

OFFICE OF EDUCATIONAL ACCOUNTABILITY
Summary of State Board of Education Agenda Items
February 20-21, 2014

OFFICE OF ACCREDITATION

24. Approval for a temporary rule and to begin the Administrative Procedures Act process: To revise Accreditation Policy 2.0-District Accreditation Policy of the *Mississippi Public School Accountability Standards, 2012*

Accreditation Policy 2.3, Annual Accreditation Statuses, is being revised to allow the Commission on School Accreditation and State Board of Education greater flexibility regarding the Withdrawal of Accreditation in a district that is placed in Conservatorship.

Accreditation Policy 2.9.2, Penalty for Withdrawal of Accreditation, is being revised to hold in abeyance the implementation of the penalty of the district's ability to participate in interscholastic activities for the remainder of the academic school year and the full academic school year following the date of the withdrawal of accreditation. This amendment will allow school districts sufficient time to remove deficiencies prior to impact on interscholastic activities.

The temporary and final action is necessary to implement the policy revisions for the 2013-2014 school year immediately upon its filing with the Secretary of State in accordance with Section 25-43-3.113(2)(b)(ii) of the *Mississippi Code of 1972*, as amended. For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

Recommendation: Approval

Back-up material attached

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2.0 DISTRICT ACCREDITATION POLICY

The State Board of Education, acting through the Commission on School Accreditation, is required to establish and implement a process for accountability at the public school district level. School districts are held accountable for Accreditation Policies and Process Standards and receive an annual accreditation status. Standards of the performance-based accreditation system recommended by the Commission and adopted by the State Board of Education are contained in the current edition of *Mississippi Public School Accountability Standards*.

2.1 ASSIGNMENT OF DISTRICT ACCREDITATION STATUSES

The Commission on School Accreditation determines the annual accreditation status of all public school districts in the fall of each school year based on verified accreditation data from the previous school year. An annual district accreditation status is assigned based on compliance with Process Standards. Information concerning district compliance with Process Standards is reported to the Commission on an annual basis. See Policy 2.2 below.

The district superintendent and school principals are responsible for ensuring that all data reported to the Mississippi Department of Education are true and accurate as verified by supporting documentation on file in the school district. Reporting false information is a violation of the accreditation requirements set forth by the State Board of Education and may result in the downgrading of the district's accreditation status.

After the Commission takes action on accreditation records presented, the district superintendent and the chairperson of the local school board are notified of the status assigned. The decision of the Commission is final unless appealed by the school board of the school district to the State Board of Education in accordance with the appeal procedures in Policy 6.4 of this document.

2.2 PROCESS STANDARDS

Process (input) Standards address accepted educational principles and practices that are believed to promote educational quality. Any verified violation of a Process Standard is noted on the record of a school district at the time of discovery within any school year, but does not affect the current accreditation status of the district. (See Policy 2.5 for the exceptions.) If a noted violation of a Process Standard has not been corrected by the following school year when accreditation statuses are assigned, the violation is reported to the Commission for appropriate action.

The State Board of Education, acting through the Commission on School Accreditation, reserves the right to suspend school district compliance of any accreditation Process Standard that is not directly mandated by state or federal law. See Policy 4.2 for Rewards.

2.3 ANNUAL ACCREDITATION STATUSES

In the fall of each year, every public school district will be assigned an annual accreditation status based on compliance with Process Standards and Accreditation Policies.

ACCREDITED is assigned to a district that complies with Accreditation Policies and 100% of the Process Standards (See exceptions in Appendices F and H).

PROBATION is assigned to a district that complies with fewer than 100% of the Accreditation Policies and Process Standards. The district will be required to develop and implement a Corrective Action Plan (CAP) with defined timelines to address the deficiencies. (See Policy 2.8)

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WITHDRAWN is assigned to a district that has previously been assigned a **PROBATION** status and still does not comply with its Corrective Action Plan (CAP). Any school district placed in conservatorship ~~will~~ may have its accreditation withdrawn. The district will be required to develop and implement a Corrective Action Plan (CAP) with defined timelines to address the deficiencies. (See Policy 2.8).

The temporary rule for Accreditation Policy 2.3 will allow the Commission on School Accreditation and the State Board of Education greater flexibility regarding the withdrawal of Accreditation in a district that is placed in conservatorship.

This temporary rule will only confer a benefit or remove a restriction on a segment of the public, specifically, the students residing in a school district that may be placed in conservatorship and, therefore, may become effective immediately upon filing in accordance with Section 25-43-3.113(2)(b)(ii) of Mississippi Code of 1972.

2.4 NOTIFICATION OF DEFICIENCIES AFTER ASSIGNMENT OF STATUS

After the annual assignment of a district's accreditation status, the process of determining statuses for the following school year begins. When information on file in the Mississippi Department of Education indicates that a school district may be in violation of a standard, the superintendent and the school board of the district are informed in writing by appropriate staff in the Department responsible for monitoring compliance with the standard. School district officials are given thirty (30) days from the date of receipt of notification to provide a written response verifying accuracy or inaccuracy of the notice of possible noncompliance with the standard.

