

By: Senator(s) Burton

To: Education;  
Appropriations

SENATE BILL NO. 2351

1 AN ACT TO PROVIDE AN ALLOTMENT OF FUNDS UNDER THE ADEQUATE  
2 EDUCATION PROGRAM FOR THE PURPOSE OF EMPLOYING SCHOOL  
3 PSYCHOLOGISTS BASED UPON SCHOOL STUDENT ENROLLMENT AND SUBJECT TO  
4 THE AVAILABILITY OF FUNDS APPROPRIATED; TO DEFINE THE  
5 COMPREHENSIVE SCHOOL PSYCHOLOGIST SERVICES TO BE PROVIDED BY  
6 SCHOOL PSYCHOLOGISTS PRACTICING IN SCHOOL SETTINGS; TO AMEND  
7 SECTION 73-31-27, MISSISSIPPI CODE OF 1972, TO CLARIFY THE  
8 APPROPRIATE USE OF TITLES BY SCHOOL PSYCHOLOGISTS PRACTICING IN  
9 SCHOOL SETTINGS; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) Subject to the availability of funds  
12 specifically appropriated therefor by the Legislature, beginning  
13 with the 2003-2004 school year, in addition to other funds  
14 allotted under the adequate education program, each school  
15 district shall be allotted funding to employ one (1) school  
16 psychologist for every one thousand (1,000) students enrolled in  
17 the school district, or fraction thereof; provided that each  
18 school district shall be eligible for at least one (1)  
19 state-funded school psychologist. The State Department of  
20 Education may, however, increase the number of positions funded  
21 each year beyond the above requirements as money is made  
22 available.

23 (2) Beginning with the 2003-2004 school year, the assignment  
24 of K-12 school psychologists to the particular schools within the  
25 district shall be at the discretion of the local school board with  
26 the following restrictions:

27 (a) To the extent practicable, no school psychologist  
28 shall be assigned a pupil-teacher ratio in excess of one (1)  
29 school psychologist per one thousand (1,000) pupils; and



30 (b) No individual shall be employed as a school  
31 psychologist without a minimum of:

32 (i) Holding a AAA certification issued by the  
33 Mississippi Commission on Teacher and Administrator Education,  
34 Certification and Licensure and Development;

35 (ii) Holding the Nationally Certified School  
36 Psychologist (NCSP) certificate offered through the National  
37 Association of School Psychologists; or

38 (iii) Holding a school psychologist credential  
39 equivalent to (a) or (b) issued by another state or jurisdiction;  
40 and

41 (c) School psychologists shall not be required to  
42 conduct testing, assessment and evaluation of special education  
43 students for more than fifty percent (50%) of their workday; and

44 (d) School psychologists shall be full-time  
45 professional personnel and shall spend a minimum of eighty-five  
46 percent (85%) of work time in direct psychologist activity with  
47 students.

48 (3) School psychologists shall abide by the National  
49 Association of School Psychologists (NASP) Code of Ethics.

50 (4) The State Department of Education may adopt regulations  
51 regarding the activities of the school psychologist as are not  
52 inconsistent with this section.

53 **SECTION 2.** Section 73-31-27, Mississippi Code of 1972, is  
54 amended as follows:

55 73-31-27. (1) Nothing in this chapter shall be construed to  
56 limit:

57 (a) The activities, services and use of an official  
58 title on the part of a person in the employ of a federal, state,  
59 county or municipal agency, or of other political subdivisions, or  
60 any educational institution chartered by the state, insofar as  
61 such activities, services and use of an official title are a part



62 of the duties of his office or position with such agency or  
63 institution; or

64 (b) The activities, services and use of an official  
65 title on the part of a person in the employ of an exempt  
66 organization (in any state) who may be employed by another exempt  
67 organization for a consulting fee; or

68 (c) The activities and services of a student, intern or  
69 trainee in psychology pursuing a course of study in psychology at  
70 an institution of higher education, if these activities and  
71 services constitute a part of his supervised course of study; or

72 (d) The services and activities of members of other  
73 professional groups licensed or certified by the State of  
74 Mississippi who perform work of a psychological nature consistent  
75 with their training, work experience history, and with any code of  
76 ethics of their respective professions, provided they do not hold  
77 themselves out to be psychologists. The practice of psychology as  
78 defined by this act overlaps with the activities of other  
79 professional groups and it is not the intent of this act to  
80 regulate the activities of these professional groups.

81 (2) Individuals certified by the Mississippi State  
82 Department of Education may use appropriate titles such as "school  
83 psychologist," "certified school psychologist," "educational  
84 psychologist" or "psychometrist" only when they are employed by  
85 or under contract with a school \* \* \* and practicing in \* \* \* an  
86 educational setting.

87 (3) Lecturers from any school or college may utilize their  
88 academic or research title when invited to present lectures to  
89 institutions or organizations.

90 This section shall stand repealed from and after July 1,  
91 2011.

92 **SECTION 3.** This act shall take effect and be in force from  
93 and after July 1, 2003.

