

Senate Amendments to House Bill No. 1192

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

28 **SECTION 1.** Section 37-161-3, Mississippi Code of 1972, is
29 amended as follows:

30 37-161-3. (1) The Legislature finds and declares the
31 following:

32 (a) Meeting the educational needs of children in our
33 state's schools is of the greatest importance to the future
34 welfare of the State of Mississippi;

35 (b) Closing the achievement gap between high-performing
36 students, including the achievement gap among at-risk students, is
37 a significant and present challenge;

38 (c) Providing a broader range of educational options to
39 parents and utilizing existing resources, along with technology,
40 may help students in the state improve their academic achievement;
41 and

42 (d) Many of the state's school districts currently lack
43 the capacity to provide other public school choices for students
44 whose schools are low performing.

45 (2) There is created the Mississippi Virtual Public School
46 Program, which is the responsibility of the State Department of
47 Education. It is the intent of the Legislature that the
48 Mississippi Virtual Public School established under this section
49 provides Mississippi families with an alternative choice to access
50 additional educational resources in an effort to improve academic
51 achievement. The Mississippi Virtual Public School must be
52 recognized as a public school and provide equitable treatment and
53 resources as are other public schools in the state. Private
54 providers, overseen by the State Department of Education, may be
55 selected by the State Board of Education to administer, manage or
56 operate virtual school programs in this state, including the total
57 operation of the Mississippi Virtual Public School Program. Any
58 private provider chosen to provide services under the provisions
59 of this subsection shall be chosen through the Mississippi Online
60 Course Application Process.

61 (3) Nothing in this section may be interpreted as precluding
62 the use of computer- and Internet-based instruction for students
63 in a virtual or remote setting utilizing the Mississippi Virtual
64 Public School.

65 (4) As used in this section, the following words and phrases
66 have the meanings respectively ascribed unless the context clearly
67 requires otherwise:

68 (a) "Mississippi Virtual Public School" means a public
69 school in which the state uses technology in order to deliver

70 instruction to students via the Internet in a virtual or remote
71 setting.

72 (b) "Sponsor" means the public school district is
73 responsible for the academic process for each student, including,
74 but not limited to, enrollment, awarding of credit and monitoring
75 progress.

76 (5) (a) The State Board of Education shall establish the
77 Mississippi Virtual Public School beginning in school year
78 2006-2007.

79 (b) Students who enroll in the Mississippi Virtual
80 Public School may reside anywhere in the State of Mississippi.

81 (6) Subject to appropriation, the Mississippi Virtual Public
82 School shall provide to each student enrolled in the school all
83 necessary instructional materials. Subject to appropriation, the
84 sponsored school must ensure that each student is provided access
85 to the necessary technology, such as a computer and printer, and
86 to an Internet connection for schoolwork purposes.

87 (7) The Mississippi Department of Education shall have
88 approval authority for all coursework and policy of the
89 Mississippi Virtual Public School.

90 (8) Each teacher employed by or participating in the
91 delivery of instruction through the Mississippi Virtual Public
92 School must meet all qualifications for licensure in the State of
93 Mississippi.

94 (9) Any student who meets state residency requirements may
95 enroll in the Mississippi Virtual Public School.

96 (10) Enrollment in the Mississippi Virtual Public School
97 shall be free of charge to students. The costs associated with
98 the operations of the virtual school must be shared by the State
99 Department of Education, subject to appropriation, and/or the
100 local school districts. Once the State Department of Education
101 appropriation and the local school district budgeted funds for
102 Mississippi Virtual Public School have been expended and students
103 choose to enroll in online courses, the costs of the online
104 courses may be the responsibility of the students' parents or
105 guardians.

106 (11) The Mississippi Department of Education is directed to
107 provide a report on the Mississippi Virtual Public School and
108 recommendations related to the future role of virtual education in
109 public schools to the Chairman of the Senate Education Committee
110 and the Chairman of the House of Representatives Education
111 Committee by October 1, 2024. The report shall include, but not
112 be limited to, an update on the history, cost, usage and student
113 achievement related to the current Mississippi Virtual Public
114 School and other virtual education programs which may exist in
115 school districts across the state. The report shall also include,
116 but not be limited to, recommendations related to using virtual
117 education tools, including tools provided by or used by other
118 public schools districts in Mississippi and/or third party
119 vendors, to address student achievement, access to courses and
120 teacher shortages in public schools.

