

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of the State Board of Education Agenda Item
Consent Agenda
July 18, 2019

OFFICE OF SECONDARY EDUCATION

- G. Approval to establish State Board Policy Part 3, Chapter 28, Rule 28.7 – Districts of Innovation and Schools of Innovation
(Has cleared the Administrative Procedures Act process with public comments)

Background Information: On Thursday, February 7, 2019, The Commission on School Accreditation (CSA) met and approved the establishment of Rule 28.7 – Districts of Innovation and Schools of Innovation, for inclusion in the *Mississippi State Board of Education Policy Manual*. The Administrative Procedures Act (APA) process was open through April 19, 2019.

Based on the substantive revisions received during APA, the MDE recommended that the State Board of Education begin APA for the newly revised policy in June.

The policy will outline requirements for Districts of Innovation and Schools of Innovation in accordance with Miss. Code Ann. §§ 37-179-1, et seq.

Recommendation: Approval

Back-up material attached

Part 3 Chapter 28: Curriculum

Rule 28.7: Districts of Innovation and Schools of Innovation

Adoption Date: TBD

In order to participate in the District of Innovation and School of Innovation program established by Miss. Code Ann. § 37-179-1, et seq., local education agencies shall apply through the procedures established by the Mississippi Department of Education. Districts and schools selected through that process and approved by the State Board of Education shall be designated District of Innovation or School of Innovation status for five (5) years, which will be available for renewal according to the rules and guidelines. Each renewal shall not exceed five (5) years. Because there are no funds associated or granted with District of Innovation or School of Innovation designation, local education agencies must plan carefully for inclusion of at-risk students and may use their local and Federal funding to support programs.

1. Purpose of a District of Innovation or School of Innovation

Innovative programs are intended to better prepare students for success in life and work. Innovative programs shall focus on reducing achievement gaps by expanding learning experiences for students; increasing participation of subgroups of students in innovative instructional components to enhance student achievement; increasing the number of students who are college- and career-ready; reducing the number of students that exit high school in need of remediation; and motivating students by expanding curriculum choices and learning opportunities for students.

2. Definitions

a. District of Innovation: A District of Innovation is a district that has developed a plan of innovation in compliance with this policy 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. School of Innovation:

1. A School of Innovation is 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 Miss. Code Ann. §§ 37-179-1 and 37-179-3.

2. A School of Innovation, independent of a designated District of Innovation, is also defined as a school that voluntarily participates in a School 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 Miss. Code Ann. §§ 37-179-1

and 37-179-3 for only one school in the district. Current models are high schools participating in an Early College High School program (ECHSP) or high schools with a Middle College Program (MCP) approved by the district superintendent and the State Board of Education. Both models are designed to target underserved public-school student populations that are at-risk of dropping out of high school or of not continuing in postsecondary school. Underserved students are students that come from households in poverty, students that are first-generation college-goers, or students of color.

c. An ECHSP is a small high school program located on a partnering college campus or a location other than a traditional high school campus with a dedicated principal, counselor, and four (4) to six (6) certified teaching staff in core subjects only. The students must complete an application process to enter as freshmen and continue through the ECHSP as a cohort. All eligible students are selected by random lottery if the application pool is larger than the defined cohort. The goal of an ECHSP is for students to graduate with both a high school diploma and an associate degree from a partnering postsecondary institution. At a minimum, all members of the cohort should graduate from high school meeting the ACT or SAT Mississippi benchmarks for admission to college without remediation and earn college credits while in high school.

Beginning in July 2019, new students participating in an ECHS program will not be considered transfer students and are not prohibited by the MDE from participating in after-school activities at their high school of residence. Students must meet full academic day requirements at the ECHS program to be eligible to participate in activities.

For accountability purposes, student academic performance results shall be included in the students' high school of residence beginning in academic year 2018-2019 (results reported in the fall of 2019). Additionally, unofficial accountability results for the ECHSPs shall be reported on the MDE District and School Report Card webpage, and other annual performance measures shall be publicly reported each year in the Superintendent's report. ECHSPs must adhere to all applicable *Mississippi Public School Accountability Standards*.

