

By: Representatives Brown, Clark

To: Education

HOUSE BILL NO. 1235

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP CURRICULA AND
3 COURSES OF STUDY TO PROMOTE VOCATIONAL AND TECHNICAL EDUCATION,
4 HOME ECONOMICS AND CHARACTER EDUCATION OBJECTIVES FOR ALL MIDDLE
5 AND HIGH SCHOOL STUDENTS AND STUDENTS ASSIGNED TO AN ALTERNATIVE
6 SCHOOL PROGRAM; TO PRESCRIBE THE MINIMUM COMPONENTS TO BE INCLUDED
7 IN THE CURRICULUM; TO AMEND SECTIONS 37-13-92, 37-13-151,
8 37-13-181 AND 37-31-61, MISSISSIPPI CODE OF 1972, IN CONFORMITY
9 THERETO; TO AMEND SECTION 37-31-205, MISSISSIPPI CODE OF 1972, IN
10 CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
11 PURPOSES.

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

13 **SECTION 1.** Section 37-1-3, Mississippi Code of 1972, is
14 amended as follows:

15 37-1-3. (1) The State Board of Education shall adopt rules
16 and regulations and set standards and policies for the
17 organization, operation, management, planning, budgeting and
18 programs of the State Department of Education.

19 (a) The board is directed to identify all functions of
20 the department that contribute to or comprise a part of the state
21 system of educational accountability and to establish and maintain
22 within the department the necessary organizational structure,

23 policies and procedures for effectively coordinating such
24 functions. Such policies and procedures shall clearly fix and
25 delineate responsibilities for various aspects of the system and
26 for overall coordination of the total system and its effective
27 management.

28 (b) The board shall establish and maintain a
29 system-wide plan of performance, policy and directions of public
30 education not otherwise provided for.

31 (c) The board shall effectively use the personnel and
32 resources of the department to enhance technical assistance to
33 school districts in instruction and management therein.

34 (d) The board shall establish and maintain a central
35 budget policy.

36 (e) The board shall establish and maintain within the
37 State Department of Education a central management capacity under
38 the direction of the State Superintendent of Public Education.

39 (f) The board, with recommendations from the
40 superintendent, shall design and maintain a five-year plan and
41 program for educational improvement that shall set forth
42 objectives for system performance and development and be the basis
43 for budget requests and legislative initiatives.

44 (2) (a) The State Board of Education shall adopt and
45 maintain a curriculum and a course of study to be used in the
46 public school districts that is designed to prepare the state's
47 children and youth to be productive, informed, creative citizens,



48 workers and leaders, and it shall regulate all matters arising in
49 the practical administration of the school system not otherwise
50 provided for.

51 (b) Before the 1999-2000 school year, the State Board
52 of Education shall develop personal living and finances objectives
53 that focus on money management skills for individuals and families
54 for appropriate, existing courses at the secondary level. The
55 objectives must require the teaching of those skills necessary to
56 handle personal business and finances and must include instruction
57 in the following:

58 (i) Opening a bank account and assessing the
59 quality of a bank's services;
60 (ii) Balancing a checkbook;
61 (iii) Managing debt, including retail and credit
62 card debt;
63 (iv) Completing a loan application;
64 (v) The implications of an inheritance;
65 (vi) The basics of personal insurance policies;
66 (vii) Consumer rights and responsibilities;
67 (viii) Dealing with salesmen and merchants;
68 (ix) Computing state and federal income taxes;
69 (x) Local tax assessments;
70 (xi) Computing interest rates by various
71 mechanisms;
72 (xii) Understanding simple contracts; and

73 (xiii) Contesting an incorrect billing statement.

74 (c) Before the start of the 2025-2026 school year, the
75 State Board of Education shall require the inclusion of vocational
76 and technical courses and character education courses as a
77 mandatory component of the curriculum used by local school
78 districts in providing instructions and life skills for all middle
79 and high school students and those students assigned to an
80 alternative school program. The board shall grant each school
81 district the discretion to determine at which grade level each of
82 the required course offerings shall be made available.

