

By: Representatives Gunn, Hopkins, Wilson,  
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To: Education

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 623

1 AN ACT TO AMEND SECTION 37-17-12, MISSISSIPPI CODE OF 1972,  
2 TO EXEMPT SCHOOL DISTRICTS WITH "A" AND "B" ACCOUNTABILITY  
3 RATINGS, AS DEFINED BY THE STATE BOARD OF EDUCATION, FROM  
4 PERFORMING CERTAIN DUTIES IMPOSED ON SCHOOL DISTRICTS; TO AMEND  
5 SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE  
6 BOARD OF EDUCATION TO DEVELOP A GRANT PROGRAM EXCLUSIVELY FOR  
7 SCHOOL DISTRICTS WITH "A" AND "B" ACCOUNTABILITY RATINGS TO  
8 RECEIVE FUNDS FOR THE IMPLEMENTATION OF INNOVATIVE EDUCATIONAL  
9 PROGRAMS; TO AMEND SECTIONS 37-3-2, 37-11-53, 37-13-41 AND  
10 37-43-31, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
11 PROVISIONS OF THIS ACT; TO AMEND SECTION 37-13-89, MISSISSIPPI  
12 CODE OF 1972, TO REQUIRE SCHOOL ATTENDANCE OFFICERS TO VISIT THE  
13 HOME OR PLACE OF RESIDENCE OF A COMPULSORY-SCHOOL-AGE CHILD WITHIN  
14 72 HOURS OF AN UNEXCUSED ABSENCE FOR CONSULTATION WITH THE PARENT  
15 OR LEGAL GUARDIAN OF THAT CHILD; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** Section 37-17-12, Mississippi Code of 1972, is  
18 amended as follows:

19 37-17-12. (1) \* \* \* Except as otherwise provided by law,  
20 school districts with "A" and "B" accountability ratings, as  
21 defined by the State Board of Education, are exempt from certain  
22 statutes applicable to public schools and school districts and the  
23 rules, regulations, policies and procedures of the State Board of  
24 Education. School districts with "A" and "B" accountability



25 ratings and the licensed employees of those districts are exempt  
26 from the following requirements:

27 (a) Reporting student grades to the State Department of  
28 Education;

29 (b) \* \* \* Having the school district's official  
30 discipline plan and code of student conduct legally audited on an  
31 annual basis, as required under Section 37-11-53;

32 (c) \* \* \* Submitting reports regarding the type and  
33 amount of work done in each grade of their respective school to  
34 the superintendent of the school district, as required in Section  
35 37-13-41;

36 (d) Participating in the process of selecting textbooks  
37 by the State Board of Education, as prescribed in Section  
38 37-43-31;

39 (e) Completing surveys from the State Department of  
40 Education; and

41 (f) Fulfilling continuing education unit requirements  
42 for teacher license and certification renewal, as prescribed in  
43 Section 37-3-2.

44 (2) \* \* \* Except as otherwise provided by law, school  
45 districts with "A" and "B" accountability ratings may provide for  
46 the following:

47 Certain incentives for eligible teachers, such as forgiveness  
48 of state student educational loans, housing assistance and moving



49 expenses in the same manner as provided for in the Critical Needs  
50 Teacher Shortage Act.

51 ( \* \* \*3) (a) \* \* \* Principals and administrators with  
52 career level certifications at schools with the highest levels of  
53 accreditation standards, as defined by the State Board of  
54 Education, shall be exempted from the provisions pursuant to  
55 Section 37-3-4, subject to approval of the local superintendent.

56 (b) \* \* \* School districts meeting the highest levels  
57 of accreditation standards, as defined by the State Board of  
58 Education, shall be exempted from the provisions pursuant to  
59 Sections 37-3-46, 37-3-49(2), 37-7-337, 37-17-8 and 37-21-7(4).

60 ( \* \* \*4) The State Department of Education shall develop a  
61 policy to determine reevaluation of exemption status.

62 **SECTION 2.** Section 37-1-3, Mississippi Code of 1972, is  
63 amended as follows:

64 37-1-3. (1) The State Board of Education shall adopt rules  
65 and regulations and set standards and policies for the  
66 organization, operation, management, planning, budgeting and  
67 programs of the State Department of Education.

68 (a) The board is directed to identify all functions of  
69 the department that contribute to or comprise a part of the state  
70 system of educational accountability and to establish and maintain  
71 within the department the necessary organizational structure,  
72 policies and procedures for effectively coordinating such  
73 functions. Such policies and procedures shall clearly fix and



74 delineate responsibilities for various aspects of the system and  
75 for overall coordination of the total system and its effective  
76 management.

77 (b) The board shall establish and maintain a  
78 system-wide plan of performance, policy and directions of public  
79 education not otherwise provided for.

80 (c) The board shall effectively use the personnel and  
81 resources of the department to enhance technical assistance to  
82 school districts in instruction and management therein.

83 (d) The board shall establish and maintain a central  
84 budget policy.

85 (e) The board shall establish and maintain within the  
86 State Department of Education a central management capacity under  
87 the direction of the State Superintendent of Public Education.

88 (f) The board, with recommendations from the  
89 superintendent, shall design and maintain a five-year plan and  
90 program for educational improvement that shall set forth  
91 objectives for system performance and development and be the basis  
92 for budget requests and legislative initiatives.

93 (g) The board shall develop a grant program exclusively  
94 for school districts with "A" and "B" accountability ratings, as  
95 defined by the board, to receive funds for the implementation of  
96 innovative educational programs.

97 (2) (a) The State Board of Education shall adopt and  
98 maintain a curriculum and a course of study to be used in the



99 public school districts that is designed to prepare the state's  
100 children and youth to be productive, informed, creative citizens,  
101 workers and leaders, and it shall regulate all matters arising in  
102 the practical administration of the school system not otherwise  
103 provided for.

104 (b) \* \* \* The State Board of Education shall develop  
105 personal living and finances objectives that focus on money  
106 management skills for individuals and families for appropriate,  
107 existing courses at the secondary level. The objectives must  
108 require the teaching of those skills necessary to handle personal  
109 business and finances and must include instruction in the  
110 following:

- 111 (i) Opening a bank account and assessing the  
112 quality of a bank's services;
- 113 (ii) Balancing a checkbook;
- 114 (iii) Managing debt, including retail and credit  
115 card debt;
- 116 (iv) Completing a loan application;
- 117 (v) The implications of an inheritance;
- 118 (vi) The basics of personal insurance policies;
- 119 (vii) Consumer rights and responsibilities;
- 120 (viii) Dealing with salesmen and merchants;
- 121 (ix) Computing state and federal income taxes;
- 122 (x) Local tax assessments;



- 123                   (xi) Computing interest rates by various  
124 mechanisms;  
125                   (xii) Understanding simple contracts; and  
126                   (xiii) Contesting an incorrect billing statement.

127           (3) The State Board of Education shall have authority to  
128 expend any available federal funds, or any other funds expressly  
129 designated, to pay training, educational expenses, salary  
130 incentives and salary supplements to licensed teachers employed in  
131 local school districts or schools administered by the State Board  
132 of Education. Such incentive payments shall not be considered  
133 part of a school district's local supplement as defined in Section  
134 37-151-5(o), nor shall the incentives be considered part of the  
135 local supplement paid to an individual teacher for the purposes of  
136 Section 37-19-7(1). MAEP funds or any other state funds shall not  
137 be used to provide such incentives unless specifically authorized  
138 by law.

139           (4) The State Board of Education shall through its actions  
140 seek to implement the policies set forth in Section 37-1-2.

