

By: Representatives Currie, Wilson, Johnson  
(87th)

To: Education

## HOUSE BILL NO. 933

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT  
3 OBJECTIVES THAT FOCUS ON THE ACADEMIC STANDARDS IN SOCIAL STUDIES,  
4 CIVICS AND UNITED STATES HISTORY AND TO REQUIRE THE ADMINISTRATION  
5 OF AN AMERICAN CIVICS ASSESSMENT, IDENTICAL TO THE PORTION OF THE  
6 EXAMINATION ADMINISTERED BY UNITED STATES CITIZENSHIP AND  
7 IMMIGRATION SERVICES (USCIS) REQUIRED BY 8 USCS SECTION 1423 FOR  
8 NATURALIZATION, AS A CONDITION OF GRADUATION; TO REQUIRE HIGH  
9 SCHOOL STUDENTS TO CORRECTLY ANSWER AT LEAST SIXTY PERCENT (60%)  
10 OF THE QUESTIONS TO BE ELIGIBLE FOR GRADUATION; TO PROVIDE THAT  
11 BEGINNING WITH THE 2016-2017 SCHOOL YEAR, THE BOARD SHALL REQUIRE  
12 THE DEVELOPED OBJECTIVES TO BE INCORPORATED INTO THE UNITED STATES  
13 HISTORY CURRICULUM REQUIRED FOR HIGH SCHOOL STUDENTS AS MEASURED  
14 BY THE SUBJECT AREA TEST FOR THAT COURSE; TO AUTHORIZE THE BOARD  
15 TO DETERMINE THE METHOD AND MANNER IN WHICH TO ADMINISTER THE  
16 ASSESSMENT; TO PROVIDE THAT STUDENTS SHALL HAVE ADDITIONAL  
17 OPPORTUNITIES TO TAKE THE ASSESSMENT UNTIL A PASSING SCORE IS  
18 OBTAINED; TO AMEND SECTIONS 37-3-49 AND 37-16-3, MISSISSIPPI CODE  
19 OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 37-15-38,  
20 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY COURSE REQUIRED FOR  
21 THE AMERICAN CIVICS ASSESSMENT AS A REQUIREMENT FOR GRADUATION  
22 FROM A PUBLIC SCHOOL OR CHARTER SCHOOL IN MISSISSIPPI SHALL NOT BE  
23 ELIGIBLE FOR DUAL CREDIT; TO BRING FORWARD SECTION 37-16-5,  
24 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;  
25 TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO REQUIRE  
26 THAT EACH DISTRICT SCHOOL BOARD IN THE ESTABLISHMENT OF ITS  
27 MINIMUM STANDARDS FOR GRADUATION SHALL INCLUDE MASTERY OF MINIMUM  
28 ACADEMIC SKILLS AS MEASURED BY THE AMERICAN CIVICS ASSESSMENT,  
29 IDENTICAL TO THE PORTION OF THE EXAMINATION ADMINISTERED BY UNITED  
30 STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) REQUIRED BY 8  
31 USCS SECTION 1423 FOR NATURALIZATION; TO EXEMPT STUDENTS  
32 CLASSIFIED WITH CERTAIN INTELLECTUAL DISABILITIES FROM THE  
33 REQUIREMENT OF OBTAINING A PASSING SCORE ON THE AMERICAN CIVICS  
34 ASSESSMENT AS A CONDITION OF GRADUATION AND RECEIPT OF A SPECIAL



35 DIPLOMA OR CERTIFICATE; TO AMEND SECTION 37-16-11, MISSISSIPPI  
36 CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

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

40 37-1-3. (1) The State Board of Education shall adopt rules  
41 and regulations and set standards and policies for the  
42 organization, operation, management, planning, budgeting and  
43 programs of the State Department of Education.

44 (a) The board is directed to identify all functions of  
45 the department that contribute to or comprise a part of the state  
46 system of educational accountability and to establish and maintain  
47 within the department the necessary organizational structure,  
48 policies and procedures for effectively coordinating such  
49 functions. Such policies and procedures shall clearly fix and  
50 delineate responsibilities for various aspects of the system and  
51 for overall coordination of the total system and its effective  
52 management.

