

## Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

## ADMINISTRATIVE PROCEDURES NOTICE FILING

|                                                    |                        |                                                                                                                              |                                  |              |
|----------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------|
| AGENCY NAME<br>Mississippi Department of Education |                        | CONTACT PERSON<br>Dr. Jackie Sampsell                                                                                        | TELEPHONE NUMBER<br>601-359-3052 |              |
| ADDRESS<br>359 N. West Street                      |                        | CITY<br>Jackson                                                                                                              | STATE<br>MS                      | ZIP<br>39201 |
| EMAIL<br>jsampsell@mdek12.org                      | SUBMIT DATE<br>5/26/22 | Name or number of rule(s):<br>Title 7, Part 3, Chapter 78, Rule 78.10<br><i>Subject Area Testing Program Appeals Process</i> |                                  |              |

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: To repeal Title 7, Part 3, Chapter 78, Rule 78.10 Subject Area Testing Program Appeals Process in accordance with Miss. Code Ann. § 25-43-3.114 which requires an agency to review all of its rules at least every five years to determine whether any rules should be repealed, amended, or a new rule adopted.

Specific legal authority authorizing the promulgation of rule: Source Code: *Miss. Code Ann. § 37-1-3*

List all rules repealed, amended, or suspended by the proposed rule: Title 7, Part 3, Chapter 78, Rule 78.10

## ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more 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, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

## ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

| TEMPORARY RULES                                                                                                                                                              | PROPOSED ACTION ON RULES                                                                                                                                                                                                                                      | FINAL ACTION ON RULES                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| _____ Original filing<br>_____ Renewal of effectiveness<br>To be in effect in _____ days<br>Effective date:<br>_____ Immediately upon filing<br>_____ Other (specify): _____ | <b>Action proposed:</b><br>_____ New rule(s)<br>_____ Amendment to existing rule(s)<br>_____ Repeal of existing rule(s)<br>_____ Adoption by reference<br><b>Proposed final effective date:</b><br>_____ 30 days after filing<br>_____ Other (specify): _____ | <b>Date Proposed Rule Filed:</b> 3/17/22<br><b>Action taken:</b><br>_____ Adopted with no changes in text<br>_____ Adopted with changes<br>_____ Adopted by reference<br>_____ Withdrawn<br><input checked="" type="checkbox"/> Repeal adopted as proposed<br><b>Effective date:</b><br>_____ 30 days after filing<br><input checked="" type="checkbox"/> Other (specify): 6/27/2022 |

Printed name and Title of person authorized to file rules: Dr. Jackie Sampsell

Signature of person authorized to file rules: Dr. Jackie Sampsell /s/

| OFFICIAL FILING STAMP                                                    | DO NOT WRITE BELOW THIS LINE<br>OFFICIAL FILING STAMP                    | OFFICIAL FILING STAMP                                                                                                                                                |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | <div style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>FILED</b></p> <p><b>MAY 26 2022</b></p> <p>Mississippi Secretary of State</p> </div> |
| Accepted for filing by                                                   | Accepted for filing by                                                   | Accepted for filing by<br><u>26300 AFT</u>                                                                                                                           |

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