

By: Representative Darnell

To: Education

HOUSE BILL NO. 1042

1 AN ACT TO AMEND SECTION 37-13-63, MISSISSIPPI CODE OF 1972,  
 2 TO REVISE THE BASIS FOR ESTABLISHING THE LENGTH OF THE PUBLIC  
 3 SCHOOL YEAR FROM DAYS TO HOURS AND TO CHANGE THE CURRENT MINIMUM  
 4 LENGTH OF 180 DAYS TO THE EQUIVALENT OF 990 HOURS OF ACTUAL  
 5 TEACHING; TO AMEND SECTIONS 37-13-61, 37-13-64 AND 37-13-67,  
 6 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING  
 7 PROVISIONS; TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972,  
 8 TO PROVIDE THAT FOR PURPOSES OF DETERMINING STUDENT ATTENDANCE  
 9 UNDER THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW, A  
 10 STUDENT'S ABSENTEEISM WILL CONTINUE TO BE DETERMINED ON A DAILY  
 11 BASIS; TO AMEND SECTION 37-151-5, MISSISSIPPI CODE OF 1972, TO  
 12 REQUIRE AVERAGE DAILY ATTENDANCE TO CONTINUE TO BE CALCULATED ON A  
 13 DAILY BASIS; TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972,  
 14 IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD  
 15 SECTION 37-9-24, MISSISSIPPI CODE OF 1972, WHICH REQUIRES ANNUAL  
 16 CONTRACTS FOR LICENSED SCHOOL EMPLOYEES TO BE FOR A MINIMUM OF 187  
 17 EMPLOYMENT DAYS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR  
 18 RELATED PURPOSES.

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

20 **SECTION 1.** Section 37-13-63, Mississippi Code of 1972, is  
 21 amended as follows:

22 37-13-63. (1) Except as otherwise provided, all public  
 23 schools in the state shall be kept in session for at least \* \* \*  
 24 nine hundred ninety (990) hours of actual teaching in each  
 25 scholastic year.



26 (2) If the school board of any school district shall  
27 determine that it is not economically feasible or practicable to  
28 operate any school within the district for the full \* \* \* nine  
29 hundred ninety (990) hours of actual teaching required for a  
30 scholastic year as contemplated due to an enemy attack, a  
31 man-made, technological or natural disaster or extreme weather  
32 emergency in which the Governor has declared a disaster or state  
33 of emergency under the laws of this state or the President of the  
34 United States has declared an emergency or major disaster to exist  
35 in this state, the school board may notify the State Department of  
36 Education of the disaster or weather emergency and submit a plan  
37 for altering the school term. If the State Board of Education  
38 finds the disaster or extreme weather emergency to be the cause of  
39 the school not operating for the contemplated school term and that  
40 such school was in a school district covered by the Governor's or  
41 President's disaster or state of emergency declaration, it may  
42 permit that school board to operate the schools in its district  
43 for less than \* \* \* nine hundred ninety (990) hours of actual  
44 teaching; however, in no instance of a declared disaster or state  
45 of emergency under the provisions of this subsection shall a  
46 school board receive payment from the State Department of  
47 Education for per pupil expenditure for pupils in average daily  
48 attendance in excess of ten (10) days.

49 **SECTION 2.** Section 37-13-61, Mississippi Code of 1972, is  
50 amended as follows:



51           37-13-61. The local school board shall have the power and  
52 authority to fix the date for the opening and closing of the  
53 school term, subject to the minimum number of \* \* \* hours of  
54 actual teaching which schools must be in session during a  
55 scholastic year, as prescribed under Section 37-13-63. However,  
56 local school boards are authorized to keep school in session in  
57 excess of the minimum number of \* \* \* hours of actual teaching  
58 prescribed in Section 37-13-63.

59           **SECTION 3.** Section 37-13-64, Mississippi Code of 1972, is  
60 amended as follows:

61           37-13-64. (1) Beginning with the 2010-2011 school term, any  
62 school district required to close the operation of its schools by  
63 decision of the superintendent, under the authority provided by  
64 the local school board, due to extreme weather conditions, in the  
65 best interests of the health and safety of the students,  
66 administration and staff of the school district, shall be exempt  
67 from the requirement that schools be kept in session a minimum  
68 of \* \* \* nine hundred ninety (990) hours of actual teaching. Any  
69 school district that closes its schools for reasons authorized  
70 under this section shall receive payment from the State Department  
71 of Education for per pupil expenditure for pupils in average daily  
72 attendance not to exceed ten (10) days.

73           (2) In the event weather conditions are cause for the  
74 closure of operations of schools in any local school district in  
75 any instance in which a state of emergency has not been declared



76 pursuant to Section 37-151-7(3)(c), the State Board of Education  
77 may consider, on a case-by-case basis, requests submitted by local  
78 school districts to alter the school calendar consistent with the  
79 provision of that section.

80 **SECTION 4.** Section 37-13-67, Mississippi Code of 1972, is  
81 amended as follows:

82 37-13-67. The number of hours of actual teaching which shall  
83 constitute a \* \* \* scholastic year shall be determined and fixed  
84 by the board of trustees of the school district at not less  
85 than \* \* \* nine hundred ninety (990) hours.

86 **SECTION 5.** Section 37-13-91, Mississippi Code of 1972, is  
87 amended as follows:

88 37-13-91. (1) This section shall be referred to as the  
89 "Mississippi Compulsory School Attendance Law."

90 (2) The following terms as used in this section are defined  
91 as follows:

92 (a) "Parent" means the father or mother to whom a child  
93 has been born, or the father or mother by whom a child has been  
94 legally adopted.

