

By: Representative Brown

To: Education

## HOUSE BILL NO. 1009

1 AN ACT TO AMEND SECTIONS 37-9-103 AND 37-9-105, MISSISSIPPI  
2 CODE OF 1972, TO REDUCE THE PROBATIONARY PERIOD FOR LICENSED  
3 EMPLOYEES UNDER THE EDUCATION EMPLOYMENT PROCEDURES LAW AND TO  
4 INCLUDE ASSISTANT TEACHERS IN THE DEFINITION OF THE TERM  
5 "EMPLOYEE" AS USED TO DEFINE EMPLOYMENT POSITIONS COVERED BY THE  
6 EDUCATION EMPLOYMENT PROCEDURES LAW; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-9-103, Mississippi Code of 1972, is  
9 amended as follows:

10 37-9-103. As used in Sections 37-9-101 through 37-9-113, the  
11 word "employee" shall include:

12 (a) Any teacher, principal, superintendent or other  
13 professional personnel employed by the local school district for a  
14 continuous period of one (1) year with that district and required  
15 to have a valid license issued by the State Department of  
16 Education as a prerequisite of employment; or

17 \* \* \*

18 (b) Any assistant teacher employed by the local school  
19 district for a continuous period of one (1) year with that  
20 district and holding the credentials required by the State  
21 Department of Education as a prerequisite of employment.

22 For purposes of Sections 37-9-101 through 37-9-113, the term  
23 "days" means calendar days.

24 **SECTION 2.** Section 37-9-105, Mississippi Code of 1972, is  
25 amended as follows:

26 37-9-105. If a recommendation is made by the school district  
27 not to offer an employee a renewal contract for a successive year,  
28 written notice of the proposed nonreemployment stating the reasons

29 for the proposed nonreemployment shall be given no later than the  
30 following:

31 (a) If the employee is a principal, the superintendent,  
32 without further board action, shall give notice of nonreemployment  
33 on or before March 1; or

34 (b) If the employee is a teacher, assistant teacher,  
35 administrator or other professional educator covered under  
36 Sections 37-9-101 through 37-9-113, the superintendent, without  
37 further board action, shall give notice of nonreemployment on or  
38 before April 15, or within ten (10) days after the date that the  
39 Governor approves the appropriation bill(s) comprising the state's  
40 education budget for funding K-12, whichever date is later.

41 An interim conservator appointed pursuant to Section  
42 37-17-6(14)(a) or a school board acting on the recommendation of a  
43 school district financial advisor appointed pursuant to Section  
44 37-9-18 shall not be required to comply with the time limitations  
45 prescribed in this section for recommending the reemployment of  
46 principals, teachers, assistant teachers, administrators or other  
47 professional educators.

48 **SECTION 3.** This act shall take effect and be in force from  
49 and after its passage.