

By: Representative Gunn

To: Workforce Development

HOUSE BILL NO. 1301  
(As Passed the House)

1 AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL  
2 EDUCATION REFORM (CCATER) ACT"; TO BRING FORWARD SECTION 37-15-38,  
3 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;  
4 TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE  
5 THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING  
6 MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL  
7 EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE  
8 CERTAIN STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE  
9 THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE  
10 ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR  
11 ELEVENTH GRADE; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN  
12 CAREER TECHNICAL EDUCATION PATHWAYS; TO AMEND SECTION 37-3-2,  
13 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER  
14 PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE  
15 OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT  
16 CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER  
17 LICENSE FROM ONE YEAR TO FIVE YEARS; TO AMEND SECTION 37-16-3,  
18 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO  
19 AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
20 THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE  
21 ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE  
22 WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO  
23 REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE  
24 COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION  
25 AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD  
26 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE  
27 EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS  
28 CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II  
29 EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM;  
30 AND FOR RELATED PURPOSES.

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



32           **SECTION 1.** The provisions of this act shall be known as the  
33 "Comprehensive Career and Technical Education Reform" or "CCATER"  
34 Act.

35           **SECTION 2.** Section 37-15-38, Mississippi Code of 1972, is  
36 brought forward as follows:

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

40                   (a) A dual enrolled student is a student who is  
41 enrolled in a community or junior college or state institution of  
42 higher learning while enrolled in high school.

43                   (b) A dual credit student is a student who is enrolled  
44 in a community or junior college or state institution of higher  
45 learning while enrolled in high school and who is receiving high  
46 school and college credit for postsecondary coursework.

47           (2) A local school board, the Board of Trustees of State  
48 Institutions of Higher Learning and the Mississippi Community  
49 College Board shall establish a dual enrollment system under which  
50 students in the school district who meet the prescribed criteria  
51 of this section may be enrolled in a postsecondary institution in  
52 Mississippi while they are still in school.

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



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

58       (4) **Admission criteria for dual enrollment in community and**  
59 **junior college or university programs.** The Mississippi Community  
60 College Board and the Board of Trustees of State Institutions of  
61 Higher Learning may recommend to the State Board of Education  
62 admission criteria for dual enrollment programs under which high  
63 school students may enroll at a community or junior college or  
64 university while they are still attending high school and enrolled  
65 in high school courses. Students may be admitted to enroll in  
66 community or junior college courses under the dual enrollment  
67 programs if they meet that individual institution's stated dual  
68 enrollment admission requirements.

69       (5) **Tuition and cost responsibility.** Tuition and costs for  
70 university-level courses and community and junior college courses  
71 offered under a dual enrollment program may be paid for by the  
72 postsecondary institution, the local school district, the parents  
73 or legal guardians of the student, or by grants, foundations or  
74 other private or public sources. Payment for tuition and any  
75 other costs must be made directly to the credit-granting  
76 institution.

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



81 any available public or private sources, including the local  
82 school district.

83 (7) **School district average daily attendance credit.** When  
84 dually enrolled, the student may be counted, for adequate  
85 education program funding purposes, in the average daily  
86 attendance of the public school district in which the student  
87 attends high school.

88 (8) **High school student transcript transfer requirements.**  
89 Grades and college credits earned by a student admitted to a dual  
90 credit program must be recorded on the high school student record  
91 and on the college transcript at the university or community or  
92 junior college where the student attends classes. The transcript  
93 of the university or community or junior college coursework may be  
94 released to another institution or applied toward college  
95 graduation requirements.

96 (9) **Determining factor of prerequisites for dual enrollment**  
97 **courses.** Each university and community or junior college  
98 participating in a dual enrollment program shall determine course  
99 prerequisites. Course prerequisites shall be the same for dual  
100 enrolled students as for regularly enrolled students at that  
101 university or community or junior college.

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



106 developmental courses may not be considered as meeting the  
107 requirements of the dual credit program. Dual credit memorandum  
108 of understandings must be established between each postsecondary  
109 institution and the school district implementing a dual credit  
110 program.

111 (11) [Deleted]

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

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

128 (14) **Course alignment.** The universities, community and  
129 junior colleges and the State Department of Education shall  
130 periodically review their respective policies and assess the place



131 of dual credit courses within the context of their traditional  
132 offerings.

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

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

141           (a) Examination preparation taught at a high school by  
142 a qualified teacher. A student may receive credit at the  
143 secondary level after completion of an approved course and passing  
144 the standard examination, such as an Advanced Placement or  
145 International Baccalaureate course through which a high school  
146 student is allowed CLEP credit by making a three (3) or higher on  
147 the end-of-course examination.

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

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



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

157 (17) **Qualifications of dual credit instructors.** A dual  
158 credit academic instructor must meet the requirements set forth by  
159 the regional accrediting association (Southern Association of  
160 College and Schools). University and community and junior college  
161 personnel have the sole authority in the selection of dual credit  
162 instructors.

163 A dual credit career and technical education instructor must  
164 meet the requirements set forth by the Mississippi Community  
165 College Board in the qualifications manual for postsecondary  
166 career and technical personnel.

167 (18) **Guidance on local agreements.** The Chief Academic  
168 Officer of the State Board of Trustees of State Institutions of  
169 Higher Learning and the Chief Instructional Officers of the  
170 Mississippi Community College Board and the State Department of  
171 Education, working collaboratively, shall develop a template to be  
172 used by the individual community and junior colleges and  
173 institutions of higher learning for consistent implementation of  
174 the dual enrollment program throughout the State of Mississippi.

175 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**  
176 A local school board and the local community colleges board shall  
177 establish a Mississippi Works Dual Enrollment-Dual Credit Option  
178 Program under which potential or recent student dropouts may  
179 dually enroll in their home school and a local community college



180 in a dual credit program consisting of high school completion  
181 coursework and a community college credential, certificate or  
182 degree program. Students completing the dual enrollment-credit  
183 option may obtain their high school diploma while obtaining a  
184 community college credential, certificate or degree. The  
185 Mississippi Department of Employment Security shall assist  
186 students who have successfully completed the Mississippi Works  
187 Dual Enrollment-Dual Credit Option in securing a job upon the  
188 application of the student or the participating school or  
189 community college. The Mississippi Works Dual Enrollment-Dual  
190 Credit Option Program will be implemented statewide in the  
191 2012-2013 school year and thereafter. The State Board of  
192 Education, local school board and the local community college  
193 board shall establish criteria for the Dual Enrollment-Dual Credit  
194 Program. Students enrolled in the program will not be eligible to  
195 participate in interscholastic sports or other extracurricular  
196 activities at the home school district. Tuition and costs for  
197 community college courses offered under the Dual Enrollment-Dual  
198 Credit Program shall not be charged to the student, parents or  
199 legal guardians. When dually enrolled, the student shall be  
200 counted for adequate education program funding purposes, in the  
201 average daily attendance of the public school district in which  
202 the student attends high school, as provided in Section  
203 37-151-7(1)(a). Any transportation required by the student to  
204 participate in the Dual Enrollment-Dual Credit Program is the





205 responsibility of the parent or legal guardian of the student, and  
206 transportation costs may be paid from any available public or  
207 private sources, including the local school district. Grades and  
208 college credits earned by a student admitted to this Dual  
209 Enrollment-Dual Credit Program shall be recorded on the high  
210 school student record and on the college transcript at the  
211 community college and high school where the student attends  
212 classes. The transcript of the community college coursework may  
213 be released to another institution or applied toward college  
214 graduation requirements. Any course that is required for subject  
215 area testing as a requirement for graduation from a public school  
216 in Mississippi is eligible for dual credit, and courses eligible  
217 for dual credit shall also include career, technical and degree  
218 program courses. All courses eligible for dual credit shall be  
219 approved by the superintendent of the local school district and  
220 the chief instructional officer at the participating community  
221 college in order for college credit to be awarded. A community  
222 college shall make the final decision on what courses are eligible  
223 for semester hour credits and the local school superintendent,  
224 subject to approval by the Mississippi Department of Education,  
225 shall make the final decision on the transfer of college courses  
226 credited to the student's high school transcript.

227       **SECTION 3.** Section 37-16-17, Mississippi Code of 1972, is  
228 amended as follows:



229           37-16-17. (1) Purpose. (a) The purpose of this section is  
230 to create a quality option in Mississippi's high schools for  
231 students not wishing to pursue a baccalaureate degree, which shall  
232 consist of challenging academic courses and modern  
233 career-technical studies. The goal for students pursuing the  
234 career \* \* \* technical education pathways is to graduate from high  
235 school with a standard diploma and credit toward a community  
236 college certification in a career-technical field. These students  
237 also shall be encouraged to take the national assessment in the  
238 career-technical field in which they become certified.

239           (b) The State Board of Education shall develop and  
240 adopt course and curriculum requirements for career \* \* \*  
241 technical education pathways offered by local public school boards  
242 in accordance with this section. The Mississippi Community  
243 College Board and the State Board of Education jointly shall  
244 determine course and curriculum requirements for the career \* \* \*  
245 technical education pathways. The State Board of Education shall  
246 require school districts to provide notice to all incoming middle  
247 school students and junior high students of the career technical  
248 education pathways offered by local school boards. Such notice  
249 shall include the career technical education pathways available,  
250 the course requirements of each pathways, how to enroll in the  
251 pathway and any other necessary information as determined by the  
252 State Board of Education.



253           (2)   \* \* \* Career technical education pathway; description;  
254 curriculum. (a) A career \* \* \* technical education pathway shall  
255 provide a student with greater technical skill and a strong  
256 academic core and shall be offered to each high school student  
257 enrolled in a public school district. The career \* \* \* technical  
258 education pathway shall be linked to postsecondary options and  
259 shall prepare students to pursue either a degree or certification  
260 from a postsecondary institution, an industry-based training or  
261 certification, an apprenticeship, the military, or immediate  
262 entrance into a career field. The career \* \* \* technical  
263 education pathway shall be designed primarily for those students  
264 who are not college bound and shall provide them with alternatives  
265 to entrance into a four-year university or college after high  
266 school graduation.

267           (b) Students pursuing a career \* \* \* technical  
268 education pathway shall be afforded the opportunity to dually  
269 enroll in a community or technical college or to participate in a  
270 business internship or work-study program, when such opportunities  
271 are available and appropriate.

272           (c) Each public school district shall offer a  
273 career \* \* \* technical education pathway approved by the State  
274 Board of Education.

275           (d) Students in a career \* \* \* technical education  
276 pathway shall complete an academic core of courses and a career  
277 and technical sequence of courses.



