

By: Representative Markham

To: Education

HOUSE BILL NO. 1038

1 AN ACT TO AMEND SECTIONS 37-9-103 AND 37-9-105, MISSISSIPPI
2 CODE OF 1972, TO REDUCE THE PROBATIONARY PERIOD FOR CERTIFIED
3 PERSONNEL UNDER THE EDUCATION EMPLOYMENT PROCEDURES LAW, AND TO
4 PROVIDE THAT ASSISTANT TEACHERS SHALL BE SUBJECT TO THE SAME
5 PROCEDURES FOR NOTIFICATION OF NONREEMPLOYMENT OR NONRENEWAL OF
6 CONTRACT AS OTHER LICENSED TEACHERS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-9-103, Mississippi Code of 1972, is
9 amended as follows:

10 37-9-103. As used in Sections 37-9-101 through 37-9-113, the
11 word "employee" shall include:

12 (a) Any teacher, principal, superintendent or other
13 professional personnel employed by the local school district for a
14 continuous period of one (1) year with that district and required
15 to have a valid license issued by the State Department of
16 Education as a prerequisite of employment; or

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18 (b) Any assistant teacher employed by the local school
19 district for a continuous period of one (1) year with that
20 district and holding the credential required by the State
21 Department of Education as a prerequisite of employment.

22 For purposes of Sections 37-9-101 through 37-9-113, the term
23 "days" means calendar days.

24 **SECTION 2.** Section 37-9-105, Mississippi Code of 1972, is
25 amended as follows:

26 37-9-105. In the event that a recommendation is made by the
27 school district not to offer an employee a renewal contract for a
28 successive year, written notice of the proposed nonreemployment

29 stating the reasons for the proposed nonreemployment shall be
30 given no later than the following:

31 (a) If the employee is a principal, the superintendent,
32 without further board action, shall give notice of nonreemployment
33 on or before March 1; or

34 (b) If the employee is a teacher, assistant teacher,
35 administrator or other professional educator covered under
36 Sections 37-9-101 through 37-9-113, the superintendent, without
37 further board action, shall give notice of nonreemployment on or
38 before April 15.

39 An interim conservator appointed pursuant to the provisions
40 of Section 37-17-6(14)(a) or a school board acting on the
41 recommendation of a school district financial advisor appointed
42 pursuant to the provisions of Section 37-9-18 shall not be
43 required to comply with the time limitations prescribed in this
44 section for recommending the reemployment of principals, teachers,
45 administrators or other professional educators.

46 **SECTION 3.** This act shall take effect and be in force from
47 and after its passage.