

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

**OFFICE OF ACADEMIC EDUCATION**

05. Action: Approval by the SBE to suspend strict compliance with Miss. Code Ann. §§ 37-21-11(2), 37-177-1(3), 37-177-11, 37-177-17 and SBE Policy 41.1 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 [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.

Mississippi Code Ann. § 37-21-11(2) requires administration of the Kindergarten Readiness Assessments within the first 30 days of school, § 37-177-1(3) requires administration of a reading screener within the first 30 days of school, § 37-177-11 requires students to meet certain criteria to receive Good Cause Exemptions (GCEs), and § 37-177-17 requires districts to publish in the newspaper assessment results, K-8 retentions, and revisions to the local school board's policy on student promotion and retention from the prior school year.

It is the recommendation of the MDE that the SBE suspend specific requirements within federal and state laws, State Board Policies, the following policies and process standards contained in the *Mississippi Public School Accountability Standards, 2020*, and the corresponding policies and standards that apply to the nonpublic schools accredited by the MDE: Process Standard 20.2 – Interventions, State Board Policy, Chapter 41, Rule 41.1 to extend the window for administration of the Kindergarten Readiness Assessment and the reading screener from 30 days to 45 days.

It is the recommendation of the MDE that the SBE waive, for the 2020-2021 school year, the Good Cause Exemption documentation and the LBPA Reporting requirements, for students enrolled during the 2019-2020 school year.

Strict compliance to these policies and statutes are not feasible at this time due to the impact of COVID-19 (coronavirus).

This item references Goals 1 and 2 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 Orders 1460 and 1476  
School Years 2019 – 2020 and 2020 – 2021 Related to COVID-19 (Coronavirus)**

<b>Statutes and/or Regulation(s)</b>	<b>Rule</b>	<b>Proposed Suspension and/or Revisions of Rules</b>
<p><b>Kindergarten Readiness Assessment Program, and Literacy Based Promotion Act, and Instructional Management System</b></p> <p>Miss. Code Ann. § 37-21-11(2)</p> <p>Miss. Code Ann. § 37-177-1 through 21</p> <p>Miss. Admin. Code 7-3: 41.1, State Board Policy Chapter 41, Rule 41.1</p> <p>Process Standard 20.2</p>	<p>Mississippi Code Ann. § 37-21-11(2) requires administration of a Kindergarten Readiness Assessment within the first 30 days of school.</p> <p>Mississippi Code Ann. § 37-177-11 requires students to meet specific criteria to receive Good Cause Exemptions (GCEs).</p> <p>Mississippi Code Ann. § 37-177-17 requires districts to publish in the newspaper assessment results, K-8 retentions, and revisions to the local school board’s policy on student promotion and retention from the prior school year.</p> <p><b>Process Standard 20.2:</b> The instructional management system includes a tiered instructional model including academic interventions, behavior interventions, and <i>Literacy Based Promotion Act</i> requirements.</p>	<p>On March 26, 2020, during its regularly scheduled meeting, the State Board of Education granted approval to suspend all requirements of the Mississippi Statewide Assessment System for the 2019 – 2020 school year including the 3<sup>rd</sup> grade Reading assessment as required by the <i>Literacy Based Promotion Act (LBPA)</i>.</p> <p>All students enrolled in Grade 3 in the 2019 – 2020 school year were to be promoted to Grade 4 for the 2020 – 2021 school year, if the student met all other district requirements for promotion.</p> <p>The dyslexia screener that was to be administered to all students during the Spring of their kindergarten year was suspended for the 2019 – 2020 school year. The screener shall be administered in the 2020 – 2021 school year as required.</p> <p><b>There has been no waiver of assessment requirements for the 2020 – 2021 school year. All students enrolled in Grade 3 during the 2020 – 2021 school year shall meet the requirements of the LBPA.</b></p> <p><b>For the 2020-2021 school year, the MDE recommends extending the timeline for the</b></p>

**Rule Suspensions Pursuant to Miss. Code Ann. §§ 33-15-31, 33-15-11(b)(9) and 33-15-11(c)(1)  
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<b>Statutes and/or Regulation(s)</b>	<b>Rule</b>	<b>Proposed Suspension and/or Revisions of Rules</b>
		<p>administration of the Kindergarten Readiness Assessment and the literacy and numeracy screeners for grade K-3 from 30 school days to 45 school days from the first day of school.</p> <p>For enrollment in the 2020-2021 school year, the MDE recommends a waiver of the requirements to meet and document Good Cause Exemptions (GCEs) and a waiver of LBPA district reporting requirements, as it was not feasible to maintain documentation or administer assessments during the school closure in the spring of 2020.</p>

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.