

By: Representative Scott

To: Education

HOUSE BILL NO. 310

1 AN ACT TO AMEND SECTION 37-11-54, MISSISSIPPI CODE OF 1972,  
 2 TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP THE CURRICULUM  
 3 AND IMPLEMENT A PROGRAM OF CONFLICT RESOLUTION AND PEER MEDIATION  
 4 TO BE USED BY LOCAL SCHOOL DISTRICTS; TO PROVIDE THAT THE  
 5 CURRICULUM DEVELOPED FOR USE SHALL BE AGE AND GRADE APPROPRIATE;  
 6 TO REQUIRE PROGRAMS OF CONFLICT RESOLUTION AND PEER MEDIATION IN  
 7 FAILING DISTRICTS TO BE SUPERVISED BY THE SCHOOL RESOURCE OFFICER  
 8 WITH THE ASSISTANCE OF OTHER DISTRICT PERSONNEL TO COMBAT VIOLENCE  
 9 AND BULLYING; TO PROVIDE THAT THE PROGRAM OF CONFLICT RESOLUTION  
 10 SHALL PROVIDE SCHOOL ADMINISTRATORS WITH ALTERNATIVES TO HANDLING  
 11 STUDENT DISCIPLINARY MATTERS; TO AMEND SECTION 37-11-53,  
 12 MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO ALLOW ANY  
 13 PUBLIC SCHOOL STUDENT WHO HAS NEVER BEEN SUBJECT TO DISCIPLINARY  
 14 ACTION WHO COMMITS AN ACT OR ENGAGES IN CONDUCT FOR WHICH THE  
 15 STUDENT OTHERWISE WOULD BE SUSPENDED OR EXPELLED UNDER THE SCHOOL  
 16 DISTRICT'S DISCIPLINE PLAN, AT THE ELECTION OF THE STUDENT, TO  
 17 PARTICIPATE IN A COMMUNITY SERVICE PROGRAM AS AN ALTERNATIVE TO  
 18 SUSPENSION OR EXPULSION; TO PROVIDE THAT WHILE PARTICIPATING IN  
 19 THE PROGRAM, THE STUDENT SHALL RECEIVE YOUTH PEER COUNSELING  
 20 DEEMED APPROPRIATE BY THE SCHOOL DISTRICT; TO AMEND SECTIONS  
 21 37-3-82 AND 37-3-83, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO  
 22 THE PRECEDING PROVISIONS; TO BRING FORWARD SECTION 37-7-321,  
 23 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;  
 24 AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** Section 37-11-54, Mississippi Code of 1972, is  
 27 amended as follows:

28 37-11-54. (1) The State Board of Education shall develop  
 29 a \* \* \* conflict resolution and mediation \* \* \* program and \* \* \*



30 curriculum that are developed from evidence-based practices and  
31 positive behavioral intervention supports to address responsible  
32 decision making, the causes and effects of school violence and  
33 harassment, cultural diversity, and nonviolent methods for  
34 resolving conflict, including peer mediation, \* \* \* which  
35 shall \* \* \* be age- and grade-appropriate and incorporated into  
36 the instructional curriculum of each school district before the  
37 beginning of the \* \* \* 2022-2023 school year. All "D" and "F"  
38 rated school districts shall be required to participate in this  
39 program. In addition, local school boards shall incorporate  
40 evidence-based practices and positive behavioral intervention  
41 supports into individual school district policies and Codes of  
42 Conduct. In developing this \* \* \* program and curriculum, the  
43 State Board of Education shall emphasize materials, models and  
44 curricula that currently are being used in Mississippi public  
45 schools \* \* \* that \* \* \* it determines to be effective. In  
46 developing the curriculum to be used by school districts the State  
47 Board of Education shall include at least one (1) model that  
48 includes instruction and guidance for \* \* \* peer mediation  
49 programs and one (1) model that provides instruction and guidance  
50 for teachers concerning the integration of conflict resolution and  
51 mediation lessons into the existing classroom curriculum.

52 (2) In each school district designated as failing as  
53 determined by an accountability rating of "D" or "F," the program  
54 of conflict resolution shall be under the direct supervision of



55 the school resource officer, who shall be assisted by a licensed  
56 teacher and professional school counselor in implementing conflict  
57 resolution and peer mediation practices which are aligned to the  
58 adopted curriculum and the district's Code of Conduct to combat  
59 violence and bullying.

