

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 888**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

11           **SECTION 1.** Section 37-7-301, Mississippi Code of 1972, is  
12 amended as follows:

13           37-7-301. The school boards of all school districts shall  
14 have the following powers, authority and duties in addition to all  
15 others imposed or granted by law, to wit:

16                   (a) To organize and operate the schools of the district  
17 and to make such division between the high school grades and  
18 elementary grades as, in their judgment, will serve the best  
19 interests of the school;



20 (b) To introduce public school music, art, manual  
21 training and other special subjects into either the elementary or  
22 high school grades, as the board shall deem proper;

23 (c) To be the custodians of real and personal school  
24 property and to manage, control and care for same, both during the  
25 school term and during vacation;

26 (d) To have responsibility for the erection, repairing  
27 and equipping of school facilities and the making of necessary  
28 school improvements;

29 (e) To suspend or to expel a pupil or to change the  
30 placement of a pupil to the school district's alternative school  
31 or homebound program for misconduct in the school or on school  
32 property, as defined in Section 37-11-29, on the road to and from  
33 school, or at any school-related activity or event, or for conduct  
34 occurring on property other than school property or other than at  
35 a school-related activity or event when such conduct by a pupil,  
36 in the determination of the school superintendent or principal,  
37 renders that pupil's presence in the classroom a disruption to the  
38 educational environment of the school or a detriment to the best  
39 interest and welfare of the pupils and teacher of such class as a  
40 whole, and to delegate such authority to the appropriate officials  
41 of the school district;

42 (f) To visit schools in the district, in their  
43 discretion, in a body for the purpose of determining what can be  
44 done for the improvement of the school in a general way;



45           (g) To support, within reasonable limits, the  
46 superintendent, principal and teachers where necessary for the  
47 proper discipline of the school;

48           (h) To exclude from the schools students with what  
49 appears to be infectious or contagious diseases; provided,  
50 however, such student may be allowed to return to school upon  
51 presenting a certificate from a public health officer, duly  
52 licensed physician or nurse practitioner that the student is free  
53 from such disease;

54           (i) To require those vaccinations specified by the  
55 State Health Officer as provided in Section 41-23-37;

56           (j) To see that all necessary utilities and services  
57 are provided in the schools at all times when same are needed;

58           (k) To authorize the use of the school buildings and  
59 grounds for the holding of public meetings and gatherings of the  
60 people under such regulations as may be prescribed by said board;

61           (l) To prescribe and enforce rules and regulations not  
62 inconsistent with law or with the regulations of the State Board  
63 of Education for their own government and for the government of  
64 the schools, and to transact their business at regular and special  
65 meetings called and held in the manner provided by law;

66           (m) To maintain and operate all of the schools under  
67 their control for such length of time during the year as may be  
68 required;



69           (n) To enforce in the schools the courses of study and  
70 the use of the textbooks prescribed by the proper authorities;

71           (o) To make orders directed to the superintendent of  
72 schools for the issuance of pay certificates for lawful purposes  
73 on any available funds of the district and to have full control of  
74 the receipt, distribution, allotment and disbursement of all funds  
75 provided for the support and operation of the schools of such  
76 school district whether such funds be derived from state  
77 appropriations, local ad valorem tax collections, or otherwise.  
78 The local school board shall be authorized and empowered to  
79 promulgate rules and regulations that specify the types of claims  
80 and set limits of the dollar amount for payment of claims by the  
81 superintendent of schools to be ratified by the board at the next  
82 regularly scheduled meeting after payment has been made;

83           (p) To select all school district personnel in the  
84 manner provided by law, and to provide for such employee fringe  
85 benefit programs, including accident reimbursement plans, as may  
86 be deemed necessary and appropriate by the board;

87           (q) To provide athletic programs and other school  
88 activities and to regulate the establishment and operation of such  
89 programs and activities;

90           (r) To join, in their discretion, any association of  
91 school boards and other public school-related organizations, and  
92 to pay from local funds other than minimum foundation funds, any  
93 membership dues;



