

By: Representatives Bennett, Ladner,
Rushing, Crawford, DeBar

To: Education

HOUSE BILL NO. 879
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972,
2 TO ALLOW PARENTS OR LEGAL GUARDIANS WHO ARE ACTIVE MEMBERS OF THE
3 UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL AND WHO
4 RESIDE ON A MILITARY BASE TO ENROLL THEIR CHILDREN IN ANY SCHOOL
5 DISTRICT OF THE PARENT'S OR LEGAL GUARDIAN'S CHOOSING, SUBJECT TO
6 CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-15-29, Mississippi Code of 1972, is
9 amended as follows:

10 37-15-29. (1) Except as provided in subsections (2),
11 (3) * * *, (4) and (5) of this section, no minor child may enroll
12 in or attend any school except in the school district of his
13 residence, unless such child be lawfully transferred from the
14 school district of his residence to a school in another school
15 district in accord with the statutes of this state now in effect
16 or which may be hereafter enacted.

17 (2) Those children whose parent(s) or legal guardian(s) are
18 instructional personnel or certificated employees of a school
19 district may at such employee's discretion enroll and attend the



20 school or schools of their parent's or legal guardian's employment
21 regardless of the residence of the child.

22 (3) No child shall be required to be transported in excess
23 of thirty (30) miles on a school bus from his or her home to
24 school, or in excess of thirty (30) miles from school to his or
25 her home, if there is another school in an adjacent school
26 district located on a shorter school bus transportation route by
27 the nearest traveled road. Those children residing in such
28 geographical situations may, at the discretion of their parent(s)
29 or legal guardian(s), enroll and attend the nearer school,
30 regardless of the residence of the child. In the event the parent
31 or legal guardian of such child and the school board are unable to
32 agree on the school bus mileage required to transport the child
33 from his or her home to school, an appeal shall lie to the State
34 Board of Education, or its designee, whose decision shall be
35 final. The school districts involved in the appeal shall provide
36 the Mississippi Department of Education with any school bus route
37 information requested, including riding the buses as necessary, in
38 order to measure the bus routes in question, as needed by the
39 State Board of Education in considering the appeal.

40 (4) Those children lawfully transferred from the school
41 district of his residence to a school in another school district
42 prior to July 1, 1992, may, at the discretion of their parent(s)
43 or legal guardian(s), continue to enroll and attend school in the
44 transferee school district. Provided further, that the brother(s)



45 and sister(s) of said children lawfully transferred prior to July
46 1, 1992, may also, at the discretion of their parent(s) or legal
47 guardian(s), enroll and attend school in the transferee school
48 district.

49 (5) Those children whose parent(s) or legal guardian(s) are
50 active members of the United States Armed Forces or civilian
51 military personnel and reside on a military base, may, at the
52 discretion of their parent(s) or legal guardian(s), enroll and
53 attend the school district of their parent's or legal guardian's
54 choosing, regardless of the residence of the child, provided the
55 school district where the student resides or in an adjacent school
56 district and the parent's or guardian's choice of school district
57 does not violate the provision of subsection (3) of this section
58 prohibiting the transportation of students in excess of thirty
59 (30) miles.

60 **SECTION 2.** This act shall take effect and be in force from
61 and after July 1, 2013.

