

By: Representative McLean

To: Education

HOUSE BILL NO. 1588

1 AN ACT TO REQUIRE THE DISCONTINUATION OF END-OF-COURSE
2 SUBJECT AREA TESTING IN PUBLIC HIGH SCHOOLS FOR 11TH AND 12TH
3 GRADES; TO REQUIRE THE DEPARTMENT TO SECURE APPROVAL FROM THE
4 UNITED STATES DEPARTMENT OF EDUCATION TO ALLOW NATIONALLY
5 RECOGNIZED COLLEGE-READINESS AND CAREER-READINESS EXAMS, SUCH AS,
6 BUT NOT LIMITED TO, THE ACT AND ACT WORKKEYS ASSESSMENT, TO SERVE
7 AS COMPLIANCE WITH ANY FEDERAL TESTING REQUIREMENTS; TO REQUIRE
8 ALL HIGH SCHOOL STUDENTS TO TAKE A NATIONALLY RECOGNIZED
9 COLLEGE-READINESS AND CAREER-READINESS TESTS, SUCH AS THE ACT AND
10 ACT WORKKEYS ASSESSMENTS; TO AMEND SECTION 37-17-6, MISSISSIPPI
11 CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S
12 PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEM FOR SCHOOLS; TO
13 AMEND SECTIONS 37-16-3, 37-16-7, 37-16-17, 37-3-49, 37-15-38 AND
14 37-35-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION OF
15 THIS ACT; AND FOR RELATED PURPOSES.

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

17 SECTION 1. Beginning in the 2025-2026 school year, the State
18 Board of Education shall cease to require the administration of
19 all end-of-course subject area tests for eleventh and twelfth
20 grades. In lieu of the end-of-course tests, students enrolled in
21 public secondary schools shall be administered nationally
22 recognized college-readiness and career-readiness tests, such as,
23 but not limited to, the ACT and ACT WorkKeys assessments, deemed
24 appropriate by the Mississippi Department of Education and

25 required by Section 37-17-6. The Department of Education shall
26 seek to secure approval from the United States Department of
27 Education to allow nationally recognized college-readiness and
28 career-readiness tests, such as, but not limited to, the ACT and
29 ACT WorkKeys assessments, to serve as compliance with any federal
30 testing requirements, thereby eliminating all federal EOC tests
31 administered to eleventh and twelfth grades.

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

34 37-17-6. (1) The State Board of Education, acting through
35 the Commission on School Accreditation, shall establish and
36 implement a permanent performance-based accreditation system, and
37 all noncharter public elementary and secondary schools shall be
38 accredited under this system.

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

42 (3) (a) The State Board of Education, acting through the
43 Commission on School Accreditation, shall require that school
44 districts employ certified school librarians according to the
45 following formula:

46 Number of Students	Number of Certified
47 Per School Library	School Librarians
48 0 - 499 Students	1/2 Full-time Equivalent
49	Certified Librarian

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

54 (c) The assignment of certified school librarians to
55 the particular schools shall be at the discretion of the local
56 school district. No individual shall be employed as a certified
57 school librarian without appropriate training and certification as
58 a school librarian by the State Department of Education.

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

63 (e) Nothing in this subsection shall prohibit any
64 school district from employing more certified school librarians
65 than are provided for in this section.

66 (f) Any additional millage levied to fund school
67 librarians required for accreditation under this subsection shall
68 be included in the tax increase limitation set forth in Sections
69 37-57-105 and 37-57-107 and shall not be deemed a new program for
70 purposes of the limitation.

71 (4) [Deleted]

75 accountability system complying with applicable federal and state
76 requirements in order to reach the following educational goals:

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

79 (ii) To reduce the student dropout rate to ten
80 percent (10%) * * *; and

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

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

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

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

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

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



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

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

108 (vi) The State Department of Education shall
109 determine feeder patterns of schools that do not earn a school
110 grade because the grades and subjects taught at the school do not
111 have statewide standardized assessments needed to calculate a
112 school grade. Upon determination of the feeder pattern, the
113 department shall notify schools and school districts prior to the
114 release of the school grades. Feeder schools will be assigned the
115 accountability designation of the school to which they provide
116 students;

117 (vii) Standards for student, school and school
118 district performance will be increased when student proficiency is
119 at a seventy-five percent (75%) and/or when sixty-five percent
120 (65%) of the schools and/or school districts are earning a grade
121 of "B" or higher, in order to raise the standard on performance
122 after targets are met; * * *



123 (viii) The system shall include student
124 performance on the administration of a career-readiness
125 assessment, such as, but not limited to, the ACT WorkKeys
126 Assessment, deemed appropriate by the State Department of
127 Education working in coordination with the Office of Workforce
128 Development * * *; and

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

136 (7) The State Board of Education shall create an
137 accreditation audit unit under the Commission on School
138 Accreditation to determine whether schools are complying with
139 accreditation standards.

140 (8) The State Board of Education shall be specifically
141 authorized and empowered to withhold allocations from the total
142 funding formula funds as provided in Sections 37-151-200 through
143 37-151-215 to any public school district for failure to timely
144 report student, school personnel and fiscal data necessary to meet
145 state and/or federal requirements.