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

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

59 (d) The board shall establish and maintain a central  
60 budget policy.



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

64 (f) The board, with recommendations from the  
65 superintendent, shall design and maintain a five-year plan and  
66 program for educational improvement that shall set forth  
67 objectives for system performance and development and be the basis  
68 for budget requests and legislative initiatives.

69 (2) (a) The State Board of Education shall adopt and  
70 maintain a curriculum and a course of study to be used in the  
71 public school districts that \* \* \* are designed to prepare the  
72 state's children and youth to be productive, informed, creative  
73 citizens, workers and leaders, and it shall regulate all matters  
74 arising in the practical administration of the school system not  
75 otherwise provided for.

76 (b) \* \* \* The State Board of Education shall develop  
77 personal living and finances objectives that focus on money  
78 management skills for individuals and families for appropriate,  
79 existing courses at the secondary level. The objectives must  
80 require the teaching of those skills necessary to handle personal  
81 business and finances and must include instruction in the  
82 following:

83 (i) Opening a bank account and assessing the  
84 quality of a bank's services;

85 (ii) Balancing a checkbook;



- 86 (iii) Managing debt, including retail and credit  
87 card debt;
- 88 (iv) Completing a loan application;
- 89 (v) The implications of an inheritance;
- 90 (vi) The basics of personal insurance policies;
- 91 (vii) Consumer rights and responsibilities;
- 92 (viii) Dealing with salesmen and merchants;
- 93 (ix) Computing state and federal income taxes;
- 94 (x) Local tax assessments;
- 95 (xi) Computing interest rates by various  
96 mechanisms;
- 97 (xii) Understanding simple contracts; and
- 98 (xiii) Contesting an incorrect billing statement.

99 (c) The State Board of Education shall develop and  
100 implement objectives that focus on the academic standards in  
101 social studies, civics and United States history for appropriate,  
102 existing courses at the secondary level, and shall require the  
103 administration of an American Civics assessment, identical to the  
104 portion of the examination administered by United States  
105 Citizenship and Immigration Services (USCIS) used to demonstrate  
106 an applicant-for-naturalization's knowledge and understanding of  
107 the fundamentals of United States history, principles and form of  
108 United States government as required by 8 USCS Section 1423, on  
109 which secondary school students must correctly answer at least  
110 sixty percent (60%) of the questions as a condition of graduation.



111 Beginning with the 2016-2017 school year, the board shall require  
112 the stipulations of this subsection to be incorporated into the  
113 United States history curriculum required for high school students  
114 as measured by the subject area test for that course.

115 Additionally, the board may determine the method and manner in  
116 which to administer the assessment at no cost to the student, and  
117 shall provide additional opportunities for students to take the  
118 assessment until a passing score is obtained.

119 (3) The State Board of Education shall have authority to  
120 expend any available federal funds, or any other funds expressly  
121 designated, to pay training, educational expenses, salary  
122 incentives and salary supplements to licensed teachers employed in  
123 local school districts or schools administered by the State Board  
124 of Education. Such incentive payments shall not be considered  
125 part of a school district's local supplement as defined in Section  
126 37-151-5(o), nor shall the incentives be considered part of the  
127 local supplement paid to an individual teacher for the purposes of  
128 Section 37-19-7(1). MAEP funds or any other state funds shall not  
129 be used to provide such incentives unless specifically authorized  
130 by law.