60 (3) The processes of conflict resolution and peer mediation  
61 required to be incorporated into the curriculum of each school  
62 district shall also provide school administrative personnel with  
63 alternative methods for disciplinary actions taken against  
64 students who are disruptive to the educational environment,  
65 including in-school suspension, temporary alternative school  
66 placement and community services as an alternative to suspension.

67 **SECTION 2.** Section 37-11-53, Mississippi Code of 1972, is  
68 amended as follows:

69 37-11-53. (1) A copy of the school district's discipline  
70 plan shall be distributed to each student enrolled in the  
71 district, and the parents, guardian or custodian of \* \* \* each  
72 student shall sign a statement verifying that they have been given  
73 notice of the discipline policies of their respective school  
74 district. The school board shall have its official discipline  
75 plan and code of student conduct legally audited on an annual  
76 basis to insure that its policies and procedures are currently in  
77 compliance with applicable statutes, case law and state and  
78 federal constitutional provisions. \* \* \* The provisions of this  
79 section, Section 37-11-55 and Section 37-11-18.1 shall be fully



80 incorporated into the school district's discipline plan and code  
81 of student conduct.

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

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

88 (b) A parent, guardian or custodian of a  
89 compulsory-school-age child enrolled in a public school district  
90 may be requested to appear at school by the school attendance  
91 officer or an appropriate school official for a conference  
92 regarding acts of the child specified in paragraph (a) of this  
93 subsection, or for any other discipline conference regarding the  
94 acts of the child;

95 (c) Any parent, guardian or custodian of a  
96 compulsory-school-age child enrolled in a school district who  
97 refuses or willfully fails to attend \* \* \* the discipline  
98 conference specified in paragraph (b) of this \* \* \* subsection may  
99 be summoned by proper notification by the local superintendent of  
100 schools or the school attendance officer and be required to  
101 attend \* \* \* the discipline conference; and

102 (d) A parent, guardian or custodian of a  
103 compulsory-school-age child enrolled in a public school district  
104 shall be responsible for any criminal fines brought against \* \* \*



105 the student for unlawful activity occurring on school grounds or  
106 buses.

107 (3) Any parent, guardian or custodian of a  
108 compulsory-school-age child who (a) fails to attend a discipline  
109 conference to which \* \* \* the parent, guardian or custodian has  
110 been summoned under \* \* \* this section, or (b) refuses or  
111 willfully fails to perform any other duties imposed upon him or  
112 her under \* \* \* this section, shall be guilty of a misdemeanor  
113 and, upon conviction, shall be fined an amount not to exceed Two  
114 Hundred Fifty Dollars (\$250.00).

115 (4) Any public school district shall be entitled to recover  
116 damages in an amount not to exceed Twenty Thousand Dollars  
117 (\$20,000.00), plus necessary court costs, from the parents of any  
118 minor under the age of eighteen (18) years and over the age of six  
119 (6) years, who maliciously and willfully damages or destroys  
120 property belonging to \* \* \* that school district. However, this  
121 section shall not apply to parents whose parental control of \* \* \*  
122 their child has been removed by court order or decree. The action  
123 authorized in this \* \* \* subsection shall be in addition to all  
124 other actions \* \* \* that the school district is entitled to  
125 maintain and nothing in this section shall preclude recovery in a  
126 greater amount from the minor or from a person, including the  
127 parents, for damages \* \* \* for which \* \* \* the minor or other  
128 person would otherwise be liable.



129 (5) A school district's discipline plan may provide that as  
130 an alternative to suspension, a student may remain in school by  
131 having the parent, guardian or custodian, with the consent of the  
132 student's teacher or teachers, attend class with the student for a  
133 period of time specifically agreed upon by the reporting teacher  
134 and school principal. If the parent, guardian or custodian does  
135 not agree to attend class with the student or fails to attend  
136 class with the student, the student shall be suspended in  
137 accordance with the code of student conduct and discipline  
138 policies of the school district.