94 (s) To expend local school activity funds, or other  
95 available school district funds, other than minimum education  
96 program funds, for the purposes prescribed under this paragraph.  
97 "Activity funds" shall mean all funds received by school officials  
98 in all school districts paid or collected to participate in any  
99 school activity, such activity being part of the school program  
100 and partially financed with public funds or supplemented by public  
101 funds. The term "activity funds" shall not include any funds  
102 raised and/or expended by any organization unless commingled in a  
103 bank account with existing activity funds, regardless of whether  
104 the funds were raised by school employees or received by school  
105 employees during school hours or using school facilities, and  
106 regardless of whether a school employee exercises influence over  
107 the expenditure or disposition of such funds. Organizations shall  
108 not be required to make any payment to any school for the use of  
109 any school facility if, in the discretion of the local school  
110 governing board, the organization's function shall be deemed to be  
111 beneficial to the official or extracurricular programs of the  
112 school. For the purposes of this provision, the term  
113 "organization" shall not include any organization subject to the  
114 control of the local school governing board. Activity funds may  
115 only be expended for any necessary expenses or travel costs,  
116 including advances, incurred by students and their chaperons in  
117 attending any in-state or out-of-state school-related programs,  
118 conventions or seminars and/or any commodities, equipment, travel



119 expenses, purchased services or school supplies which the local  
120 school governing board, in its discretion, shall deem beneficial  
121 to the official or extracurricular programs of the district,  
122 including items which may subsequently become the personal  
123 property of individuals, including yearbooks, athletic apparel,  
124 book covers and trophies. Activity funds may be used to pay  
125 travel expenses of school district personnel. The local school  
126 governing board shall be authorized and empowered to promulgate  
127 rules and regulations specifically designating for what purposes  
128 school activity funds may be expended. The local school governing  
129 board shall provide (i) that such school activity funds shall be  
130 maintained and expended by the principal of the school generating  
131 the funds in individual bank accounts, or (ii) that such school  
132 activity funds shall be maintained and expended by the  
133 superintendent of schools in a central depository approved by the  
134 board. The local school governing board shall provide that such  
135 school activity funds be audited as part of the annual audit  
136 required in Section 37-9-18. The State Department of Education  
137 shall prescribe a uniform system of accounting and financial  
138 reporting for all school activity fund transactions;

139 (t) To enter into an energy performance contract,  
140 energy services contract, on a shared-savings, lease or  
141 lease-purchase basis, for energy efficiency services and/or  
142 equipment as provided for in Section 31-7-14;



143 (u) To maintain accounts and issue pay certificates on  
144 school food service bank accounts;

145 (v) (i) To lease a school building from an individual,  
146 partnership, nonprofit corporation or a private for-profit  
147 corporation for the use of such school district, and to expend  
148 funds therefor as may be available from any \* \* \* program sources,  
149 except adequate education program funds. The school board of the  
150 school district desiring to lease a school building shall declare  
151 by resolution that a need exists for a school building and that  
152 the school district cannot provide the necessary funds to pay the  
153 cost or its proportionate share of the cost of a school building  
154 required to meet the present needs. The resolution so adopted by  
155 the school board shall be published once each week for three (3)  
156 consecutive weeks in a newspaper having a general circulation in  
157 the school district involved, with the first publication thereof  
158 to be made not less than thirty (30) days prior to the date upon  
159 which the school board is to act on the question of leasing a  
160 school building. If no petition requesting an election is filed  
161 prior to such meeting as hereinafter provided, then the school  
162 board may, by resolution spread upon its minutes, proceed to lease  
163 a school building. If at any time prior to said meeting a  
164 petition signed by not less than twenty percent (20%) or fifteen  
165 hundred (1500), whichever is less, of the qualified electors of  
166 the school district involved shall be filed with the school board  
167 requesting that an election be called on the question, then the