146 (9) [Deleted]

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

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

161 (a) Develop an impairment report for each district
162 failing to meet accreditation standards in conjunction with school
163 district officials;

164 (b) Notify any applicable school district failing to
165 meet accreditation standards that it is on probation until
166 corrective actions are taken or until the deficiencies have been
167 removed. The local school district shall develop a corrective
168 action plan to improve its deficiencies. For district academic
169 deficiencies, the corrective action plan for each such school
170 district shall be based upon a complete analysis of the following:
171 student test data, student grades, student attendance reports,



172 student dropout data, existence and other relevant data. The
173 corrective action plan shall describe the specific measures to be
174 taken by the particular school district and school to improve:
175 (i) instruction; (ii) curriculum; (iii) professional development;
176 (iv) personnel and classroom organization; (v) student incentives
177 for performance; (vi) process deficiencies; and (vii) reporting to
178 the local school board, parents and the community. The corrective
179 action plan shall describe the specific individuals responsible
180 for implementing each component of the recommendation and how each
181 will be evaluated. All corrective action plans shall be provided
182 to the State Board of Education as may be required. The decision
183 of the State Board of Education establishing the probationary
184 period of time shall be final;

185 (c) Offer, during the probationary period, technical
186 assistance to the school district in making corrective actions.
187 Subject to appropriations, the State Department of Education shall
188 provide technical and/or financial assistance to all such school
189 districts in order to implement each measure identified in that
190 district's corrective action plan through professional development
191 and on-site assistance. Each such school district shall apply for
192 and utilize all available federal funding in order to support its
193 corrective action plan in addition to state funds made available
194 under this paragraph;

195 (d) Assign department personnel or contract, in its
196 discretion, with the institutions of higher learning or other

197 appropriate private entities with experience in the academic,
198 finance and other operational functions of schools to assist
199 school districts;

200 (e) Provide for publication of public notice at least
201 one time during the probationary period, in a newspaper published
202 within the jurisdiction of the school district failing to meet
203 accreditation standards, or if no newspaper is published therein,
204 then in a newspaper having a general circulation therein. The
205 publication shall include the following: declaration of school
206 system's status as being on probation; all details relating to the
207 impairment report; and other information as the State Board of
208 Education deems appropriate. Public notices issued under this
209 section shall be subject to Section 13-3-31 and not contrary to
210 other laws regarding newspaper publication.

211 (12) (a) If the recommendations for corrective action are
212 not taken by the local school district or if the deficiencies are
213 not removed by the end of the probationary period, the Commission
214 on School Accreditation shall conduct a hearing to allow the
215 affected school district to present evidence or other reasons why
216 its accreditation should not be withdrawn. Additionally, if the
217 local school district violates accreditation standards that have
218 been determined by the policies and procedures of the State Board
219 of Education to be a basis for withdrawal of school district's
220 accreditation without a probationary period, the Commission on
221 School Accreditation shall conduct a hearing to allow the affected



222 school district to present evidence or other reasons why its
223 accreditation should not be withdrawn. After its consideration of
224 the results of the hearing, the Commission on School Accreditation
225 shall be authorized, with the approval of the State Board of
226 Education, to withdraw the accreditation of a public school
227 district, and issue a request to the Governor that a state of
228 emergency be declared in that district.

229 (b) (i) If the State Board of Education and the
230 Commission on School Accreditation determine that an extreme
231 emergency situation exists in a school district that jeopardizes
232 the safety, security or educational interests of the children
233 enrolled in the schools in that district and that emergency
234 situation is believed to be related to a serious violation or
235 violations of accreditation standards or state or federal law, the
236 State Board of Education may request the Governor to declare a
237 state of emergency in that school district. For purposes of this
238 paragraph, the declarations of a state of emergency district's
239 impairments are related to a lack of financial may include the
240 school district's serious failure to meet minimum academic
241 standards, as evidenced by a continued pattern of poor student
242 performance, or impairments related to a lack of financial
243 resources.

244 (ii) If the State Board of Education determines
245 that a public school or district in the state which, during each
246 of two (2) consecutive school years or during two (2) of three (3)



247 consecutive school years, receives an "F" designation by the State
248 Board of Education under the accountability rating system or has
249 been persistently failing as defined by the State Board of
250 Education; or if the State Board of Education determines that a
251 public school or district in the state which, during each of four
252 (4) consecutive school years, receives a "D" or "F" designation by
253 the State Board of Education under the accountability rating
254 system or has been persistently failing as defined by the State
255 Board of Education; or if more than fifty percent (50%) of the
256 schools within a school district are designated as Schools-At-Risk
257 in any one (1) year, then the board may place such school or
258 district into a District of Transformation. The State Board of
259 Education shall take over only the number of schools and districts
260 for which it has the capacity to serve. The State Board of
261 Education shall adopt rules and regulations governing any
262 additional requirements for placement into a District of
263 Transformation and the operation thereof. School districts or
264 schools that are eligible to be placed into a District of
265 Transformation due to poor academic performance but are not
266 absorbed due to the capacity of the State Board of Education,
267 shall develop and implement a district improvement plan with
268 prescriptive guidance and support from the Mississippi Department
269 of Education, with the goal of helping the district improve
270 student achievement. Failure of the school board, superintendent
271 and school district staff to implement the plan with fidelity and



272 participate in the activities provided as support by the
273 department shall result in the school district retaining its
274 eligibility for placement into a District of Transformation.