139 (6) If a student who has never been subject to disciplinary  
140 action commits an act or engages in conduct for which the student  
141 otherwise would be suspended or expelled under the school  
142 district's discipline plan, as an alternative to suspension or  
143 expulsion, the student may be permitted, at the election of the  
144 student, to participate in a community service program of at least  
145 forty (40) hours in duration supervised by the school district or  
146 a nonprofit organization that has a collaborative relationship  
147 with the school district. While participating in the program, the  
148 student may receive youth peer counseling deemed appropriate by  
149 the school district.

150 **SECTION 3.** Section 37-3-82, Mississippi Code of 1972, is  
151 amended as follows:

152 37-3-82. (1) There is hereby established the Mississippi  
153 Community Oriented Policing Services in Schools (MCOPS) grant



154 program in the State Department of Education to provide funding,  
155 pursuant to specific appropriation by the Legislature therefor, to  
156 assist law enforcement agencies in providing additional School  
157 Resource Officers to engage in community policing in and around  
158 primary and secondary schools. The MCOPS program shall authorize  
159 the State Department of Education to make grants to increase  
160 deployment of law enforcement officers in order (a) to increase or  
161 enhance community policing in this state, (b) that trained, sworn  
162 enforcement officers assigned to schools play an integral part in  
163 the development and/or enhancement of a comprehensive school  
164 safety plan, and (c) that the presence of these officers shall  
165 provide schools with a direct link to local law enforcement  
166 agencies.

167 (2) The MCOPS program shall meet the following requirements  
168 and standards:

169 (a) This program shall provide an incentive for law  
170 enforcement agencies to build collaborative partnerships with the  
171 school community and to use community policing efforts to combat  
172 school violence and implement educational programs to improve  
173 student and school safety.

174 (b) The additional School Resource Officers must devote  
175 at least seventy-five percent (75%) of their time to work in and  
176 around primary and secondary schools, in addition to the time that  
177 School Resource Officers are devoting in the absence of the MCOPS  
178 in Schools grant.



179 (c) Beginning with the 2019-2020 school year, the MCOPS  
180 in Schools program shall provide a minimum state contribution of  
181 up to Ten Thousand Dollars (\$10,000.00) per officer position over  
182 the one-year grant period, to be matched from local funds on a  
183 50/50 matching basis. Officers paid with MCOPS funds may be  
184 employed by the local law enforcement agency or by the local  
185 school district. MCOPS funds may be used to pay for entry-level  
186 salaries and benefits of newly trained additional School Resource  
187 Officers and may be used to pay the salaries and benefits of  
188 School Resource Officers employed prior to July 1, 2013. All  
189 jurisdictions that apply must demonstrate that they have primary  
190 law enforcement authority over the school(s) identified in their  
191 application and demonstrate their inability to implement this  
192 project without state assistance. Schools or law enforcement  
193 agencies may not reduce its overall federal, state, locally funded  
194 level of sworn officers (including other School Resource Officers  
195 or other sworn officers assigned to the schools) as a result of  
196 applying for or receiving MCOPS in Schools grant funding. MCOPS  
197 in Schools funding may be used to rehire sworn officers previously  
198 employed who have been laid off for financial reasons unrelated to  
199 the availability of the MCOPS in Schools grant, but must obtain  
200 prior written approval from the State Department of Education.  
201 MCOPS in Schools funding may be used to train school resource  
202 officers. In order to be eligible for such program, each local  
203 school board desiring to participate shall apply to the State





204 Department of Education by May 31 before the beginning of the  
205 applicable fiscal year on forms provided by the department. The  
206 State Department of Education shall determine by July 1 of each  
207 succeeding year which local school districts have submitted  
208 approved applications for School Resource Officer funding.

209 (d) School Resource Officers (SROs) may serve in a  
210 variety of roles, including, but not limited to, that of a law  
211 enforcement officer/safety specialist, law-related educator,  
212 conflict resolution/peer mediation supervisor and  
213 problem-solver/community liaison. These officers may teach  
214 programs such as crime prevention, substance abuse prevention, and  
215 gang resistance as well as monitor and assist troubled students  
216 through mentoring programs. The School Resource Officer(s) may  
217 also identify physical changes in the environment that may reduce  
218 crime in and around the schools, as well as assist in developing  
219 school policies which address criminal activity and school safety.  
220 The application must also include a Memorandum of Understanding  
221 (MOU), signed by the law enforcement executive and the appropriate  
222 school official(s), to document the roles and responsibilities to  
223 be undertaken by the law enforcement agency and the educational  
224 school partner(s) through this collaborative effort. The  
225 application must also include a Narrative Addendum to document  
226 that the School Resource Officer(s) will be assigned to work in  
227 and around primary or secondary schools and provide supporting  
228 documentation in the following areas: problem identification and



229 justification, community policing strategies to be used by the  
230 officers, quality and level of commitment to the effort, and the  
231 link to community policing.

