

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2976

1 AN ACT TO AMEND SECTION 37-3-11, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE SCHOOL DISTRICTS TO PROVIDE AN ANNUAL REPORT OF TEACHER
3 VACANCIES BY INSTRUCTIONAL AREA TO THE STATE SUPERINTENDENT OF
4 EDUCATION FOR SUBMISSION TO THE LEGISLATURE; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 37-3-11, Mississippi Code of 1972, is
8 amended as follows:

9 37-3-11. (1) Until July 1, 1984, the State Superintendent
10 of Public Education shall have the power and it shall be his duty:

11 (a) To supervise in the manner provided by law the
12 public free schools, agricultural high schools and junior colleges
13 of the state and to prescribe such rules and regulations for the
14 efficient organization and conduct of same, as he may deem
15 necessary.

16 (b) To preside over all meetings of the State Board of
17 Education.

18 (c) To collect data for determining the proper
19 distribution of the state common school funds.

20 (d) To have bound and preserved in his office, as the
21 property of the state, all such school documents from other states
22 and governments, books and pamphlets on educational subjects,
23 school books, apparatus, maps, charts and the like, as shall be or
24 have been purchased or donated for the use of his office.

25 (e) To keep a complete record of all his official acts
26 and the acts of the State Board of Education.

27 (f) To prepare, have printed and furnish all officers
28 charged with the administration of the laws pertaining to the

29 public schools, such blank forms and books as may be necessary to
30 the proper discharge of their duties; all of this printing shall
31 be paid for out of funds provided by the Legislature.

32 (g) To have printed in pamphlet form the laws
33 pertaining to the public schools and publish therein forms for
34 conducting school business, the rules and regulations for the
35 government of schools that he or the board of education may
36 recommend, and such other matters as may be deemed worthy of
37 public interest pertaining to the public schools; all of this
38 printing shall be paid for out of funds provided by the
39 Legislature.

40 (h) To meet the county superintendents annually at such
41 time and place as he shall appoint for the purpose of accumulating
42 facts relative to schools, to review the educational progress made
43 in the various sections of the state, to compare views, discuss
44 problems, hear discussions and suggestions relative to
45 examinations and qualifications of teachers, methods of
46 instruction, textbooks, summer schools for teachers, visitation of
47 schools, consolidation of schools, health work in the schools,
48 vocational education and other matters pertaining to the public
49 school system.

50 (i) To advise the county superintendents upon all
51 matters involving the welfare of the schools, and at the request
52 of any county superintendent to give his opinion upon a written
53 statement of facts on all questions and controversies arising out
54 of the interpretation and construction of the school laws, in
55 regard to rights, powers and duties of school officers and county
56 superintendents, and to keep a record of all such decisions.
57 Before giving any opinion, the superintendent may submit the
58 statement of facts to the Attorney General for his advice thereon,
59 and it shall be the duty of the Attorney General forthwith to
60 examine such statement, and suggest the proper decision to be made
61 upon such facts.

62 (j) To require annually, and as often as he may deem
63 proper, of county superintendents, detailed reports on the
64 educational business of the various counties.

65 (k) To make reports concerning agricultural high
66 schools and serve on various committees and boards as provided by
67 law.

68 (l) On or before January 10 in each year in which the
69 Legislature meets in regular session, to prepare, and have printed
70 a report to the Legislature showing:

71 (i) The receipts and disbursements of all school
72 funds officially handled by him;

73 (ii) The number of school districts, school
74 teachers employed, and pupils taught therein, and the attendance
75 of pupils;

76 (iii) County and district levies for common
77 schools, high schools, agricultural high schools, consolidated
78 schools and junior colleges;

79 (iv) The conditions of vocational education in the
80 State of Mississippi, a list of schools to which federal and state
81 aid has been given, and a detailed statement of the expenditures
82 of federal funds and the state funds that may be provided;

83 (v) Such general matters, information and
84 recommendations as relate, in his opinion, to the educational
85 interests of the state;

86 (vi) A report of all school district teacher
87 vacancies, including the instructional area of such teacher
88 vacancies, for the previous school year. Failure to report such
89 vacancies may result in the withholding of state funds as provided
90 in Section 37-151-95; and

91 (m) To determine the number of educable children in the
92 several school districts of the state under rules and regulations
93 to be prescribed by the State Board of Education.

