

By: Representative Clarke

To: Education;
Appropriations

HOUSE BILL NO. 227

1 AN ACT TO REQUIRE THE INCLUSION OF VISUAL ART AND MUSIC
 2 INSTRUCTION IN THE CURRICULUM OF PUBLIC EDUCATION; TO PRESCRIBE
 3 THE CRITERIA FOR SUCH INSTRUCTION IN THE VARIOUS GRADES; TO
 4 REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE A STIPEND OF
 5 NOT LESS THAN \$500.00 PER CLASS TO EACH SCHOOL FOR THE PURCHASE OF
 6 NECESSARY SUPPLIES OR EQUIPMENT TO FACILITATE THE INSTRUCTION,
 7 CONTINGENT UPON A LEGISLATIVE APPROPRIATION FOR SUCH PURPOSES; TO
 8 AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972, TO REVISE THE
 9 POWER OF LOCAL SCHOOL BOARDS IN CONFORMITY TO THE PRECEDING
 10 PROVISIONS; TO BRING FORWARD SECTION 37-3-79, MISSISSIPPI CODE OF
 11 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED
 12 PURPOSES.

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

14 **SECTION 1.** (1) (a) Each public elementary school in the
 15 state shall provide instruction for at least forty (40) minutes,
 16 as determined by the superintendent of education of the local
 17 school district, in visual art and at least forty (40) minutes, as
 18 determined by the superintendent of education of the local school
 19 district, in music based on the state visual art and music
 20 frameworks each calendar week of the school year or an equivalent
 21 amount of time in each school year.



22 (b) Every student in Grade 1 through Grade 6 shall
23 participate in the visual art and music class required in this
24 subsection.

25 (c) Children with disabilities or other special needs
26 shall be included in the visual art and music programs.

27 (2) The instruction required by subsection (1)(a) of this
28 section shall be provided by a teacher licensed to teach art or
29 music, as applicable.

30 (3) (a) The State Department of Education shall provide a
31 stipend of not less than Five Hundred Dollars (\$500.00) per class
32 to each school for the purchase of necessary supplies or equipment
33 for the classes required by this section.

34 (b) Subsection (3)(a) of this section shall be
35 contingent on the appropriation and availability of funding for
36 that purpose.

37 (4) A student enrolled in Grade 7 or Grade 8 shall
38 participate in:

39 (a) Visual arts instruction, appreciation and
40 application; or

41 (b) Performing arts instruction, appreciation and
42 application.

43 **SECTION 2.** Section 37-7-301, Mississippi Code of 1972, is
44 amended as follows:



45 37-7-301. The school boards of all school districts shall
46 have the following powers, authority and duties in addition to all
47 others imposed or granted by law, to wit:

48 (a) To organize and operate the schools of the district
49 and to make such division between the high school grades and
50 elementary grades as, in their judgment, will serve the best
51 interests of the school;

52 (b) To introduce public school music, visual art,
53 manual training and other special subjects into either the
54 elementary or high school grades, as the board shall deem proper,
55 provided the minimum standards for art and music instruction
56 comply with the provisions of Section 1 of this act;

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

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

63 (e) To suspend or to expel a pupil or to change the
64 placement of a pupil to the school district's alternative school
65 or homebound program for misconduct in the school or on school
66 property, as defined in Section 37-11-29, on the road to and from
67 school, or at any school-related activity or event, or for conduct
68 occurring on property other than school property or other than at
69 a school-related activity or event when such conduct by a pupil,



70 in the determination of the school superintendent or principal,
71 renders that pupil's presence in the classroom a disruption to the
72 educational environment of the school or a detriment to the best
73 interest and welfare of the pupils and teacher of such class as a
74 whole, and to delegate such authority to the appropriate officials
75 of the school district;

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

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

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

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

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

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



95 (1) To prescribe and enforce rules and regulations not
96 inconsistent with law or with the regulations of the State Board
97 of Education for their own government and for the government of
98 the schools, and to transact their business at regular and special
99 meetings called and held in the manner provided by law;

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

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

105 (o) To make orders directed to the superintendent of
106 schools for the issuance of pay certificates for lawful purposes
107 on any available funds of the district and to have full control of
108 the receipt, distribution, allotment and disbursement of all funds
109 provided for the support and operation of the schools of such
110 school district whether such funds be derived from state
111 appropriations, local ad valorem tax collections, or otherwise.

