

By: Walls

To: Education;
Appropriations

SENATE BILL NO. 2385

1 AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE STATUTORY SCALE FOR SCHOOL ATTENDANCE OFFICERS
3 EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION; AND FOR RELATED
4 PURPOSES.

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

6 SECTION 1. Section 37-13-89, Mississippi Code of 1972, is
7 amended as follows:[JU1]

8 37-13-89. (1) In each school district within the state,
9 there shall be employed the number of school attendance officers
10 determined by the Office of Compulsory School Attendance
11 Enforcement to be necessary to adequately enforce the provisions
12 of the Mississippi Compulsory School Attendance Law; however, this
13 number shall not exceed one hundred fifty-three (153) school
14 attendance officers at any time. From and after July 1, 1998, all
15 school attendance officers employed pursuant to this section shall
16 be employees of the State Department of Education. The State
17 Department of Education shall employ all persons employed as
18 school attendance officers by district attorneys before July 1,
19 1998, and shall assign them to school attendance responsibilities
20 in the school district in which they were employed before July 1,
21 1998. The first twelve (12) months of employment for each school
22 attendance officer shall be the probationary period of state
23 service.

24 (2) Each school attendance officer shall possess a college
25 degree with a major in a behavioral science or a related field or
26 shall have no less than three (3) years combined actual experience
27 as a school teacher, school administrator, law enforcement officer

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

34 (3) It shall be the duty of each school attendance officer
35 to:

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

39 (b) Cooperate with all courts of competent
40 jurisdiction;

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

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

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

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

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

65 attendance;

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

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

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

82 (5) The State Personnel Board shall develop a salary scale
83 for school attendance officers as part of the variable
84 compensation plan. The various pay ranges of the salary scale
85 shall be based upon factors including, but not limited to,
86 education, professional certification and licensure, and number of
87 years of experience. Beginning with the 1999-2000 fiscal year,
88 school attendance officers shall be paid in accordance with this
89 salary scale. In addition, school attendance officers shall
90 receive, in the 1999-2000 fiscal year, an increase in salary in
91 accordance with the state employee pay raise adopted by the 1999
92 Legislature. From and after July 1, 2000, the minimum salaries
93 under the scale shall be no less than the following:

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

98 employment, no less than as follows:

99	Years of Experience	Salary
100	0 - 4 years	<u>\$21,030.00</u>
101	5 - 8 years	<u>23,060.00</u>
102	9 - 12 years	<u>24,690.00</u>
103	13 - 16 years	<u>26,320.00</u>
104	Over 17 years	<u>27,940.00</u>

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

109	Years of Experience	Salary
110	0 - 4 years	<u>\$22,100.00</u>
111	5 - 8 years	<u>24,560.00</u>
112	9 - 12 years	<u>26,530.00</u>
113	13 - 16 years	<u>28,500.00</u>
114	17 - 20 years	<u>30,470.00</u>
115	Over 21 years	<u>32,440.00</u>

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

121	Years of Experience	Salary
122	0 - 4 years	<u>\$22,960.00</u>
123	5 - 8 years	<u>25,680.00</u>
124	9 - 12 years	<u>27,870.00</u>
125	13 - 16 years	<u>30,050.00</u>
126	17 - 20 years	<u>32,230.00</u>
127	Over 21 years	<u>34,420.00</u>

128 (6) (a) Each school attendance officer employed by a
129 district attorney on June 30, 1998, who became an employee of the
130 State Department of Education on July 1, 1998, shall be awarded

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

159 (b) For the purpose of determining the accrual rate for
160 personal leave under Section 25-3-93 and major medical leave under
161 Section 25-3-95, the State Department of Education shall give
162 consideration to all continuous service rendered by a school
163 attendance officer before July 1, 1998, in addition to the service

164 rendered by the school attendance officer as an employee of the
165 department.

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

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

197 working during that day. However, a school attendance officer may
198 be allowed by the school attendance officer's supervisor to use
199 earned leave on such days.

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

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

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