

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2812**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

21           **SECTION 1.** Section 37-17-13, Mississippi Code of 1972, is  
22 amended as follows:  
23           37-17-13. (1) Whenever the Governor declares a state of  
24 emergency in a school district in response to a certification by  
25 the State Board of Education and the Commission on School  
26 Accreditation made under Section 37-17-6(12)(b), the State Board  
27 of Education, in addition to any actions taken under Section  
28 37-17-6, may abolish the school district and assume control and  
29 administration of the schools formerly constituting the district,  
30 and appoint an interim superintendent to carry out this purpose



31 under the direction of the State Board of Education. In such  
32 case, the State Board of Education shall have all powers which  
33 were held by the previously existing school board, and the  
34 previously existing superintendent of schools or county  
35 superintendent of education, including, but not limited to, those  
36 enumerated in Section 37-7-301, and the authority to request tax  
37 levies from the appropriate governing authorities for the support  
38 of the schools and to receive and expend the tax funds as provided  
39 by Section 37-57-1 et seq. and Section 37-57-105 et seq.

40 (2) When a school district is abolished under this section,  
41 loans from the School District Emergency Assistance Fund may be  
42 made by the State Board of Education for the use and benefit of  
43 the schools formerly constituting the district in accordance with  
44 the procedures set forth in Section 37-17-6(15) for such loans to  
45 the district. The abolition of a school district under this  
46 section shall not impair or release the property of that school  
47 district from liability for the payment of the loan indebtedness,  
48 and it shall be the duty of the appropriate governing authorities  
49 to levy taxes on the property of the district so abolished from  
50 year to year according to the terms of the indebtedness until same  
51 shall be fully paid.

52 (3) After a school district is abolished under this section,  
53 at such time as the State Board of Education determines that the  
54 impairments have been substantially corrected after a period of  
55 maintaining a "C" accountability rating for five (5) consecutive



56 years, unless the State Board of Education determines that the  
57 district is eligible to return to local control in less than the  
58 five-year period, the State Board of Education shall reconstitute,  
59 reorganize or change or alter the boundaries of the previously  
60 existing district; however, no partition or assignment of  
61 territory formerly included in the abolished district to one or  
62 more other school districts may be made by the State Board of  
63 Education without the consent of the school board of the school  
64 district to which such territory is to be transferred, such  
65 consent to be spread upon its minutes. At that time, the State  
66 Board of Education, in appropriate cases, shall notify the  
67 appropriate governing authority or authorities of its action and  
68 request them to provide for the election or appointment of school  
69 board members in the manner provided by law. In the event the  
70 applicable statute provides that vacancies in an all-elected  
71 membership of the school board will be filled by appointment by  
72 the remaining members of the school board and no members of the  
73 school board remain in office, the Governor shall call a special  
74 election to fill the vacancies. In such situations, the Governor  
75 will set the date of the special election and the election will be  
76 conducted by the county election commission. The State Board of  
77 Education shall also request the governing authority or  
78 authorities to provide for the appointment of a superintendent or  
79 superintendents to govern the reconstituted, reorganized or  
80 changed district or districts, which such appointed position shall



81 apply in all school districts including those school districts in  
82 which the position of superintendent was previously an elected  
83 office. A board member or superintendent in office at the time  
84 the Governor declares a state of emergency in a school district to  
85 be abolished shall not be eligible to serve in that office for the  
86 school district reconstituted, reorganized or changed after the  
87 Governor declares that an emergency no longer exists.

88 (4) As an alternative to the procedure set forth in  
89 subsection (3), in the event a local school board is abolished by  
90 the State Board of Education pursuant to this section, after the  
91 State Board of Education determines that the impairments are being  
92 substantially corrected and the responsibility of the district  
93 transformation in such district upon the conclusion of the final  
94 scholastic year in which a district has maintained a "C"  
95 accountability rating for five (5) consecutive years, unless the  
96 State Board of Education determines that the district is eligible  
97 to return to local control in less than the five-year period, the  
98 State Board of Education may appoint a new five-member board for  
99 the administration of the school district and shall notify the  
100 local county board of supervisors and/or municipal governing  
101 authority of such appointment, spreading the names of the new  
102 school board members on its minutes. The new local school board  
103 members shall be residents of the school district. The new local  
104 school board members appointed by the State Board of Education may  
105 serve in an advisory capacity to the interim superintendent for