112 The local school board shall be authorized and empowered to
113 promulgate rules and regulations that specify the types of claims
114 and set limits of the dollar amount for payment of claims by the
115 superintendent of schools to be ratified by the board at the next
116 regularly scheduled meeting after payment has been made;

117 (p) To select all school district personnel in the
118 manner provided by law, and to provide for such employee fringe



119 benefit programs, including accident reimbursement plans, as may
120 be deemed necessary and appropriate by the board;

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

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

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



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



169 school activity funds be audited as part of the annual audit
170 required in Section 37-9-18. The State Department of Education
171 shall prescribe a uniform system of accounting and financial
172 reporting for all school activity fund transactions;

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

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

179 (v) (i) To lease a school building from an individual,
180 partnership, nonprofit corporation or a private for-profit
181 corporation for the use of such school district, and to expend
182 funds therefor as may be available from any nonminimum program
183 sources. The school board of the school district desiring to
184 lease a school building shall declare by resolution that a need
185 exists for a school building and that the school district cannot
186 provide the necessary funds to pay the cost or its proportionate
187 share of the cost of a school building required to meet the
188 present needs. The resolution so adopted by the school board
189 shall be published once each week for three (3) consecutive weeks
190 in a newspaper having a general circulation in the school district
191 involved, with the first publication thereof to be made not less
192 than thirty (30) days prior to the date upon which the school
193 board is to act on the question of leasing a school building. If



194 no petition requesting an election is filed prior to such meeting
195 as hereinafter provided, then the school board may, by resolution
196 spread upon its minutes, proceed to lease a school building. If
197 at any time prior to said meeting a petition signed by not less
198 than twenty percent (20%) or fifteen hundred (1500), whichever is
199 less, of the qualified electors of the school district involved
200 shall be filed with the school board requesting that an election
201 be called on the question, then the school board shall, not later
202 than the next regular meeting, adopt a resolution calling an
203 election to be held within such school district upon the question
204 of authorizing the school board to lease a school building. Such
205 election shall be called and held, and notice thereof shall be
206 given, in the same manner for elections upon the questions of the
207 issuance of the bonds of school districts, and the results thereof
208 shall be certified to the school board. If at least three-fifths
209 (3/5) of the qualified electors of the school district who voted
210 in such election shall vote in favor of the leasing of a school
211 building, then the school board shall proceed to lease a school
212 building. The term of the lease contract shall not exceed twenty
213 (20) years, and the total cost of such lease shall be either the
214 amount of the lowest and best bid accepted by the school board
215 after advertisement for bids or an amount not to exceed the
216 current fair market value of the lease as determined by the
217 averaging of at least two (2) appraisals by certified general
218 appraisers licensed by the State of Mississippi. The term "school



219 building" as used in this paragraph (v) (i) shall be construed to
220 mean any building or buildings used for classroom purposes in
221 connection with the operation of schools and shall include the
222 site therefor, necessary support facilities, and the equipment
223 thereof and appurtenances thereto such as heating facilities,
224 water supply, sewage disposal, landscaping, walks, drives and
225 playgrounds. The term "lease" as used in this paragraph (v) (i)
226 may include a lease-purchase contract;

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



243 (w) To employ all noninstructional and noncertificated
244 employees and fix the duties and compensation of such personnel
245 deemed necessary pursuant to the recommendation of the
246 superintendent of schools;

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

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

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

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



268 condemnation proceedings pursuant to Section 11-27-1 et seq.,
269 Mississippi Code of 1972, and for such purpose, the right of
270 eminent domain is hereby conferred upon and vested in said board.
271 Provided further, that the local school board is authorized to
272 grant an easement for ingress and egress over sixteenth section
273 land or lieu land in exchange for a similar easement upon
274 adjoining land where the exchange of easements affords substantial
275 benefit to the sixteenth section land; provided, however, the
276 exchange must be based upon values as determined by a competent
277 appraiser, with any differential in value to be adjusted by cash
278 payment. Any easement rights granted over sixteenth section land
279 under such authority shall terminate when the easement ceases to
280 be used for its stated purpose. No sixteenth section or lieu land
281 which is subject to an existing lease shall be burdened by any
282 such easement except by consent of the lessee or unless the school
283 district shall acquire the unexpired leasehold interest affected
284 by the easement;

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

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



292 (dd) Enter into contracts or agreements with other
293 school districts, political subdivisions or governmental entities
294 to carry out one or more of the powers or duties of the school
295 board, or to allow more efficient utilization of limited resources
296 for providing services to the public;