232 (e) All agencies receiving awards through the MCOPS in  
233 Schools program are required to send the School Resource Officer  
234 position(s) funded by this grant, to the Mississippi Law  
235 Enforcement Officers' Training Academy where they shall be  
236 required to participate in training through the Advanced Law  
237 Enforcement Rapid Response Training Program at the academy, with  
238 the cost to be defrayed from the MCOPS program. The MCOPS Office  
239 of the State Department of Education will reimburse grantees for  
240 training, per diem, travel, and lodging costs for attendance of  
241 required participants up to a maximum of One Thousand Two Hundred  
242 Dollars (\$1,200.00) per person attending. Applicants receiving an  
243 MCOPS in Schools grant, will receive additional training  
244 information following notification of the grant award. The MCOPS  
245 in Schools training requirement must be completed prior to the end  
246 of twelve-month grant funding for officer positions.

247 (3) The State Department of Education shall promulgate rules  
248 and regulations prescribing procedures for the application,  
249 expenditure requirements and the administration of the Mississippi  
250 Community Oriented Policing Services in Schools (MCOPS) program  
251 established in this section, and shall make a report on the  
252 implementation of the MCOPS program with any recommendations to  
253 the 2020 Regular Session of the Legislature.



254           **SECTION 4.** Section 37-3-83, Mississippi Code of 1972, is  
255 amended as follows:

256           37-3-83. (1) There is established within the State  
257 Department of Education, using only existing staff and resources,  
258 a School Safety Grant Program, available to all eligible public  
259 school districts, to assist in financing programs to provide  
260 school safety. However, no monies from the Temporary Assistance  
261 for Needy Families grant may be used for the School Safety Grant  
262 Program.

263           (2) The school board of each school district, with the  
264 assistance of the State Department of Education School Safety  
265 Center, shall adopt a comprehensive local school district school  
266 safety plan and shall update the plan on an annual basis.

267           (3) Subject to the extent of appropriations available, the  
268 School Safety Grant Program shall offer any of the following  
269 specific preventive services, and other additional services  
270 appropriate to the most current school district school safety  
271 plan:

272                   (a) Metal detectors;

273                   (b) Video surveillance cameras, communications  
274 equipment and monitoring equipment for classrooms, school  
275 buildings, school grounds and school buses;

276                   (c) Crisis management/action teams responding to school  
277 violence;



278 (d) Violence prevention training, conflict resolution  
279 training, behavioral stress training, peer mediation training,  
280 anti-bullying training and other appropriate training designated  
281 by the State Department of Education for faculty and staff; and

282 (e) School safety personnel.

283 (4) Each local school district of this state may annually  
284 apply for school safety grant funds subject to appropriations by  
285 the Legislature. School safety grants shall include a base grant  
286 amount plus an additional amount per student in average daily  
287 attendance in the school or school district. The base grant  
288 amount and amount per student shall be determined by the State  
289 Board of Education, subject to specific appropriation therefor by  
290 the Legislature. In order to be eligible for such program, each  
291 local school board desiring to participate shall apply to the  
292 State Department of Education by May 31 before the beginning of  
293 the applicable fiscal year on forms provided by the department,  
294 and shall be required to establish a local School Safety Task  
295 Force to involve members of the community in the school safety  
296 effort. The State Department of Education shall determine by July  
297 1 of each succeeding year which local school districts have  
298 submitted approved applications for school safety grants.

299 (5) As part of the School Safety Grant Program, the State  
300 Department of Education may conduct a pilot program to research  
301 the feasibility of using video camera equipment in the classroom  
302 to address the following:



303 (a) Determine if video cameras in the classroom reduce  
304 student disciplinary problems;

305 (b) Enable teachers to present clear and convincing  
306 evidence of a student's disruptive behavior to the student, the  
307 principal, the superintendent and the student's parents; and

308 (c) Enable teachers to review teaching performance and  
309 receive diagnostic feedback for developmental purposes.

