

House Amendments to Senate Bill No. 2504

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

97 **SECTION 1.** (1) This act shall be referred to as the
98 "Mississippi Education Reform Act of 2005."

99 (2) The Legislature finds and determines that the quality
100 and accountability of public education and its effect upon the
101 social, cultural and economic enhancement of the people of
102 Mississippi is a matter of public policy, the object of which is
103 the education and performance of its children and youth.

104 **SECTION 2.** Section 37-19-7, Mississippi Code of 1972, is
105 amended as follows:

106 37-19-7. (1) This section shall be known and may be cited
107 as the Mississippi "Teacher Opportunity Program (TOP)." The
108 allowance in the minimum education program and the Mississippi
109 Adequate Education Program for teachers' salaries in each county
110 and separate school district shall be determined and paid in
111 accordance with the scale for teachers' salaries as provided in
112 this subsection. For teachers holding the following types of
113 licenses or the equivalent as determined by the State Board of
114 Education, and the following number of years of teaching
115 experience, the scale shall be as follows:

2004-2005 School Year

Less Than 25 Years of Teaching Experience

118	AAAA.....	\$ 31,775.00
119	AAA.....	30,850.00
120	AA.....	29,925.00
121	A.....	28,000.00

25 or More Years of Teaching Experience

123	AAAA.....	\$ 33,775.00
124	AAA.....	32,850.00
125	AA.....	31,925.00
126	A.....	30,000.00

127 The State Board of Education shall revise the salary scale
128 prescribed above for the 2004-2005 school year to conform to any
129 adjustments made to the salary scale in prior fiscal years due to
130 revenue growth over and above five percent (5%). For each one
131 percent (1%) that the Sine Die General Fund Revenue Estimate
132 Growth exceeds five percent (5%) for fiscal year 2005, as
133 certified by the Legislative Budget Office to the State Board of
134 Education and subject to specific appropriation therefor by the
135 Legislature, the State Board of Education shall revise the salary
136 scale to provide an additional one percent (1%) across the board
137 increase in the base salaries for each type of license.

138 **2005-2006 School Year and School Years Thereafter**

139 **Less Than 25 Years of Teaching Experience**

140	AAAA.....	\$ 34,000.00
141	AAA.....	33,000.00
142	AA.....	32,000.00
143	A.....	30,000.00

144 **25 or More Years of Teaching Experience**

145	AAAA.....	\$ 36,000.00
146	AAA.....	35,000.00
147	AA.....	34,000.00
148	A.....	32,000.00

149 The State Board of Education shall revise the salary scale
150 prescribed above for the 2005-2006 school year to conform to any
151 adjustments made to the salary scale in prior fiscal years due to
152 revenue growth over and above five percent (5%). For each one
153 percent (1%) that the Sine Die General Fund Revenue Estimate
154 Growth exceeds five percent (5%) for fiscal year 2006, as
155 certified by the Legislative Budget Office to the State Board of
156 Education and subject to specific appropriation therefor by the
157 Legislature, the State Board of Education shall revise the salary

158 scale to provide an additional one percent (1%) across the board
159 increase in the base salaries for each type of license.

160 It is the intent of the Legislature that any state funds made
161 available for salaries of licensed personnel in excess of the
162 funds paid for such salaries for the 1986-1987 school year shall
163 be paid to licensed personnel pursuant to a personnel appraisal
164 and compensation system implemented by the State Board of
165 Education. The State Board of Education shall have the authority
166 to adopt and amend rules and regulations as are necessary to
167 establish, administer and maintain the system.

168 All teachers employed on a full-time basis shall be paid a
169 minimum salary in accordance with the above scale. However, no
170 school district shall receive any funds under this section for any
171 school year during which the local supplement paid to any
172 individual teacher shall have been reduced to a sum less than that
173 paid to that individual teacher for performing the same duties
174 from local supplement during the immediately preceding school
175 year. The amount actually spent for the purposes of group health
176 and/or life insurance shall be considered as a part of the
177 aggregate amount of local supplement but shall not be considered a
178 part of the amount of individual local supplement.

179 **2004-2005 School Year Annual Increment**

180 For teachers holding a Class AAAA license, the minimum base
181 pay specified in this subsection shall be increased by the sum of
182 Seven Hundred Forty Dollars (\$740.00) for each year of teaching
183 experience possessed by the person holding such license until such
184 person shall have twenty-five (25) years of teaching experience.

185 For teachers holding a Class AAA license, the minimum base
186 pay specified in this subsection shall be increased by the sum of
187 Six Hundred Seventy-five Dollars (\$675.00) for each year of
188 teaching experience possessed by the person holding such license
189 until such person shall have twenty-five (25) years of teaching
190 experience.

191 For teachers holding a Class AA license, the minimum base pay
192 specified in this subsection shall be increased by the sum of Six

193 Hundred Ten Dollars (\$610.00) for each year of teaching experience
194 possessed by the person holding such license until such person
195 shall have twenty-five (25) years of teaching experience.

196 For teachers holding a Class A license, the minimum base pay
197 specified in this subsection shall be increased by the sum of Four
198 Hundred Sixty-five Dollars (\$465.00) for each year of teaching
199 experience possessed by the person holding such license until such
200 person shall have twenty-four (24) years of teaching experience.

201 **2005-2006 School Year**

202 **and School Years Thereafter Annual Increments**

203 For teachers holding a Class AAAA license, the minimum base
204 pay specified in this subsection shall be increased by the sum of
205 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
206 experience possessed by the person holding such license until such
207 person shall have twenty-five (25) years of teaching experience.

208 For teachers holding a Class AAA license, the minimum base
209 pay specified in this subsection shall be increased by the sum of
210 Seven Hundred Five Dollars (\$705.00) for each year of teaching
211 experience possessed by the person holding such license until such
212 person shall have twenty-five (25) years of teaching experience.

213 For teachers holding a Class AA license, the minimum base pay
214 specified in this subsection shall be increased by the sum of Six
215 Hundred Forty Dollars (\$640.00) for each year of teaching
216 experience possessed by the person holding such license until such
217 person shall have twenty-five (25) years of teaching experience.

218 For teachers holding a Class A license, the minimum base pay
219 specified in this subsection shall be increased by the sum of Four
220 Hundred Eighty Dollars (\$480.00) for each year of teaching
221 experience possessed by the person holding such license until such
222 person shall have twenty-four (24) years of teaching experience.

223 The level of professional training of each teacher to be used
224 in establishing the salary allotment for the teachers for each
225 year shall be determined by the type of valid teacher's license
226 issued to those teachers on or before October 1 of the current
227 school year.

228 (2) (a) The following employees shall receive an annual
229 salary supplement in the amount of Six Thousand Dollars
230 (\$6,000.00), plus fringe benefits, in addition to any other
231 compensation to which the employee may be entitled:

232 (i) Any licensed teacher who has met the
233 requirements and acquired a Master Teacher certificate from the
234 National Board for Professional Teaching Standards and who is
235 employed by a local school board or the State Board of Education
236 as a teacher and not as an administrator. Such teacher shall
237 submit documentation to the State Department of Education that the
238 certificate was received prior to October 15 in order to be
239 eligible for the full salary supplement in the current school
240 year, or the teacher shall submit such documentation to the State
241 Department of Education prior to February 15 in order to be
242 eligible for a prorated salary supplement beginning with the
243 second term of the school year.

244 (ii) A licensed nurse who has met the requirements
245 and acquired a certificate from the National Board for
246 Certification of School Nurses, Inc., and who is employed by a
247 local school board or the State Board of Education as a school
248 nurse and not as an administrator. The licensed school nurse
249 shall submit documentation to the State Department of Education
250 that the certificate was received before October 15 in order to be
251 eligible for the full salary supplement in the current school
252 year, or the licensed school nurse shall submit the documentation
253 to the State Department of Education before February 15 in order
254 to be eligible for a prorated salary supplement beginning with the
255 second term of the school year. Provided, however, that the total
256 number of licensed school nurses eligible for a salary supplement
257 under this paragraph (ii) shall not exceed twenty (20).

258 (iii) Any licensed school counselor who has met
259 the requirements and acquired a National Certified School
260 Counselor (NCSC) endorsement from the National Board of Certified
261 Counselors and who is employed by a local school board or the
262 State Board of Education as a counselor and not as an

263 administrator. Such licensed school counselor shall submit
264 documentation to the State Department of Education that the
265 endorsement was received prior to October 15 in order to be
266 eligible for the full salary supplement in the current school
267 year, or the licensed school counselor shall submit such
268 documentation to the State Department of Education prior to
269 February 15 in order to be eligible for a prorated salary
270 supplement beginning with the second term of the school year.
271 However, any school counselor who started the National Board for
272 Professional Teaching Standards process for school counselors
273 between June 1, 2003, and June 30, 2004, and completes the
274 requirements and acquires the master teacher certificate shall be
275 entitled to the master teacher supplement, and those counselors
276 who complete the process shall be entitled to a one (1) time
277 reimbursement for the actual cost of the process as outlined in
278 paragraph (b) of this subsection.

279 (iv) Any licensed speech-language pathologist and
280 audiologist who has met the requirements and acquired a
281 Certificate of Clinical Competence from the American
282 Speech-Language-Hearing Association and who is employed by a local
283 school board. Such licensed speech-language pathologist and
284 audiologist shall submit documentation to the State Department of
285 Education that the certificate or endorsement was received prior
286 to October 15 in order to be eligible for the full salary
287 supplement in the current school year, or the licensed
288 speech-language pathologist and audiologist shall submit such
289 documentation to the State Department of Education prior to
290 February 15 in order to be eligible for a prorated salary
291 supplement beginning with the second term of the school year.

292 (b) An employee shall be reimbursed one (1) time for
293 the actual cost of completing the process of acquiring the
294 certificate or endorsement, excluding any costs incurred for
295 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
296 for a school counselor or speech-language pathologist and
297 audiologist, regardless of whether or not the process resulted in

298 the award of the certificate or endorsement. A local school
299 district or any private individual or entity may pay the cost of
300 completing the process of acquiring the certificate or endorsement
301 for any employee of the school district described under paragraph
302 (a), and the State Department of Education shall reimburse the
303 school district for such cost, regardless of whether or not the
304 process resulted in the award of the certificate or endorsement.
305 If a private individual or entity has paid the cost of completing
306 the process of acquiring the certificate or endorsement for an
307 employee, the local school district may agree to directly
308 reimburse the individual or entity for such cost on behalf of the
309 employee.

310 (c) All salary supplements, fringe benefits and process
311 reimbursement authorized under this subsection shall be paid
312 directly by the State Department of Education to the local school
313 district and shall be in addition to its minimum education program
314 allotments and not a part thereof in accordance with regulations
315 promulgated by the State Board of Education, and subject to
316 appropriation by the Legislature. Local school districts shall
317 not reduce the local supplement paid to any employee receiving
318 such salary supplement, and the employee shall receive any local
319 supplement to which employees with similar training and experience
320 otherwise are entitled.

321 (d) The State Department of Education may not pay any
322 process reimbursement to a school district for an employee who
323 does not complete the certification or endorsement process
324 required to be eligible for the certificate or endorsement. If an
325 employee for whom such cost has been paid in full or in part by a
326 local school district or private individual or entity fails to
327 complete the certification or endorsement process, the employee
328 shall be liable to the school district or individual or entity for
329 all amounts paid by the school district or individual or entity on
330 behalf of that employee toward his or her certificate or
331 endorsement.

332 (3) Effective July 1, 2007, if funds are available for that
333 purpose, the Legislature may authorize state funds for additional
334 base compensation to be evenly divided for teachers holding
335 licenses in critical subject areas and who teach at least a
336 majority of their courses in a critical subject area, as
337 determined by the State Board of Education.

338 (4) (a) This section shall be known and may be cited as the
339 "Mississippi Performance Based Pay (MPBP)" plan. In addition to
340 the minimum base pay described in this section, if funds are
341 available for that purpose, the State of Mississippi may provide
342 monies from state funds to school districts as defined below for
343 the purposes of rewarding certified teachers, administrators and
344 nonlicensed personnel at individual schools showing improvement in
345 student test scores. The MPBP plan shall be developed by the
346 Mississippi Department of Education based on the following
347 criteria:

348 (i) It is the express intent of this legislation
349 that the MPBP plan shall utilize only existing standards of
350 accreditation and assessment as established by the State Board of
351 Education.

352 (ii) To ensure that all of Mississippi's teachers,
353 administrators and nonlicensed personnel at all schools have equal
354 access to the monies set aside in this section, the MPBP program
355 shall be designed to calculate each school's performance as
356 determined by said school's increase in scores from the prior
357 school year. The MPBP program shall be based on a standardized
358 scores rating where all levels of schools can be judged in a
359 statistically fair and reasonable way upon implementation. At the
360 end of each year, after all student achievement scores have been
361 standardized, the Mississippi Department of Education shall
362 implement the MPBP plan.

363 (iii) To ensure all teachers cooperate in the
364 spirit of teamwork, individual schools shall submit a plan to the
365 local school educational authority to be approved prior to the
366 beginning of each school year beginning July 1, 2007. The plan

367 shall include, but not be limited to, how all teachers, regardless
368 of subject area, and administrators will be responsible for
369 improving student achievement for their individual school.

370 (b) The State Board of Education shall develop the
371 processes and procedures for designating schools eligible to
372 participate in the MPBP. State assessment results, growth in
373 student achievement at individual schools and other measures
374 deemed appropriate in designating successful student achievement
375 shall be used in establishing MPBP criteria. The State Board of
376 Education shall develop the MPBP policies and procedures and
377 report to the Legislature and Governor by December 1, 2005.

378 (c) The State Board of Education shall explore the
379 feasibility of developing a model for evaluating the effectiveness
380 of individual teachers. The State Board of Education shall report
381 their findings to the Legislature and Governor's Office beginning
382 in January 2006.

383 (5) (a) Beginning on July 1, 2007, if funds are available
384 for that purpose, each middle school in Mississippi shall have at
385 least two (2) mentor teachers, as defined by Sections 37-9-201
386 through 37-9-213, that shall receive additional base compensation
387 provided for by the State Legislature in the amount of One
388 Thousand Dollars (\$1,000.00).

389 (b) To be eligible for this state funding, the
390 individual school must have a classroom management program
391 approved by the local school board.

392 (c) If funds are available for that purpose, the state
393 shall provide additional funding under this subsection (5) for two
394 (2) mentor teachers per middle school, however, this shall not
395 prohibit local school districts from providing additional salary
396 supplements for more than two (2) teacher mentors from nonadequate
397 education program funds.

398 **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is
399 amended as follows:

400 37-3-2. (1) There is established within the State
401 Department of Education the Commission on Teacher and

402 Administrator Education, Certification and Licensure and
403 Development. It shall be the purpose and duty of the commission
404 to make recommendations to the State Board of Education regarding
405 standards for the certification and licensure and continuing
406 professional development of those who teach or perform tasks of an
407 educational nature in the public schools of Mississippi.

408 (2) The commission shall be composed of fifteen (15)
409 qualified members. The membership of the commission shall be
410 composed of the following members to be appointed, three (3) from
411 each congressional district: four (4) classroom teachers; three
412 (3) school administrators; one (1) representative of schools of
413 education of institutions of higher learning located within the
414 state to be recommended by the Board of Trustees of State
415 Institutions of Higher Learning; one (1) representative from the
416 schools of education of independent institutions of higher
417 learning to be recommended by the Board of the Mississippi
418 Association of Independent Colleges; one (1) representative from
419 public community and junior colleges located within the state to
420 be recommended by the State Board for Community and Junior
421 Colleges; one (1) local school board member; and four (4) lay
422 persons. All appointments shall be made by the State Board of
423 Education after consultation with the State Superintendent of
424 Public Education. The first appointments by the State Board of
425 Education shall be made as follows: five (5) members shall be
426 appointed for a term of one (1) year; five (5) members shall be
427 appointed for a term of two (2) years; and five (5) members shall
428 be appointed for a term of three (3) years. Thereafter, all
429 members shall be appointed for a term of four (4) years.

430 (3) The State Board of Education when making appointments
431 shall designate a chairman. The commission shall meet at least
432 once every two (2) months or more often if needed. Members of the
433 commission shall be compensated at a rate of per diem as
434 authorized by Section 25-3-69 and be reimbursed for actual and
435 necessary expenses as authorized by Section 25-3-41.

436 (4) An appropriate staff member of the State Department of
437 Education shall be designated and assigned by the State
438 Superintendent of Public Education to serve as executive secretary
439 and coordinator for the commission. No less than two (2) other
440 appropriate staff members of the State Department of Education
441 shall be designated and assigned by the State Superintendent of
442 Public Education to serve on the staff of the commission.

443 (5) It shall be the duty of the commission to:

444 (a) Set standards and criteria, subject to the approval
445 of the State Board of Education, for all educator preparation
446 programs in the state;

447 (b) Recommend to the State Board of Education each year
448 approval or disapproval of each educator preparation program in
449 the state;

450 (c) Establish, subject to the approval of the State
451 Board of Education, standards for initial teacher certification
452 and licensure in all fields;

453 (d) Establish, subject to the approval of the State
454 Board of Education, standards for the renewal of teacher licenses
455 in all fields;

456 (e) Review and evaluate objective measures of teacher
457 performance, such as test scores, which may form part of the
458 licensure process, and to make recommendations for their use;

459 (f) Review all existing requirements for certification
460 and licensure;

461 (g) Consult with groups whose work may be affected by
462 the commission's decisions;

463 (h) Prepare reports from time to time on current
464 practices and issues in the general area of teacher education and
465 certification and licensure;

466 (i) Hold hearings concerning standards for teachers'
467 and administrators' education and certification and licensure with
468 approval of the State Board of Education;

469 (j) Hire expert consultants with approval of the State
470 Board of Education;

471 (k) Set up ad hoc committees to advise on specific
472 areas; and

473 (l) Perform such other functions as may fall within
474 their general charge and which may be delegated to them by the
475 State Board of Education.

476 (6) (a) **Standard License - Approved Program Route.** An
477 educator entering the school system of Mississippi for the first
478 time and meeting all requirements as established by the State
479 Board of Education shall be granted a standard five-year license.
480 Persons who possess two (2) years of classroom experience as an
481 assistant teacher or who have taught for one (1) year in an
482 accredited public or private school shall be allowed to fulfill
483 student teaching requirements under the supervision of a qualified
484 participating teacher approved by an accredited college of
485 education. The local school district in which the assistant
486 teacher is employed shall compensate such assistant teachers at
487 the required salary level during the period of time such
488 individual is completing student teaching requirements.
489 Applicants for a standard license shall submit to the department:

490 (i) An application on a department form;

491 (ii) An official transcript of completion of a
492 teacher education program approved by the department or a
493 nationally accredited program, subject to the following:

494 Licensure to teach in Mississippi prekindergarten through
495 kindergarten classrooms shall require completion of a teacher
496 education program or a bachelor of science degree with child
497 development emphasis from a program accredited by the American
498 Association of Family and Consumer Sciences (AAFCS) or by the
499 National Association for Education of Young Children (NAEYC) or by
500 the National Council for Accreditation of Teacher Education
501 (NCATE). Licensure to teach in Mississippi kindergarten, for
502 those applicants who have completed a teacher education program,
503 and in Grade 1 through Grade 4 shall require the completion of an
504 interdisciplinary program of studies. Licenses for Grades 4
505 through 8 shall require the completion of an interdisciplinary

506 program of studies with two (2) or more areas of concentration.
507 Licensure to teach in Mississippi Grades 7 through 12 shall
508 require a major in an academic field other than education, or a
509 combination of disciplines other than education. Students
510 preparing to teach a subject shall complete a major in the
511 respective subject discipline. All applicants for standard
512 licensure shall demonstrate that such person's college preparation
513 in those fields was in accordance with the standards set forth by
514 the National Council for Accreditation of Teacher Education
515 (NCATE) or the National Association of State Directors of Teacher
516 Education and Certification (NASDTEC) or, for those applicants who
517 have a bachelor of science degree with child development emphasis,
518 the American Association of Family and Consumer Sciences (AAFCS);

519 (iii) A copy of test scores evidencing
520 satisfactory completion of nationally administered examinations of
521 achievement, such as the Educational Testing Service's teacher
522 testing examinations; and

523 (iv) Any other document required by the State
524 Board of Education.

525 (b) **Standard License - Nontraditional Teaching Route.**
526 Beginning January 1, 2004, an individual who has a passing score
527 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
528 the requested area of endorsement may apply for the Teach
529 Mississippi Institute (TMI) program to teach students in Grades 7
530 through 12 if the individual meets the requirements of this
531 paragraph (b). The State Board of Education shall adopt rules
532 requiring that teacher preparation institutions which provide the
533 Teach Mississippi Institute (TMI) program for the preparation of
534 nontraditional teachers shall meet the standards and comply with
535 the provisions of this paragraph.

536 (i) The Teach Mississippi Institute (TMI) shall
537 include an intensive eight-week, nine-semester-hour summer program
538 or a curriculum of study in which the student matriculates in the
539 fall or spring semester, which shall include, but not be limited
540 to, instruction in education, effective teaching strategies,

541 classroom management, state curriculum requirements, planning and
542 instruction, instructional methods and pedagogy, using test
543 results to improve instruction, and a one (1) semester three-hour
544 supervised internship to be completed while the teacher is
545 employed as a full-time teacher intern in a local school district.
546 The TMI shall be implemented on a pilot program basis, with
547 courses to be offered at up to four (4) locations in the state,
548 with one (1) TMI site to be located in each of the three (3)
549 Mississippi Supreme Court districts.

