

**OFFICE OF CHIEF SCHOOL PERFORMANCE OFFICER**  
**Summary of State Board of Education Agenda Items**  
**March 19-20, 2015**

**OFFICE OF ACCREDITATION**

05. Approval for a temporary rule and to begin the Administrative Procedures Act process: To revise State Board of Education policies related to graduation requirements

- I. On Wednesday, March 18, 2015, the Commission on School Accreditation approved proposed revisions to the following State Board of Education policies:
  - A. State Board Policy 3801 – Policies for Subject Area Testing
  - B. State Board Policy 3802 – Policies for Carnegie Unit Credit
  - C. State Board Policy 3803 – Assessments Required for Graduation
- II. Background information related to the current State Board of Education policies regarding graduation requirements:

The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education in accordance with MS Code 37-16-7, State Board Policies 3801, 3802, and 3803 as outlined in Process Standard 14, of the *Mississippi Public School Accountability Standards, 2014*.

Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A of the *Mississippi Public School Accountability Standards, 2014* and State Board Policies 2902 and 2903. Students receiving a standard diploma may select from four (4) graduation pathways as specified by the local school district's graduation requirements (Process Standard 14.1).

Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations in accordance with MS Code 37-16-7 and State Board Policies 3801, and 3803 (Process Standard 14.2).

The graduation requirements for Carnegie Unit credit and passing of the four (4) subject area tests in Algebra I, Biology I, English II, and U.S. History are graduation requirements independent of one another.

As outlined in State Board Policy 3803, end-of-course Subject Area Tests were phased in beginning with the 2001-2002 school year to replace the Functional Literacy Examination (FLE). Students who enrolled in 9<sup>th</sup> grade in 2003-2004 and each year thereafter are required to earn a passing score on all required end-of-course subject area tests in order to earn a high school diploma.

In addition to meeting graduation requirements, the four end-of-course Subject Area Tests are required in the Mississippi Statewide Accountability System for schools with Grade 12.

III. The Commission on School Accreditation approved the following proposed revisions to State Board of Education Policies 3801, 3802, and 3803, as recommended by MDE Staff:

- 1) **3801: Policies for Subject Area Testing:** Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on a Concordance Table as outlined in State Board Policy 3803.
- 2) **3802: Policies for Carnegie Unit Credit:** Remove redundancy from items and revise terminology
- 3) **3803: Assessments Required for Graduation:** Remove passing an end-of-course Subject Area Test as a requirement for graduation and incorporate the score on the applicable assessment into the final grade in the course.
  - a. All students enrolled in one of the four end-of-course Subject Area Test courses must participate in the applicable Subject Area Test in order to earn the Carnegie Unit.
  - b. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting one of the following options:
    - Passing the applicable end-of-course Subject Area Test
    - Using options outlined in State Board Policy 3804
    - Using the end-of-course Subject Area Test score with the overall course grade (Students must be enrolled in order to utilize this option.)
  - c. Beginning with school year 2015-2016, in addition to “b” above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.
  - d. Beginning with school year 2016-2017, all students enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student’s final grade in the course.
  - e. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

The proposed revisions to State Board Policies 3801, 3802, and 3803 will add additional options for students to meet all graduation requirements. In addition, the SATP3 (PARCC assessment) is being administered during the 2014-2015 school year in Algebra I and English II. The MDE has entered the procurement process for the selection of a vendor to provide end-of-course assessments for the 2015-2016 school year and thereafter.

The MDE will continue to provide re-test opportunities for each of the end-of-course subject area tests to students by administering the legacy assessments that include FLE, SATP1, SATP2, SATP3 (PARCC), and MWAP3. The legacy assessments are required by MS Code 37-16-15 for students who do not meet the applicable options outlined in State Board Policy 3804.

The temporary and final action is necessary to implement the policy revisions for the 2014-2015 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

DESCRIPTOR TERM: Graduation Requirements-Policies for Subject Area Testing  
CODE: 3801  
ADOPTION DATE: December 13, 2002  
REVISION: December 19, 2012

Beginning with the 2014-2015 school year, students shall not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit in a Mississippi public school as a requirement for graduation. Student performance on the end-of-course Subject Area Test shall be considered, along with the overall course grade based on the Concordance Table as outlined in State Board Policy 3803.

Archived Information Regarding State Board Policy 3801 for Students Graduation Prior to School Year 2014-2015:

Enrollment in a non-public school/program (to include, but not limited to, private schools, parochial schools, home schools, virtual schools, summer schools, independent study/correspondence programs, etc.) shall not be used to circumvent participation in the Mississippi Statewide Assessment System or students meeting the graduation requirements outlined in this policy.