278 (e) Students pursuing a career technical education  
279 pathway must complete the \* \* \* twenty-four (24) course unit  
280 requirements for \* \* \* a regular high school diploma, which may  
281 include, but not be limited to \* \* \* the following course content:

282 \* \* \*

- 283 (i) English I;  
284 (ii) English II;  
285 (iii) Technical writing;  
286 (iv) Computer programming;  
287 (v) Algebra I;  
288 (vi) Personal Finance;  
289 (vii) Advanced technical mathematics;  
290 (viii) Computer science;  
291 (ix) Biology;  
292 (x) Earth and Space Science;  
293 (xi) U.S. History;  
294 (xii) Mississippi Studies/U.S. Government;  
295 (xiii) Health;  
296 (xiv) Physical Education;  
297 (xv) Soft skills, which include, but are not  
298 limited to, social graces, communication abilities, language  
299 skills, personal habits, cognitive or emotional empathy, time  
300 management, teamwork and leadership traits;  
301 (xvi) Career technical education pathway courses;  
302 and



303                   (xvii) Integrated technology.

304           Academic courses within the career \* \* \* technical education  
305 pathway of the standard diploma shall provide the knowledge and  
306 skill necessary for proficiency on the state subject area tests.

307                   (f) The courses provided in paragraph (e) of this  
308 subsection may be tailored to the individual needs of the school  
309 district as long as the amendments align with the basic course  
310 requirements of paragraph (e).

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

317       \* \* \*

318           **SECTION 4.** Section 37-3-2, Mississippi Code of 1972, is  
319 amended as follows:

320           37-3-2. (1) There is established within the State  
321 Department of Education the Commission on Teacher and  
322 Administrator Education, Certification and Licensure and  
323 Development. It shall be the purpose and duty of the commission  
324 to make recommendations to the State Board of Education regarding  
325 standards for the certification and licensure and continuing  
326 professional development of those who teach or perform tasks of an  
327 educational nature in the public schools of Mississippi.



328           (2)   (a)   The commission shall be composed of fifteen (15)  
329 qualified members. The membership of the commission shall be  
330 composed of the following members to be appointed, three (3) from  
331 each of the four (4) congressional districts, as such districts  
332 existed on January 1, 2011, in accordance with the population  
333 calculations determined by the 2010 federal decennial census,  
334 including: four (4) classroom teachers; three (3) school  
335 administrators; one (1) representative of schools of education of  
336 public institutions of higher learning located within the state to  
337 be recommended by the Board of Trustees of State Institutions of  
338 Higher Learning; one (1) representative from the schools of  
339 education of independent institutions of higher learning to be  
340 recommended by the Board of the Mississippi Association of  
341 Independent Colleges; one (1) representative from public community  
342 and junior colleges located within the state to be recommended by  
343 the Mississippi Community College Board; one (1) local school  
344 board member; and four (4) laypersons. Three (3) members of the  
345 commission, at the sole discretion of the State Board of  
346 Education, shall be appointed from the state at large.

347           (b)   All appointments shall be made by the State Board  
348 of Education after consultation with the State Superintendent of  
349 Public Education. The first appointments by the State Board of  
350 Education shall be made as follows: five (5) members shall be  
351 appointed for a term of one (1) year; five (5) members shall be  
352 appointed for a term of two (2) years; and five (5) members shall



353 be appointed for a term of three (3) years. Thereafter, all  
354 members shall be appointed for a term of four (4) years.

355 (3) The State Board of Education when making appointments  
356 shall designate a chairman. The commission shall meet at least  
357 once every two (2) months or more often if needed. Members of the  
358 commission shall be compensated at a rate of per diem as  
359 authorized by Section 25-3-69 and be reimbursed for actual and  
360 necessary expenses as authorized by Section 25-3-41.

361 (4) (a) An appropriate staff member of the State Department  
362 of Education shall be designated and assigned by the State  
363 Superintendent of Public Education to serve as executive secretary  
364 and coordinator for the commission. No less than two (2) other  
365 appropriate staff members of the State Department of Education  
366 shall be designated and assigned by the State Superintendent of  
367 Public Education to serve on the staff of the commission.

368 (b) An Office of Educator Misconduct Evaluations shall  
369 be established within the State Department of Education to assist  
370 the commission in responding to infractions and violations, and in  
371 conducting hearings and enforcing the provisions of subsections  
372 (11), (12), (13), (14) and (15) of this section, and violations of  
373 the Mississippi Educator Code of Ethics.

374 (5) It shall be the duty of the commission to:

375 (a) Set standards and criteria, subject to the approval  
376 of the State Board of Education, for all educator preparation  
377 programs in the state;



378 (b) Recommend to the State Board of Education each year  
379 approval or disapproval of each educator preparation program in  
380 the state, subject to a process and schedule determined by the  
381 State Board of Education;

382 (c) Establish, subject to the approval of the State  
383 Board of Education, standards for initial teacher certification  
384 and licensure in all fields;

385 (d) Establish, subject to the approval of the State  
386 Board of Education, standards for the renewal of teacher licenses  
387 in all fields;

388 (e) Review and evaluate objective measures of teacher  
389 performance, such as test scores, which may form part of the  
390 licensure process, and to make recommendations for their use;

391 (f) Review all existing requirements for certification  
392 and licensure;

393 (g) Consult with groups whose work may be affected by  
394 the commission's decisions;

395 (h) Prepare reports from time to time on current  
396 practices and issues in the general area of teacher education and  
397 certification and licensure;

398 (i) Hold hearings concerning standards for teachers'  
399 and administrators' education and certification and licensure with  
400 approval of the State Board of Education;

401 (j) Hire expert consultants with approval of the State  
402 Board of Education;





403 (k) Set up ad hoc committees to advise on specific  
404 areas; and

405 (l) Perform such other functions as may fall within  
406 their general charge and which may be delegated to them by the  
407 State Board of Education.

408 (6) (a) **Standard License - Approved Program Route.** An  
409 educator entering the school system of Mississippi for the first  
410 time and meeting all requirements as established by the State  
411 Board of Education shall be granted a standard five-year license.  
412 Persons who possess two (2) years of classroom experience as an  
413 assistant teacher or who have taught for one (1) year in an  
414 accredited public or private school shall be allowed to fulfill  
415 student teaching requirements under the supervision of a qualified  
416 participating teacher approved by an accredited college of  
417 education. The local school district in which the assistant  
418 teacher is employed shall compensate such assistant teachers at  
419 the required salary level during the period of time such  
420 individual is completing student teaching requirements.

421 Applicants for a standard license shall submit to the department:

- 422 (i) An application on a department form;
- 423 (ii) An official transcript of completion of a  
424 teacher education program approved by the department or a  
425 nationally accredited program, subject to the following:  
426 Licensure to teach in Mississippi prekindergarten through  
427 kindergarten classrooms shall require completion of a teacher



428 education program or a Bachelor of Science degree with child  
429 development emphasis from a program accredited by the American  
430 Association of Family and Consumer Sciences (AAFCS) or by the  
431 National Association for Education of Young Children (NAEYC) or by  
432 the National Council for Accreditation of Teacher Education  
433 (NCATE). Licensure to teach in Mississippi kindergarten, for  
434 those applicants who have completed a teacher education program,  
435 and in Grade 1 through Grade 4 shall require the completion of an  
436 interdisciplinary program of studies. Licenses for Grades 4  
437 through 8 shall require the completion of an interdisciplinary  
438 program of studies with two (2) or more areas of concentration.  
439 Licensure to teach in Mississippi Grades 7 through 12 shall  
440 require a major in an academic field other than education, or a  
441 combination of disciplines other than education. Students  
442 preparing to teach a subject shall complete a major in the  
443 respective subject discipline. All applicants for standard  
444 licensure shall demonstrate that such person's college preparation  
445 in those fields was in accordance with the standards set forth by  
446 the National Council for Accreditation of Teacher Education  
447 (NCATE) or the National Association of State Directors of Teacher  
448 Education and Certification (NASDTEC) or, for those applicants who  
449 have a Bachelor of Science degree with child development emphasis,  
450 the American Association of Family and Consumer Sciences (AAFCS).  
451 Effective July 1, 2016, for initial elementary education  
452 licensure, a teacher candidate must earn a passing score on a



453 rigorous test of scientifically research-based reading instruction  
454 and intervention and data-based decision-making principles as  
455 approved by the State Board of Education;

456 (iii) A copy of test scores evidencing  
457 satisfactory completion of nationally administered examinations of  
458 achievement, such as the Educational Testing Service's teacher  
459 testing examinations;

460 (iv) Any other document required by the State  
461 Board of Education; and

462 (v) From and after July 1, 2020, no teacher  
463 candidate shall be licensed to teach in Mississippi who did not  
464 meet the following criteria for entrance into an approved teacher  
465 education program:

466 1. An ACT Score of twenty-one (21) (or SAT  
467 equivalent); or

468 2. Achieve a qualifying passing score on the  
469 Praxis Core Academic Skills for Educators examination as  
470 established by the State Board of Education; or

471 3. A minimum GPA of 3.0 on coursework prior  
472 to admission to an approved teacher education program.

473 (b) (i) **Standard License - Nontraditional Teaching**  
474 **Route.** From and after July 1, 2020, no teacher candidate shall be  
475 licensed to teach in Mississippi under the alternate route who did  
476 not meet the following criteria:



477                   \* \* \*1. An ACT Score of twenty-one (21) (or  
478 SAT equivalent); or

479                   \* \* \*2. Achieve a qualifying passing score  
480 on the Praxis Core Academic Skills for Educators examination as  
481 established by the State Board of Education; or

482                   \* \* \*3. A minimum GPA of 3.0 on coursework  
483 prior to admission to an approved teacher education program.

484                   (ii) Beginning July 1, 2020, an individual who has  
485 attained a passing score on the Praxis Core Academic Skills for  
486 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)  
487 or a minimum GPA of 3.0 on coursework prior to admission to an  
488 approved teacher education program and a passing score on the  
489 Praxis Subject Assessment in the requested area of endorsement may  
490 apply for admission to the Teach Mississippi Institute (TMI)  
491 program to teach students in Grades 7 through 12 if the individual  
492 meets the requirements of this paragraph (b). The State Board of  
493 Education shall adopt rules requiring that teacher preparation  
494 institutions which provide the Teach Mississippi Institute (TMI)  
495 program for the preparation of nontraditional teachers shall meet  
496 the standards and comply with the provisions of this paragraph.

497                   \* \* \*1. The Teach Mississippi Institute  
498 (TMI) shall include an intensive eight-week, nine-semester-hour  
499 summer program or a curriculum of study in which the student  
500 matriculates in the fall or spring semester, which shall include,  
501 but not be limited to, instruction in education, effective



502 teaching strategies, classroom management, state curriculum  
503 requirements, planning and instruction, instructional methods and  
504 pedagogy, using test results to improve instruction, and a one (1)  
505 semester three-hour supervised internship to be completed while  
506 the teacher is employed as a full-time teacher intern in a local  
507 school district. The TMI shall be implemented on a pilot program  
508 basis, with courses to be offered at up to four (4) locations in  
509 the state, with one (1) TMI site to be located in each of the  
510 three (3) Mississippi Supreme Court districts.