550 (ii) The school sponsoring the teacher intern
551 shall enter into a written agreement with the institution
552 providing the Teach Mississippi Institute (TMI) program, under
553 terms and conditions as agreed upon by the contracting parties,
554 providing that the school district shall provide teacher interns
555 seeking a nontraditional provisional teaching license with a
556 one-year classroom teaching experience. The teacher intern shall
557 successfully complete the one (1) semester three-hour intensive
558 internship in the school district during the semester immediately
559 following successful completion of the TMI and prior to the end of
560 the one-year classroom teaching experience.

561 (iii) Upon completion of the nine-semester-hour
562 TMI or the fall or spring semester option, the individual shall
563 submit his transcript to the commission for provisional licensure
564 of the intern teacher, and the intern teacher shall be issued a
565 provisional teaching license by the commission, which will allow
566 the individual to legally serve as a teacher while the person
567 completes a nontraditional teacher preparation internship program.

568 (iv) During the semester of internship in the
569 school district, the teacher preparation institution shall monitor
570 the performance of the intern teacher. The school district that
571 employs the provisional teacher shall supervise the provisional
572 teacher during the teacher's intern year of employment under a
573 nontraditional provisional license, and shall, in consultation
574 with the teacher intern's mentor at the school district of
575 employment, submit to the commission a comprehensive evaluation of

576 the teacher's performance sixty (60) days prior to the expiration
577 of the nontraditional provisional license. If the comprehensive
578 evaluation establishes that the provisional teacher intern's
579 performance fails to meet the standards of the approved
580 nontraditional teacher preparation internship program, the
581 individual shall not be approved for a standard license.

582 (v) An individual issued a provisional teaching
583 license under this nontraditional route shall successfully
584 complete, at a minimum, a one-year beginning teacher mentoring and
585 induction program administered by the employing school district
586 with the assistance of the State Department of Education.

587 (vi) Upon successful completion of the TMI and the
588 internship provisional license period, applicants for a Standard
589 License-Nontraditional Route shall submit to the commission a
590 transcript of successful completion of the twelve (12) semester
591 hours required in the internship program, and the employing school
592 district shall submit to the commission a recommendation for
593 standard licensure of the intern. If the school district
594 recommends licensure, the applicant shall be issued a Standard
595 License-Nontraditional Route which shall be valid for a five-year
596 period and be renewable.

597 (vii) At the discretion of the teacher preparation
598 institution, the individual shall be allowed to credit the twelve
599 (12) semester hours earned in the nontraditional teacher
600 internship program toward the graduate hours required for a Master
601 of Arts in Teacher (MAT) Degree.

602 (viii) The local school district in which the
603 nontraditional teacher intern or provisional licensee is employed
604 shall compensate such teacher interns at Step 1 of the required
605 salary level during the period of time such individual is
606 completing teacher internship requirements and shall compensate
607 such Standard License-Nontraditional Route teachers at Step 3 of
608 the required salary level when they complete license requirements.

609 Implementation of the TMI program provided for under this
610 paragraph (b) shall be contingent upon the availability of funds
611 appropriated specifically for such purpose by the Legislature.
612 Such implementation of the TMI program may not be deemed to
613 prohibit the State Board of Education from developing and
614 implementing additional alternative route teacher licensure
615 programs, as deemed appropriate by the board. The emergency
616 certification program in effect prior to July 1, 2002, shall
617 remain in effect.

618 The State Department of Education shall compile and report,
619 in consultation with the commission, information relating to
620 nontraditional teacher preparation internship programs, including
621 the number of programs available and geographic areas in which
622 they are available, the number of individuals who apply for and
623 possess a nontraditional conditional license, the subject areas in
624 which individuals who possess nontraditional conditional licenses
625 are teaching and where they are teaching, and shall submit its
626 findings and recommendations to the legislative committees on
627 education by December 1, 2004.

628 A Standard License - Approved Program Route shall be issued
629 for a five-year period, and may be renewed. Recognizing teaching
630 as a profession, a hiring preference shall be granted to persons
631 holding a Standard License - Approved Program Route or Standard
632 License - Nontraditional Teaching Route over persons holding any
633 other license.

634 (c) **Special License - Expert Citizen.** In order to
635 allow a school district to offer specialized or technical courses,
636 the State Department of Education, in accordance with rules and
637 regulations established by the State Board of Education, may grant
638 a one-year expert citizen-teacher license to local business or
639 other professional personnel to teach in a public school or
640 nonpublic school accredited or approved by the state. Such person
641 may begin teaching upon his employment by the local school board
642 and licensure by the Mississippi Department of Education. The
643 board shall adopt rules and regulations to administer the expert

644 citizen-teacher license. A special license - expert citizen may
645 be renewed in accordance with the established rules and
646 regulations of the State Department of Education.

647 (d) **Special License - Nonrenewable.** The State Board of
648 Education is authorized to establish rules and regulations to
649 allow those educators not meeting requirements in subsection
650 (6)(a), (b) or (c) to be licensed for a period of not more than
651 three (3) years, except by special approval of the State Board of
652 Education.

653 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
654 person may teach for a maximum of three (3) periods per teaching
655 day in a public school or a nonpublic school accredited/approved
656 by the state. Such person shall submit to the department a
657 transcript or record of his education and experience which
658 substantiates his preparation for the subject to be taught and
659 shall meet other qualifications specified by the commission and
660 approved by the State Board of Education. In no case shall any
661 local school board hire nonlicensed personnel as authorized under
662 this paragraph in excess of five percent (5%) of the total number
663 of licensed personnel in any single school.

664 (f) **Special License - Transitional Bilingual Education.**
665 Beginning July 1, 2003, the commission shall grant special
666 licenses to teachers of transitional bilingual education who
667 possess such qualifications as are prescribed in this section.
668 Teachers of transitional bilingual education shall be compensated
669 by local school boards at not less than one (1) step on the
670 regular salary schedule applicable to permanent teachers licensed
671 under this section. The commission shall grant special licenses
672 to teachers of transitional bilingual education who present the
673 commission with satisfactory evidence that they (i) possess a
674 speaking and reading ability in a language, other than English, in
675 which bilingual education is offered and communicative skills in
676 English; (ii) are in good health and sound moral character; (iii)
677 possess a bachelor's degree or an associate's degree in teacher
678 education from an accredited institution of higher education; (iv)

679 meet such requirements as to courses of study, semester hours
680 therein, experience and training as may be required by the
681 commission; and (v) are legally present in the United States and
682 possess legal authorization for employment. A teacher of
683 transitional bilingual education serving under a special license
684 shall be under an exemption from standard licensure if he achieves
685 the requisite qualifications therefor. Two (2) years of service
686 by a teacher of transitional bilingual education under such an
687 exemption shall be credited to the teacher in acquiring a Standard
688 Educator License. Nothing in this paragraph shall be deemed to
689 prohibit a local school board from employing a teacher licensed in
690 an appropriate field as approved by the State Department of
691 Education to teach in a program in transitional bilingual
692 education.

693 (g) **Highly Qualified Teachers.** Beginning July 1, 2005,
694 any teacher from any state meeting the federal definition of
695 highly qualified, as described in the No Child Left Behind Act,
696 shall be granted a standard five-year license by the Mississippi
697 Department of Education in the equivalent endorsement area.

698 (7) **Administrator License.** The State Board of Education is
699 authorized to establish rules and regulations and to administer
700 the licensure process of the school administrators in the State of
701 Mississippi. There will be four (4) categories of administrator
702 licensure with exceptions only through special approval of the
703 State Board of Education.

704 (a) **Administrator License - Nonpracticing.** Those
705 educators holding administrative endorsement but have no
706 administrative experience or not serving in an administrative
707 position on January 15, 1997.

708 (b) **Administrator License - Entry Level.** Those
709 educators holding administrative endorsement and having met the
710 department's qualifications to be eligible for employment in a
711 Mississippi school district. Administrator license - entry level
712 shall be issued for a five-year period and shall be nonrenewable.

713 (c) **Standard Administrator License - Career Level.** An
714 administrator who has met all the requirements of the department
715 for standard administrator licensure.

716 (d) **Administrator License - Nontraditional Route.** The
717 board may establish a nontraditional route for licensing
718 administrative personnel. Such nontraditional route for
719 administrative licensure shall be available for persons holding,
720 but not limited to, a master of business administration degree, a
721 master of public administration degree, a master of public
722 planning and policy degree or a doctor of jurisprudence degree
723 from an accredited college or university, with five (5) years of
724 administrative or supervisory experience. Successful completion
725 of the requirements of alternate route licensure for
726 administrators shall qualify the person for a standard
727 administrator license.

728 The State Department of Education shall compile and report,
729 in consultation with the commission, information relating to
730 nontraditional administrator preparation internship programs,
731 including the number of programs available and geographic areas in
732 which they are available, the number of individuals who apply for
733 and possess a nontraditional conditional license and where they
734 are employed, and shall submit its findings and recommendations to
735 the legislative committees on education by December 1, 2004.

736 Beginning with the 1997-1998 school year, individuals seeking
737 school administrator licensure under paragraph (b), (c) or (d)
738 shall successfully complete a training program and an assessment
739 process prescribed by the State Board of Education. Applicants
740 seeking school administrator licensure prior to June 30, 1997, and
741 completing all requirements for provisional or standard
742 administrator certification and who have never practiced, shall be
743 exempt from taking the Mississippi Assessment Battery Phase I.
744 Applicants seeking school administrator licensure during the
745 period beginning July 1, 1997, through June 30, 1998, shall
746 participate in the Mississippi Assessment Battery, and upon
747 request of the applicant, the department shall reimburse the

748 applicant for the cost of the assessment process required. After
749 June 30, 1998, all applicants for school administrator licensure
750 shall meet all requirements prescribed by the department under
751 paragraph (b), (c) or (d), and the cost of the assessment process
752 required shall be paid by the applicant.

753 (8) **Reciprocity.** (a) The department shall grant a standard
754 license to any individual who possesses a valid standard license
755 from another state and who meets the federal definition of highly
756 qualified.

757 (b) The department shall grant a nonrenewable special
758 license to any individual who possesses a credential which is less
759 than a standard license or certification from another state * * *.
760 Such special license shall be valid for the current school year
761 plus one (1) additional school year to expire on June 30 of the
762 second year, not to exceed a total period of twenty-four (24)
763 months, during which time the applicant shall be required to
764 complete the requirements for a standard license in Mississippi.

765 (9) **Renewal and Reinstatement of Licenses.** The State Board
766 of Education is authorized to establish rules and regulations for
767 the renewal and reinstatement of educator and administrator
768 licenses. Effective May 15, 1997, the valid standard license held
769 by an educator shall be extended five (5) years beyond the
770 expiration date of the license in order to afford the educator
771 adequate time to fulfill new renewal requirements established
772 pursuant to this subsection. An educator completing a master of
773 education, educational specialist or doctor of education degree in
774 May 1997 for the purpose of upgrading the educator's license to a
775 higher class shall be given this extension of five (5) years plus
776 five (5) additional years for completion of a higher degree.

777 (10) All controversies involving the issuance, revocation,
778 suspension or any change whatsoever in the licensure of an
779 educator required to hold a license shall be initially heard in a
780 hearing de novo, by the commission or by a subcommittee
781 established by the commission and composed of commission members
782 for the purpose of holding hearings. Any complaint seeking the

783 denial of issuance, revocation or suspension of a license shall be
784 by sworn affidavit filed with the Commission of Teacher and
785 Administrator Education, Certification and Licensure and
786 Development. The decision thereon by the commission or its
787 subcommittee shall be final, unless the aggrieved party shall
788 appeal to the State Board of Education, within ten (10) days, of
789 the decision of the committee or its subcommittee. An appeal to
790 the State Board of Education shall be on the record previously
791 made before the commission or its subcommittee unless otherwise
792 provided by rules and regulations adopted by the board. The State
793 Board of Education in its authority may reverse, or remand with
794 instructions, the decision of the committee or its subcommittee.
795 The decision of the State Board of Education shall be final.

796 (11) The State Board of Education, acting through the
797 commission, may deny an application for any teacher or
798 administrator license for one or more of the following:

799 (a) Lack of qualifications which are prescribed by law
800 or regulations adopted by the State Board of Education;

801 (b) The applicant has a physical, emotional or mental
802 disability that renders the applicant unfit to perform the duties
803 authorized by the license, as certified by a licensed psychologist
804 or psychiatrist;

805 (c) The applicant is actively addicted to or actively
806 dependent on alcohol or other habit-forming drugs or is a habitual
807 user of narcotics, barbiturates, amphetamines, hallucinogens or
808 other drugs having similar effect, at the time of application for
809 a license;

810 (d) Revocation of an applicant's certificate or license
811 by another state;

812 (e) Fraud or deceit committed by the applicant in
813 securing or attempting to secure such certification and license;

814 (f) Failing or refusing to furnish reasonable evidence
815 of identification;

816 (g) The applicant has been convicted, has pled guilty
817 or entered a plea of nolo contendere to a felony, as defined by
818 federal or state law; or

819 (h) The applicant has been convicted, has pled guilty
820 or entered a plea of nolo contendere to a sex offense as defined
821 by federal or state law.

822 (12) The State Board of Education, acting on the
823 recommendation of the commission, may revoke or suspend any
824 teacher or administrator license for specified periods of time for
825 one or more of the following:

826 (a) Breach of contract or abandonment of employment may
827 result in the suspension of the license for one (1) school year as
828 provided in Section 37-9-57;

829 (b) Obtaining a license by fraudulent means shall
830 result in immediate suspension and continued suspension for one
831 (1) year after correction is made;

832 (c) Suspension or revocation of a certificate or
833 license by another state shall result in immediate suspension or
834 revocation and shall continue until records in the prior state
835 have been cleared;

836 (d) The license holder has been convicted, has pled
837 guilty or entered a plea of nolo contendere to a felony, as
838 defined by federal or state law;

839 (e) The license holder has been convicted, has pled
840 guilty or entered a plea of nolo contendere to a sex offense, as
841 defined by federal or state law; or

842 (f) The license holder knowingly and willfully
843 committing any of the acts affecting validity of mandatory uniform
844 test results as provided in Section 37-16-4(1).

845 (13) (a) Dismissal or suspension of a licensed employee by
846 a local school board pursuant to Section 37-9-59 may result in the
847 suspension or revocation of a license for a length of time which
848 shall be determined by the commission and based upon the severity
849 of the offense.

850 (b) Any offense committed or attempted in any other
851 state shall result in the same penalty as if committed or
852 attempted in this state.

853 (c) A person may voluntarily surrender a license. The
854 surrender of such license may result in the commission
855 recommending any of the above penalties without the necessity of a
856 hearing. However, any such license which has voluntarily been
857 surrendered by a licensed employee may only be reinstated by a
858 majority vote of all members of the commission present at the
859 meeting called for such purpose.

860 (14) A person whose license has been suspended on any
861 grounds except criminal grounds may petition for reinstatement of
862 the license after one (1) year from the date of suspension, or
863 after one-half (1/2) of the suspended time has lapsed, whichever
864 is greater. A license suspended or revoked on the criminal
865 grounds may be reinstated upon petition to the commission filed
866 after expiration of the sentence and parole or probationary period
867 imposed upon conviction. A revoked, suspended or surrendered
868 license may be reinstated upon satisfactory showing of evidence of
869 rehabilitation. The commission shall require all who petition for
870 reinstatement to furnish evidence satisfactory to the commission
871 of good character, good mental, emotional and physical health and
872 such other evidence as the commission may deem necessary to
873 establish the petitioner's rehabilitation and fitness to perform
874 the duties authorized by the license.

875 (15) Reporting procedures and hearing procedures for dealing
876 with infractions under this section shall be promulgated by the
877 commission, subject to the approval of the State Board of
878 Education. The revocation or suspension of a license shall be
879 effected at the time indicated on the notice of suspension or
880 revocation. The commission shall immediately notify the
881 superintendent of the school district or school board where the
882 teacher or administrator is employed of any disciplinary action
883 and also notify the teacher or administrator of such revocation or
884 suspension and shall maintain records of action taken. The State

885 Board of Education may reverse or remand with instructions any
886 decision of the commission regarding a petition for reinstatement
887 of a license, and any such decision of the State Board of
888 Education shall be final.

889 (16) An appeal from the action of the State Board of
890 Education in denying an application, revoking or suspending a
891 license or otherwise disciplining any person under the provisions
892 of this section shall be filed in the Chancery Court of the First
893 Judicial District of Hinds County on the record made, including a
894 verbatim transcript of the testimony at the hearing. The appeal
895 shall be filed within thirty (30) days after notification of the
896 action of the board is mailed or served and the proceedings in
897 chancery court shall be conducted as other matters coming before
898 the court. The appeal shall be perfected upon filing notice of
899 the appeal and by the prepayment of all costs, including the cost
900 of preparation of the record of the proceedings by the State Board
901 of Education, and the filing of a bond in the sum of Two Hundred
902 Dollars (\$200.00) conditioned that if the action of the board be
903 affirmed by the chancery court, the applicant or license holder
904 shall pay the costs of the appeal and the action of the chancery
905 court.

906 (17) All such programs, rules, regulations, standards and
907 criteria recommended or authorized by the commission shall become
908 effective upon approval by the State Board of Education as
909 designated by appropriate orders entered upon the minutes thereof.

910 (18) The granting of a license shall not be deemed a
911 property right nor a guarantee of employment in any public school
912 district. A license is a privilege indicating minimal eligibility
913 for teaching in the public schools of Mississippi. This section
914 shall in no way alter or abridge the authority of local school
915 districts to require greater qualifications or standards of
916 performance as a prerequisite of initial or continued employment
917 in such districts.

918 (19) In addition to the reasons specified in subsections
919 (12) and (13) of this section, the board shall be authorized to

920 suspend the license of any licensee for being out of compliance
921 with an order for support, as defined in Section 93-11-153. The
922 procedure for suspension of a license for being out of compliance
923 with an order for support, and the procedure for the reissuance or
924 reinstatement of a license suspended for that purpose, and the
925 payment of any fees for the reissuance or reinstatement of a
926 license suspended for that purpose, shall be governed by Section
927 93-11-157 or 93-11-163, as the case may be. Actions taken by the
928 board in suspending a license when required by Section 93-11-157
929 or 93-11-163 are not actions from which an appeal may be taken
930 under this section. Any appeal of a license suspension that is
931 required by Section 93-11-157 or 93-11-163 shall be taken in
932 accordance with the appeal procedure specified in Section
933 93-11-157 or 93-11-163, as the case may be, rather than the
934 procedure specified in this section. If there is any conflict
935 between any provision of Section 93-11-157 or 93-11-163 and any
936 provision of this chapter, the provisions of Section 93-11-157 or
937 93-11-163, as the case may be, shall control.

938 **SECTION 4.** Section 37-3-81, Mississippi Code of 1972, is
939 amended as follows:

940 37-3-81. The Department of Education, using only existing
941 staff and resources, shall work in coordination with the state's
942 education service agencies, as defined in Section 37-7-345, to
943 establish and maintain a School Safety Center, which shall operate
944 a statewide information clearinghouse that: (a) provides
945 assistance to school districts and communities during school
946 crises; and (b) provides technical assistance, training and
947 current resources to public school officials and parents who need
948 assistance in researching, developing and implementing school
949 safety plans and in maintaining a safe school environment.
950 However, no monies from the Temporary Assistance for Needy
951 Families grant may be used for the School Safety Center.

952 **SECTION 5.** Section 37-11-53, Mississippi Code of 1972, is
953 amended as follows:

954 37-11-53. (1) A copy of the school district's discipline
955 plan shall be distributed to each student enrolled in the
956 district, and the parents, guardian or custodian of such student
957 shall sign a statement verifying that they have been given notice
958 of the discipline policies of their respective school district.
959 The school board shall have its official discipline plan and code
960 of student conduct legally audited on an annual basis to insure
961 that its policies and procedures are currently in compliance with
962 applicable statutes, case law and state and federal constitutional
963 provisions. As part of the first legal audit occurring after July
964 1, 2001, the provisions of this section, Section 37-11-55 and
965 Section 37-11-18.1 shall be fully incorporated into the school
966 district's discipline plan and code of student conduct.

967 (2) All discipline plans of school districts shall include,
968 but not be limited to, the following:

969 (a) A parent, guardian or custodian of a
970 compulsory-school-age child enrolled in a public school district
971 shall be responsible financially for his or her minor child's
972 destructive acts against school property or persons;

973 (b) A parent, guardian or custodian of a
974 compulsory-school-age child enrolled in a public school district
975 may be requested to appear at school by the school attendance
976 officer or an appropriate school official for a conference
977 regarding acts of the child specified in paragraph (a) of this
978 subsection, or for any other discipline conference regarding the
979 acts of the child;

980 (c) Any parent, guardian or custodian of a
981 compulsory-school-age child enrolled in a school district who
982 refuses or willfully fails to attend such discipline conference
983 specified in paragraph (b) of this section may be summoned by
984 proper notification by the superintendent of schools or the school
985 attendance officer and be required to attend such discipline
986 conference; and

987 (d) A parent, guardian or custodian of a
988 compulsory-school-age child enrolled in a public school district

989 shall be responsible for any criminal fines brought against such
990 student for unlawful activity occurring on school grounds or
991 buses.

992 (3) Any parent, guardian or custodian of a
993 compulsory-school-age child who * * * fails to attend a discipline
994 conference within three (3) school days of official school
995 notification defined for the purposes of this section as verbal,
996 person-to-person communication except in such cases where the
997 parent, guardian or custodian presents documentation of illness or
998 work-related conflicts, the school district shall, in conjunction
999 with the parent, guardian or custodian, establish an alternative
1000 discipline conference date, to which such parent, guardian or
1001 custodian has been summoned under the provisions of this section,
1002 or who refuses or willfully fails to perform any other duties
1003 imposed upon him or her under the provisions of this section,
1004 shall be guilty of a misdemeanor and, upon conviction, shall be:

1005 (a) Fined an amount not to exceed Two Hundred Fifty
1006 Dollars (\$250.00); and/or

1007 (b) Perform education related community service of up
1008 to twenty-five (25) hours to be conducted outside the hours of
1009 employment.

