

By: Representatives McCarty, James-Jones

To: Education

HOUSE BILL NO. 1696

1 AN ACT TO PROVIDE FOR THE ADMINISTRATIVE TRANSITION OF SCHOOL
2 DISTRICTS THAT HAVE BEEN PLACED INTO THE MISSISSIPPI ACHIEVEMENT
3 SCHOOL DISTRICT INTO DISTRICTS OF TRANSFORMATION; TO REQUIRE THE
4 COMPLETION TO THE TRANSITION TO BE COMPLETE BY JULY 1, 2025; TO
5 PROHIBIT ANY ADDITIONAL SCHOOLS BEING PLACED INTO THE MISSISSIPPI
6 ACHIEVEMENT SCHOOL DISTRICT AFTER JULY 1, 2024; TO PROVIDE THAT
7 THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT SHALL BE DISSOLVED
8 AFTER JULY 1, 2025; TO REQUIRE THE STATE BOARD OF EDUCATION TO
9 PROVIDE THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT WITH NOTICE
10 AND INSTRUCTIONS BY SEPTEMBER 1, 2024, REGARDING A TIMETABLE TO BE
11 FOLLOWED FOR THE TRANSITION INTO A DISTRICT OF TRANSFORMATION; TO
12 AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO REVISE THE
13 CRITERIA TO BE USED BY THE STATE BOARD OF EDUCATION AND COMMISSION
14 ON SCHOOL ACCREDITATION IN DETERMINING WHEN A STATE OF EMERGENCY
15 EXISTS IN A SCHOOL DISTRICT WHICH WOULD DEEM THE SCHOOL DISTRICT
16 ELIGIBLE FOR PLACEMENT INTO A DISTRICT OF TRANSFORMATION,
17 INCLUDING PERSISTENT POOR ACADEMIC PERFORMANCE AND LACK OF
18 FINANCIAL RESOURCES; TO PROVIDE CONTINGENCY PLANS FOR SCHOOL
19 DISTRICTS THAT ARE ELIGIBLE TO BE PLACED INTO A DISTRICT OF
20 TRANSFORMATION BUT ARE NOT DUE TO LACK CAPACITY OF THE STATE BOARD
21 OF EDUCATION TO DO SO WHICH REQUIRES THE DEVELOPMENT AND
22 IMPLEMENTATION OF AN IMPROVEMENT PLAN WITH SUPPORT FROM THE STATE
23 DEPARTMENT OF EDUCATION; TO REQUIRE THOSE SCHOOL DISTRICTS PLACED
24 INTO A DISTRICT OF TRANSFORMATION FOR FINANCIAL REASONS TO
25 REIMBURSE THE STATE FOR ANY COSTS INCURRED BY THE STATE ON THE
26 DISTRICT'S BEHALF; TO DELETE THE AUTHORITY GRANTED TO THE STATE
27 BOARD OF EDUCATION TO APPOINT AN INTERIM SUPERINTENDENT IN ANY
28 SCHOOL DISTRICTS IN WHICH A MAJORITY OF ITS BOARD OF EDUCATION
29 MEMBERS RESIGN FROM OFFICE; TO DELETE THE AUTHORITY GRANTED TO THE
30 STATE BOARD OF EDUCATION TO REQUEST THE GOVERNOR, WHEN A STATE OF
31 EMERGENCY HAS BEEN DECLARED IN A SCHOOL DISTRICT, TO REQUIRE THE
32 OFFICE OF SUPERINTENDENT OF THE SCHOOL DISTRICT OR THE MEMBERSHIP
33 OF THE SCHOOL BOARD TO BE RECALLED; TO AMEND SECTION 37-17-13,
34 MISSISSIPPI CODE OF 1972, TO DELETE DUPLICATIVE LANGUAGE REGARDING



35 THE RETURN OF A SCHOOL DISTRICT PLACED INTO DISTRICT
36 TRANSFORMATION TO LOCAL CONTROL AFTER MAINTAINING A SATISFACTORY
37 ACCOUNTABILITY RATING FOR THE REQUIRED PERIOD AND THE STATE BOARD
38 OF EDUCATION HAS DETERMINED THAT THE IMPAIRMENTS HAVE BEEN
39 SUBSTANTIALLY CORRECTED; TO AMEND SECTION 37-17-17, MISSISSIPPI
40 CODE OF 1972, TO PROVIDE FOR THE REPEAL OF THE MISSISSIPPI
41 ACHIEVEMENT SCHOOL DISTRICT, EFFECTIVE ON JULY 1, 2025; AND FOR
42 RELATED PURPOSES.

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

44 **SECTION 1.** (1) In the Mississippi Achievement School
45 District, into which, as of January 1, 2024, two (2) local school
46 districts, the Yazoo City Municipal School District and the
47 Humphreys County School District, have been placed by the State
48 Board of Education, there shall be an administrative transition of
49 those school districts into two (2) separate Districts of
50 Transformation, with such transition being completed by July 1,
51 2025. Until June 30, 2025, preceding the effective date of the
52 required transition of the two (2) school districts in the
53 Mississippi Achievement School District into Districts of
54 Transformation, the districts shall remain under the authority and
55 control of the Mississippi Achievement School District and the
56 State Board of Education.

57 (2) From and after July 1, 2024, no local school district
58 shall be placed into the Mississippi Achievement School District
59 and, effective July 1, 2025, the Mississippi Achievement School
60 District shall be dissolved.

61 (3) On or before September 1, 2024, the State Board of
62 Education shall provide the Mississippi Achievement School
63 District with notice and instructions regarding the timetable for



64 actions to be taken to comply with the transition of those local
65 schools into Districts of Transformation.

66 (4) A declaration of a state of emergency shall not be
67 required by the Governor for the two (2) districts to transition
68 from the Mississippi Achievement School District placement into a
69 District of Transformation. However, the two (2) districts shall
70 be required to comply with any and all obligations and laws that
71 are applicable to other Districts of Transformation as required by
72 the State Board of Education, which shall have all the authorities
73 granted to it in accordance with Sections 37-17-6 and 37-17-13,
74 including:

75 (a) The assignment of an interim superintendent to the
76 Districts of Transformation; or

77 (b) In its discretion, contracting with an appropriate
78 private entity with experience in the academic, finance and other
79 operational functions of schools and school districts, who will be
80 responsible for the administration, management and operation of
81 the school district in accordance with Section 37-17-6(15); and

82 (c) The determination of when a District of
83 Transformation is ready to be reconstituted, reorganized and
84 returned to local control.