106 its first year of service and thereafter shall have full  
107 responsibility to administer the school district. Thirty (30)  
108 days prior to the end of the first year of office as an advisory  
109 board, each member shall draw lots to determine when the members  
110 shall rotate off the board as follows: one (1) member shall serve  
111 a one-year term of office; one (1) member shall serve a two-year  
112 term of office; one (1) member shall serve a three-year term of  
113 office; one (1) member shall serve a four-year term of office; and  
114 one (1) member shall serve a five-year term of office. At that  
115 time, the State Board of Education shall notify the appropriate  
116 board of supervisors or municipal governing authority of this  
117 action and request them to provide for the election or appointment  
118 of school board members at the end of the terms of office in the  
119 manner provided by law, in order for the local residents of the  
120 school district to select a new school board on a phased-in basis.  
121 In such situations, the Governor will set the date of any  
122 necessary special election which shall be conducted by the county  
123 election commission. The State Board of Education shall also  
124 request the new school board to provide for the appointment of a  
125 superintendent to govern the reconstituted or reorganized school  
126 district, including those school districts in which the position  
127 of superintendent was previously an elected office. A board  
128 member or superintendent in office at the time the Governor  
129 declares a state of emergency in a school district shall not be  
130 eligible to serve in the office of school board member or



131 superintendent for the school district reconstituted or  
132 reorganized following the district transformation period.

133 This subsection (4) shall stand repealed from and after July  
134 1, \* \* \* 2026.

135 **SECTION 2.** Section 37-179-1, Mississippi Code of 1972, is  
136 amended as follows:

137 37-179-1. (1) For purposes of this chapter, the following  
138 terms shall have the meaning ascribed herein, unless the context  
139 clearly indicates otherwise:

140 (a) "District of innovation" means a district that has  
141 developed a plan of innovation in compliance with this section and  
142 has been approved by the State Board of Education to be exempted  
143 from certain administrative regulations and statutory provisions  
144 to improve the educational performance of students within the  
145 district;

146 (b) "Innovation" means a new or creative alternative to  
147 existing instructional and administrative practices intended to  
148 improve student learning and student performance of all students,  
149 including community schools;

150 (c) "School of innovation" means a school that  
151 voluntarily participates in a district of innovation plan to  
152 improve instruction, including waivers and exemptions from local  
153 school board policies, selected provisions of rules and  
154 regulations promulgated by the State Board of Education, and



155 selected sections of the Mississippi Code of 1972, as permitted  
156 under this section and Section \* \* \* 37-179-3;

157 (d) "Board" means the State Board of Education;

158 (e) "Department" means the State Department of  
159 Education.

160 (f) "Community school" means a traditional district  
161 public school that partners with community-based organizations to  
162 coordinate academic, social, physical health and mental health  
163 services, to reduce barriers to learning and improve education  
164 outcomes. Community schools include all five (5) of the  
165 following:

166 (i) Integrated student supports coordinated by a  
167 community school director, which may include, but are not limited  
168 to:

169 1. Medical, dental, vision care and mental  
170 health services; or

171 2. Counselors to assist with housing,  
172 transportation, nutrition, or criminal justice issues;

173 (ii) Expanded and enriched learning time and  
174 opportunities including before school, after school, weekend and  
175 summer programs, which provide additional academic instruction,  
176 individualized academic support, enrichment activities, and  
177 learning opportunities that emphasize real-world learning and  
178 community problem solving, and which may include, but are not  
179 limited to:



- 180                   1. Art, music, drama and creative writing;  
181                   2. Hands-on experience with engineering or  
182 science;  
183                   3. Tutoring and homework help; and  
184                   4. Recreational programs that enhance and are  
185 consistent with the school's curriculum;

186                   (iii) Active family and community engagement which  
187 brings students' families and the community into the school as  
188 partners in children's education and makes the school a  
189 neighborhood hub, providing adults with educational opportunities  
190 they want, including, but not limited to:

- 191                   1. English as a second language class;  
192                   2. Citizenship preparation;  
193                   3. Computer skills;  
194                   4. Art;  
195                   5. GED classes; or  
196                   6. Other programs that bring community  
197 members into the building for meetings or events;

198                   (iv) Include, as a meaningful part of its  
199 curriculum, a Science, Technology, Engineering and Mathematics  
200 (STEM) program component commensurate and appropriate to the grade  
201 level of the school; and

202                   (v) Collaborative leadership and practices, which  
203 build a culture of professional learning, collective trust, and





204 shared responsibility using strategies which shall, at a minimum,  
205 include:

- 206 1. A school-based leadership team;
- 207 2. A community school director; and
- 208 3. A community-wide leadership team, which

209 may include, but not limited to:

- 210 A. Other leadership and governance  
211 teams;
- 212 B. Teacher learning communities; and
- 213 C. Other staff to manage the multiple  
214 complex, joint work of school and community organizations.

215 (g) "Community School Director" means a person who:

216 (i) Is a full-time staff member serving one (1)  
217 eligible school;

218 (ii) Is responsible for the identification,  
219 implementation and coordination of integrated student supports,  
220 expanded and enriched learning time and opportunities, family and  
221 community engagement and collaborative leadership and practices;

222 (iii) Serves as a member of the school-based  
223 leadership team;

224 (iv) Serves as the lead for the needs and assets  
225 assessment and community school plan; and

226 (v) Coordinates the needs and assets assessment  
227 and stakeholder-driven approach to problem-solving and continuous  
228 improvement.



