUTION'S INTERNET
41 WEBSITE; TO REQUIRE SUCH INFORMATION TO BE MADE AVAILABLE TO THE
42 PUBLIC NO LATER THAN THE SEVENTH DAY AFTER ITS PRODUCTION; TO
43 REQUIRE A TWO YEAR PERIOD OF INFORMATION RETENTION AFTER ITS FIRST
44 POSTING; TO REQUIRE EACH STATE INSTITUTION OF HIGHER EDUCATION TO
45 DESIGNATE AN ADMINISTRATOR TO BE RESPONSIBLE FOR ENSURING THE
46 IMPLEMENTATION OF THE PROVISIONS OF THIS ACT; TO REQUIRE SUCH
47 INSTITUTIONS OF HIGHER EDUCATION TO DELIVER A STATEMENT OF
48 COMPLIANCE TO THE STATE DEPARTMENT OF EDUCATION AND TO THE
49 LEGISLATURE NO LATER THAN JANUARY 1 OF EACH ODD-NUMBERED YEAR; TO
50 REQUIRE SUCH INSTITUTIONS OF HIGHER EDUCATION TO CONDUCT
51 END-OF-COURSE STUDENT EVALUATIONS OF FACULTY AND DEVELOP A PLAN TO
52 MAKE EVALUATIONS AVAILABLE ON THE INSTITUTION'S WEBSITE; TO
53 PROVIDE FOR THE SEVERABILITY OF PROVISIONS OF THIS ACT; AND FOR
54 RELATED PURPOSES.

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

56 **SECTION 1.** This act shall be known and may be cited as the
57 "Academic Transparency Act of 2023."

58 **SECTION 2.** (1) Each public school and charter school shall
59 make available to the public on the institution's Internet website
60 all expenditures, vendors, contracts, monthly expenditures,
61 strategic plans, board meeting agendas and minutes, regulations,
62 guidelines, training materials, learning materials, course
63 syllabi, a general description of the subject matter of each
64 class, books and articles required or recommended, course
65 assessments and course assignments.

66 (2) Each public school and charter school shall make
67 available to the public on the institution's Internet website all
68 information listed in subsection (1) no later than the seventh day
69 after the document is produced.



70 (3) Each public school and charter school shall update the
71 information required by subsection (1) as soon as practicable
72 after the information changes.

73 (4) Each public school shall retain the required information
74 on the website for a minimum of two (2) years from date of
75 posting.

76 (5) Each public school and charter school shall designate an
77 administrator to be responsible for ensuring the implementation of
78 this section. The administrator may assign duties under this
79 section to one or more administrative employees.

80 (6) Not later than January 1 of each odd-numbered year, the
81 district will deliver a statement of compliance with this section
82 to the State Department of Education and to the Legislature.

83 **SECTION 3.** (1) The information required by Section 2 of
84 this act must be accessible from the institution's Internet
85 website home page by use of not more than three (3) links,
86 searchable by keywords and phrases and accessible to the public
87 without requiring registration or use of a user name, a password
88 or another user identification, and include, at a minimum, the
89 following:

90 (a) All instructional or training materials and
91 activities used for staff and faculty training;

92 (b) All learning materials and activities used for
93 student instruction. The display of materials or activities must
94 identify, at a minimum:



95 (i) The title, author, organization and any
96 website associated with each material and activity;

97 (ii) A link to the learning material, if publicly
98 available on the Internet or, if not freely and publicly
99 available, a brief description of the learning material and
100 information on how to request review of a copy of the learning
101 material according to the curriculum review procedure under
102 Section 4 of this act;

103 (iii) If the learning material was created for
104 nonpublic use the identity of the teacher, staff member, school
105 official or outside presenter who created it. A teacher, staff
106 member or school official may be indicated by a personal title and
107 last initial;

108 (iv) The full text or a copy of any learning
109 materials or educational activities, including presentations,
110 videos and audio recordings used for student instruction at the
111 school, if those works were created by the school's governing
112 board or a teacher or staff member employed under the authority of
113 the governing board. This section does not require the posting of
114 academic assessments or academic tests; and

115 (v) If the activity involves service-learning,
116 internships, or collaboration with outside organizations after
117 regular school hours for course credit, the name of the
118 organization and the number of students engaged in service-



119 learning, internships or collaboration with that organization.