1010 (4) Any public school district shall be entitled to recover
1011 damages in an amount not to exceed Twenty Thousand Dollars
1012 (\$20,000.00), plus necessary court costs, from the parents of any
1013 minor under the age of eighteen (18) years and over the age of six
1014 (6) years, who maliciously and willfully damages or destroys
1015 property belonging to such school district. However, this section
1016 shall not apply to parents whose parental control of such child
1017 has been removed by court order or decree. The action authorized
1018 in this section shall be in addition to all other actions which
1019 the school district is entitled to maintain and nothing in this
1020 section shall preclude recovery in a greater amount from the minor
1021 or from a person, including the parents, for damages to which such
1022 minor or other person would otherwise be liable.

1023 (5) A school district's discipline plan may provide that as
1024 an alternative to suspension, a student may remain in school by
1025 having the parent, guardian or custodian, with the consent of the
1026 student's teacher or teachers, attend class with the student for a
1027 period of time specifically agreed upon by the reporting teacher
1028 and school principal. * * *

1029 **SECTION 6.** Section 37-3-4, Mississippi Code of 1972, is
1030 amended as follows:

1031 37-3-4. (1) There is established within the State
1032 Department of Education, the School Executive Management
1033 Institute. The director shall be appointed by the State Board of
1034 Education upon recommendation by the State Superintendent of
1035 Public Education. The State Superintendent of Public Education,
1036 with the approval of the State Board of Education, shall assign
1037 sufficient staff members from the State Department of Education to
1038 the institute.

1039 (2) It shall be the purpose and duty of the institute to
1040 conduct thorough empirical studies and analyses of the school
1041 management needs of the local school districts throughout the
1042 state, to make recommendations to the State Board of Education
1043 regarding standards and programs of training that aid in the
1044 development of administrative and management skills of local
1045 school administrators, and to conduct such programs related to
1046 these purposes as they are implemented under guidelines
1047 established by the State Board of Education.

1048 (3) The State Board of Education shall develop and implement
1049 through the School Executive Management Institute a program for
1050 the development of administrative and management skills of local
1051 school administrators under which all local school administrators
1052 shall be required to participate. Subject to the extent of
1053 appropriations available for such purpose, the School Executive
1054 Management Institute or the Mississippi School Boards Association
1055 shall be required to offer courses at least twice a year on the
1056 uses of technology to principals, superintendents and other
1057 administrative personnel. These courses shall relate to the

1058 application of technology to learning, as well as administrative
1059 problems.

1060 (4) (a) The institute shall have an advisory board composed
1061 of ten (10) qualified members appointed by the State Board of
1062 Education after consultation with the State Superintendent of
1063 Public Education. This advisory board will offer recommendations
1064 to the institute on the types of training to be instituted and
1065 supported. The membership of the advisory board shall be composed
1066 of the following members, two (2) to be appointed from each
1067 congressional district: three (3) school administrators; one (1)
1068 representative of public community/junior colleges within the
1069 state; one (1) representative of a school of education in an
1070 institution of higher learning within the state; two (2) local
1071 school board members; one (1) classroom teacher; and two (2) lay
1072 persons. In making the initial appointments, three (3) members
1073 shall be appointed for a term of one (1) year, three (3) members
1074 shall be appointed for a term of two (2) years, two (2) members
1075 shall be appointed for a term of three (3) years, and two (2)
1076 members shall be appointed for a term of four (4) years.

1077 Thereafter, all members shall be appointed for a term of four (4)
1078 years. The advisory board shall meet when called by the director,
1079 but in no event fewer than three (3) times per year. The members
1080 of the advisory board shall be compensated at the per diem rate
1081 authorized by Section 25-3-69 and reimbursed for actual and
1082 necessary expenses as authorized by Section 25-3-41.

1083 (b) Board members of the Oxford-Lafayette Business and
1084 Industrial Complex shall be paid per diem and reimbursed for
1085 expenses and mileage from local funds in accordance with Section
1086 37-6-13.

1087 (5) (a) Basic Education Course. Subject to the extent of
1088 appropriations available for such purpose, the School Executive
1089 Management Institute of the State Department of Education shall
1090 prepare and conduct a course of training for basic education for
1091 the local school board members of this state, in order for board
1092 members to carry out their duties more effectively and be exposed

1093 to new ideas involving school restructuring. The basic course
1094 shall be known as the "School Board Member Training Course" and
1095 shall consist of at least twelve (12) hours of training. The
1096 School Executive Management Institute shall issue certificates of
1097 completion to those school board members who complete the basic
1098 education course.

1099 (b) Continuing Education Course. The Mississippi
1100 School Boards Association shall be responsible for preparing and
1101 conducting a course of training for continuing education for the
1102 local school board members of this state, in order for board
1103 members to carry out their duties more effectively and be exposed
1104 to new ideas involving school restructuring. The continuing
1105 education course shall be known as the "Continuing Education
1106 Course for School Board Members" and shall consist of at least six
1107 (6) hours of training.

1108 The Mississippi School Boards Association shall issue
1109 certificates of completion to those school board members who
1110 complete the continuing education course. All costs and expenses
1111 for preparing and conducting the continuing education course
1112 provided for in this paragraph shall be paid out of any funds
1113 which are made available to the Mississippi School Boards
1114 Association upon authorization and appropriation by the
1115 Legislature to the State Department of Education.

1116 (6) The Mississippi School Boards Association shall prepare
1117 and submit a report each year to the State Board of Education and
1118 to the respective Chairs of the House and Senate Education
1119 Committees describing the activities and providing an evaluation
1120 of the continuing education programs offered by the association
1121 each year.

1122 (7) The School Executive Management Institute of the State
1123 Department of Education, or the Mississippi School Boards
1124 Association with the oversight of the State Board of Education, at
1125 least twice a year, shall prepare and conduct required courses of
1126 training for continuing education for the elementary and secondary
1127 school principals of this state, in order for principals to carry

1128 out their duties more effectively and be exposed to new ideas
1129 involving school management. The continuing education course
1130 shall be known as the "Continuing Education Course for Principals"
1131 and shall consist of at least six (6) hours of training. The
1132 content of the continuing education courses and the time and place
1133 such courses are to be conducted shall be determined by the School
1134 Executive Management Institute or the Mississippi School Boards
1135 Association; however, to the extent practicable, such training
1136 sessions shall be held within geographical proximity of local
1137 districts in order that travel times and costs shall not be
1138 prohibitive.

1139 The institute shall issue certificates of completion to those
1140 principals who complete such courses. All costs and expenses for
1141 preparing and conducting the basic and continuing education
1142 courses provided for in this subsection shall be paid out of any
1143 funds which are made available to the institute upon authorization
1144 and appropriation by the Legislature.

1145 (8) The State Board of Education is directed to establish
1146 standards and guidelines that are acceptable alternatives to the
1147 provisions of this section for required continuing education for
1148 Level 4 and 5 schools.

1149 **SECTION 7.** Section 37-3-46, Mississippi Code of 1972, is
1150 amended as follows:

1151 37-3-46. From and after July 1, 1983, the State Department
1152 of Education shall:

1153 (a) Provide to local school districts financial,
1154 training and other assistance to implement and maintain a state
1155 program of educational accountability and assessment of
1156 performance.

1157 (b) Provide to local school districts technical
1158 assistance and training in the development, implementation and
1159 administration of a personnel appraisal and compensation system
1160 for all school employees. The State Board of Education shall
1161 report to the Legislature on January 5, 1986, with recommendations

1162 based upon the personnel appraisal and compensation system
1163 developed under this subsection.

1164 (c) Provide to local school districts technical
1165 assistance in the development, implementation and administration
1166 of programs designed to keep children in school voluntarily and to
1167 prevent dropouts.

1168 (d) Districts meeting the exemption criterion, as
1169 defined in Section 37-17-11, are exempted from the provisions of
1170 this section.

1171 **SECTION 8.** Section 37-7-337, Mississippi Code of 1972, is
1172 amended as follows:

1173 37-7-337. The governing authorities of the county, counties
1174 or city in which a school district is located and the school board
1175 of each school district shall develop a five-year plan to
1176 encourage community involvement with the schools in such
1177 district. * * *

1178 **SECTION 9.** Section 37-13-61, Mississippi Code of 1972, is
1179 amended as follows:

1180 37-13-61. The local school board shall have the power and
1181 authority to fix the date for the opening and closing of the
1182 school term, subject to the full one hundred eighty (180) days
1183 required for a school term of a scholastic year in Section
1184 37-13-63. * * * Provided, however, that local school boards are
1185 authorized to keep school in session in excess of the minimum
1186 number of days prescribed in Section 37-13-63.

1187 **SECTION 10.** Section 37-13-67, Mississippi Code of 1972, is
1188 amended as follows:

1189 37-13-67. * * * The number of hours of actual teaching which
1190 shall constitute a school day shall be determined and fixed by the
1191 board of trustees of the school district at not less than five (5)
1192 hours * * *.

1193 **SECTION 11.** Section 37-13-69, Mississippi Code of 1972, is
1194 amended as follows:

1195 37-13-69. (1) All public schools of this state may observe
1196 such legal holidays as may be designated by the local school

1197 board, and no sessions of school shall be held on holidays so
1198 designated and observed. However, all schools shall operate for
1199 the full minimum term required by law exclusive of the holidays
1200 authorized by this section. The holidays thus observed shall not
1201 be deducted from the reports of the superintendents, principals
1202 and teachers, and such superintendents, principals and teachers
1203 shall be allowed pay for full time as though they had taught on
1204 said holidays. However, such holidays shall not be counted or
1205 included in any way in determining the average daily attendance of
1206 the school.

1207 **SECTION 12.** Section 37-15-9, Mississippi Code of 1972, is
1208 amended as follows:

1209 37-15-9. (1) (a) Except as provided in subsection (2) and
1210 subject to the provisions of subsection (3) of this section, no
1211 child shall be enrolled or admitted to any kindergarten which is a
1212 part of the free public school system during any school year
1213 unless such child will reach his fifth birthday on or before
1214 September 1 of said school year, and no child shall be enrolled or
1215 admitted to the first grade in any school which is a part of the
1216 free public school system during any school year unless such child
1217 will reach his sixth birthday on or before September 1 of said
1218 school year. No pupil shall be permanently enrolled in a school
1219 in the State of Mississippi who formerly was enrolled in another
1220 public or private school within the state until the cumulative
1221 record of the pupil shall have been received from the school from
1222 which he transferred. Should such record have become lost or
1223 destroyed, then it shall be the duty of the superintendent or
1224 principal of the school where the pupil last attended school to
1225 initiate a new record.

1226 (b) The State Board of Education shall recommend by
1227 December 1, 2005, to the State Legislature a policy designed to
1228 allow the state's academically capable students to be exempted
1229 from this process standard including any fees or costs for tests
1230 or assessments; however, no child shall be denied early admission

1231 because the child cannot afford the cost of the test or
1232 assessments.

1233 (2) Subject to the provisions of subsection (3) of this
1234 section, any child who transfers from an out-of-state public or
1235 private school in which that state's law provides for a
1236 first-grade or kindergarten enrollment date subsequent to
1237 September 1, shall be allowed to enroll in the public schools of
1238 Mississippi, at the same grade level as their prior out-of-state
1239 enrollment, if:

1240 (a) The parent, legal guardian or custodian of such
1241 child was a legal resident of the state from which the child is
1242 transferring;

1243 (b) The out-of-state school from which the child is
1244 transferring is duly accredited by that state's appropriate
1245 accrediting authority;

1246 (c) Such child was legally enrolled in a public or
1247 private school for a minimum of four (4) weeks in the previous
1248 state; and

1249 (d) The superintendent of schools in the applicable
1250 Mississippi school district has determined that the child was
1251 making satisfactory educational progress in the previous state.

1252 (3) When any child applies for admission or enrollment in
1253 any public school in the state, the parent, guardian or child, in
1254 the absence of an accompanying parent or guardian, shall indicate
1255 on the school registration form if the enrolling child has been
1256 expelled from any public or private school or is currently a party
1257 to an expulsion proceeding. If it is determined from the child's
1258 cumulative record or application for admission or enrollment that
1259 the child has been expelled, the school district may deny the
1260 student admission and enrollment until the superintendent of the
1261 school, or his designee, has reviewed the child's cumulative
1262 record and determined that the child has participated in
1263 successful rehabilitative efforts including, but not limited to,
1264 progress in an alternative school or similar program. If the
1265 child is a party to an expulsion proceeding, the child may be

1266 admitted to a public school pending final disposition of the
1267 expulsion proceeding. If the expulsion proceeding results in the
1268 expulsion of the child, the public school may revoke such
1269 admission to school. If the child was expelled or is a party to
1270 an expulsion proceeding for an act involving violence, weapons,
1271 alcohol, illegal drugs or other activity that may result in
1272 expulsion, the school district shall not be required to grant
1273 admission or enrollment to the child before one (1) calendar year
1274 after the date of the expulsion.

1275 **SECTION 13.** Section 37-17-11, Mississippi Code of 1972, is
1276 amended as follows:

1277 37-17-11. (1) The State Department of Education is directed
1278 to provide a report of all exempted process standards and
1279 nonexempted process standards to the Office of the Governor, the
1280 Chairs of the House and Senate Education Committees, and the
1281 Mississippi Association of Local Superintendents by December 1,
1282 2005.

1283 (2) The State Board of Education, acting through the
1284 Commission on School Accreditation, shall no later than July 1,
1285 2006, establish policies and procedures relating to the exemption
1286 status of school districts and/or schools, the time frame for
1287 reevaluation of exemption statuses, and other appropriate related
1288 guidelines.

1289 **SECTION 14.** Section 37-21-7, Mississippi Code of 1972, is
1290 amended as follows:

1291 37-21-7. (1) This section shall be referred to as the
1292 "Mississippi Elementary Schools Assistant Teacher Program," the
1293 purpose of which shall be to provide an early childhood education
1294 program that assists in the instruction of basic skills. The
1295 State Board of Education is authorized, empowered and directed to
1296 implement a statewide system of assistant teachers in kindergarten
1297 classes and in the first, second and third grades. The assistant
1298 teacher shall assist pupils in actual instruction under the strict
1299 supervision of a licensed teacher.

1300 (2) (a) Except as otherwise authorized under subsection
1301 (7), each school district shall employ the total number of
1302 assistant teachers funded under subsection (6) of this section.
1303 The superintendent of each district shall assign the assistant
1304 teachers to the kindergarten, first-, second- and third-grade
1305 classes in the district in a manner that will promote the maximum
1306 efficiency, as determined by the superintendent, in the
1307 instruction of skills such as verbal and linguistic skills,
1308 logical and mathematical skills, and social skills.

1309 (b) If a licensed teacher to whom an assistant teacher
1310 has been assigned is required to be absent from the classroom, the
1311 assistant teacher may assume responsibility for the classroom in
1312 lieu of a substitute teacher. However, no assistant teacher shall
1313 assume sole responsibility of the classroom for more than three
1314 (3) consecutive school days. Further, in no event shall any
1315 assistant teacher be assigned to serve as a substitute teacher for
1316 any teacher other than the licensed teacher to whom that assistant
1317 teacher has been assigned.

1318 (3) Assistant teachers shall have, at a minimum, a high
1319 school diploma or a GED equivalent, and shall show demonstratable
1320 proficiency in reading and writing skills. The State Department
1321 of Education shall develop a testing procedure for assistant
1322 teacher applicants to be used in all school districts in the
1323 state.

1324 (4) (a) In order to receive funding, each school district
1325 shall:

1326 (i) Submit a plan on the implementation of a
1327 reading improvement program to the State Department of Education;
1328 and

1329 (ii) Develop a plan of educational accountability
1330 and assessment of performance, including pretests and posttests,
1331 for reading in Grades 1 through 6.

1332 (b) Additionally, each school district shall:

1333 (i) Provide annually a mandatory preservice
1334 orientation session, using an existing in-school service day, for

1335 administrators and teachers on the effective use of assistant
1336 teachers as part of a team in the classroom setting and on the
1337 role of assistant teachers, with emphasis on program goals;

1338 (ii) Hold periodic workshops for administrators
1339 and teachers on the effective use and supervision of assistant
1340 teachers;

1341 (iii) Provide training annually on specific
1342 instructional skills for assistant teachers;

1343 (iv) Annually evaluate their program in accordance
1344 with their educational accountability and assessment of
1345 performance plan; and

1346 (v) Designate the necessary personnel to supervise
1347 and report on their program.

1348 (c) Level 4 and 5 schools shall be exempt from the
1349 provisions of Section 37-21-7(4)(b)(i), (ii), (iii) and (v).

1350 (5) The State Department of Education shall:

1351 (a) Develop and assist in the implementation of a
1352 statewide uniform training module, subject to the availability of
1353 funds specifically appropriated therefor by the Legislature, which
1354 shall be used in all school districts for training administrators,
1355 teachers and assistant teachers. The module shall provide for the
1356 consolidated training of each assistant teacher and teacher to
1357 whom the assistant teacher is assigned, working together as a
1358 team, and shall require further periodical training for
1359 administrators, teachers and assistant teachers regarding the role
1360 of assistant teachers;

1361 (b) Annually evaluate the program on the district and
1362 state level. Subject to the availability of funds specifically
1363 appropriated therefor by the Legislature, the department shall
1364 develop: (i) uniform evaluation reports, to be performed by the
1365 principal or assistant principal, to collect data for the annual
1366 overall program evaluation conducted by the department; or (ii) a
1367 program evaluation model that, at a minimum, addresses process
1368 evaluation; and

1369 (c) Promulgate rules, regulations and such other
1370 standards deemed necessary to effectuate the purposes of this
1371 section. Noncompliance with the provisions of this section and
1372 any rules, regulations or standards adopted by the department may
1373 result in a violation of compulsory accreditation standards as
1374 established by the State Board of Education and Commission on
1375 School Accreditation.

1376 (d) Level 4 and 5 schools shall be exempt from the
1377 provisions of Section 37-21-7(5).

1378 (6) In addition to other funds allotted under the * * *
1379 Adequate Education Program, each school district shall be allotted
1380 sufficient funding for the purpose of employing assistant
1381 teachers. No assistant teacher shall be paid less than the amount
1382 he or she received in the prior school year. No school district
1383 shall receive any funds under this section for any school year
1384 during which the aggregate amount of the local contribution to the
1385 salaries of assistant teachers by the district shall have been
1386 reduced below such amount for the previous year.

1387 For the 2001-2002 school year, the minimum salary for
1388 assistant teachers shall be Nine Thousand Three Hundred Sixty-five
1389 Dollars (\$9,365.00).

1390 For the 2002-2003 school year, the minimum salary for
1391 assistant teachers shall be Nine Thousand Nine Hundred Dollars
1392 (\$9,900.00).

1393 For the 2003-2004 school year, the minimum salary for
1394 assistant teachers shall be Ten Thousand Five Hundred Dollars
1395 (\$10,500.00).

1396 For the 2004-2005 school year, the minimum salary for
1397 assistant teachers shall be Eleven Thousand Two Hundred Dollars
1398 (\$11,200.00).

1399 For the 2005-2006 school year and school years thereafter,
1400 the minimum salary for assistant teachers shall be Twelve Thousand
1401 Dollars (\$12,000.00).

1402 In addition, for each one percent (1%) that the Sine Die
1403 General Fund Revenue Estimate Growth exceeds five percent (5%) in

1404 fiscal year 2003, 2004, 2005 or 2006, as certified by the
1405 Legislative Budget Office to the State Board of Education and
1406 subject to the specific appropriation therefor by the Legislature,
1407 the State Board of Education shall revise the salary scale in the
1408 appropriate year to provide an additional one percent (1%) across
1409 the board increase in the base salaries for assistant teachers.
1410 The State Board of Education shall revise the salaries prescribed
1411 above for assistant teachers to conform to any adjustments made in
1412 prior fiscal years due to revenue growth over and above five
1413 percent (5%). The assistant teachers shall not be restricted to
1414 working only in the grades for which the funds were allotted, but
1415 may be assigned to other classes as provided in subsection (2)(a)
1416 of this section.

1417 (7) (a) As an alternative to employing assistant teachers,
1418 any school district may use the allotment provided under
1419 subsection (6) of this section for the purpose of employing
1420 licensed teachers for kindergarten, first-, second- and
1421 third-grade classes; however, no school district shall be
1422 authorized to use the allotment for assistant teachers for the
1423 purpose of employing licensed teachers unless the district has
1424 established that the employment of licensed teachers using such
1425 funds will reduce the teacher:student ratio in the kindergarten,
1426 first-, second- and third-grade classes. All state funds for
1427 assistant teachers shall be applied to reducing teacher:student
1428 ratio in Grades K-3.

1429 It is the intent of the Legislature that no school district
1430 shall dismiss any assistant teacher for the purpose of using the
1431 assistant teacher allotment to employ licensed teachers. School
1432 districts may rely only upon normal attrition to reduce the number
1433 of assistant teachers employed in that district.

1434 (b) In the event any school district meets Level 4 or 5
1435 accreditation requirements, the State Board of Education, in its
1436 discretion, may exempt such school district from any accreditation
1437 requirements for the district's early childhood education program
1438 or reading improvement program.

1439 **SECTION 15.** Section 37-41-53, Mississippi Code of 1972, is
1440 amended as follows:

1441 37-41-53. (1) Each school board, person, firm or
1442 corporation transporting public school children on the public
1443 roads, streets and highways of the state with motor vehicles shall
1444 have said motor vehicles inspected according to the laws of the
1445 state * * *. Each motor vehicle shall be inspected by a competent
1446 mechanic to be safe for transporting pupils on the roads, streets
1447 and highways of the state before it is released for such purpose.
1448 If such motor vehicle is found to be unsafe for transporting
1449 pupils, then it shall be properly repaired or adjusted as
1450 necessary before being used to transport pupils. The provisions
1451 of this subsection (1) shall not apply to vehicles owned by
1452 individuals and under private contract to the school district and
1453 used exclusively for transporting members of their immediate
1454 families.

