

By: Senator(s) Hopson, Butler, Frazier,
Jackson (11th)

To: Education;
Appropriations

SENATE BILL NO. 2064

1 AN ACT TO ESTABLISH THE DISTANCE LEARNING COLLABORATIVE ACT;
 2 TO PROVIDE FOR A GRANT PROGRAM ADMINISTERED BY THE MISSISSIPPI
 3 DEPARTMENT OF EDUCATION TO PROVIDE FUNDS FOR THE DEVELOPMENT AND
 4 IMPLEMENTATION OF DISTANCE LEARNING PROGRAMS IN SCHOOL DISTRICTS
 5 AND APPROVED COLLABORATIVE ENTITIES MEETING STANDARDS ADOPTED BY
 6 THE STATE BOARD OF EDUCATION; TO PROVIDE CERTAIN MINIMUM STANDARDS
 7 FOR THE PROGRAM; TO PROVIDE THAT FUNDS SHALL BE APPROPRIATED FOR
 8 THE DISTANCE LEARNING COLLABORATIVE ACT ON A PHASED-IN BASIS AND
 9 TO AUTHORIZE THE EXPENDITURE OF FUNDS FROM PRIVATE SOURCES; TO
 10 REQUIRE SCHOOL DISTRICTS TO MAKE INFORMATION ABOUT ONLINE LEARNING
 11 PROGRAMS AVAILABLE TO STUDENTS; TO AMEND SECTION 37-15-38,
 12 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT DISTANCE LEARNING
 13 COLLABORATIVE COURSES ARE FULLY ELIGIBLE FOR THE DUAL HIGH SCHOOL
 14 AND POSTSECONDARY CREDIT PROGRAM; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) This section shall be known and may be cited
 17 as the "Distance Learning Collaborative Act of 2016."

18 (2) As used in this section:

19 (a) "Distance learning" means a method of delivering
 20 education and instruction on an individual basis to students who
 21 are not physically present in a traditional setting such as a
 22 classroom. Distance learning provides access to learning when the
 23 source of information and the learners are separated by time and
 24 distance, or both. Distance learning courses that require a



25 physical on-site presence for any reason other than taking
26 examinations may be referred to as hybrid or blended courses of
27 study.

28 (b) "Department" means the Mississippi Department of
29 Education.

30 (c) A "distance learning collaborative" means a school
31 or schools that write and submit an application to participate in
32 the voluntary distance learning program. A distance learning
33 collaborative is comprised, at a minimum, of a public school
34 district, and may include an agency or other nonprofit
35 organization approved by the State Department of Education to
36 provide distance learning resources.

37 (d) A "lead partner" is a public school district or
38 other nonprofit entity with the instructional expertise and
39 operational capacity to manage the Distance Learning Collaborative
40 Program as described in the approved application for funds. The
41 lead partner serves as the fiscal agent for the collaborative and
42 shall disburse awarded funds in accordance with the
43 collaborative's approved application. The lead partner ensures
44 that the collaborative adopts and implements the Distance Learning
45 Collaborative Program consistent with the standards adopted by the
46 State Board of Education. The public school district shall be the
47 lead partner if no other qualifying lead partner is selected.

48 (3) Effective with the 2016-2017 school year, the
49 Mississippi State Department of Education shall establish a



50 voluntary distance learning grant program which shall be a
51 collaboration among the entities providing distance learning
52 services for students. The Distance Learning Collaborative
53 Program shall provide financial assistance to encourage and
54 improve distance learning education services in rural areas
55 through the use of telecommunications, computer networks and
56 related advanced technologies to be used by students, teachers and
57 rural residents. Grants are for projects where the benefit is
58 primarily delivered to end users who are not at the same location
59 as the source of the education service.

60 (4) Distance Learning Collaborative Grants may be used to:

61 (a) Acquire the following types of equipment: (i)
62 computer hardware and software; (ii) audio and video equipment;
63 (iii) computer network components; (iv) terminal equipment; (v)
64 data terminal equipment; (vi) inside wiring; (vii) interactive
65 video equipment; and (viii) other facilities that further distance
66 learning technology services.

