

By: Representatives Ford, Scott (80th)

To: Education

HOUSE BILL NO. 494  
(As Sent to Governor)

1 AN ACT TO REENACT SECTION 37-7-339, MISSISSIPPI CODE OF 1972,  
2 WHICH AUTHORIZES LOCAL SCHOOL DISTRICTS TO PROVIDE EXTENDED DAY  
3 AND EXTENDED SCHOOL YEAR PROGRAMS AND TO ADOPT POLICIES, WITH  
4 REGARD TO INSTRUCTION, FOR WHICH THERE IS NO SPECIFIC GENERAL LAW  
5 OR AGENCY REGULATION; TO AMEND REENACTED SECTION 37-7-339,  
6 MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THAT SECTION;  
7 TO AUTHORIZE SCHOOL BOARDS TO EXPEND FUNDS FROM ANY AVAILABLE  
8 SOURCES FOR THE PURPOSE OF DEFRAYING THE COSTS OF STUDENT FIELD  
9 TRIPS TO PUBLIC OR PRIVATE NONPROFIT MUSEUMS; TO AUTHORIZE SCHOOL  
10 BOARDS TO ENTER INTO CONTRACTS FOR TRAINING OR PROFESSIONAL  
11 DEVELOPMENT ACTIVITIES, OR BOTH, FOR DISTRICT EMPLOYEES; TO AMEND  
12 SECTION 37-3-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
13 MISSISSIPPI SCHOOL BOARDS ASSOCIATION SHALL CONDUCT THE CONTINUING  
14 EDUCATION PROGRAMS FOR SCHOOL BOARD MEMBERS, AND TO REQUIRE AN  
15 ANNUAL REPORT TO BE PREPARED FOR THE LEGISLATURE DESCRIBING THE  
16 TRAINING ACTIVITIES AND INCLUDING AN EVALUATION OF THE TRAINING  
17 PROGRAM; TO AMEND SECTION 37-7-306, MISSISSIPPI CODE OF 1972, TO  
18 PROVIDE THAT THE MISSISSIPPI SCHOOL BOARDS ASSOCIATION SHALL  
19 PROVIDE THE CONTINUING TRAINING PROGRAMS FOR SCHOOL BOARD MEMBERS;  
20 AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** Section 37-7-339, Mississippi Code of 1972, is  
23 reenacted and amended as follows:

24 37-7-339. (1) The school board of any local school  
25 district, in its discretion, may provide extended day and extended  
26 school year programs for kindergarten or compulsory-school-age  
27 students, or both, and may expend any funds for these purposes  
28 which are available from \* \* \* sources other than the adequate  
29 education program. It is not the intent of the Legislature, in  
30 enacting this section, to interfere with the Headstart program.  
31 School boards, in their discretion, may charge participants a  
32 reasonable fee for such programs.

33 (2) The school board of any school district may adopt any  
34 orders, policies, rules or regulations with respect to instruction  
35 within that school district for which no specific provision has  
36 been made by general law and which are not inconsistent with the



37 Mississippi Constitution of 1890, the Mississippi Code of 1972, or  
38 any order, policy, rule or regulation of the State Board of  
39 Education; those school boards also may alter, modify and repeal  
40 any orders, policies, rules or regulations enacted under this  
41 subsection. Any such program pertaining to reading must further  
42 the goal that Mississippi students will demonstrate a growing  
43 proficiency in reading and will reach or exceed the national  
44 average within the next decade.

45 \* \* \*

46 **SECTION 2.** The school board of a local school district may  
47 expend funds from any available sources for the purpose of  
48 defraying the cost of student field trips to public or private  
49 nonprofit museums, including the cost of admission to such  
50 museums.

51 **SECTION 3.** The school board of a local school district may  
52 enter into contracts or agreements with persons or entities,  
53 public or private, to provide training or professional development  
54 activities, or both, for employees of the district.