168 school board shall, not later than the next regular meeting, adopt  
169 a resolution calling an election to be held within such school  
170 district upon the question of authorizing the school board to  
171 lease a school building. Such election shall be called and held,  
172 and notice thereof shall be given, in the same manner for  
173 elections upon the questions of the issuance of the bonds of  
174 school districts, and the results thereof shall be certified to  
175 the school board. If at least three-fifths (3/5) of the qualified  
176 electors of the school district who voted in such election shall  
177 vote in favor of the leasing of a school building, then the school  
178 board shall proceed to lease a school building. The term of the  
179 lease contract shall not exceed twenty (20) years, and the total  
180 cost of such lease shall be either the amount of the lowest and  
181 best bid accepted by the school board after advertisement for bids  
182 or an amount not to exceed the current fair market value of the  
183 lease as determined by the averaging of at least two (2)  
184 appraisals by certified general appraisers licensed by the State  
185 of Mississippi. The term "school building" as used in this  
186 paragraph (v) (i) shall be construed to mean any building or  
187 buildings used for classroom purposes in connection with the  
188 operation of schools and shall include the site therefor,  
189 necessary support facilities, and the equipment thereof and  
190 appurtenances thereto such as heating facilities, water supply,  
191 sewage disposal, landscaping, walks, drives and playgrounds. The





192 term "lease" as used in this paragraph (v) (i) may include a  
193 lease-purchase contract;

194 (ii) If two (2) or more school districts propose  
195 to enter into a lease contract jointly, then joint meetings of the  
196 school boards having control may be held but no action taken shall  
197 be binding on any such school district unless the question of  
198 leasing a school building is approved in each participating school  
199 district under the procedure hereinabove set forth in paragraph  
200 (v) (i). All of the provisions of paragraph (v) (i) regarding the  
201 term and amount of the lease contract shall apply to the school  
202 boards of school districts acting jointly. Any lease contract  
203 executed by two (2) or more school districts as joint lessees  
204 shall set out the amount of the aggregate lease rental to be paid  
205 by each, which may be agreed upon, but there shall be no right of  
206 occupancy by any lessee unless the aggregate rental is paid as  
207 stipulated in the lease contract. All rights of joint lessees  
208 under the lease contract shall be in proportion to the amount of  
209 lease rental paid by each;

210 (w) To employ all noninstructional and \* \* \*  
211 nonlicensed employees and fix the duties and compensation of such  
212 personnel deemed necessary pursuant to the recommendation of the  
213 superintendent of schools;

214 (x) To employ and fix the duties and compensation of  
215 such legal counsel as deemed necessary;



216           (y) Subject to rules and regulations of the State Board  
217 of Education, to purchase, own and operate trucks, vans and other  
218 motor vehicles, which shall bear the proper identification  
219 required by law;

220           (z) To expend funds for the payment of substitute  
221 teachers and to adopt reasonable regulations for the employment  
222 and compensation of such substitute teachers;

223           (aa) To acquire in its own name by purchase all real  
224 property which shall be necessary and desirable in connection with  
225 the construction, renovation or improvement of any public school  
226 building or structure. Whenever the purchase price for such real  
227 property is greater than Fifty Thousand Dollars (\$50,000.00), the  
228 school board shall not purchase the property for an amount  
229 exceeding the fair market value of such property as determined by  
230 the average of at least two (2) independent appraisals by  
231 certified general appraisers licensed by the State of Mississippi.  
232 If the board shall be unable to agree with the owner of any such  
233 real property in connection with any such project, the board shall  
234 have the power and authority to acquire any such real property by  
235 condemnation proceedings pursuant to Section 11-27-1 et seq.,  
236 Mississippi Code of 1972, and for such purpose, the right of  
237 eminent domain is hereby conferred upon and vested in said board.  
238 Provided further, that the local school board is authorized to  
239 grant an easement for ingress and egress over sixteenth section  
240 land or lieu land in exchange for a similar easement upon