85 **SECTION 2.** Section 37-17-6, Mississippi Code of 1972, is
86 amended as follows:

87 37-17-6. (1) The State Board of Education, acting through
88 the Commission on School Accreditation, shall establish and



89 implement a permanent performance-based accreditation system, and
90 all noncharter public elementary and secondary schools shall be
91 accredited under this system.

92 (2) No later than June 30, 1995, the State Board of
93 Education, acting through the Commission on School Accreditation,
94 shall require school districts to provide school classroom space
95 that is air-conditioned as a minimum requirement for
96 accreditation.

97 (3) (a) Beginning with the 1994-1995 school year, the State
98 Board of Education, acting through the Commission on School
99 Accreditation, shall require that school districts employ
100 certified school librarians according to the following formula:

101	Number of Students	Number of Certified
102	Per School Library	School Librarians
103	0 - 499 Students	1/2 Full-time Equivalent
104		Certified Librarian
105	500 or More Students	1 Full-time Certified
106		Librarian

107 (b) The State Board of Education, however, may increase
108 the number of positions beyond the above requirements.

109 (c) The assignment of certified school librarians to
110 the particular schools shall be at the discretion of the local
111 school district. No individual shall be employed as a certified
112 school librarian without appropriate training and certification as
113 a school librarian by the State Department of Education.



114 (d) School librarians in the district shall spend at
115 least fifty percent (50%) of direct work time in a school library
116 and shall devote no more than one-fourth (1/4) of the workday to
117 administrative activities that are library related.

118 (e) Nothing in this subsection shall prohibit any
119 school district from employing more certified school librarians
120 than are provided for in this section.

121 (f) Any additional millage levied to fund school
122 librarians required for accreditation under this subsection shall
123 be included in the tax increase limitation set forth in Sections
124 37-57-105 and 37-57-107 and shall not be deemed a new program for
125 purposes of the limitation.

126 (4) On or before December 31, 2002, the State Board of
127 Education shall implement the performance-based accreditation
128 system for school districts and for individual noncharter public
129 schools which shall include the following:

130 (a) High expectations for students and high standards
131 for all schools, with a focus on the basic curriculum;

132 (b) Strong accountability for results with appropriate
133 local flexibility for local implementation;

134 (c) A process to implement accountability at both the
135 school district level and the school level;

136 (d) Individual schools shall be held accountable for
137 student growth and performance;



138 (e) Set annual performance standards for each of the
139 schools of the state and measure the performance of each school
140 against itself through the standard that has been set for it;

141 (f) A determination of which schools exceed their
142 standards and a plan for providing recognition and rewards to
143 those schools;

144 (g) A determination of which schools are failing to
145 meet their standards and a determination of the appropriate role
146 of the State Board of Education and the State Department of
147 Education in providing assistance and initiating possible
148 intervention. A failing district is a district that fails to meet
149 both the absolute student achievement standards and the rate of
150 annual growth expectation standards as set by the State Board of
151 Education for two (2) consecutive years. The State Board of
152 Education shall establish the level of benchmarks by which
153 absolute student achievement and growth expectations shall be
154 assessed. In setting the benchmarks for school districts, the
155 State Board of Education may also take into account such factors
156 as graduation rates, dropout rates, completion rates, the extent
157 to which the school or district employs qualified teachers in
158 every classroom, and any other factors deemed appropriate by the
159 State Board of Education. The State Board of Education, acting
160 through the State Department of Education, shall apply a simple
161 "A," "B," "C," "D" and "F" designation to the current school and
162 school district statewide accountability performance



163 classification labels beginning with the State Accountability
164 Results for the 2011-2012 school year and following, and in the
165 school, district and state report cards required under state and
166 federal law. Under the new designations, a school or school
167 district that has earned a "Star" rating shall be designated an
168 "A" school or school district; a school or school district that
169 has earned a "High-Performing" rating shall be designated a "B"
170 school or school district; a school or school district that has
171 earned a "Successful" rating shall be designated a "C" school or
172 school district; a school or school district that has earned an
173 "Academic Watch" rating shall be designated a "D" school or school
174 district; a school or school district that has earned a
175 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
176 be designated an "F" school or school district. Effective with
177 the implementation of any new curriculum and assessment standards,
178 the State Board of Education, acting through the State Department
179 of Education, is further authorized and directed to change the
180 school and school district accreditation rating system to a simple
181 "A," "B," "C," "D," and "F" designation based on a combination of
182 student achievement scores and student growth as measured by the
183 statewide testing programs developed by the State Board of
184 Education pursuant to Chapter 16, Title 37, Mississippi Code of
185 1972. In any statute or regulation containing the former
186 accreditation designations, the new designations shall be
187 applicable;



188 (h) Development of a comprehensive student assessment
189 system to implement these requirements; and

190 (i) The State Board of Education may, based on a
191 written request that contains specific reasons for requesting a
192 waiver from the school districts affected by Hurricane Katrina of
193 2005, hold harmless school districts from assignment of district
194 and school level accountability ratings for the 2005-2006 school
195 year. The State Board of Education upon finding an extreme
196 hardship in the school district may grant the request. It is the
197 intent of the Legislature that all school districts maintain the
198 highest possible academic standards and instructional programs in
199 all schools as required by law and the State Board of Education.

200 (5) (a) Effective with the 2013-2014 school year, the State
201 Department of Education, acting through the Mississippi Commission
202 on School Accreditation, shall revise and implement a single "A"
203 through "F" school and school district accountability system
204 complying with applicable federal and state requirements in order
205 to reach the following educational goals:

206 (i) To mobilize resources and supplies to ensure
207 that all students exit third grade reading on grade level by 2015;

208 (ii) To reduce the student dropout rate to
209 thirteen percent (13%) by 2015; and

210 (iii) To have sixty percent (60%) of students
211 scoring proficient and advanced on the assessments of the Common



212 Core State Standards by 2016 with incremental increases of three
213 percent (3%) each year thereafter.

214 (b) The State Department of Education shall combine the
215 state school and school district accountability system with the
216 federal system in order to have a single system.