83 (d) Before the start of the 2025-2026 school year, the
84 State Board of Education shall develop a curriculum and a course
85 of study to promote home economics objectives that focus on the
86 knowledge, understanding and skills necessary for living as an
87 individual, as a member of a household, personal life management
88 and postsecondary education advancement for appropriate, existing
89 courses at the secondary level. The objectives must require the
90 teaching of those skills essential to family and consumer science
91 and must include instruction in the following:

92 (i) Cooking, including food safety, preparation
93 and preservation and the nutritional benefits of a balanced meal;
94 (ii) Child development that provides instruction
95 as to how to correctly respond to children at each stage;
96 (iii) Education and community awareness;
97 (iv) Home management and design;



(v) Sewing and textiles;

(vi) Budgeting and economics; and

(vi) Health and hygiene.

101 (3) The State Board of Education shall have authority to
102 expend any available federal funds, or any other funds expressly
103 designated, to pay training, educational expenses, salary
104 incentives and salary supplements to licensed teachers employed in
105 local school districts or schools administered by the State Board
106 of Education. Such incentive payments shall not be considered
107 part of a school district's local supplement, nor shall the
108 incentives be considered part of the local supplement paid to an
109 individual teacher for the purposes of Section 37-19-7(1).

110 (4) The State Board of Education shall through its actions
111 seek to implement the policies set forth in Section 37-1-2.

112 **SECTION 2.** Section 37-13-92, Mississippi Code of 1972, is
113 amended as follows:

37-13-92. (1) Beginning with the school year 2004-2005, the school boards of all school districts shall establish, maintain and operate, in connection with the regular programs of the school district, an alternative school program or behavior modification program as defined by the State Board of Education for, but not limited to, the following categories of compulsory-school-age students:

121 (a) Any compulsory-school-age child who has been
122 suspended for more than ten (10) days or expelled from school,

123 except for any student expelled for possession of a weapon or
124 other felonious conduct;

125 (b) Any compulsory-school-age child referred to such
126 alternative school based upon a documented need for placement in
127 the alternative school program by the parent, legal guardian or
128 custodian of such child due to disciplinary problems;

129 (c) Any compulsory-school-age child referred to such
130 alternative school program by the dispositive order of a
131 chancellor or youth court judge, with the consent of the
132 superintendent of the child's school district;

133 (d) Any compulsory-school-age child whose presence in
134 the classroom, in the determination of the school superintendent
135 or principal, is a disruption to the educational environment of
136 the school or a detriment to the interest and welfare of the
137 students and teachers of such class as a whole; and

138 (e) No school district is required to place a child
139 returning from out-of-home placement in the mental health,
140 juvenile justice or foster care system in alternative school.

141 Placement of a child in the alternative school shall be done
142 consistently, and for students identified under the Individuals
143 with Disabilities Education Act (IDEA), shall adhere to the
144 requirements of the Individuals with Disabilities Education
145 Improvement Act of 2004. If a school district chooses to place a
146 child in alternative school the district will make an individual

147 assessment and evaluation of that child in the following time
148 periods:

149 (i) Five (5) days for a child transitioning from a
150 group home, mental health care system, and/or the custody of the
151 Department of Human Services, Division of Youth and Family
152 Services;

153 (ii) Ten (10) days for a child transitioning from
154 a dispositional placement order by a youth court pursuant to
155 Section 43-21-605; and

156 (iii) An individualized assessment for youth
157 transitioning from out-of-home placement to the alternative school
158 shall include:

159 1. A strength needs assessment.

160 2. A determination of the child's academic
161 strengths and deficiencies.

162 3. A proposed plan for transitioning the
163 child to a regular education placement at the earliest possible
164 date.