241 adjoining land where the exchange of easements affords substantial  
242 benefit to the sixteenth section land; provided, however, the  
243 exchange must be based upon values as determined by a competent  
244 appraiser, with any differential in value to be adjusted by cash  
245 payment. Any easement rights granted over sixteenth section land  
246 under such authority shall terminate when the easement ceases to  
247 be used for its stated purpose. No sixteenth section or lieu land  
248 which is subject to an existing lease shall be burdened by any  
249 such easement except by consent of the lessee or unless the school  
250 district shall acquire the unexpired leasehold interest affected  
251 by the easement;

252 (bb) To charge reasonable fees related to the  
253 educational programs of the district, in the manner prescribed in  
254 Section 37-7-335;

255 (cc) Subject to rules and regulations of the State  
256 Board of Education, to purchase relocatable classrooms for the use  
257 of such school district, in the manner prescribed in Section  
258 37-1-13;

259 (dd) Enter into contracts or agreements with other  
260 school districts, political subdivisions or governmental entities  
261 to carry out one or more of the powers or duties of the school  
262 board, or to allow more efficient utilization of limited resources  
263 for providing services to the public;

264 (ee) To provide for in-service training for employees  
265 of the district;



266 (ff) As part of their duties to prescribe the use of  
267 textbooks, to provide that parents and legal guardians shall be  
268 responsible for the textbooks and for the compensation to the  
269 school district for any books which are not returned to the proper  
270 schools upon the withdrawal of their dependent child. If a  
271 textbook is lost or not returned by any student who drops out of  
272 the public school district, the parent or legal guardian shall  
273 also compensate the school district for the fair market value of  
274 the textbooks;

275 (gg) To conduct fund-raising activities on behalf of  
276 the school district that the local school board, in its  
277 discretion, deems appropriate or beneficial to the official or  
278 extracurricular programs of the district; provided that:

279 (i) Any proceeds of the fund-raising activities  
280 shall be treated as "activity funds" and shall be accounted for as  
281 are other activity funds under this section; and

282 (ii) Fund-raising activities conducted or  
283 authorized by the board for the sale of school pictures, the  
284 rental of caps and gowns or the sale of graduation invitations for  
285 which the school board receives a commission, rebate or fee shall  
286 contain a disclosure statement advising that a portion of the  
287 proceeds of the sales or rentals shall be contributed to the  
288 student activity fund;

289 (hh) To allow individual lessons for music, art and  
290 other curriculum-related activities for academic credit or



291 nonacademic credit during school hours and using school equipment  
292 and facilities, subject to uniform rules and regulations adopted  
293 by the school board;

294 (ii) To charge reasonable fees for participating in an  
295 extracurricular activity for academic or nonacademic credit for  
296 necessary and required equipment such as safety equipment, band  
297 instruments and uniforms;

298 (jj) To conduct or participate in any fund-raising  
299 activities on behalf of or in connection with a tax-exempt  
300 charitable organization;

301 (kk) To exercise such powers as may be reasonably  
302 necessary to carry out the provisions of this section;

303 (ll) To expend funds for the services of nonprofit arts  
304 organizations or other such nonprofit organizations who provide  
305 performances or other services for the students of the school  
306 district;

307 (mm) To expend federal \* \* \* Every Student Succeeds Act  
308 (ESSA) funds, or any other available funds that are expressly  
309 designated and authorized for that use, to pay training,  
310 educational expenses, salary incentives and salary supplements to  
311 employees of local school districts; except that incentives shall  
312 not be considered part of the local supplement as defined in  
313 Section 37-151-5(o), nor shall incentives be considered part of  
314 the local supplement paid to an individual teacher for the  
315 purposes of Section 37-19-7(1). Mississippi Adequate Education



316 Program funds or any other state funds may not be used for salary  
317 incentives or salary supplements as provided in this paragraph  
318 (mm) ;