1455 (2) The State Department of Education may, at its
1456 discretion, inspect any school bus used for transporting pupils to
1457 and from the public schools or for activity purposes to determine
1458 the safety of such motor vehicle for operation on the roads,
1459 streets and highways of this state. In the event a vehicle is
1460 inspected and is found to be unsafe for transporting pupils, a
1461 report shall be filed with the appropriate school official
1462 indicating its deficiencies with recommendations for correcting
1463 such deficiencies.

1464 (3) If it is determined that any buses are in such defective
1465 condition as to constitute an emergency safety hazard, those buses
1466 may be condemned and removed from service and shall not be
1467 returned to service until adequate repairs are completed and such
1468 buses are reinspected by the State Department of Education. Any
1469 school official who approves the operation of any school bus that
1470 has been removed from service under the conditions listed above,
1471 prior to being reinspected by the State Department of Education,
1472 shall be guilty of a misdemeanor and upon conviction shall be
1473 punished by imprisonment in the county jail for a period not to

1474 exceed sixty (60) days, or a fine of not less than Five Hundred
1475 Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00),
1476 or by both such fine and imprisonment, in the discretion of the
1477 court.

1478 **SECTION 16.** Section 37-7-301, Mississippi Code of 1972, is
1479 amended as follows:

1480 37-7-301. The school boards of all school districts shall
1481 have the following powers, authority and duties in addition to all
1482 others imposed or granted by law, to wit:

1483 (a) To organize and operate the schools of the district
1484 and to make such division between the high school grades and
1485 elementary grades as, in their judgment, will serve the best
1486 interests of the school;

1487 (b) To introduce public school music, art, manual
1488 training and other special subjects into either the elementary or
1489 high school grades, as the board shall deem proper;

1490 (c) To be the custodians of real and personal school
1491 property and to manage, control and care for same, both during the
1492 school term and during vacation;

1493 (d) To have responsibility for the erection, repairing
1494 and equipping of school facilities and the making of necessary
1495 school improvements;

1496 (e) To suspend or to expel a pupil or to change the
1497 placement of a pupil to the school district's alternative school
1498 or home-bound program for misconduct in the school or on school
1499 property, as defined in Section 37-11-29, on the road to and from
1500 school, or at any school-related activity or event, or for conduct
1501 occurring on property other than school property or other than at
1502 a school-related activity or event when such conduct by a pupil,
1503 in the determination of the school superintendent or principal,
1504 renders that pupil's presence in the classroom a disruption to the
1505 educational environment of the school or a detriment to the best
1506 interest and welfare of the pupils and teacher of such class as a
1507 whole, and to delegate such authority to the appropriate officials
1508 of the school district;

1509 (f) To visit schools in the district, in their
1510 discretion, in a body for the purpose of determining what can be
1511 done for the improvement of the school in a general way;

1512 (g) To support, within reasonable limits, the
1513 superintendent, principal and teachers where necessary for the
1514 proper discipline of the school;

1515 (h) To exclude from the schools students with what
1516 appears to be infectious or contagious diseases; provided,
1517 however, such student may be allowed to return to school upon
1518 presenting a certificate from a public health officer, duly
1519 licensed physician or nurse practitioner that the student is free
1520 from such disease;

1521 (i) To require those vaccinations specified by the
1522 State Health Officer as provided in Section 41-23-37, Mississippi
1523 Code of 1972;

1524 (j) To see that all necessary utilities and services
1525 are provided in the schools at all times when same are needed;

1526 (k) To authorize the use of the school buildings and
1527 grounds for the holding of public meetings and gatherings of the
1528 people under such regulations as may be prescribed by said board;

1529 (l) To prescribe and enforce rules and regulations not
1530 inconsistent with law or with the regulations of the State Board
1531 of Education for their own government and for the government of
1532 the schools, and to transact their business at regular and special
1533 meetings called and held in the manner provided by law;

1534 (m) To maintain and operate all of the schools under
1535 their control for such length of time during the year as may be
1536 required;

1537 (n) To enforce in the schools the courses of study and
1538 the use of the textbooks prescribed by the proper authorities;

1539 (o) To make orders directed to the superintendent of
1540 schools for the issuance of pay certificates for lawful purposes
1541 on any available funds of the district and to have full control of
1542 the receipt, distribution, allotment and disbursement of all funds
1543 provided for the support and operation of the schools of such

1544 school district whether such funds be derived from state
1545 appropriations, local ad valorem tax collections, or otherwise;

1546 (p) To select all school district personnel in the
1547 manner provided by law, and to provide for such employee fringe
1548 benefit programs, including accident reimbursement plans, as may
1549 be deemed necessary and appropriate by the board;

1550 (q) To provide athletic programs and other school
1551 activities and to regulate the establishment and operation of such
1552 programs and activities;

1553 (r) To join, in their discretion, any association of
1554 school boards and other public school-related organizations, and
1555 to pay from local funds other than minimum foundation funds, any
1556 membership dues;

1557 (s) To expend local school activity funds, or other
1558 available school district funds, other than minimum education
1559 program funds, for the purposes prescribed under this paragraph.
1560 "Activity funds" shall mean all funds received by school officials
1561 in all school districts paid or collected to participate in any
1562 school activity, such activity being part of the school program
1563 and partially financed with public funds or supplemented by public
1564 funds. The term "activity funds" shall not include any funds
1565 raised and/or expended by any organization unless commingled in a
1566 bank account with existing activity funds, regardless of whether
1567 the funds were raised by school employees or received by school
1568 employees during school hours or using school facilities, and
1569 regardless of whether a school employee exercises influence over
1570 the expenditure or disposition of such funds. Organizations shall
1571 not be required to make any payment to any school for the use of
1572 any school facility if, in the discretion of the local school
1573 governing board, the organization's function shall be deemed to be
1574 beneficial to the official or extracurricular programs of the
1575 school. For the purposes of this provision, the term
1576 "organization" shall not include any organization subject to the
1577 control of the local school governing board. Activity funds may
1578 only be expended for any necessary expenses or travel costs,

1579 including advances, incurred by students and their chaperons in
1580 attending any in-state or out-of-state school-related programs,
1581 conventions or seminars and/or any commodities, equipment, travel
1582 expenses, purchased services or school supplies which the local
1583 school governing board, in its discretion, shall deem beneficial
1584 to the official or extracurricular programs of the district,
1585 including items which may subsequently become the personal
1586 property of individuals, including yearbooks, athletic apparel,
1587 book covers and trophies. Activity funds may be used to pay
1588 travel expenses of school district personnel. The local school
1589 governing board shall be authorized and empowered to promulgate
1590 rules and regulations specifically designating for what purposes
1591 school activity funds may be expended. The local school governing
1592 board shall provide (i) that such school activity funds shall be
1593 maintained and expended by the principal of the school generating
1594 the funds in individual bank accounts, or (ii) that such school
1595 activity funds shall be maintained and expended by the
1596 superintendent of schools in a central depository approved by the
1597 board. The local school governing board shall provide that such
1598 school activity funds be audited as part of the annual audit
1599 required in Section 37-9-18. The State Auditor shall prescribe a
1600 uniform system of accounting and financial reporting for all
1601 school activity fund transactions;

1602 (t) To contract, on a shared savings, lease or
1603 lease-purchase basis, for energy efficiency services and/or
1604 equipment as provided for in Section 31-7-14, not to exceed ten
1605 (10) years;

1606 (u) To maintain accounts and issue pay certificates on
1607 school food service bank accounts;

1608 (v) (i) To lease a school building from an individual,
1609 partnership, nonprofit corporation or a private for-profit
1610 corporation for the use of such school district, and to expend
1611 funds therefor as may be available from any nonminimum program
1612 sources. The school board of the school district desiring to
1613 lease a school building shall declare by resolution that a need

1614 exists for a school building and that the school district cannot
1615 provide the necessary funds to pay the cost or its proportionate
1616 share of the cost of a school building required to meet the
1617 present needs. The resolution so adopted by the school board
1618 shall be published once each week for three (3) consecutive weeks
1619 in a newspaper having a general circulation in the school district
1620 involved, with the first publication thereof to be made not less
1621 than thirty (30) days prior to the date upon which the school
1622 board is to act on the question of leasing a school building. If
1623 no petition requesting an election is filed prior to such meeting
1624 as hereinafter provided, then the school board may, by resolution
1625 spread upon its minutes, proceed to lease a school building. If
1626 at any time prior to said meeting a petition signed by not less
1627 than twenty percent (20%) or fifteen hundred (1500), whichever is
1628 less, of the qualified electors of the school district involved
1629 shall be filed with the school board requesting that an election
1630 be called on the question, then the school board shall, not later
1631 than the next regular meeting, adopt a resolution calling an
1632 election to be held within such school district upon the question
1633 of authorizing the school board to lease a school building. Such
1634 election shall be called and held, and notice thereof shall be
1635 given, in the same manner for elections upon the questions of the
1636 issuance of the bonds of school districts, and the results thereof
1637 shall be certified to the school board. If at least three-fifths
1638 (3/5) of the qualified electors of the school district who voted
1639 in such election shall vote in favor of the leasing of a school
1640 building, then the school board shall proceed to lease a school
1641 building. The term of the lease contract shall not exceed twenty
1642 (20) years, and the total cost of such lease shall be either the
1643 amount of the lowest and best bid accepted by the school board
1644 after advertisement for bids or an amount not to exceed the
1645 current fair market value of the lease as determined by the
1646 averaging of at least two (2) appraisals by certified general
1647 appraisers licensed by the State of Mississippi. The term "school
1648 building" as used in this item (v) shall be construed to mean any

1649 building or buildings used for classroom purposes in connection
1650 with the operation of schools and shall include the site therefor,
1651 necessary support facilities, and the equipment thereof and
1652 appurtenances thereto such as heating facilities, water supply,
1653 sewage disposal, landscaping, walks, drives and playgrounds. The
1654 term "lease" as used in this item (v)(i) may include a
1655 lease/purchase contract;

1656 (ii) If two (2) or more school districts propose
1657 to enter into a lease contract jointly, then joint meetings of the
1658 school boards having control may be held but no action taken shall
1659 be binding on any such school district unless the question of
1660 leasing a school building is approved in each participating school
1661 district under the procedure hereinabove set forth in item (v)(i).
1662 All of the provisions of item (v)(i) regarding the term and amount
1663 of the lease contract shall apply to the school boards of school
1664 districts acting jointly. Any lease contract executed by two (2)
1665 or more school districts as joint lessees shall set out the amount
1666 of the aggregate lease rental to be paid by each, which may be
1667 agreed upon, but there shall be no right of occupancy by any
1668 lessee unless the aggregate rental is paid as stipulated in the
1669 lease contract. All rights of joint lessees under the lease
1670 contract shall be in proportion to the amount of lease rental paid
1671 by each;

1672 (w) To employ all noninstructional and noncertificated
1673 employees and fix the duties and compensation of such personnel
1674 deemed necessary pursuant to the recommendation of the
1675 superintendent of schools;

1676 (x) To employ and fix the duties and compensation of
1677 such legal counsel as deemed necessary;

1678 (y) Subject to rules and regulations of the State Board
1679 of Education, to purchase, own and operate trucks, vans and other
1680 motor vehicles, which shall bear the proper identification
1681 required by law;

1682 (z) To expend funds for the payment of substitute
1683 teachers and to adopt reasonable regulations for the employment
1684 and compensation of such substitute teachers;

1685 (aa) To acquire in its own name by purchase all real
1686 property which shall be necessary and desirable in connection with
1687 the construction, renovation or improvement of any public school
1688 building or structure. Whenever the purchase price for such real
1689 property is greater than Fifty Thousand Dollars (\$50,000.00), the
1690 school board shall not purchase the property for an amount
1691 exceeding the fair market value of such property as determined by
1692 the average of at least two (2) independent appraisals by
1693 certified general appraisers licensed by the State of Mississippi.
1694 If the board shall be unable to agree with the owner of any such
1695 real property in connection with any such project, the board shall
1696 have the power and authority to acquire any such real property by
1697 condemnation proceedings pursuant to Section 11-27-1 et seq.,
1698 Mississippi Code of 1972, and for such purpose, the right of
1699 eminent domain is hereby conferred upon and vested in said board.
1700 Provided further, that the local school board is authorized to
1701 grant an easement for ingress and egress over sixteenth section
1702 land or lieu land in exchange for a similar easement upon
1703 adjoining land where the exchange of easements affords substantial
1704 benefit to the sixteenth section land; provided, however, the
1705 exchange must be based upon values as determined by a competent
1706 appraiser, with any differential in value to be adjusted by cash
1707 payment. Any easement rights granted over sixteenth section land
1708 under such authority shall terminate when the easement ceases to
1709 be used for its stated purpose. No sixteenth section or lieu land
1710 which is subject to an existing lease shall be burdened by any
1711 such easement except by consent of the lessee or unless the school
1712 district shall acquire the unexpired leasehold interest affected
1713 by the easement;

1714 (bb) To charge reasonable fees related to the
1715 educational programs of the district, in the manner prescribed in
1716 Section 37-7-335;

1717 (cc) Subject to rules and regulations of the State
1718 Board of Education, to purchase relocatable classrooms for the use
1719 of such school district, in the manner prescribed in Section
1720 37-1-13;

1721 (dd) Enter into contracts or agreements with other
1722 school districts, political subdivisions or governmental entities
1723 to carry out one or more of the powers or duties of the school
1724 board, or to allow more efficient utilization of limited resources
1725 for providing services to the public;

1726 (ee) To provide for in-service training for employees
1727 of the district. Until June 30, 1994, the school boards may
1728 designate two (2) days of the minimum school term, as defined in
1729 Section 37-19-1, for employee in-service training for
1730 implementation of the new statewide testing system as developed by
1731 the State Board of Education. Such designation shall be subject
1732 to approval by the State Board of Education pursuant to uniform
1733 rules and regulations;

1734 (ff) As part of their duties to prescribe the use of
1735 textbooks, to provide that parents and legal guardians shall be
1736 responsible for the textbooks and for the compensation to the
1737 school district for any books which are not returned to the proper
1738 schools upon the withdrawal of their dependent child. If a
1739 textbook is lost or not returned by any student who drops out of
1740 the public school district, the parent or legal guardian shall
1741 also compensate the school district for the fair market value of
1742 the textbooks;

1743 (gg) To conduct fund-raising activities on behalf of
1744 the school district that the local school board, in its
1745 discretion, deems appropriate or beneficial to the official or
1746 extracurricular programs of the district; provided that:

1747 (i) Any proceeds of the fund-raising activities
1748 shall be treated as "activity funds" and shall be accounted for as
1749 are other activity funds under this section; and

1750 (ii) Fund-raising activities conducted or
1751 authorized by the board for the sale of school pictures, the

1752 rental of caps and gowns or the sale of graduation invitations for
1753 which the school board receives a commission, rebate or fee shall
1754 contain a disclosure statement advising that a portion of the
1755 proceeds of the sales or rentals shall be contributed to the
1756 student activity fund;

1757 (hh) To allow individual lessons for music, art and
1758 other curriculum-related activities for academic credit or
1759 nonacademic credit during school hours and using school equipment
1760 and facilities, subject to uniform rules and regulations adopted
1761 by the school board;

1762 (ii) To charge reasonable fees for participating in an
1763 extracurricular activity for academic or nonacademic credit for
1764 necessary and required equipment such as safety equipment, band
1765 instruments and uniforms;

1766 (jj) To conduct or participate in any fund-raising
1767 activities on behalf of or in connection with a tax-exempt
1768 charitable organization;

1769 (kk) To exercise such powers as may be reasonably
1770 necessary to carry out the provisions of this section;

1771 (ll) To expend funds for the services of nonprofit arts
1772 organizations or other such nonprofit organizations who provide
1773 performances or other services for the students of the school
1774 district;

1775 (mm) To expend federal No Child Left Behind Act funds,
1776 or any other available funds that are expressly designated and
1777 authorized for that use, to pay training, educational expenses,
1778 salary incentives and salary supplements to employees of local
1779 school districts; except that incentives shall not be considered
1780 part of the local supplement as defined in Section 37-151-5(o),
1781 nor shall incentives be considered part of the local supplement
1782 paid to an individual teacher for the purposes of Section
1783 37-19-7(1). Mississippi Adequate Education Program funds or any
1784 other state funds may not be used for salary incentives or salary
1785 supplements as provided in this paragraph (mm);

1786 (nn) To use any available funds, not appropriated or
1787 designated for any other purpose, for reimbursement to the
1788 state-licensed employees from both in-state and out-of-state, who
1789 enter into a contract for employment in a school district, for the
1790 expense of moving when the employment necessitates the relocation
1791 of the licensed employee to a different geographical area than
1792 that in which the licensed employee resides before entering into
1793 the contract. The reimbursement shall not exceed One Thousand
1794 Dollars (\$1,000.00) for the documented actual expenses incurred in
1795 the course of relocating, including the expense of any
1796 professional moving company or persons employed to assist with the
1797 move, rented moving vehicles or equipment, mileage in the amount
1798 authorized for county and municipal employees under Section
1799 25-3-41 if the licensed employee used his personal vehicle or
1800 vehicles for the move, meals and such other expenses associated
1801 with the relocation. No licensed employee may be reimbursed for
1802 moving expenses under this section on more than one (1) occasion
1803 by the same school district. Nothing in this section shall be
1804 construed to require the actual residence to which the licensed
1805 employee relocates to be within the boundaries of the school
1806 district that has executed a contract for employment in order for
1807 the licensed employee to be eligible for reimbursement for the
1808 moving expenses. However, the licensed employee must relocate
1809 within the boundaries of the State of Mississippi. Any individual
1810 receiving relocation assistance through the Critical Teacher
1811 Shortage Act as provided in Section 37-159-5 shall not be eligible
1812 to receive additional relocation funds as authorized in this
1813 paragraph;

1814 (oo) To use any available funds, not appropriated or
1815 designated for any other purpose, to reimburse persons who
1816 interview for employment as a licensed employee with the district
1817 for the mileage and other actual expenses incurred in the course
1818 of travel to and from the interview at the rate authorized for
1819 county and municipal employees under Section 25-3-41;

1820 (pp) Consistent with the report of the Task Force to
1821 Conduct a Best Financial Management Practices Review, to improve
1822 school district management and use of resources and identify cost
1823 savings as established in Section 8 of Chapter 610, Laws of 2002,
1824 local school boards are encouraged to conduct independent reviews
1825 of the management and efficiency of schools and school districts.
1826 Such management and efficiency reviews shall provide state and
1827 local officials and the public with the following:

- 1828 (i) An assessment of a school district's
1829 governance and organizational structure;
- 1830 (ii) An assessment of the school district's
1831 financial and personnel management;
- 1832 (iii) An assessment of revenue levels and sources;
- 1833 (iv) An assessment of facilities utilization,
1834 planning and maintenance;
- 1835 (v) An assessment of food services, transportation
1836 and safety/security systems;
- 1837 (vi) An assessment of instructional and
1838 administrative technology;
- 1839 (vii) A review of the instructional management and
1840 the efficiency and effectiveness of existing instructional
1841 programs; and
- 1842 (viii) Recommended methods for increasing
1843 efficiency and effectiveness in providing educational services to
1844 the public;

1845 (qq) To enter into agreements with other local school
1846 boards for the establishment of an educational service agency
1847 (ESA) to provide for the cooperative needs of the region in which
1848 the school district is located, as provided in Section 37-7-345.
1849 This paragraph shall repeal on July 1, 2007;

1850 (rr) To implement a financial literacy program for
1851 students in Grades 10 and 11. The board may review the national
1852 programs and obtain free literature from various nationally
1853 recognized programs. After review of the different programs, the
1854 board may certify a program that is most appropriate for the

1855 school districts' needs. If a district implements a financial
1856 literacy program, then any student in Grade 10 or 11 may
1857 participate in the program. The financial literacy program shall
1858 include, but is not limited to, instruction in the same areas of
1859 personal business and finance as required under Section
1860 37-1-3(2)(b). The school board may coordinate with volunteer
1861 teachers from local community organizations, including, but not
1862 limited to, the following: United States Department of
1863 Agriculture Rural Development, United States Department of Housing
1864 and Urban Development, Junior Achievement, bankers and other
1865 nonprofit organizations. Nothing in this paragraph shall be
1866 construed as to require school boards to implement a financial
1867 literacy program;

1868 (ss) To collaborate with the State Board of Education,
1869 Community Action Agencies or the Department of Human Services to
1870 develop and implement a voluntary program to provide services for
1871 a full day prekindergarten program that addresses the cognitive,
1872 social, and emotional needs of four-year-old and three-year-old
1873 children. The school board may utilize nonstate source special
1874 funds, grants, donations or gifts to fund the voluntary program;

1875 (tt) The governing authority of each individual school
1876 shall have the power to adopt any orders, resolutions or
1877 ordinances with respect to school district affairs, property and
1878 finances which are not inconsistent with the Mississippi
1879 Constitution of 1890, the Mississippi Code of 1972, any other
1880 statute or law of the State of Mississippi or any rule or
1881 regulation promulgated by the State Board of Education pursuant to
1882 its authority under law. Except as otherwise provided, the powers
1883 granted to governing authorities of school districts are complete
1884 without the existence of or reference to any specific authority
1885 granted in any other statute or law of the State of Mississippi
1886 and may be exercised unless specifically prohibited by a statute
1887 or law of the State of Mississippi. Unless such actions are
1888 specifically authorized by another statute or law of the State of
1889 Mississippi, this section shall not authorize the governing

1890 authority of a school district to (i) levy taxes of any kind or
1891 increase the levy of any authorized tax, (ii) issue bonds of any
1892 kind, or (iii) the authority to enter into collective bargaining
1893 agreements. All other powers of the governing authorities of
1894 school districts may be exercised unless specifically prohibited
1895 by the statutes or laws of the State of Mississippi;

1896 (uu) In order to provide for economy, efficiency and
1897 cost effectiveness in the delivery of education local district
1898 school boards are hereby given explicit authority to delegate,
1899 privatize or otherwise enter into a contract with private entities
1900 for the operation of any functions of nonacademic school process,
1901 procedures and operations, including, but not limited to,
1902 cafeteria workers, janitorial services, transportation,
1903 professional development, and instructional consulting services
1904 materials and products, purchasing cooperatives, insurance,
1905 business manager services, auditing and accounting services,
1906 school safety/risk prevention, data processing and other staff
1907 services subject to appropriate bid laws and competitive
1908 processes, public scrutiny and cost effective analysis. Local
1909 districts may enter into buying consortia with other districts for
1910 the purposes of more efficient use of state resources.

