

Recent Policy and  
Legislative Updates and  
MDE Waivers

Presented by:  
**Austin Gilbert**, MSBA Manager of  
Policy & Legislative Services



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**Questions?**



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- The 2021 Mississippi Legislative Session began on Tuesday, January 5<sup>th</sup> amid talks of possibly postponing the session due to COVID-19 concerns.
- Many important bills were passed this year which impacted education such as the teacher pay raise bill, a bill requiring the implementation of a K-12 computer science curriculum, and a bill that holds districts harmless for ADA purposes.
- The legislature met mostly in person, but encouraged public participation virtually. All floor debates and committee meetings could be viewed virtually.

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# House Bills

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## House Bill 1

- Though not directly education related, HB 1 was the first bill considered during this session.
- HB 1 ratified the new state flag that was approved by voters in the November 2020 statewide election ushering in a new flag for Mississippi.
- HB 1 passed the House with a vote of 119-1, the Senate with a vote of 38-7, and was subsequently signed by Governor Reeves.

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## House Bill 135

- This bill reenacts the Mississippi Critical Teacher Shortage Act of 1998 and extends the repealer to July 1, 2024.
- The Mississippi Critical Teacher Shortage Act provides funds for moving expenses, travel costs of interviews, and home loans to those who teach in geographical shortage areas.

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**House Bill 504**

- This bill clarifies the law to reflect the current four congressional districts, as opposed to the previous five districts, in relation to the members of the Commission on School Accreditation.
- The Commission on School Accreditation will now consist of 3 members from each of the 4 congressional districts, and 3 members from the state at large.

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**House Bill 633**

- This bill requires the implementation of a K-12 computer science curriculum.
- HB 633 accounts for teacher development and training for those teachers in the area of computer science along with funding for that training.
- The computer science curriculum will be implemented by the 2024-2025 school year.

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**House Bill 754**

- This is the dyslexia education and awareness bill that revises certain dyslexia diagnoses provisions.
- HB 754 requires that school districts shall make an initial determination of whether a student diagnosed with dyslexia meets eligibility criteria under the IDEA or if a 504 plan is appropriate.
- School districts shall conduct 4 hours of in-service training in dyslexia and related disorder awareness every 3 years for all licensed educators responsible for the instruction.

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**House Bill 852**

- This is the teacher pay raise bill that was originally supposed to be passed last year, but was delayed due to COVID-19.
- HB 852 provides a \$1,100 raise to teachers with 0-2 years of experience increasing their starting salary to \$37K and a \$1,000 increase for all other teachers.
- The bill also increases the minimum salary for assistant teachers by \$1,000.

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**House Bill 1047**

- This bill deletes the cap on the number of national board-certified nurses and speech-language pathologists and audiologists who are allowed to receive a salary supplement for national board certification.
- HB 1047 also allows for athletic trainers who have acquired national board certification to be eligible for an annual salary supplement.

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**House Bill 1123**

- This bill revises funding and specifies teaching standards and prescribes certain benchmarks under the Early Learning Collaborative Act of 2013.
- The Early Learning Collaborative Act of 2013 helps to ensure that children have access to a voluntary prekindergarten program.
- Every 3 years, MDE is required to provide a rigorous evaluation of program effectiveness to the Legislature and the Governor. The PEER committee shall review that report and submit a summary.

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**House Bill 1179**

- This bill creates the William F. Winter and Jack Reed Sr. Teacher Loan Repayment Program.
- HB 1179 aims to consolidate previously unused loan programs and consolidate them into one, fully funded loan repayment program for new teachers.
- This program will be available for new teachers who commit to teaching in Mississippi Schools. It is a three year commitment with payments increasing each year.
- Teachers in critical needs areas would receive more.

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**House Bill 1323**

- This bill addresses executive session procedures under the Open Meetings Act and adds a few other reasons for boards to be able to enter closed session.
- HB 1323 allows any public body to enter into executive session for strategic development of plans to combat, eliminate, reduce or respond to human trafficking or commercial sexual exploitation of children.

