

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2163

1 AN ACT TO AMEND SECTION 37-3-11, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE SCHOOL DISTRICTS TO PROVIDE AN ANNUAL REPORT OF TEACHER
3 VACANCIES BY INSTRUCTIONAL AREA TO THE STATE SUPERINTENDENT OF
4 EDUCATION FOR SUBMISSION TO THE LEGISLATURE; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 37-3-11, Mississippi Code of 1972, is
8 amended as follows:

9 37-3-11. The State Superintendent of Public Education shall
10 perform the duties assigned to him by the State Board of
11 Education, and he shall have the following duties:

12 (a) To serve as secretary for the State Board of
13 Education;

14 (b) To be the chief administrative officer of the State
15 Department of Education;

16 (c) To recommend to the State Board of Education, for
17 its consideration, rules and regulations for the supervision of
18 the public free schools and agricultural high schools of the state
19 and for the efficient organization and conduct of the same;

20 (d) To collect data and make it available to the state
21 board for determining the proper distribution of the state common
22 school funds;

23 (e) To keep a complete record of all official acts of
24 the state superintendent and the acts of the State Board of
25 Education;

26 (f) To prepare, have printed and furnish all officers
27 charged with the administration of the laws pertaining to the
28 public schools, such blank forms and books as may be necessary to

29 the proper discharge of their duties, which printing is to be paid
30 for out of funds provided by the Legislature;

31 (g) To have printed in pamphlet form the laws
32 pertaining to the public schools and publish therein forms for
33 conducting school business, the rules and regulations for the
34 government of schools that the state superintendent or the State
35 Board of Education may recommend, and such other matters as may be
36 deemed worthy of public interest pertaining to the public schools,
37 which printing is to be paid for out of funds provided by the
38 Legislature;

39 (h) To meet all superintendents annually at such time
40 and place as the state superintendent shall appoint for the
41 purpose of accumulating facts relative to schools, to review the
42 educational progress made in the various sections of the state, to
43 compare views, discuss problems, hear discussions and suggestions
44 relative to examinations and qualifications of teachers, methods
45 of instruction, textbooks, summer schools for teachers, visitation
46 of schools, consolidation of schools, health work in the schools,
47 vocational education and other matters pertaining to the public
48 school system;

49 (i) To advise all superintendents upon all matters
50 involving the welfare of the schools, and at the request of any
51 superintendent, to give an opinion upon a written statement of
52 facts on all questions and controversies arising out of the
53 interpretation and construction of the school laws, in regard to
54 rights, powers and duties of school officers and superintendents,
55 and to keep a record of all such decisions. Before giving any
56 opinion, the superintendent may submit the statement of facts to
57 the Attorney General, and it shall be the duty of the Attorney
58 General forthwith to examine such statement and suggest the proper
59 decision to be made upon such fact;

60 (j) To require annually, and as often as the state
61 superintendent may deem proper, of all superintendents, detailed
62 reports on the educational business of the various districts;

63 (k) On or before January 10 in each year to prepare,
64 under the direction of the State Board of Education, and have
65 printed the annual report of the board to the Legislature showing:

66 (i) The receipts and disbursements of all school
67 funds handled by the board;

68 (ii) Reports of expenditures for public schools,
69 which, upon request, must be made available on an individual
70 school district basis by the State Department of Education. The
71 reports must show the same level of detail as reports completed
72 before the 2006 fiscal year and must be divided into the following
73 categories and function codes:

74 1. Total Student Expenditures:

75 a. Instruction (1000s);

76 b. Other Student Instructional

77 Expenditures (2100s, 2200s);

78 2. General Administration (2300s and 2500s);

79 3. School Administration (2400s);

80 4. Other Expenditures (2600s, 2700s, 2800s,
81 3100s, 3200s); and

82 5. Nonoperational Expenditures (4000s, 5000s,
83 6000s);

84 (iii) The number of school districts, school
85 teachers employed, school administrators employed, pupils taught
86 and the attendance record of pupils therein;

87 (iv) County and district levies for each school
88 district and agricultural high school;

89 (v) The condition of vocational education, a list
90 of schools to which federal and state aid has been given, and a
91 detailed statement of the expenditures of federal funds and the

92 state funds that may be provided, and the ranking of subjects
93 taught as compared with the state's needs; * * *

94 (vi) Such general matters, information and
95 recommendations as relate, in the board's opinion, to the
96 educational interests of the state; and

97 (vii) A report of all school district teacher
98 vacancies, including the instructional area of such teacher
99 vacancies, for the previous school year. Failure to report such
100 vacancies may result in the withholding of state funds as provided
101 in Section 37-151-95;

102 (l) To determine the number of educable children in the
103 several school districts under rules and regulations prescribed by
104 the State Board of Education; and

105 (m) To perform such other duties as may be prescribed
106 by the State Board of Education.

107 **SECTION 2.** This act shall take effect and be in force from
108 and after July 1, 2007.