217 (c) The State Department of Education shall establish
218 five (5) performance categories ("A," "B," "C," "D" and "F") for
219 the accountability system based on the following criteria:

220 (i) Student Achievement: the percent of students
221 proficient and advanced on the current state assessments;

222 (ii) Individual student growth: the percent of
223 students making one (1) year's progress in one (1) year's time on
224 the state assessment, with an emphasis on the progress of the
225 lowest twenty-five percent (25%) of students in the school or
226 district;

227 (iii) Four-year graduation rate: the percent of
228 students graduating with a standard high school diploma in four
229 (4) years, as defined by federal regulations;

230 (iv) Categories shall identify schools as Reward
231 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
232 at least five percent (5%) of schools in the state are not graded
233 as "F" schools, the lowest five percent (5%) of school grade point
234 designees will be identified as Priority schools. If at least ten
235 percent (10%) of schools in the state are not graded as "D"



236 schools, the lowest ten percent (10%) of school grade point
237 designees will be identified as Focus schools;

238 (v) The State Department of Education shall
239 discontinue the use of Star School, High-Performing, Successful,
240 Academic Watch, Low-Performing, At-Risk of Failing and Failing
241 school accountability designations;

242 (vi) The system shall include the federally
243 compliant four-year graduation rate in school and school district
244 accountability system calculations. Graduation rate will apply to
245 high school and school district accountability ratings as a
246 compensatory component. The system shall discontinue the use of
247 the High School Completer Index (HSCI);

248 (vii) The school and school district
249 accountability system shall incorporate a standards-based growth
250 model, in order to support improvement of individual student
251 learning;

252 (viii) The State Department of Education shall
253 discontinue the use of the Quality Distribution Index (QDI);

254 (ix) The State Department of Education shall
255 determine feeder patterns of schools that do not earn a school
256 grade because the grades and subjects taught at the school do not
257 have statewide standardized assessments needed to calculate a
258 school grade. Upon determination of the feeder pattern, the
259 department shall notify schools and school districts prior to the
260 release of the school grades beginning in 2013. Feeder schools



261 will be assigned the accountability designation of the school to
262 which they provide students;

263 (x) Standards for student, school and school
264 district performance will be increased when student proficiency is
265 at a seventy-five percent (75%) and/or when sixty-five percent
266 (65%) of the schools and/or school districts are earning a grade
267 of "B" or higher, in order to raise the standard on performance
268 after targets are met;

269 (xi) The system shall include student performance
270 on the administration of a career-readiness assessment, such as,
271 but not limited to, the ACT WorkKeys Assessment, deemed
272 appropriate by the * * * State Department of Education working in
273 coordination with the Office of Workforce Development.

274 (6) Nothing in this section shall be deemed to require a
275 nonpublic school that receives no local, state or federal funds
276 for support to become accredited by the State Board of Education.

277 (7) The State Board of Education shall create an
278 accreditation audit unit under the Commission on School
279 Accreditation to determine whether schools are complying with
280 accreditation standards.

281 (8) The State Board of Education shall be specifically
282 authorized and empowered to withhold adequate education program
283 fund allocations, whichever is applicable, to any public school
284 district for failure to timely report student, school personnel



285 and fiscal data necessary to meet state and/or federal
286 requirements.

287 (9) [Deleted]

288 (10) The State Board of Education shall establish, for those
289 school districts failing to meet accreditation standards, a
290 program of development to be complied with in order to receive
291 state funds, except as otherwise provided in subsection (15) of
292 this section when the Governor has declared a state of emergency
293 in a school district or as otherwise provided in Section 206,
294 Mississippi Constitution of 1890. The state board, in
295 establishing these standards, shall provide for notice to schools
296 and sufficient time and aid to enable schools to attempt to meet
297 these standards, unless procedures under subsection (15) of this
298 section have been invoked.

299 (11) Beginning July 1, 1998, the State Board of Education
300 shall be charged with the implementation of the program of
301 development in each applicable school district as follows:

302 (a) Develop an impairment report for each district
303 failing to meet accreditation standards in conjunction with school
304 district officials;

305 (b) Notify any applicable school district failing to
306 meet accreditation standards that it is on probation until
307 corrective actions are taken or until the deficiencies have been
308 removed. The local school district shall develop a corrective
309 action plan to improve its deficiencies. For district academic



310 deficiencies, the corrective action plan for each such school
311 district shall be based upon a complete analysis of the following:
312 student test data, student grades, student attendance reports,
313 student dropout data, existence and other relevant data. The
314 corrective action plan shall describe the specific measures to be
315 taken by the particular school district and school to improve:
316 (i) instruction; (ii) curriculum; (iii) professional development;
317 (iv) personnel and classroom organization; (v) student incentives
318 for performance; (vi) process deficiencies; and (vii) reporting to
319 the local school board, parents and the community. The corrective
320 action plan shall describe the specific individuals responsible
321 for implementing each component of the recommendation and how each
322 will be evaluated. All corrective action plans shall be provided
323 to the State Board of Education as may be required. The decision
324 of the State Board of Education establishing the probationary
325 period of time shall be final;

326 (c) Offer, during the probationary period, technical
327 assistance to the school district in making corrective actions.
328 Beginning July 1, 1998, subject to the availability of funds, the
329 State Department of Education shall provide technical and/or
330 financial assistance to all such school districts in order to
331 implement each measure identified in that district's corrective
332 action plan through professional development and on-site
333 assistance. Each such school district shall apply for and utilize
334 all available federal funding in order to support its corrective



335 action plan in addition to state funds made available under this
336 paragraph;

337 (d) Assign department personnel or contract, in its
338 discretion, with the institutions of higher learning or other
339 appropriate private entities with experience in the academic,
340 finance and other operational functions of schools to assist
341 school districts;

342 (e) Provide for publication of public notice at least
343 one time during the probationary period, in a newspaper published
344 within the jurisdiction of the school district failing to meet
345 accreditation standards, or if no newspaper is published therein,
346 then in a newspaper having a general circulation therein. The
347 publication shall include the following: declaration of school
348 system's status as being on probation; all details relating to the
349 impairment report; and other information as the State Board of
350 Education deems appropriate. Public notices issued under this
351 section shall be subject to Section 13-3-31 and not contrary to
352 other laws regarding newspaper publication.

353 (12) (a) If the recommendations for corrective action are
354 not taken by the local school district or if the deficiencies are
355 not removed by the end of the probationary period, the Commission
356 on School Accreditation shall conduct a hearing to allow the
357 affected school district to present evidence or other reasons why
358 its accreditation should not be withdrawn. Additionally, if the
359 local school district violates accreditation standards that have



360 been determined by the policies and procedures of the State Board
361 of Education to be a basis for withdrawal of school district's
362 accreditation without a probationary period, the Commission on
363 School Accreditation shall conduct a hearing to allow the affected
364 school district to present evidence or other reasons why its
365 accreditation should not be withdrawn. After its consideration of
366 the results of the hearing, the Commission on School Accreditation
367 shall be authorized, with the approval of the State Board of
368 Education, to withdraw the accreditation of a public school
369 district, and issue a request to the Governor that a state of
370 emergency be declared in that district.

