

NOTICE OF RULE ADOPTION—FINAL RULE

**STATE OF MISSISSIPPI
SECRETARY OF STATE
BUSINESS SERVICES DIVISION**

**Mississippi Department of Education
C/O Trecina Green
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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**Reference to Rules repealed, amended or suspended by the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:** Policy Number 2100

Date Rule Proposed: November 15, 2007

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.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: March 19, 2008