

By: Representative Arnold

To: Education

HOUSE BILL NO. 613

1 AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MISSISSIPPI ACCOUNTABILITY RATING SYSTEM FOR SCHOOLS
3 AND SCHOOL DISTRICTS; TO ABOLISH THE "A," "B," "C," "D" AND "F"
4 SYSTEM OF RATINGS AND REPLACING IT WITH A SIMPLE ZERO TO ONE
5 THOUSAND POINTS SYSTEM DESIGNATION; TO AMEND SECTIONS 37-19-10,
6 37-17-13, 37-17-15 AND SECTION 37-9-13, MISSISSIPPI CODE OF 1972,
7 IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-17-6, Mississippi Code of 1972, is
10 amended as follows:

11 37-17-6. (1) The State Board of Education, acting through
12 the Commission on School Accreditation, shall establish and
13 implement a permanent performance-based accreditation system, and
14 all noncharter public elementary and secondary schools shall be
15 accredited under this system.

16 (2) School districts shall be required to provide school
17 classroom space that is air-conditioned as a minimum requirement
18 for accreditation.

19 (3) (a) The State Board of Education, acting through the
20 Commission on School Accreditation, shall require that school



21 districts employ certified school librarians according to the
22 following formula:

23	Number of Students	Number of Certified
24	Per School Library	School Librarians
25	0 - 499 Students	1/2 Full-time Equivalent
26		Certified Librarian
27	500 or More Students	1 Full-time Certified
28		Librarian

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

31 (c) The assignment of certified school librarians to
32 the particular schools shall be at the discretion of the local
33 school district. No individual shall be employed as a certified
34 school librarian without appropriate training and certification as
35 a school librarian by the State Department of Education.

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

40 (e) Nothing in this subsection shall prohibit any
41 school district from employing more certified school librarians
42 than are provided for in this section.

43 (f) Any additional millage levied to fund school
44 librarians required for accreditation under this subsection shall
45 be included in the tax increase limitation set forth in Sections



37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) * * * (a) The State Board of Education, acting through the State Department of Education, shall apply a simple zero (0) to one thousand (1,000) points system designation to the current school and school district statewide accountability performance classification labels beginning with the State Accountability Results for the 2025-2026 school year and following, and in the school, district and state report cards required under state and federal law. Under the new designations, a school or school district that has:

(i) Been designated an "A" school or school district shall have a points assignment of:

1. Greater than six hundred sixty-eight (668) points for school districts;

2. Greater than four hundred forty-two (442) points on a scale of seven hundred (700) points for elementary and middle schools; and

3. Greater than seven hundred fifty-four (754) points on a scale of one thousand (1,000) points for high schools;

(ii) Been designated a "B" school or school district; a school or school district shall have a points assignment of:



70 1. Greater than five hundred ninety-nine
71 (599) points for school districts but less than six hundred
72 sixty-eight (668) points;

73 2. Greater than three hundred seventy-seven
74 (377) points on a scale of seven hundred (700) points for
75 elementary and middle schools, but less than four hundred
76 forty-two (442) points; and

77 3. Greater than six hundred forty-eight (648)
78 points on a scale of one thousand (1,000) points for high schools,
79 but less than six hundred forty-eight (648) points;

80 (iii) Been designated a "C" school or school
81 district; a school or school district shall have a points
82 assignment of:

83 1. Greater than five hundred thirty-six (536)
84 points for school districts, but less than five hundred
85 ninety-nine (599) points;

86 2. Greater than three hundred twenty-eight
87 (328) points on a scale of seven hundred (700) points for
88 elementary and middle schools, but less than three hundred
89 seventy-seven (377) points; and

90 3. Greater than five hundred eighty-four
91 (584) points on a scale of one thousand (1,000) points for high
92 schools, but less than five hundred eighty-four (584) points;



(iv) Been designated a "D" school or school district; a school or school district shall have a points assignment of:

1. Greater than four hundred eighty-nine (489) points for school districts, but less than five hundred thirty-six (536) points;

2. Greater than two hundred sixty-nine (269) points on a scale of seven hundred (700) points for elementary and middle schools, but less than three hundred twenty-eight (328) points; and

3. Greater than five hundred ten (510) points on a scale of one thousand (1,000) points for high schools, but less than five hundred eighty-four (584) points; and

(v) Been designated a "F" school or school district shall have a points assignment of:

1. Less than four hundred eighty-nine (489) points for school districts;

2. Less than two hundred sixty-nine (269) points on a scale of seven hundred (700) points for elementary and middle schools; and

3. Less than five hundred ten (510) points on a scale of one thousand (1,000) points for high schools.

(b) Effective with the implementation of any new curriculum and assessment standards, the State Board of Education, acting through the State Department of Education, is further



118 authorized and directed to change the school and school district
119 accreditation rating system to a simple zero (0) to one thousand
120 (1,000) points system designation based on a combination of
121 student achievement scores and student growth as measured by the
122 statewide testing programs developed by the State Board of
123 Education pursuant to Chapter 16, Title 37, Mississippi Code of
124 1972.

125 (5) (a) Effective with the 2025-2026 school year, the State
126 Department of Education, acting through the Mississippi Commission
127 on School Accreditation, shall implement a * * * simple zero (0)
128 to one thousand (1,000) points system school and school district
129 accountability system complying with applicable federal and state
130 requirements in order to reach the following educational goals:

131 (i) To mobilize resources and supplies to ensure
132 that all students exit third grade reading on grade level;

133 (ii) To reduce the student dropout rate to ten
134 percent (10%) by 2015; and

135 (iii) To have sixty percent (60%) of students
136 scoring proficient and advanced on assessments.

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

140 (c) The State Department of Education shall
141 establish * * * a simple zero (0) to one thousand (1,000) points



system for the accountability system based on the following
criteria:

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

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

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

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

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

(vi) The State Department of Education shall
determine feeder patterns of schools that do not earn a school
grade because the grades and subjects taught at the school do not
have statewide standardized assessments needed to calculate a



167 school grade. Upon determination of the feeder pattern, the
168 department shall notify schools and school districts prior to the
169 release of the school grades. Feeder schools will be assigned the
170 accountability designation of the school to which they provide
171 students;

172 (vii) Standards for student, school and school
173 district performance will be increased when student proficiency is
174 at a seventy-five percent (75%) and/or when sixty-five percent
175 (65%) of the schools and/or school districts are earning a * * *
176 respective score of * * * three hundred seventy-seven (377) points
177 or six hundred forty (640) points or higher based on school grade
178 level, in order to raise the standard on performance after targets
179 are met; and

180 (viii) The system shall include student
181 performance on the administration of a career-readiness
182 assessment, such as, but not limited to, the ACT WorkKeys
183 Assessment, deemed appropriate by the State Department of
184 Education working in coordination with the Office of Workforce
185 Development.

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

189 (7) The State Board of Education shall create an
190 accreditation audit unit under the Commission on School



191 Accreditation to determine whether schools are complying with
192 accreditation standards.

193 (8) The State Board of Education shall be specifically
194 authorized and empowered to withhold allocations from the total
195 funding formula funds as provided in Sections 37-151-200 through
196 37-151-215 to any public school district for failure to timely
197 report student, school personnel and fiscal data necessary to meet
198 state and/or federal requirements.

199 (9) [Deleted]

200 (10) The State Board of Education shall establish, for those
201 school districts failing to meet accreditation standards, a
202 program of development to be complied with in order to receive
203 state funds, except as otherwise provided in subsection (15) of
204 this section when the Governor has declared a state of emergency
205 in a school district or as otherwise provided in Section 206,
206 Mississippi Constitution of 1890. The state board, in
207 establishing these standards, shall provide for notice to schools
208 and sufficient time and aid to enable schools to attempt to meet
209 these standards, unless procedures under subsection (15) of this
210 section have been invoked.