95 (b) "Guardian" means a guardian of the person of a  
96 child, other than a parent, who is legally appointed by a court of  
97 competent jurisdiction.

98 (c) "Custodian" means any person having the present  
99 care or custody of a child, other than a parent or guardian of the  
100 child.



101 (d) "School day," for the purpose of determining  
102 student attendance and absenteeism, means not less than five and  
103 one-half (5-1/2) and not more than eight (8) hours of actual  
104 teaching in which both teachers and pupils are in regular  
105 attendance for scheduled schoolwork.

106 (e) "School" means any public school, including a  
107 charter school, in this state or any nonpublic school in this  
108 state which is in session each school year for at least \* \* \* nine  
109 hundred ninety (990) hours of actual teaching, except that the  
110 "nonpublic" school term shall be the number of days that each  
111 school shall require for promotion from grade to grade.

112 (f) "Compulsory-school-age child" means a child who has  
113 attained or will attain the age of six (6) years on or before  
114 September 1 of the calendar year and who has not attained the age  
115 of seventeen (17) years on or before September 1 of the calendar  
116 year; and shall include any child who has attained or will attain  
117 the age of five (5) years on or before September 1 and has  
118 enrolled in a full-day public school kindergarten program.

119 (g) "School attendance officer" means a person employed  
120 by the State Department of Education pursuant to Section 37-13-89.

121 (h) "Appropriate school official" means the  
122 superintendent of the school district, or his designee, or, in the  
123 case of a nonpublic school, the principal or the headmaster.

124 (i) "Nonpublic school" means an institution for the  
125 teaching of children, consisting of a physical plant, whether



126 owned or leased, including a home, instructional staff members and  
127 students, and which is in session each school year. This  
128 definition shall include, but not be limited to, private, church,  
129 parochial and home instruction programs.

130 (3) A parent, guardian or custodian of a  
131 compulsory-school-age child in this state shall cause the child to  
132 enroll in and attend a public school or legitimate nonpublic  
133 school for the period of time that the child is of compulsory  
134 school age, except under the following circumstances:

135 (a) When a compulsory-school-age child is physically,  
136 mentally or emotionally incapable of attending school as  
137 determined by the appropriate school official based upon  
138 sufficient medical documentation.

139 (b) When a compulsory-school-age child is enrolled in  
140 and pursuing a course of special education, remedial education or  
141 education for handicapped or physically or mentally disadvantaged  
142 children.

143 (c) When a compulsory-school-age child is being  
144 educated in a legitimate home instruction program.

145 The parent, guardian or custodian of a compulsory-school-age  
146 child described in this subsection, or the parent, guardian or  
147 custodian of a compulsory-school-age child attending any charter  
148 school or nonpublic school, or the appropriate school official for  
149 any or all children attending a charter school or nonpublic school



150 shall complete a "certificate of enrollment" in order to  
151 facilitate the administration of this section.

152 The form of the certificate of enrollment shall be prepared  
153 by the Office of Compulsory School Attendance Enforcement of the  
154 State Department of Education and shall be designed to obtain the  
155 following information only:

156 (i) The name, address, telephone number and date  
157 of birth of the compulsory-school-age child;

158 (ii) The name, address and telephone number of the  
159 parent, guardian or custodian of the compulsory-school-age child;

160 (iii) A simple description of the type of  
161 education the compulsory-school-age child is receiving and, if the  
162 child is enrolled in a nonpublic school, the name and address of  
163 the school; and

164 (iv) The signature of the parent, guardian or  
165 custodian of the compulsory-school-age child or, for any or all  
166 compulsory-school-age child or children attending a charter school  
167 or nonpublic school, the signature of the appropriate school  
168 official and the date signed.

169 The certificate of enrollment shall be returned to the school  
170 attendance officer where the child resides on or before September  
171 15 of each year. Any parent, guardian or custodian found by the  
172 school attendance officer to be in noncompliance with this section  
173 shall comply, after written notice of the noncompliance by the  
174 school attendance officer, with this subsection within ten (10)



175 days after the notice or be in violation of this section.  
176 However, in the event the child has been enrolled in a public  
177 school within fifteen (15) calendar days after the first day of  
178 the school year as required in subsection (6), the parent or  
179 custodian may, at a later date, enroll the child in a legitimate  
180 nonpublic school or legitimate home instruction program and send  
181 the certificate of enrollment to the school attendance officer and  
182 be in compliance with this subsection.

183 For the purposes of this subsection, a legitimate nonpublic  
184 school or legitimate home instruction program shall be those not  
185 operated or instituted for the purpose of avoiding or  
186 circumventing the compulsory attendance law.

187 (4) An "unlawful absence" is an absence for an entire school  
188 day or during part of a school day by a compulsory-school-age  
189 child, which absence is not due to a valid excuse for temporary  
190 nonattendance. For purposes of reporting absenteeism under  
191 subsection (6) of this section, if a compulsory-school-age child  
192 has an absence that is more than thirty-seven percent (37%) of  
193 the \* \* \* number of hours of actual teaching fixed for a specific  
194 school day by the school board for the school at which the  
195 compulsory-school-age child is enrolled, the child must be  
196 considered absent the entire school day. Days missed from school  
197 due to disciplinary suspension shall not be considered an  
198 "excused" absence under this section. This subsection shall not  
199 apply to children enrolled in a nonpublic school.





200           Each of the following shall constitute a valid excuse for  
201 temporary nonattendance of a compulsory-school-age child enrolled  
202 in a noncharter public school, provided satisfactory evidence of  
203 the excuse is provided to the superintendent of the school  
204 district, or his designee:

205           (a) An absence is excused when the absence results from  
206 the compulsory-school-age child's attendance at an authorized  
207 school activity with the prior approval of the superintendent of  
208 the school district, or his designee. These activities may  
209 include field trips, athletic contests, student conventions,  
210 musical festivals and any similar activity.

