

By: Senator(s) Farris

To: Universities and
Colleges

SENATE BILL NO. 2761

1 AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT STATE INSTITUTIONS OF HIGHER LEARNING MAY
3 ESTABLISH DUAL ENROLLMENT PROGRAMS FOR QUALIFIED HIGH SCHOOL
4 STUDENTS, AND SHALL ENTER INTO AN ARTICULATION AGREEMENT TO FULLY
5 RECOGNIZE CREDIT RECEIVED BY SUCH STUDENTS; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 37-101-15, Mississippi Code of 1972, is
9 amended as follows:

10 37-101-15. (a) The Board of Trustees of State Institutions
11 of Higher Learning shall succeed to and continue to exercise
12 control of all records, books, papers, equipment, and supplies,
13 and all lands, buildings, and other real and personal property
14 belonging to or assigned to the use and benefit of the board of
15 trustees formerly supervising and controlling the institutions of
16 higher learning named in Section 37-101-1. The board shall have
17 and exercise control of the use, distribution and disbursement of
18 all funds, appropriations and taxes, now and hereafter in
19 possession, levied and collected, received, or appropriated for
20 the use, benefit, support, and maintenance or capital outlay
21 expenditures of the institutions of higher learning, including the
22 authorization of employees to sign vouchers for the disbursement
23 of funds for the various institutions, except where otherwise
24 specifically provided by law.

25 (b) The board shall have general supervision of the affairs
26 of all the institutions of higher learning, including the
27 departments and the schools thereof. The board shall have the
28 power in its discretion to determine who shall be privileged to
29 enter, to remain in, or to graduate therefrom. The board shall



30 have general supervision of the conduct of libraries and
31 laboratories, the care of dormitories, buildings, and grounds; the
32 business methods and arrangement of accounts and records; the
33 organization of the administrative plan of each institution; and
34 all other matters incident to the proper functioning of the
35 institutions. The board shall have the authority to establish
36 minimum standards of achievement as a prerequisite for entrance
37 into any of the institutions under its jurisdiction, which
38 standards need not be uniform between the various institutions and
39 which may be based upon such criteria as the board may establish.

40 (c) The board shall exercise all the powers and prerogatives
41 conferred upon it under the laws establishing and providing for
42 the operation of the several institutions herein specified. The
43 board shall adopt such bylaws and regulations from time to time as
44 it deems expedient for the proper supervision and control of the
45 several institutions of higher learning, insofar as such bylaws
46 and regulations are not repugnant to the Constitution and laws,
47 and not inconsistent with the object for which these institutions
48 were established. The board shall have power and authority to
49 prescribe rules and regulations for policing the campuses and all
50 buildings of the respective institutions, to authorize the arrest
51 of all persons violating on any campus any criminal law of the
52 state, and to have such law violators turned over to the civil
53 authorities.

54 (d) For all institutions specified herein, the board shall
55 provide a uniform system of recording and of accounting approved
56 by the State Department of Audit. The board shall annually
57 prepare, or cause to be prepared, a budget for each institution of
58 higher learning for the succeeding year which must be prepared and
59 in readiness for at least thirty (30) days before the convening of
60 the regular session of the Legislature. All relationships and
61 negotiations between the State Legislature and its various
62 committees and the institutions named herein shall be carried on



63 through the board of trustees. No official, employee or agent
64 representing any of the separate institutions shall appear before
65 the Legislature or any committee thereof except upon the written
66 order of the board or upon the request of the Legislature or a
67 committee thereof.

