

By: Senator(s) DeBar, Michel, Parker

To: Education; Universities  
and Colleges

SENATE BILL NO. 2425  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF  
3 PUBLIC EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF  
4 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE  
5 DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-3-9, Mississippi Code of 1972, is  
8 amended as follows:

9 37-3-9. (1) There shall be a State Superintendent of Public  
10 Education who shall be appointed by the State Board of Education,  
11 with the advice and consent of the Senate, and serve at the  
12 board's will and pleasure. He shall be the Chief Administrative  
13 Officer for the State Department of Education and shall administer  
14 the department in accordance with the policies established by the  
15 State Board of Education. The State Superintendent of Education,  
16 serving on July 1, \* \* \* 2021, shall continue to receive the  
17 salary that he was receiving on January 1, \* \* \* 2021, until his  
18 contract term ends. From and after the \* \* \* expiration date of  
19 such superintendent's contract term that was active on July 1,



20 2021, the salary of the State Superintendent of Education shall be  
21 established by the State Board of Education and shall not exceed  
22 Two Hundred Fifty Thousand Dollars (\$250,000.00) per year. The  
23 State Superintendent of Public Education shall have at least a  
24 master's degree in any field and a minimum of five (5) years'  
25 experience in administration in the educational field.

26 (2) The State Superintendent shall give bond in the penalty  
27 of Seventy-five Thousand Dollars (\$75,000.00), with sureties to be  
28 approved by the Governor, conditioned according to law. The bond,  
29 when approved, shall be filed and recorded in the Office of the  
30 Secretary of State.

31 **SECTION 2.** Section 37-4-3, Mississippi Code of 1972, is  
32 amended as follows:

33 37-4-3. (1) From and after July 1, 1986, there shall be a  
34 Mississippi Community College Board which shall receive and  
35 distribute funds appropriated by the Legislature for the use of  
36 the public community and junior colleges and funds from federal  
37 and other sources that are transmitted through the state  
38 governmental organization for use by said colleges. This board  
39 shall provide general coordination of the public community and  
40 junior colleges, assemble reports and such other duties as may be  
41 prescribed by law.

42 (2) The board shall consist of ten (10) members of which  
43 none shall be an elected official. The Governor shall appoint two  
44 (2) members from the First Mississippi Congressional District, one



45 (1) who shall serve an initial term of two (2) years and one (1)  
46 who shall serve an initial term of five (5) years; two (2) members  
47 from the Second Mississippi Congressional District, one (1) who  
48 shall serve an initial term of five (5) years and one (1) who  
49 shall serve an initial term of three (3) years; and two (2)  
50 members from the Third Mississippi Congressional District, one (1)  
51 who shall serve an initial term of four (4) years and one (1) who  
52 shall serve an initial term of two (2) years; two (2) members from  
53 the Fourth Mississippi Congressional District, one (1) who shall  
54 serve an initial term of three (3) years and one (1) who shall  
55 serve an initial term of four (4) years; and two (2) members from  
56 the Fifth Mississippi Congressional District, one (1) who shall  
57 serve an initial term of five (5) years and one (1) who shall  
58 serve an initial term of two (2) years. All subsequent  
59 appointments shall be for a term of six (6) years and continue  
60 until their successors are appointed and qualify. An appointment  
61 to fill a vacancy which arises for reasons other than by  
62 expiration of a term of office shall be for the unexpired term  
63 only. All members shall be appointed with the advice and consent  
64 of the Senate.

65 (3) There shall be a chairman and vice chairman of the  
66 board, elected by and from the membership of the board; and the  
67 chairman shall be the presiding officer of the board. The board  
68 shall adopt rules and regulations governing times and places for  
69 meetings and governing the manner of conducting its business.



70 (4) The members of the board shall receive no annual salary,  
71 but shall receive per diem compensation as authorized by Section  
72 25-3-69, Mississippi Code of 1972, for each day devoted to the  
73 discharge of official board duties and shall be entitled to  
74 reimbursement for all actual and necessary expenses incurred in  
75 the discharge of their duties, including mileage as authorized by  
76 Section 25-3-41, Mississippi Code of 1972.

77 (5) The board shall name a director for the state system of  
78 public junior and community colleges, who shall serve at the  
79 pleasure of the board. Such director shall be the chief executive  
80 officer of the board, give direction to the board staff, carry out  
81 the policies set forth by the board, and work with the presidents  
82 of the several community and junior colleges to assist them in  
83 carrying out the mandates of the several boards of trustees and in  
84 functioning within the state system and policies established by  
85 the Mississippi Community College Board. The Mississippi  
86 Community College Board shall set the salary of the director of  
87 the board. The director serving on July 1, 2021, shall continue  
88 to receive the salary that he was receiving on January 1, 2021,  
89 until his contract term ends. From and after the expiration date  
90 of such director's contract term that was active on July 1, 2021,  
91 the salary of the director shall be established by the board and  
92 shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00)  
93 per year. The Legislature shall provide adequate funds for the  
94 Mississippi Community College Board, its activities and its staff.



95           (6) The powers and duties of the Mississippi Community  
96 College Board shall be:

97                   (a) To authorize disbursements of state-appropriated  
98 funds to community and junior colleges through orders in the  
99 minutes of the board.

100                   (b) To make studies of the needs of the state as they  
101 relate to the mission of the community and junior colleges.

102                   (c) To approve new, changes to and deletions of  
103 vocational and technical programs to the various colleges.

104                   (d) To require community and junior colleges to supply  
105 such information as the board may request and compile, publish and  
106 make available such reports based thereon as the board may deem  
107 advisable.

108                   (e) To approve proposed new attendance centers (campus  
109 locations) as the local boards of trustees should determine to be  
110 in the best interest of the district. Provided, however, that no  
111 new community/junior college branch campus shall be approved  
112 without an authorizing act of the Legislature.

113                   (f) To serve as the state approving agency for federal  
114 funds for proposed contracts to borrow money for the purpose of  
115 acquiring land, erecting, repairing, etc., dormitories, dwellings  
116 or apartments for students and/or faculty, such loans to be paid  
117 from revenue produced by such facilities as requested by local  
118 boards of trustees.



119 (g) To approve applications from community and junior  
120 colleges for state funds for vocational-technical education  
121 facilities.

122 (h) To approve any university branch campus offering  
123 lower undergraduate level courses for credit.

124 (i) To appoint members to the Post-Secondary  
125 Educational Assistance Board.

126 (j) To appoint members to the Authority for Educational  
127 Television.

128 (k) To contract with other boards, commissions,  
129 governmental entities, foundations, corporations or individuals  
130 for programs, services, grants and awards when such are needed for  
131 the operation and development of the state public community and  
132 junior college system.

133 (l) To fix standards for community and junior colleges  
134 to qualify for appropriations, and qualifications for community  
135 and junior college teachers.

136 (m) To have sign-off approval on the State Plan for  
137 Vocational Education which is developed in cooperation with  
138 appropriate units of the State Department of Education.

139 (n) To approve or disapprove of any proposed inclusion  
140 within municipal corporate limits of state-owned buildings and  
141 grounds of any community college or junior college and to approve  
142 or disapprove of land use development, zoning requirements,  
143 building codes and delivery of governmental services applicable to



144 state-owned buildings and grounds of any community college or  
145 junior college. Any agreement by a local board of trustees of a  
146 community college or junior college to annexation of state-owned  
147 property or other conditions described in this paragraph shall be  
148 void unless approved by the board and by the board of supervisors  
149 of the county in which the state-owned property is located.

150       **SECTION 3.** This act shall take effect and be in force from  
151 and after July 1, 2022.