1. Students will not be required to pass any end-of-course Subject Area Test in a course for which the student earns or receives credit (i.e., course completed as recorded on an official transcript) in a Mississippi public school prior to the 2001-2002 school year. (MS Code 37-16-7)
2. Any student enrolled in a Mississippi public school who concurrently earns a Carnegie unit for any course which includes a required end-of-course Subject Area Testing Program (SATP) exam from a non-public school (to include, but not limited to: private school, parochial school, home school, virtual school, summer school, or independent study / correspondence program, etc.) must take and pass the SATP exam in order to earn a standard diploma.
3.
  - a. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a public school of another state as fulfilling the requirements for a Mississippi high school diploma.
  - b. Effective with the 2011-2012 school year, students entering or enrolled in a Mississippi public school implementing an innovative program authorized by the State Board of Education who have earned credits in the *Required Subjects* for a diploma in the state of Mississippi and will have completed an end of course assessment or end of domain assessment, will be exempt from State Board Policy 3803 until the State Board of Education has adopted standards and cut-scores for the corresponding assessments.
4. Students entering a Mississippi public school will not be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit

earned by the student in a private school as fulfilling the requirements for a Mississippi high school diploma, provided the private school is accredited regionally or by the state of Mississippi.

5. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student in a private school as fulfilling the requirements for a Mississippi high school diploma if the private school is not accredited regionally or by the state of Mississippi.
6. Students entering a Mississippi public school will be required to pass any end-of-course Subject Area Test in a course for which the school accepts credit earned by the student through home schooling as fulfilling the requirements for a Mississippi high school diploma.
- ~~7. Any Mississippi public school student who fails to pass a required Subject Area Test will be offered a chance to retake the test three times each year until a passing score is achieved:
  - a. At or near the end of the fall semester,
  - b. At or near the end of the spring semester, and
  - c. At or near the end of summer school.~~
- ~~8. Any course that is required for subject area testing as a requirement for graduation from a public school in Mississippi is not eligible for dual credit. (MS Code 37-15-38(11)). Refer to Section 37-15-38 (19) of the MS Code for exemptions.~~
7. Passage of the required Subject Area Test (High School End of Course Assessment or End of Domain Assessments as appropriate) is a separate requirement for graduation for students prior to the 2014-15 school year. In accordance with Section 37-16-5 of the MS Code, innovative programs authorized by the State Board of Education, shall periodically assess student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from district assessment programs shall be provided to the State Department of Education when such data is required in order to evaluate specific instructional programs or processes or when the data is needed for other research or evaluation projects. Each district may provide acceptable, compatible district assessment data to substitute for any assessment data needed at the state level when the State Department of Education certifies that such data is acceptable for the purposes of Section 37-16-3.

DESCRIPTOR TERM: Policies for Carnegie Unit Credit

CODE: 3802

ADOPTION DATE: February 23, 2001

REVISION: December 19, 2012

~~Enrollment in a non-public school/program (to include, but not limited to: private schools, parochial schools, home schools, virtual schools, summer schools, independent study/ correspondence programs, etc.) shall not be used to circumvent participation in the Mississippi Statewide Assessment System or students meeting the graduation requirements outlined in this policy.~~

1. Any Mississippi public school student shall not be awarded Carnegie unit credit unless the core objectives identified in the Mississippi College- and Career-Ready Standards or Mississippi Curriculum Framework ~~and innovative programs authorized by the State Board of Education~~ have been mastered.
2. For students entering a Mississippi public school from a regionally accredited private school or public school in another state for which the school did not award a credit for Carnegie Unit, even though the student ~~the~~ successfully completed ~~edion of~~ a course, the district may accept the course as meeting the requirement for the *Required Subjects* for a diploma in the state of Mississippi provided the district determines that the content of the course taken is comparable. However, the total *Carnegie Unit* requirement for the *Curriculum Area* remains the same.
- ~~3. For students entering a Mississippi public school from a regionally accredited private school for which the school did not award credit for the successful completion of a course, the district may accept the course as meeting the requirement for the *Required Subjects* for a diploma in the state of Mississippi provided the district determines that the content of the course taken is comparable. However, the total *Carnegie Unit* requirement for the *Curriculum Area* remains the same.~~
- ~~4.~~ 3. Students entering a public school in Mississippi from any regionally accredited public or private school that awarded a Carnegie Unit for the successful completion of a course, the district may accept the course as meeting the requirement for the "Required Subject" in Appendix A of the *Mississippi Public School Accountability Standards*.
- ~~5.~~ 4. Any student previously enrolled in a Mississippi public school that failed a SATP exam and later transfers credit for the same SATP course from either a private school that is accredited regionally or by the state of Mississippi or an out-of-state public school must ~~take and pass the exam in order to earn a standard diploma~~ meet one of the graduation options in State Board Policy 3803:
- ~~6.~~ 5. ~~Any course that is required for subject area testing as a requirement for graduation from a public school in Mississippi is not eligible for dual credit. (MS Code 37-15-38(11)) Refer to Section 35-15-38(19) of the MS Code for exemptions.~~

