

By: Representative Roberson

To: Education

HOUSE BILL NO. 1191

1 AN ACT TO BRING FORWARD SECTIONS 37-179-1 AND 37-179-3,  
2 MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS RELATING TO  
3 DISTRICTS OF INNOVATION, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;  
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-179-1, Mississippi Code of 1972, is  
7 brought forward as follows:

8 37-179-1. (1) For purposes of this chapter, the following  
9 terms shall have the meaning ascribed herein, unless the context  
10 clearly indicates otherwise:

11 (a) "District of innovation" means a district that has  
12 developed a plan of innovation in compliance with this section and  
13 has been approved by the State Board of Education to be exempted  
14 from certain administrative regulations and statutory provisions  
15 to improve the educational performance of students within the  
16 district;

17 (b) "Innovation" means a new or creative alternative to  
18 existing instructional and administrative practices intended to  
19 improve student learning and student performance of all students;



20 (c) "School of innovation" means a school that  
21 voluntarily participates in a district of innovation plan to  
22 improve instruction, including waivers and exemptions from local  
23 school board policies, selected provisions of rules and  
24 regulations promulgated by the State Board of Education, and  
25 selected sections of the Mississippi Code of 1972, as permitted  
26 under this section and Section 2 of this act 37-179-3;

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

28 (e) "Department" means the State Department of  
29 Education.

30 (2) The State Board of Education is authorized to approve  
31 districts of innovation for the purposes of improving students'  
32 educational performance. Districts of innovation shall be  
33 provided flexibility from selected board regulations, Title 37,  
34 Mississippi Code of 1972, and local school board policies for  
35 school administrators, teachers and staff to meet the diverse  
36 needs of students. The initial approval of a district of  
37 innovation shall be for a five-year period. Each renewal of a  
38 district of innovation shall not exceed five (5) years and shall  
39 comply with administrative regulations promulgated by the board  
40 pursuant to subsection (4) of this section.

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



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

47 (a) The regulatory areas which may be exempted or  
48 modified if approved by the board, except as provided in Section  
49 37-179-3(2), and in addition to those areas identified in Section  
50 37-179-3(3);

51 (b) The application, plan review, approval and  
52 amendment process for a district;

53 (c) Timelines for initial approval as a district of  
54 innovation, the renewal process and ongoing evaluative procedures  
55 required of the district;

56 (d) Acceptable documentation of a critical mass of  
57 parental, community, educator and business support and capacity to  
58 effect a change;

59 (e) Evidence of teacher collaboration and shared  
60 leadership within the district and the schools to be designated as  
61 schools of innovation;

62 (f) The process of revocation of the designation of  
63 district of innovation or school of innovation;

64 (g) Reporting and oversight responsibilities of the  
65 district and the State Department of Education;

66 (h) The financial detail relating to budgets of schools  
67 and evidence of sound fiscal management practices;

68 (i) Acceptable areas of emphasis for innovation;



69           (j) Acceptable documentation of job-embedded  
70 professional development within the proposed innovation design;  
71 and

72           (k) Other components deemed necessary to implement this  
73 section and Section 37-179-3.

74           **SECTION 2.** Section 37-179-3, Mississippi Code of 1972, is  
75 brought forward as follows:

76           37-179-3. (1) A district which is an applicant to be  
77 designated as a district of innovation under Section 37-179-1  
78 shall:

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

81                   (i) Reducing achievement gaps among groups of  
82 public school students by expanding learning experiences for  
83 students who are identified as academically low-achieving;

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

86                   (iii) Increasing the participation of students in  
87 various curriculum components and instructional components within  
88 selected schools to enhance at each grade level;

89                   (iv) Increasing the number of students who are  
90 college and career-ready;

91                   (v) Motivating students at different grade levels  
92 by offering more curriculum choices and student learning  
93 opportunities to parents and students within the district;



94 (b) Identify changes needed in the district and schools  
95 to lead to better prepared students for success in life and work;

96 (c) Have a districtwide plan of innovation that  
97 describes and justifies which schools and innovative practices  
98 will be incorporated;

99 (d) Provide documentation of community, educator,  
100 parental, and the local board's support of the proposed  
101 innovations;

102 (e) Provide detailed information regarding the  
103 rationale of requests for waivers from Title 37, Mississippi Code  
104 of 1972, which relate to the elementary and secondary education of  
105 public school students, and administrative regulations, and  
106 exemptions for selected schools regarding waivers of local school  
107 board policies;

108 (f) Document the fiscal and human resources the board  
109 will provide throughout the term of the implementation of the  
110 innovations within its plan; and

111 (g) Provide other materials as required by the  
112 department in compliance with the board's administrative  
113 regulations and application procedures.

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

116 (a) Ensure the same health, safety, civil rights, and  
117 disability rights requirements as are applied to all public  
118 schools;



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

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

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

130 (e) Adhere to the same financial audits, audit  
131 procedures, and audit requirements as are applied under Section  
132 7-7-211(e);

133 (f) Require state and criminal background checks for  
134 staff and volunteers as required of all public school employees  
135 and volunteers within the public schools and specified in Section  
136 37-9-17;

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

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

141 (i) Provide overall instructional time that is  
142 equivalent to or greater than that required under Sections 37-1-11  
143 and 37-13-67, but which may include on-site instruction, distance



144 learning, online courses, and work-based learning on  
145 nontraditional school days or hours; and

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

148 (3) (a) Only schools that choose to be designated as  
149 schools of innovation shall be included in a district's  
150 application;

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

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

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

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

163 (b) Hire persons for classified positions in  
164 nontraditional school and district assignments who have bachelors  
165 and advanced degrees from postsecondary education institutions  
166 accredited by a regional accrediting association (Southern  
167 Association of Colleges and Schools) or by an organization  
168 affiliated with the National Commission on Accrediting;



169 (c) Employ teachers on extended employment contracts or  
170 extra duty contracts and compensate them on a salary schedule  
171 other than the single salary schedule;

172 (d) Extend the school days as is appropriate within the  
173 district with compensation for the employees as determined  
174 locally;

175 (e) Establish alternative education programs and  
176 services that are delivered in nontraditional hours and which may  
177 be jointly provided in cooperation with another school district or  
178 consortia of districts;

179 (f) Establish online classes within the district for  
180 delivering alternative classes in a blended environment to meet  
181 high school graduation requirements;

182 (g) Use a flexible school calendar;

183 (h) Convert existing schools into schools of  
184 innovation; and

185 (i) Modify the formula under Section 37-151-7 for  
186 distributing support education funds for students in average daily  
187 attendance in nontraditional programming time, including  
188 alternative programs and virtual programs. Funds granted to a  
189 district shall not exceed those that would have otherwise been  
190 distributed based on average daily attendance during regular  
191 instructional days.

192 **SECTION 3.** This act shall take effect and be in force from  
193 and after July 1, 2024.