319 (nn) To use any available funds, not appropriated or  
320 designated for any other purpose, for reimbursement to the  
321 state-licensed employees from both in state and out of state, who  
322 enter into a contract for employment in a school district, for the  
323 expense of moving when the employment necessitates the relocation  
324 of the licensed employee to a different geographical area than  
325 that in which the licensed employee resides before entering into  
326 the contract. The reimbursement shall not exceed One Thousand  
327 Dollars (\$1,000.00) for the documented actual expenses incurred in  
328 the course of relocating, including the expense of any  
329 professional moving company or persons employed to assist with the  
330 move, rented moving vehicles or equipment, mileage in the amount  
331 authorized for county and municipal employees under Section  
332 25-3-41 if the licensed employee used his personal vehicle or  
333 vehicles for the move, meals and such other expenses associated  
334 with the relocation. No licensed employee may be reimbursed for  
335 moving expenses under this section on more than one (1) occasion  
336 by the same school district. Nothing in this section shall be  
337 construed to require the actual residence to which the licensed  
338 employee relocates to be within the boundaries of the school  
339 district that has executed a contract for employment in order for  
340 the licensed employee to be eligible for reimbursement for the



341 moving expenses. However, the licensed employee must relocate  
342 within the boundaries of the State of Mississippi. Any individual  
343 receiving relocation assistance through the Critical Teacher  
344 Shortage Act as provided in Section 37-159-5 shall not be eligible  
345 to receive additional relocation funds as authorized in this  
346 paragraph;

347           (oo) To use any available funds, not appropriated or  
348 designated for any other purpose, to reimburse persons who  
349 interview for employment as a licensed employee with the district  
350 for the mileage and other actual expenses incurred in the course  
351 of travel to and from the interview at the rate authorized for  
352 county and municipal employees under Section 25-3-41;

353           (pp) Consistent with the report of the Task Force to  
354 Conduct a Best Financial Management Practices Review, to improve  
355 school district management and use of resources and identify cost  
356 savings as established in Section 8 of Chapter 610, Laws of 2002,  
357 local school boards are encouraged to conduct independent reviews  
358 of the management and efficiency of schools and school districts.  
359 Such management and efficiency reviews shall provide state and  
360 local officials and the public with the following:

361                   (i) An assessment of a school district's  
362 governance and organizational structure;

363                   (ii) An assessment of the school district's  
364 financial and personnel management;

365                   (iii) An assessment of revenue levels and sources;



366 (iv) An assessment of facilities utilization,  
367 planning and maintenance;

368 (v) An assessment of food services, transportation  
369 and safety/security systems;

370 (vi) An assessment of instructional and  
371 administrative technology;

372 (vii) A review of the instructional management and  
373 the efficiency and effectiveness of existing instructional  
374 programs; and

375 (viii) Recommended methods for increasing  
376 efficiency and effectiveness in providing educational services to  
377 the public;

378 (qq) To enter into agreements with other local school  
379 boards for the establishment of an educational service agency  
380 (ESA) to provide for the cooperative needs of the region in which  
381 the school district is located, as provided in Section 37-7-345;

382 (rr) To implement a financial literacy program for  
383 students in Grades 10 and 11. The board may review the national  
384 programs and obtain free literature from various nationally  
385 recognized programs. After review of the different programs, the  
386 board may certify a program that is most appropriate for the  
387 school districts' needs. If a district implements a financial  
388 literacy program, then any student in Grade 10 or 11 may  
389 participate in the program. The financial literacy program shall  
390 include, but is not limited to, instruction in the same areas of





391 personal business and finance as required under Section  
392 37-1-3(2) (b). The school board may coordinate with volunteer  
393 teachers from local community organizations, including, but not  
394 limited to, the following: United States Department of  
395 Agriculture Rural Development, United States Department of Housing  
396 and Urban Development, Junior Achievement, bankers and other  
397 nonprofit organizations. Nothing in this paragraph shall be  
398 construed as to require school boards to implement a financial  
399 literacy program;

400 (ss) To collaborate with the State Board of Education,  
401 Community Action Agencies or the Department of Human Services to  
402 develop and implement a voluntary program to provide services for  
403 a prekindergarten program that addresses the cognitive, social,  
404 and emotional needs of four-year-old and three-year-old children.  
405 The school board may utilize any source of available revenue to  
406 fund the voluntary program. Effective with the 2013-2014 school  
407 year, to implement voluntary prekindergarten programs under the  
408 Early Learning Collaborative Act of 2013 pursuant to state funds  
409 awarded by the State Department of Education on a matching basis;

