

By: Representative Brown

To: Education

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1121

1 AN ACT RELATING TO THE ADMINISTRATION AND GOVERNANCE OF LOCAL  
2 SCHOOL DISTRICTS; TO CREATE A NEW SECTION TO BE CODIFIED AS  
3 SECTION 37-7-301.1, MISSISSIPPI CODE OF 1972, TO GRANT HOME RULE  
4 TO LOCAL SCHOOL DISTRICTS; TO AMEND SECTION 37-17-11, MISSISSIPPI  
5 CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO EXEMPT  
6 SCHOOL DISTRICTS MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM  
7 COMPULSORY STANDARDS OF ACCREDITATION WHICH ARE PRESCRIBED OTHER  
8 THAN BY LAW; TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION  
9 37-17-12, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICTS  
10 MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM CERTAIN  
11 STATUTORY REQUIREMENTS AND THE PROCESS STANDARDS SET FORTH IN THE  
12 MISSISSIPPI PUBLIC SCHOOLS ACCOUNTABILITY MANUAL; TO AMEND SECTION  
13 37-3-4, MISSISSIPPI CODE OF 1972, TO EXEMPT PRINCIPALS AND  
14 ADMINISTRATORS WITH CAREER LEVEL CERTIFICATIONS IN SCHOOLS  
15 ACCREDITED AT LEVEL 4 OR 5 FROM CERTAIN CONTINUING EDUCATION  
16 REQUIREMENTS; TO AMEND SECTION 37-3-46, MISSISSIPPI CODE OF 1972,  
17 TO EXEMPT SCHOOL DISTRICTS MEETING LEVEL 4 OR 5 ACCREDITATION  
18 STANDARDS FROM THE REQUIREMENT OF RECEIVING TECHNICAL ASSISTANCE  
19 FROM THE STATE DEPARTMENT OF EDUCATION IN REGARD TO FINANCIAL AND  
20 PERSONNEL APPRAISAL AND COMPENSATION SYSTEMS; TO AMEND SECTION  
21 37-3-49, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICTS  
22 MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM CERTAIN  
23 REQUIREMENTS RELATING TO INSTRUCTIONAL PROGRAMS; TO AMEND SECTION  
24 37-7-337, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICTS  
25 MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM REQUIREMENTS  
26 RELATING TO THE CREATION OF COMMUNITY INVOLVEMENT PLANS; TO AMEND  
27 SECTION 37-17-8, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL  
28 DISTRICTS MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM  
29 REQUIREMENTS RELATING TO STAFF DEVELOPMENT PLANS; TO AMEND SECTION  
30 37-21-7, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICTS  
31 MEETING LEVEL 4 OR 5 ACCREDITATION STANDARDS FROM CERTAIN  
32 REQUIREMENTS RELATED TO THE EMPLOYMENT OF ASSISTANT TEACHERS; TO  
33 AMEND SECTIONS 37-13-61, 37-13-67 AND 37-13-69, MISSISSIPPI CODE  
34 OF 1972, TO AUTHORIZE LOCAL SCHOOL BOARDS TO DESIGNATE THE OPENING  
35 AND CLOSING DATES OF THE SCHOOL TERM, THE NUMBER OF TEACHING HOURS  
36 PER SCHOOL DAY AND HOLIDAYS THAT ARE TO BE OBSERVED IN THE  
37 DISTRICT; TO AMEND SECTION 37-41-53, MISSISSIPPI CODE OF 1972, TO  
38 DELETE THE REQUIREMENT THAT SCHOOL BOARDS REQUIRE SCHOOL  
39 TRANSPORTATION VEHICLES TO BE INSPECTED ACCORDING TO STATE BOARD  
40 OF EDUCATION REGULATIONS; TO AMEND SECTION 37-7-301, MISSISSIPPI  
41 CODE OF 1972, TO AUTHORIZE SCHOOL DISTRICTS TO CONTRACT WITH  
42 PRIVATE ENTITIES TO PROVIDE CERTAIN NONINSTRUCTIONAL SERVICES; AND  
43 FOR RELATED PURPOSES.

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

45 **SECTION 1.** The following shall be codified as Section

46 37-7-301.1, Mississippi Code of 1972:

47       37-7-301.1. The school board of a school district may adopt  
48 any orders, resolutions or ordinances with respect to school  
49 district affairs, property and finances which are not inconsistent  
50 with the Mississippi Constitution of 1890, the Mississippi Code of  
51 1972, or any other statute or law of the State of Mississippi.  
52 Except as otherwise provided in this section, the powers granted  
53 to the school boards in this section are complete without the  
54 existence of or reference to any specific authority granted in any  
55 other statute or law of the State of Mississippi. Unless such  
56 actions are specifically authorized by another statute or law of  
57 the State of Mississippi, this section shall not authorize a  
58 school board to: (a) levy taxes of any kind or increase the levy  
59 of any authorized tax; (b) issue bonds of any kind; or (c) enter  
60 into collective bargaining agreements.

61       **SECTION 2.** Section 37-17-11, Mississippi Code of 1972, is  
62 amended as follows:

63       37-17-11. The State Board of Education, in its discretion,  
64 may exempt any school district meeting Level 4 or 5 state  
65 accreditation standards, as defined by the State Board of  
66 Education, from any compulsory standard of accreditation. \* \* \*  
67 However, if the standard of accreditation is an educational policy  
68 required by statute, any such exemption shall only be made if  
69 specifically authorized by law.

70       **SECTION 3.** The following shall be codified as Section  
71 37-17-12, Mississippi Code of 1972:

72       37-17-12. (1) (a) Effective July 1, 2006, principals and  
73 administrators with career level certifications at schools with  
74 Level 4 or 5 accreditation standards shall be exempted from the  
75 provisions pursuant to Section 37-3-4, subject to approval of the  
76 local superintendent.

77       (b) Effective July 1, 2006, school districts meeting  
78 Level 4 or 5 accreditation standards, as defined by the State  
79 Board of Education, shall be exempted from the provisions pursuant

80 to Sections 37-3-46, 37-3-49 (2), 37-7-337, 37-17-8, and  
81 37-21-7(4).