297 (ee) To provide for in-service training for employees
298 of the district;

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

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

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

315 (ii) Fund-raising activities conducted or
316 authorized by the board for the sale of school pictures, the



317 rental of caps and gowns or the sale of graduation invitations for
318 which the school board receives a commission, rebate or fee shall
319 contain a disclosure statement advising that a portion of the
320 proceeds of the sales or rentals shall be contributed to the
321 student activity fund;

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

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

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

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

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

340 (mm) To expend federal No Child Left Behind Act funds,
341 or any other available funds that are expressly designated and



342 authorized for that use, to pay training, educational expenses,
343 salary incentives and salary supplements to employees of local
344 school districts; except that incentives shall not be considered
345 part of the local supplement as defined in Section 37-151-5(o),
346 nor shall incentives be considered part of the local supplement
347 paid to an individual teacher for the purposes of Section
348 37-19-7(1). Mississippi Adequate Education Program funds or any
349 other state funds may not be used for salary incentives or salary
350 supplements as provided in this paragraph (mm);

351 (nn) To use any available funds, not appropriated or
352 designated for any other purpose, for reimbursement to the
353 state-licensed employees from both in state and out of state, who
354 enter into a contract for employment in a school district, for the
355 expense of moving when the employment necessitates the relocation
356 of the licensed employee to a different geographical area than
357 that in which the licensed employee resides before entering into
358 the contract. The reimbursement shall not exceed One Thousand
359 Dollars (\$1,000.00) for the documented actual expenses incurred in
360 the course of relocating, including the expense of any
361 professional moving company or persons employed to assist with the
362 move, rented moving vehicles or equipment, mileage in the amount
363 authorized for county and municipal employees under Section
364 25-3-41 if the licensed employee used his personal vehicle or
365 vehicles for the move, meals and such other expenses associated
366 with the relocation. No licensed employee may be reimbursed for



367 moving expenses under this section on more than one (1) occasion
368 by the same school district. Nothing in this section shall be
369 construed to require the actual residence to which the licensed
370 employee relocates to be within the boundaries of the school
371 district that has executed a contract for employment in order for
372 the licensed employee to be eligible for reimbursement for the
373 moving expenses. However, the licensed employee must relocate
374 within the boundaries of the State of Mississippi. Any individual
375 receiving relocation assistance through the Critical Teacher
376 Shortage Act as provided in Section 37-159-5 shall not be eligible
377 to receive additional relocation funds as authorized in this
378 paragraph;

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

385 (pp) Consistent with the report of the Task Force to
386 Conduct a Best Financial Management Practices Review, to improve
387 school district management and use of resources and identify cost
388 savings as established in Section 8 of Chapter 610, Laws of 2002,
389 local school boards are encouraged to conduct independent reviews
390 of the management and efficiency of schools and school districts.



391 Such management and efficiency reviews shall provide state and
392 local officials and the public with the following:

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

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

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

398 (iv) An assessment of facilities utilization,
399 planning and maintenance;

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

402 (vi) An assessment of instructional and
403 administrative technology;

404 (vii) A review of the instructional management and
405 the efficiency and effectiveness of existing instructional
406 programs; and

407 (viii) Recommended methods for increasing
408 efficiency and effectiveness in providing educational services to
409 the public;

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

414 (rr) To implement a financial literacy program for
415 students in Grades 10 and 11. The board may review the national



416 programs and obtain free literature from various nationally
417 recognized programs. After review of the different programs, the
418 board may certify a program that is most appropriate for the
419 school districts' needs. If a district implements a financial
420 literacy program, then any student in Grade 10 or 11 may
421 participate in the program. The financial literacy program shall
422 include, but is not limited to, instruction in the same areas of
423 personal business and finance as required under Section
424 37-1-3(2) (b). The school board may coordinate with volunteer
425 teachers from local community organizations, including, but not
426 limited to, the following: United States Department of
427 Agriculture Rural Development, United States Department of Housing
428 and Urban Development, Junior Achievement, bankers and other
429 nonprofit organizations. Nothing in this paragraph shall be
430 construed as to require school boards to implement a financial
431 literacy program;

432 (ss) To collaborate with the State Board of Education,
433 Community Action Agencies or the Department of Human Services to
434 develop and implement a voluntary program to provide services for
435 a prekindergarten program that addresses the cognitive, social,
436 and emotional needs of four-year-old and three-year-old children.
437 The school board may utilize any source of available revenue to
438 fund the voluntary program. Effective with the 2013-2014 school
439 year, to implement voluntary prekindergarten programs under the