121 **SECTION 2** This act shall be known and may be cited as the
122 "Mississippi Modified School Calendar Grant Program."

123 **SECTION 3.** The Mississippi Legislature finds the following:

124 (a) Whereas, a modified school calendar apportioning
125 required instructional days throughout the year can increase
126 student achievement and engagement and provide staff with a more
127 flexible schedule.

128 (b) Therefore, it is the intent of the Mississippi
129 Legislature to incentivize public school districts to maintain or
130 consider adopting a modified school calendar by offsetting costs
131 associated with adopting a modified school calendar through a
132 time-limited grant.

133 **SECTION 4.** For purposes of this act, the following words
134 shall have the meanings ascribed herein unless the context
135 requires otherwise:

136 (a) "Grant program" means the Mississippi Modified
137 School Calendar Grant Program established in this act.

138 (b) "Department" means the Mississippi Department of
139 Education.

140 (c) "Modified school calendar" means a nontraditional
141 school calendar in which the length of summer break is shortened,
142 there are breaks dispersed throughout the school year, and
143 required instructional days are evenly distributed across the
144 calendar year.

145 (d) "School district" means all public school
146 districts.

147 **SECTION 5.** (1) There is established the Mississippi
148 Modified School Calendar Grant Program which shall be administered
149 by the department for the purpose of offsetting initial costs
150 incurred by school districts which have implemented or intend to
151 implement a modified school calendar.

152 (2) Subject to the provisions of this act and any other
153 applicable state law and regulation, school districts receiving a
154 grant shall have the authority to use the funds provided in this
155 grant program in a way that best facilitates their plan to
156 transition to and maintain a modified school calendar and maximize
157 student achievement and engagement.

158 **SECTION 6.** (1) The department shall:

159 (a) Inform all school districts about the grant
160 program;

161 (b) Develop regulations and procedures to govern the
162 administration of the grant program, including application
163 requirements, within two (2) months after enactment; and

164 (c) Subject to appropriation, award school districts
165 meeting the requirements of the program a grant for expenses
166 related to the adoption or maintenance of a modified school
167 calendar beginning in the 2024-2025 academic year. Initial grant
168 awards shall be made by July 1, 2024, and July 1 of each year
169 thereafter.

170 (2) The department shall administer this program with
171 existing personnel and resources and shall not contract for
172 external support.

173 (3) An application for an award from the grant program shall
174 include:

175 (a) The rationale for adopting a modified school
176 calendar, including relevant short- and long-term goals of the
177 school district, which a modified calendar may help achieve;

178 (b) Evidence of community support and engagement to
179 move to a modified school calendar;

180 (c) A detailed budget of operating expenses expected to
181 be incurred as a result of adopting a modified calendar; and

182 (d) A detailed calendar, including plans for any
183 intercession activities.

184 (4) Grants awarded shall be used for expenses incurred as a
185 result of the adoption of a modified school calendar, including,
186 but not limited to:

187 (a) Transportation;

188 (b) Certified and noncertified staffing during
189 intercessions;

190 (c) Remediation and enrichment programs during
191 intercession; and

192 (d) Utilities.

193 **SECTION 7.** (1) School districts shall be eligible for a
194 maximum award of Two Hundred Fifty Thousand Dollars (\$250,000.00)
195 per year for a maximum of three (3) years.

196 (2) Eligible school districts shall include those which
197 implement a modified school calendar by the beginning of the
198 2024-2025 academic year. Any school district which implemented a

199 modified school calendar in the 2021-2022, 2022-2023, 2023-2024 or
200 2024-2025 academic years shall also be eligible.

