

By: Senator(s) McDaniel

To: Education

SENATE BILL NO. 2801

1 AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE HIGH SCHOOL GRADUATES TO PASS AT LEAST 60% OF THE CIVICS  
3 PORTION OF THE NATURALIZATION TEST USED BY THE IMMIGRATION  
4 SERVICES; TO AMEND SECTION 37-35-9, MISSISSIPPI CODE OF 1972, TO  
5 REQUIRE HIGH SCHOOL EQUIVALENCY DIPLOMA APPLICANTS TO PASS AT  
6 LEAST 60% OF THE CIVICS PORTION OF THE NATURALIZATION TEST USED BY  
7 THE IMMIGRATION SERVICES; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-16-7, Mississippi Code of 1972, is  
10 amended as follows:

11 37-16-7. (1) Each district school board shall establish  
12 standards for graduation from its schools which shall include as a  
13 minimum:

14 (a) Mastery of minimum academic skills as measured by  
15 assessments developed and administered by the State Board of  
16 Education.

17 (b) Completion of a minimum number of academic credits,  
18 and all other applicable requirements prescribed by the district  
19 school board.



20 (c) (i) Beginning in the 2020-2021 school year,  
21 fulfillment of a requirement to correctly answer at least sixty  
22 (60) of the one hundred (100) questions listed on a test that is  
23 identical to the civics portion of the Naturalization Test used by  
24 the United States Citizenship and Immigration Services.

25 (ii) The local school board may determine the  
26 method and manner in which to administer a test that is identical  
27 to the civics portion of the Naturalization Test used by the  
28 United States Citizenship and Immigration Services.

29 (iii) A student who does not obtain a passing  
30 score on the test that is identical to the civics portion of the  
31 Naturalization Test may retake the test until the student obtains  
32 a passing score.

33 (iv) A student who has passed a similar test  
34 within the previous three (3) years shall not be required to take  
35 the test under this paragraph (c).

36 (v) Provisions of this paragraph (c) shall be  
37 subject to the requirements and accommodations of a student's  
38 Individualized Education Program.

39 ( \* \* \*d) By school, information on high school  
40 graduation rates. High schools with graduation rates lower than  
41 eighty percent (80%) must submit a detailed plan to the  
42 Mississippi Department of Education to restructure the high school  
43 experience to improve graduation rates.



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

(3) The State Board of Education may establish student proficiency standards for promotion to grade levels leading to graduation.

**SECTION 2.** Section 37-35-9, Mississippi Code of 1972, is amended as follows:

37-35-9. (1) The Mississippi Community College Board is authorized to develop and establish general educational development preparatory classes in secondary schools and community/junior colleges and to provide financial assistance from the state for the specific purpose of preparing persons sixteen (16) years of age and older, not enrolled in school or required to be enrolled in school by the Compulsory School Attendance Law (Section 37-13-91) to successfully write the general educational development test and earn a certificate of equivalency which is equivalent to the high school diploma.

(2) (a) The Mississippi Community College Board is authorized to administer the High School Equivalency Diploma Testing Program in accordance with the policies and guidelines of the High School Equivalency Diploma Testing Service of the American Council on Education. Such administration shall include the approval of rules and regulations for the administration, scoring, issuing of transcripts and awarding of diplomas for the



High School Equivalency Diploma Testing Program. The Mississippi Community College Board is hereby authorized to assess a fee in an amount not to exceed Five Dollars (\$5.00) for issuing an additional copy of a High School Equivalency Diploma transcript.

(b) (i) Beginning January 1, 2024, the Mississippi Community College Board shall require that a person must correctly answer at least sixty (60) of the one hundred (100) questions listed on a test that is identical to the civics portion of the Naturalization Test used by the United States Citizenship and Immigration Services in order to obtain a High School Equivalency Diploma.

(ii) The Mississippi Community College Board may determine the method and manner in which to administer a test that is identical to the civics portion of the Naturalization Test used by the United States Citizenship and Immigration Services.

(iii) A person who does not obtain a passing score on the test that is identical to the civics portion of the Naturalization Test may retake the test until the person obtains a passing score.

(iv) A person who has passed a similar test within the previous three (3) years shall not be required to take the test under this paragraph (b).

(4) This program shall be administered by the Mississippi Community College Board through the secondary schools and



community/junior colleges as the local needs indicate and are practical.

(5) Full and general supervision over the program by the Mississippi Community College Board shall insure that duplication of effort by secondary schools and community/junior colleges will be eliminated; however, nothing in this section shall be construed to prohibit a school district from implementing a program of High School Equivalency Diploma preparatory instruction.

(6) Adult students for general educational development preparatory classes may be accepted by schools and junior colleges from any area of the state provided students are bona fide residents of Mississippi.

(7) Instructors, counselors and supervisors utilized in the teaching of general educational development preparatory classes shall be licensed in the appropriate area as required by the Mississippi Community College Board.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2023.