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

133 **SECTION 2.** Section 37-3-49, Mississippi Code of 1972, is  
134 amended as follows:



135           37-3-49. (1) The State Department of Education shall  
136 provide an instructional program and establish guidelines and  
137 procedures for managing such program in the public schools within  
138 the school districts throughout the state as part of the State  
139 Program of Educational Accountability and Assessment of  
140 Performance as prescribed in Section 37-3-46. Public school  
141 districts may (a) elect to adopt the instructional program and  
142 management system provided by the State Department of Education,  
143 or (b) elect to adopt an instructional program and management  
144 system which meets or exceeds criteria established by the State  
145 Department of Education for such. This provision shall begin with  
146 the courses taught in Grades K-8 which contain skills tested  
147 through the Mississippi Basic Skills Assessment Program and shall  
148 proceed through all secondary school courses mandated for  
149 graduation, \* \* \* all secondary school courses in the Mississippi  
150 end-of-course testing program and the American Civics assessment.  
151 Other state core objectives must be included in the district's  
152 instructional program as they are provided by the State Department  
153 of Education along with instructional practices, resources,  
154 evaluation items and management procedures. Districts are  
155 encouraged to adapt this program and accompanying procedures to  
156 all other instructional areas. The department shall provide that  
157 such program and guidelines, or a program and guidelines developed  
158 by a local school district which incorporates the core objectives  
159 from the curriculum structure are enforced through the



160 performance-based accreditation system. It is the intent of the  
161 Legislature that every effort be made to protect the instructional  
162 time in the classroom and reduce the amount of paperwork which  
163 must be completed by teachers. The State Department of Education  
164 shall take steps to insure that school districts properly use  
165 staff development time to work on the districts' instructional  
166 management plans.

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

170 (a) All courses taught in Grades K-8 which contain  
171 skills which are tested through the Mississippi Basic Skills  
172 Assessment Program, all secondary school courses mandated for  
173 graduation, and all courses in the end-of-course testing program  
174 and the American Civics assessment shall include the State  
175 Department of Education's written list of learning objectives.

176 (b) The local school board must adopt the objectives  
177 that will form the core curriculum which will be systematically  
178 delivered throughout the district.

179 (c) The set of objectives provided by the State  
180 Department of Education must be accompanied by suggested  
181 instructional practices and resources that would help teachers  
182 organize instruction so as to promote student learning of the  
183 objectives. Objectives added by the school district must also be  
184 accompanied by suggested instructional practices and resources



185 that would help teachers organize instruction. The instructional  
186 practices and resources that are identified are to be used as  
187 suggestions and not as requirements that teachers must follow.  
188 The goal of the program is to have students to achieve the desired  
189 objective and not to limit teachers in the way they teach.

190 (d) Standards for student performance must be  
191 established for each core objective in the local program and those  
192 standards establish the district's definition of mastery for each  
193 objective.

194 (e) There shall be an annual review of student  
195 performance in the instructional program against locally  
196 established standards. When weaknesses exist in the local  
197 instructional program, the district shall take action to improve  
198 student performance.

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

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





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

211 **SECTION 3.** Section 37-15-38, Mississippi Code of 1972, is  
212 amended as follows:

213 37-15-38. (1) The following phrases have the meanings  
214 ascribed in this section unless the context clearly requires  
215 otherwise:

216 (a) A dual enrolled student is a student who is  
217 enrolled in a community or junior college or state institution of  
218 higher learning while enrolled in high school.

219 (b) A dual credit student is a student who is enrolled  
220 in a community or junior college or state institution of higher  
221 learning while enrolled in high school and who is receiving high  
222 school and college credit for postsecondary coursework.

223 (2) A local school board, the Board of Trustees of State  
224 Institutions of Higher Learning and the Mississippi Community  
225 College Board shall establish a dual enrollment system under which  
226 students in the school district who meet the prescribed criteria  
227 of this section may be enrolled in a postsecondary institution in  
228 Mississippi while they are still in school.

229 (3) **Dual credit eligibility.** Before credits earned by a  
230 qualified high school student from a community or junior college  
231 or state institution of higher learning may be transferred to the



232 student's home school district, the student must be properly  
233 enrolled in a dual enrollment program.

234       (4) **Admission criteria for dual enrollment in community and**  
235 **junior college or university programs.** The \* \* \* Mississippi  
236 Community College Board and the Board of Trustees of State  
237 Institutions of Higher Learning may recommend to the State Board  
238 of Education admission criteria for dual enrollment programs under  
239 which high school students may enroll at a community or junior  
240 college or university while they are still attending high school  
241 and enrolled in high school courses. Students may be admitted to  
242 enroll in community or junior college courses under the dual  
243 enrollment programs if they meet that individual institution's  
244 stated dual enrollment admission requirements.