82 (c) The State Department of Education shall develop a  
83 policy to determine reevaluation of exemption status.

84 (2) The State Department of Education is directed to provide  
85 a report of all exempted process standards and nonexempted process  
86 standards to the Office of the Governor, the Chairs of the House  
87 and Senate Education Committees, and the Mississippi Association  
88 of School Superintendents by December 1, 2007.

89 **SECTION 4.** Section 37-3-4, Mississippi Code of 1972, is  
90 amended as follows:

91 37-3-4. (1) There is established within the State  
92 Department of Education, the School Executive Management  
93 Institute. The director shall be appointed by the State Board of  
94 Education upon recommendation by the State Superintendent of  
95 Public Education. The State Superintendent of Public Education,  
96 with the approval of the State Board of Education, shall assign  
97 sufficient staff members from the State Department of Education to  
98 the institute.

99 (2) It shall be the purpose and duty of the institute to  
100 conduct thorough empirical studies and analyses of the school  
101 management needs of the local school districts throughout the  
102 state, to make recommendations to the State Board of Education  
103 regarding standards and programs of training that aid in the  
104 development of administrative and management skills of local  
105 school administrators, and to conduct such programs related to  
106 these purposes as they are implemented under guidelines  
107 established by the State Board of Education.

108 (3) The State Board of Education shall develop and implement  
109 through the School Executive Management Institute a program for  
110 the development of administrative and management skills of local  
111 school administrators under which all local school administrators  
112 shall be required to participate. Subject to the extent of

113 appropriations available for such purpose, the School Executive  
114 Management Institute or the Mississippi School Boards Association  
115 shall be required to offer courses at least twice a year on the  
116 uses of technology to principals, superintendents and other  
117 administrative personnel. These courses shall relate to the  
118 application of technology to learning, as well as administrative  
119 problems.

120 (4) (a) The institute shall have an advisory board composed  
121 of ten (10) qualified members appointed by the State Board of  
122 Education after consultation with the State Superintendent of  
123 Public Education. This advisory board will offer recommendations  
124 to the institute on the types of training to be instituted and  
125 supported. The membership of the advisory board shall be composed  
126 of the following members, two (2) to be appointed from each  
127 congressional district: three (3) school administrators; one (1)  
128 representative of public community/junior colleges within the  
129 state; one (1) representative of a school of education in an  
130 institution of higher learning within the state; two (2) local  
131 school board members; one (1) classroom teacher; and two (2) lay  
132 persons. In making the initial appointments, three (3) members  
133 shall be appointed for a term of one (1) year, three (3) members  
134 shall be appointed for a term of two (2) years, two (2) members  
135 shall be appointed for a term of three (3) years, and two (2)  
136 members shall be appointed for a term of four (4) years.

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

143 (b) Board members of the Oxford-Lafayette Business and  
144 Industrial Complex shall be paid per diem and reimbursed for

145 expenses and mileage from local funds in accordance with Section  
146 37-6-13.

147 (5) (a) Basic Education Course. Subject to the extent of  
148 appropriations available for such purpose, the School Executive  
149 Management Institute of the State Department of Education shall  
150 prepare and conduct a course of training for basic education for  
151 the local school board members of this state, in order for board  
152 members to carry out their duties more effectively and be exposed  
153 to new ideas involving school restructuring. The basic course  
154 shall be known as the "School Board Member Training Course" and  
155 shall consist of at least twelve (12) hours of training. The  
156 School Executive Management Institute shall issue certificates of  
157 completion to those school board members who complete the basic  
158 education course.

159 (b) Continuing Education Course. The Mississippi  
160 School Boards Association shall be responsible for preparing and  
161 conducting a course of training for continuing education for the  
162 local school board members of this state, in order for board  
163 members to carry out their duties more effectively and be exposed  
164 to new ideas involving school restructuring. The continuing  
165 education course shall be known as the "Continuing Education  
166 Course for School Board Members" and shall consist of at least six  
167 (6) hours of training.

168 The Mississippi School Boards Association shall issue  
169 certificates of completion to those school board members who  
170 complete the continuing education course. All costs and expenses  
171 for preparing and conducting the continuing education course  
172 provided for in this paragraph shall be paid out of any funds  
173 which are made available to the Mississippi School Boards  
174 Association upon authorization and appropriation by the  
175 Legislature to the State Department of Education.

176 (6) The Mississippi School Boards Association shall prepare  
177 and submit a report each year to the State Board of Education and

178 to the respective Chairs of the House and Senate Education  
179 Committees describing the activities and providing an evaluation  
180 of the continuing education programs offered by the association  
181 each year.

182 (7) The School Executive Management Institute of the State  
183 Department of Education, or the Mississippi School Boards  
184 Association with the oversight of the State Board of Education, at  
185 least twice a year, shall prepare and conduct required courses of  
186 training for continuing education for the elementary and secondary  
187 school principals of this state, in order for principals to carry  
188 out their duties more effectively and be exposed to new ideas  
189 involving school management. The continuing education course  
190 shall be known as the "Continuing Education Course for Principals"  
191 and shall consist of at least six (6) hours of training. The  
192 content of the continuing education courses and the time and place  
193 such courses are to be conducted shall be determined by the School  
194 Executive Management Institute or the Mississippi School Boards  
195 Association; however, to the extent practicable, such training  
196 sessions shall be held within geographical proximity of local  
197 districts in order that travel times and costs shall not be  
198 prohibitive.

199 The institute shall issue certificates of completion to those  
200 principals who complete such courses. All costs and expenses for  
201 preparing and conducting the basic and continuing education  
202 courses provided for in this subsection shall be paid out of any  
203 funds which are made available to the institute upon authorization  
204 and appropriation by the Legislature.

205 (8) Principals and other administrators with career level  
206 certifications at schools meeting Level 4 or 5 accreditation  
207 standards are exempt from the requirements of this section,  
208 subject to approval of the local superintendent.

209 **SECTION 5.** Section 37-3-46, Mississippi Code of 1972, is  
210 amended as follows:

211           37-3-46. \* \* \* The State Department of Education, in regard  
212 to any district not meeting Level 4 or 5 accreditation standards,  
213 as defined by the State Board of Education, shall:

214           (a) Provide to local school districts financial,  
215 training and other assistance to implement and maintain a state  
216 program of educational accountability and assessment of  
217 performance.