229           (2) The State Board of Education is authorized to approve  
230 districts of innovation for the purposes of improving students'  
231 educational performance. Districts of innovation shall be  
232 provided flexibility from selected board regulations, Title 37,  
233 Mississippi Code of 1972, and local school board policies for  
234 school administrators, teachers and staff to meet the diverse  
235 needs of students. A low-performing school or school district  
236 managing the transition of multiple schools to the community  
237 school model shall be provided a three-year transition before  
238 becoming eligible for state takeover. The initial approval of a  
239 district of innovation shall be for a five-year period. Each  
240 renewal of a district of innovation shall not exceed five (5)  
241 years and shall comply with administrative regulations promulgated  
242 by the board pursuant to subsection (4) of this section.

243           (3) The board shall promulgate administrative rules and  
244 regulations to prescribe the conditions and procedures to be used  
245 by a local school board to be approved as a district of innovation  
246 and shall publish the same on or before December 31, 2015.

247           (4) Administrative rules and regulations promulgated by the  
248 board under subsection (3) of this section shall specify:

249                   (a) The regulatory areas which may be exempted or  
250 modified if approved by the board, except as provided in Section  
251 37-179-3(2), and in addition to those areas identified in Section  
252 37-179-3(3);



- 253 (b) The application, plan review, approval and  
254 amendment process for a district;
- 255 (c) Timelines for initial approval as a district of  
256 innovation, the renewal process and ongoing evaluative procedures  
257 required of the district;
- 258 (d) Acceptable documentation of a critical mass of  
259 parental, community, educator and business support and capacity to  
260 effect a change;
- 261 (e) Evidence of teacher collaboration and shared  
262 leadership within the district and the schools to be designated as  
263 schools of innovation;
- 264 (f) The process of revocation of the designation of  
265 district of innovation or school of innovation;
- 266 (g) Reporting and oversight responsibilities of the  
267 district and the State Department of Education;
- 268 (h) The financial detail relating to budgets of schools  
269 and evidence of sound fiscal management practices;
- 270 (i) Acceptable areas of emphasis for innovation;
- 271 (j) Acceptable documentation of job-embedded  
272 professional development within the proposed innovation design;  
273 and
- 274 (k) Other components deemed necessary to implement this  
275 section and Section 37-179-3.

276 **SECTION 3.** Section 37-179-3, Mississippi Code of 1972, is  
277 amended as follows:



278 37-179-3. (1) A district which is an applicant to be  
279 designated as a district of innovation under Section 37-179-1  
280 shall:

281 (a) Establish goals and performance targets for the  
282 district of innovation proposal, which may include:

283 (i) Reducing socio-economic achievement gaps among  
284 groups of public school students by expanding learning experiences  
285 for students who are identified as academically low-achieving;

286 (ii) Increasing pupil learning through the  
287 implementation of high, rigorous standards for pupil performance;

288 (iii) Increasing student attendance rates as well  
289 as reducing chronic absenteeism;

290 (iv) Decreasing rates of student suspensions and  
291 expulsions;

292 ( \* \* \* v) Increasing the participation of students  
293 in various curriculum components and instructional components  
294 within selected schools to enhance at each grade level;

295 ( \* \* \* vi) Increasing the number of students who  
296 are college and career-ready and who have access to  
297 dual-enrollment courses;

298 (vii) Increasing student college preparation to  
299 enter secondary education in the areas of science, technology,  
300 engineering and mathematics.

301 ( \* \* \* viii) Motivating students at different  
302 grade levels by offering more curriculum choices and student



303 learning opportunities to parents and students within the  
304 district;

305 (b) Make public its goals and performance targets and,  
306 after five (5) years, share the performance target results with  
307 members of the Mississippi House and Senate Education Committees,  
308 as well as with the general public;

309 ( \* \* \* c) Identify changes needed from a comprehensive  
310 needs and assets assessment in the district and schools to lead to  
311 better prepared students for success in college, career and  
312 life \* \* \*;

313 ( \* \* \* d) Have a districtwide plan of innovation that  
314 describes and justifies which schools and innovative practices  
315 will be incorporated;

316 ( \* \* \* e) Provide documentation of community, educator,  
317 parental, and the local board's support of the proposed  
318 innovations;

319 ( \* \* \* f) Provide detailed information regarding the  
320 rationale of requests for waivers from Title 37, Mississippi Code  
321 of 1972, which relate to the elementary and secondary education of  
322 public school students, and administrative regulations, and  
323 exemptions for selected schools regarding waivers of local school  
324 board policies;

325 ( \* \* \* g) Document the fiscal and human resources the  
326 board will provide throughout the term of the implementation of  
327 the innovations within its plan; and



328 ( \* \* \*h) Provide other materials as required by the  
329 department in compliance with the board's administrative  
330 regulations and application procedures.