245       (5) **Tuition and cost responsibility.** Tuition and costs for  
246 university-level courses and community and junior college courses  
247 offered under a dual enrollment program may be paid for by the  
248 postsecondary institution, the local school district, the parents  
249 or legal guardians of the student, or by grants, foundations or  
250 other private or public sources. Payment for tuition and any  
251 other costs must be made directly to the credit-granting  
252 institution.

253       (6) **Transportation responsibility.** Any transportation  
254 required by a student to participate in the dual enrollment  
255 program is the responsibility of the parent, custodian or legal  
256 guardian of the student. Transportation costs may be paid from



257 any available public or private sources, including the local  
258 school district.

259 (7) **School district average daily attendance credit.** When  
260 dually enrolled, the student may be counted, for adequate  
261 education program funding purposes, in the average daily  
262 attendance of the public school district in which the student  
263 attends high school.

264 (8) **High school student transcript transfer requirements.**  
265 Grades and college credits earned by a student admitted to a dual  
266 credit program must be recorded on the high school student record  
267 and on the college transcript at the university or community or  
268 junior college \* \* \* where the student attends classes. The  
269 transcript of the university or community or junior college  
270 coursework may be released to another institution or applied  
271 toward college graduation requirements.

272 (9) **Determining factor of prerequisites for dual enrollment**  
273 **courses.** Each university and community or junior college  
274 participating in a dual enrollment program shall determine course  
275 prerequisites. Course prerequisites shall be the same for dual  
276 enrolled students as for regularly enrolled students at that  
277 university or community or junior college.

278 (10) **Process for determining articulation of curriculum**  
279 **between high school, university, and community and junior college**  
280 **courses.** All dual credit courses must meet the standards  
281 established at the postsecondary level. Postsecondary level



282 developmental courses may not be considered as meeting the  
283 requirements of the dual credit program. Dual credit memorandum  
284 of understandings must be established between each postsecondary  
285 institution and the school district implementing a dual credit  
286 program.

287 (11) \* \* \* **Ineligible courses for dual credit programs.** Any  
288 course that is required for the American Civics assessment as a  
289 requirement for graduation from a public school or charter school  
290 in Mississippi is not eligible for dual credit.

291 (12) **Eligible courses for dual credit programs.** Courses  
292 eligible for dual credit include, but are not necessarily limited  
293 to, foreign languages, advanced math courses, advanced science  
294 courses, performing arts, advanced business and technology, and  
295 career and technical courses. All courses being considered for  
296 dual credit must receive unconditional approval from the  
297 superintendent of the local school district and the chief  
298 instructional officer at the participating community or junior  
299 college or university in order for college credit to be awarded.  
300 A university or community or junior college shall make the final  
301 decision on what courses are eligible for semester hour credits.

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

305 (14) **Course alignment.** The universities, community and  
306 junior colleges and the State Department of Education shall



307 periodically review their respective policies and assess the place  
308 of dual credit courses within the context of their traditional  
309 offerings.

310 (15) **Maximum dual credits allowed.** It is the intent of the  
311 dual enrollment program to make it possible for every eligible  
312 student who desires to earn a semester's worth of college credit  
313 in high school to do so. A qualified dually enrolled high school  
314 student must be allowed to earn an unlimited number of college or  
315 university credits for dual credit.

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

318 (a) Examination preparation taught at a high school by  
319 a qualified teacher. A student may receive credit at the  
320 secondary level after completion of an approved course and passing  
321 the standard examination, such as an Advanced Placement or  
322 International Baccalaureate course through which a high school  
323 student is allowed CLEP credit by making a three (3) or higher on  
324 the end-of-course examination.