141           **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is  
142 amended as follows:

143           37-3-2. (1) There is established within the State  
144 Department of Education the Commission on Teacher and  
145 Administrator Education, Certification and Licensure and  
146 Development. It shall be the purpose and duty of the commission  
147 to make recommendations to the State Board of Education regarding



148 standards for the certification and licensure and continuing  
149 professional development of those who teach or perform tasks of an  
150 educational nature in the public schools of Mississippi.

151 (2) The commission shall be composed of fifteen (15)  
152 qualified members. The membership of the commission shall be  
153 composed of the following members to be appointed, three (3) from  
154 each congressional district: four (4) classroom teachers; three  
155 (3) school administrators; one (1) representative of schools of  
156 education of institutions of higher learning located within the  
157 state to be recommended by the Board of Trustees of State  
158 Institutions of Higher Learning; one (1) representative from the  
159 schools of education of independent institutions of higher  
160 learning to be recommended by the Board of the Mississippi  
161 Association of Independent Colleges; one (1) representative from  
162 public community and junior colleges located within the state to  
163 be recommended by the Mississippi Community College Board; one (1)  
164 local school board member; and four (4) laypersons. All  
165 appointments shall be made by the State Board of Education after  
166 consultation with the State Superintendent of Public Education.  
167 The first appointments by the State Board of Education shall be  
168 made as follows: five (5) members shall be appointed for a term  
169 of one (1) year; five (5) members shall be appointed for a term of  
170 two (2) years; and five (5) members shall be appointed for a term  
171 of three (3) years. Thereafter, all members shall be appointed  
172 for a term of four (4) years.



173           (3) The State Board of Education when making appointments  
174 shall designate a chairman. The commission shall meet at least  
175 once every two (2) months or more often if needed. Members of the  
176 commission shall be compensated at a rate of per diem as  
177 authorized by Section 25-3-69 and be reimbursed for actual and  
178 necessary expenses as authorized by Section 25-3-41.

179           (4) (a) An appropriate staff member of the State Department  
180 of Education shall be designated and assigned by the State  
181 Superintendent of Public Education to serve as executive secretary  
182 and coordinator for the commission. No less than two (2) other  
183 appropriate staff members of the State Department of Education  
184 shall be designated and assigned by the State Superintendent of  
185 Public Education to serve on the staff of the commission.

186           (b) An Office of Educator Misconduct Evaluations shall  
187 be established within the State Department of Education to assist  
188 the commission in responding to infractions and violations, and in  
189 conducting hearings and enforcing the provisions of subsections  
190 (11), (12), (13), (14) and (15) of this section, and violations of  
191 the Mississippi Educator Code of Ethics.

192           (5) It shall be the duty of the commission to:

193           (a) Set standards and criteria, subject to the approval  
194 of the State Board of Education, for all educator preparation  
195 programs in the state;

196           (b) Recommend to the State Board of Education each year  
197 approval or disapproval of each educator preparation program in





198 the state, subject to a process and schedule determined by the  
199 State Board of Education;

200 (c) Establish, subject to the approval of the State  
201 Board of Education, standards for initial teacher certification  
202 and licensure in all fields;

203 (d) Establish, subject to the approval of the State  
204 Board of Education, standards for the renewal of teacher licenses  
205 in all fields;

206 (e) Review and evaluate objective measures of teacher  
207 performance, such as test scores, which may form part of the  
208 licensure process, and to make recommendations for their use;

209 (f) Review all existing requirements for certification  
210 and licensure;

211 (g) Consult with groups whose work may be affected by  
212 the commission's decisions;

213 (h) Prepare reports from time to time on current  
214 practices and issues in the general area of teacher education and  
215 certification and licensure;

216 (i) Hold hearings concerning standards for teachers'  
217 and administrators' education and certification and licensure with  
218 approval of the State Board of Education;

219 (j) Hire expert consultants with approval of the State  
220 Board of Education;

221 (k) Set up ad hoc committees to advise on specific  
222 areas; and



223 (1) Perform such other functions as may fall within  
224 their general charge and which may be delegated to them by the  
225 State Board of Education.

226 (6) (a) **Standard License - Approved Program Route.** An  
227 educator entering the school system of Mississippi for the first  
228 time and meeting all requirements as established by the State  
229 Board of Education shall be granted a standard five-year license.  
230 Persons who possess two (2) years of classroom experience as an  
231 assistant teacher or who have taught for one (1) year in an  
232 accredited public or private school shall be allowed to fulfill  
233 student teaching requirements under the supervision of a qualified  
234 participating teacher approved by an accredited college of  
235 education. The local school district in which the assistant  
236 teacher is employed shall compensate such assistant teachers at  
237 the required salary level during the period of time such  
238 individual is completing student teaching requirements.  
239 Applicants for a standard license shall submit to the department:

- 240 (i) An application on a department form;  
241 (ii) An official transcript of completion of a  
242 teacher education program approved by the department or a  
243 nationally accredited program, subject to the following:  
244 Licensure to teach in Mississippi prekindergarten through  
245 kindergarten classrooms shall require completion of a teacher  
246 education program or a Bachelor of Science degree with child  
247 development emphasis from a program accredited by the American



248 Association of Family and Consumer Sciences (AAFCS) or by the  
249 National Association for Education of Young Children (NAEYC) or by  
250 the National Council for Accreditation of Teacher Education  
251 (NCATE). Licensure to teach in Mississippi kindergarten, for  
252 those applicants who have completed a teacher education program,  
253 and in Grade 1 through Grade 4 shall require the completion of an  
254 interdisciplinary program of studies. Licenses for Grades 4  
255 through 8 shall require the completion of an interdisciplinary  
256 program of studies with two (2) or more areas of concentration.  
257 Licensure to teach in Mississippi Grades 7 through 12 shall  
258 require a major in an academic field other than education, or a  
259 combination of disciplines other than education. Students  
260 preparing to teach a subject shall complete a major in the  
261 respective subject discipline. All applicants for standard  
262 licensure shall demonstrate that such person's college preparation  
263 in those fields was in accordance with the standards set forth by  
264 the National Council for Accreditation of Teacher Education  
265 (NCATE) or the National Association of State Directors of Teacher  
266 Education and Certification (NASDTEC) or, for those applicants who  
267 have a Bachelor of Science degree with child development emphasis,  
268 the American Association of Family and Consumer Sciences (AAFCS).  
269 Effective July 1, 2016, for initial elementary education  
270 licensure, a teacher candidate must earn a passing score on a  
271 rigorous test of scientifically research-based reading instruction



272 and intervention and data-based decision-making principles as  
273 approved by the State Board of Education;

274 (iii) A copy of test scores evidencing  
275 satisfactory completion of nationally administered examinations of  
276 achievement, such as the Educational Testing Service's teacher  
277 testing examinations;

278 (iv) Any other document required by the State  
279 Board of Education; and

280 (v) From and after September 30, 2015, no teacher  
281 candidate shall be licensed to teach in Mississippi who did not  
282 meet the following criteria for entrance into an approved teacher  
283 education program:

284 1. Twenty-one (21) ACT equivalent or achieve  
285 the nationally recommended passing score on the Praxis Core  
286 Academic Skills for Educators examination; and

287 2. No less than 2.75 GPA on pre-major  
288 coursework of the institution's approved teacher education program  
289 provided that the accepted cohort of candidates meets or exceeds a  
290 3.0 GPA on pre-major coursework.