Proposed Revisions State Board Policy 3802

Approved by the Commission on School Accreditation, March 18, 2015

DESCRIPTOR TERM: Assessments Required for Graduation

CODE: 3803

ADOPTION DATE: July 15, 1988

REVISION: September 15, 2000, July 18, 2003, February 20, 2004, May 18, 2012

1. All students enrolled in one of the four end-of-course Subject Area Test courses **must** pass the course and participate in the applicable end-of-course Subject Area Test in order to earn the Carnegie Unit.
2. Beginning with school year 2014-2015, students shall graduate by passing the course and meeting **one** of the following options:
  - Passing the applicable end-of-course Subject Area Test, or
  - Using options outlined in State Board Policy 3804, or
  - Using the end-of-course Subject Area Test score with the overall course grade (Students must be enrolled in order to utilize this option.)
3. Beginning with school year 2015-2016, in addition to number two (2) above, all students enrolled may achieve a combined minimum score from the end-of-course Subject Area Tests to meet the requirement for graduation in lieu of passing the applicable end-of-course Subject Area Test.
4. Beginning with school year 2016-2017, all students who are enrolled in an end-of-course Subject Area Test course for the first time must participate in the assessment in order to earn the Carnegie Unit. The assessment score will constitute 25% of the student's final grade in the course.
5. Any Mississippi public school student who fails to pass a required end-of-course Subject Area Test, prior to school year 2016-2017, will be offered opportunities to retake the test.

Archived Information Regarding State Board Policy 3803 for Students Graduation Prior to School Year 2014-2015:

Academic end-of-course tests were phased in during the 2001-2002 school year to replace the (FLE) as a requirement for graduation.

1. Students who began 9th grade PRIOR to 1999-2000 must pass the Functional Literacy Examination (FLE).
2. Students who began 9th grade in school year 1999-2000 must pass the Functional Literacy Examination (FLE) plus the Subject Area Test in U.S. History.
3. Students who began 9th grade in school year 2000-2001 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History and English II.

Proposed Revisions State Board Policy 3803.

Approved by the Commission on School Accreditation, March 18, 2015

4. Students who began 9<sup>th</sup> grade in 2001-2002 must pass the mathematics section of the FLE plus the Subject Area Tests in U.S. History, English II, and Biology I.
5. Students who began 9<sup>th</sup> grade in 2002-2003 must pass the end-of-course Subject Area Tests in U. S. History, English II, Biology I and Algebra I. Students who began 9<sup>th</sup> grade in 2003-2004 and each year thereafter must pass all required end-of-course Subject Area Tests in U.S. History, English II, Biology I, and Algebra I.

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MISSISSIPPI CODE of 1972

\*\*\* Current through the 2014 Regular Session and 1st and 2nd Extraordinary Sessions \*\*\*

TITLE 25. PUBLIC OFFICERS AND EMPLOYEES; PUBLIC RECORDS  
CHAPTER 43. ADMINISTRATIVE PROCEDURES  
ARTICLE 3. RULE-MAKING ADOPTION AND EFFECTIVENESS OF RULES

Miss. Code Ann. § 25-43-3.113 (2014)

§ 25-43-3.113. Effective date of rules

(1) Except to the extent subsection (2) or (3) of this section provides otherwise, each rule adopted after July 1, 2005, becomes effective thirty (30) days after its proper filing in the Office of the Secretary of State.

(2) (a) A rule becomes effective on a date later than that established by subsection (1) of this section if a later date is required by another statute or specified in the rule.

(b) A rule may become effective immediately upon its filing or on any subsequent date earlier than that established by subsection (1) of this section if the agency establishes such an effective date and finds that:

(i) It is required by Constitution, statute or court order;

(ii) The rule only confers a benefit or removes a restriction on the public or some segment thereof;

(iii) The rule only delays the effective date of another rule that is not yet effective; or

(iv) The earlier effective date is necessary because of imminent peril to the public health, safety or welfare.

(c) The finding and a brief statement of the reasons therefor required by paragraph (b) of this subsection must be made a part of the rule. In any action contesting the effective date of a rule made effective under paragraph (b) of this subsection, the burden is on the agency to justify its finding.

(d) A temporary rule may become effective immediately upon its filing or on any subsequent date earlier than that established by subsection (1) of this section.

(e) Each agency shall make a reasonable effort to make known to persons who may be affected by it a rule made effective before any date established by subsection (1) of this section.

(3) This section does not relieve an agency from compliance with any provision of law requiring that some or all of its rules be approved by other designated officials or bodies before they become effective.

**HISTORY:** SOURCES: Laws, 2003, ch. 304, § 24, eff from and after July 1, 2005.