211           (b) An absence is excused when the absence results from  
212 illness or injury which prevents the compulsory-school-age child  
213 from being physically able to attend school.

214           (c) An absence is excused when isolation of a  
215 compulsory-school-age child is ordered by the county health  
216 officer, by the State Board of Health or appropriate school  
217 official.

218           (d) An absence is excused when it results from the  
219 death or serious illness of a member of the immediate family of a  
220 compulsory-school-age child. The immediate family members of a  
221 compulsory-school-age child shall include children, spouse,  
222 grandparents, parents, brothers and sisters, including  
223 stepbrothers and stepsisters.



224 (e) An absence is excused when it results from a  
225 medical or dental appointment of a compulsory-school-age child.

226 (f) An absence is excused when it results from the  
227 attendance of a compulsory-school-age child at the proceedings of  
228 a court or an administrative tribunal if the child is a party to  
229 the action or under subpoena as a witness.

230 (g) An absence may be excused if the religion to which  
231 the compulsory-school-age child or the child's parents adheres,  
232 requires or suggests the observance of a religious event. The  
233 approval of the absence is within the discretion of the  
234 superintendent of the school district, or his designee, but  
235 approval should be granted unless the religion's observance is of  
236 such duration as to interfere with the education of the child.

237 (h) An absence may be excused when it is demonstrated  
238 to the satisfaction of the superintendent of the school district,  
239 or his designee, that the purpose of the absence is to take  
240 advantage of a valid educational opportunity such as travel,  
241 including vacations or other family travel. Approval of the  
242 absence must be gained from the superintendent of the school  
243 district, or his designee, before the absence, but the approval  
244 shall not be unreasonably withheld.

245 (i) An absence may be excused when it is demonstrated  
246 to the satisfaction of the superintendent of the school district,  
247 or his designee, that conditions are sufficient to warrant the  
248 compulsory-school-age child's nonattendance. However, no absences



249 shall be excused by the school district superintendent, or his  
250 designee, when any student suspensions or expulsions circumvent  
251 the intent and spirit of the compulsory attendance law.

252 (j) An absence is excused when it results from the  
253 attendance of a compulsory-school-age child participating in  
254 official organized events sponsored by the 4-H or Future Farmers  
255 of America (FFA). The excuse for the 4-H or FFA event must be  
256 provided in writing to the appropriate school superintendent by  
257 the Extension Agent or High School Agricultural Instructor/FFA  
258 Advisor.

259 (k) An absence is excused when it results from the  
260 compulsory-school-age child officially being employed to serve as  
261 a page at the State Capitol for the Mississippi House of  
262 Representatives or Senate.

263 (5) Any parent, guardian or custodian of a  
264 compulsory-school-age child subject to this section who refuses or  
265 willfully fails to perform any of the duties imposed upon him or  
266 her under this section or who intentionally falsifies any  
267 information required to be contained in a certificate of  
268 enrollment, shall be guilty of contributing to the neglect of a  
269 child and, upon conviction, shall be punished in accordance with  
270 Section 97-5-39.

271 Upon prosecution of a parent, guardian or custodian of a  
272 compulsory-school-age child for violation of this section, the  
273 presentation of evidence by the prosecutor that shows that the



274 child has not been enrolled in school within eighteen (18)  
275 calendar days after the first day of the school year of the public  
276 school which the child is eligible to attend, or that the child  
277 has accumulated twelve (12) unlawful absences during the school  
278 year at the public school in which the child has been enrolled,  
279 shall establish a prima facie case that the child's parent,  
280 guardian or custodian is responsible for the absences and has  
281 refused or willfully failed to perform the duties imposed upon him  
282 or her under this section. However, no proceedings under this  
283 section shall be brought against a parent, guardian or custodian  
284 of a compulsory-school-age child unless the school attendance  
285 officer has contacted promptly the home of the child and has  
286 provided written notice to the parent, guardian or custodian of  
287 the requirement for the child's enrollment or attendance.

288 (6) If a compulsory-school-age child has not been enrolled  
289 in a school within fifteen (15) calendar days after the first day  
290 of the school year of the school which the child is eligible to  
291 attend or the child has accumulated five (5) unlawful absences  
292 during the school year of the public school in which the child is  
293 enrolled, the school district superintendent, or his designee,  
294 shall report, within two (2) school days or within five (5)  
295 calendar days, whichever is less, the absences to the school  
296 attendance officer. The State Department of Education shall  
297 prescribe a uniform method for schools to utilize in reporting the  
298 unlawful absences to the school attendance officer. The



299 superintendent, or his designee, also shall report any student  
300 suspensions or student expulsions to the school attendance officer  
301 when they occur.

302 (7) When a school attendance officer has made all attempts  
303 to secure enrollment and/or attendance of a compulsory-school-age  
304 child and is unable to effect the enrollment and/or attendance,  
305 the attendance officer shall file a petition with the youth court  
306 under Section 43-21-451 or shall file a petition in a court of  
307 competent jurisdiction as it pertains to parent or child.  
308 Sheriffs, deputy sheriffs and municipal law enforcement officers  
309 shall be fully authorized to investigate all cases of  
310 nonattendance and unlawful absences by compulsory-school-age  
311 children, and shall be authorized to file a petition with the  
312 youth court under Section 43-21-451 or file a petition or  
313 information in the court of competent jurisdiction as it pertains  
314 to parent or child for violation of this section. The youth court  
315 shall expedite a hearing to make an appropriate adjudication and a  
316 disposition to ensure compliance with the Compulsory School  
317 Attendance Law, and may order the child to enroll or re-enroll in  
318 school. The superintendent of the school district to which the  
319 child is ordered may assign, in his discretion, the child to the  
320 alternative school program of the school established pursuant to  
321 Section 37-13-92.