511                   \* \* \*2. The school sponsoring the teacher  
512 intern shall enter into a written agreement with the institution  
513 providing the Teach Mississippi Institute (TMI) program, under  
514 terms and conditions as agreed upon by the contracting parties,  
515 providing that the school district shall provide teacher interns  
516 seeking a nontraditional provisional teaching license with a  
517 one-year classroom teaching experience. The teacher intern shall  
518 successfully complete the one (1) semester three-hour intensive  
519 internship in the school district during the semester immediately  
520 following successful completion of the TMI and prior to the end of  
521 the one-year classroom teaching experience.

522                   \* \* \*3. Upon completion of the  
523 nine-semester-hour TMI or the fall or spring semester option, the  
524 individual shall submit his transcript to the commission for  
525 provisional licensure of the intern teacher, and the intern  
526 teacher shall be issued a provisional teaching license by the



527 commission, which will allow the individual to legally serve as a  
528 teacher while the person completes a nontraditional teacher  
529 preparation internship program.

530                   \* \* \*4. During the semester of internship in  
531 the school district, the teacher preparation institution shall  
532 monitor the performance of the intern teacher. The school  
533 district that employs the provisional teacher shall supervise the  
534 provisional teacher during the teacher's intern year of employment  
535 under a nontraditional provisional license, and shall, in  
536 consultation with the teacher intern's mentor at the school  
537 district of employment, submit to the commission a comprehensive  
538 evaluation of the teacher's performance sixty (60) days prior to  
539 the expiration of the nontraditional provisional license. If the  
540 comprehensive evaluation establishes that the provisional teacher  
541 intern's performance fails to meet the standards of the approved  
542 nontraditional teacher preparation internship program, the  
543 individual shall not be approved for a standard license.

544                   \* \* \*5. An individual issued a provisional  
545 teaching license under this nontraditional route shall  
546 successfully complete, at a minimum, a one-year beginning teacher  
547 mentoring and induction program administered by the employing  
548 school district with the assistance of the State Department of  
549 Education.

550                   \* \* \*6. Upon successful completion of the  
551 TMI and the internship provisional license period, applicants for



552 a Standard License - Nontraditional Route shall submit to the  
553 commission a transcript of successful completion of the twelve  
554 (12) semester hours required in the internship program, and the  
555 employing school district shall submit to the commission a  
556 recommendation for standard licensure of the intern. If the  
557 school district recommends licensure, the applicant shall be  
558 issued a Standard License - Nontraditional Route which shall be  
559 valid for a five-year period and be renewable.

560 \* \* \*7. At the discretion of the teacher  
561 preparation institution, the individual shall be allowed to credit  
562 the twelve (12) semester hours earned in the nontraditional  
563 teacher internship program toward the graduate hours required for  
564 a Master of Arts in Teacher (MAT) Degree.

565 \* \* \*8. The local school district in which  
566 the nontraditional teacher intern or provisional licensee is  
567 employed shall compensate such teacher interns at Step 1 of the  
568 required salary level during the period of time such individual is  
569 completing teacher internship requirements and shall compensate  
570 such Standard License - Nontraditional Route teachers at Step 3 of  
571 the required salary level when they complete license requirements.

572 (iii) Implementation of the TMI program provided  
573 for under this paragraph (b) shall be contingent upon the  
574 availability of funds appropriated specifically for such purpose  
575 by the Legislature. Such implementation of the TMI program may  
576 not be deemed to prohibit the State Board of Education from



577 developing and implementing additional alternative route teacher  
578 licensure programs, as deemed appropriate by the board. The  
579 emergency certification program in effect prior to July 1, 2002,  
580 shall remain in effect.

581 (iv) A Standard License - Approved Program Route  
582 shall be issued for a five-year period, and may be renewed.  
583 Recognizing teaching as a profession, a hiring preference shall be  
584 granted to persons holding a Standard License - Approved Program  
585 Route or Standard License - Nontraditional Teaching Route over  
586 persons holding any other license.

587 (c) **Special License - Expert Citizen.** In order to  
588 allow a school district to offer specialized or technical courses,  
589 the State Department of Education, in accordance with rules and  
590 regulations established by the State Board of Education, may grant  
591 a \* \* \* five-year expert citizen-teacher license to local business  
592 or other professional personnel to teach in a public school or  
593 nonpublic school accredited or approved by the state. Such person  
594 shall be required to have a high school diploma, an  
595 industry-recognized certification related to the subject area in  
596 which they are teaching and a minimum of five (5) years of  
597 relevant experience but shall not be required to hold an associate  
598 or bachelor's degree, provided that he or she possesses the  
599 minimum qualifications required for his or her profession, and may  
600 begin teaching upon his employment by the local school board and  
601 licensure by the Mississippi Department of Education. If a school





602 board hires a career technical education pathway instructor who  
603 does not have an industry certification in his or her area of  
604 expertise but does have the required experience, the school board  
605 shall spread their decision on the minutes at their next meeting  
606 and provide a detailed explanation for why they hired the  
607 instructor. Such instructor shall present the minutes of the  
608 school board to the State Department of Education when he or she  
609 applies for an expert citizen license. The board shall adopt  
610 rules and regulations to administer the expert citizen-teacher  
611 license. A Special License - Expert Citizen may be renewed in  
612 accordance with the established rules and regulations of the State  
613 Department of Education.

614 (d) **Special License - Nonrenewable.** The State Board of  
615 Education is authorized to establish rules and regulations to  
616 allow those educators not meeting requirements in paragraph (a),  
617 (b) or (c) of this subsection (6) to be licensed for a period of  
618 not more than three (3) years, except by special approval of the  
619 State Board of Education.

620 (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
621 person may teach for a maximum of three (3) periods per teaching  
622 day in a public school district or a nonpublic school  
623 accredited/approved by the state. Such person shall submit to the  
624 department a transcript or record of his education and experience  
625 which substantiates his preparation for the subject to be taught  
626 and shall meet other qualifications specified by the commission



627 and approved by the State Board of Education. In no case shall  
628 any local school board hire nonlicensed personnel as authorized  
629 under this paragraph in excess of five percent (5%) of the total  
630 number of licensed personnel in any single school.

631 (f) **Special License - Transitional Bilingual Education.**  
632 Beginning July 1, 2003, the commission shall grant special  
633 licenses to teachers of transitional bilingual education who  
634 possess such qualifications as are prescribed in this section.  
635 Teachers of transitional bilingual education shall be compensated  
636 by local school boards at not less than one (1) step on the  
637 regular salary schedule applicable to permanent teachers licensed  
638 under this section. The commission shall grant special licenses  
639 to teachers of transitional bilingual education who present the  
640 commission with satisfactory evidence that they (i) possess a  
641 speaking and reading ability in a language, other than English, in  
642 which bilingual education is offered and communicative skills in  
643 English; (ii) are in good health and sound moral character; (iii)  
644 possess a bachelor's degree or an associate's degree in teacher  
645 education from an accredited institution of higher education; (iv)  
646 meet such requirements as to courses of study, semester hours  
647 therein, experience and training as may be required by the  
648 commission; and (v) are legally present in the United States and  
649 possess legal authorization for employment. A teacher of  
650 transitional bilingual education serving under a special license  
651 shall be under an exemption from standard licensure if he achieves



652 the requisite qualifications therefor. Two (2) years of service  
653 by a teacher of transitional bilingual education under such an  
654 exemption shall be credited to the teacher in acquiring a Standard  
655 Educator License. Nothing in this paragraph shall be deemed to  
656 prohibit a local school board from employing a teacher licensed in  
657 an appropriate field as approved by the State Department of  
658 Education to teach in a program in transitional bilingual  
659 education.

660 (g) In the event any school district meets the highest  
661 accreditation standards as defined by the State Board of Education  
662 in the accountability system, the State Board of Education, in its  
663 discretion, may exempt such school district from any restrictions  
664 in paragraph (e) relating to the employment of nonlicensed  
665 teaching personnel.

666 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
667 any teacher from any state meeting the federal definition of  
668 highly qualified, as described in the No Child Left Behind Act,  
669 must be granted a standard five-year license by the State  
670 Department of Education.

671 (7) **Administrator License.** The State Board of Education is  
672 authorized to establish rules and regulations and to administer  
673 the licensure process of the school administrators in the State of  
674 Mississippi. There will be four (4) categories of administrator  
675 licensure with exceptions only through special approval of the  
676 State Board of Education.



677           (a) **Administrator License - Nonpracticing.** Those  
678 educators holding administrative endorsement but having no  
679 administrative experience or not serving in an administrative  
680 position on January 15, 1997.

681           (b) **Administrator License - Entry Level.** Those  
682 educators holding administrative endorsement and having met the  
683 department's qualifications to be eligible for employment in a  
684 Mississippi school district. Administrator License - Entry Level  
685 shall be issued for a five-year period and shall be nonrenewable.

686           (c) **Standard Administrator License - Career Level.** An  
687 administrator who has met all the requirements of the department  
688 for standard administrator licensure.

689           (d) **Administrator License - Nontraditional Route.** The  
690 board may establish a nontraditional route for licensing  
691 administrative personnel. Such nontraditional route for  
692 administrative licensure shall be available for persons holding,  
693 but not limited to, a master of business administration degree, a  
694 master of public administration degree, a master of public  
695 planning and policy degree or a doctor of jurisprudence degree  
696 from an accredited college or university, with five (5) years of  
697 administrative or supervisory experience. Successful completion  
698 of the requirements of alternate route licensure for  
699 administrators shall qualify the person for a standard  
700 administrator license.



701           Individuals seeking school administrator licensure under  
702 paragraph (b), (c) or (d) shall successfully complete a training  
703 program and an assessment process prescribed by the State Board of  
704 Education. All applicants for school administrator licensure  
705 shall meet all requirements prescribed by the department under  
706 paragraph (b), (c) or (d), and the cost of the assessment process  
707 required shall be paid by the applicant.

708           (8) **Reciprocity.** (a) The department shall grant a standard  
709 license to any individual who possesses a valid standard license  
710 from another state and meets minimum Mississippi license  
711 requirements or equivalent requirements as determined by the State  
712 Board of Education. The issuance of a license by reciprocity to a  
713 military-trained applicant or military spouse shall be subject to  
714 the provisions of Section 73-50-1.

715           (b) The department shall grant a nonrenewable special  
716 license to any individual who possesses a credential which is less  
717 than a standard license or certification from another state. Such  
718 special license shall be valid for the current school year plus  
719 one (1) additional school year to expire on June 30 of the second  
720 year, not to exceed a total period of twenty-four (24) months,  
721 during which time the applicant shall be required to complete the  
722 requirements for a standard license in Mississippi.

