

By: Senator(s) Williams, Boyd

To: Education

SENATE BILL NO. 2438

1 AN ACT TO ENACT THE MISSISSIPPI FINANCIAL LITERACY ACT; TO
 2 REQUIRE LOCAL SCHOOL BOARDS OF EVERY PUBLIC SCHOOL DISTRICT TO
 3 ADOPT A POLICY TO IMPLEMENT A FINANCIAL LITERACY EDUCATION PROGRAM
 4 INTO ITS CURRICULUM FOR STUDENTS IN GRADES 10 AND 11; TO PROVIDE
 5 THAT THE INSTRUCTION IN THOSE SUBJECTS SHALL BE IMPLEMENTED NOT
 6 LATER THAN THE START OF THE 2022-2023 SCHOOL YEAR; TO PROVIDE THAT
 7 THE STATE DEPARTMENT OF EDUCATION SHALL APPROVE EACH DISTRICT'S
 8 CURRICULUM FOR FINANCIAL LITERACY-RELATED EDUCATION AND SHALL
 9 ESTABLISH A PROTOCOL TO BE USED BY DISTRICTS TO PROVIDE CONTINUITY
 10 IN TEACHING THE APPROVED CURRICULUM; TO INCLUDE THE SUBJECTS THAT
 11 THE STATE DEPARTMENT OF EDUCATION MUST REQUIRE SCHOOLS TO TEACH;
 12 TO AMEND SECTIONS 37-7-301 AND 37-1-3, MISSISSIPPI CODE OF 1972,
 13 TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
 14 PURPOSES.

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

16 **SECTION 1.** This act may be known and may be cited as the
 17 "Mississippi Financial Literacy Act."

18 **SECTION 2.** (1) The local school board of every public
 19 school district shall adopt a policy to implement a financial
 20 literacy education program into its curriculum for students in
 21 Grades 10 and 11 by July 15, 2022. The instruction in those
 22 subjects shall be implemented not later than the start of the
 23 2022-2023 school year.



24 (2) The State Department of Education shall approve each
25 district's curriculum for financial literacy-related education and
26 shall establish a protocol to be used by districts to provide
27 continuity in teaching the approved curriculum in a manner that is
28 age, grade and developmentally appropriate.

29 (3) The State Department of Education shall require the
30 teaching of those skills necessary to handle personal business and
31 finances and must include instruction in the following:

32 (a) Opening a bank account and assessing the quality of
33 a bank's services;

34 (b) Balancing a checkbook;

35 (c) Managing debt, including retail and credit card
36 debt;

37 (d) Completing a loan application;

38 (e) The implications of an inheritance;

39 (f) The basics of personal insurance policies;

40 (g) Consumer rights and responsibilities;

41 (h) Dealing with salesmen and merchants;

42 (i) Computing state and federal income taxes;

43 (j) Local tax assessments;

44 (k) Computing interest rates by various mechanisms;

45 (l) Understanding simple contracts; and

46 (m) Contesting an incorrect billing statement.

47 **SECTION 3.** Section 37-7-301, Mississippi Code of 1972, is
48 amended as follows:



49 37-7-301. The school boards of all school districts shall
50 have the following powers, authority and duties in addition to all
51 others imposed or granted by law, to wit:

52 (a) To organize and operate the schools of the district
53 and to make such division between the high school grades and
54 elementary grades as, in their judgment, will serve the best
55 interests of the school;

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

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

62 (d) To have responsibility for the erection, repairing
63 and equipping of school facilities and the making of necessary
64 school improvements;

65 (e) To suspend or to expel a pupil or to change the
66 placement of a pupil to the school district's alternative school
67 or homebound program for misconduct in the school or on school
68 property, as defined in Section 37-11-29, on the road to and from
69 school, or at any school-related activity or event, or for conduct
70 occurring on property other than school property or other than at
71 a school-related activity or event when such conduct by a pupil,
72 in the determination of the school superintendent or principal,
73 renders that pupil's presence in the classroom a disruption to the



74 educational environment of the school or a detriment to the best
75 interest and welfare of the pupils and teacher of such class as a
76 whole, and to delegate such authority to the appropriate officials
77 of the school district;