291 (b) **Standard License - Nontraditional Teaching Route.**

292 From and after September 30, 2015, no teacher candidate shall be  
293 licensed to teach in Mississippi under the alternate route who did  
294 not meet the following criteria:



295 (i) Twenty-one (21) ACT equivalent or achieve the  
296 nationally recommended passing score on the Praxis Core Academic  
297 Skills for Educators examination; and

298 (ii) No less than 2.75 GPA on content coursework  
299 in the requested area of certification or passing Praxis II scores  
300 at or above the national recommended score provided that the  
301 accepted cohort of candidates of the institution's teacher  
302 education program meets or exceeds a 3.0 GPA on pre-major  
303 coursework.

304 Beginning January 1, 2004, an individual who has a passing  
305 score on the Praxis I Basic Skills and Praxis II Specialty Area  
306 Test in the requested area of endorsement may apply for the Teach  
307 Mississippi Institute (TMI) program to teach students in Grades 7  
308 through 12 if the individual meets the requirements of this  
309 paragraph (b). The State Board of Education shall adopt rules  
310 requiring that teacher preparation institutions which provide the  
311 Teach Mississippi Institute (TMI) program for the preparation of  
312 nontraditional teachers shall meet the standards and comply with  
313 the provisions of this paragraph.

314 (i) The Teach Mississippi Institute (TMI) shall  
315 include an intensive eight-week, nine-semester-hour summer program  
316 or a curriculum of study in which the student matriculates in the  
317 fall or spring semester, which shall include, but not be limited  
318 to, instruction in education, effective teaching strategies,  
319 classroom management, state curriculum requirements, planning and



320 instruction, instructional methods and pedagogy, using test  
321 results to improve instruction, and a one (1) semester three-hour  
322 supervised internship to be completed while the teacher is  
323 employed as a full-time teacher intern in a local school district.  
324 The TMI shall be implemented on a pilot program basis, with  
325 courses to be offered at up to four (4) locations in the state,  
326 with one (1) TMI site to be located in each of the three (3)  
327 Mississippi Supreme Court districts.

328                   (ii) The school sponsoring the teacher intern  
329 shall enter into a written agreement with the institution  
330 providing the Teach Mississippi Institute (TMI) program, under  
331 terms and conditions as agreed upon by the contracting parties,  
332 providing that the school district shall provide teacher interns  
333 seeking a nontraditional provisional teaching license with a  
334 one-year classroom teaching experience. The teacher intern shall  
335 successfully complete the one (1) semester three-hour intensive  
336 internship in the school district during the semester immediately  
337 following successful completion of the TMI and prior to the end of  
338 the one-year classroom teaching experience.

339                   (iii) Upon completion of the nine-semester-hour  
340 TMI or the fall or spring semester option, the individual shall  
341 submit his transcript to the commission for provisional licensure  
342 of the intern teacher, and the intern teacher shall be issued a  
343 provisional teaching license by the commission, which will allow



344 the individual to legally serve as a teacher while the person  
345 completes a nontraditional teacher preparation internship program.

346 (iv) During the semester of internship in the  
347 school district, the teacher preparation institution shall monitor  
348 the performance of the intern teacher. The school district that  
349 employs the provisional teacher shall supervise the provisional  
350 teacher during the teacher's intern year of employment under a  
351 nontraditional provisional license, and shall, in consultation  
352 with the teacher intern's mentor at the school district of  
353 employment, submit to the commission a comprehensive evaluation of  
354 the teacher's performance sixty (60) days prior to the expiration  
355 of the nontraditional provisional license. If the comprehensive  
356 evaluation establishes that the provisional teacher intern's  
357 performance fails to meet the standards of the approved  
358 nontraditional teacher preparation internship program, the  
359 individual shall not be approved for a standard license.

360 (v) An individual issued a provisional teaching  
361 license under this nontraditional route shall successfully  
362 complete, at a minimum, a one-year beginning teacher mentoring and  
363 induction program administered by the employing school district  
364 with the assistance of the State Department of Education.

365 (vi) Upon successful completion of the TMI and the  
366 internship provisional license period, applicants for a Standard  
367 License - Nontraditional Route shall submit to the commission a  
368 transcript of successful completion of the twelve (12) semester



369 hours required in the internship program, and the employing school  
370 district shall submit to the commission a recommendation for  
371 standard licensure of the intern. If the school district  
372 recommends licensure, the applicant shall be issued a Standard  
373 License - Nontraditional Route which shall be valid for a  
374 five-year period and be renewable.

375 (vii) At the discretion of the teacher preparation  
376 institution, the individual shall be allowed to credit the twelve  
377 (12) semester hours earned in the nontraditional teacher  
378 internship program toward the graduate hours required for a Master  
379 of Arts in Teacher (MAT) Degree.

380 (viii) The local school district in which the  
381 nontraditional teacher intern or provisional licensee is employed  
382 shall compensate such teacher interns at Step 1 of the required  
383 salary level during the period of time such individual is  
384 completing teacher internship requirements and shall compensate  
385 such Standard License - Nontraditional Route teachers at Step 3 of  
386 the required salary level when they complete license requirements.

387 Implementation of the TMI program provided for under this  
388 paragraph (b) shall be contingent upon the availability of funds  
389 appropriated specifically for such purpose by the Legislature.  
390 Such implementation of the TMI program may not be deemed to  
391 prohibit the State Board of Education from developing and  
392 implementing additional alternative route teacher licensure  
393 programs, as deemed appropriate by the board. The emergency





394 certification program in effect prior to July 1, 2002, shall  
395 remain in effect.

396 A Standard License - Approved Program Route shall be issued  
397 for a five-year period, and may be renewed. Recognizing teaching  
398 as a profession, a hiring preference shall be granted to persons  
399 holding a Standard License - Approved Program Route or Standard  
400 License - Nontraditional Teaching Route over persons holding any  
401 other license.

402 (c) **Special License - Expert Citizen.** In order to  
403 allow a school district to offer specialized or technical courses,  
404 the State Department of Education, in accordance with rules and  
405 regulations established by the State Board of Education, may grant  
406 a one-year expert citizen-teacher license to local business or  
407 other professional personnel to teach in a public school or  
408 nonpublic school accredited or approved by the state. Such person  
409 may begin teaching upon his employment by the local school board  
410 and licensure by the Mississippi Department of Education. The  
411 board shall adopt rules and regulations to administer the expert  
412 citizen-teacher license. A Special License - Expert Citizen may  
413 be renewed in accordance with the established rules and  
414 regulations of the State Department of Education.

415 (d) **Special License - Nonrenewable.** The State Board of  
416 Education is authorized to establish rules and regulations to  
417 allow those educators not meeting requirements in paragraph (a),  
418 (b) or (c) of this subsection (6) to be licensed for a period of



419 not more than three (3) years, except by special approval of the  
420 State Board of Education.

421 (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
422 person may teach for a maximum of three (3) periods per teaching  
423 day in a public school district or a nonpublic school  
424 accredited/approved by the state. Such person shall submit to the  
425 department a transcript or record of his education and experience  
426 which substantiates his preparation for the subject to be taught  
427 and shall meet other qualifications specified by the commission  
428 and approved by the State Board of Education. In no case shall  
429 any local school board hire nonlicensed personnel as authorized  
430 under this paragraph in excess of five percent (5%) of the total  
431 number of licensed personnel in any single school.

