

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

OFFICE OF ACADEMIC EDUCATION

04. Action: Approval by the SBE to suspend strict compliance with Miss. Admin. Code 7-3: 35.1, State Board Policy Chapter 35, Rule 35.1 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 during the Spring of 2020 in accordance with Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9) and 33-15-11(c)(1) [Goals 1 and 2 – MBE Strategic Plan]

President Donald Trump declared a national emergency on March 13, 2020, in response to the COVID-19 (coronavirus) outbreak. 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, regulation or order 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.

Miss. Admin. Code 7-3: 35.1, State Board Policy Chapter 35, Rule 35.1, promulgated pursuant to Miss. Code Ann. § 37-23-179, establishes the operation of the State gifted program is governed by the *Regulations for Gifted Education Programs in Mississippi* and the *Standards of Gifted Education Programs in Mississippi*. The *Regulations for Gifted Education Programs 2013* requires that all intellectually gifted students are provided services by a properly endorsed teacher in a self-contained room for a recommended 300 minutes per week, or a minimum of 240 minutes per week. However, strict compliance is not feasible at this time due to the impact of COVID-19 (coronavirus).

It is the recommendation of the MDE that the SBE reduce the minimum service time provided to intellectually gifted students to 150 minutes per week for the 2020-2021 school year.

Recommendation: Approval

Back-up material attached

**Rule Suspension Pursuant to Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9), and 33-15-11(c)(1)
Executive Orders 1460 and 1476
School Year 2020-2021 Related to COVID-19 (Coronavirus)**

Statutes and/or Regulation(s)	Rule	Proposed Suspension and/or Revisions of Statutes/Rules
<p>Gifted Education Programs</p> <p><i>Regulations for Gifted Education Programs 2013</i></p>	<p>In accordance with Miss. Code Ann. § 37-23-197, the board shall specifically promulgate rules, regulations and guidelines which establish model programs of gifted education and also establish minimum criteria for gifted education programs.</p> <p>Miss. Admin. Code 7-3: 35.1, State Board Policy Chapter 35, Rule 35.1 establishes the operation of the State gifted program is governed by the <i>Regulations for Gifted Education Programs in Mississippi</i> and the <i>Standards of Gifted Education Programs in Mississippi</i>. The <i>Regulations for Gifted Education Programs 2013</i>, p. 22, require that:</p> <p>A group of all intellectually gifted students is provided services by a properly endorsed teacher in a self-contained room for a recommended 300 minutes per week, or a minimum of 240 minutes per week.</p>	<p>The MDE requests a reduction in the minimum service time provided to intellectually gifted students to 150 minutes per week for the 2020-2021 school year.</p>