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

81 (g) To support, within reasonable limits, the
82 superintendent, principal and teachers where necessary for the
83 proper discipline of the school;

84 (h) To exclude from the schools students with what
85 appears to be infectious or contagious diseases; provided,
86 however, such student may be allowed to return to school upon
87 presenting a certificate from a public health officer, duly
88 licensed physician or nurse practitioner that the student is free
89 from such disease;

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

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

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

97 (l) To prescribe and enforce rules and regulations not
98 inconsistent with law or with the regulations of the State Board



99 of Education for their own government and for the government of
100 the schools, and to transact their business at regular and special
101 meetings called and held in the manner provided by law;

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

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

107 (o) To make orders directed to the superintendent of
108 schools for the issuance of pay certificates for lawful purposes
109 on any available funds of the district and to have full control of
110 the receipt, distribution, allotment and disbursement of all funds
111 provided for the support and operation of the schools of such
112 school district whether such funds be derived from state
113 appropriations, local ad valorem tax collections, or otherwise.
114 The local school board shall be authorized and empowered to
115 promulgate rules and regulations that specify the types of claims
116 and set limits of the dollar amount for payment of claims by the
117 superintendent of schools to be ratified by the board at the next
118 regularly scheduled meeting after payment has been made;

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



123 (q) To provide athletic programs and other school
124 activities and to regulate the establishment and operation of such
125 programs and activities;

126 (r) To join, in their discretion, any association of
127 school boards and other public school-related organizations, and
128 to pay from local funds other than minimum foundation funds, any
129 membership dues;

130 (s) To expend local school activity funds, or other
131 available school district funds, other than minimum education
132 program funds, for the purposes prescribed under this paragraph.
133 "Activity funds" shall mean all funds received by school officials
134 in all school districts paid or collected to participate in any
135 school activity, such activity being part of the school program
136 and partially financed with public funds or supplemented by public
137 funds. The term "activity funds" shall not include any funds
138 raised and/or expended by any organization unless commingled in a
139 bank account with existing activity funds, regardless of whether
140 the funds were raised by school employees or received by school
141 employees during school hours or using school facilities, and
142 regardless of whether a school employee exercises influence over
143 the expenditure or disposition of such funds. Organizations shall
144 not be required to make any payment to any school for the use of
145 any school facility if, in the discretion of the local school
146 governing board, the organization's function shall be deemed to be
147 beneficial to the official or extracurricular programs of the



148 school. For the purposes of this provision, the term
149 "organization" shall not include any organization subject to the
150 control of the local school governing board. Activity funds may
151 only be expended for any necessary expenses or travel costs,
152 including advances, incurred by students and their chaperons in
153 attending any in-state or out-of-state school-related programs,
154 conventions or seminars and/or any commodities, equipment, travel
155 expenses, purchased services or school supplies which the local
156 school governing board, in its discretion, shall deem beneficial
157 to the official or extracurricular programs of the district,
158 including items which may subsequently become the personal
159 property of individuals, including yearbooks, athletic apparel,
160 book covers and trophies. Activity funds may be used to pay
161 travel expenses of school district personnel. The local school
162 governing board shall be authorized and empowered to promulgate
163 rules and regulations specifically designating for what purposes
164 school activity funds may be expended. The local school governing
165 board shall provide (i) that such school activity funds shall be
166 maintained and expended by the principal of the school generating
167 the funds in individual bank accounts, or (ii) that such school
168 activity funds shall be maintained and expended by the
169 superintendent of schools in a central depository approved by the
170 board. The local school governing board shall provide that such
171 school activity funds be audited as part of the annual audit
172 required in Section 37-9-18. The State Department of Education



173 shall prescribe a uniform system of accounting and financial
174 reporting for all school activity fund transactions;