211 (11) The State Board of Education shall be charged with the
212 implementation of the program of development in each applicable
213 school district as follows:



214 (a) Develop an impairment report for each district
215 failing to meet accreditation standards in conjunction with school
216 district officials;

217 (b) Notify any applicable school district failing to
218 meet accreditation standards that it is on probation until
219 corrective actions are taken or until the deficiencies have been
220 removed. The local school district shall develop a corrective
221 action plan to improve its deficiencies. For district academic
222 deficiencies, the corrective action plan for each such school
223 district shall be based upon a complete analysis of the following:
224 student test data, student grades, student attendance reports,
225 student dropout data, existence and other relevant data. The
226 corrective action plan shall describe the specific measures to be
227 taken by the particular school district and school to improve:
228 (i) instruction; (ii) curriculum; (iii) professional development;
229 (iv) personnel and classroom organization; (v) student incentives
230 for performance; (vi) process deficiencies; and (vii) reporting to
231 the local school board, parents and the community. The corrective
232 action plan shall describe the specific individuals responsible
233 for implementing each component of the recommendation and how each
234 will be evaluated. All corrective action plans shall be provided
235 to the State Board of Education as may be required. The decision
236 of the State Board of Education establishing the probationary
237 period of time shall be final;



238 (c) Offer, during the probationary period, technical
239 assistance to the school district in making corrective actions.
240 Subject to appropriations, the State Department of Education shall
241 provide technical and/or financial assistance to all such school
242 districts in order to implement each measure identified in that
243 district's corrective action plan through professional development
244 and on-site assistance. Each such school district shall apply for
245 and utilize all available federal funding in order to support its
246 corrective action plan in addition to state funds made available
247 under this paragraph;

248 (d) Assign department personnel or contract, in its
249 discretion, with the institutions of higher learning or other
250 appropriate private entities with experience in the academic,
251 finance and other operational functions of schools to assist
252 school districts;

253 (e) Provide for publication of public notice at least
254 one time during the probationary period, in a newspaper published
255 within the jurisdiction of the school district failing to meet
256 accreditation standards, or if no newspaper is published therein,
257 then in a newspaper having a general circulation therein. The
258 publication shall include the following: declaration of school
259 system's status as being on probation; all details relating to the
260 impairment report; and other information as the State Board of
261 Education deems appropriate. Public notices issued under this



section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

(12) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have been determined by the policies and procedures of the State Board of Education to be a basis for withdrawal of school district's accreditation without a probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. After its consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) (i) If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency



287 situation is believed to be related to a serious violation or
288 violations of accreditation standards or state or federal law, the
289 State Board of Education may request the Governor to declare a
290 state of emergency in that school district. For purposes of this
291 paragraph, the declarations of a state of emergency district's
292 impairments are related to a lack of financial may include the
293 school district's serious failure to meet minimum academic
294 standards, as evidenced by a continued pattern of poor student
295 performance, or impairments related to a lack of financial
296 resources.

297 (ii) If the State Board of Education determines
298 that a public school or district in the state which, during each
299 of two (2) consecutive school years or during two (2) of three (3)
300 consecutive school years, receives an "F" designation by the State
301 Board of Education under the accountability rating system or has
302 been persistently failing as defined by the State Board of
303 Education; or if the State Board of Education determines that a
304 public school or district in the state which, during each of four
305 (4) consecutive school years, receives a "D" or "F" designation by
306 the State Board of Education under the accountability rating
307 system or has been persistently failing as defined by the State
308 Board of Education; or if more than fifty percent (50%) of the
309 schools within a school district are designated as Schools-At-Risk
310 in any one (1) year, then the board may place such school or
311 district into a District of Transformation. The State Board of



Education shall take over only the number of schools and districts for which it has the capacity to serve. The State Board of Education shall adopt rules and regulations governing any additional requirements for placement into a District of Transformation and the operation thereof. School districts or schools that are eligible to be placed into a District of Transformation due to poor academic performance but are not absorbed due to the capacity of the State Board of Education, shall develop and implement a district improvement plan with prescriptive guidance and support from the Mississippi Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for placement into a District of Transformation.