331 (2) The district and all schools participating in a  
332 district's innovation plan shall:

333 (a) Ensure the same health, safety, civil rights, and  
334 disability rights requirements as are applied to all public  
335 schools;

336 (b) Ensure students meet compulsory attendance  
337 requirements under Sections 37-13-91 and 37-13-92;

338 (c) Ensure that high school course offerings meet or  
339 exceed the minimum required under Sections 37-16-7 and 37-3-49,  
340 for high school graduation or meet early graduation requirements  
341 that may be enacted by the Mississippi Legislature;

342 (d) Ensure the student performance standards meet or  
343 exceed those adopted by the State Board of Education as required  
344 by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance  
345 with the statewide assessment system specified in Chapter 16,  
346 Title 37, Mississippi Code of 1972;

347 (e) Adhere to the same financial audits, audit  
348 procedures, and audit requirements as are applied under Section  
349 7-7-211(e);

350 (f) Require state and criminal background checks for  
351 staff and volunteers as required of all public school employees



352 and volunteers within the public schools and specified in Section  
353 37-9-17;

354 (g) Comply with open records and open meeting  
355 requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

356 (h) Comply with purchasing requirements and limitations  
357 under Chapter 39, Title 37, Mississippi Code of 1972;

358 (i) Provide overall instructional time that is  
359 equivalent to or greater than that required under Sections 37-1-11  
360 and 37-13-67, but which may include on-site instruction, distance  
361 learning, online courses, and work-based learning on  
362 nontraditional school days or hours; and

363 (j) Provide data to the department as deemed necessary  
364 to generate school and district reports.

365 (3) (a) Only schools that choose to be designated as  
366 schools of innovation shall be included in a district's  
367 application;

368 (b) As used in this paragraph, "eligible employees"  
369 means employees that are regularly employed at the school and  
370 those employees whose primary job duties will be affected by the  
371 plan; and

372 (c) Notwithstanding the provisions of paragraph (a) of  
373 this subsection, a local school board may require a school that  
374 has been identified as a persistently low-achieving school under  
375 provisions of Section 37-17-6 to participate in the district's  
376 plan of innovation.



377 (4) Notwithstanding any statutes to the contrary, the board  
378 may approve the requests of districts of innovation to:

379 (a) Use capital outlay funds for operational costs;

380 (b) Hire persons for classified positions in  
381 nontraditional school and district assignments who have bachelors  
382 and advanced degrees from postsecondary education institutions  
383 accredited by a regional accrediting association (Southern  
384 Association of Colleges and Schools) or by an organization  
385 affiliated with the National Commission on Accrediting;

386 (c) Employ teachers on extended employment contracts or  
387 extra duty contracts and compensate them on a salary schedule  
388 other than the single salary schedule;

389 (d) Extend the school days as is appropriate within the  
390 district with compensation for the employees as determined  
391 locally;

392 (e) Establish alternative education programs and  
393 services that are delivered in nontraditional hours and which may  
394 be jointly provided in cooperation with another school district or  
395 consortia of districts;

396 (f) Establish online classes within the district for  
397 delivering alternative classes in a blended environment to meet  
398 high school graduation requirements;

399 (g) Use a flexible school calendar;

400 (h) Convert existing schools into schools of  
401 innovation; \* \* \*





402 (i) Modify the formula under Section 37-151-7 for  
403 distributing support education funds for students in average daily  
404 attendance in nontraditional programming time, including  
405 alternative programs and virtual programs. Funds granted to a  
406 district shall not exceed those that would have otherwise been  
407 distributed based on average daily attendance during regular  
408 instructional days \* \* \*; and

409 (j) Allow community schools to seek and accept gifts,  
410 grants, donations, and funds from federal and state agencies,  
411 private foundations, organizations, or individuals for purposes  
412 related to its function as a community school.

413 **SECTION 4.** This act shall take effect and be in force from  
414 and after July 1, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE DATE OF REPEAL ON THE PROVISION AUTHORIZING THE  
3 STATE BOARD OF EDUCATION TO APPOINT A NEW FIVE-MEMBER BOARD FOR  
4 THE ADMINISTRATION OF A FAILING SCHOOL DISTRICT; TO AMEND SECTIONS  
5 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE  
6 STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF  
7 INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF  
8 INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS  
9 OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE  
10 BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO  
11 PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL  
12 BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE  
13 CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO  
14 PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF  
15 INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH  
16 WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST  
17 COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY



18 REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT  
19 STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