310 (6) Any local school district may use  
311 audio/visual-monitoring equipment in classrooms, hallways,  
312 buildings, grounds and buses for the purpose of monitoring school  
313 disciplinary problems.

314 (7) As a component of the comprehensive local school  
315 district school safety plan required under subsection (2) of this  
316 section, the school board of a school district may adopt and  
317 implement a policy addressing sexual abuse of children, to be  
318 known as "Erin's Law Awareness." Any policy adopted under this  
319 subsection may include or address, but need not be limited to, the  
320 following:

321 (a) Methods for increasing teacher, student and  
322 parental awareness of issues regarding sexual abuse of children,  
323 including knowledge of likely warning signs indicating that a  
324 child may be a victim of sexual abuse;

325 (b) Educational information for parents or guardians,  
326 which may be included in the school handbook, on the warning signs



327 of a child being abused, along with any needed assistance,  
328 referral or resource information;

329 (c) Training for school personnel on child sexual  
330 abuse;

331 (d) Age-appropriate curriculum for students in  
332 prekindergarten through fifth grade;

333 (e) Actions that a child who is a victim of sexual  
334 abuse should take to obtain assistance and intervention;

335 (f) Counseling and resources available for students  
336 affected by sexual abuse; and

337 (g) Emotional and educational support for a child who  
338 has been abused to enable the child to be successful in school.

339 (8) As part of the school safety grant program, the State  
340 Department of Education shall establish three (3) pilot programs  
341 in six (6) school districts utilizing an evidence-based curriculum  
342 to provide students in Grades K-5 with skills to manage stress and  
343 anxiety in order for them to be better equipped to handle  
344 challenges in a healthy way and build resiliency. The Mississippi  
345 Department of Mental Health shall be responsible for the selection  
346 of the content of the evidence-based curriculum. The results of  
347 this pilot program shall be measured and reported, and such  
348 results shall be used in consideration of the implementation of  
349 this curriculum statewide.

350 (9) As a component of the comprehensive local school  
351 district safety plan required under subsection (2) of this



352 section, beginning in the 2019-2020 school year, the State  
353 Department of Education shall require local school districts to  
354 conduct, every two (2) years, refresher training on mental health  
355 and suicide prevention for all school employees and personnel,  
356 including all cafeteria workers, custodians, teachers and  
357 administrators. The Mississippi Department of Mental Health shall  
358 be responsible for the development and/or selection of the content  
359 of the training, which training shall be provided at no cost to  
360 school employees. School districts shall report completion of the  
361 training to the State Department of Education.

362 **SECTION 5.** Section 37-7-321, Mississippi Code of 1972, is  
363 brought forward as follows:

364 37-7-321. (1) The school board of any school district  
365 within the State of Mississippi, in its discretion, may employ one  
366 or more persons as security personnel and may designate such  
367 persons as peace officers in or on any property operated for  
368 school purposes by such board upon their taking such oath and  
369 making such bond as required of a constable of the county in which  
370 the school district is situated.

371 (2) Any person employed by a school board as a security  
372 guard or school resource officer or in any other position that has  
373 the powers of a peace officer must receive a minimum level of  
374 basic law enforcement training, as jointly determined and  
375 prescribed by the Board on Law Enforcement Officer Standards and  
376 Training and the State Board of Education, within two (2) years of



377 the person's initial employment in such position. Upon the  
378 failure of any person employed in such position to receive the  
379 required training within the designated time, the person may not  
380 exercise the powers of a peace officer in or on the property of  
381 the school district.

382 (3) The school board is authorized and empowered, in its  
383 discretion, and subject to the approval of the Federal  
384 Communications Commission, to install and operate a noncommercial  
385 radio broadcasting and transmission station for educational and  
386 vocational educational purposes.

387 (4) If a law enforcement officer is duly appointed to be a  
388 peace officer by a school district under this section, the local  
389 school board may enter into an interlocal agreement with other law  
390 enforcement entities for the provision of equipment or traffic  
391 control duties, however, the duty to enforce traffic regulations  
392 and to enforce the laws of the state or municipality off of school  
393 property lies with the local police or sheriff's department which  
394 cannot withhold its services solely because of the lack of such an  
395 agreement.

396 **SECTION 6.** This act shall take effect and be in force from  
397 and after July 1, 2022.

