

By: Senator(s) Chaney, Clarke

To: Education;
Appropriations

SENATE BILL NO. 2330

1 AN ACT TO AMEND SECTION 37-3-11, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE STATEWIDE FINANCIAL REPORT BY THE STATE DEPARTMENT OF
3 EDUCATION TO COMPLY WITH THE STANDARD THAT AT LEAST 65% OF TOTAL
4 CURRENT OPERATIONAL EXPENDITURES SHALL BE EXPENDED FOR DIRECT
5 STUDENT INSTRUCTION AND TO PROVIDE THAT SAID FINANCIAL REPORT
6 SHALL BE PREPARED ON A SCHOOL DISTRICT BASIS; AND FOR RELATED
7 PURPOSES.

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

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

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

14 (a) To serve as secretary for the State Board of
15 Education;

16 (b) To be the chief administrative officer of the State
17 Department of Education;

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

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

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

28 (f) To prepare, have printed and furnish all officers
29 charged with the administration of the laws pertaining to the

30 public schools, such blank forms and books as may be necessary to
31 the proper discharge of their duties, which printing is to be paid
32 for out of funds provided by the Legislature;

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

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

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

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

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

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

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

76 1. Total Student Expenditures:

77 a. Instruction (1000s);

78 b. Other Student Instructional

79 Expenditures (2100s, 2200s);

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

81 3. School Administration (2400s);

82 4. Other Expenditures (2600s, 2700s, 2800s,
83 3100s, 3200s); and

84 5. Nonoperational Expenditures (4000s, 5000s,
85 6000s);

86 Beginning in fiscal year 2008, Total Student Expenditures

87 shall be at least sixty-five percent (65%) of Total Current

88 Operational Expenditures, exclusive of Fixed Assets Expenditures

89 in the other expenditures categories. This sixty-five percent

90 (65%) requirement shall not be in effect in fiscal years when a

91 natural disaster or state of emergency has been declared by the

92 Governor in counties in which more than one-fifth (1/5) of school

93 districts in the State of Mississippi are located. These reports

94 shall be made available by district from the State Department of
95 Education upon request.

96 (iii) The number of school districts, school
97 teachers employed, school administrators employed, pupils taught
98 and the attendance record of pupils therein;

99 (iv) County and district levies for each school
100 district and agricultural high school;

101 (v) The condition of vocational education, a list
102 of schools to which federal and state aid has been given, and a
103 detailed statement of the expenditures of federal funds and the
104 state funds that may be provided, and the ranking of subjects
105 taught as compared with the state's needs;

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

109 (1) To determine the number of educable children in the
110 several school districts under rules and regulations prescribed by
111 the State Board of Education; and

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

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