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



336 (c) Whenever the Governor declares a state of emergency
337 in a school district in response to a request made under paragraph
338 (a) or (b) of this subsection, or when the State Board of
339 Education places a school district into a District of
340 Transformation due to poor academic performance or financial
341 reasons, the State Board of Education may take one or more of the
342 following actions:

343 (i) Declare a state of emergency, under which some
344 or all of state funds can be escrowed except as otherwise provided
345 in Section 206, Constitution of 1890, until the board determines
346 corrective actions are being taken or the deficiencies have been
347 removed, or that the needs of students warrant the release of
348 funds. The funds may be released from escrow for any program
349 which the board determines to have been restored to standard even
350 though the state of emergency may not as yet be terminated for the
351 district as a whole;

352 (ii) Override any decision of the local school
353 board or superintendent of education, or both, concerning the
354 management and operation of the school district, or initiate and
355 make decisions concerning the management and operation of the
356 school district;

357 (iii) Assign an interim superintendent, or in its
358 discretion, contract with a private entity with experience in the
359 academic, finance and other operational functions of schools and



360 school districts, who will have those powers and duties prescribed
361 in subsection (15) of this section;

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

366 (v) For states of emergency declared under
367 paragraph (a) only, if the accreditation deficiencies are related
368 to the fact that the school district is too small, with too few
369 resources, to meet the required standards and if another school
370 district is willing to accept those students, abolish that
371 district and assign that territory to another school district or
372 districts. If the school district has proposed a voluntary
373 consolidation with another school district or districts, then if
374 the State Board of Education finds that it is in the best interest
375 of the pupils of the district for the consolidation to proceed,
376 the voluntary consolidation shall have priority over any such
377 assignment of territory by the State Board of Education;

378 (vi) For actions taken pursuant to paragraph (b)
379 only, reduce local supplements paid to school district employees,
380 including, but not limited to, instructional personnel, assistant
381 teachers and extracurricular activities personnel, if the
382 district's impairment is related to a lack of financial resources,
383 but only to an extent that will result in the salaries being



comparable to districts similarly situated, as determined by the
State Board of Education;

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

(d) At the time that satisfactory corrective action has
been taken in a school district in which a state of emergency has
been declared, the State Board of Education may request the
Governor to declare that the state of emergency no longer exists
in the district.

(e) The parent or legal guardian of a school-age child
who is enrolled in a school district whose accreditation has been
withdrawn by the Commission on School Accreditation and without
approval of that school district may file a petition in writing to
a school district accredited by the Commission on School
Accreditation for a legal transfer. The school district
accredited by the Commission on School Accreditation may grant the
transfer according to the procedures of Section 37-15-31(1)(b).
In the event the accreditation of the student's home district is
restored after a transfer has been approved, the student may
continue to attend the transferee school district. The per pupil
amount of the total funding formula allotment for the student's
home school district shall be transferred monthly to the school
district accredited by the Commission on School Accreditation that
has granted the transfer of the school-age child.



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

(i) Place the school district into district transformation, in which the school district shall remain until it has fulfilled all conditions related to district transformation.

If the district was assigned an accreditation rating score of * * * less than five hundred thirty-six (536) points when placed into district transformation, the district shall be eligible to return to local control when the school district has attained * * * an accreditation rating score of five hundred thirty-six (536) points or higher for three (3) consecutive years;

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

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

(iv) Require the school district to develop and implement a district improvement plan with prescriptive guidance and support from the State Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to



434 implement the plan with fidelity and participate in the activities
435 provided as support by the department shall result in the school
436 district retaining its eligibility for district transformation.

