

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
February 17, 2022

OFFICE OF ACCOUNTABILITY
OFFICE OF DISTRICT OF TRANSFORMATION

O. Approval to begin the Administrative Procedures Act process: To revise the following Mississippi State Board of Education Policies in accordance with Miss. Code Ann. § 25-43-3.114 which requires an agency to review all of its rules at least every five years to determine whether any rule should be repealed, amended or a new rule adopted

01. Approval to begin the Administrative Procedures Act process: To revise State Board Policy Chapter 51 *Mississippi Recovery School District*

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

Part 3 Chapter 51: Mississippi Recovery School District

Rule 51.1 Mississippi Recovery School District. The Mississippi Recovery School District shall provide leadership, management and oversight of all school districts that are subject to ~~district transformation status~~ ~~state conservatorship~~.

1. ~~Conservatorship~~ District Transformation Status

Whenever the governor declares a state of emergency in a school district, the State Board of Education may assign an interim ~~conservator~~ ~~superintendent~~ to the local school district. For states of emergency declared under *Miss. Code Ann. § 37-17-6(11)(12)(b)*, the State Board of Education may abolish the school district and assume control and administration of the schools formerly constituting the district and appoint ~~a conservator~~ ~~an interim superintendent~~. The reasons for declaring ~~of~~ a state of emergency in a local school district include, but are not limited to, the following:

- a. An extreme emergency exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that the emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law;
- b. If a school district meets the State Board of Education's definition of a failing school district for two (2) consecutive full school years;
- c. Or in the event that more than fifty percent (50%) of the schools within the school district are designated as Schools At-Risk in any one year;
- d. A lack of financial resources;
- e. Withdrawal of the accreditation of a public school district; or
- f. Failure to meet minimum academic standards as evidenced by a continued pattern of poor student performance.

2. Corrective Action Plan

As stated in *Miss. Code Ann. § 37-17-6(20)(21)*, the ~~conservator~~ ~~interim superintendent~~ appointed to the district shall within forty-five (45) days after being appointed present a detailed and structured corrective action plan to move the local school district out of ~~conservatorship transformation status~~ ~~to the local school board and local superintendent of education if they have not been removed, or if the board and superintendent have been removed, to the local governing authority of the municipality or county in which the district conservatorship is located~~. A copy of the ~~conservator's~~ ~~interim superintendent's~~ corrective action plan shall also be filed with the State Board of Education.

The Mississippi Department of Education has established the following procedures in order to meet the 45-day corrective action plan requirement. The findings from an accreditation audit compiled by the Office of Accreditation will become the ~~conservator's~~ ~~interim superintendent's~~ required to comply with the standards addressed in the *Mississippi Public School Accountability Standards*.

3. Education Employment Procedures Law

When a district has been placed in ~~Conservatorship~~ (Transformation), the Education Employment Procedures Law shall not apply to any teacher, principal, superintendent or other professional in the local school district. The Education Employment Procedures Law shall not be applicable in any school district for a full period of time that the state of emergency as declared by the Governor continues to exist. ~~MS Code §37-0-103(2)~~ Miss Code Ann. §37-9-103(2)(a)

Source: *Miss Code Ann. §37-17-6 (Adopted 12/2011, Revised TBD)*