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

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

181 (v) (i) To lease a school building from an individual,
182 partnership, nonprofit corporation or a private for-profit
183 corporation for the use of such school district, and to expend
184 funds therefor as may be available from any nonminimum program
185 sources. The school board of the school district desiring to
186 lease a school building shall declare by resolution that a need
187 exists for a school building and that the school district cannot
188 provide the necessary funds to pay the cost or its proportionate
189 share of the cost of a school building required to meet the
190 present needs. The resolution so adopted by the school board
191 shall be published once each week for three (3) consecutive weeks
192 in a newspaper having a general circulation in the school district
193 involved, with the first publication thereof to be made not less
194 than thirty (30) days prior to the date upon which the school
195 board is to act on the question of leasing a school building. If
196 no petition requesting an election is filed prior to such meeting
197 as hereinafter provided, then the school board may, by resolution



198 spread upon its minutes, proceed to lease a school building. If
199 at any time prior to said meeting a petition signed by not less
200 than twenty percent (20%) or fifteen hundred (1500), whichever is
201 less, of the qualified electors of the school district involved
202 shall be filed with the school board requesting that an election
203 be called on the question, then the school board shall, not later
204 than the next regular meeting, adopt a resolution calling an
205 election to be held within such school district upon the question
206 of authorizing the school board to lease a school building. Such
207 election shall be called and held, and notice thereof shall be
208 given, in the same manner for elections upon the questions of the
209 issuance of the bonds of school districts, and the results thereof
210 shall be certified to the school board. If at least three-fifths
211 (3/5) of the qualified electors of the school district who voted
212 in such election shall vote in favor of the leasing of a school
213 building, then the school board shall proceed to lease a school
214 building. The term of the lease contract shall not exceed twenty
215 (20) years, and the total cost of such lease shall be either the
216 amount of the lowest and best bid accepted by the school board
217 after advertisement for bids or an amount not to exceed the
218 current fair market value of the lease as determined by the
219 averaging of at least two (2) appraisals by certified general
220 appraisers licensed by the State of Mississippi. The term "school
221 building" as used in this paragraph (v) (i) shall be construed to
222 mean any building or buildings used for classroom purposes in



223 connection with the operation of schools and shall include the
224 site therefor, necessary support facilities, and the equipment
225 thereof and appurtenances thereto such as heating facilities,
226 water supply, sewage disposal, landscaping, walks, drives and
227 playgrounds. The term "lease" as used in this paragraph (v) (i)
228 may include a lease-purchase contract;

229 (ii) If two (2) or more school districts propose
230 to enter into a lease contract jointly, then joint meetings of the
231 school boards having control may be held but no action taken shall
232 be binding on any such school district unless the question of
233 leasing a school building is approved in each participating school
234 district under the procedure hereinabove set forth in paragraph
235 (v) (i). All of the provisions of paragraph (v) (i) regarding the
236 term and amount of the lease contract shall apply to the school
237 boards of school districts acting jointly. Any lease contract
238 executed by two (2) or more school districts as joint lessees
239 shall set out the amount of the aggregate lease rental to be paid
240 by each, which may be agreed upon, but there shall be no right of
241 occupancy by any lessee unless the aggregate rental is paid as
242 stipulated in the lease contract. All rights of joint lessees
243 under the lease contract shall be in proportion to the amount of
244 lease rental paid by each;

245 (w) To employ all noninstructional and noncertificated
246 employees and fix the duties and compensation of such personnel



247 deemed necessary pursuant to the recommendation of the
248 superintendent of schools;

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

251 (y) Subject to rules and regulations of the State Board
252 of Education, to purchase, own and operate trucks, vans and other
253 motor vehicles, which shall bear the proper identification
254 required by law;

255 (z) To expend funds for the payment of substitute
256 teachers and to adopt reasonable regulations for the employment
257 and compensation of such substitute teachers;

258 (aa) To acquire in its own name by purchase all real
259 property which shall be necessary and desirable in connection with
260 the construction, renovation or improvement of any public school
261 building or structure. Whenever the purchase price for such real
262 property is greater than Fifty Thousand Dollars (\$50,000.00), the
263 school board shall not purchase the property for an amount
264 exceeding the fair market value of such property as determined by
265 the average of at least two (2) independent appraisals by
266 certified general appraisers licensed by the State of Mississippi.
267 If the board shall be unable to agree with the owner of any such
268 real property in connection with any such project, the board shall
269 have the power and authority to acquire any such real property by
270 condemnation proceedings pursuant to Section 11-27-1 et seq.,
271 Mississippi Code of 1972, and for such purpose, the right of