1. For regional, multi-district ECHS models, one district or the partnering postsecondary institution shall serve as the **lead** fiscal agent and other districts shall participate through a Memorandum of Understanding. The lead district shall represent the secondary agency considerations to the partnering postsecondary institution. All MOUs must include the lead secondary, the postsecondary, and the participating secondary agencies. The MOU shall include financial considerations such as transportation, child nutrition, and the mutually agreed upon cost for students enrolling from another district to attend the program. The MOU shall also include a data sharing agreement, fixed asset management, and revocation procedures.

d. An MCP is a dual credit/dual enrollment (DCDE) program run by a school district (or an individual high school) and a partnering postsecondary institution that offers high school students a wide range of dual credit and dual enrollment classes. The 11th and 12th grade students in the cohort spend a portion of the academic day at the high school and a portion at the partnering postsecondary institution where the classes are taught. Participating students are encouraged to take as many DCDE classes at the postsecondary partner institution as possible, specifically in courses articulated in the Mississippi Articulation Transfer Tool (MATT) or a career-oriented program of study. These students should be supported by a high school/transitional counselor and are monitored closely to ensure that they are meeting college academic expectations. The goal of an MCP is for students to earn an associate degree or advanced national certification, as well as a diploma from their traditional high school. These programs are set up in a cohort model with student entry at the end of the 10th grade year. No waivers are granted for MCPs; however, high schools with MCPs must apply through the School of Innovation application to ensure they meet the approved definition.

3. Waivers and Exemptions

Miss. Code Ann. § 37-179-1 provides for exemptions from certain administrative regulations and statutory provisions as approved by the MDE to allow flexibility for Districts of Innovation and Schools of Innovation. Miss. Code Ann. § 37-179-3(4) includes areas of innovation which the State Board of Education may consider for exemptions. Districts or schools may request additional waivers if the waiver is needed to support innovative practices and does not violate state or federal regulations. Districts or schools are not allowed to request a waiver from state assessment requirements required by state or federal regulation. Absent any waivers, districts shall meet the requirements of the current *Mississippi Public School Accountability Standards*.

4. Application Plan – Approval, Amendment, and Revocation Process

An Innovation Committee (hereafter referred to as the Committee) shall review all approval, amendment, and revocation processes involving Districts of Innovation and Schools of Innovation. The Committee shall be comprised of four (4) MDE employees across offices within the MDE and one (1) postsecondary representative.

The application plan is a collaborative process between the district, school, and/or partners, and the MDE prior to approval. If waivers from *Mississippi Public School Accountability Standards*, State Board policies, or state regulations are needed to implement innovative programs, districts or schools may seek innovative status under Miss. Code Ann. §§ 37-179-1 and 37-179-3. Through collaboration with the MDE, a determination may be made as to whether application for District of Innovation or School of Innovation under Miss. Code Ann. §§ 37-179-1 and 37-179-3 is required. Innovative schools, such as ECHS and MCP models, shall apply through the School of Innovation application process and timeline.

a. Plan Details

1. The MDE may approve innovative status for up to five (5) new District of Innovation applications and ten (10) new School of Innovation Applications each year. An application may be from a single district or a consortium of districts collaborating on an innovative school and/or program. In the case of a consortium, one of the districts shall be the lead agency and act as the “district” responsible for meeting all the guidelines outlined in this policy.
2. The MDE shall collaborate with districts and schools to review plans to approve innovative status to eligible districts.
3. Plans are approved for five (5) years. All districts and schools approved shall be monitored by MDE for progress and continued support during the five-year term.