432 (f) **Special License - Transitional Bilingual Education.**  
433 Beginning July 1, 2003, the commission shall grant special  
434 licenses to teachers of transitional bilingual education who  
435 possess such qualifications as are prescribed in this section.  
436 Teachers of transitional bilingual education shall be compensated  
437 by local school boards at not less than one (1) step on the  
438 regular salary schedule applicable to permanent teachers licensed  
439 under this section. The commission shall grant special licenses  
440 to teachers of transitional bilingual education who present the  
441 commission with satisfactory evidence that they (i) possess a  
442 speaking and reading ability in a language, other than English, in  
443 which bilingual education is offered and communicative skills in



444 English; (ii) are in good health and sound moral character; (iii)  
445 possess a bachelor's degree or an associate's degree in teacher  
446 education from an accredited institution of higher education; (iv)  
447 meet such requirements as to courses of study, semester hours  
448 therein, experience and training as may be required by the  
449 commission; and (v) are legally present in the United States and  
450 possess legal authorization for employment. A teacher of  
451 transitional bilingual education serving under a special license  
452 shall be under an exemption from standard licensure if he achieves  
453 the requisite qualifications therefor. Two (2) years of service  
454 by a teacher of transitional bilingual education under such an  
455 exemption shall be credited to the teacher in acquiring a Standard  
456 Educator License. Nothing in this paragraph shall be deemed to  
457 prohibit a local school board from employing a teacher licensed in  
458 an appropriate field as approved by the State Department of  
459 Education to teach in a program in transitional bilingual  
460 education.

461 (g) In the event any school district meets the highest  
462 accreditation standards as defined by the State Board of Education  
463 in the accountability system, the State Board of Education, in its  
464 discretion, may exempt such school district from any restrictions  
465 in paragraph (e) relating to the employment of nonlicensed  
466 teaching personnel.

467 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
468 any teacher from any state meeting the federal definition of



469 highly qualified, as described in the No Child Left Behind Act,  
470 must be granted a standard five-year license by the State  
471 Department of Education.

472 (7) **Administrator License.** The State Board of Education is  
473 authorized to establish rules and regulations and to administer  
474 the licensure process of the school administrators in the State of  
475 Mississippi. There will be four (4) categories of administrator  
476 licensure with exceptions only through special approval of the  
477 State Board of Education.

478 (a) **Administrator License - Nonpracticing.** Those  
479 educators holding administrative endorsement but having no  
480 administrative experience or not serving in an administrative  
481 position on January 15, 1997.

482 (b) **Administrator License - Entry Level.** Those  
483 educators holding administrative endorsement and having met the  
484 department's qualifications to be eligible for employment in a  
485 Mississippi school district. Administrator License - Entry Level  
486 shall be issued for a five-year period and shall be nonrenewable.

487 (c) **Standard Administrator License - Career Level.** An  
488 administrator who has met all the requirements of the department  
489 for standard administrator licensure.

490 (d) **Administrator License - Nontraditional Route.** The  
491 board may establish a nontraditional route for licensing  
492 administrative personnel. Such nontraditional route for  
493 administrative licensure shall be available for persons holding,



494 but not limited to, a master of business administration degree, a  
495 master of public administration degree, a master of public  
496 planning and policy degree or a doctor of jurisprudence degree  
497 from an accredited college or university, with five (5) years of  
498 administrative or supervisory experience. Successful completion  
499 of the requirements of alternate route licensure for  
500 administrators shall qualify the person for a standard  
501 administrator license.

502 Individuals seeking school administrator licensure under  
503 paragraph (b), (c) or (d) shall successfully complete a training  
504 program and an assessment process prescribed by the State Board of  
505 Education. All applicants for school administrator licensure  
506 shall meet all requirements prescribed by the department under  
507 paragraph (b), (c) or (d), and the cost of the assessment process  
508 required shall be paid by the applicant.

509 (8) **Reciprocity.** (a) The department shall grant a standard  
510 license to any individual who possesses a valid standard license  
511 from another state and meets minimum Mississippi license  
512 requirements or equivalent requirements as determined by the State  
513 Board of Education. The issuance of a license by reciprocity to a  
514 military-trained applicant or military spouse shall be subject to  
515 the provisions of Section 73-50-1.

516 (b) The department shall grant a nonrenewable special  
517 license to any individual who possesses a credential which is less  
518 than a standard license or certification from another state. Such



519 special license shall be valid for the current school year plus  
520 one (1) additional school year to expire on June 30 of the second  
521 year, not to exceed a total period of twenty-four (24) months,  
522 during which time the applicant shall be required to complete the  
523 requirements for a standard license in Mississippi.

524       (9) (a) **Renewal and Reinstatement of Licenses.** The State  
525 Board of Education is authorized to establish rules and  
526 regulations for the renewal and reinstatement of educator and  
527 administrator licenses. Effective May 15, 1997, the valid  
528 standard license held by an educator shall be extended five (5)  
529 years beyond the expiration date of the license in order to afford  
530 the educator adequate time to fulfill new renewal requirements  
531 established pursuant to this subsection. An educator completing a  
532 master of education, educational specialist or doctor of education  
533 degree in May 1997 for the purpose of upgrading the educator's  
534 license to a higher class shall be given this extension of five  
535 (5) years plus five (5) additional years for completion of a  
536 higher degree.

537       (b) A licensed teacher who is employed in a school with  
538 an "A" or "B" accountability rating, as defined by the State Board  
539 of Education, is exempt from any continuing education requirements  
540 that may be established as a condition for renewal of the  
541 teacher's license and certification.

542       (10) All controversies involving the issuance, revocation,  
543 suspension or any change whatsoever in the licensure of an



544 educator required to hold a license shall be initially heard in a  
545 hearing de novo, by the commission or by a subcommittee  
546 established by the commission and composed of commission members  
547 for the purpose of holding hearings. Any complaint seeking the  
548 denial of issuance, revocation or suspension of a license shall be  
549 by sworn affidavit filed with the Commission on Teacher and  
550 Administrator Education, Certification and Licensure and  
551 Development. The decision thereon by the commission or its  
552 subcommittee shall be final, unless the aggrieved party shall  
553 appeal to the State Board of Education, within ten (10) days, of  
554 the decision of the committee or its subcommittee. An appeal to  
555 the State Board of Education shall be on the record previously  
556 made before the commission or its subcommittee unless otherwise  
557 provided by rules and regulations adopted by the board. The State  
558 Board of Education in its authority may reverse, or remand with  
559 instructions, the decision of the committee or its subcommittee.  
560 The decision of the State Board of Education shall be final.

561 (11) The State Board of Education, acting through the  
562 commission, may deny an application for any teacher or  
563 administrator license for one or more of the following:

564 (a) Lack of qualifications which are prescribed by law  
565 or regulations adopted by the State Board of Education;

566 (b) The applicant has a physical, emotional or mental  
567 disability that renders the applicant unfit to perform the duties



568 authorized by the license, as certified by a licensed psychologist  
569 or psychiatrist;

570 (c) The applicant is actively addicted to or actively  
571 dependent on alcohol or other habit-forming drugs or is a habitual  
572 user of narcotics, barbiturates, amphetamines, hallucinogens or  
573 other drugs having similar effect, at the time of application for  
574 a license;

575 (d) Revocation, suspension or surrender of an  
576 applicant's certificate or license by another state shall result  
577 in immediate denial of licensure until such time that the records  
578 predicated the revocation, suspension or surrender in the prior  
579 state have been cleared;

580 (e) Fraud or deceit committed by the applicant in  
581 securing or attempting to secure such certification and license;

582 (f) Failing or refusing to furnish reasonable evidence  
583 of identification;

584 (g) The applicant has been convicted, has pled guilty  
585 or entered a plea of nolo contendere to a felony, as defined by  
586 federal or state law;

587 (h) The applicant has been convicted, has pled guilty  
588 or entered a plea of nolo contendere to a sex offense as defined  
589 by federal or state law. For purposes of this paragraph (h) and  
590 paragraph (g) of this subsection, a "guilty plea" includes a plea  
591 of guilty, entry of a plea of nolo contendere, or entry of an  
592 order granting pretrial or judicial diversion; or





593           (i) Probation or post-release supervision for a felony  
594 or sex offense conviction, as defined by federal or state law,  
595 shall result in the immediate denial of licensure application  
596 until expiration of the probationary or post-release supervision  
597 period.

