SENATE BILL NO. 2225
(As Sent to Governor)

AN ACT TO AMEND SECTION 37-15-1, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE TYPE OF EVIDENCE OF DATE OF BIRTH REQUIRED FOR A CHILD TO ENROLL IN KINDERGARTEN OR GRADE 1; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-15-1, Mississippi Code of 1972, is amended as follows:

37-15-1. The State Board of Education shall prepare and provide necessary forms for keeping permanent records and cumulative folders for each pupil in the public schools of the state. In the permanent record and cumulative folders, the teachers and principals shall keep information concerning the pupil's date of birth, as verified by the documentation authorized in this section, record of attendance, grades and withdrawal from the school, including the date of any expulsion from the school system and a description of the student's act or behavior resulting in the expulsion. The records also shall contain information pertaining to immunization and such other information as the State Board of Education may prescribe. The cumulative folder, in addition to that information maintained in the permanent records, also shall contain such other information as the State Board of Education shall prescribe. It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A certified birth certificate;
ST: Enrollment in Kindergarten or Grade 1; prescribe evidence of date of birth required for.

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;

c) An insurance policy on the child's life which has been in force for at least two (2) years;

d) A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;

e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or

g) If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian.

Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance.

This section shall stand repealed on July 1, 2003.

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.