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**House Bill 1387**

- HB 1387 is the FY 22 pre-K-12 education funding bill. FY 22 education funding is increased by approximately 4% over current FY 21 funding.
- Among other provisions, the bill includes \$51.4 million for the teacher pay raise and \$13 million to cover the increase in health insurance premiums for educators.
- It also includes an additional \$8 million for classroom supplies and an additional \$9.7 million for early learning collaboratives.

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# Senate Bills

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## Senate Bill 2149

- This bill will hold school districts harmless in the calculation of 2020-21 average daily attendance (ADA) for the purposes of funding under the Mississippi Adequate Education Program (MAEP).
- SB 2149 states that district's average daily attendance for the 2019-2020 scholastic year will be used in place of the 2020-2021 scholastic year unless the ADA for this previous year was higher.

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## Senate Bill 2267

- SB 2267 aims to help alleviate the teacher shortage in the state by attempting to entice teachers from out-of-state and in good standing to attain reciprocity in Mississippi.
- This bill allows the Department of Education to grant licenses to teachers if they possess a valid standard license from another state.
- Teachers would still need to pass a background check at the school level.

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**Senate Bill 2536**

- This bill addresses school athletics in regards to gender separate sports teams.
- SB 2536 requires any public school that is a member of the MHSAA to designate its athletic teams or sports according to biological sex.
- Each team must be designated as male, female, or coed.
- Athletic teams or sports designated for females cannot be open to students of the male sex.

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**Mississippi Tax Reform Bill**

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**House Bill 1439**

- This bill sought to create the Mississippi Tax Freedom Act of 2021.
- The Act's goal was to eliminate the state individual income tax and lower the grocery tax.
- The state sales tax would also increase under the Act.
- At one point during the session, the teacher pay raise bill resided in this bill until HB 852 was passed by the Senate Education Committee.

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# Legislative Update Policies

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## BCBK – Executive Sessions

- Added two additional reasons that boards may enter into executive session in accordance with HB 1323.
- **Reason 1:** Investigative discussions, investigative strategies, probative strategies related to identifiable instances of human trafficking or commercial sexual exploitation, and discussions involving locations of shelters or safe-houses for victims of human trafficking or commercial sexual exploitation.
- **Reason 2:** Transaction of business of committees, subcommittees or boards that would require discussion of any identifiable information of victims of human trafficking or children under eighteen years old who are victims of commercial sexual exploitation.

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## CI – Administrative Personnel Intern Program

- Added information regarding changes in reciprocity and license renewal and reinstatement in accordance with SB 2267.
- MDE shall now grant a **five-year** license to any individual who possesses a valid standard license from another state within a period of twenty-one (21) days from the date of a completed application.
- All licenses with a current expiration date of June 30, 2021 a one year extension will be granted.
- Beginning July 1, 2022, applicants for license renewal shall meet all requirements on the date that the completed application is received by MDE.

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**GBA-E – Teacher Salary Scale**

- Updated the “**Teacher Salary Schedule**” exhibit in order to reflect the teacher pay raise in accordance with HB 852.
- HB 852 provides a \$1,100 raise to teachers with 0-2 years of experience increasing their starting salary to \$37K and a \$1,000 increase for all other teachers.
- The bill also increases the minimum salary for assistant teachers by \$1,000.

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**IDFA – Intramural/Interscholastic Athletics**

- Added information regarding the requirement that district sponsored sports not allow biological males compete in female sports in accordance with SB 2536.
- Any athletic team or sport that is sponsored by the district shall be expressly designated as 1) Males, men or boys; 2) Females, women or girls; or 3) Coed or mixed.
- Athletic teams or sports designated for females, women or girls shall not be open to students of the male sex.

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**IEBA – Dyslexia Policy**

- Amended the policy to include language regarding IEP and 504 plans for children who are diagnosed with dyslexia in accordance with HB 754.
- The district must make an initial determination of whether a student diagnosed with dyslexia requires an IEP. If not, the district will proceed with the process to determine if the student is eligible for a 504 plan.
- The district will conduct four (4) hours of in-service training in dyslexia every three (3) years for all professionals responsible for the instruction in accordance with MDE standards.