322 (8) The State Board of Education shall adopt rules and  
323 regulations for the purpose of reprimanding any school



324 superintendents who fail to timely report unexcused absences under  
325 the provisions of this section.

326 (9) Notwithstanding any provision or implication herein to  
327 the contrary, it is not the intention of this section to impair  
328 the primary right and the obligation of the parent or parents, or  
329 person or persons in loco parentis to a child, to choose the  
330 proper education and training for such child, and nothing in this  
331 section shall ever be construed to grant, by implication or  
332 otherwise, to the State of Mississippi, any of its officers,  
333 agencies or subdivisions any right or authority to control,  
334 manage, supervise or make any suggestion as to the control,  
335 management or supervision of any private or parochial school or  
336 institution for the education or training of children, of any kind  
337 whatsoever that is not a public school according to the laws of  
338 this state; and this section shall never be construed so as to  
339 grant, by implication or otherwise, any right or authority to any  
340 state agency or other entity to control, manage, supervise,  
341 provide for or affect the operation, management, program,  
342 curriculum, admissions policy or discipline of any such school or  
343 home instruction program.

344 **SECTION 6.** Section 37-151-5, Mississippi Code of 1972, is  
345 amended as follows:

346 37-151-5. As used in Sections 37-151-5 and 37-151-7:

347 (a) "Adequate program" or "adequate education program"  
348 or "Mississippi Adequate Education Program (MAEP)" shall mean the



349 program to establish adequate current operation funding levels  
350 necessary for the programs of such school district to meet at  
351 least a successful Level III rating of the accreditation system as  
352 established by the State Board of Education using current  
353 statistically relevant state assessment data.

354 (b) "Educational programs or elements of programs not  
355 included in the adequate education program calculations, but which  
356 may be included in appropriations and transfers to school  
357 districts" shall mean:

358 (i) "Capital outlay" shall mean those funds used  
359 for the constructing, improving, equipping, renovating or major  
360 repairing of school buildings or other school facilities, or the  
361 cost of acquisition of land whereon to construct or establish such  
362 school facilities.

363 (ii) "Pilot programs" shall mean programs of a  
364 pilot or experimental nature usually designed for special purposes  
365 and for a specified period of time other than those included in  
366 the adequate education program.

367 (iii) "Adult education" shall mean public  
368 education dealing primarily with students above eighteen (18)  
369 years of age not enrolled as full-time public school students and  
370 not classified as students of technical schools, colleges or  
371 universities of the state.



372 (iv) "Food service programs" shall mean those  
373 programs dealing directly with the nutritional welfare of the  
374 student, such as the school lunch and school breakfast programs.

375 (c) "Base student" shall mean that student  
376 classification that represents the most economically educated  
377 pupil in a school system meeting the definition of successful, as  
378 determined by the State Board of Education.

379 (d) "Base student cost" shall mean the funding level  
380 necessary for providing an adequate education program for one (1)  
381 base student, subject to any minimum amounts prescribed in Section  
382 37-151-7(1).

383 (e) "Add-on program costs" shall mean those items which  
384 are included in the adequate education program appropriations and  
385 are outside of the program calculations:

386 (i) "Transportation" shall mean transportation to  
387 and from public schools for the students of Mississippi's public  
388 schools provided for under law and funded from state funds.

389 (ii) "Vocational or technical education program"  
390 shall mean a secondary vocational or technical program approved by  
391 the State Department of Education and provided for from state  
392 funds.

393 (iii) "Special education program" shall mean a  
394 program for exceptional children as defined and authorized by  
395 Sections 37-23-1 through 37-23-9, and approved by the State  
396 Department of Education and provided from state funds.





397 (iv) "Gifted education program" shall mean those  
398 programs for the instruction of intellectually or academically  
399 gifted children as defined and provided for in Section 37-23-175  
400 et seq.

401 (v) "Alternative school program" shall mean those  
402 programs for certain compulsory-school-age students as defined and  
403 provided for in Sections 37-13-92 and 37-19-22.

404 (vi) "Extended school year programs" shall mean  
405 those programs authorized by law which extend beyond the normal  
406 school year.

407 (vii) "University-based programs" shall mean those  
408 university-based programs for handicapped children as defined and  
409 provided for in Section 37-23-131 et seq.

410 (viii) "Bus driver training" programs shall mean  
411 those driver training programs as provided for in Section 37-41-1.

412 (f) "Teacher" shall include any employee of a local  
413 school who is required by law to obtain a teacher's license from  
414 the State Board of Education and who is assigned to an  
415 instructional area of work as defined by the State Department of  
416 Education.

417 (g) "Principal" shall mean the head of an attendance  
418 center or division thereof.

419 (h) "Superintendent" shall mean the head of a school  
420 district.



421 (i) "School district" shall mean any type of school  
422 district in the State of Mississippi, and shall include  
423 agricultural high schools.

424 (j) "Minimum school term" shall mean a term of at  
425 least \* \* \* nine hundred ninety (990) hours of actual teaching, as  
426 fixed by the local school board for each school in the school  
427 district. \* \* \*

428 (k) The term "transportation density" shall mean the  
429 number of transported children in average daily attendance per  
430 square mile of area served in a school district, as determined by  
431 the State Department of Education.

432 (l) The term "transported children" shall mean children  
433 being transported to school who live within legal limits for  
434 transportation and who are otherwise qualified for being  
435 transported to school at public expense as fixed by Mississippi  
436 state law.

