

By: Harden

To: Education

SENATE BILL NO. 2651

1 AN ACT TO AMEND SECTION 37-11-55, MISSISSIPPI CODE OF 1972,
2 TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES OR
3 REGULATIONS REGARDING THE ADMINISTRATION OF CORPORAL PUNISHMENT IN
4 THE PUBLIC SCHOOLS, AND TO DIRECT LOCAL SCHOOL BOARDS TO ADOPT OR
5 REJECT SUCH PROCEDURES FOR USE IN LOCAL SCHOOL DISTRICTS PRIOR TO
6 THE 2000-2001 SCHOOL YEAR; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-11-55, Mississippi Code of 1972, is
9 amended as follows:[RDD1]

10 37-11-55. (1) On or before August 1, 2000, the State Board
11 of Education shall adopt rules or regulations regarding the
12 administration of corporal punishment in the public schools and
13 shall promulgate such rules or regulations to all local school
14 boards. Such rules or regulations shall provide procedures for
15 the administration of corporal punishment in a reasonable manner
16 and not authorizing the use of excessive force or cruel
17 punishment, and shall be audited by the Attorney General for
18 compliance with applicable federal or state court decisions.

19 (2) The local school boards of each public school district
20 in Mississippi shall either (a) adopt the procedures adopted by
21 the State Board of Education regarding the use of corporal
22 punishment in the schools as the local school district policy
23 effective with the 2000-2001 school year, or (b) shall reject the

24 procedures adopted by the State Board of Education regarding the
25 use of corporal punishment in the local school district, and may
26 adopt a different local policy regarding the use of corporal
27 punishment in the local schools effective with the 2000-2001
28 school year. The action required of all school boards under this
29 subsection (2) shall be spread upon the minutes of the local
30 school board, and shall be incorporated in the code of student
31 conduct provided under this section.

32 (3) The local school board shall adopt and make available to
33 all teachers, school personnel, students and parents or guardians,
34 at the beginning of the 2000-2001 school year and each school year
35 thereafter, a code of student conduct developed in consultation
36 with the State Board of Education, teachers, school personnel,
37 students and parents or guardians. The code shall be based on the
38 rules governing student conduct and discipline adopted by the
39 school board and may be made available at the school level in the
40 student handbook or similar publication. The code shall include,
41 but not be limited to:

42 (a) Specific grounds for disciplinary action;

43 (b) Procedures to be followed for acts requiring
44 discipline; and

45 (c) An explanation of the responsibilities and rights
46 of students with regard to attendance, respect for persons and
47 property, knowledge and observation of rules of conduct, the right
48 to learn, free speech and student publications, assembly, privacy
49 and participation in school programs and activities.

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