

**OFFICE OF SCHOOL IMPROVEMENT OVERSIGHT AND RECOVERY**  
**Summary of State Board of Education Agenda Items**  
**October 18-19, 2012**

**OFFICE OF DROPOUT PREVENTION AND COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT**

08. Approval to revise State Board Policy 3105 – Dropout Prevention Plan  
(Has cleared the Administrative Procedures Act process with one public comment)

**Executive Summary**

The Mississippi Department of Education, Office of Dropout Prevention and Compulsory School Attendance Enforcement, submitted a technical amendment to Mississippi Code of 1972 Annotated Section 37-13-80 regarding the responsibilities and duties of school districts as it relates to district dropout prevention methods and/or programs.

The bill was passed by the legislature and approved by the governor and was effective as of July 1, 2012. The policy revision aligns the policy with the current legislation.

Graduation Benchmarks	School Years	Graduation Rates
Benchmark 1	2008-2009	63%
Benchmark 2	2010-2011	66%
Benchmark 3	*2012-2013	71%
Benchmark 4	2014-2015	77%
Benchmark 5	2016-2017	81%
Benchmark 6	2018-2019	85%

**\*The current graduation rate is 73.7% which is a 2.3% increase from the previous cohort. There were approximately 400 more students calculated in the current calculations (higher student enrollment in secondary education). Based on the above calculations, approximately 800 more students received a high school diploma than the previous cohort. The current dropout rate is 16.7%, which is a 0.3% decrease in the state's dropout rate. This is equivalent to 100 students.**

Recommendation: Approval

Back-up material attached



# Mississippi Department of Education

DESCRIPTOR TERM:  <b>Dropout Prevention Plan</b>	CODE:  <b>3105</b>
ADOPTION DATE:  <b>March 16, 2007</b>	REVISION:  November 19, 2012

## STATE BOARD POLICY

§ 37-13-80. Office of Dropout Prevention created; qualifications and responsibilities of director; date for implementation of dropout prevention program; procedures for tracking students who enter and leave detention centers; dropout prevention plan to address student transition to home school districts; legislative intent [Repealed effective June 30, 2009].

(1) There is created the Office of Dropout Prevention within the State Department of Education. The office shall be responsible for the administration of a statewide dropout prevention program.

(2) The State Superintendent of Public Education shall appoint a director for the Office of Dropout Prevention, who shall meet all qualifications established by the State Superintendent of Public Education and the State Personnel Board. The director shall be responsible for the proper administration of the Office of Dropout Prevention and any other regulations or policies that may be adopted by the State Board of Education (37-13-80).

(3) Each school district shall implement a dropout prevention program approved by the Office of Dropout Prevention of the State Department of Education by the 2012-2013, and annually thereafter school year (37-13-80).

(4) Each local school district will be held responsible for reducing and/or eliminating dropouts in the district. The local school district will be responsible for the implementation of dropout plans focusing on issues such as, but not limited to:

- (a) Dropout Prevention initiatives that focus on the needs of individual local education agencies;
- (b) Establishing policies and procedures that meet the needs of the districts;
- (c) Focusing on the student-centered goals and objectives that are measureable;
- (d) Strong emphasis on reducing the retention rates in grades kindergarten, first and second;
- (e) Targeting subgroups that need additional assistance to meet graduation requirements; and
- (f) Dropout recovery initiatives that focus on students age seventeen (17) through twenty-one (21), who dropped out of school (37-13-80).

(5) The Office of Dropout Prevention may provide technical assistance upon written request by the local school district. The Office of Dropout Prevention will collaborate with program offices within the Mississippi Department of Education to develop and implement policies and initiatives to reduce the state's dropout rate (37-13-80).

(6) Each school district's dropout prevention plan shall address how students will transition to the home school district from the juvenile detention centers (37-13-80).

(7) In addition, the Mississippi Department of Education recommends the following:

- (a) expand educational affiliations to include head start, parochial, private and community early childhood programs to develop a systematic approach that will support students in acquiring the child development skills that are essential for success in a K-12 program. These skills will include cognitive, social, language, behavioral, gross and fine motor skills.
- (b) develop criteria to identify students, as early as third grade, that are potentially at risk of dropping out.

(8) The Office of Dropout Prevention shall establish graduation rate benchmarks for each two-year period from the 2008-2009 school year through the 2018-2019 school year, which shall serve as guidelines for increasing the graduation rate for cohort classes on a systematic basis to eighty-five percent (85%) by the 2018-2019 school year.