272 eminent domain is hereby conferred upon and vested in said board.
273 Provided further, that the local school board is authorized to
274 grant an easement for ingress and egress over sixteenth section
275 land or lieu land in exchange for a similar easement upon
276 adjoining land where the exchange of easements affords substantial
277 benefit to the sixteenth section land; provided, however, the
278 exchange must be based upon values as determined by a competent
279 appraiser, with any differential in value to be adjusted by cash
280 payment. Any easement rights granted over sixteenth section land
281 under such authority shall terminate when the easement ceases to
282 be used for its stated purpose. No sixteenth section or lieu land
283 which is subject to an existing lease shall be burdened by any
284 such easement except by consent of the lessee or unless the school
285 district shall acquire the unexpired leasehold interest affected
286 by the easement;

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

290 (cc) Subject to rules and regulations of the State
291 Board of Education, to purchase relocatable classrooms for the use
292 of such school district, in the manner prescribed in Section
293 37-1-13;

294 (dd) Enter into contracts or agreements with other
295 school districts, political subdivisions or governmental entities
296 to carry out one or more of the powers or duties of the school



297 board, or to allow more efficient utilization of limited resources
298 for providing services to the public;

299 (ee) To provide for in-service training for employees
300 of the district;

301 (ff) As part of their duties to prescribe the use of
302 textbooks, to provide that parents and legal guardians shall be
303 responsible for the textbooks and for the compensation to the
304 school district for any books which are not returned to the proper
305 schools upon the withdrawal of their dependent child. If a
306 textbook is lost or not returned by any student who drops out of
307 the public school district, the parent or legal guardian shall
308 also compensate the school district for the fair market value of
309 the textbooks;

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

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

317 (ii) Fund-raising activities conducted or
318 authorized by the board for the sale of school pictures, the
319 rental of caps and gowns or the sale of graduation invitations for
320 which the school board receives a commission, rebate or fee shall
321 contain a disclosure statement advising that a portion of the



322 proceeds of the sales or rentals shall be contributed to the
323 student activity fund;

324 (hh) To allow individual lessons for music, art and
325 other curriculum-related activities for academic credit or
326 nonacademic credit during school hours and using school equipment
327 and facilities, subject to uniform rules and regulations adopted
328 by the school board;

329 (ii) To charge reasonable fees for participating in an
330 extracurricular activity for academic or nonacademic credit for
331 necessary and required equipment such as safety equipment, band
332 instruments and uniforms;

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

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

338 (ll) To expend funds for the services of nonprofit arts
339 organizations or other such nonprofit organizations who provide
340 performances or other services for the students of the school
341 district;

342 (mm) To expend federal No Child Left Behind Act funds,
343 or any other available funds that are expressly designated and
344 authorized for that use, to pay training, educational expenses,
345 salary incentives and salary supplements to employees of local
346 school districts; except that incentives shall not be considered



347 part of the local supplement as defined in Section 37-151-5(o),
348 nor shall incentives be considered part of the local supplement
349 paid to an individual teacher for the purposes of Section
350 37-19-7(1). Mississippi Adequate Education Program funds or any
351 other state funds may not be used for salary incentives or salary
352 supplements as provided in this paragraph (mm);

353 (nn) To use any available funds, not appropriated or
354 designated for any other purpose, for reimbursement to the
355 state-licensed employees from both in state and out of state, who
356 enter into a contract for employment in a school district, for the
357 expense of moving when the employment necessitates the relocation
358 of the licensed employee to a different geographical area than
359 that in which the licensed employee resides before entering into
360 the contract. The reimbursement shall not exceed One Thousand
361 Dollars (\$1,000.00) for the documented actual expenses incurred in
362 the course of relocating, including the expense of any
363 professional moving company or persons employed to assist with the
364 move, rented moving vehicles or equipment, mileage in the amount
365 authorized for county and municipal employees under Section
366 25-3-41 if the licensed employee used his personal vehicle or
367 vehicles for the move, meals and such other expenses associated
368 with the relocation. No licensed employee may be reimbursed for
369 moving expenses under this section on more than one (1) occasion
370 by the same school district. Nothing in this section shall be
371 construed to require the actual residence to which the licensed