1911 **SECTION 17.** Section 25-11-103, Mississippi Code of 1972, is
1912 amended as follows:

1913 25-11-103. The following words and phrases as used in
1914 Articles 1 and 3, unless a different meaning is plainly required
1915 by the context, have the following meanings:

1916 (a) "Accumulated contributions" means the sum of all
1917 the amounts deducted from the compensation of a member and
1918 credited to his individual account in the annuity savings account,
1919 together with regular interest as provided in Section 25-11-123.

1920 (b) "Actuarial cost" means the amount of funds
1921 presently required to provide future benefits as determined by the
1922 board based on applicable tables and formulas provided by the
1923 actuary.

1924 (c) "Actuarial equivalent" means a benefit of equal
1925 value to the accumulated contributions, annuity or benefit, as the
1926 case may be, when computed upon the basis of such mortality tables
1927 as adopted by the board of trustees, and regular interest.

1928 (d) "Actuarial tables" means such tables of mortality
1929 and rates of interest as adopted by the board in accordance with
1930 the recommendation of the actuary.

1931 (e) "Agency" means any governmental body employing
1932 persons in the state service.

1933 (f) "Average compensation" means the average of the
1934 four (4) highest years of earned compensation reported for an
1935 employee in a fiscal or calendar year period, or combination
1936 thereof that do not overlap, or the last forty-eight (48)
1937 consecutive months of earned compensation reported for an
1938 employee. The four (4) years need not be successive or joined
1939 years of service. In no case shall the average compensation so
1940 determined be in excess of One Hundred Fifty Thousand Dollars
1941 (\$150,000.00). In computing the average compensation, any amount
1942 lawfully paid in a lump sum for personal leave or major medical
1943 leave shall be included in the calculation to the extent that the
1944 amount does not exceed an amount that is equal to thirty (30) days
1945 of earned compensation and to the extent that it does not cause
1946 the employees' earned compensation to exceed the maximum
1947 reportable amount specified in Section 25-11-103(k); however, this
1948 thirty-day limitation shall not prevent the inclusion in the
1949 calculation of leave earned under federal regulations before July
1950 1, 1976, and frozen as of that date as referred to in Section
1951 25-3-99. Only the amount of lump sum pay for personal leave due
1952 and paid upon the death of a member attributable for up to one
1953 hundred fifty (150) days shall be used in the deceased member's
1954 average compensation calculation in determining the beneficiary's
1955 benefits. In computing the average compensation, no amounts shall
1956 be used that are in excess of the amount on which contributions
1957 were required and paid, and no nontaxable amounts paid by the
1958 employer for health or life insurance premiums for the employee

1959 shall be used. If any member who is or has been granted any
1960 increase in annual salary or compensation of more than eight
1961 percent (8%) retires within twenty-four (24) months from the date
1962 that the increase becomes effective, then the board shall exclude
1963 that part of the increase in salary or compensation that exceeds
1964 eight percent (8%) in calculating that member's average
1965 compensation for retirement purposes. The board may enforce this
1966 provision by rule or regulation. However, increases in
1967 compensation in excess of eight percent (8%) per year granted
1968 within twenty-four (24) months of the date of retirement may be
1969 included in the calculation of average compensation if
1970 satisfactory proof is presented to the board showing that the
1971 increase in compensation was the result of an actual change in the
1972 position held or services rendered, or that the compensation
1973 increase was authorized by the State Personnel Board or was
1974 increased as a result of statutory enactment, and the employer
1975 furnishes an affidavit stating that the increase granted within
1976 the last twenty-four (24) months was not contingent on a promise
1977 or agreement of the employee to retire. Nothing in Section
1978 25-3-31 shall affect the calculation of the average compensation
1979 of any member for the purposes of this article. The average
1980 compensation of any member who retires before July 1, 1992, shall
1981 not exceed the annual salary of the Governor.

1982 (g) "Beneficiary" means any person entitled to receive
1983 a retirement allowance, an annuity or other benefit as provided by
1984 Articles 1 and 3. The term "beneficiary" may also include an
1985 organization, estate, trust or entity; however, a beneficiary
1986 designated or entitled to receive monthly payments under an
1987 optional settlement based on life contingency or pursuant to a
1988 statutory monthly benefit may only be a natural person. In the
1989 event of the death before retirement of any member whose spouse
1990 and/or children are not entitled to a retirement allowance on the
1991 basis that the member has less than four (4) years of service
1992 credit and/or has not been married for a minimum of one (1) year
1993 or the spouse has waived his or her entitlement to a retirement

1994 allowance under Section 25-11-114, the lawful spouse of a member
1995 at the time of the death of the member shall be the beneficiary of
1996 the member unless the member has designated another beneficiary
1997 after the date of marriage in writing, and filed that writing in
1998 the office of the executive director of the board of trustees. No
1999 designation or change of beneficiary shall be made in any other
2000 manner.

2001 (h) "Board" means the board of trustees provided in
2002 Section 25-11-15 to administer the retirement system created under
2003 this article.

2004 (i) "Creditable service" means "prior service,"
2005 "retroactive service" and all lawfully credited unused leave not
2006 exceeding the accrual rates and limitations provided in Section
2007 25-3-91 et seq., as of the date of withdrawal from service plus
2008 "membership service" for which credit is allowable as provided in
2009 Section 25-11-109. Except to limit creditable service reported to
2010 the system for the purpose of computing an employee's retirement
2011 allowance or annuity or benefits provided in this article, nothing
2012 in this paragraph shall limit or otherwise restrict the power of
2013 the governing authority of a municipality or other political
2014 subdivision of the state to adopt such vacation and sick leave
2015 policies as it deems necessary.

2016 (j) "Child" means either a natural child of the member,
2017 a child that has been made a child of the member by applicable
2018 court action before the death of the member, or a child under the
2019 permanent care of the member at the time of the latter's death,
2020 which permanent care status shall be determined by evidence
2021 satisfactory to the board.

2022 (k) "Earned compensation" means the full amount earned
2023 by an employee for a given pay period including any maintenance
2024 furnished up to a maximum of One Hundred Fifty Thousand Dollars
2025 (\$150,000.00) per year, and proportionately for less than one (1)
2026 year of service. The value of that maintenance when not paid in
2027 money shall be fixed by the employing state agency, and, in case
2028 of doubt, by the board of trustees as defined in Section 25-11-15.

2029 Earned compensation shall not include any nontaxable amounts paid
2030 by the employer for health or life insurance premiums for an
2031 employee. In any case, earned compensation shall be limited to
2032 the regular periodic compensation paid, exclusive of litigation
2033 fees, bond fees, and other similar extraordinary nonrecurring
2034 payments. In addition, any member in a covered position, as
2035 defined by Public Employees' Retirement System laws and
2036 regulations, who is also employed by another covered agency or
2037 political subdivision shall have the earnings of that additional
2038 employment reported to the Public Employees' Retirement System
2039 regardless of whether the additional employment is sufficient in
2040 itself to be a covered position. In addition, computation of
2041 earned compensation shall be governed by the following:

2042 (i) In the case of constables, the net earnings
2043 from their office after deduction of expenses shall apply, except
2044 that in no case shall earned compensation be less than the total
2045 direct payments made by the state or governmental subdivisions to
2046 the official.

2047 (ii) In the case of chancery or circuit clerks,
2048 the net earnings from their office after deduction of expenses
2049 shall apply as expressed in Section 25-11-123(f)(4).

2050 (iii) In the case of members of the State
2051 Legislature, all remuneration or amounts paid, except mileage
2052 allowance, shall apply.

2053 (iv) The amount by which an eligible employee's
2054 salary is reduced under a salary reduction agreement authorized
2055 under Section 25-17-5 shall be included as earned compensation
2056 under this paragraph, provided this inclusion does not conflict
2057 with federal law, including federal regulations and federal
2058 administrative interpretations under the federal law, pertaining
2059 to the Federal Insurance Contributions Act or to Internal Revenue
2060 Code Section 125 cafeteria plans.

2061 (v) Compensation in addition to an employee's base
2062 salary that is paid to the employee under the vacation and sick
2063 leave policies of a municipality or other political subdivision of

2064 the state that employs him that exceeds the maximums authorized by
2065 Section 25-3-91 et seq. shall be excluded from the calculation of
2066 earned compensation under this article.

2067 (vi) The maximum salary applicable for retirement
2068 purposes before July 1, 1992, shall be the salary of the Governor.

2069 (vii) Nothing in Section 25-3-31 shall affect the
2070 determination of the earned compensation of any member for the
2071 purposes of this article.

2072 (1) "Employee" means any person legally occupying a
2073 position in the state service, and shall include the employees of
2074 the retirement system created under this article. The term
2075 "employee" shall not include any employee of a private entity
2076 which leases staff to a local school board to provide
2077 noninstructional services pursuant to Section 37-7-301(uu).

2078 (m) "Employer" means the State of Mississippi or any of
2079 its departments, agencies or subdivisions from which any employee
2080 receives his compensation.

2081 (n) "Executive director" means the secretary to the
2082 board of trustees, as provided in Section 25-11-15(9), and the
2083 administrator of the Public Employees' Retirement System and all
2084 systems under the management of the board of trustees. Wherever
2085 the term "Executive Secretary of the Public Employees' Retirement
2086 System" or "executive secretary" appears in this article or in any
2087 other provision of law, it shall be construed to mean the
2088 Executive Director of the Public Employees' Retirement System.

2089 (o) "Fiscal year" means the period beginning on July 1
2090 of any year and ending on June 30 of the next succeeding year.

2091 (p) "Medical board" means the board of physicians or
2092 any governmental or nongovernmental disability determination
2093 service designated by the board of trustees that is qualified to
2094 make disability determinations as provided for in Section
2095 25-11-119.

2096 (q) "Member" means any person included in the
2097 membership of the system as provided in Section 25-11-105.

2098 (r) "Membership service" means service as an employee
2099 rendered while a member of the retirement system.

2100 (s) "Position" means any office or any employment in
2101 the state service, or two (2) or more of them, the duties of which
2102 call for services to be rendered by one (1) person, including
2103 positions jointly employed by federal and state agencies
2104 administering federal and state funds. The employer shall
2105 determine upon initial employment and during the course of
2106 employment of an employee who does not meet the criteria for
2107 coverage in the Public Employees' Retirement System based on the
2108 position held, whether the employee is or becomes eligible for
2109 coverage in the Public Employees' Retirement System based upon any
2110 other employment in a covered agency or political subdivision. If
2111 or when the employee meets the eligibility criteria for coverage
2112 in the other position, then the employer must withhold
2113 contributions and report wages from the noncovered position in
2114 accordance with the provisions for reporting of earned
2115 compensation. Failure to deduct and report those contributions
2116 shall not relieve the employee or employer of liability thereof.
2117 The board shall adopt such rules and regulations as necessary to
2118 implement and enforce this provision.

2119 (t) "Prior service" means service rendered before
2120 February 1, 1953, for which credit is allowable under Sections
2121 25-11-105 and 25-11-109, and which shall allow prior service for
2122 any person who is now or becomes a member of the Public Employees'
2123 Retirement System and who does contribute to the system for a
2124 minimum period of four (4) years.

2125 (u) "Regular interest" means interest compounded
2126 annually at such a rate as determined by the board in accordance
2127 with Section 25-11-121.

2128 (v) "Retirement allowance" means an annuity for life as
2129 provided in this article, payable each year in twelve (12) equal
2130 monthly installments beginning as of the date fixed by the board.
2131 The retirement allowance shall be calculated in accordance with
2132 Section 25-11-111. However, any spouse who received a spouse

2133 retirement benefit in accordance with Section 25-11-111(d) before
2134 March 31, 1971, and those benefits were terminated because of
2135 eligibility for a social security benefit, may again receive his
2136 spouse retirement benefit from and after making application with
2137 the board of trustees to reinstate the spouse retirement benefit.

2138 (w) "Retroactive service" means service rendered after
2139 February 1, 1953, for which credit is allowable under Section
2140 25-11-105(b) and Section 25-11-105(k).

2141 (x) "System" means the Public Employees' Retirement
2142 System of Mississippi established and described in Section
2143 25-11-101.

2144 (y) "State" means the State of Mississippi or any
2145 political subdivision thereof or instrumentality of the state.

2146 (z) "State service" means all offices and positions of
2147 trust or employment in the employ of the state, or any political
2148 subdivision or instrumentality of the state, that elect to
2149 participate as provided by Section 25-11-105(f), including the
2150 position of elected or fee officials of the counties and their
2151 deputies and employees performing public services or any
2152 department, independent agency, board or commission thereof, and
2153 also includes all offices and positions of trust or employment in
2154 the employ of joint state and federal agencies administering state
2155 and federal funds and service rendered by employees of the public
2156 schools. Effective July 1, 1973, all nonprofessional public
2157 school employees, such as bus drivers, janitors, maids,
2158 maintenance workers and cafeteria employees, shall have the option
2159 to become members in accordance with Section 25-11-105(b), and
2160 shall be eligible to receive credit for services before July 1,
2161 1973, provided that the contributions and interest are paid by the
2162 employee in accordance with that section; in addition, the county
2163 or municipal separate school district may pay the employer
2164 contribution and pro rata share of interest of the retroactive
2165 service from available funds. From and after July 1, 1998,
2166 retroactive service credit shall be purchased at the actuarial
2167 cost in accordance with Section 25-11-105(b).

2168 (aa) "Withdrawal from service" or "termination from
2169 service" means complete severance of employment in the state
2170 service of any member by resignation, dismissal or discharge.

2171 (bb) The masculine pronoun, wherever used, includes the
2172 feminine pronoun.

2173 **SECTION 18.** Section 25-11-127, Mississippi Code of 1972, is
2174 amended as follows:

2175 25-11-127. (1) (a) No person who is being paid a
2176 retirement allowance or a pension after retirement under this
2177 article shall be employed or paid for any service by the State of
2178 Mississippi, except as provided in this section.

2179 (b) No retiree of this retirement system who is
2180 reemployed or is reelected to office after retirement shall
2181 continue to draw retirement benefits while so reemployed, except
2182 as provided in this section.

2183 (c) No person employed or elected under the exceptions
2184 provided for in this section shall become a member under Article 3
2185 of the retirement system.

2186 (2) Any person who has been retired under the provisions of
2187 Article 3 and who is later reemployed in service covered by this
2188 article shall cease to receive benefits under this article and
2189 shall again become a contributing member of the retirement system.
2190 When the person retires again, if the reemployment exceeds six (6)
2191 months, the person shall have his or her benefit recomputed,
2192 including service after again becoming a member, provided that the
2193 total retirement allowance paid to the retired member in his or
2194 her previous retirement shall be deducted from the member's
2195 retirement reserve and taken into consideration in recalculating
2196 the retirement allowance under a new option selected.

2197 (3) The board shall have the right to prescribe rules and
2198 regulations for carrying out the provisions of this section.

2199 (4) The provisions of this section shall not be construed to
2200 prohibit any retiree, regardless of age, from being employed and
2201 drawing a retirement allowance either:

2202 (a) For a period of time not to exceed one-half (1/2)
2203 of the normal working days for the position in any fiscal year
2204 during which the retiree will receive no more than one-half (1/2)
2205 of the salary in effect for the position at the time of
2206 employment, or

2207 (b) For a period of time in any fiscal year sufficient
2208 in length to permit a retiree to earn not in excess of twenty-five
2209 percent (25%) of retiree's average compensation.

2210 To determine the normal working days for a position under
2211 paragraph (a) of this subsection, the employer shall determine the
2212 required number of working days for the position on a full-time
2213 basis and the equivalent number of hours representing the
2214 full-time position. The retiree then may work up to one-half
2215 (1/2) of the required number of working days or up to one-half
2216 (1/2) of the equivalent number of hours and receive up to one-half
2217 (1/2) of the salary for the position. In the case of employment
2218 with multiple employers, the limitation shall equal one-half (1/2)
2219 of the number of days or hours for a single full-time position.

2220 Notice shall be given in writing to the executive director,
2221 setting forth the facts upon which the employment is being made,
2222 and the notice shall be given within five (5) days from the date
2223 of employment and also from the date of termination of the
2224 employment.

2225 (5) Any member may continue in municipal or county elected
2226 office or be elected to a municipal or county office, provided
2227 that the person:

2228 (a) Files annually, in writing, in the office of the
2229 employer and the office of the executive director of the system
2230 before the person takes office or as soon as possible after
2231 retirement, a waiver of all salary or compensation and elects to
2232 receive in lieu of that salary or compensation a retirement
2233 allowance as provided in this section, in which event no salary or
2234 compensation shall thereafter be due or payable for those
2235 services; however, any such officer or employee may receive, in
2236 addition to the retirement allowance, office expense allowance,

2237 mileage or travel expense authorized by any statute of the State
2238 of Mississippi; or

2239 (b) Elects to receive compensation for that elective
2240 office in an amount not to exceed twenty-five percent (25%) of the
2241 retiree's average compensation. As used in this paragraph, the
2242 term "compensation" shall not include office expense allowance,
2243 mileage or travel expense authorized by a statute of the State of
2244 Mississippi. In order to receive compensation as allowed in this
2245 paragraph, the member shall file annually, in writing, in the
2246 office of the employer and the office of the executive director of
2247 the system, an election to receive, in addition to a retirement
2248 allowance, compensation as allowed in this paragraph.

2249 This section shall not be construed to mean that any employee
2250 of a private entity which leases staff to local school boards to
2251 provide noninstructional services as authorized in Section
2252 37-7-301(uu) shall become a member of the retirement system.

2253 **SECTION 19.** The State Board of Education may create policies
2254 relating to the development of statewide virtual schools serving
2255 kindergarten through Grade 12 to open as soon as possible.

2256 **SECTION 20.** Section 37-151-7, Mississippi Code of 1972, is
2257 amended as follows:

2258 37-151-7. The annual allocation to each school district for
2259 the operation of the adequate education program shall be
2260 determined as follows:

2261 (1) **Computation of the basic amount to be included for**
2262 **current operation in the adequate education program.** The
2263 following procedure shall be followed in determining the annual
2264 allocation to each school district:

2265 (a) **Determination of average daily attendance.** During
2266 months two (2) and three (3) of the current school year, the
2267 average daily attendance of a school district shall be computed,
2268 or the average daily attendance for the prior school year shall be
2269 used, whichever is greater. The district's average daily
2270 attendance shall be computed and currently maintained in

2271 accordance with regulations promulgated by the State Board of
2272 Education.

2273 (b) **Determination of base student cost.** The State
2274 Board of Education, on or before August 1, with adjusted estimate
2275 no later than January 2, shall annually submit to the Legislative
2276 Budget Office and the Governor a proposed base student cost
2277 adequate to provide the following cost components of educating a
2278 pupil in an average school district meeting Level III
2279 accreditation standards required by the Commission on School
2280 Accreditation: (i) Instructional Cost; (ii) Administrative Cost;
2281 (iii) Operation and Maintenance of Plant; and (iv) Ancillary
2282 Support Cost. The department shall utilize a statistical
2283 methodology which considers such factors as, but not limited to,
2284 (i) school size; (ii) assessed valuation per pupil; (iii) the
2285 percentage of students receiving free lunch; (iv) the local
2286 district maintenance tax levy; (v) other local school district
2287 revenues; and (vi) the district's accreditation level, in the
2288 selection of the representative Mississippi school districts for
2289 which cost information shall be obtained for each of the above
2290 listed cost areas.

2291 For the instructional cost component, the department shall
2292 determine the instructional cost of each of the representative
2293 school districts selected above, excluding instructional cost of
2294 self-contained special education programs and vocational education
2295 programs, and the average daily attendance in the selected school
2296 districts. The instructional cost is then totaled and divided by
2297 the total average daily attendance for the selected school
2298 districts to yield the instructional cost component. For the
2299 administrative cost component, the department shall determine the
2300 administrative cost of each of the representative school districts
2301 selected above, excluding administrative cost of self-contained
2302 special education programs and vocational education programs, and
2303 the average daily attendance in the selected school districts.
2304 The administrative cost is then totaled and divided by the total
2305 average daily attendance for the selected school districts to

2306 yield the administrative cost component. For the plant and
2307 maintenance cost component, the department shall determine the
2308 plant and maintenance cost of each of the representative school
2309 districts selected above, excluding plant and maintenance cost of
2310 self-contained special education programs and vocational education
2311 programs, and the average daily attendance in the selected school
2312 districts. The plant and maintenance cost is then totaled and
2313 divided by the total average daily attendance for the selected
2314 school districts to yield the plant and maintenance cost
2315 component. For the ancillary support cost component, the
2316 department shall determine the ancillary support cost of each of
2317 the representative school districts selected above, excluding
2318 ancillary support cost of self-contained special education
2319 programs and vocational education programs, and the average daily
2320 attendance in the selected school districts. The ancillary
2321 support cost is then totaled and divided by the total average
2322 daily attendance for the selected school districts to yield the
2323 ancillary support cost component. The total base cost for each
2324 year shall be the sum of the instructional cost component,
2325 administrative cost component, plant and maintenance cost
2326 component and ancillary support cost component, and any estimated
2327 adjustments for additional state requirements as determined by the
2328 State Board of Education. Provided, however, that the base
2329 student cost in fiscal year 1998 shall be Two Thousand Six Hundred
2330 Sixty-four Dollars (\$2,664.00).