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# Upcoming Annual Updates

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## BCBH – Minutes of Board Meetings

- Each year, MSBA reviews State Auditor reports and makes policy corrections based on those reports.
- One of the State Auditor’s findings was that some districts were not numbering their board minutes either at all or they were being numbered incorrectly making information within the minutes hard to find.
- Policy BCBH was amended to include information that requires **minutes of each board meeting to be numbered correctly.**

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## DFK – Gifts and Bequests to School Districts (Donations)

- Policy DFK had information that was no longer needed removed and its crowdfunding portion was clarified to reflect current needs.
- The district now has the option to pre-approve certain crowdfunding platforms for teachers to use without needing to secure approval ahead of use.
- Any non-approved crowdfunding sources will have to be pre-approved by the superintendent.
- The policy also lays out the responsibilities of staff using crowdfunding platforms such as complying with all laws and policies and to ensure any items needed are actually needed.

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**DIB – Financial Reports and Statements**

- Policy DIB was updated in accordance with State Auditor findings.
- Added language stating that bank accounts will be reconciled monthly to the general ledger by each fund.
- Bank statements shall be reconciled to the district’s general ledger cash balances **monthly, in a timely, accurate manner**.
- Also changed the language throughout the policy from **should** to **shall** in order to reflect a requirement.

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**DJAA – Authorized Signatures**

- Policy DJAA was amended in accordance with State Auditor findings.
- Added language requiring **all authorized signors on school district depositories to be current employees**.
- The State Auditor has been looking for this language as it has been an issue in some districts that signors were not current employees of the school district.

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**DJI – Use of District Credit Cards**

- Policy DJI was created in accordance with State Auditor findings.
- The State Auditor’s office noted that in some instances district credit cards were not being used completely correctly in accordance with state standards.
- Created a **NEW** policy in order to strengthen the controls concerning the use of credit cards and to abide by the regulations set forth by the Department of Finance and Administration and the State of Mississippi.
- Policy DJI tracks the minimum requirements set out by the Department of Finance and Administration.

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**DKD – Revenues from Gate Receipts and Admissions**

- The State Auditor’s Office noted that in some districts gate receipts from district events were either not being recorded correctly or were missing before being turned into the district office.
- Created a **NEW** policy in order to strengthen controls over funds and tickets collected at school extracurricular events.
- Policy DKD lists how gate receipts should be handled such as **the use of pre-numbered and sequential tickets, the use of numbered ticket boxes, and the requirement for gatekeepers to sign off on the number of tickets they turn in.**

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**JQO – Foster Care Plan**

- Created a **NEW** policy to account for the best interest determination of foster care students in accordance with MDE rule 30.8.
- MDE has been sending emails to districts notifying the district that they need a policy to account for rule 30.8.
- Policy JQO addresses rule 30.8 by designating a district point of contact, determining the best interest determination for the student, and determinations over whether a student will remain in or leave their school of origin.
- **This policy has already been adopted and can be found in MSBA’s sample policies.**

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**MDE Waivers  
that Impacted  
Policy**

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 Recommended Policies to Suspend During the COVID-19 Pandemic

<b>Section A</b> <ul style="list-style-type: none"> <li>ADB – Average Daily Attendance</li> <li>AE – School Year (Academic Year)</li> <li>AEA – School Calendar</li> <li>AF – School Day</li> </ul>	<b>Section I</b> <ul style="list-style-type: none"> <li>BIA – Grading System</li> <li>IHE – Promotion and Retention</li> <li>IHF – Graduation Requirements</li> <li>II – Testing Program</li> </ul>
<b>Section B</b> <ul style="list-style-type: none"> <li>BBBCB – School Board Member Visits to Schools</li> <li>BCAF – Public Comments at Board Meetings</li> <li>BCBI – Public Participation at Board Meetings</li> </ul>	<b>Section J</b> <ul style="list-style-type: none"> <li>IBD – Attendance, Tardiness and Excuses</li> </ul>
<b>Section E</b> <ul style="list-style-type: none"> <li>EBH – School Facility Rental</li> <li>EBHA – Use of School Property</li> </ul>	<b>Section K</b> <ul style="list-style-type: none"> <li>KM – Visitors to the Schools</li> </ul>
<b>Section G</b> <ul style="list-style-type: none"> <li>GBRB – Professional Personnel Time Schedule (Length of Work Day)</li> <li>GBRC – Professional Personnel Work Load</li> </ul>	