437 (13) Upon the declaration of a state of emergency in a
438 school district under subsection (12) of this section, or upon the
439 State Board of Education's placement of a school district into a
440 District of Transformation for academic or financial reasons, the
441 Commission on School Accreditation shall be responsible for public
442 notice at least once a week for at least three (3) consecutive
443 weeks in a newspaper published within the jurisdiction of the
444 school district failing to meet accreditation standards, or if no
445 newspaper is published therein, then in a newspaper having a
446 general circulation therein. The size of the notice shall be no
447 smaller than one-fourth (1/4) of a standard newspaper page and
448 shall be printed in bold print. If an interim superintendent has
449 been appointed for the school district, the notice shall begin as
450 follows: "By authority of Section 37-17-6, Mississippi Code of
451 1972, as amended, adopted by the Mississippi Legislature during
452 the 1991 Regular Session, this school district (name of school
453 district) is hereby placed under the jurisdiction of the State
454 Department of Education acting through its appointed interim
455 superintendent (name of interim superintendent)."

456 The notice also shall include, in the discretion of the State
457 Board of Education, any or all details relating to the school
458 district's emergency status, including the declaration of a state



of emergency in the school district and a description of the district's impairment deficiencies, conditions of any district transformation status and corrective actions recommended and being taken. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

Upon termination of a school district in a District of Transformation, the Commission on School Accreditation shall cause notice to be published in the school district in the same manner provided in this section, to include any or all details relating to the corrective action taken in the school district that resulted in the termination of the state of emergency.

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

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

(15) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (12) of this section, or when the State Board of Education places a school district into a District of



Transformation for academic or financial reasons, the State Board of Education, in its discretion, may assign an interim superintendent to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

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

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the



district for cost savings, including, but not limited to,
reassigning the duties and responsibilities of staff;

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

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

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

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

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

The cost of the salary of the interim superintendent and any
other actual and necessary costs related to district
transformation status paid by the State Department of Education
shall be reimbursed by the local school district from funds other
than total funding formula funds as provided in Sections
37-151-200 through 37-151-215. In the alternative, the local
school district may pay the cost of the salary of the interim



534 superintendent. The department shall submit an itemized statement
535 to the superintendent of the local school district for
536 reimbursement purposes, and any unpaid balance may be withheld
537 from the district's funding formula funds.

538 At the time that the Governor, in accordance with the request
539 of the State Board of Education, declares that the state of
540 emergency no longer exists in a school district, the interim
541 superintendent assigned to the district shall remain in place for
542 a period of two (2) years and shall work alongside the newly
543 reconstituted school board. A new superintendent may be hired by
544 the newly reconstituted board after the one (1) year state of
545 emergency no longer exists, but he or she shall serve as deputy to
546 the interim superintendent while the interim superintendent is
547 assigned to the district.

548 (b) In order to provide loans to school districts under
549 a state of emergency or in district transformation status that
550 have impairments related to a lack of financial resources, the
551 School District Emergency Assistance Fund is created as a special
552 fund in the State Treasury into which monies may be transferred or
553 appropriated by the Legislature from any available public
554 education funds. Funds in the School District Emergency
555 Assistance Fund up to a maximum balance of Three Million Dollars
556 (\$3,000,000.00) annually shall not lapse but shall be available
557 for expenditure in subsequent years subject to approval of the
558 State Board of Education. Any amount in the fund in excess of



Three Million Dollars (\$3,000,000.00) at the end of the fiscal year shall lapse into the State General Fund or the Education Enhancement Fund, depending on the source of the fund.

The State Board of Education may loan monies from the School District Emergency Assistance Fund to a school district that is under a state of emergency or in district transformation status, in those amounts, as determined by the board, that are necessary to correct the district's impairments related to a lack of financial resources. The loans shall be evidenced by an agreement between the school district and the State Board of Education and shall be repayable in principal, without necessity of interest, to the School District Emergency Assistance Fund by the school district from any allowable funds that are available. The total amount loaned to the district shall be due and payable within five (5) years after the impairments related to a lack of financial resources are corrected. If a school district fails to make payments on the loan in accordance with the terms of the agreement between the district and the State Board of Education, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may withhold that district's total funding formula funds in an amount and manner that will effectuate repayment consistent with the terms of the agreement; the funds withheld by the department shall be deposited into the School District Emergency Assistance Fund.