2331 (c) **Determination of the basic adequate education**
2332 **program cost.** The basic amount for current operation to be
2333 included in the Mississippi Adequate Education Program for each
2334 school district shall be computed as follows:

2335 Multiply the average daily attendance of the district by the
2336 base student cost as established by the Legislature, which yields
2337 the total base program cost for each school district.

2338 (d) **Adjustment to the base student cost for at-risk**
2339 **pupils.** The amount to be included for at-risk pupil programs for
2340 each school district shall be computed as follows: Multiply the

2341 base student cost for the appropriate fiscal year as determined
2342 under paragraph (b) by five percent (5%), and multiply that
2343 product by the number of pupils participating in the federal free
2344 school lunch program in such school district, which yields the
2345 total adjustment for at-risk pupil programs for such school
2346 district.

2347 (e) **Add-on program cost.** The amount to be allocated to
2348 school districts in addition to the adequate education program
2349 cost for add-on programs for each school district shall be
2350 computed as follows:

2351 (i) Transportation cost shall be the amount
2352 allocated to such school district for the operational support of
2353 the district transportation system from state funds.

2354 (ii) Vocational or technical education program
2355 cost shall be the amount allocated to such school district from
2356 state funds for the operational support of such programs.

2357 (iii) Special education program cost shall be the
2358 amount allocated to such school district from state funds for the
2359 operational support of such programs.

2360 (iv) Gifted education program cost shall be the
2361 amount allocated to such school district from state funds for the
2362 operational support of such programs.

2363 (v) Alternative school program cost shall be the
2364 amount allocated to such school district from state funds for the
2365 operational support of such programs.

2366 (vi) Extended school year programs shall be the
2367 amount allocated to school districts for those programs authorized
2368 by law which extend beyond the normal school year.

2369 (vii) University-based programs shall be the
2370 amount allocated to school districts for those university-based
2371 programs for handicapped children as defined and provided for in
2372 Section 37-23-131 et seq., Mississippi Code of 1972.

2373 (viii) Bus driver training programs shall be the
2374 amount provided for those driver training programs as provided for
2375 in Section 37-41-1, Mississippi Code of 1972.

2376 The sum of the items listed above (i) transportation, (ii)
2377 vocational or technical education, (iii) special education, (iv)
2378 gifted education, (v) alternative school, (vi) extended school
2379 year, (vii) university-based, and (viii) bus driver training shall
2380 yield the add-on cost for each school district.

2381 (f) **Total projected adequate education program cost.**
2382 The total Mississippi Adequate Education Program Cost shall be the
2383 sum of the total basic adequate education program cost (paragraph
2384 (c)), and the adjustment to the base student cost for at-risk
2385 pupils (paragraph (d)) for each school district.

2386 (g) **Supplemental grant to school districts.** In
2387 addition to the adequate education program grant, the State
2388 Department of Education shall annually distribute an additional
2389 amount as follows: Multiply the base student cost for the
2390 appropriate fiscal year as determined under paragraph (b) by
2391 thirteen one-hundredths percent (.13%) and multiply that product
2392 by the average daily attendance of each school district. Such
2393 grant shall not be subject to the local revenue requirement
2394 provided in subsection (2).

2395 (2) **Computation of the required local revenue in support of**
2396 **the adequate education program.** The amount that each district
2397 shall provide toward the cost of the adequate education program
2398 shall be calculated as follows:

2399 (a) The State Board of Education shall certify to each
2400 school district that twenty-eight (28) mills, less the estimated
2401 amount of the yield of the School Ad Valorem Tax Reduction Fund
2402 grants as determined by the State Department of Education, is the
2403 millage rate required to provide the district required local
2404 effort for that year, or twenty-seven percent (27%) of the basic
2405 adequate education program cost for such school district as
2406 determined under subsection (c), whichever is a lesser amount. In
2407 the case of an agricultural high school the millage requirement
2408 shall be set at a level which generates an equitable amount per
2409 pupil to be determined by the State Board of Education.

2410 (b) The State Board of Education shall determine (i)
2411 the total assessed valuation of nonexempt property for school
2412 purposes in each school district; (ii) assessed value of exempt
2413 property owned by homeowners aged sixty-five (65) or older or
2414 disabled as defined in Section 27-33-67(2), Mississippi Code of
2415 1972; (iii) the school district's tax loss from exemptions
2416 provided to applicants under the age of sixty-five (65) and not
2417 disabled as defined in Section 27-33-67(1), Mississippi Code of
2418 1972; and (iv) the school district's homestead reimbursement
2419 revenues.

2420 (c) The amount of the total adequate education program
2421 funding which shall be contributed by each school district shall
2422 be the sum of the ad valorem receipts generated by the millage
2423 required under this subsection plus the following local revenue
2424 sources for the appropriate fiscal year which are or may be
2425 available for current expenditure by the school district:

2426 One hundred percent (100%) of Grand Gulf income as prescribed
2427 in Section 27-35-309.

2428 **(3) Computation of the required state effort in support of**
2429 **the adequate education program.**

2430 (a) The required state effort in support of the
2431 adequate education program shall be determined by subtracting the
2432 sum of the required local tax effort as set forth in subsection
2433 (2)(a) of this section and the other local revenue sources as set
2434 forth in subsection (2)(c) of this section in an amount not to
2435 exceed twenty-seven percent (27%) of the total projected adequate
2436 education program cost as set forth in subsection (1)(f) of this
2437 section from the total projected adequate education program cost
2438 as set forth in subsection (1)(f) of this section.

2439 (b) Provided, however, that in fiscal year 1998 and in
2440 the fiscal year in which the adequate education program is fully
2441 funded by the Legislature, any increase in the said state
2442 contribution, including the supplemental grant to school districts
2443 provided under subsection (1)(g), to any district calculated under
2444 this section shall be not less than eight percent (8%) in excess

2445 of the amount received by said district from state funds for the
2446 fiscal year immediately preceding. For purposes of this paragraph
2447 (b), state funds shall include minimum program funds less the
2448 add-on programs, state Uniform Millage Assistance Grant funds,
2449 Education Enhancement Funds appropriated for Uniform Millage
2450 Assistance Grants and state textbook allocations, and State
2451 General Funds allocated for textbooks.

2452 (c) If the appropriation is less than full funding for
2453 fiscal year 2003, allocations for state contributions to school
2454 districts in support of the adequate education program will be
2455 determined by the State Department of Education in the following
2456 manner:

2457 (i) Calculation of the full funding amount under
2458 this chapter, with proportionate reductions as required by the
2459 appropriation level.

2460 (ii) Calculation of the amount equal to the state
2461 funds allocated to school districts for fiscal year 2002 plus the
2462 estimated amount to fund the adequate education program salary
2463 schedule for fiscal year 2003. For purposes of this item (ii),
2464 state funds shall be those described in paragraph (b) and an
2465 amount equal to the allocation for the adequate education program
2466 in fiscal year 2002, plus any additional amount required to
2467 satisfy fiscal year 2003 pledges in accordance with paragraphs
2468 (d), (e) and (f) of subsection (5) of this section. If a school
2469 district's fiscal year 2003 pledge is different than the pledge
2470 amount for fiscal year 2002, the district shall receive an amount
2471 equal to the fiscal year 2003 pledge or the amount of funds
2472 calculated under the adequate education formula for fiscal year
2473 2002 before any pledge guarantee for fiscal year 2002, whichever
2474 is greater. If the pledge is no longer in effect, the district
2475 shall receive the amount of funds calculated under the formula for
2476 fiscal year 2002 before any pledge guarantee for fiscal year 2002.

2477 (iii) The portion of any district's allocation
2478 calculated in item (i) of this paragraph which exceeds amounts as
2479 calculated in item (ii) shall be reduced by an amount not to

2480 exceed twenty-one percent (21%). The amount of funds generated by
2481 this reduction of funds shall be redistributed proportionately
2482 among those districts receiving insufficient funds to meet the
2483 amount calculated in item (ii). In no case may any district
2484 receive funds in an amount greater than the amount that the
2485 district would have received under full funding of the program for
2486 fiscal year 2003.

2487 (d) (i) If the school board of any school district
2488 shall determine that it is not economically feasible or
2489 practicable to operate any school within the district for the full
2490 one hundred eighty (180) days required for a school term of a
2491 scholastic year as required in Section 37-13-63, Mississippi Code
2492 of 1972, due to an enemy attack, a manmade, technological or
2493 natural disaster in which the Governor has declared a disaster
2494 emergency under the laws of this state or the President of the
2495 United States has declared an emergency or major disaster to exist
2496 in this state, said school board may notify the State Department
2497 of Education of such disaster and submit a plan for altering the
2498 school term. If the State Board of Education finds such disaster
2499 to be the cause of the school not operating for the contemplated
2500 school term and that such school was in a school district covered
2501 by the Governor's or President's disaster declaration, it may
2502 permit said school board to operate the schools in its district
2503 for less than one hundred eighty (180) days and, in such case, the
2504 State Department of Education shall not reduce the state
2505 contributions to the adequate education program allotment for such
2506 district, because of the failure to operate said schools for one
2507 hundred eighty (180) days.

2508 (ii) Districts meeting the exemption criterion, as
2509 defined in Section 37-17-11, are exempted from the provisions of
2510 this Section 37-151-7(3)(d)(i).

2511 (4) If during the year for which adequate education program
2512 funds are appropriated, any school district experiences a three
2513 percent (3%) or greater increase in average daily attendance
2514 during the second and third month over the preceding year's second

2515 and third month and the school district has requested a minimum
2516 increase of four percent (4%) in local ad valorem revenues over
2517 the previous year as authorized in Sections 37-57-104 and
2518 37-57-105, an additional allocation of adequate education program
2519 funds calculated in the following manner shall be granted to that
2520 district, using any additional funds available to the Department
2521 of Education that exceed the amount of funds due to the school
2522 districts under the basic adequate education program distribution
2523 as provided for in this chapter:

2524 (a) Determine the percentage increase in average daily
2525 attendance for the second and third months of the year for which
2526 adequate education program funds are appropriated over the
2527 preceding year's second and third month average daily attendance.

2528 (b) For those districts that have a three percent (3%)
2529 or greater increase as calculated in paragraph (a) of this
2530 subsection, multiply the total increase in students in average
2531 daily attendance for the second and third months of the year for
2532 which adequate education program funds are appropriated over the
2533 preceding year's second and third month average daily attendance
2534 times the base student cost used in the appropriation.

2535 (c) Subtract the percentage of the district's local
2536 contribution arrived at in subsection (2) of this section from the
2537 amount calculated in paragraph (b) of this subsection. The
2538 remainder is the additional allocation in adequate education
2539 program funds for that district.

2540 If the funds available to the Department of Education are not
2541 sufficient to fully fund the additional allocations to school
2542 districts eligible for those allocations, then the department
2543 shall prorate the available funds among the eligible school
2544 districts, using the same percentage of the total funds that the
2545 school district would have received if the allocations were fully
2546 funded. The State Department of Education shall study and develop
2547 a report to the Chairmen of the Senate and House Committees on
2548 Education by January 1, 2005, with options for legislative
2549 consideration that will insure that the Mississippi Adequate

2550 Education Program funds are distributed to school districts based
2551 on current year student attendance or enrollment.

2552 This subsection (4) shall stand repealed on July 1, 2006.

2553 (5) The Interim School District Capital Expenditure Fund is
2554 hereby established in the State Treasury which shall be used to
2555 distribute any funds specifically appropriated by the Legislature
2556 to such fund to school districts entitled to increased allocations
2557 of state funds under the adequate education program funding
2558 formula prescribed in Sections 37-151-3 through 37-151-7,
2559 Mississippi Code of 1972, until such time as the said adequate
2560 education program is fully funded by the Legislature. The
2561 following percentages of the total state cost of increased
2562 allocations of funds under the adequate education program funding
2563 formula shall be appropriated by the Legislature into the Interim
2564 School District Capital Expenditure Fund to be distributed to all
2565 school districts under the formula: Nine and two-tenths percent
2566 (9.2%) shall be appropriated in fiscal year 1998, twenty percent
2567 (20%) shall be appropriated in fiscal year 1999, forty percent
2568 (40%) shall be appropriated in fiscal year 2000, sixty percent
2569 (60%) shall be appropriated in fiscal year 2001, eighty percent
2570 (80%) shall be appropriated in fiscal year 2002, and one hundred
2571 percent (100%) shall be appropriated in fiscal year 2003 into the
2572 State Adequate Education Program Fund created in subsection (4).
2573 Until July 1, 2002, such money shall be used by school districts
2574 for the following purposes:

2575 (a) Purchasing, erecting, repairing, equipping,
2576 remodeling and enlarging school buildings and related facilities,
2577 including gymnasiums, auditoriums, lunchrooms, vocational training
2578 buildings, libraries, school barns and garages for transportation
2579 vehicles, school athletic fields and necessary facilities
2580 connected therewith, and purchasing land therefor. Any such
2581 capital improvement project by a school district shall be approved
2582 by the State Board of Education, and based on an approved
2583 long-range plan. The State Board of Education shall promulgate

2584 minimum requirements for the approval of school district capital
2585 expenditure plans.

2586 (b) Providing necessary water, light, heating, air
2587 conditioning, and sewerage facilities for school buildings, and
2588 purchasing land therefor.

2589 (c) Paying debt service on existing capital improvement
2590 debt of the district or refinancing outstanding debt of a district
2591 if such refinancing will result in an interest cost savings to the
2592 district.

2593 (d) From and after October 1, 1997, through June 30,
2594 1998, pursuant to a school district capital expenditure plan
2595 approved by the State Department of Education, a school district
2596 may pledge such funds until July 1, 2002, plus funds provided for
2597 in paragraph (e) of this subsection (5) that are not otherwise
2598 permanently pledged under such paragraph (e) to pay all or a
2599 portion of the debt service on debt issued by the school district
2600 under Sections 37-59-1 through 37-59-45, 37-59-101 through
2601 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99,
2602 37-7-301, 37-7-302 and 37-41-81, Mississippi Code of 1972, or debt
2603 issued by boards of supervisors for agricultural high schools
2604 pursuant to Section 37-27-65, Mississippi Code of 1972, or
2605 lease-purchase contracts entered into pursuant to Section 31-7-13,
2606 Mississippi Code of 1972, or to retire or refinance outstanding
2607 debt of a district, if such pledge is accomplished pursuant to a
2608 written contract or resolution approved and spread upon the
2609 minutes of an official meeting of the district's school board or
2610 board of supervisors. It is the intent of this provision to allow
2611 school districts to irrevocably pledge their Interim School
2612 District Capital Expenditure Fund allotments as a constant stream
2613 of revenue to secure a debt issued under the foregoing code
2614 sections. To allow school districts to make such an irrevocable
2615 pledge, the state shall take all action necessary to ensure that
2616 the amount of a district's Interim School District Capital
2617 Expenditure Fund allotments shall not be reduced below the amount
2618 certified by the department or the district's total allotment

2619 under the Interim Capital Expenditure Fund if fully funded, so
2620 long as such debt remains outstanding.

2621 (e) From and after October 1, 1997, through June 30,
2622 1998, in addition to any other authority a school district may
2623 have, any school district may issue State Aid Capital Improvement
2624 Bonds secured in whole by a continuing annual pledge of any
2625 Mississippi Adequate Education Program funds available to the
2626 district, in an amount not to exceed One Hundred Sixty Dollars
2627 (\$160.00) per pupil based on the latest completed average daily
2628 attendance count certified by the department prior to the issuance
2629 of the bonds. Such State Aid Capital Improvement Bonds may be
2630 issued for the purposes enumerated in paragraphs (a), (b), (c) and
2631 (g) of this section. Prior to issuing such bonds, the school
2632 board of the district shall adopt a resolution declaring the
2633 necessity for and its intention of issuing such bonds and
2634 borrowing such money, specifying the approximate amount to be so
2635 borrowed, how such money is to be used and how such indebtedness
2636 is to be evidenced. Any capital improvement project financed with
2637 State Aid Capital Improvement Bonds shall be approved by the
2638 department, and based on an approved long-range plan. The State
2639 Board of Education shall promulgate minimum requirements for the
2640 approval of such school district capital expenditure plans. The
2641 State Board of Education shall not approve any capital expenditure
2642 plan for a pledge of funds under this paragraph unless it
2643 determines (i) that the quality of instruction in such district
2644 will not be reduced as a result of this pledge, and (ii) the
2645 district has other revenue available to attain and maintain at
2646 least Level III accreditation.

2647 A district issuing State Aid Capital Improvement Bonds may
2648 pledge for the repayment of such bonds all funds received by the
2649 district from the state, in an amount not to exceed One Hundred
2650 Sixty Dollars (\$160.00) per pupil in average daily attendance in
2651 the school district as set forth above, and not otherwise
2652 permanently pledged under paragraph (d) of this subsection or
2653 under Section 37-61-33(2)(d), Mississippi Code of 1972. The

2654 district's school board shall specify by resolution the amount of
2655 state funds, which are being pledged by the district for the
2656 repayment of the State Aid Capital Improvement Bonds. Once such a
2657 pledge is made to secure the bonds, the district shall notify the
2658 department of such pledge. Upon making such a pledge, the school
2659 district may request the department which may agree to irrevocably
2660 transfer a specified amount or percentage of the district's state
2661 revenue pledged to repay the district's State Aid Capital
2662 Improvement Bonds directly to a state or federally chartered bank
2663 serving as a trustee or paying agent on such bonds for the payment
2664 of all or portion of such State Aid Capital Improvement Bonds.
2665 Such instructions shall be incorporated into a resolution by the
2666 school board for the benefit of holders of the bonds and may
2667 provide that such withholding and transfer of such other available
2668 funds shall be made only upon notification by a trustee or paying
2669 agent on such bonds that the amounts available to pay such bonds
2670 on any payment date will not be sufficient. It is the intent of
2671 this provision to allow school districts to irrevocably pledge a
2672 certain, constant stream of revenue as security for State Aid
2673 Capital Improvement Bonds issued hereunder. To allow school
2674 districts to make such an irrevocable pledge, the state shall take
2675 all action necessary to ensure that the amount of a district's
2676 state revenues up to an amount equal to One Hundred Sixty Dollars
2677 (\$160.00) per pupil as set forth above which have been pledged to
2678 repay debt as set forth herein shall not be reduced so long as any
2679 State Aid Capital Improvement Bonds are outstanding.

2680 Any such State Aid Capital Improvement bonds shall mature as
2681 determined by the district's school bond over a period not to
2682 exceed twenty (20) years. Such bonds shall not bear a greater
2683 overall maximum interest rate to maturity than that allowed in
2684 Section 75-17-101, Mississippi Code of 1972. The further details
2685 and terms of such bonds shall be as determined by the school board
2686 of the district.

2687 The provisions of this subsection shall be cumulative and
2688 supplemental to any existing funding programs or other authority

2689 conferred upon school districts or school boards. Debt of a
2690 school district secured in whole by a pledge of revenue pursuant
2691 to this section shall not be subject to any debt limitation.

2692 For purposes of this paragraph (e), "State Aid Capital
2693 Improvement Bond" shall mean any bond, note, or other certificate
2694 of indebtedness issued by a school district under the provisions
2695 hereof.

2696 This paragraph (e) shall stand repealed from and after June
2697 30, 1998.

2698 (f) As an alternative to the authority granted under
2699 paragraph (e), a school district, in its discretion, may authorize
2700 the State Board of Education to withhold an amount of the
2701 district's adequate education program allotment equal to up to One
2702 Hundred Sixty Dollars (\$160.00) per student in average daily
2703 attendance in the district to be allocated to the State Public
2704 School Building Fund to the credit of such school district. A
2705 school district may choose the option provided under this
2706 paragraph (e) or paragraph (f), but not both. In addition to the
2707 grants made by the state pursuant to Section 37-47-9, a school
2708 district shall be entitled to grants based on the allotments to
2709 the State Public School Building Fund credited to such school
2710 district under this paragraph. This paragraph (f) shall stand
2711 repealed from and after June 30, 1998.

2712 (g) The State Board of Education may authorize the
2713 school district to expend not more than twenty percent (20%) of
2714 its annual allotment of such funds or Twenty Thousand Dollars
2715 (\$20,000.00), whichever is greater, for technology needs of the
2716 school district, including computers, software,
2717 telecommunications, cable television, interactive video, film
2718 low-power television, satellite communications, microwave
2719 communications, technology-based equipment installation and
2720 maintenance, and the training of staff in the use of such
2721 technology-based instruction. Any such technology expenditure
2722 shall be reflected in the local district technology plan approved

2723 by the State Board of Education under Section 37-151-17,
2724 Mississippi Code of 1972.

2725 (h) To the extent a school district has not utilized
2726 twenty percent (20%) of its annual allotment for technology
2727 purposes under paragraph (g), a school district may expend not
2728 more than twenty percent (20%) of its annual allotment or Twenty
2729 Thousand Dollars (\$20,000.00), whichever is greater, for
2730 instructional purposes. The State Board of Education may
2731 authorize a school district to expend more than said twenty
2732 percent (20%) of its annual allotment for instructional purposes
2733 if it determines that such expenditures are needed for
2734 accreditation purposes.