\*Those in yellow were based off of MDE waivers.

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 The SBE suspended the requirement mandating each school district to submit a request to alter the school calendar and request forgiveness by the SBE for all days missed as a result of the impact of COVID-19 in the state of Mississippi. The SBE also approved altered school terms for school districts to operate for less than one hundred eighty (180) days for the 2019 – 2020 school year.

Impacts Policies:  
 ADB – Average Daily Attendance  
 AE – School Year (Academic Year)

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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 The SBE approved a one-year suspension requiring local school board members to visit each school within the district as a body during the 2019 – 2020 and 2020 – 2021 school years as a result of the impact of COVID-19.

Impacts Policies:  
 BBBCB – School Board Member Visits to Schools

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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The SBE suspended the requirement for 330 minutes of instruction per day from March 16, 2020, the first date of school closures due to COVID-19 through the end of the 2019 – 2020 school year.

- Impacts Policies:
- AF – School Day
  - GBRB – Professional Personnel Time Schedule (Length of Work Day)
  - GBRC – Professional Personnel Work Load

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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The SBE suspended the requirement for districts to monitor and submit student referrals for attendance violations, of compulsory school age students, due to COVID-19, through the end of the 2019 – 2020 school year.

- Impacts Policies:
- JBD – Attendance, Tardiness, and Excuses

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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The SBE suspended citations associated with graduation requirements mid-year for the 2019 – 2020 school year due to the impact of school closures related to COVID-19. The local school board had the authority to suspend and/or amend the graduation requirements set forth by the local school board for the 2019 – 2020 school year

- Impacts Policies:
- IHF – Graduation Requirements
  - II – Testing Program

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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The SBE suspended citations associated with changing local school board policies mid-year during the 2019 – 2020 school year related to the academic promotion/progression/retention of students or the district’s uniform grading policies due to the impact of school closures related to COVID-19.

Impacts Policies:  
IHA – Grading System  
IHE – Promotion and Retention

This waiver/rule suspension/extension expires immediately upon the conclusion of the 2020-2021 school year reporting period.

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**Citations**

MDE Rule Suspensions Due to COVID-19 2020

[https://www.mdek12.org/sites/default/files/Offices/MDE/OCGR/2\\_year\\_waiver\\_chart\\_v2\\_8.27.2020.pdf](https://www.mdek12.org/sites/default/files/Offices/MDE/OCGR/2_year_waiver_chart_v2_8.27.2020.pdf)

MDE Rule Waiver Expiration 2021

[https://www.mdek12.org/sites/default/files/documents/MBE/MDE-2021\(4\)/tab-05-waivers.pdf](https://www.mdek12.org/sites/default/files/documents/MBE/MDE-2021(4)/tab-05-waivers.pdf)

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**How to Find Recent Updates**

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**How to Find MSBA Updates**

In order to find these updates:

1. Travel to your district’s policy website. (Not MSBA’s website)
2. Log in with your credentials.
3. This will bring you to your homepage. At the bottom of the homepage you should see a guy holding a sign that says “Policy Updates”. Click this link.

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**How to Find MSBA Updates**

Each year, MSBA comes out with two rounds of policy updates.

1. Updates in May in order to reflect the recent legislative session. These policies are time sensitive as the new laws usually take effect July 1.
2. Updates in September following our Policy Conference. These policies are all other policies that are not usually time sensitive.

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