

By: Representative Brown

To: Education

HOUSE BILL NO. 1056
(As Passed the House)

1 AN ACT TO AMEND SECTION 37-161-3, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO SELECT PRIVATE
3 PROVIDERS, OVERSEEN BY THE STATE DEPARTMENT OF EDUCATION, TO
4 ADMINISTER, MANAGE OR OPERATE VIRTUAL SCHOOL PROGRAMS, INCLUDING
5 TOTAL OPERATION OF THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL PROGRAM,
6 AND TO REVISE THE PERIOD OF TIME WITHIN WHICH THE PROGRAM MUST BE
7 EVALUATED TO EVERY THREE YEARS; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 37-161-3, Mississippi Code of 1972, is
10 amended as follows:

11 37-161-3. (1) The Legislature finds and declares the
12 following:

13 (a) Meeting the educational needs of children in our
14 state's schools is of the greatest importance to the future
15 welfare of the State of Mississippi;

16 (b) Closing the achievement gap between high-performing
17 students, including the achievement gap among at-risk students, is
18 a significant and present challenge;

19 (c) Providing a broader range of educational options to
20 parents and utilizing existing resources, along with technology,
21 may help students in the state improve their academic achievement;
22 and

23 (d) Many of the state's school districts currently lack
24 the capacity to provide other public school choices for students
25 whose schools are low performing.

26 (2) There is created the Mississippi Virtual Public School
27 Program, which is the responsibility of the State Department of
28 Education. It is the intent of the Legislature that the
29 Mississippi Virtual Public School established under this section



30 provide Mississippi families with an alternative choice to access
31 additional educational resources in an effort to improve academic
32 achievement. The Mississippi Virtual Public School must be
33 recognized as a public school and provide equitable treatment and
34 resources as are other public schools in the state. Private
35 providers, overseen by the State Department of Education, may be
36 selected by the State Board of Education to administer, manage or
37 operate virtual school programs in this state, including the total
38 operation of the Mississippi Virtual Public School Program. Any
39 private provider chosen to provide services under the provisions
40 of this subsection shall be chosen through a competitive RFP
41 process.

42 (3) Nothing in this section may be interpreted as precluding
43 the use of computer- and Internet-based instruction for students
44 in a virtual or remote setting utilizing the Mississippi Virtual
45 Public School.

46 (4) As used in this section, the following words and phrases
47 have the meanings respectively ascribed unless the context clearly
48 requires otherwise:

49 (a) "Mississippi Virtual Public School" means a public
50 school in which the state uses technology in order to deliver
51 instruction to students via the Internet in a virtual or remote
52 setting.

53 (b) "Sponsor" means the public school district is
54 responsible for the academic process for each student including,
55 but not limited to, enrollment, awarding of credit and monitoring
56 progress.

57 (5) (a) The State Board of Education shall establish the
58 Mississippi Virtual Public School beginning in school year
59 2006-2007.

60 (b) Students who enroll in the Mississippi Virtual
61 Public School may reside anywhere in the State of Mississippi.



62 (6) The Mississippi Virtual Public School must be evaluated
63 every three (3) years according to the following criteria:

64 (a) The accountability and viability of the Mississippi
65 Virtual Public School, as demonstrated by its academic, fiscal and
66 operational performance.

67 (b) The access of each student in the Mississippi
68 Virtual Public School to a sequential curriculum that meets or
69 exceeds the state's academic standards and which has an
70 interactive program with significant online components.

71 (c) Whether or not each student achieves the required
72 number of hours of learning opportunities prescribed by each
73 course per academic year, or alternatively, has demonstrated
74 mastery or completion of appropriate subject areas.

75 (7) Subject to appropriation, the Mississippi Virtual Public
76 School shall provide to each student enrolled in the school all
77 necessary instructional materials. Subject to appropriation, the
78 sponsored school must ensure that each student is provided access
79 to the necessary technology, such as a computer and printer, and
80 to an Internet connection for school work purposes.

81 (8) The State Board of Education shall have approval
82 authority for all coursework and policy of the Mississippi Virtual
83 Public School.

84 (9) Each teacher employed by or participating in the
85 delivery of instruction through the Mississippi Virtual Public
86 School must meet all qualifications for licensure in the State of
87 Mississippi.

88 (10) Any student who meets state residency requirements may
89 enroll in the Mississippi Virtual Public School.

90 (11) Enrollment in the Mississippi Virtual Public School
91 must be free of charge to students. The costs associated with the
92 operations of the virtual school must be shared by the State
93 Department of Education, subject to appropriation, and/or the
94 local school districts.



95 **SECTION 2.** This act shall take effect and be in force from
96 and after July 1, 2010.