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

283 (c) Whenever the Governor declares a state of emergency
284 in a school district in response to a request made under paragraph
285 (a) or (b) of this subsection, or when the State Board of
286 Education places a school district into a District of
287 Transformation due to poor academic performance or financial
288 reasons, the State Board of Education may take one or more of the
289 following actions:

290 (i) Declare a state of emergency, under which some
291 or all of state funds can be escrowed except as otherwise provided
292 in Section 206, Constitution of 1890, until the board determines
293 corrective actions are being taken or the deficiencies have been
294 removed, or that the needs of students warrant the release of
295 funds. The funds may be released from escrow for any program
296 which the board determines to have been restored to standard even



297 though the state of emergency may not as yet be terminated for the
298 district as a whole;

299 (ii) Override any decision of the local school
300 board or superintendent of education, or both, concerning the
301 management and operation of the school district, or initiate and
302 make decisions concerning the management and operation of the
303 school district;

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

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

313 (v) For states of emergency declared under
314 paragraph (a) only, if the accreditation deficiencies are related
315 to the fact that the school district is too small, with too few
316 resources, to meet the required standards and if another school
317 district is willing to accept those students, abolish that
318 district and assign that territory to another school district or
319 districts. If the school district has proposed a voluntary
320 consolidation with another school district or districts, then if
321 the State Board of Education finds that it is in the best interest

322 of the pupils of the district for the consolidation to proceed,
323 the voluntary consolidation shall have priority over any such
324 assignment of territory by the State Board of Education;

325 (vi) For actions taken pursuant to paragraph (b)
326 only, reduce local supplements paid to school district employees,
327 including, but not limited to, instructional personnel, assistant
328 teachers and extracurricular activities personnel, if the
329 district's impairment is related to a lack of financial resources,
330 but only to an extent that will result in the salaries being
331 comparable to districts similarly situated, as determined by the
332 State Board of Education;

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

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

341 (e) The parent or legal guardian of a school-age child
342 who is enrolled in a school district whose accreditation has been
343 withdrawn by the Commission on School Accreditation and without
344 approval of that school district may file a petition in writing to
345 a school district accredited by the Commission on School
346 Accreditation for a legal transfer. The school district

347 accredited by the Commission on School Accreditation may grant the
348 transfer according to the procedures of Section 37-15-31(1)(b).
349 In the event the accreditation of the student's home district is
350 restored after a transfer has been approved, the student may
351 continue to attend the transferee school district. The per pupil
352 amount of the total funding formula allotment for the student's
353 home school district shall be transferred monthly to the school
354 district accredited by the Commission on School Accreditation that
355 has granted the transfer of the school-age child.

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

359 (i) Place the school district into district
360 transformation, in which the school district shall remain until it
361 has fulfilled all conditions related to district transformation.
362 If the district was assigned an accreditation rating of "D" or "F"
363 when placed into district transformation, the district shall be
364 eligible to return to local control when the school district has
365 attained a "C" rating or higher for three (3) consecutive years;

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

369 (iii) Reduce the size of the district and
370 administratively consolidate parts of the district, as determined
371 by the State Board of Education. However, no school district

372 which is not in district transformation shall be required to
373 accept additional territory over the objection of the district; or
374 (iv) Require the school district to develop and
375 implement a district improvement plan with prescriptive guidance
376 and support from the State Department of Education, with the goal
377 of helping the district improve student achievement. Failure of
378 the school board, superintendent and school district staff to
379 implement the plan with fidelity and participate in the activities
380 provided as support by the department shall result in the school
381 district retaining its eligibility for district transformation.

382 (13) Upon the declaration of a state of emergency in a
383 school district under subsection (12) of this section, or upon the
384 State Board of Education's placement of a school district into a
385 District of Transformation for academic or financial reasons, the
386 Commission on School Accreditation shall be responsible for public
387 notice at least once a week for at least three (3) consecutive
388 weeks in a newspaper published within the jurisdiction of the
389 school district failing to meet accreditation standards, or if no
390 newspaper is published therein, then in a newspaper having a
391 general circulation therein. The size of the notice shall be no
392 smaller than one-fourth (1/4) of a standard newspaper page and
393 shall be printed in bold print. If an interim superintendent has
394 been appointed for the school district, the notice shall begin as
395 follows: "By authority of Section 37-17-6, Mississippi Code of
396 1972, as amended, adopted by the Mississippi Legislature during



397 the 1991 Regular Session, this school district (name of school
398 district) is hereby placed under the jurisdiction of the State
399 Department of Education acting through its appointed interim
400 superintendent (name of interim superintendent)."

401 The notice also shall include, in the discretion of the State
402 Board of Education, any or all details relating to the school
403 district's emergency status, including the declaration of a state
404 of emergency in the school district and a description of the
405 district's impairment deficiencies, conditions of any district
406 transformation status and corrective actions recommended and being
407 taken. Public notices issued under this section shall be subject
408 to Section 13-3-31 and not contrary to other laws regarding
409 newspaper publication.

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

416 (14) The State Board of Education or the Commission on
417 School Accreditation shall have the authority to require school
418 districts to produce the necessary reports, correspondence,
419 financial statements, and any other documents and information
420 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.



445 comply with the time limitations prescribed in Sections 37-9-15
446 and 37-9-105;

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

452 (iii) Reviewing the district's total financial
453 obligations and operations and making recommendations to the
454 district for cost savings, including, but not limited to,
455 reassigning the duties and responsibilities of staff;

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

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

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

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

468 (viii) Appointing a parent advisory committee,
469 comprised of parents of students in the school district that may

470 make recommendations to the interim superintendent concerning the
471 administration, management and operation of the school district.

472 The cost of the salary of the interim superintendent and any
473 other actual and necessary costs related to district
474 transformation status paid by the State Department of Education
475 shall be reimbursed by the local school district from funds other
476 than total funding formula funds as provided in Sections
477 37-151-200 through 37-151-215. In the alternative, the local
478 school district may pay the cost of the salary of the interim
479 superintendent. The department shall submit an itemized statement
480 to the superintendent of the local school district for
481 reimbursement purposes, and any unpaid balance may be withheld
482 from the district's funding formula funds.

483 At the time that the Governor, in accordance with the request
484 of the State Board of Education, declares that the state of
485 emergency no longer exists in a school district, the interim
486 superintendent assigned to the district shall remain in place for
487 a period of two (2) years and shall work alongside the newly
488 reconstituted school board. A new superintendent may be hired by
489 the newly reconstituted board after the one (1) year state of
490 emergency no longer exists, but he or she shall serve as deputy to
491 the interim superintendent while the interim superintendent is
492 assigned to the district.