723           (9) **Renewal and Reinstatement of Licenses.** The State Board  
724 of Education is authorized to establish rules and regulations for  
725 the renewal and reinstatement of educator and administrator



726 licenses. Effective May 15, 1997, the valid standard license held  
727 by an educator shall be extended five (5) years beyond the  
728 expiration date of the license in order to afford the educator  
729 adequate time to fulfill new renewal requirements established  
730 pursuant to this subsection. An educator completing a master of  
731 education, educational specialist or doctor of education degree in  
732 May 1997 for the purpose of upgrading the educator's license to a  
733 higher class shall be given this extension of five (5) years plus  
734 five (5) additional years for completion of a higher degree.

735 (10) All controversies involving the issuance, revocation,  
736 suspension or any change whatsoever in the licensure of an  
737 educator required to hold a license shall be initially heard in a  
738 hearing de novo, by the commission or by a subcommittee  
739 established by the commission and composed of commission members,  
740 or by a hearing officer retained and appointed by the commission,  
741 for the purpose of holding hearings. Any complaint seeking the  
742 denial of issuance, revocation or suspension of a license shall be  
743 by sworn affidavit filed with the Commission on Teacher and  
744 Administrator Education, Certification and Licensure and  
745 Development. The decision thereon by the commission, its  
746 subcommittee or hearing officer, shall be final, unless the  
747 aggrieved party shall appeal to the State Board of Education,  
748 within ten (10) days, of the decision of the commission, its  
749 subcommittee or hearing officer. An appeal to the State Board of  
750 Education shall be perfected upon filing a notice of the appeal



751 and by the prepayment of the costs of the preparation of the  
752 record of proceedings by the commission, its subcommittee or  
753 hearing officer. An appeal shall be on the record previously made  
754 before the commission, its subcommittee or hearing officer, unless  
755 otherwise provided by rules and regulations adopted by the board.  
756 The decision of the commission, its subcommittee or hearing  
757 officer shall not be disturbed on appeal if supported by  
758 substantial evidence, was not arbitrary or capricious, within the  
759 authority of the commission, and did not violate some statutory or  
760 constitutional right. The State Board of Education in its  
761 authority may reverse, or remand with instructions, the decision  
762 of the commission, its subcommittee or hearing officer. The  
763 decision of the State Board of Education shall be final.

764 (11) (a) The State Board of Education, acting through the  
765 commission, may deny an application for any teacher or  
766 administrator license for one or more of the following:

767 (i) Lack of qualifications which are prescribed by  
768 law or regulations adopted by the State Board of Education;

769 (ii) The applicant has a physical, emotional or  
770 mental disability that renders the applicant unfit to perform the  
771 duties authorized by the license, as certified by a licensed  
772 psychologist or psychiatrist;

773 (iii) The applicant is actively addicted to or  
774 actively dependent on alcohol or other habit-forming drugs or is a  
775 habitual user of narcotics, barbiturates, amphetamines,



776 hallucinogens or other drugs having similar effect, at the time of  
777 application for a license;

778 (iv) Fraud or deceit committed by the applicant in  
779 securing or attempting to secure such certification and license;

780 (v) Failing or refusing to furnish reasonable  
781 evidence of identification;

782 (vi) The applicant has been convicted, has pled  
783 guilty or entered a plea of nolo contendere to a felony, as  
784 defined by federal or state law. For purposes of this  
785 subparagraph (vi) of this paragraph (a), a "guilty plea" includes  
786 a plea of guilty, entry of a plea of nolo contendere, or entry of  
787 an order granting pretrial or judicial diversion;

788 (vii) The applicant or licensee is on probation or  
789 post-release supervision for a felony or conviction, as defined by  
790 federal or state law. However, this disqualification expires upon  
791 the end of the probationary or post-release supervision period.

792 (b) The State Board of Education, acting through the  
793 commission, shall deny an application for any teacher or  
794 administrator license, or immediately revoke the current teacher  
795 or administrator license, for one or more of the following:

796 (i) If the applicant or licensee has been  
797 convicted, has pled guilty or entered a plea of nolo contendere to  
798 a sex offense as defined by federal or state law. For purposes of  
799 this subparagraph (i) of this paragraph (b), a "guilty plea"





800 includes a plea of guilty, entry of a plea of nolo contendere, or  
801 entry of an order granting pretrial or judicial diversion;

802 (ii) The applicant or licensee is on probation or  
803 post-release supervision for a sex offense conviction, as defined  
804 by federal or state law;

805 (iii) The license holder has fondled a student as  
806 described in Section 97-5-23, or had any type of sexual  
807 involvement with a student as described in Section 97-3-95; or

808 (iv) The license holder has failed to report  
809 sexual involvement of a school employee with a student as required  
810 by Section 97-5-24.

811 (12) The State Board of Education, acting through the  
812 commission, may revoke, suspend or refuse to renew any teacher or  
813 administrator license for specified periods of time or may place  
814 on probation, reprimand a licensee, or take other disciplinary  
815 action with regard to any license issued under this chapter for  
816 one or more of the following:

817 (a) Breach of contract or abandonment of employment may  
818 result in the suspension of the license for one (1) school year as  
819 provided in Section 37-9-57;

820 (b) Obtaining a license by fraudulent means shall  
821 result in immediate suspension and continued suspension for one  
822 (1) year after correction is made;

823 (c) Suspension or revocation of a certificate or  
824 license by another state shall result in immediate suspension or



825 revocation and shall continue until records in the prior state  
826 have been cleared;

827 (d) The license holder has been convicted, has pled  
828 guilty or entered a plea of nolo contendere to a felony, as  
829 defined by federal or state law. For purposes of this paragraph,  
830 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
831 contendere, or entry of an order granting pretrial or judicial  
832 diversion;

833 (e) The license holder knowingly and willfully  
834 committing any of the acts affecting validity of mandatory uniform  
835 test results as provided in Section 37-16-4(1);

836 (f) The license holder has engaged in unethical conduct  
837 relating to an educator/student relationship as identified by the  
838 State Board of Education in its rules;

839 (g) The license holder served as superintendent or  
840 principal in a school district during the time preceding and/or  
841 that resulted in the Governor declaring a state of emergency and  
842 the State Board of Education appointing a conservator;

843 (h) The license holder submitted a false certification  
844 to the State Department of Education that a statewide test was  
845 administered in strict accordance with the Requirements of the  
846 Mississippi Statewide Assessment System; or

847 (i) The license holder has failed to comply with the  
848 Procedures for Reporting Infractions as promulgated by the



849 commission and approved by the State Board of Education pursuant  
850 to subsection (15) of this section.

851 For purposes of this subsection, probation shall be defined  
852 as a length of time determined by the commission, its subcommittee  
853 or hearing officer, and based on the severity of the offense in  
854 which the license holder shall meet certain requirements as  
855 prescribed by the commission, its subcommittee or hearing officer.  
856 Failure to complete the requirements in the time specified shall  
857 result in immediate suspension of the license for one (1) year.

858 (13) (a) Dismissal or suspension of a licensed employee by  
859 a local school board pursuant to Section 37-9-59 may result in the  
860 suspension or revocation of a license for a length of time which  
861 shall be determined by the commission and based upon the severity  
862 of the offense.

863 (b) Any offense committed or attempted in any other  
864 state shall result in the same penalty as if committed or  
865 attempted in this state.

866 (c) A person may voluntarily surrender a license. The  
867 surrender of such license may result in the commission  
868 recommending any of the above penalties without the necessity of a  
869 hearing. However, any such license which has voluntarily been  
870 surrendered by a licensed employee may only be reinstated by a  
871 majority vote of all members of the commission present at the  
872 meeting called for such purpose.



873           (14) (a) A person whose license has been suspended or  
874 surrendered on any grounds except criminal grounds may petition  
875 for reinstatement of the license after one (1) year from the date  
876 of suspension or surrender, or after one-half (1/2) of the  
877 suspended or surrendered time has lapsed, whichever is greater. A  
878 person whose license has been suspended or revoked on any grounds  
879 or violations under subsection (12) of this section may be  
880 reinstated automatically or approved for a reinstatement hearing,  
881 upon submission of a written request to the commission. A license  
882 suspended, revoked or surrendered on criminal grounds may be  
883 reinstated upon petition to the commission filed after expiration  
884 of the sentence and parole or probationary period imposed upon  
885 conviction. A revoked, suspended or surrendered license may be  
886 reinstated upon satisfactory showing of evidence of  
887 rehabilitation. The commission shall require all who petition for  
888 reinstatement to furnish evidence satisfactory to the commission  
889 of good character, good mental, emotional and physical health and  
890 such other evidence as the commission may deem necessary to  
891 establish the petitioner's rehabilitation and fitness to perform  
892 the duties authorized by the license.

893           (b) A person whose license expires while under  
894 investigation by the Office of Educator Misconduct for an alleged  
895 violation may not be reinstated without a hearing before the  
896 commission if required based on the results of the investigation.



897           (15) Reporting procedures and hearing procedures for dealing  
898 with infractions under this section shall be promulgated by the  
899 commission, subject to the approval of the State Board of  
900 Education. The revocation or suspension of a license shall be  
901 effected at the time indicated on the notice of suspension or  
902 revocation. The commission shall immediately notify the  
903 superintendent of the school district or school board where the  
904 teacher or administrator is employed of any disciplinary action  
905 and also notify the teacher or administrator of such revocation or  
906 suspension and shall maintain records of action taken. The State  
907 Board of Education may reverse or remand with instructions any  
908 decision of the commission, its subcommittee or hearing officer  
909 regarding a petition for reinstatement of a license, and any such  
910 decision of the State Board of Education shall be final.

911           (16) An appeal from the action of the State Board of  
912 Education in denying an application, revoking or suspending a  
913 license or otherwise disciplining any person under the provisions  
914 of this section shall be filed in the Chancery Court of the First  
915 Judicial District of Hinds County, Mississippi, on the record  
916 made, including a verbatim transcript of the testimony at the  
917 hearing. The appeal shall be filed within thirty (30) days after  
918 notification of the action of the board is mailed or served and  
919 the proceedings in chancery court shall be conducted as other  
920 matters coming before the court. The appeal shall be perfected  
921 upon filing notice of the appeal and by the prepayment of all



922 costs, including the cost of preparation of the record of the  
923 proceedings by the State Board of Education, and the filing of a  
924 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
925 if the action of the board be affirmed by the chancery court, the  
926 applicant or license holder shall pay the costs of the appeal and  
927 the action of the chancery court.

928 (17) All such programs, rules, regulations, standards and  
929 criteria recommended or authorized by the commission shall become  
930 effective upon approval by the State Board of Education as  
931 designated by appropriate orders entered upon the minutes thereof.

