

By: Senator(s) Jordan

To: Education

SENATE BILL NO. 2457

1 AN ACT TO AMEND SECTION 37-9-23, MISSISSIPPI CODE OF 1972, TO  
2 DIRECT THE STATE BOARD OF EDUCATION TO DEVELOP AND PROMULGATE A  
3 UNIFORM EMPLOYMENT CONTRACT FOR NONCERTIFIED SCHOOL PERSONNEL WITH  
4 CERTAIN MINIMUM REQUIREMENTS; AND FOR RELATED PURPOSES.

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

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

8 37-9-23. The superintendent shall enter into a contract with  
9 each assistant superintendent, principal, licensed employee and  
10 person anticipating graduation from an approved teacher education  
11 program or the issuance of a proper license before October 15 or  
12 February 15, as the case may be, who is elected and approved for  
13 employment by the school board. Such contracts shall be in such  
14 form as shall be prescribed by the State Board of Education and  
15 shall be executed in duplicate with one (1) copy to be retained by  
16 the appropriate superintendent and one (1) copy to be retained by  
17 the principal, licensed employee or person recommended for a  
18 licensed position contracted with. The contract shall show the  
19 name of the district, the length of the school term, the position  
20 held (whether an assistant superintendent, principal or licensed  
21 employee), the scholastic years which it covers, the total amount  
22 of the annual salary and how same is payable. The amount of  
23 salary to be shown in such contract shall be the amount which  
24 shall have been fixed and determined by the school board, but, as  
25 to the licensed employees paid in whole or in part with minimum  
26 education program funds, such salary shall not be less than that  
27 required under the provisions of Chapter 19 of this title. From  
28 and after July 1, 2006, the State Board of Education shall

29 prescribe uniform employment contracts for noncertified school  
30 personnel for implementation in all school districts that specify  
31 for each employee the total amount of the annual salary and how  
32 the salary is payable, the time and dates of payments in  
33 compliance with Sections 37-9-39 and 37-9-41, the number of  
34 contract days, the name or title of the employment position and  
35 the subject(s) to be taught, the length of the school day or  
36 workday, the beginning and ending date of the contract year and  
37 the school or building location to which the employee is assigned.

38 The contract entered into with any person recommended for a  
39 licensed position who is anticipating either graduation from an  
40 approved teacher education program before September 1 or December  
41 31, as the case may be, or the issuance of a proper license before  
42 October 15 or February 15, as the case may be, shall be a  
43 conditional contract and shall include a provision stating that  
44 the contract will be null and void if, as specified in the  
45 contract, the contingency upon which the contract is conditioned  
46 has not occurred. If any superintendent, other than those  
47 elected, principal, licensed employee or person recommended for a  
48 licensed position who has been elected and approved shall not  
49 execute and return the contract within ten (10) days after same  
50 has been tendered to him for execution, then, at the option of the  
51 school board, the election of the licensed employee and the  
52 contract tendered to him shall be void and of no effect.

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