493 (b) In order to provide loans to school districts under
494 a state of emergency or in district transformation status that

495 have impairments related to a lack of financial resources, the
496 School District Emergency Assistance Fund is created as a special
497 fund in the State Treasury into which monies may be transferred or
498 appropriated by the Legislature from any available public
499 education funds. Funds in the School District Emergency
500 Assistance Fund up to a maximum balance of Three Million Dollars
501 (\$3,000,000.00) annually shall not lapse but shall be available
502 for expenditure in subsequent years subject to approval of the
503 State Board of Education. Any amount in the fund in excess of
504 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
505 year shall lapse into the State General Fund or the Education
506 Enhancement Fund, depending on the source of the fund.

507 The State Board of Education may loan monies from the School
508 District Emergency Assistance Fund to a school district that is
509 under a state of emergency or in district transformation status,
510 in those amounts, as determined by the board, that are necessary
511 to correct the district's impairments related to a lack of
512 financial resources. The loans shall be evidenced by an agreement
513 between the school district and the State Board of Education and
514 shall be repayable in principal, without necessity of interest, to
515 the School District Emergency Assistance Fund by the school
516 district from any allowable funds that are available. The total
517 amount loaned to the district shall be due and payable within five
518 (5) years after the impairments related to a lack of financial
519 resources are corrected. If a school district fails to make



520 payments on the loan in accordance with the terms of the agreement
521 between the district and the State Board of Education, the State
522 Department of Education, in accordance with rules and regulations
523 established by the State Board of Education, may withhold that
524 district's total funding formula funds in an amount and manner
525 that will effectuate repayment consistent with the terms of the
526 agreement; the funds withheld by the department shall be deposited
527 into the School District Emergency Assistance Fund.

528 The State Board of Education shall develop a protocol that
529 will outline the performance standards and requisite timeline
530 deemed necessary for extreme emergency measures. If the State
531 Board of Education determines that an extreme emergency exists,
532 simultaneous with the powers exercised in this subsection, it
533 shall take immediate action against all parties responsible for
534 the affected school districts having been determined to be in an
535 extreme emergency. The action shall include, but not be limited
536 to, initiating civil actions to recover funds and criminal actions
537 to account for criminal activity. Any funds recovered by the
538 State Auditor or the State Board of Education from the surety
539 bonds of school officials or from any civil action brought under
540 this subsection shall be applied toward the repayment of any loan
541 made to a school district hereunder.

542 (16) [Deleted]
543 (17) [Deleted]



544 (18) The State Board of Education, acting through the
545 Commission on School Accreditation, shall require each school
546 district to comply with standards established by the State
547 Department of Audit for the verification of fixed assets and the
548 auditing of fixed assets records as a minimum requirement for
549 accreditation.

550 (19) [Deleted]

551 (20) [Deleted]

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

561 **SECTION 3.** Section 37-16-3, Mississippi Code of 1972, is
562 amended as follows:

37-16-3. (1) The State Department of Education is directed to implement a program of statewide assessment testing which shall provide for the improvement of the operation and management of the public schools. The statewide program shall be timed, as far as possible, so as not to conflict with ongoing district assessment programs. As part of the program, the department shall:



569 (a) Establish, with the approval of the State Board of
570 Education, minimum performance standards related to the goals for
571 education contained in the state's plan including, but not limited
572 to, basic skills in reading, writing and mathematics. The minimum
573 performance standards shall be approved by April 1 in each year
574 they are established.

575 (b) Conduct a uniform statewide testing program in
576 grades deemed appropriate in the public schools, including charter
577 schools, which shall include the administration of a
578 career-readiness assessment, such as, but not limited to, the ACT
579 WorkKeys Assessment, deemed appropriate by the Mississippi
580 Department of Education working in coordination with the Office of
581 Workforce Development, to * * * all students * * *. Each
582 individual school district shall * * * ensure the assessment is
583 administered in the tenth, eleventh or twelfth grade. The program
584 shall also include the administration of a college-readiness
585 assessment, such as, but not limited to, the ACT, deemed
586 appropriate by the Mississippi Department of Education. The
587 program may test skill areas, basic skills and high school course
588 content.

589 (c) Monitor the results of the assessment program and,
590 at any time the composite student performance of a school or basic
591 program is found to be below the established minimum standards,
592 notify the district superintendent or the governing board of the
593 charter school, as the case may be, the school principal and the



594 school advisory committee or other existing parent group of the
595 situation within thirty (30) days of its determination. The
596 department shall further provide technical assistance to a school
597 district in the identification of the causes of this deficiency
598 and shall recommend courses of action for its correction.

599 (d) Provide technical assistance to the school
600 districts, when requested, in the development of student
601 performance standards in addition to the established minimum
602 statewide standards.

603 (e) Issue security procedure regulations providing for
604 the security and integrity of the tests that are administered
605 under the basic skills assessment program.

606 (f) In case of an allegation of a testing irregularity
607 that prompts a need for an investigation by the Department of
608 Education, the department may, in its discretion, take complete
609 control of the statewide test administration in a school district
610 or any part thereof, including, but not limited to, obtaining
611 control of the test booklets and answer documents. In the case of
612 any verified testing irregularity that jeopardized the security
613 and integrity of the test(s), validity or the accuracy of the test
614 results, the cost of the investigation and any other actual and
615 necessary costs related to the investigation paid by the
616 Department of Education shall be reimbursed by the local school
617 district from funds other than federal funds, total funding
618 formula funds provided in Sections 37-151-200 through 37-151-215,



619 or any other state funds within six (6) months from the date of
620 notice by the department to the school district to make
621 reimbursement to the department.