598           (12) The State Board of Education, acting through the  
599 commission, may revoke, suspend or refuse to renew any teacher or  
600 administrator license for specified periods of time or may place  
601 on probation, censure, reprimand a licensee, or take other  
602 disciplinary action with regard to any license issued under this  
603 chapter for one or more of the following:

604           (a) Breach of contract or abandonment of employment may  
605 result in the suspension of the license for one (1) school year as  
606 provided in Section 37-9-57;

607           (b) Obtaining a license by fraudulent means shall  
608 result in immediate suspension and continued suspension for one  
609 (1) year after correction is made;

610           (c) Suspension or revocation of a certificate or  
611 license by another state shall result in immediate suspension or  
612 revocation and shall continue until records in the prior state  
613 have been cleared;

614           (d) The license holder has been convicted, has pled  
615 guilty or entered a plea of nolo contendere to a felony, as  
616 defined by federal or state law. For purposes of this paragraph,  
617 a "guilty plea" includes a plea of guilty, entry of a plea of nolo



618 contendere, or entry of an order granting pretrial or judicial  
619 diversion;

620 (e) The license holder has been convicted, has pled  
621 guilty or entered a plea of nolo contendere to a sex offense, as  
622 defined by federal or state law, shall result in immediate  
623 suspension or revocation;

624 (f) The license holder has received probation or  
625 post-release supervision for a felony or sex offense conviction,  
626 as defined by federal or state law, which shall result in  
627 immediate suspension or revocation until expiration of the  
628 probationary or post-release supervision period;

629 (g) The license holder knowingly and willfully  
630 committing any of the acts affecting validity of mandatory uniform  
631 test results as provided in Section 37-16-4(1);

632 (h) The license holder has engaged in unethical conduct  
633 relating to an educator/student relationship as identified by the  
634 State Board of Education in its rules;

635 (i) The license holder has fondled a student as  
636 described in Section 97-5-23, or had any type of sexual  
637 involvement with a student as described in Section 97-3-95;

638 (j) The license holder has failed to report sexual  
639 involvement of a school employee with a student as required by  
640 Section 97-5-24;

641 (k) The license holder served as superintendent or  
642 principal in a school district during the time preceding and/or



643 that resulted in the Governor declaring a state of emergency and  
644 the State Board of Education appointing a conservator;

645 (l) The license holder submitted a false certification  
646 to the State Department of Education that a statewide test was  
647 administered in strict accordance with the Requirements of the  
648 Mississippi Statewide Assessment System; or

649 (m) The license holder has failed to comply with the  
650 Procedures for Reporting Infractions as promulgated by the  
651 commission and approved by the State Board of Education pursuant  
652 to subsection (15) of this section.

653 (13) (a) Dismissal or suspension of a licensed employee by  
654 a local school board pursuant to Section 37-9-59 may result in the  
655 suspension or revocation of a license for a length of time which  
656 shall be determined by the commission and based upon the severity  
657 of the offense.

658 (b) Any offense committed or attempted in any other  
659 state shall result in the same penalty as if committed or  
660 attempted in this state.

661 (c) A person may voluntarily surrender a license. The  
662 surrender of such license may result in the commission  
663 recommending any of the above penalties without the necessity of a  
664 hearing. However, any such license which has voluntarily been  
665 surrendered by a licensed employee may only be reinstated by a  
666 majority vote of all members of the commission present at the  
667 meeting called for such purpose.



668           (14) (a) A person whose license has been revoked or  
669 surrendered on any grounds except criminal grounds may petition  
670 for reinstatement of the license after one (1) year from the date  
671 of revocation or surrender, or after one-half (1/2) of the revoked  
672 or surrendered time has lapsed, whichever is greater. A person  
673 whose license has been suspended on any grounds or violations  
674 under subsection (12) of this section may be reinstated  
675 automatically or approved for a reinstatement hearing, upon  
676 submission of a written request to the commission. A license  
677 suspended, revoked or surrendered on criminal grounds may be  
678 reinstated upon petition to the commission filed after expiration  
679 of the sentence and parole or probationary period imposed upon  
680 conviction. A revoked, suspended or surrendered license may be  
681 reinstated upon satisfactory showing of evidence of  
682 rehabilitation. The commission shall require all who petition for  
683 reinstatement to furnish evidence satisfactory to the commission  
684 of good character, good mental, emotional and physical health and  
685 such other evidence as the commission may deem necessary to  
686 establish the petitioner's rehabilitation and fitness to perform  
687 the duties authorized by the license.

688           (b) A person whose license expires while under  
689 investigation by the Office of Educator Misconduct for an alleged  
690 violation may not be reinstated without a hearing before the  
691 commission if required based on the results of the investigation.



692           (15) Reporting procedures and hearing procedures for dealing  
693 with infractions under this section shall be promulgated by the  
694 commission, subject to the approval of the State Board of  
695 Education. The revocation or suspension of a license shall be  
696 effected at the time indicated on the notice of suspension or  
697 revocation. The commission shall immediately notify the  
698 superintendent of the school district or school board where the  
699 teacher or administrator is employed of any disciplinary action  
700 and also notify the teacher or administrator of such revocation or  
701 suspension and shall maintain records of action taken. The State  
702 Board of Education may reverse or remand with instructions any  
703 decision of the commission regarding a petition for reinstatement  
704 of a license, and any such decision of the State Board of  
705 Education shall be final.

706           (16) An appeal from the action of the State Board of  
707 Education in denying an application, revoking or suspending a  
708 license or otherwise disciplining any person under the provisions  
709 of this section shall be filed in the Chancery Court of the First  
710 Judicial District of Hinds County, Mississippi, on the record  
711 made, including a verbatim transcript of the testimony at the  
712 hearing. The appeal shall be filed within thirty (30) days after  
713 notification of the action of the board is mailed or served and  
714 the proceedings in chancery court shall be conducted as other  
715 matters coming before the court. The appeal shall be perfected  
716 upon filing notice of the appeal and by the prepayment of all



717 costs, including the cost of preparation of the record of the  
718 proceedings by the State Board of Education, and the filing of a  
719 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
720 if the action of the board be affirmed by the chancery court, the  
721 applicant or license holder shall pay the costs of the appeal and  
722 the action of the chancery court.

723 (17) All such programs, rules, regulations, standards and  
724 criteria recommended or authorized by the commission shall become  
725 effective upon approval by the State Board of Education as  
726 designated by appropriate orders entered upon the minutes thereof.

727 (18) The granting of a license shall not be deemed a  
728 property right nor a guarantee of employment in any public school  
729 district. A license is a privilege indicating minimal eligibility  
730 for teaching in the public school districts of Mississippi. This  
731 section shall in no way alter or abridge the authority of local  
732 school districts to require greater qualifications or standards of  
733 performance as a prerequisite of initial or continued employment  
734 in such districts.

735 (19) In addition to the reasons specified in subsections  
736 (12) and (13) of this section, the board shall be authorized to  
737 suspend the license of any licensee for being out of compliance  
738 with an order for support, as defined in Section 93-11-153. The  
739 procedure for suspension of a license for being out of compliance  
740 with an order for support, and the procedure for the reissuance or  
741 reinstatement of a license suspended for that purpose, and the



742 payment of any fees for the reissuance or reinstatement of a  
743 license suspended for that purpose, shall be governed by Section  
744 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
745 board in suspending a license when required by Section 93-11-157  
746 or 93-11-163 are not actions from which an appeal may be taken  
747 under this section. Any appeal of a license suspension that is  
748 required by Section 93-11-157 or 93-11-163 shall be taken in  
749 accordance with the appeal procedure specified in Section  
750 93-11-157 or 93-11-163, as the case may be, rather than the  
751 procedure specified in this section. If there is any conflict  
752 between any provision of Section 93-11-157 or 93-11-163 and any  
753 provision of this chapter, the provisions of Section 93-11-157 or  
754 93-11-163, as the case may be, shall control.