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(1) There is created the Office of Dropout Prevention within the State Department of Education. The office shall be responsible for the administration of a statewide dropout prevention program. ~~and the Office of Compulsory School Attendance Enforcement.~~

(2) The State Superintendent of Public Education shall appoint a director for the Office of Dropout Prevention, who shall meet all qualifications established by the State Superintendent of Public Education and the State Personnel Board. The director shall be responsible for the proper administration of the Office of Dropout Prevention and any other regulations or policies that may be adopted by the State Board of Education (37-13-80). ~~The director shall report to the Legislature on the activities and programs of the office by January 1 of each year beginning in 2009.~~

(3) Each school district shall implement a dropout prevention program approved by the Office of Dropout Prevention of the State Department of Education by the ~~2008-2009~~ 2012-2013, and annually thereafter school year (37-13-80).

(4) (a) ~~School attendance officers, working with school district officials, shall gather accurate data on youth in juvenile detention centers to properly track students.~~

(b) ~~The Office of Dropout Prevention in the Department of Education shall establish the procedure for the tracking of students who enter and leave detention centers on a statewide basis.~~

Each local school district will be held responsible for reducing and/or eliminating dropouts in the district. The local school district will be responsible for the implementation of dropout plans focusing on issues such as, but not limited to:

(a) Dropout Prevention initiatives that focus on the needs of individual local education agencies;

(b) Establishing policies and procedures that meet the needs of the districts;

(c) Focusing on the student-centered goals and objectives that are measureable;

(d) Strong emphasis on reducing the retention rates in grades kindergarten, first and second;

(e) Targeting subgroups that need additional assistance to meet graduation requirements; and

(f) Dropout recovery initiatives that focus on students age seventeen (17) through twenty-one (21), who dropped out of school (37-13-80).



(5) Each school district's dropout prevention plan shall address how students will transition to the home school district. The Office of Dropout Prevention may provide technical assistance upon written request by the local school district. The Office of Dropout Prevention will collaborate with program offices within the Mississippi Department of Education to develop and implement policies and initiatives to reduce the state's dropout rate (37-13-80).

(6) Each school district's dropout prevention plan shall address how students will transition to the home school district from the juvenile detention centers (37-13-80).

(7) In addition, the Mississippi Department of Education recommends the following:

(a) expand educational affiliations to include head start, parochial, private and community early childhood programs to develop a systematic approach that will support students in acquiring the child development skills that are essential for success in a K-12 program. These skills will include cognitive, social, language, behavioral, gross and fine motor skills.

(b) develop criteria to identify students, as early as third grade, that are potentially at risk of dropping out.

(8) It is the intent of the Legislature that, through the statewide dropout prevention program and the dropout prevention programs implemented by each school district, the graduation rate for cohort classes will be increased to not less than eighty-five percent (85%) by the 2018-2019 school year. The Office of Dropout Prevention shall establish graduation rate benchmarks for each two-year period from the 2008-2009 school year through the 2018-2019 school year, which shall serve as guidelines for increasing the graduation rate for cohort classes on a systematic basis to eighty-five percent (85%) by the 2018-2019 school year.

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# Southern Echo, Inc.

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September 10, 2012



EMPOWERMENT  
ACCOUNTABILITY  
TRUTHTELLING  
FIGHTING RACISM  
TRAINING  
ASSISTANCE

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Re: **COMMENT from Southern Echo, Inc. and the MS Delta Catalyst Roundtable** on  
Policy to remove the duty of school districts to track students referred to the juvenile  
justice system under the **Mississippi Public School Accountability Standards, 2012**

The State Board of Education on Friday, August 17, 2012, in an effort to conform its  
regulations with the specific language of state statutes, voted to send out for **Public  
Comment under the Administrative Procedure Act (APA)** a change **that will remove the  
duty of school districts to develop accurate data that tracks students being sent from the  
public schools into the juvenile justice system.**

This change comes about as the State Board seeks to conform its regulations to the  
language of the 2012 amendments to the state Dropout Prevention law passed by the  
legislature.

In short, this change was **not** required by the law but was codified by the Board. This  
change will most unfortunately **shield from view** what is actually happening along the  
**pipeline from schoolhouses to jailhouses** across the state. The **school to jail pipeline** has  
become a national scandal which disproportionately adversely affects students of color,  
students of low wealth and students with disabilities, and for which the Meridian school  
district, for example, is currently under threat of sanction from the US Dept. of Justice.

Here is what has happened and why I think the State Board does **not** have to, and should  
not, eliminate the duty to track students and youth in the schoolhouse to jailhouse  
pipeline:

Until the change in the state law in 2012 the Mississippi Dropout Prevention law, **37-13-80  
Section 4** provided as follows:

**37-13-80 Sec. 4** as it formerly appeared in the law:

(4)(a) School attendance officers, working with school district officials, shall gather  
accurate data on youth in juvenile detention centers to properly track students.