218           (b) Provide to local school districts technical  
219 assistance and training in the development, implementation and  
220 administration of a personnel appraisal and compensation system  
221 for all school employees. \* \* \*

222           (c) Provide to local school districts technical  
223 assistance in the development, implementation and administration  
224 of programs designed to keep children in school voluntarily and to  
225 prevent dropouts.

226           \* \* \*

227           **SECTION 6.** Section 37-3-49, Mississippi Code of 1972, is  
228 amended as follows:

229           37-3-49. (1) The State Department of Education shall  
230 provide an instructional program and establish guidelines and  
231 procedures for managing such program in the public schools as part  
232 of the State Program of Educational Accountability and Assessment  
233 of Performance as prescribed in Section 37-3-46. Public school  
234 districts may (a) elect to adopt the instructional program and  
235 management system provided by the State Department of Education,  
236 or (b) elect to adopt an instructional program and management  
237 system which meets or exceeds criteria established by the State  
238 Department of Education for such. This provision shall begin with  
239 the courses taught in Grades K-8 which contain skills tested  
240 through the Mississippi Basic Skills Assessment Program and shall  
241 proceed through all secondary school courses mandated for  
242 graduation and all secondary school courses in the Mississippi  
243 end-of-course testing program. Other state core objectives must

244 be included in the district's instructional program as they are  
245 provided by the State Department of Education along with  
246 instructional practices, resources, evaluation items and  
247 management procedures. Districts are encouraged to adapt this  
248 program and accompanying procedures to all other instructional  
249 areas. The department shall provide that such program and  
250 guidelines, or a program and guidelines developed by a local  
251 school district which incorporates the core objectives from the  
252 curriculum structure are enforced through the performance-based  
253 accreditation system. It is the intent of the Legislature that  
254 every effort be made to protect the instructional time in the  
255 classroom and reduce the amount of paperwork which must be  
256 completed by teachers. The State Department of Education shall  
257 take steps to insure that school districts properly use staff  
258 development time to work on the districts' instructional  
259 management plans.

260 (2) The State Department of Education shall provide such  
261 instructional program and management guidelines which shall  
262 require for every public school district that:

263 (a) All courses taught in Grades K-8 which contain  
264 skills which are tested through the Mississippi Basic Skills  
265 Assessment Program, all secondary school courses mandated for  
266 graduation, and all courses in the end-of-course testing program  
267 shall include the State Department of Education's written list of  
268 learning objectives.

269 (b) The local school board must adopt the objectives  
270 that will form the core curriculum which will be systematically  
271 delivered throughout the district.

272 (c) The set of objectives provided by the State  
273 Department of Education must be accompanied by suggested  
274 instructional practices and resources that would help teachers  
275 organize instruction so as to promote student learning of the  
276 objectives. Objectives added by the school district must also be

277 accompanied by suggested instructional practices and resources  
278 that would help teachers organize instruction. The instructional  
279 practices and resources that are identified are to be used as  
280 suggestions and not as requirements that teachers must follow. The  
281 goal of the program is to have students to achieve the desired  
282 objective and not to limit teachers in the way they teach.

283 (d) Standards for student performance must be  
284 established for each core objective in the local program and those  
285 standards establish the district's definition of mastery for each  
286 objective.

287 (e) There shall be an annual review of student  
288 performance in the instructional program against locally  
289 established standards. When weaknesses exist in the local  
290 instructional program, the district shall take action to improve  
291 student performance.

292 (3) The State Board of Education and the board of trustees  
293 of each school district shall adopt policies to limit and reduce  
294 the number and length of written reports that classroom teachers  
295 are required to prepare.

296 (4) This section shall not be construed to limit teachers  
297 from using their own professional skills to help students master  
298 instructional objectives, nor shall it be construed as a call for  
299 more detailed or complex lesson plans or any increase in testing  
300 at the local school district level.

301 (5) Districts meeting Level 4 or 5 accreditation standards,  
302 as defined by the State Board of Education, shall be exempted from  
303 the provisions of subsection (2) of this section.

304 **SECTION 7.** Section 37-7-337, Mississippi Code of 1972, is  
305 amended as follows:

306 37-7-337. (1) The governing authorities of the county,  
307 counties or city in which a school district is located and the  
308 school board of each school district shall develop a five-year

309 plan to encourage community involvement with the schools in such  
310 district. \* \* \*

311 (2) Districts meeting Level 4 or 5 accreditation standards,  
312 as defined by the State Board of Education, shall be exempted from  
313 the mandatory provisions of this section.

314 **SECTION 8.** Section 37-17-8, Mississippi Code of 1972, is  
315 amended as follows:

316 37-17-8. (1) The State Board of Education, through the  
317 Commission on School Accreditation, shall establish criteria for  
318 comprehensive in-service staff development plans. These criteria  
319 shall: (a) include, but not be limited to, formula and guidelines  
320 for allocating available state funds for in-service training to  
321 local school districts; (b) require that a portion of the plans be  
322 devoted exclusively for the purpose of providing staff development  
323 training for beginning teachers within that local school district  
324 and for no other purpose; and (c) require that a portion of the  
325 school district's in-service training for administrators and  
326 teachers be dedicated to the application and utilization of  
327 various disciplinary techniques. The board shall each year make  
328 recommendations to the Legislature concerning the amount of funds  
329 which shall be appropriated for this purpose.

330 (2) \* \* \* School districts shall not be required to submit  
331 staff development plans to the Commission on School Accreditation  
332 for approval. However, any school district accredited at Level 1  
333 or Level 2 shall include, as a part of any required corrective  
334 action plan, provisions to address staff development in accordance  
335 with State Board of Education requirements. All school districts,  
336 unless specifically exempt from this section, must maintain on  
337 file staff development plans as required under this section. The  
338 plan shall have been prepared by a district committee appointed by  
339 the district superintendent and consisting of teachers,  
340 administrators, school board members, and lay people, and it shall  
341 have been approved by the district superintendent.