755       **SECTION 4.** Section 37-11-53, Mississippi Code of 1972, is  
756 amended as follows:

757       37-11-53. (1) A copy of the school district's discipline  
758 plan shall be distributed to each student enrolled in the  
759 district, and the parents, guardian or custodian of such student  
760 shall sign a statement verifying that they have been given notice  
761 of the discipline policies of their respective school district.  
762 The school board, except in those school districts with "A" and  
763 "B" accountability ratings, as defined by the State Board of  
764 Education, shall have its official discipline plan and code of  
765 student conduct legally audited on an annual basis to insure that  
766 its policies and procedures are currently in compliance with



767 applicable statutes, case law and state and federal constitutional  
768 provisions. \* \* \* The provisions of this section, Section  
769 37-11-55 and Section 37-11-18.1 shall be fully incorporated into  
770 the school district's discipline plan and code of student conduct.

771 (2) All discipline plans of school districts shall include,  
772 but not be limited to, the following:

773 (a) A parent, guardian or custodian of a  
774 compulsory-school-age child enrolled in a public school district  
775 shall be responsible financially for his or her minor child's  
776 destructive acts against school property or persons;

777 (b) A parent, guardian or custodian of a  
778 compulsory-school-age child enrolled in a public school district  
779 may be requested to appear at school by the school attendance  
780 officer or an appropriate school official for a conference  
781 regarding acts of the child specified in paragraph (a) of this  
782 subsection, or for any other discipline conference regarding the  
783 acts of the child;

784 (c) Any parent, guardian or custodian of a  
785 compulsory-school-age child enrolled in a school district who  
786 refuses or willfully fails to attend such discipline conference  
787 specified in paragraph (b) of this \* \* \* subsection may be  
788 summoned by proper notification by the superintendent of schools  
789 or the school attendance officer and be required to attend such  
790 discipline conference; and





791 (d) A parent, guardian or custodian of a  
792 compulsory-school-age child enrolled in a public school district  
793 shall be responsible for any criminal fines brought against such  
794 student for unlawful activity occurring on school grounds or  
795 buses.

796 (3) Any parent, guardian or custodian of a  
797 compulsory-school-age child who (a) fails to attend a discipline  
798 conference to which such parent, guardian or custodian has been  
799 summoned under the provisions of this section, or (b) refuses or  
800 willfully fails to perform any other duties imposed upon him or  
801 her under the provisions of this section, shall be guilty of a  
802 misdemeanor and, upon conviction, shall be fined not to exceed Two  
803 Hundred Fifty Dollars (\$250.00).

804 (4) Any public school district shall be entitled to recover  
805 damages in an amount not to exceed Twenty Thousand Dollars  
806 (\$20,000.00), plus necessary court costs, from the parents of any  
807 minor under the age of eighteen (18) years and over the age of six  
808 (6) years, who maliciously and willfully damages or destroys  
809 property belonging to such school district. However, this section  
810 shall not apply to parents whose parental control of such child  
811 has been removed by court order or decree. The action authorized  
812 in this section shall be in addition to all other actions which  
813 the school district is entitled to maintain and nothing in this  
814 section shall preclude recovery in a greater amount from the minor



815 or from a person, including the parents, for damages to which such  
816 minor or other person would otherwise be liable.

817 (5) A school district's discipline plan may provide that as  
818 an alternative to suspension, a student may remain in school by  
819 having the parent, guardian or custodian, with the consent of the  
820 student's teacher or teachers, attend class with the student for a  
821 period of time specifically agreed upon by the reporting teacher  
822 and school principal. If the parent, guardian or custodian does  
823 not agree to attend class with the student or fails to attend  
824 class with the student, the student shall be suspended in  
825 accordance with the code of student conduct and discipline  
826 policies of the school district.

827 **SECTION 5.** Section 37-13-41, Mississippi Code of 1972, is  
828 amended as follows:

829 37-13-41. Except in school districts with "A" and "B"  
830 accountability ratings, as defined by the State Board of  
831 Education, all principals and/or superintendents of public schools  
832 in all school districts in Mississippi shall report to their \* \* \*  
833 superintendent of education upon forms prepared and sent to  
834 the \* \* \* superintendent of education by the director of the  
835 division of instruction, giving the type and amount of work done  
836 in each grade of their respective school, with other information  
837 that may be desired by the director. The \* \* \* superintendents of  
838 education shall compile this information on forms sent out by the  
839 director. This shall be made in duplicate, one (1) copy to be



840 sent to the director, and the other filed as other public records  
841 are filed in the \* \* \* superintendents' offices. This report  
842 shall be made to the director by the \* \* \* superintendents of  
843 education not later than the first of June each year.

844 **SECTION 6.** Section 37-13-89, Mississippi Code of 1972, is  
845 amended as follows:

846 37-13-89. (1) In each school district within the state,  
847 except in school districts with "A" and "B" accountability  
848 ratings, as defined by the State Board of Education, there shall  
849 be employed the number of school attendance officers determined by  
850 the Office of Compulsory School Attendance Enforcement to be  
851 necessary to adequately enforce the provisions of the Mississippi  
852 Compulsory School Attendance Law; however, this number shall not  
853 exceed one hundred fifty-three (153) school attendance officers at  
854 any time. \* \* \* All school attendance officers employed pursuant  
855 to this section shall be employees of the State Department of  
856 Education. \* \* \* The first twelve (12) months of employment for  
857 each school attendance officer shall be the probationary period of  
858 state service.

859 (2) (a) The State Department of Education shall obtain  
860 current criminal records background checks and current child abuse  
861 registry checks on all persons applying for the position of school  
862 attendance officer \* \* \*. The criminal records information and  
863 registry checks must be kept on file for any new hires. In order  
864 to determine an applicant's suitability for employment as a school



865 attendance officer, the applicant must be fingerprinted. If no  
866 disqualifying record is identified at the state level, the  
867 Department of Public Safety shall forward the fingerprints to the  
868 Federal Bureau of Investigation (FBI) for a national criminal  
869 history record check. The applicant shall pay the fee, not to  
870 exceed Fifty Dollars (\$50.00), for the fingerprinting and criminal  
871 records background check; however, the State Department of  
872 Education, in its discretion, may pay the fee for the  
873 fingerprinting and criminal records background check on behalf of  
874 any applicant. Under no circumstances may a member of the State  
875 Board of Education, employee of the State Department of Education  
876 or any person other than the subject of the criminal records  
877 background check disseminate information received through any such  
878 checks except insofar as required to fulfill the purposes of this  
879 subsection.