2735 (i) The State Department of Education or the State
2736 Board of Education may require that any project commenced pursuant
2737 to this section with an estimated project cost of not less than
2738 Five Million Dollars (\$5,000,000.00) shall be done only pursuant
2739 to program management of the process with respect to design and
2740 construction. Any individuals, partnerships, companies or other
2741 entities acting as a program manager on behalf of a local school
2742 district and performing program management services for projects
2743 covered under this subsection shall be approved by the State
2744 Department of Education.

2745 Any interest accruing on any unexpended balance in the
2746 Interim School District Capital Expenditure Fund shall be invested
2747 by the State Treasurer and placed to the credit of each school
2748 district participating in such fund in its proportionate share.

2749 The provisions of this subsection (5) shall be cumulative and
2750 supplemental to any existing funding programs or other authority
2751 conferred upon school districts or school boards.

2752 **SECTION 21.** Section 37-15-37, Mississippi Code of 1972, is
2753 amended as follows:

2754 37-15-37. The local school boards of public school districts
2755 and the Board of Trustees of State Institutions of Higher Learning
2756 are authorized to establish a dual enrollment and dual credit
2757 program under which high school students meeting the requirements

2758 prescribed in this section may enroll at an institution of higher
2759 learning in Mississippi while they are still attending high school
2760 and enrolled in high school courses, with tuition and costs to be
2761 paid by grants, foundations, local funds or other private sources.
2762 Students may be admitted to enroll in university-level courses
2763 under the dual enrollment program if they meet the following
2764 recommended admission requirements:

2765 (a) Students must have completed a minimum of fourteen
2766 (14) core high school units.

2767 * * *

2768 Tuition and costs for university-level courses under this
2769 program shall be paid from grants, foundations, local funds or
2770 other private sources, to be paid directly to the participating
2771 university. Students admitted in the dual enrollment program
2772 shall be counted for adequate education program funding purposes
2773 in the average daily attendance of the public school district in
2774 which they attend high school. Any additional transportation
2775 required by a student to participate in the dual enrollment
2776 program shall be the responsibility of the parents or legal
2777 guardians of the student, but may be paid for from private
2778 sources. Grades and college credits earned by students admitted
2779 to the dual enrollment program shall be recorded on the college
2780 transcript at the university where the student attends classes and
2781 where appropriate, as prescribed by the Mississippi Department of
2782 Education's high school graduation requirements, the state
2783 institutions of higher learning's admission requirements, and as
2784 described in the articulation agreement authorized in Section
2785 37-101-28, shall be counted as dual credit. The transcript of
2786 such university course work may be released to another institution
2787 or used for college graduation requirements only after the student
2788 has received his high school diploma.

2789 **SECTION 22.** Section 37-29-1, Mississippi Code of 1972, is
2790 amended as follows:

2791 37-29-1. (1) The creation, establishment, maintenance and
2792 operation of community and junior colleges is authorized.

2793 Community and junior colleges may admit students if they have
2794 earned one (1) unit less than the number of units required for
2795 high school graduation established by State Board of Education
2796 policy or have earned a General Education Diploma (GED) in courses
2797 correlated to those of senior colleges or professional schools.
2798 They shall offer education and training preparatory for
2799 occupations such as agriculture, industry, business, homemaking
2800 and for other occupations on the semiprofessional and
2801 vocational-technical level. They may offer courses and services
2802 to students regardless of their previous educational attainment or
2803 further academic plans.

2804 (2) The boards of trustees of the community and junior
2805 college districts are authorized to establish a dual enrollment
2806 program under which high school students meeting the requirements
2807 prescribed in this section may enroll and receive dual credit at a
2808 community or junior college while they are still attending high
2809 school and enrolled in high school courses. Students may be
2810 admitted to enroll in community or junior college courses under
2811 the dual enrollment program if they meet the following recommended
2812 admission requirements:

2813 (a) Students must have completed a minimum of fourteen
2814 (14) core high school units.

2815 * * *

2816 Students admitted in the dual enrollment program shall be
2817 counted for adequate education program funding purposes in the
2818 average daily attendance of the public school district in which
2819 they attend high school. Any additional transportation required
2820 by a student to participate in the dual enrollment program shall
2821 be the responsibility of the parents or legal guardians of the
2822 student. Grades and college credits earned by students admitted
2823 to the dual enrollment program shall be recorded on the college
2824 transcript at the community or junior college where the student
2825 attends classes. The transcript of such college course work may
2826 be released to another institution or used for college graduation

2827 requirements only after the student has received his high school
2828 diploma.

2829 (3) The boards of trustees of the community and junior
2830 college districts are authorized to establish an early admission
2831 program under which applicants meeting all requirements prescribed
2832 in subsection (2)(a) through (c) and having a minimum ACT
2833 composite score of twenty-four (24) or the equivalent SAT score
2834 may be admitted as full-time college students if the principal or
2835 guidance counselor of the student recommends in writing that it is
2836 in the best educational interest of the student. Such
2837 recommendation shall also state that the student's age will not
2838 keep him from being a successful full-time college student.
2839 Students admitted in the early admission program shall not be
2840 counted for adequate education program funding purposes in the
2841 average daily attendance of the school district in which they
2842 reside, and transportation required by a student to participate in
2843 the early admission program shall be the responsibility of the
2844 parents or legal guardians of the student. Grades and college
2845 credits earned by students admitted to the early admission program
2846 shall be recorded on the college transcript at the community or
2847 junior college where the student attends classes, and may be
2848 released to another institution or used for college graduation
2849 requirements only after the student has successfully completed one
2850 (1) full semester of course work.

2851 (4) The community and junior colleges shall provide, through
2852 courses or other acceptable educational measures, the general
2853 education necessary to individuals and groups which will tend to
2854 make them capable of living satisfactory lives consistent with the
2855 ideals of a democratic society.

2856 **SECTION 23.** The following provision shall be codified as
2857 Section 37-15-39, Mississippi Code of 1972:

2858 37-15-39. (1) The purpose of this section is to ensure that
2859 each student has a sufficient education for success after high
2860 school and that all students have equal access to a substantive

2861 and rigorous curriculum that is designed to challenge their minds
2862 and enhance their knowledge skill.

2863 (2) For purposes of this section:

2864 (a) "Advanced placement course" means any high school
2865 level preparatory course for a college advanced placement test
2866 that:

2867 (i) Incorporates all topics specified by
2868 recognized advanced placement authorities on standards for a given
2869 subject area; and

2870 (ii) Is approved by recognized advanced placement
2871 authorities;

2872 (b) "Dual enrollment course" means a postsecondary
2873 level course(s) offered by state institutions of higher learning
2874 and community or junior colleges, upon successful completion would
2875 qualify for academic credit in both the postsecondary institution
2876 and public high school;

2877 (c) "Pre-advanced placement course" means a middle
2878 school, junior high school or high school level course that
2879 specifically prepares students to enroll and to participate in an
2880 advanced placement course;

2881 (d) "Vertical team" means a group of educators from
2882 different grade levels in a given discipline who work
2883 cooperatively to develop and implement a vertically aligned
2884 program aimed at helping students from diverse backgrounds acquire
2885 the academic skills necessary for success in the advanced
2886 placement program and other challenging course work; and

2887 (e) "High concentration of low-income students," used
2888 with respect to a public school or public school district, means a
2889 public school or public school district that serves a student
2890 population fifty percent (50%) or more of whom are low-income
2891 individuals ages five (5) through seventeen (17) years from a
2892 low-income family on the basis data on children eligible for the
2893 free or reduced-price lunches under the National School Lunch Act,
2894 data on children in families receiving assistance under Part A of
2895 Title IV of the Social Security Act, or data on children eligible

2896 to receive medical assistance under the Medicaid program under
2897 Title XIX of the Social Security Act, or through an alternate
2898 method that combines or extrapolates from those data sets.

2899 (3) (a) A teacher of an advanced placement and/or
2900 pre-advanced placement course must obtain appropriate training.

2901 (b) The State Board of Education shall establish clear,
2902 specific, and challenging training guidelines that require
2903 teachers of advanced placement courses and teachers of
2904 pre-advanced placement courses to obtain a recognized advanced
2905 placement authority endorsed training.

2906 (4) (a) In order to ensure that each student has a
2907 sufficient education for success after high school and that all
2908 students have equal access to a substantive and rigorous
2909 curriculum that is designed to challenge their minds and enhance
2910 their knowledge skill, school districts should offer pre-advanced
2911 placement courses to prepare students for the demands of advanced
2912 placement course work.

2913 (b) Subject to appropriation, beginning in 2007-2008
2914 school year, all sophomores in Mississippi's public schools shall
2915 take an examination that measures students' ability to succeed in
2916 an advanced placement course.

2917 (c) The State Department of Education shall:

2918 (i) Approve all classes designated as pre-advanced
2919 placement courses;

2920 (ii) Develop rules necessary for the
2921 implementation of advanced placement courses;

2922 (iii) Seek federal funding through the Advanced
2923 Placement Incentive Grant Program and other available funding; and

2924 (iv) Focus funding with the intent to carry out
2925 activities that target school districts serving a high
2926 concentration of low-income students.

2927 (5) Subject to appropriation, beginning with the 2007-2008
2928 school year, all school districts shall offer at least one (1)
2929 advanced placement course in each of the four (4) core areas of
2930 math, English, science and social studies for a total of four (4)

2931 courses. The use of the state's on-line Advanced Placement
2932 Instructional Program is an appropriate alternative or some other
2933 form of appropriate distance learning source.

2934 (6) Any high school offering the International Baccalaureate
2935 Diploma Programme shall be exempt from the provisions of
2936 subsection 5 of this section but shall have the right to
2937 participate in teacher training and program funding as any high
2938 school offering advanced placement courses.

2939 **SECTION 24.** Section 37-16-7, Mississippi Code of 1972, is
2940 amended as follows:

2941 37-16-7. (1) Each district school board shall establish
2942 standards for graduation from its schools which shall include as a
2943 minimum:

2944 (a) Mastery of minimum academic skills as measured by
2945 assessments developed and administered by the State Board of
2946 Education.

2947 (b) Completion of a minimum number of academic credits,
2948 and all other applicable requirements prescribed by the district
2949 school board.

2950 (2) A student who meets all requirements prescribed in
2951 subsection (1) of this section shall be awarded a standard diploma
2952 in a form prescribed by the state board.

2953 (3) The State Board of Education may establish student
2954 proficiency standards for promotion to grade levels leading to
2955 graduation.

2956 (4) For the purposes of awarding credit for graduation, the
2957 State Board of Education may approve the use of additional
2958 assessments or substitute tests for the correlated Mississippi
2959 Curriculum Framework assessment, such as academic achievement
2960 tests, industry certifications or state licensure examinations.
2961 The State Board of Education may permit students participating in
2962 vocational and technical education programs designed to enable
2963 such students to pass such industry certification examinations or
2964 state licensure examinations to be awarded, upon obtaining
2965 satisfactory scores on such industry certification or licensure

2966 examinations, the appropriate verified units of credit for one or
2967 more vocational and technical education classes which have been
2968 integrated into the Mississippi Curriculum Framework. Such
2969 industry certification and state licensure examinations may cover
2970 relevant classes related to the Mississippi Curriculum Framework
2971 and may, at the discretion of the State Board of Education,
2972 address some Mississippi Curriculum Framework for required
2973 classes.

2974 **SECTION 25.** Section 37-31-61, Mississippi Code of 1972, is
2975 amended as follows:

2976 37-31-61. (1) For the development of industry-recognized
2977 certifications, the State Board of Education shall incorporate
2978 into its vocational education program a comparable curriculum
2979 framework for mathematics, science, English and social studies,
2980 including history, and other subject areas as may be appropriate.
2981 The board may also authorize, in its regulations for accrediting
2982 public schools in Mississippi, the substitution of industry
2983 certification and state licensure examinations for the curriculum
2984 framework assessments for the purpose of awarding verified units
2985 of credit for vocational education courses, where appropriate.

2986 (2) In coordination with the Department of Employment
2987 Security, there shall be established, within the Department of
2988 Education, subject to funding, a unit of specialists in vocational
2989 education. The unit shall (a) assist in developing and revising
2990 local vocational education programs to integrate into the
2991 Mississippi Department of Education's curriculum framework, (b)
2992 provide professional development for vocational education
2993 personnel to improve the quality of vocational education, and (c)
2994 seek the input of business and industry representatives regarding
2995 the content and direction of the vocational education programs in
2996 the public schools of Mississippi.

2997 (3) The trustees of such school district, as classified and
2998 defined by law, including those already having this authority, and
2999 the trustees of agricultural high schools and community/junior
3000 colleges may, with the consent in writing of the State Board of

3001 Education, establish and conduct such schools, classes or courses,
3002 under the provisions herein stated and under the general
3003 supervision of the board.

3004 **SECTION 26.** Section 37-31-69, Mississippi Code of 1972, is
3005 amended as follows:

3006 37-31-69. (1) The school board of a local school district,
3007 in its discretion, may establish and implement a vocational
3008 apprenticeship program in the high schools in that district
3009 through which students may earn high school units for vocational
3010 experience or an industry-recognized certification as defined in
3011 Section 37-31-61 as an alternative to those high school units
3012 required by the school district in addition to the core curriculum
3013 defined by the State Board of Education. The purpose of a
3014 vocational apprenticeship program established pursuant to this
3015 section shall be to provide those students with skills and
3016 training that will lead to gainful employment in a trade or other
3017 specialized vocation or an industry-recognized certification.

3018 (2) Students who participate in the vocational
3019 apprenticeship or an industry-recognized certification program
3020 shall be required to complete all high school units comprising the
3021 core curriculum, as defined by the State Board of Education
3022 pursuant to Section 37-31-61. In addition, a student in the
3023 vocational apprenticeship program may be awarded credit for an
3024 additional eight (8) high school units earned through the
3025 vocational apprenticeship or an industry-recognized certification
3026 program, which units shall apply toward, and must be recognized by
3027 the State Board of Education in fulfillment of, the local school
3028 district's graduation requirements. Units may be awarded in the
3029 vocational apprenticeship program, whereby a student gains actual
3030 work experience through employment in a job approved by the local
3031 school district. The local school district shall adopt policies
3032 governing the participation of students in the vocational
3033 apprenticeship or an industry-recognized certification program.

3034 (3) Students successfully completing a vocational
3035 apprenticeship or an industry-recognized certification program

3036 established pursuant to this section are entitled to a diploma
3037 evidencing graduation from a high school in Mississippi.

3038 **SECTION 27.** Section 37-31-205, Mississippi Code of 1972, is
3039 amended as follows:

3040 37-31-205. (1) The State Board of Education shall have the
3041 authority to:

3042 (a) Expend funds received either by appropriation or
3043 directly from federal or private sources;

3044 (b) Channel funds to secondary schools, community and
3045 junior colleges and regional vocational-technical facilities
3046 according to priorities set by the board;

3047 (c) Allocate funds on an annual budgetary basis;

3048 (d) Set standards for and approve all vocational and
3049 technical education programs or an industry-recognized
3050 certification program in the public school system and community
3051 and junior colleges or other agencies or institutions which
3052 receive state funds and federal funds for such purposes,
3053 including, but not limited to, the following vocational and
3054 technical education programs: agriculture, trade and industry,
3055 occupational home economics, consumer and homemaking education,
3056 distributive education, business and office, health, industrial
3057 arts, guidance services, technical education, cooperative
3058 education, and all other specialized training not requiring a
3059 bachelor's degree, with the exception of programs of nursing
3060 education regulated under the provisions of Section 37-129-1. The
3061 State Board of Education shall authorize local school boards,
3062 within such school board's discretion, to offer distributive
3063 education as a one-hour or two-hour block course. There shall be
3064 no reduction of payments from state funding for distributive
3065 education due to the selection of either the one-hour or two-hour
3066 course offering;

3067 (e) Set and publish licensure standards for vocational
3068 and technical education personnel. The State Board of Education
3069 shall recognize a vocational and technical education teacher's
3070 work when school is not in session which is in the teacher's

3071 particular field of instruction as a means for the teacher to
3072 fulfill the requirements for renewal of the teacher's license.
3073 The board shall establish, by rules and regulations, the
3074 documentation of such work which must be submitted to the board
3075 and the number of actual working hours required to fulfill renewal
3076 requirements. If a vocational and technical education teacher who
3077 does not have a bachelor's degree takes classes in fulfillment of
3078 licensure renewal requirements, such classes must be in
3079 furtherance of a bachelor's degree;

3080 (f) Require data and information on program performance
3081 from those programs receiving state funds;

3082 (g) Expend funds to expand career information;

3083 (h) Supervise and maintain the Division of Vocational
3084 and Technical Education and to utilize, to the greatest extent
3085 possible, the division as the administrative unit of the board
3086 responsible for coordinating programs and services with local
3087 institutions;

3088 (i) Utilize appropriate staff of the State Department
3089 of Education to perform services for the vocational student
3090 organizations, including, but not limited to, procurement,
3091 accounting services, tax services and banking services. The
3092 department may also procure and pay for annual audits of the
3093 vocational student organizations using vocational funds or other
3094 available funds of the State Department of Education. It is the
3095 intent of this provision that any related costs be paid with
3096 vocational funds appropriated by the Legislature;

3097 (j) Promulgate such rules and regulations necessary to
3098 carry out the provisions of this chapter in accordance with
3099 Section 25-43-1 et seq.;

3100 (k) Set standards and approve all vocational and
3101 technical education equipment and facilities purchased and/or
3102 leased with state and federal vocational funds;

3103 (l) Encourage provisions for lifelong learning and
3104 changing personal career preferences and advancement of vocational

3105 and technical education students through articulated programs
3106 between high schools and community and junior colleges;

3107 (m) Encourage the establishment of new linkages with
3108 business and industry which will provide for a better
3109 understanding of essential labor market concepts;

3110 (n) Periodically review the funding and reporting
3111 processes required of local school districts by the board or
3112 division with the aim of simplifying or eliminating inefficient
3113 practices and procedures;

3114 (o) Assist in the development of high technology
3115 programs and resource centers to support current and projected
3116 industrial needs;

3117 (p) Assist in the development of a technical assistance
3118 program for business and industry which will provide for
3119 industrial training and services, including the transfer of
3120 information relative to new applications and advancements in
3121 technology; and

3122 (q) Enter into contracts and agreements with the State
3123 Board for Community and Junior Colleges for conditions under which
3124 vocational and technical education programs in community and
3125 junior colleges shall receive state and federal funds which flow
3126 through the State Board of Education for such purposes.

3127 (2) It is the intent of the Legislature that no vocational
3128 and technical education course or program existing on June 30,
3129 1982, shall be eliminated by the State Board of Education under
3130 the authority vested in paragraph (d) of subsection (1) of this
3131 section prior to June 30, 1985. It is further the intent of the
3132 Legislature that no vocational and technical education teacher or
3133 other personnel employed on June 30, 1983, shall be discharged due
3134 to licensure standards promulgated by the board under paragraph
3135 (e) of subsection (1) of this section, if any such teacher or
3136 personnel shall have complied with any newly published licensure
3137 standards by June 30, 1985. Nothing contained in this section
3138 shall be construed to abrogate or affect in any manner the
3139 authority of local public school districts or community and junior

3140 colleges to eliminate vocational and technical education courses
3141 or programs or to discharge any vocational and technical education
3142 teacher or other personnel.

3143 (3) The State Board of Education and the State Board for
3144 Community and Junior Colleges may provide that every vocational
3145 and technical education course or program in Mississippi may
3146 integrate academic and vocational-technical education through
3147 coherent sequences of courses, so that students in such programs
3148 achieve both academic and occupational competencies or an
3149 industry-recognized certification. The boards may expend federal
3150 funds available from the 1990 Perkins Act, or other available
3151 federal funds, for an industry-recognized certification through
3152 the accreditation process and the teacher licensure process.

3153 **SECTION 28.** Section 37-31-207, Mississippi Code of 1972, is
3154 amended as follows:

3155 37-31-207. (1) The State Board of Education shall have the
3156 following duties:

3157 (a) To seek the best available projections of
3158 employment and occupations for Mississippians;

3159 (b) To utilize these projections and other
3160 considerations to set vocational and technical education
3161 priorities;

3162 (c) To utilize the services of all state agencies
3163 having information regarding the purposes of this chapter;

3164 (d) To cooperate with the Governor's Office of Job
3165 Development and Training and the Board of Economic Development to
3166 prevent duplication and provide continuity of employment and
3167 training services;

3168 (e) To conduct evaluations of the success or failure of
3169 vocational-technical programs, including the extent to which
3170 training actually leads to jobs in the field in which the student
3171 was trained;

3172 (f) Obtain and publish data and information on program
3173 performance from those vocational-technical programs receiving
3174 state funds; and

3175 (g) To notify local school districts and public
3176 community/junior colleges prior to March 1 annually of any
3177 discontinuation of ongoing vocational programs which would affect
3178 the renewing of contracts with vocational personnel.

3179 (2) The State Board of Education is directed to partner with
3180 the State Board for Community and Junior Colleges and the
3181 representatives of the business community appointed by the
3182 Governor to establish the "Industry Certification Partnership"
3183 program whose mission it will be to develop and implement a
3184 program designed to encourage businesses in Mississippi to offer
3185 potential high school dropout students a semester scholarship at a
3186 community or junior college for industry specific training after
3187 their graduation in return for their promise or compact to stay in
3188 school.

3189 **SECTION 29.** (1) There is established a commission to be
3190 known as the "Mississippi High School Redesign Commission."

3191 (2) The commission shall consist of four (4) members, who
3192 shall serve ex officio, as follows:

3193 (a) The Governor of the State of Mississippi, who shall
3194 serve as Chairman;

3195 (b) The State Superintendent of Education;

3196 (c) The Commissioner of the State Board for Community
3197 and Junior Colleges; and

3198 (d) The Commissioner of Higher Education.