68 (e) For all institutions specified herein, the board shall
69 prepare an annual report to the Legislature setting forth the
70 disbursements of all monies appropriated to the respective
71 institutions. Each report to the Legislature shall show how the
72 money appropriated to the several institutions has been expended,
73 beginning and ending with the fiscal years of the institutions,
74 showing the name of each teacher, officer, and employee, and the
75 salary paid each, and an itemized statement of each and every item
76 of receipts and expenditures. Each report must be balanced, and
77 must begin with the former balance. If any property belonging to
78 the state or the institution is used for profit, the reports shall
79 show the expense incurred in managing the property and the amount
80 received therefrom. The reports shall also show a summary of the
81 gross receipts and gross disbursements for each year and shall
82 show the money on hand at the beginning of the fiscal period of
83 the institution next preceding each session of the Legislature and
84 the necessary amount of expense to be incurred from said date to
85 January 1 following. The board shall keep the annual expenditures
86 of each institution herein mentioned within the income derived
87 from legislative appropriations and other sources, but in case of
88 emergency arising from acts of providence, epidemics, fire or
89 storm with the written approval of the Governor and by written
90 consent of a majority of the Senators and of the Representatives
91 it may exceed the income. The board shall require a surety bond
92 in a surety company authorized to do business in this state, of
93 every employee who is the custodian of funds belonging to one or
94 more of the institutions mentioned herein, which bond shall be in
95 a sum to be fixed by the board in an amount that will properly



96 safeguard the said funds, the premium for which shall be paid out
97 of the funds appropriated for said institutions.

98 (f) The board shall have the power and authority to elect
99 the heads of the various institutions of higher learning and to
100 contract with all deans, professors, and other members of the
101 teaching staff, and all administrative employees of said
102 institutions for a term of not exceeding four (4) years. The
103 board shall have the power and authority to terminate any such
104 contract at any time for malfeasance, inefficiency, or
105 contumacious conduct, but never for political reasons. It shall
106 be the policy of the board to permit the executive head of each
107 institution to nominate for election by the board all subordinate
108 employees of the institution over which he presides. It shall be
109 the policy of the board to elect all officials for a definite
110 tenure of service and to reelect during the period of satisfactory
111 service. The board shall have the power to make any adjustments
112 it thinks necessary between the various departments and schools of
113 any institution or between the different institutions.

114 (g) The board shall keep complete minutes and records of all
115 proceedings which shall be open for inspection by any citizen of
116 the state.

117 (h) The board shall have the power to contract, on a
118 shared-savings, lease or lease-purchase basis, for energy
119 efficiency services and/or equipment as prescribed in Section
120 31-7-14, not to exceed ten (10) years.

121 (i) The Board of Trustees of State Institutions of Higher
122 Learning, for and on behalf of Jackson State University, is hereby
123 authorized to convey by donation or otherwise easements across
124 portions of certain real estate located in the City of Jackson,
125 Hinds County, Mississippi, for right-of-way required for the Metro
126 Parkway Project.

127 (j) The board shall have the power and authority to
128 establish a dual enrollment program under which high school



129 students meeting minimum requirements set by the board may enroll
130 at a state institution of higher learning while they are still
131 attending high school and enrolled in high school courses.

132 Students may be admitted to enroll in the dual enrollment program
133 if they meet the following recommended admission requirements:

134 (1) Students must have completed a minimum of fourteen
135 (14) core high school units;

136 (2) Students must have a minimum ACT composite score of
137 twenty-one (21) or the equivalent SAT score;

138 (3) Students must have a minimum 3.0 grade point average
139 on a 4.0 scale, on all high school courses, as documented by an
140 official high school transcript; a home-schooled student must
141 submit a transcript prepared by a parent, guardian or custodian
142 with a signed, sworn affidavit to meet the requirement of this
143 provision; and

144 (4) Students must have an unconditional written
145 recommendation from their high school principal and/or guidance
146 counselor. A home-schooled student must submit a parent, legal
147 guardian or custodian's written recommendation to meet this
148 requirement.

149 Students admitted in the dual enrollment program shall be
150 counted for adequate education funding purposes in the average
151 daily attendance of the public school district in which they
152 attend high school. Any additional transportation required by a
153 student to participate in the dual enrollment program shall be the
154 responsibility of the parents or legal guardians of the student.
155 Grades and college credits earned by students admitted to the dual
156 enrollment program shall be recorded on the college transcript at
157 the university where the student attends classes, and shall be
158 fully recognized by any state institution of higher learning at
159 such time as the student is admitted to a university. The
160 transcript of such college course work may be released to another



161 institution or used for college/university graduation requirements
162 only after the student has received his high school diploma.

163 **SECTION 2.** This act shall take effect and be in force from
164 and after July 1, 2003.