b. Amendments to the Plan

A District of Innovation or School of Innovation seeking an amendment to an approved five-year plan shall submit written justification for the amendment to the designated MDE office. Requests may be submitted as needed. Requests shall be reviewed and approved by the MDE and a recommendation shall be submitted to the State Board of Education for approval. If the amendment is approved, the innovative district may implement the changes to their current five-year plan. No amendments shall be considered that increase the number of years the district is considered a District of Innovation.

c. Renewals

1. Requests for renewals shall be submitted no later than November 1 in the fifth year of the initial term. Any renewal shall be for no more than an additional five (5) years.
2. Renewals shall be based on the ability of the District of Innovation or School of Innovation to meet the goals and objectives of Miss. Code Ann. §§ 37-179-1 and 37-179-3 and the performance measures set forth by the MDE.

d. Reporting Requirements

1. For Districts of Innovation and Schools of Innovation, an end-of-year report shall be submitted to the MDE that includes, at a minimum, proficiency on 3-8 and high school Statewide Accountability assessments, ACT/SAT scores for seniors, graduation rate, and growth in the lowest 25%, student dropout rate, chronic absenteeism, and discipline referrals.

The committee shall review the data for sustained increase in performance and decrease in dropout, chronic absenteeism, and discipline referrals and shall

consider the data of the district or school prior to the District of Innovation plan implementation for comparison.

2. Additionally, an end-of-year report for ECHSPs and MCPs shall be submitted to the MDE that includes, at a minimum, the percentage of senior cohort earning academic, distinguished academic, or CTE endorsement; the percentage of senior cohort meeting ACT/SAT benchmarks for college and career-readiness; the graduation rate; retention of cohort; the number of college credits earned per cohort; and percentage of cohort earning an Associate Degree.

The committee shall review the data for sustained increase in performance and shall consider the data of the school of residence for comparison. Because of the model of the ECHSP, it is recommended that all students meet the College and Career Readiness benchmarks for entering Mississippi IHLs by graduation.

e. Revocation of Plan

When an innovative model is not meeting the required performance measurements listed in section d. reporting requirements; contrary to changes in state or federal laws; or not meeting the purpose of Miss. Code Ann. §§ 37-179-1 and 37-179-3, the MDE's Office of Secondary Education shall notify the school and/or district of deficiencies and concerns related to the success and sustainability of the model and its intent to recommend to the State Board of Education that the plan be revoked.

1. The district or school shall have 30 calendar days to provide a written response to support its position.
2. Following review of the written response from the district or school and the Office of Secondary Education's recommendation for revocation of the plan, the Committee shall, if requested, schedule a date and time for oral presentation by the district or school, and the Office of Secondary Education. Oral presentations shall be limited to 15 minutes per side.
3. Following oral presentations, the Committee shall issue a written decision either affirming the Office of Secondary Education's recommendation to revoke the innovative status, or permitting the innovative status to remain, or ordering the district or school to modify their program to comply with specified corrective actions and timelines for compliance.
4. If the district or school disagrees with the Committee's decision, the district and/or school may appeal in writing to the State Board of Education within five (5) calendar days of receipt of the Committee's written decision, otherwise the Committee's decision is final.

5. If the district or school appeals the Committee's decision, the appeal shall be considered for action by the State Board of Education at a regularly scheduled board meeting. The appeal shall be on the record before the Committee.
6. The district or school shall be entitled to appear in person at the board meeting for oral presentation. The Office of Secondary Education shall also appear at the board meeting. Oral presentation shall be limited to ten (10) minutes per side.
7. Following presentation, the State Board of Education may ask questions to either the district or school or the Office of Secondary Education. The State Board of Education shall not consider any new factual evidence. The State Board of Education makes the final determination of the appeal's disposition.
8. If a district or school is provided the opportunity to comply with specified corrective actions, and fails to comply with the corrective actions within the timelines specified, the district or school's innovative status shall be automatically revoked and the school or district shall transition to "regular" status for implementation in the following school year to minimize academic disruptions.
9. Should a district or school that has been awarded innovative status decide to voluntarily terminate their approved innovations, they shall submit a plan to the MDE outlining the reasons for the decision and actions necessary to return to "regular" status. Districts or schools may submit termination plans at any time during the school year, but changes shall go into effect the following school year and shall be designed to minimize all academic disruptions.

