

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2172

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. \* \* \*

10 \* \* \* From and after July 1, 1984, the State Superintendent  
11 of Public Education shall perform the duties assigned to him by  
12 the State Board of Education, and he shall have the following  
13 duties:

14 (a) To serve as Secretary for the State Board of  
15 Education;

16 (b) To be the Chief Administrative Officer of the State  
17 Department of Education;

18 (c) To recommend to the State Board of Education for  
19 its consideration rules and regulations for the supervision of the  
20 public free schools and agricultural high schools of the state and  
21 for the efficient organization and conduct of the same;

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

25 (e) To keep a complete record of all official acts of  
26 the state superintendent and the acts of the State Board of  
27 Education;

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

33           (g) To have printed in pamphlet form the laws  
34 pertaining to the public schools and publish therein forms for  
35 conducting school business, the rules and regulations for the  
36 government of schools that the State Superintendent or the Board  
37 of Education may recommend, and such other matters as may be  
38 deemed worthy of public interest pertaining to the public schools,  
39 said printing to be paid for out of funds provided by the  
40 Legislature;

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

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

60 General forthwith to examine such statement and suggest the proper  
61 decision to be made upon such fact;

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

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

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

70 (ii) The number of school districts, school  
71 teachers employed, school administrators employed, pupils taught  
72 and the attendance record of pupils therein;

73 (iii) County and district levies for each school  
74 district and agricultural high school;

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

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

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

88 (l) To determine the number of educable children in the  
89 several school districts under rules and regulations prescribed by  
90 the State Board of Education;

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

93           **SECTION 2.** This act shall take effect and be in force from  
94 and after July 1, 2005.