67 (b) Acquire instructional programming for distance
68 learning programs.

69 (c) Acquire technical assistance and instruction for
70 using eligible equipment.

71 (d) The cost of tuition and fees for students to
72 participate over and above the available federal Perkins Loans or
73 Stafford Loans which are loaned directly to qualifying students to
74 assist in covering the cost of distance learning funding.



75 (e) Any interest charges that accumulate during a
76 student's degree program for the utilization of distance learning
77 services.

78 (5) Subject to the availability of funds appropriated
79 therefor, the State Department of Education shall administer the
80 implementation, monitoring and evaluation of the voluntary
81 Distance Learning Collaborative Program, including awards and the
82 application process. The department shall establish a rigorous
83 and transparent application process for the awarding of funds.
84 Lead partners shall submit the application on behalf of their
85 distance learning collaborative. The department will establish
86 monitoring policies and procedures that shall include at least one
87 (1) site visit per year. The department will provide technical
88 assistance to collaboratives and their providers to improve the
89 quality of distance learning services. The department will
90 evaluate the effectiveness of each distance learning
91 collaborative.

92 (6) Distance Learning Collaborative Program funds shall be
93 awarded to distance learning collaboratives whose proposed
94 programs meet the program criteria established by the State Board
95 of Education which shall include the following:

96 (a) Distance learning programs shall be approved and
97 registered with the State Department of Education and course
98 content must be aligned with state standards.



99 (b) Distance learning instructors shall complete
100 professional development training in online methodology and
101 technical aspects of web-based instruction, and may be
102 credentialed by the National Board for Professional Teaching
103 Standards (NBPTS).

104 (c) Transcript equivalency of grades between online and
105 traditional classes. Student enrollment and credits awarded shall
106 be made in accordance with regulations jointly approved by the
107 State Board of Education, the Mississippi Community College Board
108 and the Board of Trustees of State Institutions of Higher
109 Learning.

110 (d) Curriculum standards for online courses.

111 (e) Classroom "seat time" requirements for online
112 courses.

113 (f) Accountability for student achievement, including
114 methods to assess online course completion rates.

115 (7) A teacher, assistant teacher or other employee whose
116 salary and fringe benefits are paid from state funds allocated for
117 the Distance Learning Collaborative Program shall only be
118 classified as a state or local school district employee eligible
119 for state health insurance benefits or membership in the Public
120 Employees' Retirement System, if the person's employer is already
121 a public school district or an agency or instrumentality of the
122 state, and the employee would be eligible for such benefits in the
123 normal course of business.



124 (8) Funding shall be provided for the Distance Learning
125 Collaborative Program beginning with the 2016-2017 fiscal year
126 subject to appropriation by the Legislature, and the Legislature
127 may appropriate funds to implement the program on a phased-in
128 basis. The State Department of Education may receive and expend
129 contributions and funding from private sources for the
130 administration and implementation of the Distance Learning
131 Collaborative Program. In the initial phase of implementation,
132 the State Department of Education shall award state funds based on
133 a community's capacity, commitment and need in order to encourage
134 and improve distance learning services in rural areas. The
135 department shall make an annual report to the Legislature and the
136 Governor regarding the effectiveness of the Distance Learning
137 Collaborative Program, and the PEER Committee shall review those
138 reports and other program data and submit an independent
139 evaluation of the program operation and effectiveness to the
140 Legislature and the Governor on or before October 1 of the
141 calendar year before the beginning of the next phased-in period of
142 funding. The State Department of Education shall reserve no more
143 than five percent (5%) of the appropriation in any year for
144 administrative costs. Funds remaining after awards to distance
145 learning collaboratives may be carried over in the following year.

146 (9) The lead partner of a distance learning collaborative
147 and the local school district shall compile information about
148 online learning programs for high school students to earn college



149 credit and place the information on its website. Examples of
150 information to be compiled and placed on the website include links
151 to providers of approved online learning programs, comparisons
152 among various types of online programs regarding awarding of
153 credit, advantages and disadvantages of online learning programs,
154 and other general assistance and guidance for students, teachers
155 and counselors in selecting and considering online learning
156 programs. Public high schools shall ensure that teachers and
157 counselors have information about online learning programs for
158 high school students to earn college or university credit and are
159 able to assist parents and students in accessing the information.
160 Distance learning collaboratives shall ensure that parents and
161 students have opportunities to learn about online learning
162 programs under this section.