622 (2) Uniform basic skills tests shall be completed by each
623 student in the appropriate grade. These tests shall be
624 administered in such a manner as to preserve the integrity and
625 validity of the assessment. In the event of excused or unexcused
626 student absences, make-up tests shall be given. The school
627 superintendent of every school district in the state and the
628 principal of each charter school shall annually certify to the
629 State Department of Education that each student enrolled in the
630 appropriate grade has completed the required basic skills
631 assessment test for his or her grade in a valid test
632 administration.

633 (3) Within five (5) days of completing the administration of
634 a statewide test, the principal of the school where the test was
635 administered shall certify under oath to the State Department of
636 Education that the statewide test was administered in strict
637 accordance with the Requirements of the Mississippi Statewide
638 Assessment System as adopted by the State Board of Education. The
639 principal's sworn certification shall be set forth on a form
640 developed and approved by the Department of Education. If,
641 following the administration of a statewide test, the principal
642 has reason to believe that the test was not administered in strict
643 accordance with the Requirements of the Mississippi Statewide



644 Assessment System as adopted by the State Board of Education, the
645 principal shall submit a sworn certification to the Department of
646 Education setting forth all information known or believed by the
647 principal about all potential violations of the Requirements of
648 the Mississippi Statewide Assessment System as adopted by the
649 State Board of Education. The submission of false information or
650 false certification to the Department of Education by any licensed
651 educator may result in licensure disciplinary action pursuant to
652 Section 37-3-2 and criminal prosecution pursuant to Section
653 37-16-4.

654 **SECTION 4.** Section 37-16-7, Mississippi Code of 1972, is
655 amended as follows:

656 37-16-7. (1) Each district school board shall establish
657 standards for graduation from its schools which shall include as a
658 minimum:

659 (a) Mastery of minimum academic skills as measured by
660 assessments * * * administered by the State Board of Education.

661 (b) Completion of a minimum number of academic credits,
662 and all other applicable requirements prescribed by the district
663 school board.

664 (c) By school, information on high school graduation
665 rates. High schools with graduation rates lower than eighty
666 percent (80%) must submit a detailed plan to the Mississippi
667 Department of Education to restructure the high school experience
668 to improve graduation rates.

669 (2) A student who meets all requirements prescribed in
670 subsection (1) of this section shall be awarded a standard diploma
671 in a form prescribed by the State Board of Education.

672 (3) The State Board of Education may establish student
673 proficiency standards for promotion to grade levels leading to
674 graduation.

675 (4) The State Board of Education shall develop a curriculum
676 related to the study of sign language. Any such class developed
677 by the board may count as an academic credit for foreign languages
678 for the purposes of high school graduation requirements.

679 **SECTION 5.** Section 37-16-17, Mississippi Code of 1972, is
680 amended as follows:

681 37-16-17. (1) **Purpose.** (a) The purpose of this section is
682 to create a quality option in Mississippi's high schools for
683 students not wishing to pursue a baccalaureate degree, which shall
684 consist of challenging academic courses and modern
685 career-technical studies. The goal for students pursuing the
686 career technical education pathways is to graduate from high
687 school with a standard diploma and credit toward a community
688 college certification in a career-technical field. These students
689 also shall be encouraged to take the national assessment in the
690 career-technical field in which they become certified.

691 (b) The State Board of Education shall develop and
692 adopt course and curriculum requirements for career technical
693 education pathways offered by local public school boards in

694 accordance with this section. The Mississippi Community College
695 Board and the State Board of Education jointly shall determine
696 course and curriculum requirements for the career technical
697 education pathways. The State Board of Education shall require
698 school districts to provide notice to all incoming middle school
699 students and junior high students of the career technical
700 education pathways offered by local school boards. Such notice
701 shall include the career technical education pathways available,
702 the course requirements of each pathway, how to enroll in the
703 pathway and any other necessary information as determined by the
704 State Board of Education.

705 **(2) Career technical education pathway; description;**
706 **curriculum.** (a) A career technical education pathway shall
707 provide a student with greater technical skill and a strong
708 academic core and shall be offered to each high school student
709 enrolled in a public school district. The career technical
710 education pathway shall be linked to postsecondary options and
711 shall prepare students to pursue either a degree or certification
712 from a postsecondary institution, an industry-based training or
713 certification, an apprenticeship, the military, or immediate
714 entrance into a career field. The career technical education
715 pathway shall provide students with alternatives to entrance into
716 a four-year university or college after high school graduation.

717 (b) Students pursuing a career technical education
718 pathway shall be afforded the opportunity to dually enroll in a

719 community or technical college or to participate in a business
720 internship or work-study program, when such opportunities are
721 available and appropriate.

722 (c) Each public school district shall offer a career
723 technical education pathway approved by the State Board of
724 Education.

725 (d) Students in a career technical education pathway
726 shall complete an academic core of courses and a career and
727 technical sequence of courses.

728 (e) Students pursuing a career technical education
729 pathway must complete the twenty-four (24) course unit
730 requirements for a regular high school diploma, which may include,
731 but not be limited to the following course content:

732 (i) English I;

733 (ii) English II;

734 (iii) Technical writing;

735 (iv) Computer programming;

736 (v) Algebra I;

737 (vi) Personal Finance;

738 (vii) Advanced technical mathematics;

739 (viii) Computer Science;

740 (ix) Biology;

741 (x) Earth and Space Science;

742 (xi) U.S. History;

743 (xii) Mississippi Studies/U.S. Government;

744 (xiii) Health;
745 (xiv) Physical Education;
746 (xv) Soft skills, which include, but are not
747 limited to, communication ability, language skills, time
748 management, teamwork and leadership traits;
749 (xvi) Career technical education pathway courses;
750 and
751 (xvii) Integrated technology.