583 The State Board of Education shall develop a protocol that
584 will outline the performance standards and requisite timeline
585 deemed necessary for extreme emergency measures. If the State
586 Board of Education determines that an extreme emergency exists,
587 simultaneous with the powers exercised in this subsection, it
588 shall take immediate action against all parties responsible for
589 the affected school districts having been determined to be in an
590 extreme emergency. The action shall include, but not be limited
591 to, initiating civil actions to recover funds and criminal actions
592 to account for criminal activity. Any funds recovered by the
593 State Auditor or the State Board of Education from the surety
594 bonds of school officials or from any civil action brought under
595 this subsection shall be applied toward the repayment of any loan
596 made to a school district hereunder.

597 (16) [Deleted]

598 (17) [Deleted]

599 (18) The State Board of Education, acting through the
600 Commission on School Accreditation, shall require each school
601 district to comply with standards established by the State
602 Department of Audit for the verification of fixed assets and the
603 auditing of fixed assets records as a minimum requirement for
604 accreditation.

605 (19) [Deleted]

606 (20) [Deleted]



(21) If a local school district is determined as failing and placed into district transformation status for reasons authorized by the provisions of this section, the interim superintendent appointed to the district shall, within forty-five (45) days after being appointed, present a detailed and structured corrective action plan to move the local school district out of district transformation status to the deputy superintendent. A copy of the interim superintendent's corrective action plan shall also be filed with the State Board of Education.

SECTION 2. Section 37-19-10, Mississippi Code of 1972, is amended as follows:

37-19-10. (1) The Legislature finds that there is a need for a performance incentive program for outstanding teachers and staff in highly productive schools.

(2) * * * The School Recognition Program is created to provide financial awards to public schools that:

(a) Sustain high performance by earning a school accountability rating score of * * * four hundred forty-two (442) points or greater on a scale of seven hundred (700) points or a score of seven hundred fifty-four (754) points or greater on a scale of one thousand (1,000) points, which shall be funded at One Hundred Dollars (\$100.00) per pupil in average daily attendance;

(b) Sustain high performance by earning a school accountability rating score * * * greater than three hundred seventy-seven (377) points, but less than four hundred forty-two



632 (442) points on a scale of seven hundred (700) points, or a score
633 greater than six hundred forty-eight (648) points on a scale of
634 one thousand (1,000) points, which shall be funded at Seventy-five
635 Dollars (\$75.00) per pupil in average daily attendance; or

636 (c) Demonstrate exemplary performance by improving at
637 least * * * by fifty-eight (58) points for elementary and middle
638 schools or by eighty-one (81) points for high schools, which shall
639 be funded at One Hundred Dollars (\$100.00) per pupil in average
640 daily attendance.

641 (3) All public schools, including charter schools, earning
642 the appropriate school rating are eligible to participate in the
643 program.

644 (4) School recognition awards must be used for nonrecurring
645 salary supplements to the teachers and staff employed in the
646 school receiving the financial award. Any nonrecurring salary
647 supplements paid to teachers and staff shall be prospective, shall
648 be paid over the remainder of the year, and shall not be
649 considered part of the local supplement. For contracted
650 individuals, there shall be an amendment to the existing contract.

651 (5) School recognition awards shall not be used for
652 administrators.

