

*****Pending*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 706

By Senator(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

17 SECTION 1. As used in this act, the following words and
18 phrases shall have the meanings ascribed in this section unless
19 the context clearly indicates otherwise:

20 (a) "Board" means the State Board of Education.

21 (b) "School" means the Mississippi School of Humanities.

22 SECTION 2. (1) There is created the Mississippi School of
23 Humanities, which shall be a residential school for eleventh and
24 twelfth grade high school students located on the campus of
25 Whitworth College in Brookhaven, Mississippi. The purpose of the
26 school shall be to provide a more challenging educational
27 experience for artistically talented and gifted students of the
28 state to develop their full potential, including the teaching of
29 humanities, creative writing and literature, and the school's
30 curriculum and admissions policies shall reflect that purpose.

31 (2) The 2001-2002 school year shall be the first year that
32 the school shall admit students for enrollment, which shall be
33 limited to students in the eleventh grade during the school's
34 first year. Beginning with the 2002-2003 school year, the school
35 shall enroll students in the eleventh and twelfth grades.

36 SECTION 3. (1) The school shall be governed by the State
37 Board of Education. The board shall develop a plan relating to

38 the opening, operation and funding of the school to be presented
39 to the Legislature during the 2000 Regular Session. The plan
40 shall include an equitable and reasonable plan for student
41 recruitment without regard to race, creed or color.

42 (2) The State Superintendent of Public Education shall
43 appoint an advisory panel to assist the board in developing the
44 plan relating to the school. The advisory panel shall consist of
45 nine (9) appointed members as follows:

46 (a) Three (3) licensed school teachers or
47 administrators, one (1) to be appointed from each of the three (3)
48 Mississippi Supreme Court Districts;

49 (b) Three (3) citizens or professionals representing
50 the areas of dance, creative writing, literature, music, theater
51 arts or visual arts, one (1) to be appointed from each of the
52 three (3) Mississippi Supreme Court Districts;

53 (c) Three (3) citizens knowledgeable in business,
54 personnel management or public administration, with at least three
55 years' actual experience therein, one (1) to be appointed from
56 each of the three (3) Mississippi Supreme Court Districts. In
57 addition, one (1) member shall be a representative of the
58 Mississippi Arts Commission to be designated by the commission,
59 and one (1) member shall be a representative of the state
60 institutions of higher learning in Mississippi which offer degrees
61 in fine and performing arts, to be designated by the Board of
62 Trustees of State Institutions of Higher Learning. Appointments
63 to the advisory panel shall be made within ninety (90) days of
64 passage of this act. The advisory panel shall meet upon the call
65 of the State Superintendent of Education and shall organize for
66 business by selecting a chairman and vice-chairman/secretary for
67 keeping records of the panel. Members of the advisory panel shall
68 receive no compensation but may be reimbursed for necessary
69 expenses and mileage for attending meetings and necessary business
70 of the panel, in the amount authorized for public employees under

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71 Section 25-3-41.

72 (3) The board may utilize the staff of the State Department
73 of Education and other state agencies as may be required for the
74 implementation of this act. The department may employ any
75 personnel deemed necessary by the board for assisting in the
76 development and implementation of the plan relating to the
77 opening, operation and funding of the school. The board also may
78 contract or enter into agreements with other agencies or private
79 entities which it deems necessary to carry out its duties and
80 functions relating to the opening and operation of the school.

81 (4) The board shall enter into agreements with the Board of
82 Trustees of the Brookhaven Municipal Separate School District for
83 the dual enrollment of students for the purpose of teaching all
84 academic courses to students attending the school, and the local
85 school board shall be fully authorized to offer any such courses
86 to students attending the school. The State Board of Education
87 may develop and issue necessary regulations for the coordination
88 of such courses for these students, the preparation and transfer
89 of transcripts, and the reimbursement of any costs incurred by the
90 school district for providing such services.

91 (5) The campus grounds of the Mississippi School for
92 Humanities shall be maintained by the City of Brookhaven,
93 Mississippi.

94 SECTION 4. Subject to the availability of funding
95 appropriated therefor, the board may hire a director of the
96 school, who shall serve at the will and pleasure of the board.
97 The director shall be the chief administrative officer of the
98 school and shall administer the school in accordance with the
99 policies established by the board. The director shall be
100 responsible for those administrative duties and functions
101 prescribed by the board, and the board, in its discretion, may
102 delegate to the director such powers and duties as it deems
103 appropriate.

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104 SECTION 5. The board shall be the exclusive governing body
105 of the school and shall promulgate rules and regulations required
106 for the administration and operation of the school. The emphasis
107 of the school shall be on the education and training of students
108 in the performing and fine arts and in the humanities, but this
109 emphasis shall not preclude the teaching of those liberal arts and
110 science courses, math and science deemed necessary by the board to
111 provide students with a well-rounded education. The programs of
112 study at the school may not conflict with those programs available
113 to students at the Mississippi School for Mathematics and Science.