342 (3) In order to insure that teachers are not overburdened  
343 with paperwork and written reports, local school districts and  
344 the State Board of Education shall take such steps as may be  
345 necessary to further the reduction of paperwork requirements on  
346 teachers.

347 (4) Districts meeting Level 4 or 5 accreditation standards,  
348 as defined by the State Board of Education, shall be exempted from  
349 the mandatory provisions of this section relating to staff  
350 development plans.

351 **SECTION 9.** Section 37-21-7, Mississippi Code of 1972, is  
352 amended as follows:

353 37-21-7. (1) This section shall be referred to as the  
354 "Mississippi Elementary Schools Assistant Teacher Program," the  
355 purpose of which shall be to provide an early childhood education  
356 program that assists in the instruction of basic skills. The  
357 State Board of Education is authorized, empowered and directed to  
358 implement a statewide system of assistant teachers in kindergarten  
359 classes and in the first, second and third grades. The assistant  
360 teacher shall assist pupils in actual instruction under the strict  
361 supervision of a licensed teacher.

362 (2) (a) Except as otherwise authorized under subsection  
363 (7), each school district shall employ the total number of  
364 assistant teachers funded under subsection (6) of this section.  
365 The superintendent of each district shall assign the assistant  
366 teachers to the kindergarten, first-, second- and third-grade  
367 classes in the district in a manner that will promote the maximum  
368 efficiency, as determined by the superintendent, in the  
369 instruction of skills such as verbal and linguistic skills,  
370 logical and mathematical skills, and social skills.

371 (b) If a licensed teacher to whom an assistant teacher  
372 has been assigned is required to be absent from the classroom, the  
373 assistant teacher may assume responsibility for the classroom in  
374 lieu of a substitute teacher. However, no assistant teacher shall

375 assume sole responsibility of the classroom for more than three  
376 (3) consecutive school days. Further, in no event shall any  
377 assistant teacher be assigned to serve as a substitute teacher for  
378 any teacher other than the licensed teacher to whom that assistant  
379 teacher has been assigned.

380 (3) Assistant teachers shall have, at a minimum, a high  
381 school diploma or a GED equivalent, and shall show demonstratable  
382 proficiency in reading and writing skills. The State Department  
383 of Education shall develop a testing procedure for assistant  
384 teacher applicants to be used in all school districts in the  
385 state.

386 (4) (a) In order to receive funding, each school district  
387 shall:

388 (i) Submit a plan on the implementation of a  
389 reading improvement program to the State Department of Education;  
390 and

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

394 (b) Additionally, each school district shall:

395 (i) Provide annually a mandatory preservice  
396 orientation session, using an existing in-school service day, for  
397 administrators and teachers on the effective use of assistant  
398 teachers as part of a team in the classroom setting and on the  
399 role of assistant teachers, with emphasis on program goals;

400 (ii) Hold periodic workshops for administrators  
401 and teachers on the effective use and supervision of assistant  
402 teachers;

403 (iii) Provide training annually on specific  
404 instructional skills for assistant teachers;

405 (iv) Annually evaluate their program in accordance  
406 with their educational accountability and assessment of  
407 performance plan; and

408                   (v) Designate the necessary personnel to supervise  
409 and report on their program.

410           (5) The State Department of Education shall:

411                   (a) Develop and assist in the implementation of a  
412 statewide uniform training module, subject to the availability of  
413 funds specifically appropriated therefor by the Legislature, which  
414 shall be used in all school districts for training administrators,  
415 teachers and assistant teachers. The module shall provide for the  
416 consolidated training of each assistant teacher and teacher to  
417 whom the assistant teacher is assigned, working together as a  
418 team, and shall require further periodical training for  
419 administrators, teachers and assistant teachers regarding the role  
420 of assistant teachers;

421                   (b) Annually evaluate the program on the district and  
422 state level. Subject to the availability of funds specifically  
423 appropriated therefor by the Legislature, the department shall  
424 develop: (i) uniform evaluation reports, to be performed by the  
425 principal or assistant principal, to collect data for the annual  
426 overall program evaluation conducted by the department; or (ii) a  
427 program evaluation model that, at a minimum, addresses process  
428 evaluation; and

429                   (c) Promulgate rules, regulations and such other  
430 standards deemed necessary to effectuate the purposes of this  
431 section. Noncompliance with the provisions of this section and  
432 any rules, regulations or standards adopted by the department may  
433 result in a violation of compulsory accreditation standards as  
434 established by the State Board of Education and Commission on  
435 School Accreditation.

436           (6) In addition to other funds allotted under the Minimum  
437 Education or Adequate Education Program, each school district  
438 shall be allotted sufficient funding for the purpose of employing  
439 assistant teachers. No assistant teacher shall be paid less than  
440 the amount he or she received in the prior school year. No school

441 district shall receive any funds under this section for any school  
442 year during which the aggregate amount of the local contribution  
443 to the salaries of assistant teachers by the district shall have  
444 been reduced below such amount for the previous year.

445 \* \* \*

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

449 In addition, for each one percent (1%) that the Sine Die  
450 General Fund Revenue Estimate Growth exceeds five percent (5%) in  
451 fiscal year \* \* \* 2006, as certified by the Legislative Budget  
452 Office to the State Board of Education and subject to the specific  
453 appropriation therefor by the Legislature, the State Board of  
454 Education shall revise the salary scale in the appropriate year to  
455 provide an additional one percent (1%) across the board increase  
456 in the base salaries for assistant teachers. The State Board of  
457 Education shall revise the salaries prescribed above for assistant  
458 teachers to conform to any adjustments made in prior fiscal years  
459 due to revenue growth over and above five percent (5%). The  
460 assistant teachers shall not be restricted to working only in the  
461 grades for which the funds were allotted, but may be assigned to  
462 other classes as provided in subsection (2)(a) of this section.