880 (b) If the fingerprinting or criminal records check  
881 discloses a felony conviction, guilty plea or plea of nolo  
882 contendere to a felony of possession or sale of drugs, murder,  
883 manslaughter, armed robbery, rape, sexual battery, sex offense  
884 listed in Section 45-33-23(h), child abuse, arson, grand larceny,  
885 burglary, gratification of lust or aggravated assault which has  
886 not been reversed on appeal or for which a pardon has not been  
887 granted, the applicant is not eligible to be employed as a school  
888 attendance officer. Any employment of an applicant pending the  
889 results of the fingerprinting and criminal records check is



890 voidable if the new hire receives a disqualifying criminal records  
891 check. However, the State Board of Education, in its discretion,  
892 may allow an applicant aggrieved by an employment decision under  
893 this subsection to appear before the board, or before a hearing  
894 officer designated for that purpose, to show mitigating  
895 circumstances that may exist and allow the new hire to be employed  
896 as a school attendance officer. The State Board of Education may  
897 grant waivers for mitigating circumstances, which may include, but  
898 are not necessarily limited to: (i) age at which the crime was  
899 committed; (ii) circumstances surrounding the crime; (iii) length  
900 of time since the conviction and criminal history since the  
901 conviction; (iv) work history; (v) current employment and  
902 character references; and (vi) other evidence demonstrating the  
903 ability of the person to perform the responsibilities of a school  
904 attendance officer competently and that the person does not pose a  
905 threat to the health or safety of children.

906 (c) A member of the State Board of Education or  
907 employee of the State Department of Education may not be held  
908 liable in any employment discrimination suit in which an  
909 allegation of discrimination is made regarding an employment  
910 decision authorized under this section.

911 (3) Each school attendance officer shall possess a college  
912 degree with a major in a behavioral science or a related field or  
913 shall have no less than three (3) years combined actual experience  
914 as a school teacher, school administrator, law enforcement officer



915 possessing such degree, and/or social worker; however, these  
916 requirements shall not apply to persons employed as school  
917 attendance officers before January 1, 1987. School attendance  
918 officers also shall satisfy any additional requirements that may  
919 be established by the State Personnel Board for the position of  
920 school attendance officer.

921 (4) It shall be the duty of each school attendance officer  
922 to:

923 (a) Cooperate with any public agency to locate and  
924 identify all compulsory-school-age children who are not attending  
925 school;

926 (b) Cooperate with all courts of competent  
927 jurisdiction;

928 (c) Investigate all cases of nonattendance and unlawful  
929 absences by compulsory-school-age children not enrolled in a  
930 nonpublic school;

931 (d) Provide appropriate counseling to encourage all  
932 school-age children to attend school until they have completed  
933 high school;

934 (e) Attempt to secure the provision of social or  
935 welfare services that may be required to enable any child to  
936 attend school;

937 (f) Contact the home or place of residence of a  
938 compulsory-school-age child and any other place in which the  
939 officer is likely to find any compulsory-school-age child when the



940 child is absent from school during school hours without a valid  
941 written excuse from school officials, and when the child is found,  
942 the officer shall notify the parents and school officials as to  
943 where the child was physically located;

944 (g) Contact promptly the home of each  
945 compulsory-school-age child in the school district within the  
946 officer's jurisdiction who is not enrolled in school or is not in  
947 attendance at public school and is without a valid written excuse  
948 from school officials; if no valid reason is found for the  
949 nonenrollment or absence from the school, the school attendance  
950 officer shall give written notice to the parent, guardian or  
951 custodian of the requirement for the child's enrollment or  
952 attendance;

953 (h) Collect and maintain information concerning  
954 absenteeism, dropouts and other attendance-related problems, as  
955 may be required by law or the Office of Compulsory School  
956 Attendance Enforcement; and

957 (i) Perform all other duties relating to compulsory  
958 school attendance established by the State Department of Education  
959 or district school attendance supervisor, or both.

960 (5) While engaged in the performance of his duties, each  
961 school attendance officer shall carry on his person a badge  
962 identifying him as a school attendance officer under the Office of  
963 Compulsory School Attendance Enforcement of the State Department  
964 of Education and an identification card designed by the State



965 Superintendent of Public Education and issued by the school  
966 attendance officer supervisor. Neither the badge nor the  
967 identification card shall bear the name of any elected public  
968 official.

969 (6) The State Personnel Board shall develop a salary scale  
970 for school attendance officers as part of the variable  
971 compensation plan. The various pay ranges of the salary scale  
972 shall be based upon factors including, but not limited to,  
973 education, professional certification and licensure, and number of  
974 years of experience. School attendance officers shall be paid in  
975 accordance with this salary scale. The minimum salaries under the  
976 scale shall be no less than the following:

977 (a) For school attendance officers holding a bachelor's  
978 degree or any other attendance officer who does not hold such a  
979 degree, the annual salary shall be based on years of experience as  
980 a school attendance officer or related field of service or  
981 employment, no less than as follows:

982	Years of Experience	Salary
983	0 - 4 years	\$19,650.00
984	5 - 8 years	21,550.00
985	9 - 12 years	23,070.00
986	13 - 16 years	24,590.00
987	Over 17 years	26,110.00

988 (b) For school attendance officers holding a license as  
989 a social worker, the annual salary shall be based on years of





990 experience as a school attendance officer or related field of  
991 service or employment, no less than as follows:

992	Years of Experience	Salary
993	0 - 4 years	\$20,650.00
994	5 - 8 years	22,950.00
995	9 - 12 years	24,790.00
996	13 - 16 years	26,630.00
997	17 - 20 years	28,470.00
998	Over 21 years	30,310.00

999 (c) For school attendance officers holding a master's  
1000 degree in a behavioral science or a related field, the annual  
1001 salary shall be based on years of experience as a school  
1002 attendance officer or related field of service or employment, no  
1003 less than as follows:

1004	Years of Experience	Salary
1005	0 - 4 years	\$21,450.00
1006	5 - 8 years	24,000.00
1007	9 - 12 years	26,040.00
1008	13 - 16 years	28,080.00
1009	17 - 20 years	30,120.00
1010	Over 21 years	32,160.00

1011 (7) (a) Each school attendance officer employed by a  
1012 district attorney on June 30, 1998, who became an employee of the  
1013 State Department of Education on July 1, 1998, shall be awarded  
1014 credit for personal leave and major medical leave for his



1015 continuous service as a school attendance officer under the  
1016 district attorney, and if applicable, the youth or family court or  
1017 a state agency. The credit for personal leave shall be in an  
1018 amount equal to one-third (1/3) of the maximum personal leave the  
1019 school attendance officer could have accumulated had he been  
1020 credited with such leave under Section 25-3-93 during his  
1021 employment with the district attorney, and if applicable, the  
1022 youth or family court or a state agency. The credit for major  
1023 medical leave shall be in an amount equal to one-half (1/2) of the  
1024 maximum major medical leave the school attendance officer could  
1025 have accumulated had he been credited with such leave under  
1026 Section 25-3-95 during his employment with the district attorney,  
1027 and if applicable, the youth or family court or a state agency.  
1028 However, if a district attorney who employed a school attendance  
1029 officer on June 30, 1998, certifies, in writing, to the State  
1030 Department of Education that the school attendance officer had  
1031 accumulated, pursuant to a personal leave policy or major medical  
1032 leave policy lawfully adopted by the district attorney, a number  
1033 of days of unused personal leave or major medical leave, or both,  
1034 which is greater than the number of days to which the school  
1035 attendance officer is entitled under this paragraph, the State  
1036 Department of Education shall authorize the school attendance  
1037 officer to retain the actual unused personal leave or major  
1038 medical leave, or both, certified by the district attorney,  
1039 subject to the maximum amount of personal leave and major medical



1040 leave the school attendance officer could have accumulated had he  
1041 been credited with such leave under Sections 25-3-93 and 25-3-95.

1042 (b) For the purpose of determining the accrual rate for  
1043 personal leave under Section 25-3-93 and major medical leave under  
1044 Section 25-3-95, the State Department of Education shall give  
1045 consideration to all continuous service rendered by a school  
1046 attendance officer before July 1, 1998, in addition to the service  
1047 rendered by the school attendance officer as an employee of the  
1048 department.

