

By: Representative Clark

To: Education

HOUSE BILL NO. 753

1 AN ACT TO AMEND SECTION 37-9-13, MISSISSIPPI CODE OF 1972, TO
 2 REVISE THE QUALIFICATIONS FOR THE OFFICE OF SCHOOL DISTRICT
 3 SUPERINTENDENT; TO CREATE A SPECIAL COMMITTEE FOR THE PURPOSE OF
 4 REVIEWING SUPERINTENDENTS WHO DO NOT POSSESS THE QUALIFICATIONS
 5 ESTABLISHED FOR AUTOMATIC CANDIDACY FOR SUPERINTENDENT; TO
 6 AUTHORIZE THE SPECIAL COMMITTEE TO CONDUCT ADMINISTRATIVE HEARINGS
 7 TO DETERMINE ELIGIBILITY OF SUCH CANDIDATES; TO REQUIRE A
 8 THREE-YEAR PROBATIONARY PERIOD FOR CERTAIN INDIVIDUALS HIRED AS
 9 SUPERINTENDENTS IN CERTAIN DISTRICTS; TO REQUIRE THE
 10 SUPERINTENDENT UNDER PROBATION TO DEMONSTRATE PROGRESS IN THE
 11 DISTRICT AND TO UNDERGO THE MINIMUM AMOUNT OF PROFESSIONAL
 12 DEVELOPMENT TO ADDRESS ACCOUNTABILITY DEFICIENCIES IN THE FIRST
 13 YEAR OF EMPLOYMENT; TO REQUIRE THE SPECIAL COMMITTEE TO REVIEW THE
 14 PROGRESS OF THE SUPERINTENDENT AT THE COMPLETION OF THE
 15 PROBATIONARY PERIOD; TO PROVIDE THAT A SUPERINTENDENT REMOVED FROM
 16 OFFICE FOR FAILURE TO IMPROVE THE ACCOUNTABILITY RATING IS NOT
 17 AUTOMATICALLY DISQUALIFIED FROM BEING CONSIDERED AS A PROSPECTIVE
 18 CANDIDATE IN ANOTHER SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

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

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

22 37-9-13. (1) Each school district shall have a
 23 superintendent of schools, selected in the manner provided by law.
 24 No person shall be eligible to the office of superintendent of
 25 schools unless such person shall hold a valid administrator's
 26 license issued by the State Department of Education and shall have



27 classroom or administrative experience of not less than six (6)
28 years which shall include at least three (3) years of
29 administrative experience as a school building principal (a) in a
30 school with an "A" or "B" accountability rating, beginning with
31 the 2018-2019 academic year, or (b) in a school that increased its
32 accountability rating by a letter grade during the period, not to
33 exceed eight (8) years, in which the principal was employed as
34 principal at the school, or (c) in a school with a comparable
35 accountability rating or improvement in another state within an
36 eight-year period, which shall be verified by the * * * State
37 Department of Education. Persons who hold a valid administrator's
38 license issued by the State Department of Education and have
39 classroom or administrative experience of not less than twelve
40 (12) years, which shall include six (6) years of administrative
41 experience as a school building principal shall be exempt from
42 provisions (a), (b) and (c) of this subsection.

43 (2) From and after January 1, 2019, in all public school
44 districts, the local school board shall appoint the superintendent
45 of schools of such district. At the expiration of the term of any
46 county superintendent of education elected at the November 2015
47 general election, the county superintendent of education of said
48 county shall not be elected but shall thereafter be appointed by
49 the local school board in the manner provided in Section 37-9-25.
50 However, in the event that a vacancy in the office of the
51 superintendent of schools elected at the November 2015 general



52 election shall occur before January 1, 2019, the office of
53 superintendent of schools shall immediately become an appointed
54 position, and the local school board shall appoint the
55 superintendent of the school district. The superintendent of
56 schools shall have the general powers and duties to administer the
57 schools within his district as prescribed in Section 37-9-14 et
58 seq., Mississippi Code of 1972.

59 (3) As an alternative to the qualifications prescribed in
60 subsection (1) of this section, the State Board of Education is
61 authorized * * * to create a special committee to review
62 prospective superintendent candidates that do not meet the
63 qualifications established in subsection (1) of this section. The
64 committee is empowered to meet with the appropriate school board
65 and the candidates in an administrative hearing to determine the
66 eligibility of the candidates through a review of their
67 qualifications. The school board and the candidates will be
68 allowed to testify at the hearing on the merits of consideration.

69 (4) Prospective superintendent candidates who qualify under
70 subsection (1) of this section and who apply to lower performance
71 districts, or who are approved through the process prescribed in
72 subsection (3) of this section, shall be given a three-year
73 probationary period upon being hired. During the probationary
74 period, the superintendent must demonstrate progress in the
75 district of hire and must have acquired the minimum amount of
76 professional development necessary to address the district's



77 accountability issues within the first year of serving as
78 superintendent. The special committee created in subsection (3)
79 of this section, upon completion of the required probationary
80 period, shall review the progress in the specific district and
81 remove the probationary status if the district has made
82 substantial improvement. If the superintendent is removed from
83 office of superintendent based on his or her inability to improve
84 the rating of the district, he or she shall not be automatically
85 disqualified from being considered as a prospective candidate for
86 another school district in the state.

87 (* * * 5) The provisions of this section shall be applicable
88 to any superintendent of schools selected on or after July
89 1, * * * 2018, who has not previously served as a superintendent
90 or assistant superintendent within the last five (5) years.

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