372 employee relocates to be within the boundaries of the school
373 district that has executed a contract for employment in order for
374 the licensed employee to be eligible for reimbursement for the
375 moving expenses. However, the licensed employee must relocate
376 within the boundaries of the State of Mississippi. Any individual
377 receiving relocation assistance through the Critical Teacher
378 Shortage Act as provided in Section 37-159-5 shall not be eligible
379 to receive additional relocation funds as authorized in this
380 paragraph;

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

387 (pp) Consistent with the report of the Task Force to
388 Conduct a Best Financial Management Practices Review, to improve
389 school district management and use of resources and identify cost
390 savings as established in Section 8 of Chapter 610, Laws of 2002,
391 local school boards are encouraged to conduct independent reviews
392 of the management and efficiency of schools and school districts.
393 Such management and efficiency reviews shall provide state and
394 local officials and the public with the following:

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



397 (ii) An assessment of the school district's
398 financial and personnel management;
399 (iii) An assessment of revenue levels and sources;
400 (iv) An assessment of facilities utilization,
401 planning and maintenance;
402 (v) An assessment of food services, transportation
403 and safety/security systems;
404 (vi) An assessment of instructional and
405 administrative technology;
406 (vii) A review of the instructional management and
407 the efficiency and effectiveness of existing instructional
408 programs; and
409 (viii) Recommended methods for increasing
410 efficiency and effectiveness in providing educational services to
411 the public;
412 (qq) To enter into agreements with other local school
413 boards for the establishment of an educational service agency
414 (ESA) to provide for the cooperative needs of the region in which
415 the school district is located, as provided in Section 37-7-345;
416 (rr) * * * [Deleted]
417 (ss) To collaborate with the State Board of Education,
418 Community Action Agencies or the Department of Human Services to
419 develop and implement a voluntary program to provide services for
420 a prekindergarten program that addresses the cognitive, social,
421 and emotional needs of four-year-old and three-year-old children.



422 The school board may utilize any source of available revenue to
423 fund the voluntary program. Effective with the 2013-2014 school
424 year, to implement voluntary prekindergarten programs under the
425 Early Learning Collaborative Act of 2013 pursuant to state funds
426 awarded by the State Department of Education on a matching basis;

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

433 (i) Withhold all or any part (as agreed by the
434 school board) of any monies which such local school board is
435 entitled to receive from time to time under any law and which is
436 in the possession of the Department of Revenue, or any state
437 agency, department or commission created under state law; and

438 (ii) Pay the same over to any financial
439 institution, trustee or other obligee, as directed in writing by
440 the school board, to satisfy all or part of such obligation of the
441 school district.

442 The school board may make such written agreement to withhold
443 and transfer funds irrevocable for the term of the written
444 obligation and may include in the written agreement any other
445 terms and provisions acceptable to the school board. If the
446 school board files a copy of such written agreement with the



447 Department of Revenue, or any state agency, department or
448 commission created under state law then the Department of Revenue
449 or any state agency, department or commission created under state
450 law shall immediately make the withholdings provided in such
451 agreement from the amounts due the local school board and shall
452 continue to pay the same over to such financial institution,
453 trustee or obligee for the term of the agreement.

