

3/3/15

1:42 P.M.

Chapter No. 425
15/SS02/R538SG
LR Lay/NC

SENATE BILL NO. 2191

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2191

AN ACT TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO PROVIDE THAT THE NUMBER OF DISTRICTS OF INNOVATION APPROVED SHALL NOT EXCEED FIVE DISTRICTS PER YEAR; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) For purposes of this act, the following terms shall have the meaning ascribed herein, unless the context clearly indicates otherwise:

(a) "District of innovation" means a district that has developed a plan of innovation in compliance with this section and has been approved by the State Board of Education to be exempted from certain administrative regulations and statutory provisions

to improve the educational performance of students within the district;

(b) "Innovation" means a new or creative alternative to existing instructional and administrative practices intended to improve student learning and student performance of all students;

(c) "School of innovation" means a school that voluntarily participates in a district of innovation plan to improve instruction, including waivers and exemptions from local school board policies, selected provisions of rules and regulations promulgated by the State Board of Education, and selected sections of the Mississippi Code of 1972, as permitted under this section and Section 2 of this act;

(d) "Board" means the State Board of Education;

(e) "Department" means the State Department of Education.

(2) The State Board of Education is authorized to approve districts of innovation for the purposes of improving students' educational performance. Districts of innovation shall be provided flexibility from selected board regulations, Title 37, Mississippi Code of 1972, and local school board policies for school administrators, teachers and staff to meet the diverse needs of students. The initial approval of a district of innovation shall be for a five-year period. Each renewal of a district of innovation shall not exceed five (5) years and shall

comply with administrative regulations promulgated by the board pursuant to subsection (4) of this section.

(3) The board shall promulgate administrative rules and regulations to prescribe the conditions and procedures to be used by a local school board to be approved as a district of innovation and shall publish the same on or before December 31, 2015.

(4) Administrative rules and regulations promulgated by the board under subsection (3) of this section shall specify:

(a) The regulatory areas which may be exempted or modified if approved by the board, except as provided in Section 2(2) of this act, and in addition to those areas identified in Section 2(3) of this act;

(b) The application, plan review, approval and amendment process for a district;

(c) Timelines for initial approval as a district of innovation, the renewal process and ongoing evaluative procedures required of the district;

(d) Acceptable documentation of a critical mass of parental, community, educator and business support and capacity to effect a change;

(e) Evidence of teacher collaboration and shared leadership within the district and the schools to be designated as schools of innovation;

(f) The process of revocation of the designation of district of innovation or school of innovation;

(g) Reporting and oversight responsibilities of the district and the State Department of Education;

(h) The financial detail relating to budgets of schools and evidence of sound fiscal management practices;

(i) Acceptable areas of emphasis for innovation;

(j) Acceptable documentation of job-embedded professional development within the proposed innovation design; and

(k) Other components deemed necessary to implement this section and Section 2 of this act.

SECTION 2. (1) A district which is an applicant to be designated as a district of innovation under Section 1 of this act shall:

(a) Establish goals and performance targets for the district of innovation proposal, which may include:

(i) Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving;

(ii) Increasing pupil learning through the implementation of high, rigorous standards for pupil performance;

(iii) Increasing the participation of students in various curriculum components and instructional components within selected schools to enhance at each grade level;

(iv) Increasing the number of students who are college and career-ready;

(v) Motivating students at different grade levels by offering more curriculum choices and student learning opportunities to parents and students within the district;

(b) Identify changes needed in the district and schools to lead to better prepared students for success in life and work;

(c) Have a districtwide plan of innovation that describes and justifies which schools and innovative practices will be incorporated;

(d) Provide documentation of community, educator, parental, and the local board's support of the proposed innovations;

(e) Provide detailed information regarding the rationale of requests for waivers from Title 37, Mississippi Code of 1972, which relate to the elementary and secondary education of public school students, and administrative regulations, and exemptions for selected schools regarding waivers of local school board policies;

(f) Document the fiscal and human resources the board will provide throughout the term of the implementation of the innovations within its plan; and

(g) Provide other materials as required by the department in compliance with the board's administrative regulations and application procedures.

(2) The district and all schools participating in a district's innovation plan shall:

(a) Ensure the same health, safety, civil rights, and disability rights requirements as are applied to all public schools;

(b) Ensure students meet compulsory attendance requirements under Sections 37-13-91 and 37-13-92;

(c) Ensure that high school course offerings meet or exceed the minimum required under Sections 37-16-7 and 37-3-49, for high school graduation or meet early graduation requirements that may be enacted by the Mississippi Legislature;

(d) Ensure the student performance standards meet or exceed those adopted by the State Board of Education as required by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance with the statewide assessment system specified in Chapter 16, Title 37, Mississippi Code of 1972;

(e) Adhere to the same financial audits, audit procedures, and audit requirements as are applied under Section 7-7-211(e);

(f) Require state and criminal background checks for staff and volunteers as required of all public school employees and volunteers within the public schools and specified in Section 37-9-17;

(g) Comply with open records and open meeting requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

(h) Comply with purchasing requirements and limitations under Chapter 39, Title 37, Mississippi Code of 1972;

(i) Provide overall instructional time that is equivalent to or greater than that required under Sections 37-1-11 and 37-13-67, but which may include on-site instruction, distance learning, online courses, and work-based learning on nontraditional school days or hours; and

(j) Provide data to the department as deemed necessary to generate school and district reports.

(3) (a) Only schools that choose to be designated as schools of innovation shall be included in a district's application;

(b) As used in this paragraph, "eligible employees" means employees that are regularly employed at the school and those employees whose primary job duties will be affected by the plan; and

(c) Notwithstanding the provisions of paragraph (a) of this subsection, a local school board may require a school that has been identified as a persistently low-achieving school under provisions of Section 37-17-6 to participate in the district's plan of innovation.

(4) Notwithstanding any statutes to the contrary, the board may approve the requests of districts of innovation to:

(a) Use capital outlay funds for operational costs;

(b) Hire persons for classified positions in nontraditional school and district assignments who have bachelors and advanced degrees from postsecondary education institutions

accredited by a regional accrediting association (Southern Association of Colleges and Schools) or by an organization affiliated with the National Commission on Accrediting;

(c) Employ teachers on extended employment contracts or extra duty contracts and compensate them on a salary schedule other than the single salary schedule;

(d) Extend the school days as is appropriate within the district with compensation for the employees as determined locally;

(e) Establish alternative education programs and services that are delivered in nontraditional hours and which may be jointly provided in cooperation with another school district or consortia of districts;

(f) Establish online classes within the district for delivering alternative classes in a blended environment to meet high school graduation requirements;

(g) Use a flexible school calendar;

(h) Convert existing schools into schools of innovation; and

(i) Modify the formula under Section 37-151-7 for distributing support education funds for students in average daily attendance in nontraditional programming time, including alternative programs and virtual programs. Funds granted to a district shall not exceed those that would have otherwise been

distributed based on average daily attendance during regular instructional days.

SECTION 3. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE SENATE
March 4, 2015



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 18, 2015



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/31/15

1:42pm