437 (m) The term "year of teaching experience" shall mean  
438 nine (9) months of actual teaching in the public or private  
439 elementary and secondary schools and shall also include nine (9)  
440 months of actual teaching at postsecondary institutions accredited  
441 by the Southern Association of Colleges and Schools (SACS) or  
442 equivalent regional accrediting body for degree-granting  
443 postsecondary institutions. In no case shall more than one (1)  
444 year of teaching experience be given for all services in one (1)  
445 calendar or school year. In determining a teacher's experience,



446 no deduction shall be made because of the temporary absence of the  
447 teacher because of illness or other good cause, and the teacher  
448 shall be given credit therefor. \* \* \* The State Board of  
449 Education shall fix a number of \* \* \* hours of actual teaching,  
450 not to exceed \* \* \* two hundred forty-seven and one-half (247 1/2)  
451 consecutive school \* \* \* hours, during which a teacher may not be  
452 under contract of employment during any school year and still be  
453 considered to have been in full-time employment for a regular  
454 scholastic term. If a teacher exceeds the number of \* \* \* hours  
455 established by the State Board of Education that a teacher may not  
456 be under contract but may still be employed, that teacher shall  
457 not be credited with a year of teaching experience. In  
458 determining the experience of school librarians, each complete  
459 year of continuous, full-time employment as a professional  
460 librarian in a public library in this or some other state shall be  
461 considered a year of teaching experience. If a full-time school  
462 administrator returns to actual teaching in the public schools,  
463 the term "year of teaching experience" shall include the period of  
464 time he or she served as a school administrator. In determining  
465 the salaries of teachers who have experience in any branch of the  
466 military, the term "year of teaching experience" shall include  
467 each complete year of actual classroom instruction while serving  
468 in the military. In determining the experience of speech-language  
469 pathologists and audiologists, each complete year of continuous  
470 full-time post master's degree employment in an educational



471 setting in this or some other state shall be considered a year of  
472 teaching experience. \* \* \* However, \* \* \* school districts are  
473 authorized, in their discretion, to negotiate the salary levels  
474 applicable to \* \* \* licensed employees employed after July 1,  
475 2009, who are receiving retirement benefits from the retirement  
476 system of another state, and the annual experience increment  
477 provided in Section 37-19-7 shall not be applicable to any such  
478 retired \* \* \* licensed employee.

479 (n) (i) The term "average daily attendance" shall be  
480 the figure which results when the total aggregate full-day  
481 attendance during the period or months counted is divided by the  
482 number of days during the period or months counted upon which both  
483 teachers and pupils are in regular attendance for scheduled  
484 classroom instruction, \* \* \* less the average daily attendance for  
485 self-contained special education classes. For purposes of  
486 determining and reporting attendance, a pupil must be present for  
487 at least sixty-three percent (63%) of the \* \* \* number of hours of  
488 actual teaching fixed for a specific full day by the local school  
489 board for each school in the school district, in order to be  
490 considered in full-day attendance. Prior to full implementation  
491 of the adequate education program, the department shall deduct the  
492 average daily attendance for the alternative school program  
493 provided for in Section 37-19-22.

494 (ii) [Repealed]



495           (o) The term "local supplement" shall mean the amount  
496 paid to an individual teacher over and above the adequate  
497 education program salary schedule for regular teaching duties.

498           (p) The term "aggregate amount of support from ad  
499 valorem taxation" shall mean the amounts produced by the  
500 district's total tax levies for operations.

501           (q) The term "adequate education program funds" shall  
502 mean all funds, both state and local, constituting the  
503 requirements for meeting the cost of the adequate program as  
504 provided for in Section 37-151-7.

505           (r) "Department" shall mean the State Department of  
506 Education.

507           (s) "Commission" shall mean the Mississippi Commission  
508 on School Accreditation created under Section 37-17-3.

509           (t) The term "successful school district" shall mean a  
510 Level III school district as designated by the State Board of  
511 Education using current statistically relevant state assessment  
512 data.

513           (u) "Dual enrollment-dual credit programs" shall mean  
514 programs for potential or recent high school student dropouts to  
515 dually enroll in their home high school and a local community  
516 college in a dual credit program consisting of high school  
517 completion coursework and a credential, certificate or degree  
518 program at the community college, as provided in Section  
519 37-15-38(19).



520 (v) "Charter school" means a public school that is  
521 established and operating under the terms of a charter contract  
522 between the school's governing board and the Mississippi Charter  
523 School Authorizer Board.

524 **SECTION 7.** Section 37-151-7, Mississippi Code of 1972, is  
525 amended as follows:

526 37-151-7. The annual allocation to each school district for  
527 the operation of the adequate education program shall be  
528 determined as follows:

529 (1) **Computation of the basic amount to be included for**  
530 **current operation in the adequate education program.** The  
531 following procedure shall be followed in determining the annual  
532 allocation to each school district:

533 (a) **Determination of average daily attendance.**  
534 Effective with fiscal year 2011, the State Department of Education  
535 shall determine the percentage change from the prior year of each  
536 year of each school district's average of months two (2) and three  
537 (3) average daily attendance (ADA) for the three (3) immediately  
538 preceding school years of the year for which funds are being  
539 appropriated. For any school district that experiences a positive  
540 growth in the average of months two (2) and three (3) ADA each  
541 year of the three (3) years, the average percentage growth over  
542 the three-year period shall be multiplied times the school  
543 district's average of months two (2) and three (3) ADA for the  
544 year immediately preceding the year for which MAEP funds are being



