

# NOTICE OF PROPOSED RULE ADOPTION

## STATE OF MISSISSIPPI Mississippi Department of Education Office of Curriculum and Instruction

Mississippi Department of Education  
c/o Trecina Green, Director  
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Specific Legal Authority authorizing the promulgation of Rule:  
Mississippi Code 37-151-77  
Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A

### Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

Mississippi Code 37-151-77 states that each school district shall not exceed a pupil-teacher ratio of 27:1 in Grades 1-4. Any local district may apply to the State Board of Education for approval of a waiver to this section by submitting and justifying an alternative educational program to serve the needs of enrollment in Grades 1-4. The State Board of Education shall approve or disapprove of such waiver forty-five (45) days after receipt of such application. State Board policy 2100 currently states that the State Board of Education will consider requests at the January and February meetings. State Board Policy 2100 is being revised to indicate that the exemptions will be considered by the State Board of Education following review by MDE staff. The policy is also being revised to indicate that school districts may appeal the denial of an exemption by submitting a request within fourteen (14) days of receipt of notification.

This rule is proposed as a  Final Rule, and/or a  Temporary Rule

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:

An oral proceeding is scheduled on this rule on Date: Time: Place:

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:

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.

Date Rule Proposed: November 15, 2007

Proposed Effective Date of Rule:  
February 18, 2008

\_\_\_\_\_  
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001  
Effective Date 07/29/2005