5. District of Innovation or School of Innovation Plan Components

By July 1 of each year, the MDE shall release guidance on the application process, the application requirements, selection procedures, and criteria. At a minimum, the plan application shall be organized with the following sections:

- a. Innovative Program Design
- b. Annual Reporting of Performance Measures
- c. Students
- d. Funding
- e. Staffing
- f. Stakeholder Collaboration
- g. Governance
- h. Waivers and Exemptions
- i. Timeline of Activities
- j. Data Sharing agreement
- k. Assurances

An up-to-date copy of the rules, procedures, guidelines, and current application shall be kept on file at the Mississippi Department of Education.

Source: *Miss. Code Ann. §§ 37-179-1 and 37-179-3* (Adopted TBD)

APA Comments on State Board Policy Part 3, Chapter 28, Rule 28.7 – Districts of Innovation and Schools of Innovation

The Office of Secondary Education received the following APA comments about State Board Policy Part 3, Chapter 28, Rule 28.7 – Districts of Innovation and Schools of Innovation.

Comment	MDE Response
<p>Concern about the policy allowing ECHS students to play sports at their home school and the distance between home school and ECHS. Students may not have time to return to the home school in time to participate in sports.</p>	<p>The policy simply allows the students participating in the ECHS programs to participate in sports, but does not require participation.</p>
<p>Request that the language for the rule ONLY include the local community college (EMCC) as the managing fiscal agent along with the governing body. It is requested the language to allow another local school district (k12) entity to serve in these capacities, to be removed completely from this rule.</p>	<p>The policy has been edited to allow for a post-secondary institution to serve as the fiscal agent in a regional model.</p>

From: Susan Lingle-McClelland <Susan.McClelland@lowndes.k12.ms.us>
Sent: Tuesday, June 25, 2019 10:18 AM
To: Tina Sellers <TSellers@mdek12.org>
Subject: ECHS sports

Good morning, we are concerned about the policy allowing ECHS students to play sports at their home school. We have 3 rural campuses in our district that require those students to travel for 30-40 miles to the Golden Triangle Early High School College. Our high schools function on a 100 minute block, with some athletics beginning during 4th block. I don't know how we could manage to get those students back to their home schools in time for them to participate.

Susan Lingle-McClelland, Ed.S.
Curriculum Coordinator



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Challenging All Students To Attain Their Greatest Potential

From: Spears, Jason <SpearsJ@columbuscityschools.org>
Sent: Monday, July 8, 2019 4:10 PM
To: Tina Sellers <TSellers@mdek12.org>
Subject: APA Comment for Rule Change Rule 28.7

State Board of Education President and Board members,

Good afternoon. My name is Jason Spears and I serve as board president for the Columbus Municipal School District located in Columbus, Mississippi. Thank you for your consideration of this rule change. We ask in addition to the changes made to this point, the language for the rule ONLY include the local community college (EMCC) as the managing fiscal agent along with the governing body. It is requested the language to allow another local school district (k12) entity to serve in these capacities, to be removed completely from this rule. Programs exist, here locally, between Mississippi University for Women and Mississippi School for Math and Science, which serve as a blueprint for this similar operation at Golden Triangle Early College High School (GTECHS). The question/concern has been raised about how to get MAEP funds to a community college. However, the students attending GTECHS will remain students of their home districts, therefore, the MAEP funds will be processed to the home district. The local community college will invoice the cost of attendance and the local school district will pay the community college the same as any other vendor. At the CMSD, we have an MOU with EMCC (and the MUW) to pay all costs for our students attending dual enrollment courses at their institution. Thank you for your time and attention to this matter.

Forward to prosperity,

Jason D. Spears
President
Columbus Municipal School District
Board of Trustees