545 appropriated. The resulting amount shall be added to the school  
546 district's average of months two (2) and three (3) ADA for the  
547 year immediately preceding the year for which MAEP funds are being  
548 appropriated to arrive at the ADA to be used in determining a  
549 school district's MAEP allocation. Otherwise, months two (2) and  
550 three (3) ADA for the year immediately preceding the year for  
551 which MAEP funds are being appropriated will be used in  
552 determining a school district's MAEP allocation. In any fiscal  
553 year prior to 2010 in which the MAEP formula is not fully funded,  
554 for those districts that do not demonstrate a three-year positive  
555 growth in months two (2) and three (3) ADA, months one (1) through  
556 nine (9) ADA of the second preceding year for which funds are  
557 being appropriated or months two (2) and three (3) ADA of the  
558 preceding year for which funds are being appropriated, whichever  
559 is greater, shall be used to calculate the district's MAEP  
560 allocation. The district's average daily attendance shall be  
561 computed and currently maintained in accordance with regulations  
562 promulgated by the State Board of Education. The district's  
563 average daily attendance shall include any student enrolled in a  
564 Dual Enrollment-Dual Credit Program as defined and provided in  
565 Section 37-15-38(19). The State Department of Education shall  
566 make payments for Dual Enrollment-Dual Credit Programs to the home  
567 school in which the student is enrolled, in accordance with  
568 regulations promulgated by the State Board of Education. The  
569 community college providing services to students in a Dual



570 Enrollment-Dual Credit Program shall require payment from the home  
571 school district for services provided to such students at a rate  
572 of one hundred percent (100%) of ADA. All MAEP/state funding  
573 shall cease upon completion of high school graduation  
574 requirements.

575           (b) **Determination of base student cost.** Effective with  
576 fiscal year 2011 and every fourth fiscal year thereafter, the  
577 State Board of Education, on or before August 1, with adjusted  
578 estimate no later than January 2, shall submit to the Legislative  
579 Budget Office and the Governor a proposed base student cost  
580 adequate to provide the following cost components of educating a  
581 pupil in a successful school district: (i) instructional cost;  
582 (ii) administrative cost; (iii) operation and maintenance of  
583 plant; and (iv) ancillary support cost. For purposes of these  
584 calculations, the Department of Education shall utilize financial  
585 data from the second preceding year of the year for which funds  
586 are being appropriated.

587           For the instructional cost component, the Department of  
588 Education shall select districts that have been identified as  
589 instructionally successful and have a ratio of a number of  
590 teachers per one thousand (1,000) students that is between one (1)  
591 standard deviation above the mean and two (2) standard deviations  
592 below the mean of the statewide average of teachers per one  
593 thousand (1,000) students. The instructional cost component shall  
594 be calculated by dividing the latest available months one (1)





595 through nine (9) ADA into the instructional expenditures of these  
596 selected districts. For the purpose of this calculation, the  
597 Department of Education shall use the following funds, functions  
598 and objects:

599 Fund 1120 Functions 1110-1199 Objects 100-999, Functions  
600 1210, 1220, 2150-2159 Objects 210 and 215;  
601 Fund 1130 All Functions, Object Code 210 and 215;  
602 Fund 2001 Functions 1110-1199 Objects 100-999;  
603 Fund 2070 Functions 1110-1199 Objects 100-999;  
604 Fund 2420 Functions 1110-1199 Objects 100-999;  
605 Fund 2711 All Functions, Object Code 210 and 215.

606 Prior to the calculation of the instructional cost component,  
607 there shall be subtracted from the above expenditures any revenue  
608 received for Chickasaw Cession payments, Master Teacher  
609 Certification payments and the district's portion of state revenue  
610 received from the MAEP at-risk allocation.

611 For the administrative cost component, the Department of  
612 Education shall select districts that have been identified as  
613 instructionally successful and have a ratio of an administrative  
614 staff to nonadministrative staff between one (1) standard  
615 deviation above the mean and two (2) standard deviations below the  
616 mean of the statewide average administrative staff to  
617 nonadministrative staff. The administrative cost component shall  
618 be calculated by dividing the latest available months one (1)  
619 through nine (9) ADA of the selected districts into the



620 administrative expenditures of these selected districts. For the  
621 purpose of this calculation, the Department of Education shall use  
622 the following funds, functions and objects:

623 Fund 1120 Functions 2300-2599, Functions 2800-2899,  
624 Objects 100-999;

625 Fund 2711 Functions 2300-2599, Functions 2800-2899,  
626 Objects 100-999.

627 For the plant and maintenance cost component, the Department  
628 of Education shall select districts that have been identified as  
629 instructionally successful and have a ratio of plant and  
630 maintenance expenditures per one hundred thousand (100,000) square  
631 feet of building space and a ratio of maintenance workers per one  
632 hundred thousand (100,000) square feet of building space that are  
633 both between one (1) standard deviation above the mean and two (2)  
634 standard deviations below the mean of the statewide average. The  
635 plant and maintenance cost component shall be calculated by  
636 dividing the latest available months one (1) through nine (9) ADA  
637 of the selected districts into the plant and maintenance  
638 expenditures of these selected districts. For the purpose of this  
639 calculation, the Department of Education shall use the following  
640 funds, functions and objects:

641 Fund 1120 Functions 2600-2699, Objects 100-699  
642 and Objects 800-999;

643 Fund 2711 Functions 2600-2699, Objects 100-699  
644 and Objects 800-999;



645 Fund 2430 Functions 2600-2699, Objects 100-699

646 and Objects 800-999.