120 The names of the students involved must not be posted;

121 (c) Any procedures for documentation, review, or
122 approval of lesson plans, training, learning, curricular materials
123 or activities used for staff and faculty training or student
124 instruction at the school, including by the principal, curriculum
125 administrators or other teachers; and

126 (d) At each school with a catalog or documented
127 inventory of the resources available to students in its school
128 library, a listing of available resources in the library.

129 (2) Nothing in subsection (1) of this section may be
130 construed to require the digital reproduction or posting of copies
131 of the learning materials themselves, where reproduction would
132 violate copyright. When reproduction would violate copyright, a
133 school must offer a link to a publicly available website
134 describing and offering access to the learning materials. If the
135 materials are not available free of charge, a school must offer,
136 if available and upon request, the learning materials for public
137 inspection, as required under subsection (1)(b), at the school
138 building where the learning materials or activities are used for
139 student instruction. Materials must be provided, if available, no
140 later than thirty (30) days after requested. To the extent
141 practicable, a school must make all learning materials, including
142 original materials, available for public inspection and allow the
143 public to copy, scan, duplicate or photograph portions of original



144 materials within the limits of "fair use" as provided by 17 USCS
145 Section 107.

146 (3) The information required by subsection (1) must be
147 displayed online no later than fourteen (14) days after the first
148 instance of training or instruction. The information must be
149 organized by school, grade, teacher and subject and remain
150 displayed on a school website for at least two (2) years. For
151 privacy purposes, teachers and staff employed by a school may
152 request that a school use a personal title and last initial in
153 lieu of a full name. The date of the latest modification or
154 update to the information must be displayed on the same website
155 location.

156 (4) To prepare and host the listing of materials
157 and activities under subsection (1), a school:

158 (a) May, but is not required to, utilize a
159 collaborative online document or spreadsheet software that allows
160 multiple authorized users to update or make additions to posted
161 content on an ongoing basis if a link to the listing is publicly
162 accessible via a school website; or

163 (b) May, but is not required to, satisfy the
164 requirements of subsection (1)(b), by posting a copy or the full
165 text of the lesson plans submitted to a school principal or other
166 staff by instructors at a school in the current year, provided
167 that the lesson plans provide equivalent detail of the learning
168 materials and activities used for student instruction as required



169 by subsection (1)(b), and that any learning materials and
170 activities not recorded on the lesson plans are also disclosed via
171 a publicly accessible portion of a school website in the manner
172 prescribed by subsection (1)(b).

173 (5) The attorney general, State Superintendent of Public
174 Education, state auditor, district attorney for the county in
175 which an alleged violation of this section occurs, or a resident
176 of a school district in which an alleged violation of this section
177 occurs, may initiate legal action in the district court in the
178 jurisdiction in which the school district, public school, charter
179 school or other governmental entity responsible for the oversight
180 of public secondary or elementary schools is located for the
181 purpose of complying with this section.

182 **SECTION 4.** (1) Each school district shall have a procedure
183 for a parent, guardian or an adult student, eighteen (18) years of
184 age or older, to review the content of the instructional materials
185 to be provided to a minor child or to an adult student and, if the
186 parent, guardian or adult student objects to the content, to make
187 reasonable arrangements with school personnel for alternative
188 instruction. Alternative instruction may be provided by the
189 parent, guardian or adult student if the alternative instruction,
190 if any, offered by the school board does not meet the concerns of
191 the parent, guardian, or adult student. The school board is not
192 required to pay for the costs of alternative instruction provided
193 by a parent, guardian or adult student. School personnel may not



194 impose an academic or other penalty upon a student merely for
195 arranging alternative instruction under this section. School
196 personnel may evaluate and assess the quality of the student's
197 work.

