

By: Thames

To: Education

SENATE BILL NO. 2049  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-9-17, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE SCHOOL BOARD OF ANY SCHOOL DISTRICT TO DESIGNATE A  
3 PERSONNEL SUPERVISOR OR ANOTHER PRINCIPAL EMPLOYED BY THE SCHOOL  
4 DISTRICT TO MAKE OR ACCEPT RECOMMENDATIONS FOR THE EMPLOYMENT OF  
5 NONINSTRUCTIONAL EMPLOYEES AND TO TRANSMIT APPROVED  
6 RECOMMENDATIONS TO THE BOARD; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-9-17, Mississippi Code of 1972, is  
9 amended as follows:

10 37-9-17. On or before April 1 of each year, the principal of  
11 each school shall recommend to the superintendent of the school  
12 district the licensed employees or noninstructional employees to  
13 be employed for the school involved except those licensed  
14 employees or noninstructional employees who have been previously  
15 employed and who have a contract valid for the ensuing scholastic  
16 year. If such recommendations meet with the approval of the  
17 superintendent, the superintendent shall recommend the employment  
18 of such licensed employees or noninstructional employees to the  
19 school board, and, unless good reason to the contrary exists, the  
20 board shall elect the employees so recommended. If, for any  
21 reason, the school board shall decline to elect any employee so  
22 recommended, additional recommendations for the places to be  
23 filled shall be made by the principal to the superintendent and  
24 then by the superintendent to the school board as provided above.

25 The school board of any school district shall be authorized to  
26 designate a personnel supervisor or another principal employed by  
27 the school district to recommend to the superintendent licensed  
28 employees or noninstructional employees; however, this

29 authorization shall be restricted to no more than two (2)  
30 positions for each employment period for each school in the school  
31 district. Any noninstructional employee employed upon the  
32 recommendation of a personnel supervisor or another principal  
33 employed by the school district must have been employed by the  
34 school district at the time the superintendent was elected or  
35 appointed to office; a noninstructional employee employed under  
36 this authorization may not be paid compensation in excess of the  
37 statewide average compensation for such noninstructional position  
38 with comparable experience, as established by the State Department  
39 of Education. The school board of any school district shall be  
40 authorized to designate a personnel supervisor or another  
41 principal employed by the school district to accept the  
42 recommendations of principals or their designees for licensed  
43 employees or noninstructional employees and to transmit approved  
44 recommendations to the board; however, this authorization shall be  
45 restricted to no more than two (2) positions for each employment  
46 period for each school in the school district.

47 When the licensed employees have been elected as provided in  
48 the preceding paragraph, the superintendent of the district shall  
49 enter into a contract with such persons in the manner provided in  
50 this chapter.

51 If, at the commencement of the scholastic year, any licensed  
52 employee shall present to the superintendent a license of a higher  
53 grade than that specified in such individual's contract, such  
54 individual may, if funds are available from minimum education  
55 program funds of the district, or from district funds, be paid  
56 from such funds the amount to which such higher grade license  
57 would have entitled the individual, had the license been held at  
58 the time the contract was executed.

59 SECTION 2. This act shall take effect and be in force from  
60 and after its passage.