653 (6) There is hereby created in the State Treasury, the
654 School Recognition Program Fund which shall be used by the State
655 Department of Education, depending on the availability of funds as
656 appropriated, to provide financial awards to schools under this



657 section. It shall be the duty of the State Department of
658 Education to file with the State Treasurer and the State Fiscal
659 Officer such data and information as may be required to enable the
660 said State Treasurer and State Fiscal Officer to distribute the
661 School Recognition Program Funds by electronic funds transfer to
662 the several school districts at the time required and provided
663 under the provisions of this section. Such data and information
664 so filed shall show in detail the amount of funds to which each
665 school district is entitled from the School Recognition Program
666 Fund. Such data and information so filed may be revised from time
667 to time as necessitated by law. At the time provided by law, the
668 State Treasurer and the State Fiscal Officer shall distribute to
669 the several school districts the amounts to which they are
670 entitled from the School Recognition Program Fund as provided by
671 this section. Such distribution shall be made by electronic funds
672 transfer to the depositories of the several school districts
673 designated in writing to the State Treasurer based upon the data
674 and information supplied by the State Department of Education for
675 such distribution. In such instances, the State Treasurer shall
676 submit a request for an electronic funds transfer to the State
677 Fiscal Officer, which shall set forth the purpose, amount and
678 payees, and shall be in such form as may be approved by the State
679 Fiscal Officer so as to provide the necessary information as would
680 be required for a requisition and issuance of a warrant. A copy
681 of the record of said electronic funds transfers shall be



transmitted by the school district depositories to the Treasurer, who shall file duplicates with the State Fiscal Officer. The Treasurer and State Fiscal Officer shall jointly promulgate regulations for the utilization of electronic funds transfers to school districts from the School Recognition Program Fund.

(7) It is the intent of the Legislature to develop a plan to reward high-performing teachers in schools with an accountability rating * * * score less than three hundred seventy-seven (377) points on a scale of seven hundred (700) points or less than six hundred forty-eight (648) points on a scale of one thousand (1,000) points.

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

37-17-13. (1) Whenever the Governor declares a state of emergency in a school district in response to a certification by the State Board of Education and the Commission on School Accreditation made under Section 37-17-6(12)(b), or when the State Board of Education places a school district into a District of Transformation for academic or financial reasons under Section 37-17-6(12)(b), the State Board of Education, in addition to any actions taken under Section 37-17-6, shall abolish the school district and assume control and administration of the schools formerly constituting the district, and appoint an interim superintendent to carry out this purpose under the direction of the State Board of Education. In such case, the State Board of



Education shall have all powers which were held by the previously existing school board, and the previously existing superintendent of schools or county superintendent of education, including, but not limited to, those enumerated in Section 37-7-301, and the authority to request tax levies from the appropriate governing authorities for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq. and Section 37-57-105 et seq.

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

(3) After a local school board is abolished by the State Board of Education, at such time the State Board of Education determines that the impairments are being substantially corrected and the responsibility of the district transformation in such district upon the conclusion of the final scholastic year in which



a district has maintained * * * an accountability rating score of
three hundred twenty-eight (328) points or greater on a scale of
seven hundred (700) points, or a score of five hundred eighty-four
(584) points or greater on a scale of one thousand (1,000) points
for three (3) consecutive years, the State Board of Education may
appoint a new five-member board for the administration of the
school district and shall notify the local county board of
supervisors and/or municipal governing authority of such
appointment, spreading the names of the new school board members
on its minutes. The new local school board members shall be
residents of the school district. The new local school board
members appointed by the State Board of Education may serve in an
advisory capacity to the interim superintendent for its first year
of service and thereafter shall have full responsibility to
administer the school district. Thirty (30) days prior to the end
of the first year of office as an advisory board, each member
shall draw lots to determine when the members shall rotate off the
board as follows: one (1) member shall serve a one-year term of
office; one (1) member shall serve a two-year term of office; one
(1) member shall serve a three-year term of office; one (1) member
shall serve a four-year term of office; and one (1) member shall
serve a five-year term of office. At that time, the State Board
of Education shall notify the appropriate board of supervisors or
municipal governing authority of this action and request them to
provide for the election or appointment of school board members at