198 (2) Within the first two (2) weeks of the school term, the
199 classroom teacher of record must make electronically available to
200 students and parents a syllabus for the class. The syllabus must
201 cover the term of the class and provide an outline of the topics
202 to be covered and the order in which they will be covered. During
203 the term of the class, the teacher may deviate from the syllabus
204 in order to accommodate the pace of advancement of the students,
205 topics of interest to the students or other pedagogical reasons.
206 If more than twenty percent (20%) of the topics to be covered
207 during the term change or if the teacher of record changes, a new
208 syllabus must be made available.

209 **SECTION 5.** (1) Neither the State Board of Education nor any
210 public school or charter school shall contract with any vendor for
211 proprietary materials that are prohibited from public review.

212 (2) Neither the State Board of Education nor any public
213 school or charter school shall use proprietary materials that are
214 protected from public review.

215 **SECTION 6.** (1) Each institution of higher education, other
216 than the University of Mississippi Medical School, shall make
217 available to the public on the institution's Internet website the



218 following information for each undergraduate classroom course
219 offered for credit by the institution:

220 (a) A syllabus that:

221 (i) Satisfies any standards adopted by the
222 institution;

223 (ii) Provides a brief description of each major
224 course requirement, including each major assignment and
225 examination;

226 (iii) Lists any required or recommended reading;
227 and

228 (iv) Provides a general description of the subject
229 matter of each lecture or discussion;

230 (b) A curriculum vitae of each regular instructor that
231 lists the instructor's:

232 (i) Postsecondary education;

233 (ii) Teaching experience; and

234 (iii) Significant professional publications; and

235 (c) If available, a departmental budget report of the
236 department under which the course is offered, from the most recent
237 semester or other academic term during which the institution
238 offered the course.

239 (2) A curriculum vitae made available on the institution's
240 Internet website under subsection (1) may not include any personal
241 information, including the instructor's home address or home
242 telephone number.



243 (3) The information required by subsection (1) must be:
244 (a) Accessible from the institution's Internet website
245 home page by use of not more than three (3) links;
246 (b) Searchable by keywords and phrases; and
247 (c) Accessible to the public without requiring
248 registration or use of a user name, a password or another user
249 identification.

250 (4) The institution shall make the information required by
251 subsection (1) available not later than the seventh day after the
252 first day of classes for the semester or other academic term
253 during which the course is offered. The institution shall
254 continue to make the information available on the institution's
255 Internet website until at least the second anniversary of the date
256 on which the institution initially posted the information.

257 (5) The institution shall update the information required by
258 subsection (1) as soon as practicable after the information
259 changes.

260 (6) The governing body of the institution shall designate an
261 administrator to be responsible for ensuring implementation of
262 this section. The administrator may assign duties under this
263 section to one or more administrative employees.

264 (7) Not later than January 1 of each odd-numbered year, each
265 institution of higher education shall submit a written report
266 regarding the institutions compliance with this section to the
267 Governor, the Lieutenant Governor, the Speaker of the House of



268 Representatives, and the presiding officer of each legislative
269 standing committee with primary jurisdiction over higher
270 education.

271 (8) The Board of Trustees of State Institutions of Higher
272 Learning may adopt rules necessary to administer this section.

273 (9) Institutions of higher education included in this
274 section shall conduct end-of-course student evaluations of faculty
275 and develop a plan to make evaluations available on the
276 institution's website.

277 **SECTION 7.** If any provision of this act, or the application
278 of any provision to any person or circumstance, is held to be
279 invalid, the remainder of this chapter and the application of its
280 provisions to any other person or circumstance shall not be
281 affected thereby.

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

