

By: Representative Scott (80th)

To: Juvenile Justice;
Appropriations

HOUSE BILL NO. 63

1 AN ACT TO AMEND SECTION 43-21-621, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE OFFICE OF YOUTH SERVICES OF THE DEPARTMENT OF HUMAN
3 SERVICES TO DEVELOP AN AFTERCARE PROGRAM FOR YOUTH WHO COMPLETE
4 THEIR SENTENCE AND REENROLL IN SCHOOL; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 43-21-621, Mississippi Code of 1972, is
7 amended as follows:

8 43-21-621. (1) The youth court * * *, in compliance with
9 the laws governing education of children, may order any
10 state-supported public school in its jurisdiction after notice and
11 hearing to enroll or reenroll any compulsory-school-age child in
12 school, and further order appropriate educational services. * * *
13 However, * * * the youth court shall not order the enrollment or
14 reenrollment of a student that has been suspended or expelled by a
15 public school pursuant to Section 37-9-71 or 37-7-301 for
16 possession of a weapon on school grounds, for an offense involving
17 a threat to the safety of other persons or for the commission of a
18 violent act. For the purpose of this section "violent act" means
19 any action which results in death or physical harm to another or
20 an attempt to cause death or physical harm to another. The
21 superintendent of the school district to which the child is
22 ordered may * * * assign the child to the alternative school
23 program of the school established pursuant to Section 37-13-92,
24 Mississippi Code of 1972. The court shall have jurisdiction to
25 enforce school and education laws. Nothing in this section shall
26 be construed to affect the attendance of a child in a legitimate
27 home instruction program.

28 (2) The youth court may specify the following conditions of
29 probation related to any juvenile ordered to enroll or reenroll in
30 school: That the juvenile maintain passing grades in up to four
31 (4) courses during each grading period and meet with the court
32 counselor and a representative of the school to make a plan for
33 how to maintain those passing grades.

34 (3) If the adjudication of delinquency was for an offense
35 involving a threat to the safety of the juvenile or others and
36 school attendance is a condition of probation, the youth court
37 judge shall make a finding that the principal of the juvenile's
38 school should be notified. If the judge orders that the principal
39 be notified, the youth court counselor shall within five (5) days
40 or before the juvenile begins to attend school, whichever occurs
41 first, notify the principal of the juvenile's school in writing of
42 the nature of the offense and the probation requirements related
43 to school attendance. A principal notified by a juvenile court
44 counselor shall handle the report according to the guidelines and
45 rules adopted by the State Board of Education.

46 (4) The Administrative Office of the Courts shall report to
47 the Legislature on the number of juveniles reported to principals
48 in accordance with this section no later than January 1, 1996.

49 (5) The Office of Youth Services of the Department of Human
50 Services shall develop an aftercare program for any youth who has
51 completed his or her sentence imposed by the youth court and is
52 reenrolled in school.

53 SECTION 2. This act shall take effect and be in force from
54 and after July 1, 1999.