165 (2) The principal or program administrator of any such
166 alternative school program shall require verification from the
167 appropriate guidance counselor of any such child referred to the
168 alternative school program regarding the suitability of such child
169 for attendance at the alternative school program. Before a
170 student may be removed to an alternative school education program,
171 the superintendent of the student's school district must determine

172 that the written and distributed disciplinary policy of the local
173 district is being followed. The policy shall include standards
174 for:

175 (a) The removal of a student to an alternative
176 education program that will include a process of educational
177 review to develop the student's individual instruction plan and
178 the evaluation at regular intervals of the student's educational
179 progress; the process shall include classroom teachers and/or
180 other appropriate professional personnel, as defined in the
181 district policy, to ensure a continuing educational program for
182 the removed student;

183 (b) The duration of alternative placement; and
184 (c) The notification of parents or guardians, and their
185 appropriate inclusion in the removal and evaluation process, as
186 defined in the district policy. Nothing in this paragraph should
187 be defined in a manner to circumvent the principal's or the
188 superintendent's authority to remove a student to alternative
189 education.

190 (3) The local school board or the superintendent shall
191 provide for the continuing education of a student who has been
192 removed to an alternative school program.

193 (4) A school district, in its discretion, may provide a
194 program of High School Equivalency Diploma preparatory instruction
195 in the alternative school program. However, any High School
196 Equivalency Diploma preparation program offered in an alternative



197 school program must be administered in compliance with the rules
198 and regulations established for such programs under Sections
199 37-35-1 through 37-35-11 and by the Mississippi Community College
200 Board. The school district may administer the High School
201 Equivalency Diploma Testing Program under the policies and
202 guidelines of the Testing Service of the American Council on
203 Education in the alternative school program or may authorize the
204 test to be administered through the community/junior college
205 district in which the alternative school is situated.

206 (5) Any such alternative school program operated under the
207 authority of this section shall meet all appropriate accreditation
208 requirements of the State Department of Education.

209 (6) The alternative school program may be held within such
210 school district or may be operated by two (2) or more adjacent
211 school districts, pursuant to a contract approved by the State
212 Board of Education. When two (2) or more school districts
213 contract to operate an alternative school program, the school
214 board of a district designated to be the lead district shall serve
215 as the governing board of the alternative school program.

216 Transportation for students attending the alternative school
217 program shall be the responsibility of the local school district.
218 The expense of establishing, maintaining and operating such
219 alternative school program may be paid from funds contributed or
220 otherwise made available to the school district for such purpose
221 or from local district maintenance funds.

222 (7) The State Board of Education shall promulgate minimum
223 guidelines for alternative school programs. The guidelines shall
224 require, at a minimum, the formulation of an individual
225 instruction plan for each student referred to the alternative
226 school program and, upon a determination that it is in a student's
227 best interest for that student to receive High School Equivalency
228 Diploma preparatory instruction, that the local school board
229 assign the student to a High School Equivalency Diploma
230 preparatory program established under subsection (4) of this
231 section. The minimum guidelines for alternative school programs
232 shall also require the following components:

233 (a) Clear guidelines and procedures for placement of
234 students into alternative education programs which at a minimum
235 shall prescribe due process procedures for disciplinary and High
236 School Equivalency Diploma placement;

237 (b) Clear and consistent goals for students and
238 parents;

239 (c) Curricula addressing cultural and learning style
240 differences;

241 (d) Direct supervision of all activities on a closed
242 campus;

243 (e) Attendance requirements that allow for educational
244 and workforce development opportunities;



245 (f) Selection of program from options provided by the
246 local school district, Division of Youth Services or the youth
247 court, including transfer to a community-based alternative school;

248 (g) Continual monitoring and evaluation and formalized
249 passage from one (1) step or program to another;

250 (h) A motivated and culturally diverse staff;

251 (i) Counseling for parents and students;

252 (j) Administrative and community support for the

253 program; * * *

254 (k) Clear procedures for annual alternative school
255 program review and evaluation * * *; and

256 (1) Grade-appropriate curricula for vocational and
257 technical courses, home economics and character education
258 instruction.

259 (8) On request of a school district, the State Department of
260 Education shall provide the district informational material on
261 developing an alternative school program that takes into
262 consideration size, wealth and existing facilities in determining
263 a program best suited to a district.

264 (9) Any compulsory-school-age child who becomes involved in
265 any criminal or violent behavior shall be removed from such
266 alternative school program and, if probable cause exists, a case
267 shall be referred to the youth court.

268 (10) The State Board of Education shall promulgate
269 guidelines for alternative school programs which provide broad



270 authority to school boards of local school districts to establish
271 alternative education programs to meet the specific needs of the
272 school district.