440 Early Learning Collaborative Act of 2013 pursuant to state funds
441 awarded by the State Department of Education on a matching basis;

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

448 (i) Withhold all or any part (as agreed by the
449 school board) of any monies which such local school board is
450 entitled to receive from time to time under any law and which is
451 in the possession of the Department of Revenue, or any state
452 agency, department or commission created under state law; and

453 (ii) Pay the same over to any financial
454 institution, trustee or other obligee, as directed in writing by
455 the school board, to satisfy all or part of such obligation of the
456 school district.

457 The school board may make such written agreement to withhold
458 and transfer funds irrevocable for the term of the written
459 obligation and may include in the written agreement any other
460 terms and provisions acceptable to the school board. If the
461 school board files a copy of such written agreement with the
462 Department of Revenue, or any state agency, department or
463 commission created under state law then the Department of Revenue
464 or any state agency, department or commission created under state



465 law shall immediately make the withholdings provided in such
466 agreement from the amounts due the local school board and shall
467 continue to pay the same over to such financial institution,
468 trustee or obligee for the term of the agreement.

469 This paragraph (tt) shall not grant any extra authority to a
470 school board to issue debt in any amount exceeding statutory
471 limitations on assessed value of taxable property within such
472 school district or the statutory limitations on debt maturities,
473 and shall not grant any extra authority to impose, levy or collect
474 a tax which is not otherwise expressly provided for, and shall not
475 be construed to apply to sixteenth section public school trust
476 land;

477 (uu) With respect to any matter or transaction that is
478 competitively bid by a school district, to accept from any bidder
479 as a good-faith deposit or bid bond or bid surety, the same type
480 of good-faith deposit or bid bond or bid surety that may be
481 accepted by the state or any other political subdivision on
482 similar competitively bid matters or transactions. This paragraph
483 (uu) shall not be construed to apply to sixteenth section public
484 school trust land. The school board may authorize the investment
485 of any school district funds in the same kind and manner of
486 investments, including pooled investments, as any other political
487 subdivision, including community hospitals;

488 (vv) To utilize the alternate method for the conveyance
489 or exchange of unused school buildings and/or land, reserving a



490 partial or other undivided interest in the property, as
491 specifically authorized and provided in Section 37-7-485;

492 (ww) To delegate, privatize or otherwise enter into a
493 contract with private entities for the operation of any and all
494 functions of nonacademic school process, procedures and operations
495 including, but not limited to, cafeteria workers, janitorial
496 services, transportation, professional development, achievement
497 and instructional consulting services materials and products,
498 purchasing cooperatives, insurance, business manager services,
499 auditing and accounting services, school safety/risk prevention,
500 data processing and student records, and other staff services;
501 however, the authority under this paragraph does not apply to the
502 leasing, management or operation of sixteenth section lands.
503 Local school districts, working through their regional education
504 service agency, are encouraged to enter into buying consortia with
505 other member districts for the purposes of more efficient use of
506 state resources as described in Section 37-7-345;

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

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

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



515 Such programs shall not conflict with the Early Learning
516 Collaborative Act of 2013;

517 (aaa) To issue and provide for the use of procurement
518 cards by school board members, superintendents and licensed school
519 personnel consistent with the rules and regulations of the
520 Mississippi Department of Finance and Administration under Section
521 31-7-9; and

522 (bbb) To conduct an annual comprehensive evaluation of
523 the superintendent of schools consistent with the assessment
524 components of paragraph (pp) of this section and the assessment
525 benchmarks established by the Mississippi School Board Association
526 to evaluate the success the superintendent has attained in meeting
527 district goals and objectives, the superintendent's leadership
528 skill and whether or not the superintendent has established
529 appropriate standards for performance, is monitoring success and
530 is using data for improvement.

531 **SECTION 3.** Section 37-3-79, Mississippi Code of 1972, is
532 brought forward as follows:

533 37-3-79. The State Department of Education shall employ a
534 Curriculum Coordinator of Music and Art Education who holds
535 certification as a music and/or art teacher. The supervisor's
536 responsibilities shall include the oversight of the elementary
537 music/art programs as well as secondary programs.

538 **SECTION 4.** This act shall take effect and be in force from
539 and after July 1, 2023.