647 For the ancillary support cost component, the Department of  
648 Education shall select districts that have been identified as  
649 instructionally successful and have a ratio of a number of  
650 librarians, media specialists, guidance counselors and  
651 psychologists per one thousand (1,000) students that is between  
652 one (1) standard deviation above the mean and two (2) standard  
653 deviations below the mean of the statewide average of librarians,  
654 media specialists, guidance counselors and psychologists per one  
655 thousand (1,000) students. The ancillary cost component shall be  
656 calculated by dividing the latest available months one (1) through  
657 nine (9) ADA into the ancillary expenditures instructional  
658 expenditures of these selected districts. For the purpose of this  
659 calculation, the Department of Education shall use the following  
660 funds, functions and objects:

661 Fund 1120 Functions 2110-2129, Objects 100-999;

662 Fund 1120 Functions 2140-2149, Objects 100-999;

663 Fund 1120 Functions 2220-2229, Objects 100-999;

664 Fund 2001 Functions 2100-2129, Objects 100-999;

665 Fund 2001 Functions 2140-2149, Objects 100-999;

666 Fund 2001 Functions 2220-2229, Objects 100-999.

667 The total base cost for each year shall be the sum of the  
668 instructional cost component, administrative cost component, plant  
669 and maintenance cost component and ancillary support cost



670 component, and any estimated adjustments for additional state  
671 requirements as determined by the State Board of Education. \* \* \*  
672 However, \* \* \* the base student cost in fiscal year 1998 shall be  
673 Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

674 For each of the fiscal years between the recalculation of the  
675 base student cost under the provisions of this paragraph (b), the  
676 base student cost shall be increased by an amount equal to forty  
677 percent (40%) of the base student cost for the previous fiscal  
678 year, multiplied by the latest annual rate of inflation for the  
679 State of Mississippi as determined by the State Economist, plus  
680 any adjustments for additional state requirements such as, but not  
681 limited to, teacher pay raises and health insurance premium  
682 increases.

683 (c) **Determination of the basic adequate education**  
684 **program cost.** The basic amount for current operation to be  
685 included in the Mississippi Adequate Education Program for each  
686 school district shall be computed as follows:

687 Multiply the average daily attendance of the district by the  
688 base student cost as established by the Legislature, which yields  
689 the total base program cost for each school district.

690 (d) **Adjustment to the base student cost for at-risk**  
691 **pupils.** The amount to be included for at-risk pupil programs for  
692 each school district shall be computed as follows: Multiply the  
693 base student cost for the appropriate fiscal year as determined  
694 under paragraph (b) by five percent (5%), and multiply that



695 product by the number of pupils participating in the federal free  
696 school lunch program in such school district, which yields the  
697 total adjustment for at-risk pupil programs for such school  
698 district.

699 (e) **Add-on program cost.** The amount to be allocated to  
700 school districts in addition to the adequate education program  
701 cost for add-on programs for each school district shall be  
702 computed as follows:

703 (i) Transportation cost shall be the amount  
704 allocated to such school district for the operational support of  
705 the district transportation system from state funds.

706 (ii) Vocational or technical education program  
707 cost shall be the amount allocated to such school district from  
708 state funds for the operational support of such programs.

709 (iii) Special education program cost shall be the  
710 amount allocated to such school district from state funds for the  
711 operational support of such programs.

712 (iv) Gifted education program cost shall be the  
713 amount allocated to such school district from state funds for the  
714 operational support of such programs.

715 (v) Alternative school program cost shall be the  
716 amount allocated to such school district from state funds for the  
717 operational support of such programs.



718 (vi) Extended school year programs shall be the  
719 amount allocated to school districts for those programs authorized  
720 by law which extend beyond the normal school year.

721 (vii) University-based programs shall be the  
722 amount allocated to school districts for those university-based  
723 programs for handicapped children as defined and provided for in  
724 Section 37-23-131 et seq., Mississippi Code of 1972.

725 (viii) Bus driver training programs shall be the  
726 amount provided for those driver training programs as provided for  
727 in Section 37-41-1 \* \* \*.

728 The sum of the items listed above (i) transportation, (ii)  
729 vocational or technical education, (iii) special education, (iv)  
730 gifted education, (v) alternative school, (vi) extended school  
731 year, (vii) university-based, and (viii) bus driver training shall  
732 yield the add-on cost for each school district.

733 (f) **Total projected adequate education program cost.**

734 The total Mississippi Adequate Education Program cost shall be the  
735 sum of the total basic adequate education program cost (paragraph  
736 (c)), and the adjustment to the base student cost for at-risk  
737 pupils (paragraph (d)) for each school district. In any year in  
738 which the MAEP is not fully funded, the Legislature shall direct  
739 the Department of Education in the K-12 appropriation bill as to  
740 how to allocate MAEP funds to school districts for that year.

741 (g) The State Auditor shall annually verify the State  
742 Board of Education's estimated calculations for the Mississippi



743 Adequate Education Program that are submitted each year to the  
744 Legislative Budget Office on August 1 and the final calculation  
745 that is submitted on January 2.

746       (2) **Computation of the required local revenue in support of**  
747 **the adequate education program.** The amount that each district  
748 shall provide toward the cost of the adequate education program  
749 shall be calculated as follows:

750           (a) The State Department of Education shall certify to  
751 each school district that twenty-eight (28) mills, less the  
752 estimated amount of the yield of the School Ad Valorem Tax  
753 Reduction Fund grants as determined by the State Department of  
754 Education, is the millage rate required to provide the district  
755 required local effort for that year, or twenty-seven percent (27%)  
756 of the basic adequate education program cost for such school  
757 district as determined under paragraph (c), whichever is a lesser  
758 amount. In the case of an agricultural high school, the millage  
759 requirement shall be set at a level which generates an equitable  
760 amount per pupil to be determined by the State Board of Education.  
761 The local contribution amount for school districts in which there  
762 is located one or more charter schools will be calculated using  
763 the following methodology: using the adequate education program  
764 twenty-eight (28) mill value, or the twenty-seven percent (27%)  
765 cap amount (whichever is less) for each school district in which a  
766 charter school is located, an average per pupil amount will be  
767 calculated. This average per pupil amount will be multiplied



768 times the number of students attending the charter school in that  
769 school district. The sum becomes the charter school's local  
770 contribution to the adequate education program.