(b) The Office of Dropout Prevention in the Department of Education shall establish  
the procedure for the tracking of students who enter and leave detention centers on  
a statewide basis.



In 2012 the Legislature adopted and the Governor signed **SB 2454**, which amended **Section 4 of 37-13-80**, the MS Dropout Prevention law, and which appears to eliminate the requirement of tracking the data on youth and students who are jailed in the state's detention centers, as follows:

**SB 2454 Amendment to 37-13-80 Section 4 as signed by the Governor in 2012:**

[i.e. now the current law]

**(4) \* \* \* Each local school district will be held responsible for reducing and/or eliminating dropouts in the district. The local school district will be responsible for the implementation of dropout plans focusing on issues such as, but not limited to:**

- (a) Dropout Prevention initiatives that focus on the needs of individual local education agencies;**
- (b) Establishing policies and procedures that meet the needs of the districts;**
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- (f) Dropout recovery initiatives that focus on students age seventeen (17) through twenty-one (21), who dropped out of school.**

In its effort to conform administrative regulations to the state statute it is most unfortunate that the State Board of Education has chosen to remove the data tracking regulations in 4a and 4b. It did not need to do so. It has the *discretion* to retain the tracking requirements given the manner in which the Amendment is written:

**The local school district will be responsible for the implementation of dropout plans focusing on issues such as, but not limited to ...**

When a statute states "... such as, but not limited to ..." that means that the agency (in this case the State Board of Education) has *the discretion ... the latitude ... the authority ... to add additional provisions* which in the agency's best judgment the agency deems necessary and appropriate to carry out its charge ... its duties and responsibilities ... under the statute. Nowhere in the statute is there language that precludes or prevents the State Board from continuing to require the tracking of this data!

It would be very logical ... and legal ... for the State Board to say that it considers tracking of the data to be an important analytical tool and that in conforming its regulations to the statute it is retaining these requirements as an *added "issue" and "strategy"* to supplement the issues itemized in the Amendment.

Tracking student and youth data on the volume and pace of students moving to and fro in the juvenile justice system by school district and schools, and the state as a whole, is a critical information resource in designing dropout prevention strategies. No good can come from sticking our collective heads in the sand to avoid this data.

The data in extensive recent national studies demonstrate that incarceration of students correlates significantly with greater student under-achievement, higher student dropout rates, lower graduation rates and student recidivism in the juvenile justice system and later the adult criminal justice system. The data in these studies also show that students of color, students of low wealth and students with disabilities are *disproportionately* impacted by suspensions, expulsions and school-referred arrests and incarceration. We need the data to assess whether and ensure that the rights of students are protected and that the education policies and supports are being implemented to keep students in school where they can learn.

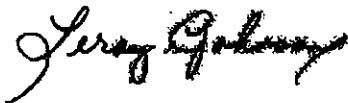
The tracking data will help to identify "hot spots" where more students than the norm and fewer students than the norm are moved from schools into the juvenile justice system. This greatly assists in the analysis of what works and what does not and ought to be an integral part of the strategic planning expressly required in 37-13-80.

There may be political pressure from some quarters to eliminate data tracking because it is administratively inconvenient, or expensive, or provides data to identify schools and districts with ineffective policies that could lead to litigation.

But if we are serious ... *if we are serious* ... about effectively addressing dropout prevention, student retention and systemic improvement in student achievement, then we should not shoot ourselves in the foot by eliminating the need to develop data critical to the strategic analysis of the existing problems and the potential remedies.

Therefore, we urge the State Board of Education to retain the data tracking requirements set forth in MS Code 37-13-80 Sec. 4 as it existed prior to the change in language in 2012.

If there is any additional information that we can provide, please let us know.



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Leroy Johnson, Executive Director, Southern Echo, Inc.  
on behalf of Southern Echo and the MS Delta Catalyst Roundtable  
**Additional MS Delta Catalyst Roundtable organizational signatories on this COMMENT:**

*Nollie Jenkins Family Center, Lexington, MS (Holmes County)*

*Concerned Citizens for a Better Tunica County, Tunica, MS*

*Sunflower County Parents & Students Organization, Indianola, MS*

*Concerned Citizens for a Better Greenville, Greenville, MS (Washington County)*

*Activists With A Purpose, Grenada, MS (Grenada County)*

*Action Communication & Education Reform, Duck Hill, MS (Montgomery County)*

*Citizens for Educational Awareness, Kilmichael, MS (Montgomery County)*

*Fannie Lou Hamer Institute for Change, Eupora, MS (Webster County)*