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

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



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

334 (17) **Qualifications of dual credit instructors.** A dual  
335 credit academic instructor must meet the requirements set forth by  
336 the regional accrediting association (Southern Association of  
337 College and Schools). University and community and junior college  
338 personnel have the sole authority in the selection of dual credit  
339 instructors.

340 A dual credit career and technical education instructor must  
341 meet the requirements set forth by the Mississippi Community  
342 College Board in the qualifications manual for postsecondary  
343 career and technical personnel.

344 (18) **Guidance on local agreements.** The Chief Academic  
345 Officer of the State Board of Trustees of State Institutions of  
346 Higher Learning and the Chief Instructional Officers of the  
347 Mississippi Community College Board and the State Department of  
348 Education, working collaboratively, shall develop a template to be  
349 used by the individual community and junior colleges and  
350 institutions of higher learning for consistent implementation of  
351 the dual enrollment program throughout the State of Mississippi.

352 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**  
353 A local school board and the local community colleges board shall  
354 establish a Mississippi Works Dual Enrollment-Dual Credit Option  
355 Program under which potential or recent student dropouts may  
356 dually enroll in their home school and a local community college



357 in a dual credit program consisting of high school completion  
358 coursework and a community college credential, certificate or  
359 degree program. Students completing the dual enrollment-credit  
360 option may obtain their high school diploma while obtaining a  
361 community college credential, certificate or degree. The  
362 Mississippi Department of Employment Security shall assist  
363 students who have successfully completed the Mississippi Works  
364 Dual Enrollment-Dual Credit Option in securing a job upon the  
365 application of the student or the participating school or  
366 community college. The Mississippi Works Dual Enrollment-Dual  
367 Credit Option Program will be implemented statewide in the  
368 2012-2013 school year and thereafter. The State Board of  
369 Education, local school board and the local community college  
370 board shall establish criteria for the Dual Enrollment-Dual Credit  
371 Program. Students enrolled in the program will not be eligible to  
372 participate in interscholastic sports or other extracurricular  
373 activities at the home school district. Tuition and costs for  
374 community college courses offered under the Dual Enrollment-Dual  
375 Credit Program shall not be charged to the student, parents or  
376 legal guardians. When dually enrolled, the student shall be  
377 counted for adequate education program funding purposes, in the  
378 average daily attendance of the public school district in which  
379 the student attends high school, as provided in Section  
380 37-151-7(1)(a). Any transportation required by the student to  
381 participate in the Dual Enrollment-Dual Credit Program is the



382 responsibility of the parent or legal guardian of the student, and  
383 transportation costs may be paid from any available public or  
384 private sources, including the local school district. Grades and  
385 college credits earned by a student admitted to this Dual  
386 Enrollment-Dual Credit Program shall be recorded on the high  
387 school student record and on the college transcript at the  
388 community college and high school where the student attends  
389 classes. The transcript of the community college coursework may  
390 be released to another institution or applied toward college  
391 graduation requirements. Any course that is required for subject  
392 area testing as a requirement for graduation from a public school  
393 in Mississippi is eligible for dual credit, and courses eligible  
394 for dual credit shall also include career, technical and degree  
395 program courses. All courses eligible for dual credit shall be  
396 approved by the superintendent of the local school district and  
397 the chief instructional officer at the participating community  
398 college in order for college credit to be awarded. A community  
399 college shall make the final decision on what courses are eligible  
400 for semester hour credits and the local school superintendent,  
401 subject to approval by the Mississippi Department of Education,  
402 shall make the final decision on the transfer of college courses  
403 credited to the student's high school transcript.

404       **SECTION 4.** Section 37-16-3, Mississippi Code of 1972, is  
405 amended as follows:





406           37-16-3. (1) The State Department of Education is directed  
407 to implement a program of statewide assessment testing which shall  
408 provide for the improvement of the operation and management of the  
409 public schools. The statewide program shall be timed, as far as  
410 possible, so as not to conflict with ongoing district assessment  
411 programs. As part of the program, the department shall:

412           (a) Establish, with the approval of the State Board of  
413 Education, minimum performance standards related to the goals for  
414 education contained in the state's plan including, but not limited  
415 to, basic skills in reading, writing \* \* \*, mathematics, science  
416 and social studies. The minimum performance standards shall be  
417 approved by April 1 in each year they are established.