932 (18) The granting of a license shall not be deemed a  
933 property right nor a guarantee of employment in any public school  
934 district. A license is a privilege indicating minimal eligibility  
935 for teaching in the public school districts of Mississippi. This  
936 section shall in no way alter or abridge the authority of local  
937 school districts to require greater qualifications or standards of  
938 performance as a prerequisite of initial or continued employment  
939 in such districts.

940 (19) In addition to the reasons specified in subsections  
941 (12) and (13) of this section, the board shall be authorized to  
942 suspend the license of any licensee for being out of compliance  
943 with an order for support, as defined in Section 93-11-153. The  
944 procedure for suspension of a license for being out of compliance  
945 with an order for support, and the procedure for the reissuance or  
946 reinstatement of a license suspended for that purpose, and the



947 payment of any fees for the reissuance or reinstatement of a  
948 license suspended for that purpose, shall be governed by Section  
949 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
950 board in suspending a license when required by Section 93-11-157  
951 or 93-11-163 are not actions from which an appeal may be taken  
952 under this section. Any appeal of a license suspension that is  
953 required by Section 93-11-157 or 93-11-163 shall be taken in  
954 accordance with the appeal procedure specified in Section  
955 93-11-157 or 93-11-163, as the case may be, rather than the  
956 procedure specified in this section. If there is any conflict  
957 between any provision of Section 93-11-157 or 93-11-163 and any  
958 provision of this chapter, the provisions of Section 93-11-157 or  
959 93-11-163, as the case may be, shall control.

960       **SECTION 5.** Section 37-16-3, Mississippi Code of 1972, is  
961 amended as follows:

962       37-16-3. (1) The State Department of Education is directed  
963 to implement a program of statewide assessment testing which shall  
964 provide for the improvement of the operation and management of the  
965 public schools. The statewide program shall be timed, as far as  
966 possible, so as not to conflict with ongoing district assessment  
967 programs. As part of the program, the department shall:

968           (a) Establish, with the approval of the State Board of  
969 Education, minimum performance standards related to the goals for  
970 education contained in the state's plan including, but not limited  
971 to, basic skills in reading, writing and mathematics. The minimum



972 performance standards shall be approved by April 1 in each year  
973 they are established.

974 (b) Conduct a uniform statewide testing program in  
975 grades deemed appropriate in the public schools, including charter  
976 schools, which shall provide for the administration of the ACT  
977 WorkKeys Assessment to any students electing to take the  
978 assessment. Each individual school district shall determine  
979 whether the ACT WorkKeys Assessment is administered in the ninth,  
980 tenth or eleventh grade. The program may test skill areas, basic  
981 skills and high school course content.

982 (c) Monitor the results of the assessment program and,  
983 at any time the composite student performance of a school or basic  
984 program is found to be below the established minimum standards,  
985 notify the district superintendent or the governing board of the  
986 charter school, as the case may be, the school principal and the  
987 school advisory committee or other existing parent group of the  
988 situation within thirty (30) days of its determination. The  
989 department shall further provide technical assistance to a school  
990 district in the identification of the causes of this deficiency  
991 and shall recommend courses of action for its correction.

992 (d) Provide technical assistance to the school  
993 districts, when requested, in the development of student  
994 performance standards in addition to the established minimum  
995 statewide standards.





996 (e) Issue security procedure regulations providing for  
997 the security and integrity of the tests that are administered  
998 under the basic skills assessment program.

999 (f) In case of an allegation of a testing irregularity  
1000 that prompts a need for an investigation by the Department of  
1001 Education, the department may, in its discretion, take complete  
1002 control of the statewide test administration in a school district  
1003 or any part thereof, including, but not limited to, obtaining  
1004 control of the test booklets and answer documents. In the case of  
1005 any verified testing irregularity that jeopardized the security  
1006 and integrity of the test(s), validity or the accuracy of the test  
1007 results, the cost of the investigation and any other actual and  
1008 necessary costs related to the investigation paid by the  
1009 Department of Education shall be reimbursed by the local school  
1010 district from funds other than federal funds, Mississippi Adequate  
1011 Education Program funds, or any other state funds within six (6)  
1012 months from the date of notice by the department to the school  
1013 district to make reimbursement to the department.

1014 (2) Uniform basic skills tests shall be completed by each  
1015 student in the appropriate grade. These tests shall be  
1016 administered in such a manner as to preserve the integrity and  
1017 validity of the assessment. In the event of excused or unexcused  
1018 student absences, make-up tests shall be given. The school  
1019 superintendent of every school district in the state and the  
1020 principal of each charter school shall annually certify to the



1021 State Department of Education that each student enrolled in the  
1022 appropriate grade has completed the required basic skills  
1023 assessment test for his or her grade in a valid test  
1024 administration.

1025 (3) Within five (5) days of completing the administration of  
1026 a statewide test, the principal of the school where the test was  
1027 administered shall certify under oath to the State Department of  
1028 Education that the statewide test was administered in strict  
1029 accordance with the Requirements of the Mississippi Statewide  
1030 Assessment System as adopted by the State Board of Education. The  
1031 principal's sworn certification shall be set forth on a form  
1032 developed and approved by the Department of Education. If,  
1033 following the administration of a statewide test, the principal  
1034 has reason to believe that the test was not administered in strict  
1035 accordance with the Requirements of the Mississippi Statewide  
1036 Assessment System as adopted by the State Board of Education, the  
1037 principal shall submit a sworn certification to the Department of  
1038 Education setting forth all information known or believed by the  
1039 principal about all potential violations of the Requirements of  
1040 the Mississippi Statewide Assessment System as adopted by the  
1041 State Board of Education. The submission of false information or  
1042 false certification to the Department of Education by any licensed  
1043 educator may result in licensure disciplinary action pursuant to  
1044 Section 37-3-2 and criminal prosecution pursuant to Section  
1045 37-16-4.





1070           (c) The assignment of certified school librarians to  
1071 the particular schools shall be at the discretion of the local  
1072 school district. No individual shall be employed as a certified  
1073 school librarian without appropriate training and certification as  
1074 a school librarian by the State Department of Education.

1075           (d) School librarians in the district shall spend at  
1076 least fifty percent (50%) of direct work time in a school library  
1077 and shall devote no more than one-fourth (1/4) of the workday to  
1078 administrative activities that are library related.

1079           (e) Nothing in this subsection shall prohibit any  
1080 school district from employing more certified school librarians  
1081 than are provided for in this section.

1082           (f) Any additional millage levied to fund school  
1083 librarians required for accreditation under this subsection shall  
1084 be included in the tax increase limitation set forth in Sections  
1085 37-57-105 and 37-57-107 and shall not be deemed a new program for  
1086 purposes of the limitation.

1087           (4) On or before December 31, 2002, the State Board of  
1088 Education shall implement the performance-based accreditation  
1089 system for school districts and for individual noncharter public  
1090 schools which shall include the following:

1091           (a) High expectations for students and high standards  
1092 for all schools, with a focus on the basic curriculum;

1093           (b) Strong accountability for results with appropriate  
1094 local flexibility for local implementation;



1095 (c) A process to implement accountability at both the  
1096 school district level and the school level;

1097 (d) Individual schools shall be held accountable for  
1098 student growth and performance;

1099 (e) Set annual performance standards for each of the  
1100 schools of the state and measure the performance of each school  
1101 against itself through the standard that has been set for it;

1102 (f) A determination of which schools exceed their  
1103 standards and a plan for providing recognition and rewards to  
1104 those schools;

1105 (g) A determination of which schools are failing to  
1106 meet their standards and a determination of the appropriate role  
1107 of the State Board of Education and the State Department of  
1108 Education in providing assistance and initiating possible  
1109 intervention. A failing district is a district that fails to meet  
1110 both the absolute student achievement standards and the rate of  
1111 annual growth expectation standards as set by the State Board of  
1112 Education for two (2) consecutive years. The State Board of  
1113 Education shall establish the level of benchmarks by which  
1114 absolute student achievement and growth expectations shall be  
1115 assessed. In setting the benchmarks for school districts, the  
1116 State Board of Education may also take into account such factors  
1117 as graduation rates, dropout rates, completion rates, the extent  
1118 to which the school or district employs qualified teachers in  
1119 every classroom, and any other factors deemed appropriate by the



1120 State Board of Education. The State Board of Education, acting  
1121 through the State Department of Education, shall apply a simple  
1122 "A," "B," "C," "D" and "F" designation to the current school and  
1123 school district statewide accountability performance  
1124 classification labels beginning with the State Accountability  
1125 Results for the 2011-2012 school year and following, and in the  
1126 school, district and state report cards required under state and  
1127 federal law. Under the new designations, a school or school  
1128 district that has earned a "Star" rating shall be designated an  
1129 "A" school or school district; a school or school district that  
1130 has earned a "High-Performing" rating shall be designated a "B"  
1131 school or school district; a school or school district that has  
1132 earned a "Successful" rating shall be designated a "C" school or  
1133 school district; a school or school district that has earned an  
1134 "Academic Watch" rating shall be designated a "D" school or school  
1135 district; a school or school district that has earned a  
1136 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall  
1137 be designated an "F" school or school district. Effective with  
1138 the implementation of any new curriculum and assessment standards,  
1139 the State Board of Education, acting through the State Department  
1140 of Education, is further authorized and directed to change the  
1141 school and school district accreditation rating system to a simple  
1142 "A," "B," "C," "D," and "F" designation based on a combination of  
1143 student achievement scores and student growth as measured by the  
1144 statewide testing programs developed by the State Board of



1145 Education pursuant to Chapter 16, Title 37, Mississippi Code of  
1146 1972. In any statute or regulation containing the former  
1147 accreditation designations, the new designations shall be  
1148 applicable;

1149 (h) Development of a comprehensive student assessment  
1150 system to implement these requirements; and

1151 (i) The State Board of Education may, based on a  
1152 written request that contains specific reasons for requesting a  
1153 waiver from the school districts affected by Hurricane Katrina of  
1154 2005, hold harmless school districts from assignment of district  
1155 and school level accountability ratings for the 2005-2006 school  
1156 year. The State Board of Education upon finding an extreme  
1157 hardship in the school district may grant the request. It is the  
1158 intent of the Legislature that all school districts maintain the  
1159 highest possible academic standards and instructional programs in  
1160 all schools as required by law and the State Board of Education.

1161 (5) (a) Effective with the 2013-2014 school year, the State  
1162 Department of Education, acting through the Mississippi Commission  
1163 on School Accreditation, shall revise and implement a single "A"  
1164 through "F" school and school district accountability system  
1165 complying with applicable federal and state requirements in order  
1166 to reach the following educational goals:

1167 (i) To mobilize resources and supplies to ensure  
1168 that all students exit third grade reading on grade level by 2015;



1169 (ii) To reduce the student dropout rate to  
1170 thirteen percent (13%) by 2015; and

1171 (iii) To have sixty percent (60%) of students  
1172 scoring proficient and advanced on the assessments of the Common  
1173 Core State Standards by 2016 with incremental increases of three  
1174 percent (3%) each year thereafter.

