

By: Senator(s) Chaney

To: Education

SENATE BILL NO. 2305

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 which 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,  
35 Mississippi Code of 1972, the number of contract days, the name or  
36 title of the employment position and the subject(s) to be taught,  
37 the length of the school day or workday, the beginning and ending  
38 date of the contract year and the school or building location to  
39 which the employee is assigned. The contract entered into with  
40 any person recommended for a licensed position who is anticipating  
41 either graduation from an approved teacher education program  
42 before September 1 or December 31, as the case may be, or the  
43 issuance of a proper license before October 15 or February 15, as  
44 the case may be, shall be a conditional contract and shall include  
45 a provision stating that the contract will be null and void if, as  
46 specified in the contract, the contingency upon which the contract  
47 is conditioned has not occurred. If any superintendent, other  
48 than those elected, principal, licensed employee or person  
49 recommended for a licensed position who has been elected and  
50 approved shall not execute and return the contract within ten (10)  
51 days after same has been tendered to him for execution, then, at  
52 the option of the school board, the election of the licensed  
53 employee and the contract tendered to him shall be void and of no  
54 effect.

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