752
753 (f) The courses provided in paragraph (e) of this
754 subsection may be tailored to the individual needs of the school
755 district as long as the amendments align with the basic course
756 requirements of paragraph (e).

757 (3) Nothing in this section shall disallow the development
758 of a dual enrollment program with a technical college so long as
759 an individual school district, with approval from the State
760 Department of Education, agrees to implement such a program in
761 connection with a technical college and the agreement is also
762 approved by the proprietary school's commission.

763 **SECTION 6.** Section 37-3-49, Mississippi Code of 1972, is
764 amended as follows:

765 37-3-49. (1) The State Department of Education shall
766 provide an instructional program and establish guidelines and
767 procedures for managing such program in the public schools within
768 the school districts throughout the state as part of the State



769 Program of Educational Accountability and Assessment of
770 Performance as prescribed in Section 37-3-46. Public school
771 districts may (a) elect to adopt the instructional program and
772 management system provided by the State Department of Education,
773 or (b) elect to adopt an instructional program and management
774 system which meets or exceeds criteria established by the State
775 Department of Education for such. This provision shall begin with
776 the courses taught in Grades K-8 which contain skills tested
777 through the Mississippi Basic Skills Assessment Program and shall
778 proceed through all secondary school courses mandated for
779 graduation * * *. Other state core objectives must be included in
780 the district's instructional program as they are provided by the
781 State Department of Education along with instructional practices,
782 resources, evaluation items and management procedures. Districts
783 are encouraged to adapt this program and accompanying procedures
784 to all other instructional areas. The department shall provide
785 that such program and guidelines, or a program and guidelines
786 developed by a local school district which incorporates the core
787 objectives from the curriculum structure are enforced through the
788 performance-based accreditation system. It is the intent of the
789 Legislature that every effort be made to protect the instructional
790 time in the classroom and reduce the amount of paperwork which
791 must be completed by teachers. The State Department of Education
792 shall take steps to insure that school districts properly use



793 staff development time to work on the districts' instructional
794 management plans.

795 (2) The State Department of Education shall provide such
796 instructional program and management guidelines which shall
797 require for every public school district that:

798 (a) All courses taught in Grades K-8 which contain
799 skills which are tested through the Mississippi Basic Skills
800 Assessment Program * * * and all secondary school courses mandated
801 for graduation * * * shall include the State Department of
802 Education's written list of learning objectives.

803 (b) The local school board must adopt the objectives
804 that will form the core curriculum which will be systematically
805 delivered throughout the district.

806 (c) The set of objectives provided by the State
807 Department of Education must be accompanied by suggested
808 instructional practices and resources that would help teachers
809 organize instruction so as to promote student learning of the
810 objectives. Objectives added by the school district must also be
811 accompanied by suggested instructional practices and resources
812 that would help teachers organize instruction. The instructional
813 practices and resources that are identified are to be used as
814 suggestions and not as requirements that teachers must follow.
815 The goal of the program is to have students to achieve the desired
816 objective and not to limit teachers in the way they teach.

817 (d) Standards for student performance must be
818 established for each core objective in the local program and those
819 standards establish the district's definition of mastery for each
820 objective.

821 (e) There shall be an annual review of student
822 performance in the instructional program against locally
823 established standards. When weaknesses exist in the local
824 instructional program, the district shall take action to improve
825 student performance.

826 (3) The State Board of Education and the board of trustees
827 of each school district shall adopt policies to limit and reduce
828 the number and length of written reports that classroom teachers
829 are required to prepare.

830 (4) This section shall not be construed to limit teachers
831 from using their own professional skills to help students master
832 instructional objectives, nor shall it be construed as a call for
833 more detailed or complex lesson plans or any increase in testing
834 at the local school district level.

835 (5) Districts meeting the highest levels of accreditation
836 standards, as defined by the State Board of Education, shall be
837 exempted from the provisions of subsection (2) of this section.

838 **SECTION 7.** Section 37-15-38, Mississippi Code of 1972, is
839 amended as follows:



840 37-15-38. (1) The following phrases have the meanings
841 ascribed in this section unless the context clearly requires
842 otherwise:

843 (a) A dual enrolled student is a student who is
844 enrolled in a community or junior college or state institution of
845 higher learning while enrolled in high school.

846 (b) A dual credit student is a student who is enrolled
847 in a community or junior college or state institution of higher
848 learning while enrolled in high school and who is receiving high
849 school and college credit for postsecondary coursework.

850 (2) A local school board, the Board of Trustees of State
851 Institutions of Higher Learning and the Mississippi Community
852 College Board shall establish a dual enrollment system under which
853 students in the school district who meet the prescribed criteria
854 of this section may be enrolled in a postsecondary institution in
855 Mississippi while they are still in school.

856 (3) **Dual credit eligibility.** Before credits earned by a
857 qualified high school student from a community or junior college
858 or state institution of higher learning may be transferred to the
859 student's home school district, the student must be properly
860 enrolled in a dual enrollment program.

861 (4) **Admission criteria for dual enrollment in community and**
862 **junior college or university programs.** The Mississippi Community
863 College Board and the Board of Trustees of State Institutions of
864 Higher Learning may recommend to the State Board of Education

865 admission criteria for dual enrollment programs under which high
866 school students may enroll at a community or junior college or
867 university while they are still attending high school and enrolled
868 in high school courses. Students may be admitted to enroll in
869 community or junior college courses under the dual enrollment
870 programs if they meet that individual institution's stated dual
871 enrollment admission requirements.