163 **SECTION 2.** Section 37-15-38, Mississippi Code of 1972, is
164 amended as follows:

165 37-15-38. (1) The following phrases have the meanings
166 ascribed in this section unless the context clearly requires
167 otherwise:

168 (a) A dual enrolled student is a student who is
169 enrolled in a community or junior college or state institution of
170 higher learning while enrolled in high school.

171 (b) A dual credit student is a student who is enrolled
172 in a community or junior college or state institution of higher



173 learning while enrolled in high school and who is receiving high
174 school and college credit for postsecondary coursework.

175 (2) A local school board, the Board of Trustees of State
176 Institutions of Higher Learning and the Mississippi Community
177 College Board shall establish a dual enrollment system under which
178 students in the school district who meet the prescribed criteria
179 of this section may be enrolled in a postsecondary institution in
180 Mississippi while they are still in school.

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

186 (4) **Admission criteria for dual enrollment in community and**
187 **junior college or university programs.** The * * * Mississippi
188 Community College Board and the Board of Trustees of State
189 Institutions of Higher Learning may recommend to the State Board
190 of Education admission criteria for dual enrollment programs under
191 which high school students may enroll at a community or junior
192 college or university while they are still attending high school
193 and enrolled in high school courses. Students may be admitted to
194 enroll in community or junior college courses under the dual
195 enrollment programs if they meet that individual institution's
196 stated dual enrollment admission requirements.



197 (5) **Tuition and cost responsibility.** Tuition and costs for
198 university-level courses and community and junior college courses
199 offered under a dual enrollment program may be paid for by the
200 postsecondary institution, the local school district, the parents
201 or legal guardians of the student, or by grants, foundations or
202 other private or public sources. Payment for tuition and any
203 other costs must be made directly to the credit-granting
204 institution.

205 (6) **Transportation responsibility.** Any transportation
206 required by a student to participate in the dual enrollment
207 program is the responsibility of the parent, custodian or legal
208 guardian of the student. Transportation costs may be paid from
209 any available public or private sources, including the local
210 school district.

211 (7) **School district average daily attendance credit.** When
212 dually enrolled, the student may be counted, for adequate
213 education program funding purposes, in the average daily
214 attendance of the public school district in which the student
215 attends high school.

216 (8) **High school student transcript transfer requirements.**
217 Grades and college credits earned by a student admitted to a dual
218 credit program must be recorded on the high school student record
219 and on the college transcript at the university or community or
220 junior college * * * where the student attends classes. The
221 transcript of the university or community or junior college



222 coursework may be released to another institution or applied
223 toward college graduation requirements.

224 (9) **Determining factor of prerequisites for dual enrollment**
225 **courses.** Each university and community or junior college
226 participating in a dual enrollment program shall determine course
227 prerequisites. Course prerequisites shall be the same for dual
228 enrolled students as for regularly enrolled students at that
229 university or community or junior college.

230 (10) **Process for determining articulation of curriculum**
231 **between high school, university, and community and junior college**
232 **courses.** All dual credit courses must meet the standards
233 established at the postsecondary level. Postsecondary level
234 developmental courses may not be considered as meeting the
235 requirements of the dual credit program. Dual credit memorandum
236 of understandings must be established between each postsecondary
237 institution and the school district implementing a dual credit
238 program.

239 (11) [Deleted]

240 (12) **Eligible courses for dual credit programs.** Courses
241 eligible for dual credit include, but are not necessarily limited
242 to, foreign languages, advanced math courses, advanced science
243 courses, performing arts, advanced business and technology, and
244 career and technical courses. Distance Learning Collaborative
245 Program courses approved under Section 1 of this act shall be
246 fully eligible for dual credit. All courses being considered for



247 dual credit must receive unconditional approval from the
248 superintendent of the local school district and the chief
249 instructional officer at the participating community or junior
250 college or university in order for college credit to be awarded.
251 A university or community or junior college shall make the final
252 decision on what courses are eligible for semester hour credits.