94 (n) To perform such other duties in the administration
95 of the public schools as may be required by law.

96 (2) From and after July 1, 1984, the State Superintendent of
97 Public Education shall perform the duties assigned to him by the
98 State Board of Education, and he shall have the following duties:

99 (a) To serve as secretary for the State Board of
100 Education;

101 (b) To be the Chief Administrative Officer of the State
102 Department of Education;

103 (c) To recommend to the State Board of Education for
104 its consideration rules and regulations for the supervision of the
105 public free schools and agricultural high schools of the state and
106 for the efficient organization and conduct of the same;

107 (d) To collect data and make it available to the State
108 Board for determining the proper distribution of the state common
109 school funds;

110 (e) To keep a complete record of all official acts of
111 the state superintendent and the acts of the State Board of
112 Education;

113 (f) To prepare, have printed and furnish all officers
114 charged with the administration of the laws pertaining to the
115 public schools, such blank forms and books as may be necessary to
116 the proper discharge of their duties, said printing to be paid for
117 out of funds provided by the Legislature;

118 (g) To have printed in pamphlet form the laws
119 pertaining to the public schools and publish therein forms for
120 conducting school business, the rules and regulations for the
121 government of schools that the State Superintendent or the Board
122 of Education may recommend, and such other matters as may be
123 deemed worthy of public interest pertaining to the public schools,
124 said printing to be paid for out of funds provided by the
125 Legislature;

126 (h) To meet all superintendents annually at such time
127 and place as the State Superintendent shall appoint for the
128 purpose of accumulating facts relative to schools, to review the
129 educational progress made in the various sections of the state, to
130 compare views, discuss problems, hear discussions and suggestions
131 relative to examinations and qualifications of teachers, methods
132 of instruction, textbooks, summer schools for teachers, visitation
133 of schools, consolidation of schools, health work in the schools,
134 vocational education and other matters pertaining to the public
135 school system;

136 (i) To advise all superintendents upon all matters
137 involving the welfare of the schools, and at the request of any
138 superintendent to give an opinion upon a written statement of
139 facts on all questions and controversies arising out of the
140 interpretation and construction of the school laws, in regard to
141 rights, powers and duties of school officers and superintendents,
142 and to keep a record of all such decisions. Before giving any
143 opinion, the superintendent may submit the statement of facts to
144 the Attorney General, and it shall be the duty of the Attorney
145 General forthwith to examine such statement and suggest the proper
146 decision to be made upon such fact;

147 (j) To require annually, and as often as the State
148 Superintendent may deem proper, of all superintendents, detailed
149 reports on the educational business of the various districts;

150 (k) On or before January 10 in each year to prepare
151 under the direction of the State Board of Education and have
152 printed the annual report of the board to the Legislature showing:

153 (i) The receipts and disbursements of all school
154 funds handled by the board;

155 (ii) The number of school districts, school
156 teachers employed, school administrators employed, pupils taught
157 and the attendance record of pupils therein;

158 (iii) County and district levies for each school
159 district and agricultural high school;

160 (iv) The condition of vocational education, a list
161 of schools to which federal and state aid has been given, and a
162 detailed statement of the expenditures of federal funds and the
163 state funds that may be provided, and the ranking of subjects
164 taught as compared with the state's needs;

165 (v) Such general matters, information and
166 recommendations as relate, in the board's opinion, to the
167 educational interests of the state;

168 (1) To determine the number of educable children in the
169 several school districts under rules and regulations prescribed by
170 the State Board of Education;

171 (m) To perform such other duties as may be prescribed
172 by the State Board of Education.

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