463 (7) (a) As an alternative to employing assistant teachers,  
464 any school district may use the allotment provided under  
465 subsection (6) of this section for the purpose of employing  
466 licensed teachers for kindergarten, first-, second- and  
467 third-grade classes; however, no school district shall be  
468 authorized to use the allotment for assistant teachers for the  
469 purpose of employing licensed teachers unless the district has  
470 established that the employment of licensed teachers using such  
471 funds will reduce the teacher:student ratio in the kindergarten,  
472 first-, second- and third-grade classes. All state funds for

473 assistant teachers shall be applied to reducing teacher:student  
474 ratio in Grades K-3.

475 It is the intent of the Legislature that no school district  
476 shall dismiss any assistant teacher for the purpose of using the  
477 assistant teacher allotment to employ licensed teachers. School  
478 districts may rely only upon normal attrition to reduce the number  
479 of assistant teachers employed in that district.

480 (b) Districts meeting Level 4 or 5 accreditation  
481 standards, as defined by the State Board of Education, shall be  
482 exempted from the provisions of subsection (4) of this section.

483 **SECTION 10.** Section 37-13-61, Mississippi Code of 1972, is  
484 amended as follows:

485 37-13-61. The local school board shall have the power and  
486 authority to fix the date for the opening and closing of the  
487 school term, subject to the minimum number of days which schools  
488 must be in session during a scholastic year, as prescribed under  
489 Section 37-13-63. \* \* \* However, \* \* \* local school boards are  
490 authorized to keep school in session in excess of the minimum  
491 number of days prescribed in Section 37-13-63.

492 **SECTION 11.** Section 37-13-67, Mississippi Code of 1972, is  
493 amended as follows:

494 37-13-67. \* \* \* The number of hours of actual teaching which  
495 shall constitute a school day shall be determined and fixed by the  
496 board of trustees of the school district at not less than five (5)  
497 hours \* \* \*.

498 **SECTION 12.** Section 37-13-69, Mississippi Code of 1972, is  
499 amended as follows:

500 37-13-69. All public schools of this state may observe such  
501 legal holidays as may be designated by the local school board, and  
502 no sessions of school shall be held on holidays so designated and  
503 observed. However, all schools shall operate for the full minimum  
504 term required by law exclusive of the holidays authorized by this  
505 section. The holidays thus observed shall not be deducted from

506 the reports of the superintendents, principals and teachers, and  
507 such superintendents, principals and teachers shall be allowed pay  
508 for full time as though they had taught on those holidays.  
509 However, such holidays shall not be counted or included in any way  
510 in determining the average daily attendance of the school.

511 **SECTION 13.** Section 37-41-53, Mississippi Code of 1972, is  
512 amended as follows:

513 37-41-53. (1) Each school board, person, firm or  
514 corporation transporting public school children on the public  
515 roads, streets and highways of the state with motor vehicles shall  
516 have the motor vehicles inspected according to the laws of the  
517 state \* \* \*. Each motor vehicle shall be inspected by a competent  
518 mechanic to be safe for transporting pupils on the roads, streets  
519 and highways of the state before it is released for such purpose.  
520 If such motor vehicle is found to be unsafe for transporting  
521 pupils, then it shall be properly repaired or adjusted as  
522 necessary before being used to transport pupils. The provisions  
523 of this subsection shall not apply to vehicles owned by  
524 individuals and under private contract to the school district and  
525 used exclusively for transporting members of their immediate  
526 families.

527 (2) The State Department of Education may inspect, at its  
528 discretion, \* \* \* any school bus used for transporting pupils to  
529 and from the public schools or for activity purposes to determine  
530 the safety of such motor vehicle for operation on the roads,  
531 streets and highways of this state. In the event a vehicle is  
532 inspected and is found to be unsafe for transporting pupils, a  
533 report shall be filed with the appropriate school official  
534 indicating its deficiencies with recommendations for correcting  
535 such deficiencies.

536 (3) If it is determined that any buses are in such defective  
537 condition as to constitute an emergency safety hazard, those buses  
538 may be condemned and removed from service and shall not be

539 returned to service until adequate repairs are completed and such  
540 buses are reinspected by the State Department of Education. Any  
541 school official who approves the operation of any school bus that  
542 has been removed from service under the conditions listed above,  
543 prior to being reinspected by the State Department of Education,  
544 shall be guilty of a misdemeanor and upon conviction shall be  
545 punished by imprisonment in the county jail for a period not to  
546 exceed sixty (60) days, or a fine of not less than Five Hundred  
547 Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00),  
548 or by both such fine and imprisonment, in the discretion of the  
549 court.

550       **SECTION 14.** Section 37-7-301, Mississippi Code of 1972, is  
551 amended as follows:

552       37-7-301. The school boards of all school districts shall  
553 have the following powers, authority and duties in addition to all  
554 others imposed or granted by law, to wit:

555           (a) To organize and operate the schools of the district  
556 and to make such division between the high school grades and  
557 elementary grades as, in their judgment, will serve the best  
558 interests of the school;

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

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

565           (d) To have responsibility for the erection, repairing  
566 and equipping of school facilities and the making of necessary  
567 school improvements;

568           (e) To suspend or to expel a pupil or to change the  
569 placement of a pupil to the school district's alternative school  
570 or home-bound program for misconduct in the school or on school  
571 property, as defined in Section 37-11-29, on the road to and from

572 school, or at any school-related activity or event, or for conduct  
573 occurring on property other than school property or other than at  
574 a school-related activity or event when such conduct by a pupil,  
575 in the determination of the school superintendent or principal,  
576 renders that pupil's presence in the classroom a disruption to the  
577 educational environment of the school or a detriment to the best  
578 interest and welfare of the pupils and teacher of such class as a  
579 whole, and to delegate such authority to the appropriate officials  
580 of the school district;

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

584 (g) To support, within reasonable limits, the  
585 superintendent, principal and teachers where necessary for the  
586 proper discipline of the school;

587 (h) To exclude from the schools students with what  
588 appears to be infectious or contagious diseases; provided,  
589 however, such student may be allowed to return to school upon  
590 presenting a certificate from a public health officer, duly  
591 licensed physician or nurse practitioner that the student is free  
592 from such disease;

593 (i) To require those vaccinations specified by the  
594 State Health Officer as provided in Section 41-23-37;

