MISSISSIPPI LEGISLATURE

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

To: Education

HOUSE BILL NO. 879
(As Sent to Governor)

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

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

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

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

(2) Those children whose parent(s) or legal guardian(s) are instructional personnel or certificated employees of a school district may at such employee's discretion enroll and attend the
school or schools of their parent's or legal guardian's employment
regardless of the residence of the child.

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

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

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

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