273 (11) Each school district having an alternative school
274 program shall submit a report by July 31 of each calendar year to
275 the State Department of Education describing the results of its
276 annual alternative school program review and evaluation undertaken
277 pursuant to subsection (7)(k). The report shall include a
278 detailed account of any actions taken by the school district
279 during the previous year to comply with substantive guidelines
280 promulgated by the State Board of Education under subsection
281 (7)(a) through (j). In the report to be implemented under this
282 section, the State Department of Education shall prescribe the
283 appropriate measures on school districts that fail to file the
284 annual report. The report should be made available online via the
285 department's website to ensure transparency, accountability and
286 efficiency.

287 **SECTION 3.** Section 37-13-151, Mississippi Code of 1972, is
288 amended as follows:

289 37-13-151. Before * * * August 1, 2025, all local school
290 districts shall provide programs of education in home economics,
291 in Grade 7, 8, 9, 10, 11 or 12, which include course work in
292 responsible parenting and family living skills. These programs
293 shall contain instruction to prepare students to understand
294 children's physical, mental, emotional and social growth and



295 development as well as to assume responsibility for their care and
296 guidance, with emphasis on nutrition, emotional health and
297 physical health. All such programs shall be * * * aligned with
298 the curriculum and course of study for home economics developed by
299 the State Board of Education * * *.

300 **SECTION 4.** Section 37-13-181, Mississippi Code of 1972, is
301 amended as follows:

302 37-13-181. The local school boards of the public school
303 districts, in their discretion, may develop and implement, at the
304 beginning of the 1999-2000 school year, a comprehensive program
305 for character education in Grades K-12 and alternative school
306 programs. The definition of the character traits chosen by the
307 school district for implementation shall reflect and be in keeping
308 with both the spirit and the letter of the following founding
309 documents: the Mississippi Constitution of 1890; the Constitution
310 of the United States of America; the Declaration of Independence;
311 and state and federal law. A public school or alternative school
312 program may not define or teach character or character traits in
313 any manner that might promote or encourage students to participate
314 in conduct that would violate any state or federal law.

315 **SECTION 5.** Section 37-31-61, Mississippi Code of 1972, is
316 amended as follows:

317 37-31-61. The State Board of Education is hereby authorized
318 and empowered to establish and conduct schools, classes or
319 courses, for preparing, equipping and training citizens of the



320 State of Mississippi for employment in gainful vocational and
321 technical occupations which do not terminate in a bachelors
322 degree, in conjunction with any public school, agricultural high
323 school or community/junior college, which shall be required for
324 all middle and high school students.

325 The trustees of such school districts, as classified and
326 defined by law, including those already having this authority, and
327 the trustees of agricultural high schools and community/junior
328 colleges may, with the consent in writing of the State Board of
329 Education, establish and conduct such schools, classes or courses,
330 under the provisions herein stated and under the general
331 supervision of the board.

332 **SECTION 6.** Section 37-31-205, Mississippi Code of 1972, is
333 amended as follows:

334 37-31-205. (1) The State Board of Education shall have the
335 authority to:

336 (a) Expend funds received either by appropriation or
337 directly from federal or private sources;

338 (b) Channel funds to secondary schools, community and
339 junior colleges and regional vocational-technical facilities
340 according to priorities set by the board;

341 (c) Allocate funds on an annual budgetary basis;

342 (d) Set standards for and approve all vocational and
343 technical education programs in the public school system and
344 community and junior colleges or other agencies or institutions



345 which receive state funds and federal funds for such purposes,
346 including, but not limited to, the following vocational and
347 technical education programs: agriculture, trade and
348 industry, * * * consumer * * * education, distributive education,
349 business and office, health, industrial arts, guidance services,
350 technical education, cooperative education, and all other
351 specialized training not requiring a bachelor's degree, with the
352 exception of programs of nursing education regulated under the
353 provisions of Section 37-129-1. The State Board of Education
354 shall authorize local school boards, within such school board's
355 discretion, to offer distributive education as a one-hour or
356 two-hour block course. There shall be no reduction of payments
357 from state funding for distributive education due to the selection
358 of either the one-hour or two-hour course offering;