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

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

600 (l) To prescribe and enforce rules and regulations not  
601 inconsistent with law or with the regulations of the State Board  
602 of Education for their own government and for the government of  
603 the schools, and to transact their business at regular and special  
604 meetings called and held in the manner provided by law;

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

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

610           (o) To make orders directed to the superintendent of  
611 schools for the issuance of pay certificates for lawful purposes  
612 on any available funds of the district and to have full control of  
613 the receipt, distribution, allotment and disbursement of all funds  
614 provided for the support and operation of the schools of such  
615 school district whether such funds be derived from state  
616 appropriations, local ad valorem tax collections, or otherwise.  
617 The local school board shall be authorized and empowered to  
618 promulgate rules and regulations that specify the types of claims  
619 and set limits of the dollar amount for payment of claims by the  
620 superintendent of schools to be ratified by the board at the next  
621 regularly scheduled meeting after payment has been made;

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

626           (q) To provide athletic programs and other school  
627 activities and to regulate the establishment and operation of such  
628 programs and activities;

629           (r) To join, in their discretion, any association of  
630 school boards and other public school-related organizations, and  
631 to pay from local funds other than minimum foundation funds, any  
632 membership dues;

633           (s) To expend local school activity funds, or other  
634 available school district funds, other than minimum education  
635 program funds, for the purposes prescribed under this paragraph.  
636 "Activity funds" shall mean all funds received by school officials  
637 in all school districts paid or collected to participate in any

638 school activity, such activity being part of the school program  
639 and partially financed with public funds or supplemented by public  
640 funds. The term "activity funds" shall not include any funds  
641 raised and/or expended by any organization unless commingled in a  
642 bank account with existing activity funds, regardless of whether  
643 the funds were raised by school employees or received by school  
644 employees during school hours or using school facilities, and  
645 regardless of whether a school employee exercises influence over  
646 the expenditure or disposition of such funds. Organizations shall  
647 not be required to make any payment to any school for the use of  
648 any school facility if, in the discretion of the local school  
649 governing board, the organization's function shall be deemed to be  
650 beneficial to the official or extracurricular programs of the  
651 school. For the purposes of this provision, the term  
652 "organization" shall not include any organization subject to the  
653 control of the local school governing board. Activity funds may  
654 only be expended for any necessary expenses or travel costs,  
655 including advances, incurred by students and their chaperons in  
656 attending any in-state or out-of-state school-related programs,  
657 conventions or seminars and/or any commodities, equipment, travel  
658 expenses, purchased services or school supplies which the local  
659 school governing board, in its discretion, shall deem beneficial  
660 to the official or extracurricular programs of the district,  
661 including items which may subsequently become the personal  
662 property of individuals, including yearbooks, athletic apparel,  
663 book covers and trophies. Activity funds may be used to pay  
664 travel expenses of school district personnel. The local school  
665 governing board shall be authorized and empowered to promulgate  
666 rules and regulations specifically designating for what purposes  
667 school activity funds may be expended. The local school governing  
668 board shall provide (i) that such school activity funds shall be  
669 maintained and expended by the principal of the school generating  
670 the funds in individual bank accounts, or (ii) that such school

671 activity funds shall be maintained and expended by the  
672 superintendent of schools in a central depository approved by the  
673 board. The local school governing board shall provide that such  
674 school activity funds be audited as part of the annual audit  
675 required in Section 37-9-18. The State Department of Education  
676 shall prescribe a uniform system of accounting and financial  
677 reporting for all school activity fund transactions;

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

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

684 (v) (i) To lease a school building from an individual,  
685 partnership, nonprofit corporation or a private for-profit  
686 corporation for the use of such school district, and to expend  
687 funds therefor as may be available from any nonminimum program  
688 sources. The school board of the school district desiring to  
689 lease a school building shall declare by resolution that a need  
690 exists for a school building and that the school district cannot  
691 provide the necessary funds to pay the cost or its proportionate  
692 share of the cost of a school building required to meet the  
693 present needs. The resolution so adopted by the school board  
694 shall be published once each week for three (3) consecutive weeks  
695 in a newspaper having a general circulation in the school district  
696 involved, with the first publication thereof to be made not less  
697 than thirty (30) days prior to the date upon which the school  
698 board is to act on the question of leasing a school building. If  
699 no petition requesting an election is filed prior to such meeting  
700 as hereinafter provided, then the school board may, by resolution  
701 spread upon its minutes, proceed to lease a school building. If  
702 at any time prior to said meeting a petition signed by not less  
703 than twenty percent (20%) or fifteen hundred (1500), whichever is

704 less, of the qualified electors of the school district involved  
705 shall be filed with the school board requesting that an election  
706 be called on the question, then the school board shall, not later  
707 than the next regular meeting, adopt a resolution calling an  
708 election to be held within such school district upon the question  
709 of authorizing the school board to lease a school building. Such  
710 election shall be called and held, and notice thereof shall be  
711 given, in the same manner for elections upon the questions of the  
712 issuance of the bonds of school districts, and the results thereof  
713 shall be certified to the school board. If at least three-fifths  
714 (3/5) of the qualified electors of the school district who voted  
715 in such election shall vote in favor of the leasing of a school  
716 building, then the school board shall proceed to lease a school  
717 building. The term of the lease contract shall not exceed twenty  
718 (20) years, and the total cost of such lease shall be either the  
719 amount of the lowest and best bid accepted by the school board  
720 after advertisement for bids or an amount not to exceed the  
721 current fair market value of the lease as determined by the  
722 averaging of at least two (2) appraisals by certified general  
723 appraisers licensed by the State of Mississippi. The term "school  
724 building" as used in this paragraph (v)(i) shall be construed to  
725 mean any building or buildings used for classroom purposes in  
726 connection with the operation of schools and shall include the  
727 site therefor, necessary support facilities, and the equipment  
728 thereof and appurtenances thereto such as heating facilities,  
729 water supply, sewage disposal, landscaping, walks, drives and  
730 playgrounds. The term "lease" as used in this paragraph (v)(i)  
731 may include a lease/purchase contract;

732 (ii) If two (2) or more school districts propose  
733 to enter into a lease contract jointly, then joint meetings of the  
734 school boards having control may be held but no action taken shall  
735 be binding on any such school district unless the question of  
736 leasing a school building is approved in each participating school

