

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
June 11, 2020

OFFICE OF ACCOUNTABILITY
OFFICE OF ACADEMIC EDUCATION

02. Action: Approval by the SBE to suspend strict compliance with specific State Board of Education policies, manuals, and process standards 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]

- A. Miss. Admin. Code 7-7: *Mississippi Kindergarten Guidelines*
- B. Miss. Admin. Code 7-24: *Mississippi Public School Accountability Standards, 2019*
- C. Miss. Admin. Code 7-110: *Mississippi Pupil Transportation Manual*
- D. Miss. Admin. Code 7-163: *Mississippi Nonpublic School Accountability Standards, 2019*
- E. Miss. Admin. Code 7-191: *Mississippi Early Learning Guidelines for Classrooms Serving Three- and Four-Year Old Children*
- F. Miss. Admin. Code 7-192: *Mississippi School Safety Manual Standards*

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, 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 have 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 standards in the *Mississippi Public School Accountability Standards, 2019* and *Mississippi Nonpublic School Accountability Standards, 2019*.

The SBE met in its regularly scheduled meeting on March 19, 2020 and affirmed the order by the Governor to close Mississippi public schools as a result of the impact of COVID-19 (coronavirus) on school districts during the Spring of 2020. Additionally, the SBE granted approval to allow school districts to operate for less than 180 days, to suspend the administration of all statewide assessments required by state and federal law for the 2019 – 2020 school year, to suspend the Mississippi Statewide Accountability System for the 2019 – 2020 school year, and to submit a waiver request to the United States Department of Education (ED) as provided for in the Elementary and Secondary Education Act (ESEA). At that time, the SBE scheduled a special-called meeting of the SBE for March 26, 2020 to address the specific state laws, SBE policies, and process standards that shall be suspended for the 2019 – 2020 school year due to the impact of COVID-19. During subsequent SBE meetings held on April 16, 2020 and May 21, 2020, the SBE granted additional waivers and suspensions of additional state laws, SBE policies, and process standards for the 2019 – 2020 school year as a result of the impact of COVID-19.

On March 20, 2020, the MDE submitted an expedited waiver to the United States Department of Education (ED) to waive certain requirements in Section 1111 of the *Elementary and Secondary Education Act of 1965* (20 U.S.C § 6311(b)) related to assessment and accountability requirements. The MDE received formal approval from ED on March 27, 2020. ED has not issued any additional waivers related to assessment and accountability requirements for the 2020 – 2021 school year. The MDE will adhere to all federal assessment, accountability, and reporting requirements for the 2020 – 2021 school year.

As a result of the ongoing impact of COVID-19, it is the recommendation of the MDE that the SBE suspend specific requirements within State Board Policies, and the following policies and process standards and the corresponding policies and standards that apply to the nonpublic schools accredited by the MDE for the 2020 – 2021 school year:

- Process Standard 1 – Local Board Governance
- Process Standard 2 – Certified Personnel
- Process Standard 13.1 – 330 Minutes of Instruction per Day
- Process Standard 13.2 – Instructional Time for Carnegie Unit credits
- Process Standard 17.2 – Pre-Kindergarten Programs
- Process Standard 28 – Student Teacher Ratios
- Process Standards 29, 29.2 and 29.4 – Pupil Transportation
- Process Standard 31 – School Safety

The request for the waivers and suspensions as outlined above is necessary at this time to allow districts flexibility within the development of re-entry plans and class scheduling for the 2020 – 2021 school year. This flexibility will allow the district to comply with the current Mississippi Department of Health (MSDH) and

the Center for Disease Control (CDC) guidelines as a result of the ongoing impact of COVID-19 to ensure the health and safe of all staff and students.

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

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: Refer to Item 01