1175 (b) The State Department of Education shall combine the  
1176 state school and school district accountability system with the  
1177 federal system in order to have a single system.

1178 (c) The State Department of Education shall establish  
1179 five (5) performance categories ("A," "B," "C," "D" and "F") for  
1180 the accountability system based on the following criteria:

1181 (i) Student Achievement: the percent of students  
1182 proficient and advanced on the current state assessments;

1183 (ii) Individual student growth: the percent of  
1184 students making one (1) year's progress in one (1) year's time on  
1185 the state assessment, with an emphasis on the progress of the  
1186 lowest twenty-five percent (25%) of students in the school or  
1187 district;

1188 (iii) Four-year graduation rate: the percent of  
1189 students graduating with a standard high school diploma in four  
1190 (4) years, as defined by federal regulations;

1191 (iv) Categories shall identify schools as Reward  
1192 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If  
1193 at least five percent (5%) of schools in the state are not graded





1194 as "F" schools, the lowest five percent (5%) of school grade point  
1195 designees will be identified as Priority schools. If at least ten  
1196 percent (10%) of schools in the state are not graded as "D"  
1197 schools, the lowest ten percent (10%) of school grade point  
1198 designees will be identified as Focus schools;

1199 (v) The State Department of Education shall  
1200 discontinue the use of Star School, High-Performing, Successful,  
1201 Academic Watch, Low-Performing, At-Risk of Failing and Failing  
1202 school accountability designations;

1203 (vi) The system shall include the federally  
1204 compliant four-year graduation rate in school and school district  
1205 accountability system calculations. Graduation rate will apply to  
1206 high school and school district accountability ratings as a  
1207 compensatory component. The system shall discontinue the use of  
1208 the High School Completer Index (HSCI);

1209 (vii) The school and school district  
1210 accountability system shall incorporate a standards-based growth  
1211 model, in order to support improvement of individual student  
1212 learning;

1213 (viii) The State Department of Education shall  
1214 discontinue the use of the Quality Distribution Index (QDI);

1215 (ix) The State Department of Education shall  
1216 determine feeder patterns of schools that do not earn a school  
1217 grade because the grades and subjects taught at the school do not  
1218 have statewide standardized assessments needed to calculate a



1219 school grade. Upon determination of the feeder pattern, the  
1220 department shall notify schools and school districts prior to the  
1221 release of the school grades beginning in 2013. Feeder schools  
1222 will be assigned the accountability designation of the school to  
1223 which they provide students;

1224 (x) Standards for student, school and school  
1225 district performance will be increased when student proficiency is  
1226 at a seventy-five percent (75%) and/or when sixty-five percent  
1227 (65%) of the schools and/or school districts are earning a grade  
1228 of "B" or higher, in order to raise the standard on performance  
1229 after targets are met \* \* \*; and

1230 (xi) The system shall include student performance  
1231 on the administration of the ACT WorkKeys Assessment, which shall  
1232 be weighted in the same percentage as the standard ACT Assessment  
1233 as administered to students in Grade 11, for inclusion in the  
1234 college and career readiness portion of the accountability rating  
1235 system. The State Department of Education shall ensure equitable  
1236 distribution of points under the accountability rating, in  
1237 comparison to the ACT Assessment, for a Silver Status on the ACT  
1238 WorkKeys Assessment. A student shall not be required to complete  
1239 all of the courses within his or her career pathway for his or her  
1240 performance on the ACT WorkKeys Assessment to be included in the  
1241 system.



1242 (6) Nothing in this section shall be deemed to require a  
1243 nonpublic school that receives no local, state or federal funds  
1244 for support to become accredited by the State Board of Education.

1245 (7) The State Board of Education shall create an  
1246 accreditation audit unit under the Commission on School  
1247 Accreditation to determine whether schools are complying with  
1248 accreditation standards.

1249 (8) The State Board of Education shall be specifically  
1250 authorized and empowered to withhold adequate education program  
1251 fund allocations, whichever is applicable, to any public school  
1252 district for failure to timely report student, school personnel  
1253 and fiscal data necessary to meet state and/or federal  
1254 requirements.

1255 (9) [Deleted]

1256 (10) The State Board of Education shall establish, for those  
1257 school districts failing to meet accreditation standards, a  
1258 program of development to be complied with in order to receive  
1259 state funds, except as otherwise provided in subsection (15) of  
1260 this section when the Governor has declared a state of emergency  
1261 in a school district or as otherwise provided in Section 206,  
1262 Mississippi Constitution of 1890. The state board, in  
1263 establishing these standards, shall provide for notice to schools  
1264 and sufficient time and aid to enable schools to attempt to meet  
1265 these standards, unless procedures under subsection (15) of this  
1266 section have been invoked.



1267 (11) Beginning July 1, 1998, the State Board of Education  
1268 shall be charged with the implementation of the program of  
1269 development in each applicable school district as follows:

1270 (a) Develop an impairment report for each district  
1271 failing to meet accreditation standards in conjunction with school  
1272 district officials;

1273 (b) Notify any applicable school district failing to  
1274 meet accreditation standards that it is on probation until  
1275 corrective actions are taken or until the deficiencies have been  
1276 removed. The local school district shall develop a corrective  
1277 action plan to improve its deficiencies. For district academic  
1278 deficiencies, the corrective action plan for each such school  
1279 district shall be based upon a complete analysis of the following:  
1280 student test data, student grades, student attendance reports,  
1281 student dropout data, existence and other relevant data. The  
1282 corrective action plan shall describe the specific measures to be  
1283 taken by the particular school district and school to improve:  
1284 (i) instruction; (ii) curriculum; (iii) professional development;  
1285 (iv) personnel and classroom organization; (v) student incentives  
1286 for performance; (vi) process deficiencies; and (vii) reporting to  
1287 the local school board, parents and the community. The corrective  
1288 action plan shall describe the specific individuals responsible  
1289 for implementing each component of the recommendation and how each  
1290 will be evaluated. All corrective action plans shall be provided  
1291 to the State Board of Education as may be required. The decision



1292 of the State Board of Education establishing the probationary  
1293 period of time shall be final;

1294 (c) Offer, during the probationary period, technical  
1295 assistance to the school district in making corrective actions.  
1296 Beginning July 1, 1998, subject to the availability of funds, the  
1297 State Department of Education shall provide technical and/or  
1298 financial assistance to all such school districts in order to  
1299 implement each measure identified in that district's corrective  
1300 action plan through professional development and on-site  
1301 assistance. Each such school district shall apply for and utilize  
1302 all available federal funding in order to support its corrective  
1303 action plan in addition to state funds made available under this  
1304 paragraph;

1305 (d) Assign department personnel or contract, in its  
1306 discretion, with the institutions of higher learning or other  
1307 appropriate private entities with experience in the academic,  
1308 finance and other operational functions of schools to assist  
1309 school districts;

1310 (e) Provide for publication of public notice at least  
1311 one time during the probationary period, in a newspaper published  
1312 within the jurisdiction of the school district failing to meet  
1313 accreditation standards, or if no newspaper is published therein,  
1314 then in a newspaper having a general circulation therein. The  
1315 publication shall include the following: declaration of school  
1316 system's status as being on probation; all details relating to the



1317 impairment report; and other information as the State Board of  
1318 Education deems appropriate. Public notices issued under this  
1319 section shall be subject to Section 13-3-31 and not contrary to  
1320 other laws regarding newspaper publication.

1321 (12) (a) If the recommendations for corrective action are  
1322 not taken by the local school district or if the deficiencies are  
1323 not removed by the end of the probationary period, the Commission  
1324 on School Accreditation shall conduct a hearing to allow the  
1325 affected school district to present evidence or other reasons why  
1326 its accreditation should not be withdrawn. Additionally, if the  
1327 local school district violates accreditation standards that have  
1328 been determined by the policies and procedures of the State Board  
1329 of Education to be a basis for withdrawal of school district's  
1330 accreditation without a probationary period, the Commission on  
1331 School Accreditation shall conduct a hearing to allow the affected  
1332 school district to present evidence or other reasons why its  
1333 accreditation should not be withdrawn. After its consideration of  
1334 the results of the hearing, the Commission on School Accreditation  
1335 shall be authorized, with the approval of the State Board of  
1336 Education, to withdraw the accreditation of a public school  
1337 district, and issue a request to the Governor that a state of  
1338 emergency be declared in that district.

1339 (b) If the State Board of Education and the Commission  
1340 on School Accreditation determine that an extreme emergency  
1341 situation exists in a school district that jeopardizes the safety,



1342 security or educational interests of the children enrolled in the  
1343 schools in that district and that emergency situation is believed  
1344 to be related to a serious violation or violations of  
1345 accreditation standards or state or federal law, or when a school  
1346 district meets the State Board of Education's definition of a  
1347 failing school district for two (2) consecutive full school years,  
1348 or if more than fifty percent (50%) of the schools within the  
1349 school district are designated as Schools At-Risk in any one (1)  
1350 year, the State Board of Education may request the Governor to  
1351 declare a state of emergency in that school district. For  
1352 purposes of this paragraph, the declarations of a state of  
1353 emergency shall not be limited to those instances when a school  
1354 district's impairments are related to a lack of financial  
1355 resources, but also shall include serious failure to meet minimum  
1356 academic standards, as evidenced by a continued pattern of poor  
1357 student performance.

