

By: Gibbs

To: Education;
Appropriations

HOUSE BILL NO. 1293

1 AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO APPOINT AN
3 ADMINISTRATOR FOR SCHOOL ATTENDANCE OFFICERS IN ANY CIRCUIT COURT
4 DISTRICT; TO REQUIRE THAT ANY SUCH ADMINISTRATOR SERVE AS THE
5 JUVENILE INTERVENTION PROGRAM COORDINATOR; AND FOR RELATED
6 PURPOSES.

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

8 SECTION 1. Section 37-13-89, Mississippi Code of 1972, is
9 amended as follows:

10 37-13-89. (1) In each school district within the state,
11 there shall be employed the number of school attendance officers
12 determined by the Office of Compulsory School Attendance
13 Enforcement to be necessary to adequately enforce the provisions
14 of the Mississippi Compulsory School Attendance Law; however, this
15 number shall not exceed one hundred fifty-three (153) school
16 attendance officers at any time. From and after July 1, 1998, all
17 school attendance officers employed pursuant to this section shall
18 be employees of the State Department of Education. The State
19 Department of Education shall employ all persons employed as
20 school attendance officers by district attorneys before July 1,
21 1998, and shall assign them to school attendance responsibilities
22 in the school district in which they were employed before July 1,
23 1998. The first twelve (12) months of employment for each school
24 attendance officer shall be the probationary period of state
25 service.

26 (2) Each school attendance officer shall possess a college
27 degree with a major in a behavioral science or a related field or
28 shall have no less than three (3) years combined actual experience

29 as a school teacher, school administrator, law enforcement officer
30 possessing such degree, and/or social worker; however, these
31 requirements shall not apply to persons employed as school
32 attendance officers before January 1, 1987. School attendance
33 officers also shall satisfy any additional requirements that may
34 be established by the State Personnel Board for the position of
35 school attendance officer.

36 (3) It shall be the duty of each school attendance officer
37 to:

38 (a) Cooperate with any public agency to locate and
39 identify all compulsory-school-age children who are not attending
40 school;

41 (b) Cooperate with all courts of competent
42 jurisdiction;

43 (c) Investigate all cases of nonattendance and unlawful
44 absences by compulsory-school-age children not enrolled in a
45 nonpublic school;

46 (d) Provide appropriate counseling to encourage all
47 school-age children to attend school until they have completed
48 high school;

49 (e) Attempt to secure the provision of social or
50 welfare services that may be required to enable any child to
51 attend school;

52 (f) Contact the home or place of residence of a
53 compulsory-school-age child and any other place in which the
54 officer is likely to find any compulsory-school-age child when the
55 child is absent from school during school hours without a valid
56 written excuse from school officials, and when the child is found,
57 the officer shall notify the parents and school officials as to
58 where the child was physically located;

59 (g) Contact promptly the home of each
60 compulsory-school-age child in the school district within the
61 officer's jurisdiction who is not enrolled in school or is not in
62 attendance at public school and is without a valid written excuse
63 from school officials; if no valid reason is found for the
64 nonenrollment or absence from the school, the school attendance
65 officer shall give written notice to the parent, guardian or

66 custodian of the requirement for the child's enrollment or
67 attendance;

68 (h) Collect and maintain information concerning
69 absenteeism, dropouts and other attendance-related problems, as
70 may be required by law or the Office of Compulsory School
71 Attendance Enforcement; and

72 (i) Perform all other duties relating to compulsory
73 school attendance established by the State Department of Education
74 or district school attendance supervisor, or both.

75 (4) While engaged in the performance of his duties, each
76 school attendance officer shall carry on his person a badge
77 identifying him as a school attendance officer under the Office of
78 Compulsory School Attendance Enforcement of the State Department
79 of Education and an identification card designed by the State
80 Superintendent of Public Education and issued by the school
81 attendance officer supervisor. Neither the badge nor the
82 identification card shall bear the name of any elected public
83 official.

84 (5) The State Personnel Board shall develop a salary scale
85 for school attendance officers as part of the variable
86 compensation plan. The various pay ranges of the salary scale
87 shall be based upon factors including, but not limited to,
88 education, professional certification and licensure, and number of
89 years of experience. Beginning with the 1999-2000 fiscal year,
90 school attendance officers shall be paid in accordance with this
91 salary scale. In addition, school attendance officers shall
92 receive, in the 1999-2000 fiscal year, an increase in salary in
93 accordance with the state employee pay raise adopted by the 1999
94 Legislature. The minimum salaries under the scale shall be no
95 less than the following:

96 (a) For school attendance officers holding a bachelor's
97 degree or any other attendance officer who does not hold such a
98 degree, the annual salary shall be based on years of experience as

99 a school attendance officer or related field of service or
100 employment, no less than as follows:

101	Years of Experience	Salary
102	0 - 4 years	\$19,650.00
103	5 - 8 years	21,550.00
104	9 - 12 years	23,070.00
105	13 - 16 years	24,590.00
106	Over 17 years	26,110.00

107 (b) For school attendance officers holding a license as
108 a social worker, the annual salary shall be based on years of
109 experience as a school attendance officer or related field of
110 service or employment, no less than as follows:

111	Years of Experience	Salary
112	0 - 4 years	\$20,650.00
113	5 - 8 years	22,950.00
114	9 - 12 years	24,790.00
115	13 - 16 years	26,630.00
116	17 - 20 years	28,470.00
117	Over 21 years	30,310.00

118 (c) For school attendance officers holding a master's
119 degree in a behavioral science or a related field, the annual
120 salary shall be based on years of experience as a school
121 attendance officer or related field of service or employment, no
122 less than as follows:

123	Years of Experience	Salary
124	0 - 4 years	\$21,450.00
125	5 - 8 years	24,000.00
126	9 - 12 years	26,040.00
127	13 - 16 years	28,080.00
128	17 - 20 years	30,120.00
129	Over 21 years	32,160.00

130 (6) (a) Each school attendance officer employed by a
131 district attorney on June 30, 1998, who became an employee of the

132 State Department of Education on July 1, 1998, shall be awarded
133 credit for personal leave and major medical leave for his
134 continuous service as a school attendance officer under the
135 district attorney, and if applicable, the youth or family court or
136 a state agency. The credit for personal leave shall be in an
137 amount equal to one-third (1/3) of the maximum personal leave the
138 school attendance officer could have accumulated had he been
139 credited with such leave under Section 25-3-93 during his
140 employment with the district attorney, and if applicable, the
141 youth or family court or a state agency. The credit for major
142 medical leave shall be in an amount equal to one-half (1/2) of the
143 maximum major medical leave the school attendance officer could
144 have accumulated had he been credited with such leave under
145 Section 25-3-95 during his employment with the district attorney,
146 and if applicable, the youth or family court or a state agency.
147 However, if a district attorney who employed a school attendance
148 officer on June 30, 1998, certifies, in writing, to the State
149 Department of Education that the school attendance officer had
150 accumulated, pursuant to a personal leave policy or major medical
151 leave policy lawfully adopted by the district attorney, a number
152 of days of unused personal leave or major medical leave, or both,
153 which is greater than the number of days to which the school
154 attendance officer is entitled under this paragraph, the State
155 Department of Education shall authorize the school attendance
156 officer to retain the actual unused personal leave or major
157 medical leave, or both, certified by the district attorney,
158 subject to the maximum amount of personal leave and major medical
159 leave the school attendance officer could have accumulated had he
160 been credited with such leave under Sections 25-3-93 and 25-3-95.

161 (b) For the purpose of determining the accrual rate for
162 personal leave under Section 25-3-93 and major medical leave under
163 Section 25-3-95, the State Department of Education shall give
164 consideration to all continuous service rendered by a school

165 attendance officer before July 1, 1998, in addition to the service
166 rendered by the school attendance officer as an employee of the
167 department.

168 (c) In order for a school attendance officer to be
169 awarded credit for personal leave and major medical leave or to
170 retain the actual unused personal leave and major medical leave
171 accumulated by him before July 1, 1998, the district attorney who
172 employed the school attendance officer must certify, in writing,
173 to the State Department of Education the hire date of the school
174 attendance officer. For each school attendance officer employed
175 by the youth or family court or a state agency before being
176 designated an employee of the district attorney who has not had a
177 break in continuous service, the hire date shall be the date that
178 the school attendance officer was hired by the youth or family
179 court or state agency. The department shall prescribe the date by
180 which the certification must be received by the department and
181 shall provide written notice to all district attorneys of the
182 certification requirement and the date by which the certification
183 must be received.

184 (7) (a) School attendance officers shall maintain regular
185 office hours on a year round basis; however, during the school
186 term, on those days that teachers in all of the school districts
187 served by a school attendance officer are not required to report
188 to work, the school attendance officer also shall not be required
189 to report to work. (For purposes of this subsection, a school
190 district's school term is that period of time identified as the
191 school term in contracts entered into by the district with
192 licensed personnel.) A school attendance officer shall be
193 required to report to work on any day recognized as an official
194 state holiday if teachers in any school district served by that
195 school attendance officer are required to report to work on that
196 day, regardless of the school attendance officer's status as an
197 employee of the State Department of Education, and compensatory

198 leave may not be awarded to the school attendance officer for
199 working during that day. However, a school attendance officer may
200 be allowed by the school attendance officer's supervisor to use
201 earned leave on such days.

202 (b) The State Department of Education annually shall
203 designate a period of two (2) consecutive weeks in the summer
204 between school years during which school attendance officers shall
205 not be required to report to work. A school attendance officer
206 who elects to work at any time during that period may not be
207 awarded compensatory leave for such work and may not opt to be
208 absent from work at any time other than during the two (2) weeks
209 designated by the department unless the school attendance officer
210 uses personal leave or major medical leave accrued under Section
211 25-3-93 or 25-3-95 for such absence.

212 (8) The State Department of Education shall provide all
213 continuing education and training courses that school attendance
214 officers are required to complete under state law or rules and
215 regulations of the department.

216 (9) The State Superintendent of Education may appoint an
217 administrator to supervise and direct the school attendance
218 officers in any circuit court district. If an administrator is
219 appointed, he shall establish a juvenile intervention program
220 pursuant to the requirements for the adult pretrial intervention
221 program, as provided in Section 99-15-101 et seq. The
222 administrator shall assist school attendance officers in
223 coordinating juvenile prevention, treatment and rehabilitation
224 programs, such as, but not limited to, in- and out-patient drug
225 counseling, conflict resolution meetings, parenting classes for
226 juveniles and their parents, juvenile jail tours, mentor programs,
227 victim impact panels and prisoner panels. The administrator may
228 accept into the program juveniles pursuant to order of the youth
229 court and juveniles referred to the program by parental consent.

230 The salary for the administrator shall be the same as that of

231 a school attendance officer set forth in this section. The salary
232 may be supplemented by administrative fees paid by the
233 intervention program participant. The duties of the administrator
234 shall not be limited to those duties provided in this section.

235 SECTION 2. This act shall take effect and be in force from
236 and after July 1, 2000.