If the written response includes appropriate evidence to correct or refute the alleged violation, the superintendent of the district is notified by appropriate staff in the Department responsible for monitoring compliance with the standard. Any verified violation of a standard is reported in writing to the Office of Accreditation, where it is noted on the current Accreditation Record Summary of the district. (See Glossary for definition of Accreditation Record Summary.) The appropriate staff member in the Office of Accreditation notifies the superintendent of the district in writing of the verified violation.

2.5 FACTORS THAT MAY AFFECT AN IMMEDIATE CHANGE IN ACCREDITATION STATUS

An assigned accreditation status may remain unchanged during that school year except in those cases where verified noncompliance of accreditation standards may downgrade an accreditation status immediately, in accordance with Sections 2.5.1 or 2.5.2.

2.5.1 Recommended Accreditation Status – PROBATION

Districts in violation of any of the following standards will be presented to the Commission on School Accreditation for action. That action may include downgrading the district's accreditation status to Probation.

- Accreditation Policy 2.1, reporting false information,
- Standards 1 and 3, failure to implement appropriate standards of governance,
- Standard 2, failure to comply with school board policies that meet state and federal statutes, rules and regulations,
- Standards 10 and 11, failure to comply with financial accountability requirements,
- Standard 20, failure to comply with graduation requirements,

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- Standard 22, failure to comply with test security procedures required by the Mississippi Statewide Assessment System,
- Standards 23.1-23.9, failure to comply with state/federal regulations, or
- Standards 35, 36, and 37.1, failure to comply with standards that sustain a safe school climate.

2.5.2 Recommended Accreditation Status – WITHDRAWN

Districts in violation of any of the following standards will be presented to the Commission on School Accreditation for action. That action may include withdrawal of the district's accreditation.

- Standards 1 and 3, failure to implement appropriate standards of governance,
- Standard 2, failure to comply with school board policies that meet state and federal statutes, rules and regulations,
- Standards 10 and 11, failure to comply with financial accountability requirements of a serious nature,
- Standard 20, failure to comply with graduation requirements specified in Standards 20.1, 20.2, and 20.4,
- Standard 22, failure to comply with test security procedures required by the Mississippi Statewide Assessment System in Appendix F, numbers 8 and 9,
- Standards 23.3-23.5, federal programs whose regulations call for strong sanctions for continued patterns of noncompliance, or
- Standards 35, 36, and 37.1, failure to comply with standards that pose life-threatening conditions for students and staff.

2.6 RESOLVING ACCREDITATION CONTROVERSIES

All controversies involving the accreditation statuses of school districts are initially heard by a duly authorized representative of the Commission in accordance with Section 37-17-5, *Mississippi Code of 1972*, as amended, and Policy 6.0.

2.7 CONSOLIDATION OF SCHOOL DISTRICTS OR TRANSFER OF GRADES

When two or more school districts consolidate or when two or more school boards approve the transfer of a grade or grades, the affected school district(s) may be allowed to maintain its accreditation status for a period of time to be determined upon application to the Commission on School Accreditation. The Commission on School Accreditation shall review the application of any such affected school district(s) and submit a recommendation to the State Board of Education for approval.

2.8 CORRECTIVE ACTION PLAN (CAP) AND WITHDRAWAL OF ACCREDITATION

2.8.1 Corrective Action Plan (CAP) with Definitive Timelines

When a school district has been assigned a PROBATION or WITHDRAWN accreditation status, the Mississippi Department of Education, in conjunction with the school district, shall develop a Corrective Action Plan (CAP) with defined timelines in which to correct the district's deficiencies. The State Board of Education implements the program of development in each

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district assigned a PROBATION or WITHDRAWN status in accordance with Section 37-17-6(10), *Mississippi Code of 1972*, as amended.

The school district is required to submit a Corrective Action Plan (CAP) within sixty (60) days of notification. The plan must stipulate what will be done to remove the deficiencies and the time line required. The plan must be approved by the local school board as documented by official minutes and bear the signatures of the school board chairperson and district superintendent. When corrective action has been implemented to remove a citation, the school district must submit documentary evidence confirming such to the Office of Accreditation.

Assigned MDE staff may conduct follow-up visits as necessary to verify corrective action and compliance.

2.8.2 Withdrawal of Accreditation

If the district's deficiencies are not removed during the time specified in the Corrective Action Plan (CAP), the school district is subject to having its accreditation withdrawn by the Commission on School Accreditation in accordance with Section 37-17-6, *Mississippi Code of 1972*, as amended. The status of the district will be listed as WITHDRAWN NOT ACCREDITED, and the record of that district will continue to be maintained.

2.8.2.1 Hearings

Before requesting approval from the State Board of Education to withdraw the accredited status of a district, the Commission on School Accreditation conducts a hearing (See Policy 2.9 for exception) to allow the officials of the affected district to present evidence or other reasons as to why its accreditation should not be withdrawn. {MS Code 37-17-6(12)(a)}

2.8.2.2 Results of Hearings

Within forty-five (45) calendar days of the conclusion of the hearing and after consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of the district and may issue a request to the Governor that a state of emergency be declared in that district in accordance with Section 37-17-6(12)(a), *Mississippi Code of 1972*, as amended. If the decision is made not to withdraw the accredited status of the district, a new timeline is established in the district's Corrective Action Plan (CAP).