1358 (c) Whenever the Governor declares a state of emergency  
1359 in a school district in response to a request made under paragraph  
1360 (a) or (b) of this subsection, the State Board of Education may  
1361 take one or more of the following actions:

1362 (i) Declare a state of emergency, under which some  
1363 or all of state funds can be escrowed except as otherwise provided  
1364 in Section 206, Constitution of 1890, until the board determines  
1365 corrective actions are being taken or the deficiencies have been  
1366 removed, or that the needs of students warrant the release of



1367 funds. The funds may be released from escrow for any program  
1368 which the board determines to have been restored to standard even  
1369 though the state of emergency may not as yet be terminated for the  
1370 district as a whole;

1371 (ii) Override any decision of the local school  
1372 board or superintendent of education, or both, concerning the  
1373 management and operation of the school district, or initiate and  
1374 make decisions concerning the management and operation of the  
1375 school district;

1376 (iii) Assign an interim superintendent, or in its  
1377 discretion, contract with a private entity with experience in the  
1378 academic, finance and other operational functions of schools and  
1379 school districts, who will have those powers and duties prescribed  
1380 in subsection (15) of this section;

1381 (iv) Grant transfers to students who attend this  
1382 school district so that they may attend other accredited schools  
1383 or districts in a manner that is not in violation of state or  
1384 federal law;

1385 (v) For states of emergency declared under  
1386 paragraph (a) only, if the accreditation deficiencies are related  
1387 to the fact that the school district is too small, with too few  
1388 resources, to meet the required standards and if another school  
1389 district is willing to accept those students, abolish that  
1390 district and assign that territory to another school district or  
1391 districts. If the school district has proposed a voluntary





1392 consolidation with another school district or districts, then if  
1393 the State Board of Education finds that it is in the best interest  
1394 of the pupils of the district for the consolidation to proceed,  
1395 the voluntary consolidation shall have priority over any such  
1396 assignment of territory by the State Board of Education;

1397 (vi) For states of emergency declared under  
1398 paragraph (b) only, reduce local supplements paid to school  
1399 district employees, including, but not limited to, instructional  
1400 personnel, assistant teachers and extracurricular activities  
1401 personnel, if the district's impairment is related to a lack of  
1402 financial resources, but only to an extent that will result in the  
1403 salaries being comparable to districts similarly situated, as  
1404 determined by the State Board of Education;

1405 (vii) For states of emergency declared under  
1406 paragraph (b) only, the State Board of Education may take any  
1407 action as prescribed in Section 37-17-13.

1408 (d) At the time that satisfactory corrective action has  
1409 been taken in a school district in which a state of emergency has  
1410 been declared, the State Board of Education may request the  
1411 Governor to declare that the state of emergency no longer exists  
1412 in the district.

1413 (e) The parent or legal guardian of a school-age child  
1414 who is enrolled in a school district whose accreditation has been  
1415 withdrawn by the Commission on School Accreditation and without  
1416 approval of that school district may file a petition in writing to



1417 a school district accredited by the Commission on School  
1418 Accreditation for a legal transfer. The school district  
1419 accredited by the Commission on School Accreditation may grant the  
1420 transfer according to the procedures of Section 37-15-31(1)(b).  
1421 In the event the accreditation of the student's home district is  
1422 restored after a transfer has been approved, the student may  
1423 continue to attend the transferee school district. The per-pupil  
1424 amount of the adequate education program allotment, including the  
1425 collective "add-on program" costs for the student's home school  
1426 district shall be transferred monthly to the school district  
1427 accredited by the Commission on School Accreditation that has  
1428 granted the transfer of the school-age child.

1429 (f) Upon the declaration of a state of emergency for  
1430 any school district in which the Governor has previously declared  
1431 a state of emergency, the State Board of Education may either:

1432 (i) Place the school district into district  
1433 transformation, in which the school district shall remain until it  
1434 has fulfilled all conditions related to district transformation.  
1435 If the district was assigned an accreditation rating of "D" or "F"  
1436 when placed into district transformation, the district shall be  
1437 eligible to return to local control when the school district has  
1438 attained a "C" rating or higher for five (5) consecutive years,  
1439 unless the State Board of Education determines that the district  
1440 is eligible to return to local control in less than the five-year  
1441 period;



1442 (ii) Abolish the school district and  
1443 administratively consolidate the school district with one or more  
1444 existing school districts;

1445 (iii) Reduce the size of the district and  
1446 administratively consolidate parts of the district, as determined  
1447 by the State Board of Education. However, no school district  
1448 which is not in district transformation shall be required to  
1449 accept additional territory over the objection of the district; or

1450 (iv) Require the school district to develop and  
1451 implement a district improvement plan with prescriptive guidance  
1452 and support from the State Department of Education, with the goal  
1453 of helping the district improve student achievement. Failure of  
1454 the school board, superintendent and school district staff to  
1455 implement the plan with fidelity and participate in the activities  
1456 provided as support by the department shall result in the school  
1457 district retaining its eligibility for district transformation.

1458 (g) There is established a Mississippi Recovery School  
1459 District within the State Department of Education under the  
1460 supervision of a deputy superintendent appointed by the State  
1461 Superintendent of Public Education, who is subject to the approval  
1462 by the State Board of Education. The Mississippi Recovery School  
1463 District shall provide leadership and oversight of all school  
1464 districts that are subject to district transformation status, as  
1465 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,  
1466 and shall have all the authority granted under these two (2)



1467 chapters. The Mississippi Department of Education, with the  
1468 approval of the State Board of Education, shall develop policies  
1469 for the operation and management of the Mississippi Recovery  
1470 School District. The deputy state superintendent is responsible  
1471 for the Mississippi Recovery School District and shall be  
1472 authorized to oversee the administration of the Mississippi  
1473 Recovery School District, oversee the interim superintendent  
1474 assigned by the State Board of Education to a local school  
1475 district, hear appeals that would normally be filed by students,  
1476 parents or employees and heard by a local school board, which  
1477 hearings on appeal shall be conducted in a prompt and timely  
1478 manner in the school district from which the appeal originated in  
1479 order to ensure the ability of appellants, other parties and  
1480 witnesses to appeal without undue burden of travel costs or loss  
1481 of time from work, and perform other related duties as assigned by  
1482 the State Superintendent of Public Education. The deputy state  
1483 superintendent is responsible for the Mississippi Recovery School  
1484 District and shall determine, based on rigorous professional  
1485 qualifications set by the State Board of Education, the  
1486 appropriate individuals to be engaged to be interim  
1487 superintendents and financial advisors, if applicable, of all  
1488 school districts subject to district transformation status. After  
1489 State Board of Education approval, these individuals shall be  
1490 deemed independent contractors.



1491           (13) Upon the declaration of a state of emergency in a  
1492 school district under subsection (12) of this section, the  
1493 Commission on School Accreditation shall be responsible for public  
1494 notice at least once a week for at least three (3) consecutive  
1495 weeks in a newspaper published within the jurisdiction of the  
1496 school district failing to meet accreditation standards, or if no  
1497 newspaper is published therein, then in a newspaper having a  
1498 general circulation therein. The size of the notice shall be no  
1499 smaller than one-fourth (1/4) of a standard newspaper page and  
1500 shall be printed in bold print. If an interim superintendent has  
1501 been appointed for the school district, the notice shall begin as  
1502 follows: "By authority of Section 37-17-6, Mississippi Code of  
1503 1972, as amended, adopted by the Mississippi Legislature during  
1504 the 1991 Regular Session, this school district (name of school  
1505 district) is hereby placed under the jurisdiction of the State  
1506 Department of Education acting through its appointed interim  
1507 superintendent (name of interim superintendent)."

1508           The notice also shall include, in the discretion of the State  
1509 Board of Education, any or all details relating to the school  
1510 district's emergency status, including the declaration of a state  
1511 of emergency in the school district and a description of the  
1512 district's impairment deficiencies, conditions of any district  
1513 transformation status and corrective actions recommended and being  
1514 taken. Public notices issued under this section shall be subject



1515 to Section 13-3-31 and not contrary to other laws regarding  
1516 newspaper publication.

1517       Upon termination of the state of emergency in a school  
1518 district, the Commission on School Accreditation shall cause  
1519 notice to be published in the school district in the same manner  
1520 provided in this section, to include any or all details relating  
1521 to the corrective action taken in the school district that  
1522 resulted in the termination of the state of emergency.

1523       (14) The State Board of Education or the Commission on  
1524 School Accreditation shall have the authority to require school  
1525 districts to produce the necessary reports, correspondence,  
1526 financial statements, and any other documents and information  
1527 necessary to fulfill the requirements of this section.

1528       Nothing in this section shall be construed to grant any  
1529 individual, corporation, board or interim superintendent the  
1530 authority to levy taxes except in accordance with presently  
1531 existing statutory provisions.

1532       (15) (a) Whenever the Governor declares a state of  
1533 emergency in a school district in response to a request made under  
1534 subsection (12) of this section, the State Board of Education, in  
1535 its discretion, may assign an interim superintendent to the school  
1536 district, or in its discretion, may contract with an appropriate  
1537 private entity with experience in the academic, finance and other  
1538 operational functions of schools and school districts, who will be  
1539 responsible for the administration, management and operation of



1540 the school district, including, but not limited to, the following  
1541 activities:

1542                   (i) Approving or disapproving all financial  
1543 obligations of the district, including, but not limited to, the  
1544 employment, termination, nonrenewal and reassignment of all  
1545 licensed and nonlicensed personnel, contractual agreements and  
1546 purchase orders, and approving or disapproving all claim dockets  
1547 and the issuance of checks; in approving or disapproving  
1548 employment contracts of superintendents, assistant superintendents  
1549 or principals, the interim superintendent shall not be required to  
1550 comply with the time limitations prescribed in Sections 37-9-15  
1551 and 37-9-105;

1552                   (ii) Supervising the day-to-day activities of the  
1553 district's staff, including reassigning the duties and  
1554 responsibilities of personnel in a manner which, in the  
1555 determination of the interim superintendent, will best suit the  
1556 needs of the district;

1557                   (iii) Reviewing the district's total financial  
1558 obligations and operations and making recommendations to the  
1559 district for cost savings, including, but not limited to,  
1560 reassigning the duties and responsibilities of staff;

1561                   (iv) Attending all meetings of the district's  
1562 school board and administrative staff;



1563 (v) Approving or disapproving all athletic, band  
1564 and other extracurricular activities and any matters related to  
1565 those activities;

1566 (vi) Maintaining a detailed account of  
1567 recommendations made to the district and actions taken in response  
1568 to those recommendations;

1569 (vii) Reporting periodically to the State Board of  
1570 Education on the progress or lack of progress being made in the  
1571 district to improve the district's impairments during the state of  
1572 emergency; and

1573 (viii) Appointing a parent advisory committee,  
1574 comprised of parents of students in the school district that may  
1575 make recommendations to the interim superintendent concerning the  
1576 administration, management and operation of the school district.

1577 The cost of the salary of the interim superintendent and any  
1578 other actual and necessary costs related to district  
1579 transformation status paid by the State Department of Education  
1580 shall be reimbursed by the local school district from funds other  
1581 than adequate education program funds. The department shall  
1582 submit an itemized statement to the superintendent of the local  
1583 school district for reimbursement purposes, and any unpaid balance  
1584 may be withheld from the district's adequate education program  
1585 funds.

1586 At the time that the Governor, in accordance with the request  
1587 of the State Board of Education, declares that the state of





1588 emergency no longer exists in a school district, the powers and  
1589 responsibilities of the interim superintendent assigned to the  
1590 district shall cease.