418           (b) Conduct a uniform statewide testing program in  
419 grades deemed appropriate in the public schools, including charter  
420 schools. The program may test skill areas, basic skills \* \* \*,  
421 high school course content and high school students' knowledge and  
422 understanding of the fundamentals of United States history,  
423 principles and form of United States government.

424           (c) Monitor the results of the assessment program and,  
425 at any time the composite student performance of a school or basic  
426 program is found to be below the established minimum standards,  
427 notify the district superintendent or the governing board of the  
428 charter school, as the case may be, the school principal and the  
429 school advisory committee or other existing parent group of the  
430 situation within thirty (30) days of its determination. The



431 department shall further provide technical assistance to a school  
432 district in the identification of the causes of this deficiency  
433 and shall recommend courses of action for its correction.

434 (d) Provide technical assistance to the school  
435 districts, when requested, in the development of student  
436 performance standards in addition to the established minimum  
437 statewide standards.

438 (e) Issue security procedure regulations providing for  
439 the security and integrity of the tests that are administered  
440 under the basic skills assessment program.

441 (f) In case of an allegation of a testing irregularity  
442 that prompts a need for an investigation by the Department of  
443 Education, the department may, in its discretion, take complete  
444 control of the statewide test administration in a school district  
445 or any part thereof, including, but not limited to, obtaining  
446 control of the test booklets and answer documents. In the case of  
447 any verified testing irregularity that jeopardized the security  
448 and integrity of the test(s), validity or the accuracy of the test  
449 results, the cost of the investigation and any other actual and  
450 necessary costs related to the investigation paid by the  
451 Department of Education shall be reimbursed by the local school  
452 district from funds other than federal funds, Mississippi Adequate  
453 Education Program funds, or any other state funds within six (6)  
454 months from the date of notice by the department to the school  
455 district to make reimbursement to the department.



456           (2) Uniform basic skills tests shall be completed by each  
457 student in the appropriate grade. These tests shall be  
458 administered in such a manner as to preserve the integrity and  
459 validity of the assessment. In the event of excused or unexcused  
460 student absences, make-up tests shall be given. The school  
461 superintendent of every school district in the state and the  
462 principal of each charter school shall annually certify to the  
463 State Department of Education that each student enrolled in the  
464 appropriate grade has completed the required basic skills  
465 assessment test for his or her grade in a valid test  
466 administration.

467           (3) Within five (5) days of completing the administration of  
468 a statewide test, the principal of the school where the test was  
469 administered shall certify under oath to the State Department of  
470 Education that the statewide test was administered in strict  
471 accordance with the Requirements of the Mississippi Statewide  
472 Assessment System as adopted by the State Board of Education. The  
473 principal's sworn certification shall be set forth on a form  
474 developed and approved by the Department of Education. If,  
475 following the administration of a statewide test, the principal  
476 has reason to believe that the test was not administered in strict  
477 accordance with the Requirements of the Mississippi Statewide  
478 Assessment System as adopted by the State Board of Education, the  
479 principal shall submit a sworn certification to the Department of  
480 Education setting forth all information known or believed by the



481 principal about all potential violations of the Requirements of  
482 the Mississippi Statewide Assessment System as adopted by the  
483 State Board of Education. The submission of false information or  
484 false certification to the Department of Education by any licensed  
485 educator may result in licensure disciplinary action pursuant to  
486 Section 37-3-2 and criminal prosecution pursuant to Section  
487 37-16-4.