55 **SECTION 4.** Section 37-3-4, Mississippi Code of 1972, is  
56 amended as follows:

57 37-3-4. (1) There is established \* \* \* within the State  
58 Department of Education, the School Executive Management  
59 Institute. The director shall be appointed by the State Board of  
60 Education upon recommendation by the State Superintendent of  
61 Public Education. The State Superintendent of Public Education,  
62 with the approval of the State Board of Education, shall assign  
63 sufficient staff members from the State Department of Education to  
64 the institute.

65 (2) It shall be the purpose and duty of the institute to  
66 conduct thorough empirical studies and analyses of the school  
67 management needs of the local school districts throughout the  
68 state, to make recommendations to the State Board of Education  
69 regarding standards and programs of training that aid in the



70 development of administrative and management skills of local  
71 school administrators, and to conduct such programs related to  
72 these purposes as they are implemented under guidelines  
73 established by the State Board of Education.

74 (3) The State Board of Education shall develop and implement  
75 through the School Executive Management Institute a program for  
76 the development of administrative and management skills of local  
77 school administrators under which all local school administrators  
78 shall be required to participate. Subject to the extent of  
79 appropriations available for such purpose, the School Executive  
80 Management Institute or the Mississippi School Boards Association  
81 shall be required to offer courses at least twice a year on the  
82 uses of technology to principals, superintendents and other  
83 administrative personnel. These courses shall relate to the  
84 application of technology to learning, as well as administrative  
85 problems.

86 (4) (a) The institute shall have an advisory board composed  
87 of ten (10) qualified members appointed by the State Board of  
88 Education after consultation with the State Superintendent of  
89 Public Education. This advisory board will offer recommendations  
90 to the institute on the types of training to be instituted and  
91 supported. The membership of the advisory board shall be composed  
92 of the following members, two (2) to be appointed from each  
93 congressional district: three (3) school administrators; one (1)  
94 representative of public community/junior colleges within the  
95 state; one (1) representative of a school of education in an  
96 institution of higher learning within the state; two (2) local  
97 school board members; one (1) classroom teacher; and two (2) lay  
98 persons. In making the initial appointments, three (3) members  
99 shall be appointed for a term of one (1) year, three (3) members  
100 shall be appointed for a term of two (2) years, two (2) members  
101 shall be appointed for a term of three (3) years, and two (2)  
102 members shall be appointed for a term of four (4) years.



103 Thereafter, all members shall be appointed for a term of four (4)  
104 years. The advisory board shall meet when called by the director,  
105 but in no event fewer than three (3) times per year. The members  
106 of the advisory board shall be compensated at the per diem rate  
107 authorized by Section 25-3-69 and reimbursed for actual and  
108 necessary expenses as authorized by Section 25-3-41.

109 (b) Board members of the Oxford-Lafayette Business and  
110 Industrial Complex shall be paid per diem and reimbursed for  
111 expenses and mileage from local funds in accordance with Section  
112 37-6-13.

113 (5) (a) Basic Education Course. Subject to the extent of  
114 appropriations available for such purpose, the School Executive  
115 Management Institute of the State Department of Education shall  
116 prepare and conduct a course of training for basic education for  
117 the local school board members of this state, in order for board  
118 members to carry out their duties more effectively and be exposed  
119 to new ideas involving school restructuring. The basic course  
120 shall be known as the "School Board Member Training Course" and  
121 shall consist of at least twelve (12) hours of training. The  
122 School Executive Management Institute shall issue certificates of  
123 completion to those school board members who complete the basic  
124 education course.

