

By: Representative Rogers (61st)

To: Education

HOUSE BILL NO. 1596

1 AN ACT TO AMEND SECTION 37-9-23, MISSISSIPPI CODE OF 1972, TO
2 DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND PROMULGATE A
3 UNIFORM EMPLOYMENT CONTRACT FOR CERTIFIED AND NONCERTIFIED SCHOOL
4 PERSONNEL WITH CERTAIN MINIMUM REQUIREMENTS; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 37-9-23, Mississippi Code of 1972, is
8 amended as follows:

9 37-9-23. The superintendent shall enter into a contract with
10 each assistant superintendent, principal, licensed employee and
11 person anticipating graduation from an approved teacher education
12 program or the issuance of a proper license before October 15 or
13 February 15, as the case may be, who is elected and approved for
14 employment by the school board. Such contracts shall be in such
15 form as shall be prescribed by the State Board of Education and
16 shall be executed in duplicate with one (1) copy to be retained by
17 the appropriate superintendent and one (1) copy to be retained by
18 the principal, licensed employee or person recommended for a
19 licensed position contracted with. The contract shall show the
20 name of the district, the length of the school term, the position
21 held (whether an assistant superintendent, principal or licensed
22 employee), the scholastic years which it covers, the total amount
23 of the annual salary and how same is payable. The amount of
24 salary to be shown in such contract shall be the amount which
25 shall have been fixed and determined by the school board, but, as
26 to the licensed employees paid in whole or in part with minimum
27 education program funds, such salary shall not be less than that
28 required under the provisions of Chapter 19 of this title. From

29 and after July 1, 2004, the State Board of Education shall
30 prescribe uniform employment contracts for certified and
31 noncertified school personnel for implementation in all school
32 districts that specify for each employee the total amount of the
33 annual salary and how the salary is payable, the time and dates of
34 payments in compliance with Sections 37-9-39 and 37-9-41, the
35 number of contract days, the name or title of the employment
36 position and the subject(s) to be taught, the length of the school
37 day or workday, the beginning and ending date of the contract year
38 and the school or building location to which the employee is
39 assigned. The contract entered into with any person recommended
40 for a licensed position who is anticipating either graduation from
41 an approved teacher education program before September 1 or
42 December 31, as the case may be, or the issuance of a proper
43 license before October 15 or February 15, as the case may be,
44 shall be a conditional contract and shall include a provision
45 stating that the contract will be null and void if, as specified
46 in the contract, the contingency upon which the contract is
47 conditioned has not occurred. If any superintendent, other than
48 those elected, principal, licensed employee or person recommended
49 for a licensed position who has been elected and approved shall
50 not execute and return the contract within ten (10) days after
51 same has been tendered to him for execution, then, at the option
52 of the school board, the election of the licensed employee and the
53 contract tendered to him shall be void and of no effect.

54 **SECTION 2.** This act shall take effect and be in force from
55 and after July 1, 2004.