

**\*\*\*Adopted\*\*\***

**AMENDMENT No. 1 PROPOSED TO**

**Senate Bill NO. 2049**

**By Representative(s) Committee**

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

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

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

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

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

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

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