371 (b) (i) If the State Board of Education and the
372 Commission on School Accreditation determine that an extreme
373 emergency situation exists in a school district that jeopardizes
374 the safety, security or educational interests of the children
375 enrolled in the schools in that district and that emergency
376 situation is believed to be related to a serious violation or
377 violations of accreditation standards or state or federal
378 law, * * * the State Board of Education may request the Governor
379 to declare a state of emergency in that school district. For
380 purposes of this paragraph, the declarations of a state of
381 emergency * * * may include the school district's serious failure
382 to meet minimum academic standards, as evidenced by a continued
383 pattern of poor student performance.



384 (ii) If the State Board of Education determines
385 that a public school or district in the state which, during each
386 of two (2) consecutive school years or during two (2) of three (3)
387 consecutive school years, receives a "F" designation by the State
388 Board of Education under the accountability rating system, or has
389 been persistently failing as defined by the State Board of
390 Education, or if more than fifty percent (50%) of the schools with
391 a school district are designated as "school-at-risk" in any one
392 (1) year, may be placed into a District of Transformation. The
393 State Board of Education shall take over on the number of schools
394 and districts for which it has the capacity to serve. The State
395 Board of Education shall adopt rules and regulations governing any
396 additional requirements for placement into a District of
397 Transformation and the Operation thereof.

398 Schools or districts that are eligible to be placed into a
399 District of Transformation due to poor academic performance, but
400 are not absorbed due to the lack of capacity of the State Board of
401 Education to accommodate its administration, shall develop and
402 implement a district improvement plan with prescriptive guidance
403 and support from the State Department of Education, with the goal
404 of helping the district improve student achievement. Failure of
405 the school board, superintendent and school district staff to
406 implement the plan with fidelity and participate in the activities
407 provided as support by the department shall result in the school



408 district retaining its eligibility for placement in the District
409 of Transformation.

410 (iii) If the State Board of Education determined
411 that a school district is impaired with a serious lack of
412 financial resources, the board may place the school district into
413 a District of Transformation. If a school district is placed into
414 a District of Transformation for financial reasons, the school
415 district shall be required to reimburse the state for any costs
416 incurred by the state on behalf of the school district.

417 (c) Whenever the Governor declares a state of emergency
418 in a school district in response to a request made under paragraph
419 (a) or (b) of this subsection, or when the State Board of
420 Education places a second school district into a District of
421 Transformation due to poor academic performance or financial
422 reasons, the State Board of Education may take one or more of the
423 following actions:

424 (i) Declare a state of emergency, under which some
425 or all of state funds can be escrowed except as otherwise provided
426 in Section 206, Constitution of 1890, until the board determines
427 corrective actions are being taken or the deficiencies have been
428 removed, or that the needs of students warrant the release of
429 funds. The funds may be released from escrow for any program
430 which the board determines to have been restored to standard even
431 though the state of emergency may not as yet be terminated for the
432 district as a whole;



433 (ii) Override any decision of the local school
434 board or superintendent of education, or both, concerning the
435 management and operation of the school district, or initiate and
436 make decisions concerning the management and operation of the
437 school district;

438 (iii) Assign an interim superintendent, or in its
439 discretion, contract with a private entity with experience in the
440 academic, finance and other operational functions of schools and
441 school districts, who will have those powers and duties prescribed
442 in subsection (15) of this section;

443 (iv) Grant transfers to students who attend this
444 school district so that they may attend other accredited schools
445 or districts in a manner that is not in violation of state or
446 federal law;

447 (v) For * * * actions taken pursuant to paragraph
448 (a) only, if the accreditation deficiencies are related to the
449 fact that the school district is too small, with too few
450 resources, to meet the required standards and if another school
451 district is willing to accept those students, abolish that
452 district and assign that territory to another school district or
453 districts. If the school district has proposed a voluntary
454 consolidation with another school district or districts, then if
455 the State Board of Education finds that it is in the best interest
456 of the pupils of the district for the consolidation to proceed,



457 the voluntary consolidation shall have priority over any such
458 assignment of territory by the State Board of Education;

459 (vi) For * * * actions taken pursuant to paragraph
460 (b) only, reduce local supplements paid to school district
461 employees, including, but not limited to, instructional personnel,
462 assistant teachers and extracurricular activities personnel, if
463 the district's impairment is related to a lack of financial
464 resources, but only to an extent that will result in the salaries
465 being comparable to districts similarly situated, as determined by
466 the State Board of Education;

467 (vii) For * * * actions taken pursuant to
468 paragraph (b) only, the State Board of Education may take any
469 action as prescribed in Section 37-17-13.

470 (d) At the time that satisfactory corrective action has
471 been taken in a school district in which a state of emergency has
472 been declared, or when the State Board of Education places a
473 school district into a District of Transformation due to poor
474 academic performance or financial reason, the State Board of
475 Education may request the Governor to declare that the state of
476 emergency no longer exists in the district.

477 (e) The parent or legal guardian of a school-age child
478 who is enrolled in a school district whose accreditation has been
479 withdrawn by the Commission on School Accreditation and without
480 approval of that school district may file a petition in writing to
481 a school district accredited by the Commission on School



482 Accreditation for a legal transfer. The school district
483 accredited by the Commission on School Accreditation may grant the
484 transfer according to the procedures of Section 37-15-31(1)(b).
485 In the event the accreditation of the student's home district is
486 restored after a transfer has been approved, the student may
487 continue to attend the transferee school district. The per-pupil
488 amount of the adequate education program allotment, including the
489 collective "add-on program" costs for the student's home school
490 district shall be transferred monthly to the school district
491 accredited by the Commission on School Accreditation that has
492 granted the transfer of the school-age child.

493 (f) Upon the declaration of a state of emergency for
494 any school district in which the Governor has previously declared
495 a state of emergency, the State Board of Education may either:

496 (i) Place the school district into district
497 transformation, in which the school district shall remain until it
498 has fulfilled all conditions related to district transformation.
499 If the district was assigned an accreditation rating of "D" or "F"
500 when placed into district transformation, the district shall be
501 eligible to return to local control when the school district has
502 attained a "C" rating or higher for five (5) consecutive years,
503 unless the State Board of Education determines that the district
504 is eligible to return to local control in less than the five-year
505 period;



506 (ii) Abolish the school district and
507 administratively consolidate the school district with one or more
508 existing school districts;

509 (iii) Reduce the size of the district and
510 administratively consolidate parts of the district, as determined
511 by the State Board of Education. However, no school district
512 which is not in district transformation shall be required to
513 accept additional territory over the objection of the district; or

514 (iv) Require the school district to develop and
515 implement a district improvement plan with prescriptive guidance
516 and support from the State Department of Education, with the goal
517 of helping the district improve student achievement. Failure of
518 the school board, superintendent and school district staff to
519 implement the plan with fidelity and participate in the activities
520 provided as support by the department shall result in the school
521 district retaining its eligibility for district transformation.