872 (5) **Tuition and cost responsibility.** Tuition and costs for
873 university-level courses and community and junior college courses
874 offered under a dual enrollment program may be paid for by the
875 postsecondary institution, the local school district, the parents
876 or legal guardians of the student, or by grants, foundations or
877 other private or public sources. Payment for tuition and any
878 other costs must be made directly to the credit-granting
879 institution.

880 (6) **Transportation responsibility.** Any transportation
881 required by a student to participate in the dual enrollment
882 program is the responsibility of the parent, custodian or legal
883 guardian of the student. Transportation costs may be paid from
884 any available public or private sources, including the local
885 school district.

886 (7) **School district net enrollment credit.** When dually
887 enrolled, the student may be counted, for total funding formula
888 purposes, in the net enrollment of the public school district in
889 which the student attends high school.

890 **(8) High school student transcript transfer requirements.**

891 Grades and college credits earned by a student admitted to a dual
892 credit program must be recorded on the high school student record
893 and on the college transcript at the university or community or
894 junior college where the student attends classes. The transcript
895 of the university or community or junior college coursework may be
896 released to another institution or applied toward college
897 graduation requirements.

898 **(9) Determining factor of prerequisites for dual enrollment**
899 **courses.** Each university and community or junior college
900 participating in a dual enrollment program shall determine course
901 prerequisites. Course prerequisites shall be the same for dual
902 enrolled students as for regularly enrolled students at that
903 university or community or junior college.

904 **(10) Process for determining articulation of curriculum**
905 **between high school, university, and community and junior college**
906 **courses.** All dual credit courses must meet the standards
907 established at the postsecondary level. Postsecondary level
908 developmental courses may not be considered as meeting the
909 requirements of the dual credit program. Dual credit memorandum
910 of understandings must be established between each postsecondary
911 institution and the school district implementing a dual credit
912 program.

913 **(11) [Deleted]**

(12) **Eligible courses for dual credit programs.** Courses eligible for dual credit include, but are not necessarily limited to, foreign languages, advanced math courses, advanced science courses, performing arts, advanced business and technology, and career and technical courses. Distance Learning Collaborative Program courses approved under Section 37-67-1 shall be fully eligible for dual credit. All courses being considered for dual credit must receive unconditional approval from the superintendent of the local school district and the chief instructional officer at the participating community or junior college or university in order for college credit to be awarded. A university or community or junior college shall make the final decision on what courses are eligible for semester hour credits.

927 (13) **High school Carnegie unit equivalency.** One (1)
928 three-hour university or community or junior college course is
929 equal to one (1) high school Carnegie unit.

(14) **Course alignment.** The universities, community and junior colleges and the State Department of Education shall periodically review their respective policies and assess the place of dual credit courses within the context of their traditional offerings.

935 (15) **Maximum dual credits allowed.** It is the intent of the
936 dual enrollment program to make it possible for every eligible
937 student who desires to earn a semester's worth of college credit
938 in high school to do so. A qualified dually enrolled high school



939 student must be allowed to earn an unlimited number of college or
940 university credits for dual credit.

941 (16) **Dual credit program allowances.** A student may be
942 granted credit delivered through the following means:

943 (a) Examination preparation taught at a high school by
944 a qualified teacher. A student may receive credit at the
945 secondary level after completion of an approved course and passing
946 the standard examination, such as an Advanced Placement or
947 International Baccalaureate course through which a high school
948 student is allowed CLEP credit by making a three (3) or higher on
949 the end-of-course examination.

950 (b) College or university courses taught at a high
951 school or designated postsecondary site by a qualified teacher who
952 is an employee of the school district and approved as an
953 instructor by the collaborating college or university.

954 (c) College or university courses taught at a college,
955 university or high school by an instructor employed by the college
956 or university and approved by the collaborating school district.

957 (d) Online courses of any public university, community
958 or junior college in Mississippi.

959 (17) **Qualifications of dual credit instructors.** A dual
960 credit academic instructor must meet the requirements set forth by
961 the regional accrediting association (Southern Association of
962 College and Schools). University and community and junior college

963 personnel have the sole authority in the selection of dual credit
964 instructors.

965 A dual credit career and technical education instructor must
966 meet the requirements set forth by the Mississippi Community
967 College Board in the qualifications manual for postsecondary
968 career and technical personnel.

969 (18) **Guidance on local agreements.** The Chief Academic
970 Officer of the State Board of Trustees of State Institutions of
971 Higher Learning and the Chief Instructional Officers of the
972 Mississippi Community College Board and the State Department of
973 Education, working collaboratively, shall develop a template to be
974 used by the individual community and junior colleges and
975 institutions of higher learning for consistent implementation of
976 the dual enrollment program throughout the State of Mississippi.

977 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**
978 A local school board and the local community colleges board shall
979 establish a Mississippi Works Dual Enrollment-Dual Credit Option
980 Program under which potential or recent student dropouts may
981 dually enroll in their home school and a local community college
982 in a dual credit program consisting of high school completion
983 coursework and a community college credential, certificate or
984 degree program. Students completing the dual enrollment-credit
985 option may obtain their high school diploma while obtaining a
986 community college credential, certificate or degree. The
987 Mississippi Department of Employment Security shall assist

