

By: Representatives Hopkins, Boyd, Currie,
Henley

To: Education

HOUSE BILL NO. 540

1 AN ACT TO AMEND SECTION 37-13-63, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE MANNER BY WHICH THE SCHOOL YEAR IS CALCULATED BY
3 USING AN HOUR SYSTEM IN ORDER TO PROVIDE GREATER FLEXIBILITY; TO
4 PROVIDE A MAXIMUM OF THIRTEEN DAYS TO BE EARNED PER YEAR FOR
5 SCHOOL DISTRICTS THAT EXCEED THE INSTRUCTIONAL DAY BY AN
6 ADDITIONAL HALF HOUR; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 37-13-63, Mississippi Code of 1972, is
9 amended as follows:

10 37-13-63. (1) Except as otherwise provided, all public
11 schools in the state shall be kept in session for at least one
12 hundred eighty (180) days in each scholastic year.

13 (2) If the school board of any school district shall
14 determine that it is not economically feasible or practicable to
15 operate any school within the district for the full one hundred
16 eighty (180) days required for a scholastic year as contemplated
17 due to an enemy attack, a man-made, technological or natural
18 disaster or extreme weather emergency in which the Governor has
19 declared a disaster or state of emergency under the laws of this
20 state or the President of the United States has declared an



21 emergency or major disaster to exist in this state, the school
22 board may notify the State Department of Education of the disaster
23 or weather emergency and submit a plan for altering the school
24 term. If the State Board of Education finds the disaster or
25 extreme weather emergency to be the cause of the school not
26 operating for the contemplated school term and that such school
27 was in a school district covered by the Governor's or President's
28 disaster or state of emergency declaration, it may permit that
29 school board to operate the schools in its district for less than
30 one hundred eighty (180) days; however, in no instance of a
31 declared disaster or state of emergency under the provisions of
32 this subsection shall a school board receive payment from the
33 State Department of Education for per pupil expenditure for pupils
34 in average daily attendance in excess of ten (10) days.

35 (3) A local board of education that exceeds the full five
36 and one-half (5-1/2) hours instructional time required by law by
37 one-half (1/2) hour daily for the full academic year shall be
38 credited with additional instructional time. The excess
39 instructional time shall be accumulated in amounts up to, but not
40 exceeding, thirteen (13) instructional days each year, and applied
41 toward meeting instructional time requirements missed due to
42 dangerous or extreme weather conditions. Upon approval by the
43 State Board of Education, the excess instructional time may be
44 used in case of natural disaster, serious outbreaks of illness
45 affecting or endangering students or staff or dangerous structural



46 or environmental conditions rendering a school unsafe for use.
47 This excess accumulated instructional time may be used for early
48 student dismissal for faculty professional development under rules
49 promulgated by the local board of education. Such time may be
50 used in whole day (five and one-half (5-1/2) hours) increments and
51 may be used for faculty professional development, parent-teacher
52 conferences or other similar meetings. The local board of
53 education shall consult with the State Department of Education in
54 developing the rules. All proposals for use of excess time for
55 professional development shall be approved by the State Board of
56 Education. Additionally, the State Board of Education is
57 authorized to approve directly proportional variations from the
58 one-half-hour extension of the school day and the corresponding
59 accumulation of thirteen (13) days of adjustments to the
60 instructional time requirements.

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2018.