3199 (3) The mission of the Mississippi High School Redesign
3200 Commission shall include, but not be limited to, the following:

3201 (a) Assess the dropout crisis in Mississippi and
3202 recommend action steps to address it;

3203 (b) Create a set of common definitions for graduation
3204 and dropout rates that can be used to compare their progress
3205 relative to other states;

3206 (c) Facilitate agreements to make the Mississippi high
3207 school experience more meaningful;

3208 (d) To encourage more rigor and relevance in the high
3209 school experience;

3210 (e) Facilitate the transferability of education from
3211 secondary to postsecondary institutions;

3212 (f) Raise state awareness on the need for improving
3213 Mississippi's high schools;

3214 (g) Develop a series of best practices policy actions
3215 state policymakers and legislators can implement to achieve
3216 system-wide high school reform; and

3217 (h) Convene town hall meetings around the state where
3218 students, teachers, administrators and parents can talk about high
3219 school, the senior year and impediments to greater success.

3220 (4) The commission may prepare an annual report for the
3221 consideration of the Chairmen of the House and Senate Education
3222 and University and College Committees pertaining to the
3223 information gathered in pursuit of their mission.

3224 (5) The commission members shall meet at times and places
3225 they deem necessary and use all available resources to fulfill its
3226 mission.

3227 **SECTION 30.** Section 37-21-55, Mississippi Code of 1972, is
3228 amended as follows:

3229 37-21-55. (1) The Interagency Advisory Committee for Early
3230 Childhood Services is created to develop and make recommendations
3231 to the Early Childhood Services Interagency Coordinating Council
3232 established under Section 37-21-53 as deemed necessary to
3233 implement the council's responsibilities relating to all programs
3234 serving preschool children and their families in Mississippi.

3235 (2) The membership of the Interagency Advisory Committee for
3236 Early Childhood Services shall be as follows:

3237 (a) The Chairmen of the Senate Education, Public Health
3238 and Welfare and Appropriations Committees, or their Senate
3239 designees;

3240 (b) The Chairmen of the House Education, Public Health
3241 and Welfare and Appropriations Committees, or their House
3242 designees;

3243 (c) A representative of the Governor;

3244 (d) A representative of the State Department of
3245 Education;

3246 (e) A representative of the State Department of Health;

3247 (f) A representative of the Department of Human
3248 Services;

3249 (g) A representative of the State Department of Mental
3250 Health;

3251 (h) A representative of the State Department of
3252 Rehabilitation Services;

3253 (i) The following representatives of the early
3254 childhood profession:

3255 (i) The President of the Mississippi Head Start
3256 Association;

3257 (ii) A representative from a regulated family
3258 child care home network appointed by the Governor;

3259 (iii) A representative from a licensed child care
3260 center appointed by the President of the Senate;

3261 (iv) A representative from a public school
3262 prekindergarten program appointed by the Speaker of the House;

3263 (v) A representative from a private school
3264 prekindergarten program appointed by the Governor;

3265 (vi) A representative from a half-day church
3266 sponsored prekindergarten program appointed by the Speaker of the
3267 House;

3268 (vii) A representative from a university or
3269 college early childhood program appointed by the President of the
3270 Senate;

3271 (viii) A representative of a tribal early
3272 childhood program appointed by the Governor;

3273 (ix) A representative of an early childhood
3274 professional organization appointed by the President of the
3275 Senate;

3276 (x) A representative of an advocacy organization
3277 appointed by the Speaker of the House; and

3278 (xi) A representative of a community or junior
3279 college early childhood program appointed by the Governor;

3280 (j) A parent of a preschool-age child appointed by the
3281 Governor;

3282 (k) A parent of a preschool-age child with special
3283 needs appointed by the Speaker of the House;

3284 (l) A representative of the cooperative extension
3285 services appointed by the President of the Senate;

3286 (m) A physician who is a member of the Mississippi
3287 Chapter of the American Academy of Pediatrics, appointed by the
3288 Director of the University Medical Center;

3289 (n) The Director of the Mississippi Public Education
3290 Forum, or his designee; and

3291 (o) The Executive Director of the Mississippi Economic
3292 Council, or his designee.

3293 To the extent possible, any representative of a state agency
3294 designated to serve on the Interagency Advisory Committee shall be
3295 the same individual designated to assist the Interagency
3296 Coordinating Council in performing its duties and
3297 responsibilities.

3298 (3) The advisory committee shall meet upon call of the Early
3299 Childhood Services Interagency Coordinating Council before August
3300 1, 2000, and the council shall appoint a chairman from among the
3301 membership of the advisory committee. The chairman shall serve
3302 for a one-year term and may be reappointed for subsequent terms.
3303 The advisory committee shall adopt internal organizational
3304 procedures necessary for efficient operation of the advisory
3305 committee and may establish subcommittees for conducting specific
3306 programs and activities. Advisory committee procedures must
3307 include duties of officers, a process for selecting officers,
3308 duties of subcommittees, quorum requirements for conducting
3309 business and policies for any staff. The members of the Early
3310 Childhood Services Interagency Coordinating Council shall
3311 designate necessary staff of their departments to assist the
3312 advisory committee in performing its duties and responsibilities.

3313 The advisory committee shall meet and conduct business at least
3314 quarterly. Quarterly meetings of the advisory committee shall be
3315 open to the public, and opportunity for public comment must be
3316 made available at each meeting. The staff of the advisory
3317 committee shall notify all persons who request such notice as to
3318 the date, time and place of each meeting.

3319 (4) The Interagency Advisory Committee for Early Childhood
3320 Services, in addition to responsibilities assigned by the Early
3321 Childhood Services Interagency Coordinating Council, shall perform
3322 each of the following duties:

3323 (a) Assist in the implementation of the study conducted
3324 by the Task Force on the Development and Implementation of
3325 Comprehensive Early Childhood Services in Mississippi established
3326 under Laws, 1999, Chapter 584;

3327 (b) Identify services to children which impact early
3328 childhood development and education;

3329 (c) Identify and recommend methods to facilitate
3330 interagency coordination of service programs for preschool
3331 children; and

3332 (d) Serve as a forum for information exchange regarding
3333 recommendations and priorities in early childhood development and
3334 education. * * *

3335 (5) The Advisory Board of the Interagency Council, with the
3336 consent of a majority of its members, shall encourage any state
3337 entity with early childhood responsibilities to be coordinated
3338 through the Office of Children and Youth for the purposes of
3339 alignment of the State of Mississippi's early childhood
3340 educational efforts.

3341 (6) Beginning in July 1, 2005, the Advisory Board of the
3342 Interagency Council shall meet at the discretion of the Chairman
3343 of the Advisory Board to assess the appropriate criteria for
3344 determining, and implementation of, the educational components of
3345 the state's tiered reimbursement structure.

3346 **SECTION 31.** Section 37-9-3, Mississippi Code of 1972, is
3347 amended as follows:

3348 37-9-3. (1) Within the limits of the available funds, the
3349 superintendent of schools of a school district shall recommend to
3350 the school board thereof all noninstructional employees to be
3351 employed and may prescribe the duties thereof. Compensation for
3352 such employees may be paid from any lawful funds.

3353 (2) From and after July 1, 2006, to be eligible for
3354 employment by a public school district as a school business
3355 administrator, the individual shall have one (1) of the following
3356 minimum qualifications: (a) certificate endorsed in School
3357 Administration with a minimum of nine (9) specified semester hours
3358 in accounting; or (b) a bachelors degree in a business-related
3359 curriculum (accounting, finance or business administration)
3360 including a minimum of nine (9) specified semester hours in
3361 accounting; or (c) a bachelors degree in a nonrelated area with a
3362 minimum of twenty-four (24) semester hours of recommended
3363 business-related courses, twelve (12) of which must be in
3364 specified courses; or (d) a graduate degree in a business-related
3365 field; or (e) be a licensed certified public accountant in
3366 Mississippi.

3367 (3) Any person employed by a public school district as a
3368 school business administrator on June 30, 2006, shall be exempt
3369 from the qualification requirements of subsection (2).

3370 **SECTION 32.** Beginning with the 2006-2007 school year, any
3371 student in Grades 7 through 12 enrolled in a public school of this
3372 state shall not participate in any athletic program unless that
3373 student maintains at least a 2.0 grade point average on a 4.0
3374 scale. The academic rules for students participating in athletic
3375 activities are as follows:

3376 (a) At the end of each semester, the student must have
3377 maintained at least a 2.0 grade point average on a 4.0 scale with
3378 no more than one (1) failing grade.

3379 (b) Any student that does not maintain at least a 2.0
3380 grade point average on a 4.0 scale shall be placed on probation
3381 status for the next semester. Any student that has two (2)
3382 consecutive semesters with a grade point average of less than 2.0

3383 shall be ineligible for athletic participation until such time as
3384 the student completes a semester and retains at least a 2.0 grade
3385 point average.

3386 (c) Students suspended from school are ineligible for
3387 participation in extracurricular activities or practice during the
3388 period of suspension.

3389 (d) The local school board shall establish a procedure
3390 for monitoring a student's eligibility including setting dates for
3391 eligibility checks and probation weeks.

3392 **SECTION 33.** (1) The Legislature recognizes:

3393 (a) The need for positive reinforcement of higher
3394 educational opportunities, social usages and community commitment;

3395 (b) That it is a difficult time in our society to raise
3396 children;

3397 (c) That substance abuse, Internet pornography and
3398 authority issues are a few of the challenges faced each day;

3399 (d) That our children are exposed to an environment
3400 where drugs, violence, sex, ill-gotten monies and peer pressure
3401 are an ever-present force that affects both their behavior and
3402 perception of life; and

3403 (e) That television, telephones, movies, radio and
3404 video games are devastating to our children's success.

3405 (2) The Legislature believes that we must correct the
3406 problems with our children and reverse this culture of failure
3407 that leads to truancy, drug abuse and poverty. The Legislature
3408 believes that we must develop an agenda that will help place life
3409 in a positive and productive perspective for our children and
3410 assist our schools in dealing with the issues and problems that we
3411 are currently facing within our communities.

3412 **SECTION 34.** Beginning with the 2005-2006 school year and
3413 every school year thereafter, all school districts that were at
3414 Level 3 or below during the 2001 school year according to the
3415 Mississippi Report Card as provided in Section 37-3-53 shall
3416 implement the following programs:

3417 (a) School uniforms;

- 3418 (b) Separation of the genders of students;
- 3419 (c) Implementing distance learning in areas of
3420 mathematics, science, home economics, social usage, business and
3421 entrepreneurship if the district does not have a competent teacher
3422 available for these classes;
- 3423 (d) Spelling bees, mathematics bees and science bees in
3424 those perspective classes;
- 3425 (e) Entrepreneurship competition;
- 3426 (f) Homework assignments every day in every class from
3427 kindergarten through Grade 12. Homework shall include, but is not
3428 limited to, a minimum of five (5) vocabulary words to be learned
3429 from each class every week, including how to spell, define and use
3430 each word in a sentence;
- 3431 (g) Reading and writing curriculum that is
3432 developmentally appropriate for kindergarten students; and
- 3433 (h) Implementing "4 for 4" Program, a parent-led,
3434 youth-oriented concept that emphasizes being involved in a
3435 positive environment. The family as a whole commits to no
3436 television, no telephones, no trashy music and no videos for "four
3437 (4) hours for four (4) days" each Monday through Thursday.

3438 The commission to study and report on the enhanced practices
3439 and programs to improve student achievement will also study the
3440 aforementioned recommendation.

3441 **SECTION 35.** Beginning with the 2005-2006 school year and
3442 every year thereafter, the State Department of Education shall
3443 adopt a program to be followed by all school districts which shall
3444 promote the consumption of healthy foods and the adoption of a
3445 healthy life-style by Mississippi's school children.

3446 **SECTION 36.** Students are allowed to participate in nonschool
3447 clubs, groups, activities, sports, competitions, camps and clinics
3448 at any time during the school year and summer, unless prohibited
3449 by local school district policies.

3450 **SECTION 37.** Except as otherwise provided by law, the State
3451 Board of Education shall promulgate rules and regulations to
3452 implement the provisions of this act.

3453 **SECTION 38.** This act shall take effect and be in force from
3454 and after July 1, 2006.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT ENTITLED THE "MISSISSIPPI EDUCATION REFORM ACT OF
2 2005"; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
3 PROVIDE ADDITIONAL BASE COMPENSATION FOR TEACHERS HOLDING LICENSES
4 IN CRITICAL SUBJECT AREAS, TO ESTABLISH A MISSISSIPPI PERFORMANCE
5 BASED PAY PLAN TO REWARD LICENSED EDUCATION PERSONNEL AT SCHOOLS
6 SHOWING IMPROVEMENT IN STUDENT TEST SCORES, TO PROVIDE ADDITIONAL
7 BASE COMPENSATION FOR MENTOR TEACHERS IN MIDDLE SCHOOLS WITH
8 APPROVED CLASSROOM MANAGEMENT PROGRAMS; TO AMEND SECTION 37-3-2,
9 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY TEACHER FROM ANY
10 STATE MEETING THE FEDERAL STANDARDS OF A HIGHLY QUALIFIED TEACHER
11 SHALL BE ELIGIBLE FOR A STANDARD LICENSE IN MISSISSIPPI; TO AMEND
12 SECTIONS 37-3-81, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE
13 DEPARTMENT OF EDUCATION COORDINATE WITH THE STATE'S EDUCATIONAL
14 SERVICE AGENCIES; TO AMEND SECTION 37-11-53, MISSISSIPPI CODE OF
15 1972, TO PRESCRIBE CERTAIN CRIMINAL PENALTIES FOR PARENTS WHO FAIL
16 TO ATTEND THEIR CHILD'S DISCIPLINE CONFERENCE; TO AMEND SECTION
17 37-3-4, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF
18 EDUCATION TO ESTABLISH STANDARDS AND GUIDELINES THAT ARE
19 ACCEPTABLE ALTERNATIVES FOR CONTINUING EDUCATION FOR LEVEL 4 AND 5
20 SCHOOLS; TO AMEND SECTION 37-3-46, MISSISSIPPI CODE OF 1972, TO
21 EXEMPT CERTAIN SCHOOL DISTRICTS FROM CERTAIN PERSONNEL APPRAISALS;
22 TO AMEND SECTION 37-7-337, MISSISSIPPI CODE OF 1972, TO CONFORM;
23 TO AMEND SECTION 37-13-61, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
24 THE LOCAL SCHOOL DISTRICTS TO FIX THE DATE FOR THE OPENING AND
25 CLOSING OF THE SCHOOL TERM; TO AMEND SECTION 37-13-67, MISSISSIPPI
26 CODE OF 1972, TO REVISE CERTAIN RESTRICTIONS ON SCHOLASTIC MONTH
27 AND SCHOOL DAY; TO AMEND SECTION 37-13-69, MISSISSIPPI CODE OF
28 1972, TO AUTHORIZE LOCAL SCHOOL DISTRICTS TO DESIGNATE SCHOOL
29 HOLIDAYS; TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO
30 REQUIRE THE STATE BOARD OF EDUCATION TO MAKE RECOMMENDATIONS TO
31 THE STATE LEGISLATURE REGARDING A POLICY THAT WOULD ALLOW THE
32 STATE'S ACADEMICALLY CAPABLE STUDENTS TO BE EXEMPT FROM THE
33 COMPULSORY SCHOOL AGE LAW; TO AMEND SECTION 37-17-11, MISSISSIPPI
34 CODE OF 1972, TO REQUIRE THAT THE STATE DEPARTMENT OF EDUCATION
35 MAKE A REPORT OF ALL THE EXEMPTED AND NONEXEMPTED PROCESS
36 STANDARDS TO CERTAIN AGENCIES; TO AMEND SECTION 37-21-7,
37 MISSISSIPPI CODE OF 1972, TO EXEMPT LEVEL 4 AND 5 SCHOOLS FROM
38 CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 37-41-53,
39 MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL TRANSPORTATION VEHICLES
40 FROM CERTAIN STATE DEPARTMENT OF EDUCATION REGULATIONS; TO AMEND
41 SECTION 37-7-301, MISSISSIPPI CODE OF 1972, TO GRANT PUBLIC SCHOOL
42 DISTRICTS THE POWER TO ADOPT ANY ORDER RELATING TO THE OPERATION
43 OF THE SCHOOL WHICH IS NOT INCONSISTENT WITH STATE LAW OR THE
44 MISSISSIPPI CONSTITUTION, WITH CERTAIN EXCEPTIONS; TO AUTHORIZE
45 LOCAL SCHOOL DISTRICTS TO CONTRACT WITH PRIVATE ENTITIES TO
46 PROVIDE CERTAIN NONINSTRUCTIONAL SERVICES; TO AMEND SECTIONS
47 25-11-103 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY;
48 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO CREATE POLICIES
49 RELATING TO THE DEVELOPMENT OF STATEWIDE VIRTUAL SCHOOLS; TO AMEND
50 SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
51 CERTAIN DISTRICTS BE EXEMPT FROM THE REQUIREMENT OF SUBMITTING A
52 PLAN ALTERING THE SCHOOL TERM BECAUSE OF CERTAIN DISASTERS; TO
53 AMEND SECTIONS 37-15-37 AND 37-29-1, MISSISSIPPI CODE OF 1972,
54 RELATING TO HIGH SCHOOL AND UNIVERSITY OR COMMUNITY COLLEGE DUAL
55 ENROLLMENT PROGRAMS, TO REVISE CONDITIONS FOR PARTICIPATION IN THE
56 PROGRAM, AND TO CLARIFY THAT ALL COURSE WORK TAKEN UNDER THE
57 PROGRAM SHALL BE DUAL CREDIT; TO CODIFY SECTION 37-15-39,
58 MISSISSIPPI CODE OF 1972, TO DIRECT SCHOOL DISTRICTS TO OFFER
59 PRE-ADVANCED PLACEMENT COURSES AND TO PROVIDE THAT SUBJECT TO
60 APPROPRIATIONS BEGINNING IN THE 2007-2008 SCHOOL YEAR FOR ALL

61 SOPHOMORES TO TAKE A NATIONALLY RECOGNIZED APTITUDE TEST FOR
62 ADVANCED PLACEMENT CLASSES; TO AMEND SECTIONS 37-16-7, 37-31-61,
63 37-31-69, 37-31-205 AND 37-31-207, MISSISSIPPI CODE OF 1972, TO
64 AUTHORIZE AND DIRECT THE STATE BOARD OF EDUCATION AND THE STATE
65 BOARD FOR COMMUNITY AND JUNIOR COLLEGES TO UTILIZE FEDERAL
66 WORKFORCE INVESTMENT ACT AND OTHER FEDERAL FUNDS TO ESTABLISH
67 INDUSTRY SPECIFIC CURRICULUM TO ALLOW STUDENTS TO RECEIVE
68 INDUSTRY-RECOGNIZED CERTIFICATION WHILE COMPLETING THEIR HIGH
69 SCHOOL COURSE WORK, TO INCLUDE SUCH COURSE WORK IN APPROPRIATE
70 GRADUATION STANDARDS, TO DEVELOP A UNIT OF SPECIALISTS IN
71 VOCATIONAL EDUCATION AS PART OF THE CURRICULUM, AND TO ESTABLISH
72 PARTNERSHIPS WITH THE PRIVATE SECTOR TO OFFER POTENTIAL HIGH
73 SCHOOL DROPOUT STUDENTS A SEMESTER SCHOLARSHIP FOR INDUSTRY
74 SPECIFIC TRAINING AFTER GRADUATION; TO ESTABLISH A MISSISSIPPI
75 HIGH SCHOOL REDESIGN COMMISSION AND PRESCRIBE ITS MEMBERSHIP, TO
76 STUDY THE RELEVANCE OF THE HIGH SCHOOL EXPERIENCE IN MISSISSIPPI;
77 TO AMEND SECTION 37-21-55, MISSISSIPPI CODE OF 1972, TO ENCOURAGE
78 STATE ENTITIES DEALING WITH EARLY CHILDHOOD EDUCATION TO BE
79 COORDINATED THROUGH THE ADVISORY BOARD OF THE INTERAGENCY ADVISORY
80 COMMITTEE FOR EARLY CHILDHOOD SERVICES TO BE ADMINISTERED BY THE
81 MISSISSIPPI DEPARTMENT OF HUMAN SERVICES OFFICE OF CHILDREN AND
82 YOUTH AND TO AUTHORIZE THE ADVISORY COUNSEL TO ASSESS THE
83 EDUCATIONAL COMPONENTS FOR THE STATE'S TIERED REIMBURSEMENT
84 STRUCTURE FOR CHILD CARE FACILITIES; TO AMEND SECTION 37-9-3,
85 MISSISSIPPI CODE OF 1972, TO PROVIDE MINIMUM QUALIFICATIONS FOR
86 SCHOOL BUSINESS ADMINISTRATORS EMPLOYED BY PUBLIC SCHOOL
87 DISTRICTS; TO PROVIDE THAT ANY STUDENT IN GRADES 7 THROUGH 12
88 ENROLLED IN A PUBLIC SCHOOL IN MISSISSIPPI SHALL NOT PARTICIPATE
89 IN ANY ATHLETIC PROGRAM UNLESS THAT STUDENT MAINTAINS AT LEAST A
90 2.0 GRADE POINT AVERAGE; TO REQUIRE CERTAIN SCHOOL DISTRICTS TO
91 IMPLEMENT PROGRAMS TO IMPROVE STUDENT ACHIEVEMENT; TO AUTHORIZE
92 STUDENTS TO PARTICIPATE IN NONSCHOOL ACTIVITIES, UNLESS PROHIBITED
93 BY THE LOCAL SCHOOL DISTRICT; TO AUTHORIZE THE STATE BOARD OF
94 EDUCATION TO PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THE
95 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

HR03\SB2504PH.J

Don Richardson
Clerk of the House of Representatives