737 district under the procedure hereinabove set forth in paragraph  
738 (v)(i). All of the provisions of paragraph (v)(i) regarding the  
739 term and amount of the lease contract shall apply to the school  
740 boards of school districts acting jointly. Any lease contract  
741 executed by two (2) or more school districts as joint lessees  
742 shall set out the amount of the aggregate lease rental to be paid  
743 by each, which may be agreed upon, but there shall be no right of  
744 occupancy by any lessee unless the aggregate rental is paid as  
745 stipulated in the lease contract. All rights of joint lessees  
746 under the lease contract shall be in proportion to the amount of  
747 lease rental paid by each;

748 (w) To employ all noninstructional and noncertificated  
749 employees and fix the duties and compensation of such personnel  
750 deemed necessary pursuant to the recommendation of the  
751 superintendent of schools;

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

754 (y) Subject to rules and regulations of the State Board  
755 of Education, to purchase, own and operate trucks, vans and other  
756 motor vehicles, which shall bear the proper identification  
757 required by law;

758 (z) To expend funds for the payment of substitute  
759 teachers and to adopt reasonable regulations for the employment  
760 and compensation of such substitute teachers;

761 (aa) To acquire in its own name by purchase all real  
762 property which shall be necessary and desirable in connection with  
763 the construction, renovation or improvement of any public school  
764 building or structure. Whenever the purchase price for such real  
765 property is greater than Fifty Thousand Dollars (\$50,000.00), the  
766 school board shall not purchase the property for an amount  
767 exceeding the fair market value of such property as determined by  
768 the average of at least two (2) independent appraisals by  
769 certified general appraisers licensed by the State of Mississippi.

770 If the board shall be unable to agree with the owner of any such  
771 real property in connection with any such project, the board shall  
772 have the power and authority to acquire any such real property by  
773 condemnation proceedings pursuant to Section 11-27-1 et seq.,  
774 Mississippi Code of 1972, and for such purpose, the right of  
775 eminent domain is hereby conferred upon and vested in said board.  
776 Provided further, that the local school board is authorized to  
777 grant an easement for ingress and egress over sixteenth section  
778 land or lieu land in exchange for a similar easement upon  
779 adjoining land where the exchange of easements affords substantial  
780 benefit to the sixteenth section land; provided, however, the  
781 exchange must be based upon values as determined by a competent  
782 appraiser, with any differential in value to be adjusted by cash  
783 payment. Any easement rights granted over sixteenth section land  
784 under such authority shall terminate when the easement ceases to  
785 be used for its stated purpose. No sixteenth section or lieu land  
786 which is subject to an existing lease shall be burdened by any  
787 such easement except by consent of the lessee or unless the school  
788 district shall acquire the unexpired leasehold interest affected  
789 by the easement;

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

793 (cc) Subject to rules and regulations of the State  
794 Board of Education, to purchase relocatable classrooms for the use  
795 of such school district, in the manner prescribed in Section  
796 37-1-13;

797 (dd) Enter into contracts or agreements with other  
798 school districts, political subdivisions or governmental entities  
799 to carry out one or more of the powers or duties of the school  
800 board, or to allow more efficient utilization of limited resources  
801 for providing services to the public;

802           (ee) To provide for in-service training for employees  
803 of the district \* \* \*;

804           (ff) As part of their duties to prescribe the use of  
805 textbooks, to provide that parents and legal guardians shall be  
806 responsible for the textbooks and for the compensation to the  
807 school district for any books which are not returned to the proper  
808 schools upon the withdrawal of their dependent child. If a  
809 textbook is lost or not returned by any student who drops out of  
810 the public school district, the parent or legal guardian shall  
811 also compensate the school district for the fair market value of  
812 the textbooks;

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

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

820                 (ii) Fund-raising activities conducted or  
821 authorized by the board for the sale of school pictures, the  
822 rental of caps and gowns or the sale of graduation invitations for  
823 which the school board receives a commission, rebate or fee shall  
824 contain a disclosure statement advising that a portion of the  
825 proceeds of the sales or rentals shall be contributed to the  
826 student activity fund;

827           (hh) To allow individual lessons for music, art and  
828 other curriculum-related activities for academic credit or  
829 nonacademic credit during school hours and using school equipment  
830 and facilities, subject to uniform rules and regulations adopted  
831 by the school board;

832           (ii) To charge reasonable fees for participating in an  
833 extracurricular activity for academic or nonacademic credit for

834 necessary and required equipment such as safety equipment, band  
835 instruments and uniforms;

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

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

841 (ll) To expend funds for the services of nonprofit arts  
842 organizations or other such nonprofit organizations who provide  
843 performances or other services for the students of the school  
844 district;

845 (mm) To expend federal No Child Left Behind Act funds,  
846 or any other available funds that are expressly designated and  
847 authorized for that use, to pay training, educational expenses,  
848 salary incentives and salary supplements to employees of local  
849 school districts; except that incentives shall not be considered  
850 part of the local supplement as defined in Section 37-151-5(o),  
851 nor shall incentives be considered part of the local supplement  
852 paid to an individual teacher for the purposes of Section  
853 37-19-7(1). Mississippi Adequate Education Program funds or any  
854 other state funds may not be used for salary incentives or salary  
855 supplements as provided in this paragraph (mm);

856 (nn) To use any available funds, not appropriated or  
857 designated for any other purpose, for reimbursement to the  
858 state-licensed employees from both in-state and out-of-state, who  
859 enter into a contract for employment in a school district, for the  
860 expense of moving when the employment necessitates the relocation  
861 of the licensed employee to a different geographical area than  
862 that in which the licensed employee resides before entering into  
863 the contract. The reimbursement shall not exceed One Thousand  
864 Dollars (\$1,000.00) for the documented actual expenses incurred in  
865 the course of relocating, including the expense of any  
866 professional moving company or persons employed to assist with the