2.8.2.3 Public Notice

After a state of emergency has been declared, the Commission files a public notice at least once a week for at least three consecutive weeks in a newspaper published within the immediate or general vicinity of the affected school district in accordance with Section 37-17-6(13), *Mississippi Code of 1972*, as amended.

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2.8.2.4 Access to School District Records

School districts are required to produce necessary reports, correspondence, financial statements, and any other documents necessary for the Commission to implement this section on withdrawal of accreditation and conservatorship.

2.8.2.5 Reinstatement of an Accredited Status

Based on the recommendation from the Office of Accreditation or the State Superintendent of Education, the superintendent and school board president of a school district whose accreditation has been withdrawn may file a petition with the Commission on School Accreditation for reinstatement of accreditation to be effective on January 1 or July 1. The Commission on School Accreditation shall require all school districts that petition for reinstatement of accreditation to appear before the Commission on School Accreditation to furnish evidence satisfactory to the Commission that the school district is in compliance with all accreditation standards prior to the reinstatement of accreditation.

2.9 CONDITIONS OF EMERGENCY STATUS AND WITHDRAWAL OF ACCREDITATION

2.9.1 Declaration of State of Emergency

The State Board of Education may request the Governor to declare a state of emergency in any school district when any of the following emergency situations occur. Upon the declaration of the state of emergency by the Governor, the State Board of Education may take all such action for dealing with the school districts as authorized under subsection (12) or (15) of Section 37-17-6, *Mississippi Code of 1972*, as amended, including the withdrawal of the district's accreditation.

2.9.1.1 Emergency Situation

The State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district which jeopardizes the safety, security, or educational interests of the children enrolled in the schools in that district, and such emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law. For purposes of this paragraph, the declarations of a state of emergency shall not be limited to those instances when a school district's impairments are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor student performance. (Section 37-17-6(12)(b), *Mississippi Code of 1972*, as amended).

2.9.1.2 Failing School District

A school district meets the State Board of Education's definition of a failing school district for two (2) consecutive full school years. (Section 37-17-6(12)(b), *Mississippi Code of 1972*, as amended).

2.9.1.3 Schools At-Risk

A school continues to be designated a School At-Risk after three (3) years of implementing a school improvement plan, or in the event that more than fifty percent (50%) of the schools within the school district are designated as Schools At-Risk in any one (1) year. (Section 37-

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18-7(2), *Mississippi Code of 1972*, as amended) (See Policy 3.4.1 for Schools At-Risk designation).

2.9.2 Penalty for the Withdrawal of Accreditation

The withdrawal of a school district's accreditation by the Commission on School Accreditation will result in the following:

- A school or schools within a district shall be limited to participation in no more than fifty percent (50%) of the regular season of any interscholastic activity, which shall include division/district/regional games,
- The interscholastic season schedule for a school or schools within a district shall not include the opening day of season or any type of post season participation, as determined by the Office of Accreditation, and
- Cheerleading, drill, and dance squads, speech and debate, choral music and band may participate in district or state contest, but shall not be eligible to receive ratings.

All schedule requests must be submitted in writing to the Mississippi Department of Education, Office of Accreditation, at least thirty (30) days prior to the beginning of the season. **The Office of Accreditation shall pre-approve all schedules and participation in interscholastic activities.** In addition to the suspension of all post season activities, the school district shall not be allowed to participate in jamborees, special games, parades, tournaments, holiday tournaments, or competitions of any nature.

Failure to comply with section 2.9.2 will result in the suspension of ALL interscholastic activities.

Failure of a district to have its accreditation reinstated by the Commission on School Accreditation after a period of ~~two calendar~~ one (21) FULL academic school year from the date of the withdrawal of accreditation shall result in the immediate suspension of **ALL fifty percent (50%) of the regular season of any interscholastic activity, which shall include division/district/regional games.** ~~interscholastic activities until the district's accreditation status is reinstated.~~

Note: Interscholastic activities include, but are not limited to, football, basketball, baseball, track and field, cross country, tennis, golf, volleyball, softball (fast pitch and slow pitch), soccer, wrestling, swimming, power lifting, bowling, archery, cheerleading, drill, and dance squads, speech and debate, choral music, and band.

The temporary rule for Accreditation Policy 2.9.2 will hold in abeyance the implementation of the penalty of the district's ability to participate in interscholastic activities for the remainder of the academic school year and the full academic school year following the date of the withdrawal of accreditation.

This temporary rule will only confer a benefit or remove a restriction on a segment of the public, specifically, the students residing in a school district that may be placed in conservatorship and, therefore, may become effective immediately upon filing in accordance with Section 25-43-3.113(2)(b)(ii) of Mississippi Code of 1972.

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2.9.3 Public Notice

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