

By: Representative Rogers (61st)

To: Education

HOUSE BILL NO. 521

1 AN ACT TO AMEND SECTION 37-9-23, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE SCHOOL DISTRICTS TO EXECUTE CONTRACTS WITH LICENSED  
3 EMPLOYEES BY COMPLETING A UNIFORM EMPLOYMENT CONTRACT FORM  
4 PRESCRIBED BY THE STATE BOARD OF EDUCATION AND TO REQUIRE  
5 ADDITIONAL PROVISIONS TO BE INCLUDED IN THE UNIFORM EMPLOYMENT  
6 CONTRACT FORM; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-9-23, Mississippi Code of 1972, is  
9 amended as follows:

10 37-9-23. The superintendent shall enter into a contract with  
11 each assistant superintendent, principal, licensed employee and  
12 person anticipating graduation from an approved teacher education  
13 program or the issuance of a proper license before October 15 or  
14 February 15, as the case may be, who is elected and approved for  
15 employment by the school board. Such contracts shall be written  
16 by completing the uniform employment contract prescribed by the  
17 State Board of Education and shall be executed in duplicate with  
18 one (1) copy to be retained by the appropriate superintendent and  
19 one (1) copy to be retained by the principal, licensed employee or  
20 person recommended for a licensed position contracted with. The  
21 contract shall show: the name of the district; the school or  
22 building location to which the employee is assigned; the number of  
23 employment days covered by the contract; the beginning and ending  
24 dates of the contract year; the length of the school term; the  
25 length of the school day and the employee's workday; the name or  
26 title of the employment position held (whether an assistant  
27 superintendent, principal or licensed employee); the subject or  
28 subjects to be taught, if any; the scholastic years which the  
29 contract covers; the total amount of the annual salary; and how

30 the salary is payable, including the time and date of payment.  
31 The amount of salary to be shown in such contract shall be the  
32 amount which shall have been fixed and determined by the school  
33 board, but, as to the licensed employees paid in whole or in part  
34 with adequate education program funds, such salary shall not be  
35 less than that required under the provisions of Chapter 19 of this  
36 title. The contract entered into with any person recommended for  
37 a licensed position who is anticipating either graduation from an  
38 approved teacher education program before September 1 or December  
39 31, as the case may be, or the issuance of a proper license before  
40 October 15 or February 15, as the case may be, shall be a  
41 conditional contract and shall include a provision stating that  
42 the contract will be null and void if, as specified in the  
43 contract, the contingency upon which the contract is conditioned  
44 has not occurred. If any superintendent, other than those  
45 elected, principal, licensed employee or person recommended for a  
46 licensed position who has been elected and approved shall not  
47 execute and return the contract within ten (10) days after same  
48 has been tendered to him for execution, then, at the option of the  
49 school board, the election of the licensed employee and the  
50 contract tendered to him shall be void and of no effect.

51 **SECTION 2.** This act shall take effect and be in force from  
52 and after July 1, 2006.