522 * * *

523 (13) Upon the declaration of a state of emergency in a
524 school district under subsection (12) of this section, or upon the
525 State Board of Education's placement of a school district into a
526 District of Transformation for academic or financial reasons, the
527 Commission on School Accreditation shall be responsible for public
528 notice at least once a week for at least three (3) consecutive
529 weeks in a newspaper published within the jurisdiction of the
530 school district failing to meet accreditation standards, or if no



531 newspaper is published therein, then in a newspaper having a
532 general circulation therein. The size of the notice shall be no
533 smaller than one-fourth (1/4) of a standard newspaper page and
534 shall be printed in bold print. If an interim superintendent has
535 been appointed for the school district, the notice shall begin as
536 follows: "By authority of Section 37-17-6, Mississippi Code of
537 1972, as amended, adopted by the Mississippi Legislature during
538 the 1991 Regular Session, this school district (name of school
539 district) is hereby placed under the jurisdiction of the State
540 Department of Education acting through its appointed interim
541 superintendent (name of interim superintendent)."

542 The notice also shall include, in the discretion of the State
543 Board of Education, any or all details relating to the school
544 district's emergency status, including the declaration of a state
545 of emergency in the school district and a description of the
546 district's impairment deficiencies, conditions of any district
547 transformation status and corrective actions recommended and being
548 taken. Public notices issued under this section shall be subject
549 to Section 13-3-31 and not contrary to other laws regarding
550 newspaper publication.

551 Upon termination of the state of emergency * * * for a school
552 district placed into a District of Transformation, the Commission
553 on School Accreditation shall cause notice to be published in the
554 school district in the same manner provided in this section, to
555 include any or all details relating to the corrective action taken



556 in the school district that resulted in the termination of the
557 state of emergency.

558 (14) The State Board of Education or the Commission on
559 School Accreditation shall have the authority to require school
560 districts to produce the necessary reports, correspondence,
561 financial statements, and any other documents and information
562 necessary to fulfill the requirements of this section.

563 Nothing in this section shall be construed to grant any
564 individual, corporation, board or interim superintendent the
565 authority to levy taxes except in accordance with presently
566 existing statutory provisions.

567 (15) (a) Whenever the Governor declares a state of
568 emergency in a school district in response to a request made under
569 subsection (12) of this section, or when the State Board of
570 Education places a school district into a District of
571 Transformation for academic or financial reasons, the State Board
572 of Education, in its discretion, may assign an interim
573 superintendent to the school district, or in its discretion, may
574 contract with an appropriate private entity with experience in the
575 academic, finance and other operational functions of schools and
576 school districts, who will be responsible for the administration,
577 management and operation of the school district, including, but
578 not limited to, the following activities:

579 (i) Approving or disapproving all financial
580 obligations of the district, including, but not limited to, the



581 employment, termination, nonrenewal and reassignment of all
582 licensed and nonlicensed personnel, contractual agreements and
583 purchase orders, and approving or disapproving all claim dockets
584 and the issuance of checks; in approving or disapproving
585 employment contracts of superintendents, assistant superintendents
586 or principals, the interim superintendent shall not be required to
587 comply with the time limitations prescribed in Sections 37-9-15
588 and 37-9-105;

589 (ii) Supervising the day-to-day activities of the
590 district's staff, including reassigning the duties and
591 responsibilities of personnel in a manner which, in the
592 determination of the interim superintendent, will best suit the
593 needs of the district;

594 (iii) Reviewing the district's total financial
595 obligations and operations and making recommendations to the
596 district for cost savings, including, but not limited to,
597 reassigning the duties and responsibilities of staff;

598 (iv) Attending all meetings of the district's
599 school board and administrative staff;

600 (v) Approving or disapproving all athletic, band
601 and other extracurricular activities and any matters related to
602 those activities;

603 (vi) Maintaining a detailed account of
604 recommendations made to the district and actions taken in response
605 to those recommendations;



606 (vii) Reporting periodically to the State Board of
607 Education on the progress or lack of progress being made in the
608 district to improve the district's impairments during the state of
609 emergency; and

610 (viii) Appointing a parent advisory committee,
611 comprised of parents of students in the school district that may
612 make recommendations to the interim superintendent concerning the
613 administration, management and operation of the school district.

614 The cost of the salary of the interim superintendent and any
615 other actual and necessary costs related to district
616 transformation status paid by the State Department of Education
617 shall be reimbursed by the local school district from funds other
618 than adequate education program funds. The department shall
619 submit an itemized statement to the superintendent of the local
620 school district for reimbursement purposes, and any unpaid balance
621 may be withheld from the district's adequate education program
622 funds. In the alternative, the local school district may pay the
623 cost of the salary of the interim superintendent.

624 At the time that the Governor, in accordance with the request
625 of the State Board of Education, declares that the state of
626 emergency no longer exists in a school district, * * * the interim
627 superintendent assigned to the district shall * * * remain in
628 place for a period of one (1) year and shall work alongside the
629 newly reconstituted school board.



630 (b) In order to provide loans to school districts under
631 a state of emergency or in district transformation status that
632 have impairments related to a lack of financial resources, the
633 School District Emergency Assistance Fund is created as a special
634 fund in the State Treasury into which monies may be transferred or
635 appropriated by the Legislature from any available public
636 education funds. Funds in the School District Emergency
637 Assistance Fund up to a maximum balance of Three Million Dollars
638 (\$3,000,000.00) annually shall not lapse but shall be available
639 for expenditure in subsequent years subject to approval of the
640 State Board of Education. Any amount in the fund in excess of
641 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
642 year shall lapse into the State General Fund or the Education
643 Enhancement Fund, depending on the source of the fund.

