

By: Senator(s) Tollison, Butler (38th),
Collins, Jackson (11th), Parker, Stone,
Wiggins, Younger

To: Education

SENATE BILL NO. 2191
(As Sent to Governor)

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

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

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

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



25 to improve the educational performance of students within the
26 district;

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

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

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

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

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



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

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

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

57 (a) The regulatory areas which may be exempted or
58 modified if approved by the board, except as provided in Section
59 2(2) of this act, and in addition to those areas identified in
60 Section 2(3) of this act;

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

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

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

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

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



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

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

78 (i) Acceptable areas of emphasis for innovation;

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

138 (e) Adhere to the same financial audits, audit
139 procedures, and audit requirements as are applied under Section
140 7-7-211(e);

141 (f) Require state and criminal background checks for
142 staff and volunteers as required of all public school employees
143 and volunteers within the public schools and specified in Section
144 37-9-17;

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

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



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

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

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

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

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

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

170 (a) Use capital outlay funds for operational costs;

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



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

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

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

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

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

190 (g) Use a flexible school calendar;

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

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



198 distributed based on average daily attendance during regular
199 instructional days.

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