410 (tt) With respect to any lawful, written obligation of  
411 a school district, including, but not limited to, leases  
412 (excluding leases of sixteenth section public school trust land),  
413 bonds, notes, or other agreement, to agree in writing with the  
414 obligee that the Department of Revenue or any state agency,  
415 department or commission created under state law may:



416 (i) Withhold all or any part (as agreed by the  
417 school board) of any monies which such local school board is  
418 entitled to receive from time to time under any law and which is  
419 in the possession of the Department of Revenue, or any state  
420 agency, department or commission created under state law; and

421 (ii) Pay the same over to any financial  
422 institution, trustee or other obligee, as directed in writing by  
423 the school board, to satisfy all or part of such obligation of the  
424 school district.

425 The school board may make such written agreement to withhold  
426 and transfer funds irrevocable for the term of the written  
427 obligation and may include in the written agreement any other  
428 terms and provisions acceptable to the school board. If the  
429 school board files a copy of such written agreement with the  
430 Department of Revenue, or any state agency, department or  
431 commission created under state law then the Department of Revenue  
432 or any state agency, department or commission created under state  
433 law shall immediately make the withholdings provided in such  
434 agreement from the amounts due the local school board and shall  
435 continue to pay the same over to such financial institution,  
436 trustee or obligee for the term of the agreement.

437 This paragraph (tt) shall not grant any extra authority to a  
438 school board to issue debt in any amount exceeding statutory  
439 limitations on assessed value of taxable property within such  
440 school district or the statutory limitations on debt maturities,



441 and shall not grant any extra authority to impose, levy or collect  
442 a tax which is not otherwise expressly provided for, and shall not  
443 be construed to apply to sixteenth section public school trust  
444 land;

445 (uu) With respect to any matter or transaction that is  
446 competitively bid by a school district, to accept from any bidder  
447 as a good-faith deposit or bid bond or bid surety, the same type  
448 of good-faith deposit or bid bond or bid surety that may be  
449 accepted by the state or any other political subdivision on  
450 similar competitively bid matters or transactions. This paragraph  
451 (uu) shall not be construed to apply to sixteenth section public  
452 school trust land. The school board may authorize the investment  
453 of any school district funds in the same kind and manner of  
454 investments, including pooled investments, as any other political  
455 subdivision, including community hospitals;

456 (vv) To utilize the alternate method for the conveyance  
457 or exchange of unused school buildings and/or land, reserving a  
458 partial or other undivided interest in the property, as  
459 specifically authorized and provided in Section 37-7-485;

460 (ww) To delegate, privatize or otherwise enter into a  
461 contract with private entities for the operation of any and all  
462 functions of nonacademic school process, procedures and operations  
463 including, but not limited to, cafeteria workers, janitorial  
464 services, transportation, professional development, achievement  
465 and instructional consulting services materials and products,



466 purchasing cooperatives, insurance, business manager services,  
467 auditing and accounting services, school safety/risk prevention,  
468 data processing and student records, and other staff services;  
469 however, the authority under this paragraph does not apply to the  
470 leasing, management or operation of sixteenth section lands.  
471 Local school districts, working through their regional education  
472 service agency, are encouraged to enter into buying consortia with  
473 other member districts for the purposes of more efficient use of  
474 state resources as described in Section 37-7-345;

475           (xx) To partner with entities, organizations and  
476 corporations for the purpose of benefiting the school district;

477           (yy) To borrow funds from the Rural Economic  
478 Development Authority for the maintenance of school buildings;

479           (zz) To fund and operate voluntary early childhood  
480 education programs, defined as programs for children less than  
481 five (5) years of age on or before September 1, and to use any  
482 source of revenue for such early childhood education programs.