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

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

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

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

269 (a) Examination preparation taught at a high school by
270 a qualified teacher. A student may receive credit at the
271 secondary level after completion of an approved course and passing



272 the standard examination, such as an Advanced Placement or
273 International Baccalaureate course through which a high school
274 student is allowed CLEP credit by making a three (3) or higher on
275 the end-of-course examination.

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

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

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

285 (17) **Qualifications of dual credit instructors.** A dual
286 credit academic instructor must meet the requirements set forth by
287 the regional accrediting association (Southern Association of
288 College and Schools). University and community and junior college
289 personnel have the sole authority in the selection of dual credit
290 instructors.

291 A dual credit career and technical education instructor must
292 meet the requirements set forth by the Mississippi Community
293 College Board in the qualifications manual for postsecondary
294 career and technical personnel.

295 (18) **Guidance on local agreements.** The Chief Academic
296 Officer of the State Board of Trustees of State Institutions of



297 Higher Learning and the Chief Instructional Officers of the
298 Mississippi Community College Board and the State Department of
299 Education, working collaboratively, shall develop a template to be
300 used by the individual community and junior colleges and
301 institutions of higher learning for consistent implementation of
302 the dual enrollment program throughout the State of Mississippi.

303 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**

304 A local school board and the local community colleges board shall
305 establish a Mississippi Works Dual Enrollment-Dual Credit Option
306 Program under which potential or recent student dropouts may
307 dually enroll in their home school and a local community college
308 in a dual credit program consisting of high school completion
309 coursework and a community college credential, certificate or
310 degree program. Students completing the dual enrollment-credit
311 option may obtain their high school diploma while obtaining a
312 community college credential, certificate or degree. The
313 Mississippi Department of Employment Security shall assist
314 students who have successfully completed the Mississippi Works
315 Dual Enrollment-Dual Credit Option in securing a job upon the
316 application of the student or the participating school or
317 community college. The Mississippi Works Dual Enrollment-Dual
318 Credit Option Program will be implemented statewide in the
319 2012-2013 school year and thereafter. The State Board of
320 Education, local school board and the local community college
321 board shall establish criteria for the Dual Enrollment-Dual Credit



322 Program. Students enrolled in the program will not be eligible to
323 participate in interscholastic sports or other extracurricular
324 activities at the home school district. Tuition and costs for
325 community college courses offered under the Dual Enrollment-Dual
326 Credit Program shall not be charged to the student, parents or
327 legal guardians. When dually enrolled, the student shall be
328 counted for adequate education program funding purposes, in the
329 average daily attendance of the public school district in which
330 the student attends high school, as provided in Section
331 37-151-7(1)(a). Any transportation required by the student to
332 participate in the Dual Enrollment-Dual Credit Program is the
333 responsibility of the parent or legal guardian of the student, and
334 transportation costs may be paid from any available public or
335 private sources, including the local school district. Grades and
336 college credits earned by a student admitted to this Dual
337 Enrollment-Dual Credit Program shall be recorded on the high
338 school student record and on the college transcript at the
339 community college and high school where the student attends
340 classes. The transcript of the community college coursework may
341 be released to another institution or applied toward college
342 graduation requirements. Any course that is required for subject
343 area testing as a requirement for graduation from a public school
344 in Mississippi is eligible for dual credit, and courses eligible
345 for dual credit shall also include career, technical and degree
346 program courses. All courses eligible for dual credit shall be



347 approved by the superintendent of the local school district and
348 the chief instructional officer at the participating community
349 college in order for college credit to be awarded. A community
350 college shall make the final decision on what courses are eligible
351 for semester hour credits and the local school superintendent,
352 subject to approval by the Mississippi Department of Education,
353 shall make the final decision on the transfer of college courses
354 credited to the student's high school transcript.

355 **SECTION 3.** This act shall take effect and be in force from
356 and after July 1, 2016.