114 SECTION 6. The board shall prepare the annual budget for the
115 school. For the operation and support of the school, the board
116 may receive contributions, donations, gifts, bequests of money,
117 other forms of financial assistance and property, equipment,
118 materials or manpower from persons, foundations, trust funds,
119 corporations, organizations and other sources, public or private,
120 to be expended and utilized by the board in carrying out this act.

121 SECTION 7. All expenditures for the school shall be paid by
122 the State Treasurer on warrants issued by the State Fiscal
123 Officer, and the State Fiscal Officer shall issue his warrants
124 upon requisition signed by the proper person, officer or officers.

125 SECTION 8. The State Board of Education may enter into
126 agreements with the Mississippi Symphony Orchestra for providing
127 classical music educational services to students in Grades
128 Kindergarten through 12 at the Mississippi School for Humanities
129 or at any other public school facility in Mississippi, subject to
130 specific appropriation therefor by the Legislature. Such
131 educational services shall include (a) music history, music
132 instrument, and music performance instruction in the classroom;
133 (b) symphony concerts for the students, programmed to support and
134 enhance the teaching of history, literature and science; (c)
135 chamber ensemble and chamber orchestra performances where members
136 serve as educators as well as performers; (d) organizing and

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137 developing student performing ensembles, where members serve as
138 music instrument instructors, conductors and performers; (e)
139 symphony concerts for students, parents and other residents to
140 enhance the position of the school as center of the local
141 community; and (f) other services to be determined by agreement.

142 SECTION 9. Section 37-3-13, Mississippi Code of 1972, is
143 amended as follows:

144 37-3-13. (1) Until July 1, 1984, the Assistant State
145 Superintendent of Public Education, the directors, supervisors,
146 clerical assistants, and employees shall be selected by, and hold
147 office subject to the will of, the State Superintendent, except as
148 provided in Section 37-3-17. The Assistant State Superintendent
149 may be authorized to act in the absence or disability of the State
150 Superintendent and shall perform such other duties as may be
151 assigned to him by the State Superintendent. The State
152 Superintendent shall have the power to assign to any division such
153 clerical help as he may deem necessary and to discharge such
154 clerical help among the divisions at any time necessity requires,
155 except as provided in Section 37-3-17.

156 (2) From and after July 1, 1984, the deputy superintendents,
157 associate superintendents and directors shall be selected by and
158 hold office subject to the will of the State Superintendent of
159 Public Education subject to the approval of the State Board of
160 Education. All other personnel shall be competitively appointed
161 by the State Superintendent and shall be dismissed only for cause
162 in accordance with the rules and regulations of the State
163 Personnel Board. The State Board of Education shall set the
164 salary of the deputy superintendents, associate superintendents
165 and divisional directors, and the members of the teaching staffs
166 and employees of the Mississippi School of Humanities. The State
167 Superintendent, subject to the approval of the State Personnel
168 Board, shall fix the amount of compensation of all employees of
169 the State Department of Education. All salaries, compensation or

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170 expenses of any of the personnel of the department shall be paid
171 upon the requisition of the State Superintendent of Public
172 Education and warrant issued thereunder by the State Auditor out
173 of funds appropriated by the Legislature in a lump sum upon the
174 basis of budgetary requirements submitted by the Superintendent of
175 Education or out of funds otherwise made available. The entire
176 expense of administering the department shall never exceed the
177 amount appropriated therefor, plus funds received from other
178 sources other than state appropriations. For a violation of this
179 provision, the superintendent shall be liable, and he and the
180 sureties on his bond shall be required to restore any such excess.

181 SECTION 10. This act shall take effect and be in force from
182 and after July 1, 1999, and shall stand repealed from and after
183 July 2, 1999.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE THE MISSISSIPPI SCHOOL OF HUMANITIES; TO
2 DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE THAT THE SCHOOL
3 SHALL BE A RESIDENTIAL FACILITY FOR TALENTED ELEVENTH AND TWELFTH
4 GRADE STUDENTS; TO PROVIDE THAT THE SCHOOL SHALL BE GOVERNED BY
5 THE STATE BOARD OF EDUCATION; TO REQUIRE THE BOARD TO DEVELOP A
6 PLAN FOR THE OPENING, OPERATION AND FUNDING OF THE SCHOOL TO BE
7 PRESENTED TO THE 2000 LEGISLATURE; TO ESTABLISH AN ADVISORY PANEL
8 TO AUTHORIZE THE BOARD TO HIRE A DIRECTOR OF THE SCHOOL; TO
9 REQUIRE THE BOARD TO DEVELOP RULES AND REGULATIONS FOR THE
10 ADMINISTRATION OF THE SCHOOL AND TO PREPARE THE ANNUAL BUDGET FOR
11 THE SCHOOL; TO AUTHORIZE THE BOARD TO ACCEPT CONTRIBUTIONS FOR THE
12 SUPPORT OF THE SCHOOL; TO AMEND SECTION 37-3-13, MISSISSIPPI CODE
13 OF 1972, TO PROVIDE THAT THE SALARIES OF EMPLOYEES OF THE
14 MISSISSIPPI SCHOOL OF HUMANITIES SHALL BE SET BY THE STATE BOARD
15 OF EDUCATION; AND FOR RELATED PURPOSES.