483 Such programs shall not conflict with the Early Learning  
484 Collaborative Act of 2013;

485           (aaa) To issue and provide for the use of procurement  
486 cards by school board members, superintendents and licensed school  
487 personnel consistent with the rules and regulations of the  
488 Mississippi Department of Finance and Administration under Section  
489 31-7-9; \* \* \*



490 (bbb) To conduct an annual comprehensive evaluation of  
491 the superintendent of schools consistent with the assessment  
492 components of paragraph (pp) of this section and the assessment  
493 benchmarks established by the Mississippi School Board Association  
494 to evaluate the success the superintendent has attained in meeting  
495 district goals and objectives, the superintendent's leadership  
496 skill and whether or not the superintendent has established  
497 appropriate standards for performance, is monitoring success and  
498 is using data for improvement \* \* \*; and

499 (ccc) To expend local school student club funds, or  
500 other available school district funds, other than minimum  
501 education program funds, for the purposes prescribed under this  
502 paragraph. "Student club funds" means student generated funds  
503 raised by means other than taxation or through charges of a board  
504 of education, for, by or in the name of a school, student body or  
505 any subdivision thereof. The term "student club funds" shall not  
506 include any funds characterized as "activity funds" as defined in  
507 paragraph (s) of this section, or used in for any purposes  
508 associated therewith. The local school board shall adopt rules  
509 and regulations for the establishment, conduct, operation and  
510 maintenance of student club funds, and for the safeguarding,  
511 accounting and audit of all funds received, provided that at  
512 minimum the rules and regulations require:

513 (i) The method to be followed in establishing a  
514 student club organization;



515                   (ii) The records of receipts and expenditures to  
516 be maintained and the reports to be made at least quarterly to the  
517 local school board;

518                   (iii) That authority to expend funds shall be  
519 distinct and separate from the custody of those funds, and limited  
520 only to use by the student club organization for which the account  
521 was funded and created, and for purposes of necessary expenses  
522 directly associated with furthering the aim and mission of such  
523 organization;

524                   (iv) That an independent and impartial audit of  
525 the accounts shall be made at least annually in conjunction with  
526 the annual audit of the district records as required in Section  
527 37-9-18;

528                   (v) The methods of disbursing the funds of  
529 dissolved student club organizations; and

530                   (vi) That the Generally Accepted Accounting  
531 Principles (GAAP) are used for procedural guidance in its  
532 accounting practices.

533                   The local school board shall require all funds received from  
534 the conduct, operation or maintenance of any student club to be  
535 deposited with an official designated by the school board, who in  
536 such event shall be the treasurer of such student club fund. The  
537 school board may assign any of its officers or employees to  
538 perform such duties as it may prescribe in connection with any  
539 student club organization, and shall designate such of its



540 officers and employees, from whom an official undertaking shall be  
541 required. The local school governing board shall provide that  
542 such student club funds shall be maintained and expended by the  
543 principal of the school of which the student club organization is  
544 affiliated in a district bank account approved by the board, which  
545 shall be accounted for separately for each student club  
546 organization making deposits into the account through the use of  
547 unique accounting codes or identifiers. The State Department of  
548 Education shall prescribe a uniform system of accounting and  
549 financial reporting for all student club fund transactions.

550       **SECTION 2.** This act shall take effect and be in force from  
551 and after July 1, 2020, and shall stand repealed on June 30, 2020.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1       AN ACT TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THE USE AND ACCOUNTING PRACTICES RELATING TO STUDENT  
3 CLUB FUNDS; TO SPECIFY THE ROLE OF THE LOCAL SCHOOL BOARD IN  
4 DESIGNATING AN OFFICER OR EMPLOYEE OF THE SCHOOL DISTRICT TO  
5 RECEIVE DEPOSIT OF FUNDS RECEIVED FROM THE OPERATIONS, CONDUCT OR  
6 MAINTENANCE OF STUDENT CLUBS; TO SPECIFY THE MINIMUM RULES AND  
7 REGULATIONS TO BE ADOPTED BY LOCAL SCHOOL BOARDS FOR THE  
8 MANAGEMENT AND GOVERNANCE OF STUDENT CLUB FUNDS; AND FOR RELATED  
9 PURPOSES.