201 (3) The amount awarded each year shall be based on the
202 actual budget and plan submitted by the school district, the
203 number of students in the school district, and other factors which
204 may increase the cost of delivery of services, including the rural
205 nature of the school district.

206 (4) The amount of the award shall not exceed the actual
207 budget submitted by the school district related to modified school
208 calendar costs.

209 (5) Grants received by school districts under this chapter
210 shall not be used to purchase land, construct new facilities or to
211 finance or satisfy any existing debt.

212 **SECTION 8.** There is created a special fund in the State
213 Treasury, to be known as the "Mississippi Modified School Calendar
214 Grant Fund," from which the grants authorized by this act shall be
215 disbursed by the department. The fund shall be maintained by the
216 State Treasurer as a separate and special fund, separate and apart
217 from the General Fund of the state. Unexpended amounts remaining
218 in the fund at the end of a fiscal year shall remain in the fund
219 and shall not lapse into the State General Fund. Any interest
220 earned or investment earnings or interest earned on amounts in the
221 fund shall be deposited to the credit of the fund.

222 **SECTION 9.** The department shall provide a comprehensive
223 report on the use of funds distributed under this grant program
224 and the effectiveness of modified calendar school districts to the

225 Governor, Lieutenant Governor, Speaker of the House of
226 Representatives, and Chairs of the Senate and House Appropriations
227 and Education Committees by October 1, 2024, and October 1 of each
228 year thereafter.

229 **SECTION 10.** This act shall take effect and be in force from
230 and after its passage.

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

1 AN ACT TO AMEND SECTION 37-161-3, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE A REPORT ON THE
3 MISSISSIPPI VIRTUAL PUBLIC SCHOOL AND RECOMMENDATIONS RELATED TO
4 THE FUTURE ROLE OF VIRTUAL EDUCATION IN PUBLIC SCHOOLS TO THE
5 CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES EDUCATION
6 COMMITTEES BY OCTOBER 1, 2024; TO ESTABLISH THE MISSISSIPPI
7 MODIFIED SCHOOL CALENDAR GRANT PROGRAM TO BE ADMINISTERED BY THE
8 DEPARTMENT OF EDUCATION FOR THE PURPOSE OF INCENTIVIZING PUBLIC
9 SCHOOL DISTRICTS TO MAINTAIN OR CONSIDER ADOPTING A MODIFIED
10 SCHOOL CALENDAR BY OFFSETTING COSTS ASSOCIATED WITH ADOPTING A
11 MODIFIED SCHOOL CALENDAR THROUGH A TIME-LIMITED GRANT; TO REQUIRE
12 THE DEPARTMENT TO DEVELOP REGULATIONS AND PROCEDURES TO GOVERN THE
13 ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING APPLICATION
14 REQUIREMENTS; TO PROVIDE FOR THE ELIGIBILITY CRITERIA; TO PROVIDE
15 THAT GRANTS AWARDED SHALL BE USED FOR EXPENSES INCURRED AS A
16 RESULT OF THE ADOPTION OF A MODIFIED SCHOOL CALENDAR; TO PROVIDE
17 THAT SCHOOL DISTRICTS SHALL BE ELIGIBLE FOR A MAXIMUM AWARD OF
18 \$250,000.00 PER YEAR FOR A MAXIMUM OF THREE YEARS; TO CREATE A
19 SPECIAL FUND IN THE STATE TREASURY, TO BE KNOWN AS THE
20 "MISSISSIPPI MODIFIED SCHOOL CALENDAR GRANT FUND"; TO REQUIRE THE
21 DEPARTMENT TO PROVIDE A COMPREHENSIVE REPORT ON THE USE OF FUNDS
22 DISTRIBUTED UNDER THIS GRANT PROGRAM TO THE GOVERNOR, LIEUTENANT
23 GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF
24 THE SENATE AND HOUSE APPROPRIATIONS AND EDUCATION COMMITTEES BY
25 OCTOBER 1, 2024, AND OCTOBER 1 OF EACH YEAR THEREAFTER; AND FOR
26 RELATED PURPOSES.

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Amanda White
Secretary of the Senate