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Chapter No. 423

11/HR40/R929SG

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HOUSE BILL NO. 639

Originated in House Don Richardson Clerk

HOUSE BILL NO. 639

AN ACT TO AMEND SECTION 37-35-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A STUDENT PARTICIPATING IN A GENERAL EDUCATIONAL DEVELOPMENT (GED) OPTION PROGRAM UNDER A SCHOOL DISTRICT AGREEMENT WITH A COMMUNITY COLLEGE OR OTHER LOCAL ENTITY SHALL NOT BE DEEMED A DROPOUT FOR FUNDING PURPOSES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-35-3, Mississippi Code of 1972, is amended as follows:

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

(2) The trustees of any school district desiring to establish such program may request the taxing authority of the district to levy additional ad valorem taxes for the support of this program. The board of supervisors, in the case of a county school district, a special municipal separate school district, or a community/junior college district, and the governing authority of any municipality, in the case of a municipal separate school district, is authorized, in its discretion, to levy a tax not exceeding one (1) mill upon all the taxable property of the district for the support of this program. The tax shall be in addition to all other taxes authorized by law to be levied. In addition to the funds realized from any such levy, the board of

trustees of any school district is authorized to use any surplus funds that it may have or that may be made available to it from local sources to supplement this program.

(3) (a) Any student participating in an approved General Educational Development (GED) Option program administered by a local school district or a local school district with an approved contractual agreement with a community college or other local entity shall not be considered a dropout. Students in such a program administered by a local school district shall be considered as enrolled within the school district of origin for the purpose of enrollment for minimum program funding only. Such students shall not be considered as enrolled in the regular school program for academic or programmatic purposes. * * *

(b) Students participating in an approved General Educational Development (GED) Option program shall have an individual career plan developed at the time of placement to insure that the student's academic and job skill needs will be met. The Individual Career Plan will address, but is not limited to, the following:

- (i) Academic/instructional needs of the student;
- (ii) Job readiness needs of the student; and
- (iii) Work experience program options available for the student.

(c) Students participating in an approved General Educational Development (GED) Option program may participate in existing job and skills development programs or in similar programs developed in conjunction with the GED Option program and the vocational director.

(d) General Educational Development (GED) Option programs may be operated by local school districts or may be operated by two (2) or more adjacent school districts, pursuant to a contract approved by the State Board of Education. When two (2) or more school districts contract to operate a General Educational

Development (GED) Option program, the school board of a district designated to be the lead district shall serve as the governing board of the General Educational Development (GED) Option program. Transportation for students placed in the General Educational Development (GED) Option program shall be the responsibility of the school district of origin. The expense of establishing, maintaining and operating such GED programs may be paid from funds made available to the school district through contributions, minimum program funds or from local district maintenance funds.

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(e) The State Department of Education will develop procedures and criteria for placement of a student in the General Educational Development (GED) Option programs. Students placed in General Educational Development (GED) Option programs shall have parental approval for such placement and must meet the following criteria:

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

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

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

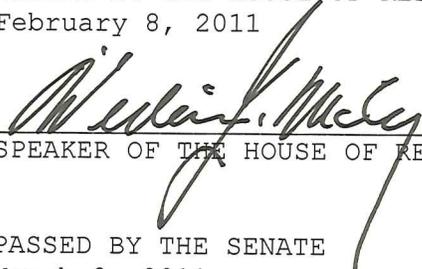
(iv) The student must be certified to be eligible to participate in the GED course by the school district superintendent, based on the developed criteria.

(f) Students participating in an approved General Educational Development (GED) Option program, who are enrolled in subject area courses through January 31 in a school with a traditional class schedule or who are enrolled in subject area courses through October 31 or through March 31 in a school on a

block schedule, shall be required to take the end-of-course subject area tests for those courses in which they are enrolled.

SECTION 2. This act shall take effect and be in force from and after July 1, 2011.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 8, 2011



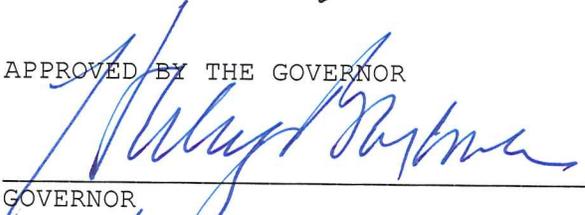
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 2, 2011



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR
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