454 This paragraph (tt) shall not grant any extra authority to a
455 school board to issue debt in any amount exceeding statutory
456 limitations on assessed value of taxable property within such
457 school district or the statutory limitations on debt maturities,
458 and shall not grant any extra authority to impose, levy or collect
459 a tax which is not otherwise expressly provided for, and shall not
460 be construed to apply to sixteenth section public school trust
461 land;

462 (uu) With respect to any matter or transaction that is
463 competitively bid by a school district, to accept from any bidder
464 as a good-faith deposit or bid bond or bid surety, the same type
465 of good-faith deposit or bid bond or bid surety that may be
466 accepted by the state or any other political subdivision on
467 similar competitively bid matters or transactions. This paragraph
468 (uu) shall not be construed to apply to sixteenth section public
469 school trust land. The school board may authorize the investment
470 of any school district funds in the same kind and manner of



471 investments, including pooled investments, as any other political
472 subdivision, including community hospitals;

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

477 (ww) To delegate, privatize or otherwise enter into a
478 contract with private entities for the operation of any and all
479 functions of nonacademic school process, procedures and operations
480 including, but not limited to, cafeteria workers, janitorial
481 services, transportation, professional development, achievement
482 and instructional consulting services materials and products,
483 purchasing cooperatives, insurance, business manager services,
484 auditing and accounting services, school safety/risk prevention,
485 data processing and student records, and other staff services;
486 however, the authority under this paragraph does not apply to the
487 leasing, management or operation of sixteenth section lands.

488 Local school districts, working through their regional education
489 service agency, are encouraged to enter into buying consortia with
490 other member districts for the purposes of more efficient use of
491 state resources as described in Section 37-7-345;

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

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



496 (zz) To fund and operate voluntary early childhood
497 education programs, defined as programs for children less than
498 five (5) years of age on or before September 1, and to use any
499 source of revenue for such early childhood education programs.
500 Such programs shall not conflict with the Early Learning
501 Collaborative Act of 2013;

502 (aaa) To issue and provide for the use of procurement
503 cards by school board members, superintendents and licensed school
504 personnel consistent with the rules and regulations of the
505 Mississippi Department of Finance and Administration under Section
506 31-7-9; and

507 (bbb) To conduct an annual comprehensive evaluation of
508 the superintendent of schools consistent with the assessment
509 components of paragraph (pp) of this section and the assessment
510 benchmarks established by the Mississippi School Board Association
511 to evaluate the success the superintendent has attained in meeting
512 district goals and objectives, the superintendent's leadership
513 skill and whether or not the superintendent has established
514 appropriate standards for performance, is monitoring success and
515 is using data for improvement.

516 **SECTION 4.** Section 37-1-3, Mississippi Code of 1972, is
517 amended as follows:

518 37-1-3. (1) The State Board of Education shall adopt rules
519 and regulations and set standards and policies for the



520 organization, operation, management, planning, budgeting and
521 programs of the State Department of Education.

522 (a) The board is directed to identify all functions of
523 the department that contribute to or comprise a part of the state
524 system of educational accountability and to establish and maintain
525 within the department the necessary organizational structure,
526 policies and procedures for effectively coordinating such
527 functions. Such policies and procedures shall clearly fix and
528 delineate responsibilities for various aspects of the system and
529 for overall coordination of the total system and its effective
530 management.

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

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

537 (d) The board shall establish and maintain a central
538 budget policy.

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

542 (f) The board, with recommendations from the
543 superintendent, shall design and maintain a five-year plan and
544 program for educational improvement that shall set forth



545 objectives for system performance and development and be the basis
546 for budget requests and legislative initiatives.

547 (2) * * * The State Board of Education shall adopt and
548 maintain a curriculum and a course of study to be used in the
549 public school districts that is designed to prepare the state's
550 children and youth to be productive, informed, creative citizens,
551 workers and leaders, and it shall regulate all matters arising in
552 the practical administration of the school system not otherwise
553 provided for.

554 * * *

555 (3) The State Board of Education shall have authority to
556 expend any available federal funds, or any other funds expressly
557 designated, to pay training, educational expenses, salary
558 incentives and salary supplements to licensed teachers employed in
559 local school districts or schools administered by the State Board
560 of Education. Such incentive payments shall not be considered
561 part of a school district's local supplement as defined in Section
562 37-151-5(o), nor shall the incentives be considered part of the
563 local supplement paid to an individual teacher for the purposes of
564 Section 37-19-7(1). MAEP funds or any other state funds shall not
565 be used to provide such incentives unless specifically authorized
566 by law.

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



569 **SECTION 5.** This act shall take effect and be in force from
570 and after July 1, 2022.