988 students who have successfully completed the Mississippi Works
989 Dual Enrollment-Dual Credit Option in securing a job upon the
990 application of the student or the participating school or
991 community college. The Mississippi Works Dual Enrollment-Dual
992 Credit Option Program will be implemented statewide in the
993 2012-2013 school year and thereafter. The State Board of
994 Education, local school board and the local community college
995 board shall establish criteria for the Dual Enrollment-Dual Credit
996 Program. Students enrolled in the program will not be eligible to
997 participate in interscholastic sports or other extracurricular
998 activities at the home school district. Tuition and costs for
999 community college courses offered under the Dual Enrollment-Dual
1000 Credit Program shall not be charged to the student, parents or
1001 legal guardians. When dually enrolled, the student shall be
1002 counted, for total funding formula purposes, in the net enrollment
1003 of the public school district in which the student attends high
1004 school. Any transportation required by the student to participate
1005 in the Dual Enrollment-Dual Credit Program is the responsibility
1006 of the parent or legal guardian of the student, and transportation
1007 costs may be paid from any available public or private sources,
1008 including the local school district. Grades and college credits
1009 earned by a student admitted to this Dual Enrollment-Dual Credit
1010 Program shall be recorded on the high school student record and on
1011 the college transcript at the community college and high school
1012 where the student attends classes. The transcript of the



1013 community college coursework may be released to another
1014 institution or applied toward college graduation requirements.
1015 * * * Courses that are eligible for dual credit shall * * *
1016 include, but not be limited to, core academic, career, technical
1017 and degree program courses. All courses eligible for dual credit
1018 shall be approved by the superintendent of the local school
1019 district and the chief instructional officer at the participating
1020 community college in order for college credit to be awarded. A
1021 community college shall make the final decision on what courses
1022 are eligible for semester hour credits and the local school
1023 superintendent, subject to approval by the Mississippi Department
1024 of Education, shall make the final decision on the transfer of
1025 college courses credited to the student's high school transcript.

1026 **SECTION 8.** Section 37-35-3, Mississippi Code of 1972, is
1027 amended as follows:

1028 37-35-3. (1) The board of trustees of any school district,
1029 including any community or junior college, may establish and
1030 maintain classes for adults, including general educational
1031 development classes, under the regulations authorized in this
1032 chapter and pursuant to the standards prescribed in subsection
1033 (3). The property and facilities of the public school districts
1034 may be used for this purpose where such use does not conflict with
1035 uses already established.

1036 (2) The trustees of any school district desiring to
1037 establish such program may request the taxing authority of the

1038 district to levy additional ad valorem taxes for the support of
1039 this program. The board of supervisors, in the case of a county
1040 school district, a special municipal separate school district, or
1041 a community or junior college district, and the governing
1042 authority of any municipality, in the case of a municipal separate
1043 school district, is authorized, in its discretion, to levy a tax
1044 not exceeding one (1) mill upon all the taxable property of the
1045 district for the support of this program. The tax shall be in
1046 addition to all other taxes authorized by law to be levied. In
1047 addition to the funds realized from any such levy, the board of
1048 trustees of any school district is authorized to use any surplus
1049 funds that it may have or that may be made available to it from
1050 local sources to supplement this program.

1051 (3) (a) Any student participating in an approved High
1052 School Equivalency Diploma Option program administered by a local
1053 school district or a local school district with an approved
1054 contractual agreement with a community or junior college or other
1055 local entity shall not be considered a dropout. Students in such
1056 a program administered by a local school district shall be
1057 considered as enrolled within the school district of origin for
1058 the purpose of enrollment for total funding formula funds only.
1059 Such students shall not be considered as enrolled in the regular
1060 school program for academic or programmatic purposes.

1061 (b) Students participating in an approved High School
1062 Equivalency Diploma Option program shall have an individual career

1063 plan developed at the time of placement to ensure that the
1064 student's academic and job skill needs will be met. The
1065 Individual Career Plan will address, but is not limited to, the
1066 following:

1067 (i) Academic and instructional needs of the
1068 student;

1069 (ii) Job readiness needs of the student; and
1070 (iii) Work experience program options available
1071 for the student.

1072 (c) Students participating in an approved High School
1073 Equivalency Diploma Option program may participate in existing job
1074 and skills development programs or in similar programs developed
1075 in conjunction with the High School Equivalency Diploma Option
1076 program and the vocational director.

1077 (d) High School Equivalency Diploma Option programs may
1078 be operated by local school districts or may be operated by two
1079 (2) or more adjacent school districts, pursuant to a contract
1080 approved by the State Board of Education. When two (2) or more
1081 school districts contract to operate a High School Equivalency
1082 Diploma Option program, the school board of a district designated
1083 to be the lead district shall serve as the governing board of the
1084 High School Equivalency Diploma Option program. Transportation
1085 for students placed in the High School Equivalency Diploma Option
1086 program shall be the responsibility of the school district of
1087 origin. The expense of establishing, maintaining and operating

1088 such High School Equivalency Diploma Option programs may be paid
1089 from funds made available to the school district through
1090 contributions, total funding formula funds or from local district
1091 maintenance funds.

1092 (e) The State Department of Education will develop
1093 procedures and criteria for placement of a student in the High
1094 School Equivalency Diploma Option programs. Students placed in
1095 High School Equivalency Diploma Option programs shall have
1096 parental approval for such placement and must meet the following
1097 criteria:

1098 (i) The student must be at least sixteen (16)
1099 years of age;

1100 (ii) The student must be at least one (1) full
1101 grade level behind his or her ninth grade cohort or must have
1102 acquired less than four (4) Carnegie units;

1103 (iii) The student must have taken every
1104 opportunity to continue to participate in coursework leading to a
1105 diploma; and

1106 (iv) The student must be certified to be eligible
1107 to participate in the GED course by the school district
1108 superintendent, based on the developed criteria.

1109 (f) Students participating in an approved High School
1110 Equivalency Diploma Option program * * * shall be required to take
1111 the * * * college- and career-readiness assessments as described
1112 in Section 37-17-6.

1113 **SECTION 9.** This act shall take effect and be in force from
1114 and after July 1, 2025.