1049 (c) In order for a school attendance officer to be  
1050 awarded credit for personal leave and major medical leave or to  
1051 retain the actual unused personal leave and major medical leave  
1052 accumulated by him before July 1, 1998, the district attorney who  
1053 employed the school attendance officer must certify, in writing,  
1054 to the State Department of Education the hire date of the school  
1055 attendance officer. For each school attendance officer employed  
1056 by the youth or family court or a state agency before being  
1057 designated an employee of the district attorney who has not had a  
1058 break in continuous service, the hire date shall be the date that  
1059 the school attendance officer was hired by the youth or family  
1060 court or state agency. The department shall prescribe the date by  
1061 which the certification must be received by the department and  
1062 shall provide written notice to all district attorneys of the  
1063 certification requirement and the date by which the certification  
1064 must be received.



1065           (8) (a) School attendance officers shall maintain regular  
1066 office hours on a year-round basis; however, during the school  
1067 term, on those days that teachers in all of the school districts  
1068 served by a school attendance officer are not required to report  
1069 to work, the school attendance officer also shall not be required  
1070 to report to work. (For purposes of this subsection, a school  
1071 district's school term is that period of time identified as the  
1072 school term in contracts entered into by the district with  
1073 licensed personnel.) A school attendance officer shall be  
1074 required to report to work on any day recognized as an official  
1075 state holiday if teachers in any school district served by that  
1076 school attendance officer are required to report to work on that  
1077 day, regardless of the school attendance officer's status as an  
1078 employee of the State Department of Education, and compensatory  
1079 leave may not be awarded to the school attendance officer for  
1080 working during that day. However, a school attendance officer may  
1081 be allowed by the school attendance officer's supervisor to use  
1082 earned leave on such days.

1083           (b) The State Department of Education annually shall  
1084 designate a period of six (6) consecutive weeks in the summer  
1085 between school years during which school attendance officers shall  
1086 not be required to report to work. A school attendance officer  
1087 who elects to work at any time during that period may not be  
1088 awarded compensatory leave for such work and may not opt to be  
1089 absent from work at any time other than during the six (6) weeks



1090 designated by the department unless the school attendance officer  
1091 uses personal leave or major medical leave accrued under Section  
1092 25-3-93 or 25-3-95 for such absence.

1093 (9) The State Department of Education shall provide all  
1094 continuing education and training courses that school attendance  
1095 officers are required to complete under state law or rules and  
1096 regulations of the department.

1097 **SECTION 7.** Section 37-43-31, Mississippi Code of 1972, is  
1098 amended as follows:

1099 37-43-31. (1) The State Board of Education shall adopt and  
1100 furnish textbooks only for use in those courses set up in the  
1101 state course of study as recommended by the State Accreditation  
1102 Commission and adopted by such board, or courses established by  
1103 acts of the Legislature. In all subjects the board, in its  
1104 discretion, may adopt textbooks and/or series from those  
1105 recommended by the textbook rating committees. The board may  
1106 adopt a plan which permits the local school districts to choose  
1107 the book or books to be requisitioned from those adopted,  
1108 provided:

1109 (a) That, when a book is furnished by the state, it  
1110 shall remain in use during the period of its adoption;

1111 (b) That the average per pupil cost of textbooks so  
1112 furnished any unit shall not exceed that allowed for all other  
1113 units in the state;



1114 (c) That nothing herein provided shall be construed as  
1115 giving any school the authority to discard or replace usable  
1116 copies of textbooks now being furnished by the state;

1117 (d) That the State Department of Education is  
1118 authorized to disburse the annual textbook appropriation directly  
1119 to the public school districts in accordance with \* \* \* paragraph  
1120 (b) of this subsection. The textbooks procured through this  
1121 chapter, as well as textbooks which are on hand on June 30, 1994,  
1122 which were previously purchased through the provisions of this  
1123 statute, shall become the property of the public school district  
1124 which purchased them, unless the State Department of Education  
1125 authorizes the transfer of unneeded textbooks to another location  
1126 in accordance with rules and regulations promulgated by the State  
1127 Board of Education;

1128 (e) That textbooks which are on loan to other than  
1129 public schools as referenced in Section 37-43-1, shall remain the  
1130 property of the State of Mississippi. All requisitions for  
1131 textbooks from these schools shall be submitted to the State  
1132 Department of Education to be processed and subsequently shipped  
1133 to the requesting school. No funds shall be disbursed directly  
1134 from the State Department of Education to the schools in this  
1135 category for the purpose of procuring textbooks; and

1136 (f) That funds made available through this chapter may  
1137 be used to purchase any state-adopted or nonadopted textbook from  
1138 any state depository, directly from the publisher, or in



1139 accordance with the provisions of Sections 37-43-21(5) and  
1140 37-43-31(3). For purchases made directly from the publisher, the  
1141 public school district, or the State Department of Education when  
1142 purchasing for other than public schools, shall not pay a higher  
1143 price for a textbook than that listed on the current state-adopted  
1144 list.

1145 (2) Whenever any book under contract is displaced by a new  
1146 adoption, the board may continue to require the schools to use the  
1147 recently purchased books from any previous adoption; however, such  
1148 period of use shall not exceed four (4) years.

1149 (3) If five (5) or more school boards petition the State  
1150 Board of Education to add a book, or a series of books, to the  
1151 approved list of state adoptions in a given subject area, then the  
1152 State Superintendent of Public Education shall have sixty (60)  
1153 days to show cause to the State Board of Education why the books  
1154 in question should or should not be purchased with state funds.  
1155 If the petition is not acted upon within the sixty-day period, the  
1156 petition shall be deemed to be approved. Once a textbook has been  
1157 approved through the petition process, any public school district  
1158 or eligible other school may procure the said textbook utilizing  
1159 funds appropriated through this chapter.

1160 (4) If new and innovative textbooks that would improve a  
1161 particular course of study become available between adoption  
1162 cycles, a school board may petition the State Board of Education



1163 for permission to purchase these books out of sequence to be paid  
1164 for with state textbook funds.

1165 (5) The State Board of Education shall not allow previously  
1166 rejected textbooks to be used if such textbooks were rejected for  
1167 any of the following reasons:

- 1168 (a) Obscene, lewd, sexist or vulgar material;
- 1169 (b) Advocating prejudicial behavior or actions; or
- 1170 (c) Encouraging acts determined to be antisocial or  
1171 derogatory to any race, sex or religion.

1172 (6) All books or series of books adopted under the petition  
1173 procedures of this chapter shall be purchased under the provisions  
1174 for bidding, pricing and distribution as prescribed in Section  
1175 37-43-23.

1176 (7) Petition procedure books or series of books adopted  
1177 under this section shall be considered only until the date of the  
1178 next regular adoption series in the applicable subject area.  
1179 Petition procedure books shall be submitted for formal adoption at  
1180 the next applicable regular textbook adoption as prescribed under  
1181 the provisions of Chapter 43, Title 37, Mississippi Code of 1972;  
1182 otherwise, such books adopted under the petition procedures which  
1183 do not receive formal adoption approval as recommended by the  
1184 textbook rating committee shall be dropped from the state textbook  
1185 petition adoption list. Provided, however, this provision shall  
1186 in no way prohibit a school district from using other funds,  
1187 federal or local, for the purchase of such books.





1188           (8) School districts with "A" and "B" accountability  
1189 ratings, as defined by the State Board of Education, are not  
1190 required to participate in the textbook selection process set  
1191 forth in this section.

1192           **SECTION 8.** This act shall take effect and be in force from  
1193 and after July 1, 2019.