488         **SECTION 5.** Section 37-16-5, Mississippi Code of 1972, is  
489 brought forward as follows:

490         37-16-5. The school board of every district in this state  
491 shall periodically assess student performance and achievement in  
492 each school. Such assessment programs shall be based upon local  
493 goals and objectives which are compatible with the state's plan  
494 for education and which supplement the minimum performance  
495 standards approved by the State Board of Education. Data from  
496 district assessment programs shall be provided to the State  
497 Department of Education when such data is required in order to  
498 evaluate specific instructional programs or processes or when the  
499 data is needed for other research or evaluation projects. Each  
500 district may provide acceptable, compatible district assessment  
501 data to substitute for any assessment data needed at the state  
502 level when the State Department of Education certifies that such  
503 data is acceptable for the purposes of Section 37-16-3.

504         **SECTION 6.** Section 37-16-7, Mississippi Code of 1972, is  
505 amended as follows:



506           37-16-7. (1) Each district school board shall establish  
507 standards for graduation from its schools which shall include as a  
508 minimum:

509                   (a) Mastery of minimum academic skills as measured by  
510 assessments developed and administered by the State Board of  
511 Education.

512                   (b) Completion of a minimum number of academic credits,  
513 and all other applicable requirements prescribed by the district  
514 school board.

515                   (c) By school, information on high school graduation  
516 rates. High schools with graduation rates lower than eighty  
517 percent (80%) must submit a detailed plan to the Mississippi  
518 Department of Education to restructure the high school experience  
519 to improve graduation rates.

520                   (d) (i) Mastery of minimum academic skills as measured  
521 by the American Civics assessment, administered under the  
522 statewide testing program, which shall be identical to the portion  
523 of the examination administered by United States Citizenship and  
524 Immigration Services (USCIS) used to demonstrate an  
525 applicant-for-naturalization's knowledge and understanding of the  
526 fundamentals of United States history, principles and form of  
527 United States government as required by 8 USCS Section 1423.

528                   (ii) The provisions of this paragraph shall not be  
529 applicable to any student classified under Section 37-16-11 as  
530 being entitled to receive a special diploma or certificate based



531 upon any such student's intellectual disability and who has  
532 satisfactorily met the requirements established by the district  
533 school board in compliance with the minimum graduation  
534 requirements prescribed by the State Board of Education for the  
535 awarding of such diploma or certificate.

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

539 (3) The State Board of Education may establish student  
540 proficiency standards for promotion to grade levels leading to  
541 graduation.

542 **SECTION 7.** Section 37-16-11, Mississippi Code of 1972, is  
543 amended as follows:

544 37-16-11. (1) A student who has been properly classified,  
545 in accordance with rules established by the state board as  
546 "educable person with an intellectual disability," "trainable  
547 person with an intellectual disability," "deaf," "specific  
548 learning disabled," "physically handicapped whose ability to  
549 communicate orally or in writing is seriously impaired" or  
550 "emotionally handicapped" shall not be required to meet all  
551 requirements of Section 37-16-7, including the requirement to  
552 obtain a passing score on the American Civics assessment, and  
553 shall, upon meeting all applicable requirements prescribed by the  
554 district school board, be awarded a special diploma in a form  
555 prescribed by the state board; however, such special graduation



556 requirements prescribed by the district school board shall include  
557 minimum graduation requirements as prescribed by the state board.  
558 Any such student who meets all special requirements of the  
559 district school board for his exceptionality, but is unable to  
560 meet the appropriate special state minimum requirements, shall be  
561 awarded a special certificate of completion in a form prescribed  
562 by the state board. Nothing provided in this section, however,  
563 shall be construed to limit or restrict the right of an  
564 exceptional student solely to a special diploma. Any such student  
565 shall, upon proper request, be afforded the opportunity to fully  
566 meet all requirements of Section 37-16-7 through the standard  
567 procedures established therein and thereby qualify for a standard  
568 diploma upon graduation.

569 (2) The State Board of Education shall develop and issue  
570 criteria for a Mississippi Occupational Diploma for students  
571 having a disability as defined by the federal Individuals with  
572 Disabilities Education Act. Beginning with the 2002-2003 school  
573 year, any such student, upon proper request, shall be afforded the  
574 opportunity to fully meet such requirements and qualify for an  
575 occupational diploma upon graduation.

576 **SECTION 8.** This act shall take effect and be in force from  
577 and after July 1, 2016.

