

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF EDUCATION
Office of Legislation and Budget

Mississippi Department of Education
c/o Caron Blanton
Director of Office of Legislative Services
Post Office Box 771
Jackson, Mississippi 39205
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Specific Legal Authority authorizing the promulgation of
Rule: Senate Bill 2628

Reference to Rules repealed, amended or suspended by the
Proposed Rule:

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: To approve a policy as amended in response to public comments to prescribe the information and format required to be included in the development and publication of an annual report as required by Senate Bill 2628, the Children First Act of 2009.

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding was held pursuant to a written request of ten persons on September 2, 2009 at 10:00 a.m.

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least ____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

The agency has determined that an economic impact statement is not required for this rule, or

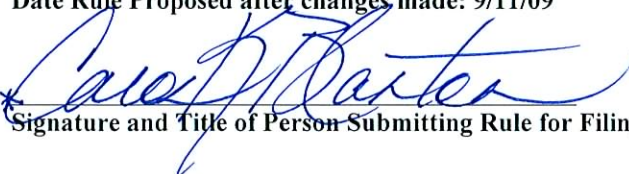
The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached. This policy was originally proposed on 7/17/2009. The rule has been amended in response to public comments and is being filed with the Secretary of State to receive comments on the amended rule.

Date Rule Originally Proposed: 7/17/2009

Proposed Effective Date of Rule: 10/23/2009

Date Rule Proposed after changes made: 9/11/09


Signature and Title of Person Submitting Rule for Filing

Children First Act Annual Report Guidelines

The information required to be in the Children First Act (CFA) Annual Report will be compiled by the Mississippi Department of Education's Office of Research and Statistics. This report is, according to the CFA, to be printed in the newspaper, listed on the district website and made available at a location(s) in the district in a hard copy format. The report shall look at the district as a whole and be printed in the paper and made available on the district website no later than November 1 of each year.

Publication in the Newspaper

There are three categories of information which shall be included in the Annual Reports: District Profile Information, Academic Achievement Information and Financial Data Information. Specific items to be included in the report are as follows:

District Profile

- Number of students
- Number of employees
- Number of full-time teachers
- Number of National Board Certified teachers
- Percentage of teachers who are highly qualified
- Percentage of teachers with emergency licenses
- Number of special education teachers
- Percentage of special education teachers who are highly qualified
- Percentage of special education teachers with emergency licenses
- Racial profile of student population
- Percentage of students receiving free and reduced lunches
- Number and percentage of students receiving special education services
- Percentage of students receiving out-of-school suspensions and expulsions
- Percentage of students receiving special education services receiving out-of-school suspensions and expulsions
- Average Daily Attendance rate (ADA)
- Contact information for the district and information on how to get involved in the schools
- Superintendent's name and contact information

Academic Achievement Information

- Accreditation status
- Percentage of students receiving a high school diploma
- Percentage of students receiving special education services receiving a high school diploma
- Percentage of students receiving an occupational diploma
- Percentage of students receiving special education services receiving an occupational diploma
- Percentage of students receiving a certificate of completion
- Percentage of students receiving special education services receiving a certificate of completion

- Dropout rate for all students
- Dropout rate for students receiving special education services
- Percent of Graduates Taking the ACT
- District rating level
- Number of schools by rating level
- ACT information (% taking the test and the average score)

Financial Data

- Total Revenue: Local, State and Federal Funds (Actual dollar amount and percentage of total revenues)
- Millage Rate (Operations and Debt Service broken out separately)
- State average of millage rates
- Total millage dollars
- Assessed Valuation
- Total Expenditures: Instructional, Operations & Maintenance, Other Instructional, General Administration, School Administration (Percentage of total expenditures)
- Per Pupil Expenditures: Local, State and Federal dollar amounts broken out separately

All information needed to compile this report will be available on the Mississippi Department of Education's Web site in time for submission to the local paper for publication before the November 1 deadline. Districts shall be required to purchase ad space at least three columns in width to ensure readability of the report upon publication. Districts are responsible for placing the ad in the newspaper, paying for the ad in the newspaper and submitting an electronic or hard copy of the report to the newspaper staff.

