

By: Representative Ladner

To: Education;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 555

1 AN ACT TO AMEND SECTION 37-28-7, MISSISSIPPI CODE OF 1972, TO
2 RECONSTITUTE THE MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD FOR
3 THE PURPOSE OF BETTER STAGGERING THE TERMS OF EACH APPOINTING
4 AUTHORITY'S APPOINTEES; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-28-7, Mississippi Code of 1972, is
7 amended as follows:

8 37-28-7. (1) There is created the Mississippi Charter
9 School Authorizer Board as a state agency with exclusive
10 chartering jurisdiction in the State of Mississippi. Unless
11 otherwise authorized by law, no other governmental agency or
12 entity may assume any charter authorizing function or duty in any
13 form.

14 (2) (a) The mission of the Mississippi Charter School
15 Authorizer Board is to authorize high-quality charter schools,
16 particularly schools designed to expand opportunities for
17 underserved students, consistent with the purposes of this
18 chapter. Subject to the restrictions and conditions prescribed in
19 this subsection, the Mississippi Charter School Authorizer Board



20 may authorize charter schools within the geographical boundaries
21 of any school district.

22 (b) The Mississippi Charter School Authorizer Board may
23 approve a maximum of fifteen (15) qualified charter applications
24 during a fiscal year.

25 (c) In any school district designated as an "A," "B" or
26 "C" school district by the State Board of Education under the
27 accreditation rating system at the time of application, the
28 Mississippi Charter School Authorizer Board may authorize charter
29 schools only if a majority of the members of the local school
30 board votes at a public meeting to endorse the application or to
31 initiate the application on its own initiative.

32 (3) The Mississippi Charter School Authorizer Board shall
33 consist of seven (7) members, to be appointed as follows:

34 (a) Three (3) members appointed by the Governor, with
35 one (1) member being from each of the Mississippi Supreme Court
36 Districts.

37 (b) Three (3) members appointed by the Lieutenant
38 Governor, with one (1) member being from each of the Mississippi
39 Supreme Court Districts.

40 (c) One (1) member appointed by the State
41 Superintendent of Public Education.

42 All appointments must be made with the advice and consent of
43 the Senate. In making the appointments, the appointing authority



44 shall ensure diversity among members of the Mississippi Charter
45 School Authorizer Board.

46 (4) Members appointed to the Mississippi Charter School
47 Authorizer Board collectively must possess strong experience and
48 expertise in public and nonprofit governance, management and
49 finance, public school leadership, assessment, curriculum and
50 instruction, and public education law. Each member of the
51 Mississippi Charter School Authorizer Board must have demonstrated
52 an understanding of and commitment to charter schooling as a
53 strategy for strengthening public education.

54 (5) To establish staggered terms of office, the Mississippi
55 Charter School Authorizer Board will be reconstituted and all
56 members serving on the effective date of House Bill No. 555, 2023
57 Regular Session, reappointed before July 1, 2023, as follows:

58 (a) The initial term of office for the three (3)
59 Mississippi Charter School Authorizer Board members * * *
60 reappointed by the Governor shall be * * * one (1) year for the
61 appointee from the First Supreme Court District, two (2) years for
62 the appointee from the Second Supreme Court District, and three
63 (3) years for the appointee from the Third Supreme Court District.
64 Thereafter, the term of office shall be three (3) years * * *.

65 (b) The initial term of office for the three (3)
66 members * * * reappointed by the Lieutenant Governor shall be
67 three (3) years * * * for the appointee from the First Supreme
68 Court District, one (1) year for the appointee from the Second



69 Supreme Court District, and two (2) years for the appointee from
70 the Third Supreme Court District. Thereafter, the term of office
71 shall be three (3) years * * *.

72 (c) The * * * term of office for the member * * *
73 reappointed by the State Superintendent of Public Education shall
74 be * * * three (3) years.

75 No member of the board may serve more than two (2)
76 consecutive terms. The * * * reappointments to the board must be
77 made before * * * July 1, 2023.

78 (6) The Mississippi Charter School Authorizer Board shall
79 meet as soon as practical after September 1, 2013, upon the call
80 of the Governor, and shall organize for business by selecting a
81 chairman and adopting bylaws. Subsequent meetings shall be called
82 by the chairman.

83 (7) An individual member of the Mississippi Charter School
84 Authorizer Board may be removed by the board if the member's
85 personal incapacity renders the member incapable or unfit to
86 discharge the duties of the office or if the member is absent from
87 a number of meetings of the board, as determined and specified by
88 the board in its bylaws. Whenever a vacancy on the Mississippi
89 Charter School Authorizer Board exists, the original appointing
90 authority shall appoint a member for the remaining portion of the
91 term.

92 (8) No member of the Mississippi Charter School Authorizer
93 Board or employee, agent or representative of the board may serve



94 simultaneously as an employee, trustee, agent, representative,
95 vendor or contractor of a charter school authorized by the board.

96 (9) The Mississippi Charter School Authorizer Board shall
97 appoint an individual to serve as the Executive Director of the
98 Mississippi Charter School Authorizer Board. The executive
99 director shall possess the qualifications established by the board
100 which are based on national best practices, and shall possess an
101 understanding of state and federal education law. The executive
102 director, who shall serve at the will and pleasure of the board,
103 shall devote his full time to the proper administration of the
104 board and the duties assigned to him by the board and shall be
105 paid a salary established by the board, subject to the approval of
106 the State Personnel Board. Subject to the availability of
107 funding, the executive director may employ such administrative
108 staff as may be necessary to assist the director and board in
109 carrying out the duties and directives of the Mississippi Charter
110 School Authorizer Board.

111 (10) The Mississippi Charter School Authorizer Board is
112 authorized to obtain suitable office space for administrative
113 purposes. In acquiring a facility or office space, the authorizer
114 board shall adhere to all policies and procedures required by the
115 Department of Finance and Administration and the Public
116 Procurement Review Board.

117 **SECTION 2.** This act shall take effect and be in force from
118 and after its passage.