125 (b) Continuing Education Course. The Mississippi  
126 School Boards Association shall be responsible for preparing and  
127 conducting a course of training for continuing education for the  
128 local school board members of this state, in order for board  
129 members to carry out their duties more effectively and be exposed  
130 to new ideas involving school restructuring. The continuing  
131 education course shall be known as the "Continuing Education  
132 Course for School Board Members" and shall consist of at least six  
133 (6) hours of training. \* \* \*

134 The Mississippi School Boards Association shall issue  
135 certificates of completion to those school board members who



136 complete the \* \* \* continuing education course. All costs and  
137 expenses for preparing and conducting the continuing education  
138 course provided for in this paragraph shall be paid out of any  
139 funds which are made available to the Mississippi School Boards  
140 Association upon authorization and appropriation by the  
141 Legislature to the State Department of Education. \* \* \*

142 (6) The Mississippi School Boards Association shall prepare  
143 and submit a report each year to the State Board of Education and  
144 to the respective Chairs of the House and Senate Education  
145 Committees describing the activities and providing an evaluation  
146 of the continuing education programs offered by the association  
147 each year.

148 (7) The School Executive Management Institute of the State  
149 Department of Education, or the Mississippi School Boards  
150 Association with the oversight of the State Board of Education, at  
151 least twice a year, shall prepare and conduct required courses of  
152 training for continuing education for the elementary and secondary  
153 school principals of this state, in order for principals to carry  
154 out their duties more effectively and be exposed to new ideas  
155 involving school management. The continuing education course  
156 shall be known as the "Continuing Education Course for Principals"  
157 and shall consist of at least six (6) hours of training. The  
158 content of the continuing education courses and the time and place  
159 such courses are to be conducted shall be determined by the School  
160 Executive Management Institute or the Mississippi School Boards  
161 Association; however, to the extent practicable, such training  
162 sessions shall be held within geographical proximity of local  
163 districts in order that travel times and costs shall not be  
164 prohibitive. \* \* \*

165 The institute shall issue certificates of completion to those  
166 principals who complete such courses. All costs and expenses for  
167 preparing and conducting the basic and continuing education  
168 courses provided for in this subsection shall be paid out of any



169 funds which are made available to the institute upon authorization  
170 and appropriation by the Legislature.

171       (8) In the event any school district meets Level 4 or 5  
172 accreditation requirements, the State Board of Education, in its  
173 discretion, may exempt the school superintendents, principals and  
174 other administrators of such school district from the provisions  
175 of this section.

176       **SECTION 5.** Section 37-7-306, Mississippi Code of 1972, is  
177 amended as follows:

178       37-7-306. (1) Every school board member selected after July  
179 1, 2002, shall have a high school diploma or its equivalent.

180       (2) Every school board member selected after July 1, 1993,  
181 shall be required to complete a basic course of training and  
182 education for local school board members, in order for board  
183 members to carry out their duties more effectively and be exposed  
184 to new ideas involving school restructuring. Such basic course of  
185 training, approved by the State Board of Education, shall be  
186 conducted by the School Executive Management Institute of the  
187 State Department of Education. Upon completion of the basic  
188 course of training, the School Executive Management Institute  
189 shall file a certificate of completion for the school board member  
190 with the office of the local school board. In the event that a  
191 board member fails to complete such training within six (6) months  
192 of his selection, \* \* \* such board member shall no longer be  
193 qualified to serve and shall be removed from office.

194       (3) In addition to meeting the requirements of subsection  
195 (2) of this section, after taking office, each school board member  
196 shall be required to file annually in the office of the school  
197 board a certificate of completion of a course of continuing  
198 education conducted by the Mississippi School Boards  
199 Association. \* \* \*



200 (4) Every school board member selected after July 1, 2002,  
201 shall spend at least one (1) full day in a school in the district  
202 they represent, without compensation.

203 (5) Upon the failure of any local school board member to  
204 file with the school board the certificate of completion of the  
205 basic or continuing course of training as provided in subsection  
206 (2) or (3) of this section, the school board member shall be  
207 removed from office by the Attorney General. In the event of a  
208 medical or other catastrophic hardship that prevents such school  
209 board member from obtaining the required training or filing such  
210 certificate, as may be defined by the State Board of Education by  
211 rule and regulation, an additional period of three (3) months may  
212 be allowed to satisfy the requirements of subsection (2) or (3).

213 **SECTION 6.** This act shall take effect and be in force from  
214 and after July 1, 2002.