the end of the terms of office in the manner provided by law, in order for the local residents of the school district to select a new school board on a phased-in basis. In such situations, the Governor will set the date of any necessary special election which shall be conducted by the county election commission. During the new school board's first two (2) years administering the school district, the interim superintendent shall continue to serve alongside the school board. The State Board of Education shall request the new school board to provide for the appointment of a superintendent to govern the reconstituted or reorganized school district one (1) year after the new school board's first year of administering the school district. The new superintendent shall serve as deputy to the interim superintendent while the interim superintendent is assigned to the district. A board member or superintendent in office at the time the Governor declares a state of emergency in a school district, or when the State Board of Education places a school district into a District of Transformation due to academic or financial reasons, shall not be eligible to serve in the office of school board member or superintendent for the school district reconstituted or reorganized following the district transformation period.

SECTION 4. Section 37-17-15, Mississippi Code of 1972, is amended as follows:

37-17-15. Effective March 26, 2014, the withdrawal of a school district's accreditation by the Commission on School



Accreditation in a school district with an * * * accountability rating score of three hundred seventy-seven (377) points or greater on a scale of seven hundred (700) points, or a score of six hundred forty-eight (648) points or greater on a scale of one thousand (1,000) points, for any reason other than failure to meet student academic standards or for failure to comply with financial accountability requirements, shall not result in any limitation of the schools in the district to participate in any extracurricular or athletic activity in the regular or postseason. The Commission on School Accreditation shall amend its rules and regulations to conform to the provisions of this section.

SECTION 5. Section 37-9-13, Mississippi Code of 1972, is amended as follows:

37-9-13. (1) (a) Each school district shall have a superintendent of schools, selected in the manner provided by law. No person shall be eligible to the office of superintendent of schools unless such person shall hold a valid administrator's license issued by the State Department of Education and shall have classroom or administrative experience of not less than six (6) years which shall include at least three (3) years of administrative experience as a school building principal (* * * i) in a school with an * * * accountability rating score of three hundred seventy-seven (377) points or greater on a scale of seven hundred (700) points, or six hundred forty-eight (648) points on a scale of one thousand (1,000) points, or (* * * ii) in a school



807 that increased its accountability rating score by * * *
808 fifty-eight (58) points for elementary and middle schools or by
809 eighty-one (81) points for high schools during the period in which
810 the principal was employed as principal at the school, or
811 (* * *iii) in a school with comparable accountability rating or
812 improvement in another state which shall be verified by the * * *
813 State Department of Education.

814 (b) Notwithstanding the provisions of subsection (4) of
815 this section, no person shall be eligible to the office of
816 superintendent of schools if the person has pled guilty to or been
817 convicted of any state or federal offense in which he or she
818 unlawfully took, obtained or misappropriated funds received by or
819 entrusted to the person by virtue of his or her public office or
820 employment.

821 (2) * * * In all public school districts, the local school
822 board shall appoint the superintendent of schools of such
823 district. * * * The county superintendent of education of said
824 county shall not be elected but shall thereafter be appointed by
825 the local school board in the manner provided in Section
826 37-9-25. * * * The superintendent of schools shall have the
827 general powers and duties to administer the schools within his
828 district as prescribed in Section 37-9-14 et seq., Mississippi
829 Code of 1972.

830 (3) As an alternative to the qualifications prescribed in
831 subsection (1)(a) of this section, the State Board of Education is



832 authorized and directed to issue regulations * * * which include
833 minimum credentials, educational prerequisites, and relevant best
834 practice experience requirements that will qualify a person to
835 serve as a superintendent without having the direct experience or
836 certification as an educator specified in subsection (1)(a) of
837 this section.

838 (4) The provisions of this section shall be applicable to
839 any superintendent of schools selected on or after July 1, 2017,
840 who has not previously served as a superintendent or assistant
841 superintendent within the last five (5) years.

842 **SECTION 6.** This act shall take effect and be in force from
843 and after July 1, 2025.