1591 (b) In order to provide loans to school districts under  
1592 a state of emergency or in district transformation status that  
1593 have impairments related to a lack of financial resources, the  
1594 School District Emergency Assistance Fund is created as a special  
1595 fund in the State Treasury into which monies may be transferred or  
1596 appropriated by the Legislature from any available public  
1597 education funds. Funds in the School District Emergency  
1598 Assistance Fund up to a maximum balance of Three Million Dollars  
1599 (\$3,000,000.00) annually shall not lapse but shall be available  
1600 for expenditure in subsequent years subject to approval of the  
1601 State Board of Education. Any amount in the fund in excess of  
1602 Three Million Dollars (\$3,000,000.00) at the end of the fiscal  
1603 year shall lapse into the State General Fund or the Education  
1604 Enhancement Fund, depending on the source of the fund.

1605 The State Board of Education may loan monies from the School  
1606 District Emergency Assistance Fund to a school district that is  
1607 under a state of emergency or in district transformation status,  
1608 in those amounts, as determined by the board, that are necessary  
1609 to correct the district's impairments related to a lack of  
1610 financial resources. The loans shall be evidenced by an agreement  
1611 between the school district and the State Board of Education and  
1612 shall be repayable in principal, without necessity of interest, to



1613 the School District Emergency Assistance Fund by the school  
1614 district from any allowable funds that are available. The total  
1615 amount loaned to the district shall be due and payable within five  
1616 (5) years after the impairments related to a lack of financial  
1617 resources are corrected. If a school district fails to make  
1618 payments on the loan in accordance with the terms of the agreement  
1619 between the district and the State Board of Education, the State  
1620 Department of Education, in accordance with rules and regulations  
1621 established by the State Board of Education, may withhold that  
1622 district's adequate education program funds in an amount and  
1623 manner that will effectuate repayment consistent with the terms of  
1624 the agreement; the funds withheld by the department shall be  
1625 deposited into the School District Emergency Assistance Fund.

1626 The State Board of Education shall develop a protocol that  
1627 will outline the performance standards and requisite timeline  
1628 deemed necessary for extreme emergency measures. If the State  
1629 Board of Education determines that an extreme emergency exists,  
1630 simultaneous with the powers exercised in this subsection, it  
1631 shall take immediate action against all parties responsible for  
1632 the affected school districts having been determined to be in an  
1633 extreme emergency. The action shall include, but not be limited  
1634 to, initiating civil actions to recover funds and criminal actions  
1635 to account for criminal activity. Any funds recovered by the  
1636 State Auditor or the State Board of Education from the surety  
1637 bonds of school officials or from any civil action brought under



1638 this subsection shall be applied toward the repayment of any loan  
1639 made to a school district hereunder.

1640 (16) If a majority of the membership of the school board of  
1641 any school district resigns from office, the State Board of  
1642 Education shall be authorized to assign an interim superintendent,  
1643 who shall be responsible for the administration, management and  
1644 operation of the school district until the time as new board  
1645 members are selected or the Governor declares a state of emergency  
1646 in that school district under subsection (12), whichever occurs  
1647 first. In that case, the State Board of Education, acting through  
1648 the interim superintendent, shall have all powers which were held  
1649 by the previously existing school board, and may take any action  
1650 as prescribed in Section 37-17-13 and/or one or more of the  
1651 actions authorized in this section.

1652 (17) (a) If the Governor declares a state of emergency in a  
1653 school district, the State Board of Education may take all such  
1654 action pertaining to that school district as is authorized under  
1655 subsection (12) or (15) of this section, including the appointment  
1656 of an interim superintendent. The State Board of Education shall  
1657 also have the authority to issue a written request with  
1658 documentation to the Governor asking that the office of the  
1659 superintendent of the school district be subject to recall. If  
1660 the Governor declares that the office of the superintendent of the  
1661 school district is subject to recall, the local school board or



1662 the county election commission, as the case may be, shall take the  
1663 following action:

1664 (i) If the office of superintendent is an elected  
1665 office, in those years in which there is no general election, the  
1666 name shall be submitted by the State Board of Education to the  
1667 county election commission, and the county election commission  
1668 shall submit the question at a special election to the voters  
1669 eligible to vote for the office of superintendent within the  
1670 county, and the special election shall be held within sixty (60)  
1671 days from notification by the State Board of Education. The  
1672 ballot shall read substantially as follows:

1673 "Shall County Superintendent of Education \_\_\_\_\_ (here the  
1674 name of the superintendent shall be inserted) of the \_\_\_\_\_  
1675 (here the title of the school district shall be inserted) be  
1676 retained in office? Yes \_\_\_\_\_ No \_\_\_\_\_"

1677 If a majority of those voting on the question votes against  
1678 retaining the superintendent in office, a vacancy shall exist  
1679 which shall be filled in the manner provided by law; otherwise,  
1680 the superintendent shall remain in office for the term of that  
1681 office, and at the expiration of the term shall be eligible for  
1682 qualification and election to another term or terms.

1683 (ii) If the office of superintendent is an  
1684 appointive office, the name of the superintendent shall be  
1685 submitted by the president of the local school board at the next  
1686 regular meeting of the school board for retention in office or



1687 dismissal from office. If a majority of the school board voting  
1688 on the question vote against retaining the superintendent in  
1689 office, a vacancy shall exist which shall be filled as provided by  
1690 law, otherwise the superintendent shall remain in office for the  
1691 duration of his employment contract.

1692 (b) The State Board of Education may issue a written  
1693 request with documentation to the Governor asking that the  
1694 membership of the school board of the school district shall be  
1695 subject to recall. Whenever the Governor declares that the  
1696 membership of the school board is subject to recall, the county  
1697 election commission or the local governing authorities, as the  
1698 case may be, shall take the following action:

1699 (i) If the members of the local school board are  
1700 elected to office, in those years in which the specific member's  
1701 office is not up for election, the name of the school board member  
1702 shall be submitted by the State Board of Education to the county  
1703 election commission, and the county election commission at a  
1704 special election shall submit the question to the voters eligible  
1705 to vote for the particular member's office within the county or  
1706 school district, as the case may be, and the special election  
1707 shall be held within sixty (60) days from notification by the  
1708 State Board of Education. The ballot shall read substantially as  
1709 follows:

1710 "Members of the \_\_\_\_\_ (here the title of the school  
1711 district shall be inserted) School Board who are not up for



1712 election this year are subject to recall because of the school  
1713 district's failure to meet critical accountability standards as  
1714 defined in the letter of notification to the Governor from the  
1715 State Board of Education. Shall the member of the school board  
1716 representing this area, \_\_\_\_\_ (here the name of the school  
1717 board member holding the office shall be inserted), be retained in  
1718 office? Yes \_\_\_\_\_ No \_\_\_\_\_"

1719 If a majority of those voting on the question vote against  
1720 retaining the member of the school board in office, a vacancy in  
1721 that board member's office shall exist, which shall be filled in  
1722 the manner provided by law; otherwise, the school board member  
1723 shall remain in office for the term of that office, and at the  
1724 expiration of the term of office, the member shall be eligible for  
1725 qualification and election to another term or terms of office.  
1726 However, if a majority of the school board members are recalled in  
1727 the special election, the Governor shall authorize the board of  
1728 supervisors of the county in which the school district is situated  
1729 to appoint members to fill the offices of the members recalled.  
1730 The board of supervisors shall make those appointments in the  
1731 manner provided by law for filling vacancies on the school board,  
1732 and the appointed members shall serve until the office is filled  
1733 at the next regular special election or general election.

1734 (ii) If the local school board is an appointed  
1735 school board, the name of all school board members shall be  
1736 submitted as a collective board by the president of the municipal



1737 or county governing authority, as the case may be, at the next  
1738 regular meeting of the governing authority for retention in office  
1739 or dismissal from office. If a majority of the governing  
1740 authority voting on the question vote against retaining the board  
1741 in office, a vacancy shall exist in each school board member's  
1742 office, which shall be filled as provided by law; otherwise, the  
1743 members of the appointed school board shall remain in office for  
1744 the duration of their term of appointment, and those members may  
1745 be reappointed.

1746 (iii) If the local school board is comprised of  
1747 both elected and appointed members, the elected members shall be  
1748 subject to recall in the manner provided in subparagraph (i) of  
1749 this paragraph (b), and the appointed members shall be subject to  
1750 recall in the manner provided in subparagraph (ii).

1751 (18) Beginning with the school district audits conducted for  
1752 the 1997-1998 fiscal year, the State Board of Education, acting  
1753 through the Commission on School Accreditation, shall require each  
1754 school district to comply with standards established by the State  
1755 Department of Audit for the verification of fixed assets and the  
1756 auditing of fixed assets records as a minimum requirement for  
1757 accreditation.

1758 (19) Before December 1, 1999, the State Board of Education  
1759 shall recommend a program to the Education Committees of the House  
1760 of Representatives and the Senate for identifying and rewarding  
1761 public schools that improve or are high performing. The program



1762 shall be described by the board in a written report, which shall  
1763 include criteria and a process through which improving schools and  
1764 high-performing schools will be identified and rewarded.

1765         The State Superintendent of Public Education and the State  
1766 Board of Education also shall develop a comprehensive  
1767 accountability plan to ensure that local school boards,  
1768 superintendents, principals and teachers are held accountable for  
1769 student achievement. A written report on the accountability plan  
1770 shall be submitted to the Education Committees of both houses of  
1771 the Legislature before December 1, 1999, with any necessary  
1772 legislative recommendations.

1773         (20) Before January 1, 2008, the State Board of Education  
1774 shall evaluate and submit a recommendation to the Education  
1775 Committees of the House of Representatives and the Senate on  
1776 inclusion of graduation rate and dropout rate in the school level  
1777 accountability system.

1778         (21) If a local school district is determined as failing and  
1779 placed into district transformation status for reasons authorized  
1780 by the provisions of this section, the interim superintendent  
1781 appointed to the district shall, within forty-five (45) days after  
1782 being appointed, present a detailed and structured corrective  
1783 action plan to move the local school district out of district  
1784 transformation status to the deputy superintendent. A copy of the  
1785 interim superintendent's corrective action plan shall also be  
1786 filed with the State Board of Education.





1787           **SECTION 7.** Beginning with the 2021-2022 academic year, the  
1788 State Board of Education, acting through the Commission on Teacher  
1789 and Administrator Education, Certification and Licensure and  
1790 Development, and in conjunction with the Board of Trustees of  
1791 State Institutions of Higher Learning, shall require each educator  
1792 preparation program in the state to include, as part of its  
1793 curriculum, a Praxis Core Academic Skills for Educators  
1794 examination and a Praxis II examination course of study, which  
1795 shall serve as a preparatory review course with emphasis on the  
1796 concepts and exam skills necessary for success on the exam, and  
1797 reinforces students' knowledge through thought-provoking examples  
1798 and Praxis exam questions. Upon completion of the course,  
1799 students shall have mastered concepts as they are tested so that  
1800 students can excel within the time constraints of the exam.

1801           **SECTION 8.** This act shall take effect and be in force from  
1802 and after July 1, 2021.