867 move, rented moving vehicles or equipment, mileage in the amount  
868 authorized for county and municipal employees under Section  
869 25-3-41 if the licensed employee used his personal vehicle or  
870 vehicles for the move, meals and such other expenses associated  
871 with the relocation. No licensed employee may be reimbursed for  
872 moving expenses under this section on more than one (1) occasion  
873 by the same school district. Nothing in this section shall be  
874 construed to require the actual residence to which the licensed  
875 employee relocates to be within the boundaries of the school  
876 district that has executed a contract for employment in order for  
877 the licensed employee to be eligible for reimbursement for the  
878 moving expenses. However, the licensed employee must relocate  
879 within the boundaries of the State of Mississippi. Any individual  
880 receiving relocation assistance through the Critical Teacher  
881 Shortage Act as provided in Section 37-159-5 shall not be eligible  
882 to receive additional relocation funds as authorized in this  
883 paragraph;

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

890           (pp) Consistent with the report of the Task Force to  
891 Conduct a Best Financial Management Practices Review, to improve  
892 school district management and use of resources and identify cost  
893 savings as established in Section 8 of Chapter 610, Laws of 2002,  
894 local school boards are encouraged to conduct independent reviews  
895 of the management and efficiency of schools and school districts.  
896 Such management and efficiency reviews shall provide state and  
897 local officials and the public with the following:

898           (i) An assessment of a school district's  
899 governance and organizational structure;

900                   (ii) An assessment of the school district's  
901 financial and personnel management;

902                   (iii) An assessment of revenue levels and sources;

903                   (iv) An assessment of facilities utilization,  
904 planning and maintenance;

905                   (v) An assessment of food services, transportation  
906 and safety/security systems;

907                   (vi) An assessment of instructional and  
908 administrative technology;

909                   (vii) A review of the instructional management and  
910 the efficiency and effectiveness of existing instructional  
911 programs; and

912                   (viii) Recommended methods for increasing  
913 efficiency and effectiveness in providing educational services to  
914 the public;

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

920                   (rr) To implement a financial literacy program for  
921 students in Grades 10 and 11. The board may review the national  
922 programs and obtain free literature from various nationally  
923 recognized programs. After review of the different programs, the  
924 board may certify a program that is most appropriate for the  
925 school districts' needs. If a district implements a financial  
926 literacy program, then any student in Grade 10 or 11 may  
927 participate in the program. The financial literacy program shall  
928 include, but is not limited to, instruction in the same areas of  
929 personal business and finance as required under Section  
930 37-1-3(2)(b). The school board may coordinate with volunteer  
931 teachers from local community organizations, including, but not  
932 limited to, the following: United States Department of

933 Agriculture Rural Development, United States Department of Housing  
934 and Urban Development, Junior Achievement, bankers and other  
935 nonprofit organizations. Nothing in this paragraph shall be  
936 construed as to require school boards to implement a financial  
937 literacy program;

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

945           (tt) With respect to any lawful, written obligation of  
946 a school district, including, but not limited to, leases  
947 (excluding leases of sixteenth section public school trust land),  
948 bonds, notes, or other agreement, to agree in writing with the  
949 obligee that the State Tax Commission or any state agency,  
950 department or commission created under state law may:

951           (i) Withhold all or any part (as agreed by the  
952 school board) of any monies which such local school board is  
953 entitled to receive from time to time under any law and which is  
954 in the possession of the State Tax Commission, or any state  
955 agency, department or commission created under state law; and

956           (ii) Pay the same over to any financial  
957 institution, trustee or other obligee, as directed in writing by  
958 the school board, to satisfy all or part of such obligation of the  
959 school district.

960           The school board may make such written agreement to withhold  
961 and transfer funds irrevocable for the term of the written  
962 obligation and may include in the written agreement any other  
963 terms and provisions acceptable to the school board. If the  
964 school board files a copy of such written agreement with the State  
965 Tax Commission, or any state agency, department or commission

966 created under state law then the State Tax Commission or any state  
967 agency, department or commission created under state law shall  
968 immediately make the withholdings provided in such agreement from  
969 the amounts due the local school board and shall continue to pay  
970 the same over to such financial institution, trustee or obligee  
971 for the term of the agreement.

972 This paragraph (tt) shall not grant any extra authority to a  
973 school board to issue debt in any amount exceeding statutory  
974 limitations on assessed value of taxable property within such  
975 school district or the statutory limitations on debt maturities,  
976 and shall not grant any extra authority to impose, levy or collect  
977 a tax which is not otherwise expressly provided for, and shall not  
978 be construed to apply to sixteenth section public school trust  
979 land;

980 (uu) With respect to any matter or transaction that is  
981 competitively bid by a school district, to accept from any bidder  
982 as a good faith deposit or bid bond or bid surety, the same type  
983 of good faith deposit or bid bond or bid surety that may be  
984 accepted by the state or any other political subdivision on  
985 similar competitively bid matters or transactions. This paragraph  
986 (uu) shall not be construed to apply to sixteenth section public  
987 school trust land. The school board may authorize the investment  
988 of any school district funds in the same kind and manner of  
989 investments, including pooled investments, as any other political  
990 subdivision, including community hospitals; \* \* \*

991 (vv) To utilize the alternate method for the conveyance  
992 or exchange of unused school buildings and/or land, reserving a  
993 partial or other undivided interest in the property, as  
994 specifically authorized and provided in Section 37-7-485,  
995 Mississippi Code of 1972; and

996 (ww) To delegate, privatize or otherwise enter into a  
997 contract with private entities for the operation of any and all  
998 functions of nonacademic school process, procedures and operations

999 including, but not limited to, cafeteria workers, janitorial  
1000 services, transportation, professional development, achievement  
1001 and instructional consulting services materials and products,  
1002 purchasing cooperatives, insurance, business manager services,  
1003 auditing and accounting services, school safety/risk prevention,  
1004 data processing and student records, and other staff services;  
1005 however, the authority under this paragraph does not apply to the  
1006 leasing, management or operation of sixteenth section lands.  
1007 Local school districts, working through their regional education  
1008 service agency, are encouraged to enter into buying consortia with  
1009 other member districts for the purposes of more efficient use of  
1010 state resources as described in Section 37-7-345.

1011       **SECTION 15.** This act shall take effect and be in force from  
1012 and after July 1, 2006.