644 The State Board of Education may loan monies from the School
645 District Emergency Assistance Fund to a school district that is
646 under a state of emergency or in district transformation status,
647 in those amounts, as determined by the board, that are necessary
648 to correct the district's impairments related to a lack of
649 financial resources. The loans shall be evidenced by an agreement
650 between the school district and the State Board of Education and
651 shall be repayable in principal, without necessity of interest, to
652 the School District Emergency Assistance Fund by the school
653 district from any allowable funds that are available. The total
654 amount loaned to the district shall be due and payable within five



655 (5) years after the impairments related to a lack of financial
656 resources are corrected. If a school district fails to make
657 payments on the loan in accordance with the terms of the agreement
658 between the district and the State Board of Education, the State
659 Department of Education, in accordance with rules and regulations
660 established by the State Board of Education, may withhold that
661 district's adequate education program funds in an amount and
662 manner that will effectuate repayment consistent with the terms of
663 the agreement; the funds withheld by the department shall be
664 deposited into the School District Emergency Assistance Fund.

665 The State Board of Education shall develop a protocol that
666 will outline the performance standards and requisite timeline
667 deemed necessary for extreme emergency measures. If the State
668 Board of Education determines that an extreme emergency exists,
669 simultaneous with the powers exercised in this subsection, it
670 shall take immediate action against all parties responsible for
671 the affected school districts having been determined to be in an
672 extreme emergency. The action shall include, but not be limited
673 to, initiating civil actions to recover funds and criminal actions
674 to account for criminal activity. Any funds recovered by the
675 State Auditor or the State Board of Education from the surety
676 bonds of school officials or from any civil action brought under
677 this subsection shall be applied toward the repayment of any loan
678 made to a school district hereunder.

679 * * *



680 (* * * 16) * * * The State Board of Education, acting
681 through the Commission on School Accreditation, shall require each
682 school district to comply with standards established by the State
683 Department of Audit for the verification of fixed assets and the
684 auditing of fixed assets records as a minimum requirement for
685 accreditation.

686 (* * * 17) * * * The State Board of Education shall
687 recommend a program to the Education Committees of the House of
688 Representatives and the Senate for identifying and rewarding
689 public schools that improve or are high performing. The program
690 shall be described by the board in a written report, which shall
691 include criteria and a process through which improving schools and
692 high-performing schools will be identified and rewarded.

693 The State Superintendent of Public Education and the State
694 Board of Education also shall develop a comprehensive
695 accountability plan to ensure that local school boards,
696 superintendents, principals and teachers are held accountable for
697 student achievement. * * *

698 * * *

699 (* * * 18) If a local school district is determined as
700 failing and placed into district transformation status for reasons
701 authorized by the provisions of this section, the interim
702 superintendent appointed to the district shall, within forty-five
703 (45) days after being appointed, present a detailed and structured
704 corrective action plan to move the local school district out of



705 district transformation status to the deputy superintendent. A
706 copy of the interim superintendent's corrective action plan shall
707 also be filed with the State Board of Education.

708 **SECTION 3.** Section 37-17-13, Mississippi Code of 1972, is
709 amended as follows:

710 37-17-13. (1) Whenever the Governor declares a state of
711 emergency in a school district in response to a certification by
712 the State Board of Education and the Commission on School
713 Accreditation made under Section 37-17-6(12) (b), or when the State
714 Board of Education places a school district into a District of
715 Transformation for academic or financial purposes under Section
716 37-17-6(12) (b), the State Board of Education, in addition to any
717 actions taken under Section 37-17-6, * * * shall abolish the
718 school district and assume control and administration of the
719 schools formerly constituting the district, and appoint an interim
720 superintendent to carry out this purpose under the direction of
721 the State Board of Education. In such case, the State Board of
722 Education shall have all powers which were held by the previously
723 existing school board, and the previously existing superintendent
724 of schools or county superintendent of education, including, but
725 not limited to, those enumerated in Section 37-7-301, and the
726 authority to request tax levies from the appropriate governing
727 authorities for the support of the schools and to receive and
728 expend the tax funds as provided by Section 37-57-1 et seq. and
729 Section 37-57-105 et seq.



730 (2) When a school district is abolished under this section,
731 loans from the School District Emergency Assistance Fund may be
732 made by the State Board of Education for the use and benefit of
733 the schools formerly constituting the district in accordance with
734 the procedures set forth in Section 37-17-6(15) for such loans to
735 the district. The abolition of a school district under this
736 section shall not impair or release the property of that school
737 district from liability for the payment of the loan indebtedness,
738 and it shall be the duty of the appropriate governing authorities
739 to levy taxes on the property of the district so abolished from
740 year to year according to the terms of the indebtedness until same
741 shall be fully paid.

742 * * *

743 (* * * 3) * * * After a local school board is abolished by
744 the State Board of Education * * *, * * * at such time as the
745 State Board of Education determines that the impairments are being
746 substantially corrected and the responsibility of the district
747 transformation in such district upon the conclusion of the final
748 scholastic year in which a district has maintained a "C"
749 accountability rating for five (5) consecutive years, unless the
750 State Board of Education determines that the district is eligible
751 to return to local control in less than the five-year period, the
752 State Board of Education may appoint a new five-member board for
753 the administration of the school district and shall notify the
754 local county board of supervisors and/or municipal governing



755 authority of such appointment, spreading the names of the new
756 school board members on its minutes. The new local school board
757 members shall be residents of the school district. The new local
758 school board members appointed by the State Board of Education may
759 serve in an advisory capacity to the interim superintendent for
760 its first year of service and thereafter shall have full
761 responsibility to administer the school district. Thirty (30)
762 days prior to the end of the first year of office as an advisory
763 board, each member shall draw lots to determine when the members
764 shall rotate off the board as follows: one (1) member shall serve
765 a one-year term of office; one (1) member shall serve a two-year
766 term of office; one (1) member shall serve a three-year term of
767 office; one (1) member shall serve a four-year term of office; and
768 one (1) member shall serve a five-year term of office. At that
769 time, the State Board of Education shall notify the appropriate
770 board of supervisors or municipal governing authority of this
771 action and request them to provide for the election or appointment
772 of school board members at the end of the terms of office in the
773 manner provided by law, in order for the local residents of the
774 school district to select a new school board on a phased-in basis.
775 In such situations, the Governor will set the date of any
776 necessary special election which shall be conducted by the county
777 election commission. During the school board's first year fully
778 administering the school district, the interim superintendent
779 shall continue to serve alongside the school board. The State



780 Board of Education shall * * * request the new school board to
781 provide for the appointment of a superintendent to govern the
782 reconstituted or reorganized school district * * * upon the
783 conclusion of the interim superintendent's year of concurrent
784 service. A board member or superintendent in office at the time
785 the Governor declares a state of emergency in a school district,
786 or when the State Board of Education places a school district into
787 a District of Transformation due to academic or financial reasons,
788 shall not be eligible to serve in the office of school board
789 member or superintendent for the school district reconstituted or
790 reorganized following the district transformation period.

