

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
August 27, 2020

OFFICE OF ACCOUNTABILITY

02. Action: Approval by the SBE to suspend strict compliance with specific state statutes and State Board of Education Policy for the 2020 – 2021 school year following Governor Tate Reeves’ Proclamation of a State of Emergency as a result of the impact of COVID-19 (coronavirus) on school districts in accordance with Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9) and 33-15-11(c)(1) [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]

Background Information: Mississippi Code Ann. § 37-7-321(2) and Process Standard 31 of the current edition of the *Mississippi Public School Accountability Standards*, requires that any person employed by a school board as a security guard or school resource officer or in any other position that has the power of a peace officer must receive a minimum level of basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Office Standards and Training and the State Board of Education, within two (2) years of the person’s initial employment in such a position.

On March 13, 2020, in response to the COVID-19 (coronavirus) outbreak, President Donald Trump declared a national emergency. On March 14, 2020, Governor Tate Reeves issued a Declaration of a State of Emergency for the state of Mississippi. Included in his Proclamation, Governor Reeves directed that pursuant to Miss. Code Ann. § 33-15-11(c), the provisions of state statutes, rules, regulations or orders may be temporarily suspended or modified if compliance with such provisions would prevent, hinder, or delay action to cope with the outbreak. Furthermore, on March 19, 2020, Governor Reeves issued Executive Order 1460, and on April 22, 2020, Governor Reeves issued Executive Order 1476, which in accordance with Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9) and 33-15-11(c)(1), authorizes and empowers the State Board of Education to suspend the provisions of any regulatory statutes, and to make, amend, rescind such orders, rules and regulations that it deems necessary to assist Mississippi public schools to cope with the COVID-19 emergency.

Due to the unprecedented and unique circumstances arising as a result of COVID-19, such as statewide school closures that occurred during the latter portion of the 2019 – 2020 school year, it was not economically feasible or practical to expect districts and schools to meet specific policies and process standard(s) outlined in the current edition of the *Mississippi Public School Accountability Standards*.

On March of 2020, the SBE has granted waivers and/or suspensions of state statutes, SBE policies, and process standards for the 2019 – 2020 school year as

a result of the impact of COVID-19. On June 11, 2020, the SBE granted additional waivers, extensions, and/or suspensions of state statutes, SBE policies, and process standards for the 2020 – 2021 school year as a result of the ongoing impact of COVID-19.

As a result of the continued impact of COVID-19, it is the recommendation of the MDE that the SBE suspend strict compliance with specific state statute, and Process Standard 31 of the current edition of the *Mississippi Public School Accountability Standards*, for the 2019 – 2020 and 2020 – 2021 school years related to the required training of any person employed by a school board as a security guard or school resource officer or in any other position that has the power of a peace officer. Specifically,

- Miss. Code Ann. § 37-7-321(2), and
- Process Standard 31 of the current edition of the *Mississippi Public School Accountability Standards*.

The proposed extension will apply to the state statute and Process Standard 31 that outlines the requirements related to School Safety. The proposed extension of training as outlined above is necessary at this time is to allow persons initially employed by the local school board in the 2019 – 2020 or the 2020 – 2021 school years additional time to receive training as required by law due to the lack of training opportunities based on the going impact of COVID-19. Additionally, this extension will remove sanctions for districts and individuals failing to adhere to the training timelines as required by state law.

To ensure districts are aware of their continued responsibility, the MDE will provide additional guidance to districts regarding the approval and parameters of any waivers, extensions, and/or suspensions approved by the SBE for the 2019 – 2020 and/or the 2020 – 2021 school years.

This item references Goals 1, 2, 3, 4, 5, and 6 of the *Mississippi Board of Education 2018 – 2022 Strategic Plan*.

Recommendation: Approval

Back-up material attached

**Rule Suspensions Pursuant to Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9) and 33-15-11(c)(1)
Executive Order 1460
School Years 2019 – 2020 and 2020 – 2021 Related to COVID-19 (Coronavirus)**

Statutes and/or Regulation(s)	Rule	Proposed Suspension and/or Revisions of Rules
<p>School Safety</p> <p>Miss. Code Ann. §§ 37-3-81, 37-3-82, 37-3-83, 37-7-321, and 37-11-5</p> <p>Process Standard 31</p> <p>Mississippi School Safety Manual, Mississippi Department of Education (MDE) Occupational Safety and Crisis Response Planning, Mississippi Community Oriented Policing Services in Schools (MCOPS) Grant Requirements</p>	<p>Process Standard 31:</p> <p>The school district complies with State Board Policies and State and Federal laws to provide Safe Schools. Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board.</p>	<p>On April 16, 2020, during its regularly scheduled meeting, the State Board of Education (SBE) suspended the deadline of June 30, 2020 and extended the deadline for submission of the annual 40 required hours of training for MCOPS grant recipients from June 30, 2020 until August 1, 2020 in order to be compliant with MCOPS grant requirements.</p> <p>The SBE also suspended the deadline of June 30, 2020 and extended the deadline for submission of the annual 40 required hours of training until August 1, 2020 for school resource officers (SROs) employed with school districts that created their own police departments.</p> <p>On June 11, 2020, the SBE granted an additional extension of the August 1, 2020 deadline, granted on April 16, 2020, until December 31, 2020, for the submission of the annual 40 hours of training for MCOPS grant recipients and SROs as a result of the ongoing impact of COVID-19 on training opportunities.</p> <p>The district shall conduct all required drills as outlined in the Mississippi School Safety Manual for the 2020 – 2021 school year, specifically, fire drills, tornado drills, and active shooter drills. All drills shall be conducted under</p>

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		<p>the MSDH and the CDC guidelines in place at the time the drills are conducted.</p> <p>The district will not be cited for noncompliance if the drills are modified or the district is unable to conduct the drills within the timelines outlined in the Mississippi School Safety Manual as a result of the impact of COVID-19.</p> <p>In accordance with Miss. Code Ann. § 37-7-321(2), any person employed by a school board as a security guard or school resource officer or in any other position that has the power of a peace officer must receive a minimum level of basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Office Standards and Training and the State Board of Education, within two (2) years of the person’s initial employment in such a position. The MDE requests a one (1) year extension of the required two (2) year timeline to receive the required training for any person that was initially employed by a local school district during the 2019 – 2020 or the 2020 – 2021 school years. This extension is being requested as a result of the ongoing impact of COVID-19 on training opportunities.</p>

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Process standard numbers refer to the Process Standards outlined in the *Mississippi Public School Accountability Standards, 2019*. Any waivers granted by the State Board of Education will also be granted as applicable to nonpublic schools accredited by the Mississippi Department of Education.