Publication on the Web

In addition to information published in the newspaper, information will be published by the Mississippi Department of Education's Office of Research and Statistics on a centralized Web site. Each district shall be required to post a link to the Web site on the home page of the district Web site. That information is as follows:

District Profile

- Number of teachers with advanced degrees
- Percent in Pre-K
- Number of students in gifted programs
- Number of students in special education
- Number of Title I schools
- Quality of the Distribution Index
- High School Completer Index

Academic Achievement Information

- Percent of students with dual enrollment
- Number enrolled in AP courses
- Percent of students at each achievement level (Minimal, Basic, Proficient, Advanced)
- Drop-out rate

Financial Data

- Average teacher salary
- Amount of debt
- Any audit findings or a statement showing there were no audit findings (letter from state auditor and a link to the state auditor's website)
- Federal dollars by funding category

— DISTRICT PROFILE —

Student Data — Demographics

	This District	Mississippi
Total Enrollment	1,078	491,514
Free and Reduced Lunch	91%	66%
Average Daily Attendance	97.18%	96.4%

Student Data — Racial Makeup

Race	This District	Mississippi
Asian	0%	1%
Black	92%	51%
Hispanic	1%	2%
Native American	0%	0%
White	6%	46%

Student Data — Special Education

IEP Students as a Percentage of All Students	5%
Actual Number of IEP Students	54

School District Staff

	This District	Mississippi
Number of Employees (FTE)*	376.50	34,390
Number of Teachers (FTE)*	179	33,613
National Board Certified Teachers	1	2,888
Highly Qualified Teachers	95.7%	94.10%
Emergency/Provisional Teachers	4.3%	3.8%

* FTE = Full Time Equivalent

Section Source: MDE/SY 2007-2008

— ACADEMIC ACHIEVEMENT —

2008-2009 State Accountability Designation

—Successful—

2008-2009 Accreditation Status

—Accredited—

Number of Schools by Rating

Star School	0
High Performing	0
Successful	2
Academic Watch	1
Low Performing	0
At Risk of Failing	0
Failing	0

Graduation and Completion Data (2006-2007)

	All Students	IEP Students	Mississippi
Graduation Rate	73.1%	11.2%	72%
Completion Rate (w/ graduates)	91.6%	78.6%	80.1%
Dropout Rate	5.6%	9.2%	16%
Occupational Diplomas	0	NR	5,286
Certificates of Attendance	0	NR	2,215

ACT Information (2007-2008)

	This District	Mississippi
Graduates Taking ACT (estimated)	89.1%	92%
Average ACT Score	16.2	18.9

Expulsions & Out of School Suspensions > 10 Days (2007-2008)

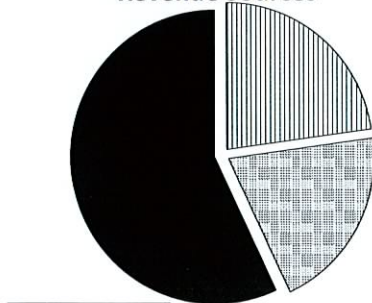
	This District	Mississippi
IEP Students	NR	0.84%
All Non-IEP Students	NR	0.19%

* NR = Less Than 10 Students or No Results Reported

Section Source: MDE

— FINANCIAL DATA —

Revenue Sources



Total Budget: \$10.5M

Millage and Assessed Valuation

	This District	Mississippi
Operational Millage Rate	44.56	51.11
Debt Service Millage Rate	0	01.23
Total Millage Contribution	\$5,854,520	
Assessed Valuation	\$40,073,629	

Estimated Per Pupil Expenditures

	This District	Mississippi
Local	\$1,894	\$2,476
State	\$5,258	\$4,827
Federal	\$2,098	\$1,431
Total	\$9,250	\$8,737

Actual Expenditures