791 * * *

792 **SECTION 4.** Section 37-17-17, Mississippi Code of 1972, is
793 amended as follows:

794 37-17-17. (1) There is created the Mississippi Achievement
795 School District for the purpose of transforming persistently
796 failing public schools and districts throughout the state into
797 quality educational institutions. The Mississippi Achievement
798 School District shall be a statewide school district, separate and
799 distinct from all other school districts but not confined to any
800 specified geographic boundaries, and may be comprised of any
801 public schools or school districts in the state which, during two
802 (2) consecutive school years, are designated an "F" school or
803 district by the State Board of Education under the accountability



804 rating system or which have been persistently failing and
805 chronically underperforming.

806 (2) The Mississippi Achievement School District shall be
807 governed by the State Board of Education.

808 (3) The State Board of Education shall obtain suitable
809 office space to serve as the administrative office of the school
810 district.

811 (4) The State Board of Education shall select an individual
812 to serve as superintendent of the Mississippi Achievement School
813 District. The superintendent must be deemed by the board to be
814 highly qualified with a demonstrable track record for producing
815 results in a context relevant to that of Mississippi Achievement
816 School District schools. The superintendent of the Mississippi
817 Achievement School District shall exercise powers and duties that
818 would afford significant autonomy but are bound by the governance
819 of the State Board of Education.

820 (5) (a) Each public school or district in the state which,
821 during each of two (2) consecutive school years or during two (2)
822 of three (3) consecutive school years, receives an "F" designation
823 by the State Board of Education under the accountability rating
824 system or has been persistently failing as defined by the State
825 Board of Education may be absorbed into and become a part of the
826 Mississippi Achievement School District. All eligible public
827 schools and districts shall be prioritized by the Mississippi
828 Achievement School District according to criteria set by the



829 Mississippi Achievement School District and publicized prior to
830 the annual release of accountability rating data. The Mississippi
831 Achievement School District shall takeover only the number of
832 schools and districts for which it has the capacity to serve. The
833 transfer of the school's/district's governance from the local
834 school district to the Mississippi Achievement School District
835 shall take effect upon the approval of the State Board of
836 Education unless, in the sole determination of the Mississippi
837 Achievement School District, the transition may be more smoothly
838 accomplished through a gradual transfer of control. If the
839 Mississippi Achievement School District elects not to assume
840 complete control of a school or district immediately after that
841 school receives an "F" designation during each of two (2)
842 consecutive school years or during two (2) of the three (3)
843 consecutive school years, the State Board of Education shall
844 prescribe the process and timetable by which the school or
845 district shall be absorbed; however, in no event may the transfer
846 of the school or district to the Mississippi Achievement School
847 District be completed later than the beginning of the school year
848 next succeeding the year during which the school or district
849 receives the "F" designation. School districts that are eligible
850 to be absorbed by the Achievement School District, but are not
851 absorbed due to the capacity of the Achievement School District,
852 shall develop and implement a district improvement plan with
853 prescriptive guidance and support from the * * * State Department



854 of Education, with the goal of helping the district improve
855 student achievement. Failure of the school board, superintendent
856 and school district staff to implement the plan with fidelity and
857 participate in the activities provided as support by the
858 department shall result in the school district retaining its
859 eligibility for the Mississippi Achievement School District.

860 (b) The State Board of Education shall adopt rules and
861 regulations governing the operation of the Mississippi Achievement
862 School District.

863 (c) Designations assigned to schools or districts under
864 the accountability rating system by the State Board of Education
865 before the 2015-2016 school year may not be considered in
866 determining whether a particular school or district is subject to
867 being absorbed by the Mississippi Achievement School District.
868 During the 2017-2018 school year, any school or district receiving
869 an "F" designation after also being designated an "F" school or
870 district in the 2015-2016 and 2016-2017 school years may be
871 absorbed immediately by the Mississippi Achievement School
872 District, upon approval of the State Board of Education.

873 (d) The school district from which an "F" school or
874 district is being absorbed must cooperate fully with the
875 Mississippi Achievement School District and the State Board of
876 Education in order to provide as smooth a transition as possible
877 in the school's/district's governance and operations for the
878 students enrolled in the school or district. Upon completion of



879 the transfer of a school or district to the Mississippi
880 Achievement School District, the school or district shall be
881 governed by the rules, regulations, policies and procedures
882 established by the State Board of Education specifically for the
883 Mississippi Achievement School District, and the school or
884 district shall no longer be under the purview of the school board
885 of the local school district. In the event of the transfer of
886 governance and operations of a school district, the State Board of
887 Education shall abolish the district as prescribed in Section
888 37-17-13.

889 (e) Upon the transfer of the school or school district
890 to the Mississippi Achievement School District, the individual
891 appointed by the State Board of Education to serve as
892 superintendent for the Mississippi Achievement School District
893 shall be responsible for the administration, management and
894 operation of the school or school district, including the
895 following activities: (i) approving or denying all financial
896 obligations of the school or school district; (ii) approving or
897 denying the employment, termination, nonrenewal and reassignment
898 of all licensed and nonlicensed personnel; (iii) approving or
899 denying contractual agreements and purchase orders; (iv)
900 approving or denying all claim dockets and the issuance of checks;
901 (v) supervising the day-to-day activities of the school or school
902 district's staff in a manner which in the determination of the
903 Mississippi Achievement School District will best suit the needs



904 of the school or school district; (vi) approving or denying all
905 athletic, band and other extracurricular activities and any
906 matters related to those activities; (vii) honoring any reasonable
907 financial commitment of the district being absorbed; and (viii)
908 reporting periodically to the State Board of Education on the
909 progress or lack of progress being made in the school or school
910 district to improve the school or school district's impairments.

911 (f) Upon attaining and maintaining a school or district
912 accountability rating of "C" or better under the State Department
913 of Education's accountability rating system for five (5)
914 consecutive years, the State Board of Education may decide to
915 revert the absorbed school or district back to local governance,
916 provided the school or school(s) in question are not conversion
917 charter schools. "Local governance" may include a traditional
918 school board model of governance or other new form of governance
919 such as mayoral control, or other type of governance. The State
920 Board of Education shall determine the best form of local
921 governance and school board composition after soliciting the input
922 of local citizens and shall outline a process for establishing the
923 type of governance selected. The manner and timeline for
924 reverting a school or district back to local control shall be at
925 the discretion of the State School Board, but in no case shall it
926 exceed five (5) years.