359 (e) Set and publish licensure standards for vocational
360 and technical education personnel. The State Board of Education
361 shall recognize a vocational and technical education teacher's
362 work when school is not in session which is in the teacher's
363 particular field of instruction as a means for the teacher to
364 fulfill the requirements for renewal of the teacher's license.
365 The board shall establish, by rules and regulations, the
366 documentation of such work which must be submitted to the board
367 and the number of actual working hours required to fulfill renewal
368 requirements. If a vocational and technical education teacher who
369 does not have a bachelor's degree takes classes in fulfillment of



370 licensure renewal requirements, such classes must be in
371 furtherance of a bachelor's degree;

372 (f) Require data and information on program performance
373 from those programs receiving state funds;

374 (g) Expend funds to expand career information;

375 (h) Supervise and maintain the Division of Vocational
376 and Technical Education and to utilize, to the greatest extent
377 possible, the division as the administrative unit of the board
378 responsible for coordinating programs and services with local
379 institutions;

380 (i) Utilize appropriate staff of the State Department
381 of Education to perform services for the vocational student
382 organizations, including, but not limited to, procurement,
383 accounting services, tax services and banking services. The
384 department may also procure and pay for annual audits of the
385 vocational student organizations using vocational funds or other
386 available funds of the State Department of Education. It is the
387 intent of this provision that any related costs be paid with
388 vocational funds appropriated by the Legislature;

389 (j) Promulgate such rules and regulations necessary to
390 carry out the provisions of this chapter in accordance with
391 Section 25-43-1 et seq.;

392 (k) Set standards and approve all vocational and
393 technical education equipment and facilities purchased and/or
394 leased with state and federal vocational funds;

395 (1) Encourage provisions for lifelong learning and
396 changing personal career preferences and advancement of vocational
397 and technical education students through articulated programs
398 between high schools and community and junior colleges;

399 (m) Encourage the establishment of new linkages with
400 business and industry which will provide for a better
401 understanding of essential labor market concepts;

402 (n) Periodically review the funding and reporting
403 processes required of local school districts by the board or
404 division with the aim of simplifying or eliminating inefficient
405 practices and procedures;

406 (o) Assist in the development of high technology
407 programs and resource centers to support current and projected
408 industrial needs;

409 (p) Assist in the development of a technical assistance
410 program for business and industry which will provide for
411 industrial training and services, including the transfer of
412 information relative to new applications and advancements in
413 technology; and

414 (q) Enter into contracts and agreements with the
415 Mississippi Community College Board for conditions under which
416 vocational and technical education programs in community and
417 junior colleges shall receive state and federal funds which flow
418 through the State Board of Education for such purposes.



419 (2) It is the intent of the Legislature that no vocational
420 and technical education course or program existing on June 30,
421 shall be eliminated by the State Board of Education under
422 the authority vested in paragraph (d) of subsection (1) of this
423 section prior to June 30, 1985. It is further the intent of the
424 Legislature that no vocational and technical education teacher or
425 other personnel employed on June 30, 1983, shall be discharged due
426 to licensure standards promulgated by the board under paragraph
427 (e) of subsection (1) of this section, if any such teacher or
428 personnel shall have complied with any newly published licensure
429 standards by June 30, 1985. Nothing contained in this section
430 shall be construed to abrogate or affect in any manner the
431 authority of local public school districts or community and junior
432 colleges to eliminate vocational and technical education courses
433 or programs or to discharge any vocational and technical education
434 teacher or other personnel.

435 (3) The State Board of Education and the Mississippi
436 Community College Board may provide that every vocational and
437 technical education course or program in Mississippi may integrate
438 academic and vocational-technical education through coherent
439 sequences of courses, so that students in such programs achieve
440 both academic and occupational competencies. The boards may
441 expend federal funds available from the 1990 Perkins Act, or other
442 available federal funds, for the alignment of vocational-technical



443 programs with academic programs through the accreditation process
444 and the teacher licensure process.

445 **SECTION 7.** This act shall take effect and be in force from
446 and after July 1, 2025.