927 (6) The Superintendent of the Mississippi Achievement School
928 District shall hire those persons to be employed as principals,



929 teachers and noninstructional personnel in schools or districts
930 absorbed into the Mississippi Achievement School District. Only
931 highly qualified individuals having a demonstrable record of
932 success may be selected by the superintendent for such positions
933 in the Mississippi Achievement School District. The
934 superintendent may choose to continue the employment of any person
935 employed in an "F" rated school when the school or district is
936 absorbed into the Mississippi Achievement School District;
937 alternatively, the superintendent may elect not to offer continued
938 employment to a person formerly employed at a school or district
939 that is absorbed into the Mississippi Achievement School District.
940 Any persons employed by the Mississippi Achievement School
941 District shall not be subject to Sections 37-9-101 through
942 37-9-113.

943 (7) (a) The Mississippi Achievement School District may use
944 a school building and all facilities and property that is a part
945 of a school and recognized as part of the facilities or assets of
946 the school before it is absorbed into the Mississippi Achievement
947 School District. In addition, the Mississippi Achievement School
948 District shall have access to those additional facilities that
949 typically were available to that school or district, its students,
950 faculty and staff before its absorption by the Mississippi
951 Achievement School District. Use of facilities by a school or
952 district in the Mississippi Achievement School District must be
953 unrestricted and free of charge. However, the Mississippi



954 Achievement School District shall be responsible for providing
955 routine maintenance and repairs necessary to maintain the
956 facilities in as good a condition as when the right of use was
957 acquired by the Mississippi Achievement School District. The
958 Mississippi Achievement School District shall be responsible for
959 paying all utilities at the facilities used for the absorbed
960 school. Any fixtures, improvements and tangible assets added to a
961 school building or facility by the Mississippi Achievement School
962 District must remain at the school or district building or
963 facility if the school or district is returned to local
964 governance.

965 (b) The State Board of Education shall include in the
966 rules and regulations adopted pursuant to subsection (5) of this
967 section specific provisions addressing the rights and
968 responsibilities of the Mississippi Achievement School District
969 relating to the real and personal property of a school or district
970 that is absorbed into the Mississippi Achievement School District.

971 (8) (a) The Mississippi Achievement School District shall
972 certify annually to the State Board of Education in which a
973 Mississippi Achievement School District school or district is
974 located the number of students residing in the school district
975 which are enrolled in that school or district.

976 (b) Whenever an increase in funding is requested by the
977 school board for the support of schools within a particular school
978 district absorbed into the Mississippi Achievement School



979 District, the State Board of Education and the superintendent for
980 the Mississippi Achievement School District shall hold a public
981 meeting in the local municipality having jurisdiction of the
982 absorbed school district to allow input of local residents on the
983 matter, and subsequent to the conclusion of such meeting, the
984 board of the Mississippi Achievement School District shall submit
985 its request for ad valorem increase in dollars to the local
986 governing authority having jurisdiction over the absorbed school
987 district for approval of the request for increase in ad valorem
988 tax effort. In a district in which a school or schools but not
989 the entire district is absorbed into the Mississippi Achievement
990 School District, the local school district shall pay directly to
991 the Mississippi Achievement School District an amount for each
992 student enrolled in that school equal to the ad valorem tax
993 receipts and in-lieu payments received per pupil for the support
994 of the local school district in which the student resides. The
995 pro rata ad valorem receipts and in-lieu receipts to be
996 transferred to the Mississippi Achievement School District shall
997 include all levies for the support of the local school district
998 under Sections 37-57-1 (local contribution to the education
999 funding program) and 37-57-105 (school district operational levy)
1000 and may not include any taxes levied for the retirement of the
1001 local school district's bonded indebtedness or short-term notes or
1002 any taxes levied for the support of vocational-technical education
1003 programs, unless the school or schools absorbed include a high



1004 school at which vocational-technical education programs are
1005 offered. In no event may the payment exceed the pro rata amount
1006 of the local ad valorem payment to the education funding program
1007 under Section 37-57-1 for the school district in which the student
1008 resides. Payments made under this section by a school district to
1009 the Mississippi Achievement School District must be made before
1010 the expiration of three (3) business days after the funds are
1011 distributed to the local school district by the tax collector.

1012 (c) If an entire school district is absorbed into the
1013 Mississippi Achievement School District, the tax collector shall
1014 pay the amounts as described in paragraph (b) of this subsection,
1015 with the exception that all funds should transfer, including taxes
1016 levied for the retirement of the local school district's bonded
1017 indebtedness or short-term notes and any taxes levied for the
1018 support of vocational-technical education programs. The
1019 Mississippi Achievement School District shall pay funds raised to
1020 retire the district's debts to the appropriate creditors on behalf
1021 of the former district.

1022 (9) (a) The State Department of Education shall make
1023 payments to the Mississippi Achievement School District for each
1024 student in average daily membership at a Mississippi Achievement
1025 School District school equal to the state share of the education
1026 funding program payments for each student in average daily
1027 attendance at the local school district or former local school
1028 district in which that school is located. In calculating the



1029 local contribution for purposes of determining the state share of
1030 the education funding program payments, the department shall
1031 deduct the pro rata local contribution of the school district or
1032 former school district in which the student resides, to be
1033 determined as provided in Section 37-151-7(2) (a).

1034 (b) Payments made pursuant to this subsection by the
1035 State Department of Education must be made at the same time and in
1036 the same manner as education funding program payments are made to
1037 all other school districts under Sections 37-151-101 and
1038 37-151-103. Amounts payable to the Mississippi Achievement School
1039 District must be determined by the State Department of Education
1040 in the same manner that such amounts are calculated for all other
1041 school districts under the education funding program.

1042 (10) The Mississippi Achievement School District shall be
1043 considered a local educational agency for the same purposes and to
1044 the same extent that all other school districts in the state are
1045 deemed local educational agencies under applicable federal laws.

1046 (11) The Mississippi Achievement School District may receive
1047 donations or grants from any public or private source, including
1048 any federal funding that may be available to the school district
1049 or individual schools within the Mississippi Achievement School
1050 District.

1051 (12) The Legislature may appropriate sufficient funding to
1052 the State Department of Education for the 2017 fiscal year for the
1053 specific purpose of funding the start-up, operational and any



1054 other required costs of the Mississippi Achievement School
1055 District during the 2017-2018 school year.

1056 (13) This section shall stand repealed from and after July
1057 1, 2025.

1058 **SECTION 5.** This act shall take effect and be in force from
1059 and after July 1, 2024.