771 (b) The State Department of Education shall determine  
772 the following from the annual assessment information submitted to  
773 the department by the tax assessors of the various counties: (i)  
774 the total assessed valuation of nonexempt property for school  
775 purposes in each school district; (ii) assessed value of exempt  
776 property owned by homeowners aged sixty-five (65) or older or  
777 disabled as defined in Section 27-33-67(2) \* \* \*; (iii) the school  
778 district's tax loss from exemptions provided to applicants under  
779 the age of sixty-five (65) and not disabled as defined in Section  
780 27-33-67(1) \* \* \*; and (iv) the school district's homestead  
781 reimbursement revenues.

782 (c) The amount of the total adequate education program  
783 funding which shall be contributed by each school district shall  
784 be the sum of the ad valorem receipts generated by the millage  
785 required under this subsection plus the following local revenue  
786 sources for the appropriate fiscal year which are or may be  
787 available for current expenditure by the school district:

788 One hundred percent (100%) of Grand Gulf income as prescribed  
789 in Section 27-35-309.

790 One hundred percent (100%) of any fees in lieu of taxes as  
791 prescribed in Section 27-31-104.





792           (3) **Computation of the required state effort in support of**  
793 **the adequate education program.**

794           (a) The required state effort in support of the  
795 adequate education program shall be determined by subtracting the  
796 sum of the required local tax effort as set forth in subsection  
797 (2)(a) of this section and the other local revenue sources as set  
798 forth in subsection (2)(c) of this section in an amount not to  
799 exceed twenty-seven percent (27%) of the total projected adequate  
800 education program cost as set forth in subsection (1)(f) of this  
801 section from the total projected adequate education program cost  
802 as set forth in subsection (1)(f) of this section.

803           (b) \* \* \* However, \* \* \* in fiscal year 2015, any  
804 increase in the \* \* \* state contribution to any district  
805 calculated under this section shall be not less than six percent  
806 (6%) in excess of the amount received by \* \* \* that district from  
807 state funds for fiscal year 2002; in fiscal year 2016, any  
808 increase in the \* \* \* state contribution to any district  
809 calculated under this section shall be not less than four percent  
810 (4%) in excess of the amount received by \* \* \* that district from  
811 state funds for fiscal year 2002; in fiscal year 2017, any  
812 increase in the \* \* \* state contribution to any district  
813 calculated under this section shall be not less than two percent  
814 (2%) in excess of the amount received by \* \* \* that district from  
815 state funds for fiscal year 2002; and in fiscal year 2018 and  
816 thereafter, any increase in the \* \* \* state contribution to any



817 district calculated under this section shall be zero percent (0%).  
818 For purposes of this paragraph (b), state funds shall include  
819 minimum program funds less the add-on programs, State Uniform  
820 Millage Assistance Grant Funds, Education Enhancement Funds  
821 appropriated for Uniform Millage Assistance Grants and state  
822 textbook allocations, and State General Funds allocated for  
823 textbooks.

824 (c) If the school board of any school district shall  
825 determine that it is not economically feasible or practicable to  
826 operate any school within the district for the full \* \* \* nine  
827 hundred ninety (990) hours of actual teaching required for a  
828 school term of a scholastic year as required in Section  
829 37-13-63, \* \* \* due to an enemy attack, a man-made, technological  
830 or natural disaster in which the Governor has declared a disaster  
831 emergency under the laws of this state or the President of the  
832 United States has declared an emergency or major disaster to exist  
833 in this state, \* \* \* the school board may notify the State  
834 Department of Education of such disaster and submit a plan for  
835 altering the school term. If the State Board of Education finds  
836 such disaster to be the cause of the school not operating for the  
837 contemplated school term and that such school was in a school  
838 district covered by the Governor's or President's disaster  
839 declaration, it may permit \* \* \* the school board to operate the  
840 schools in its district for less than \* \* \* nine hundred ninety  
841 (990) hours of actual teaching and, in such case, the State



842 Department of Education shall not reduce the state contributions  
843 to the adequate education program allotment for such district,  
844 because of the failure to operate \* \* \* the schools for \* \* \* nine  
845 hundred ninety (990) hours of actual teaching.

846 (4) The Interim School District Capital Expenditure Fund is  
847 hereby established in the State Treasury which shall be used to  
848 distribute any funds specifically appropriated by the Legislature  
849 to such fund to school districts entitled to increased allocations  
850 of state funds under the adequate education program funding  
851 formula prescribed in Sections 37-151-3 through 37-151-7, \* \* \*  
852 until such time as the \* \* \* adequate education program is fully  
853 funded by the Legislature. The following percentages of the total  
854 state cost of increased allocations of funds under the adequate  
855 education program funding formula shall be appropriated by the  
856 Legislature into the Interim School District Capital Expenditure  
857 Fund to be distributed to all school districts under the formula:  
858 Nine and two-tenths percent (9.2%) shall be appropriated in fiscal  
859 year 1998, twenty percent (20%) shall be appropriated in fiscal  
860 year 1999, forty percent (40%) shall be appropriated in fiscal  
861 year 2000, sixty percent (60%) shall be appropriated in fiscal  
862 year 2001, eighty percent (80%) shall be appropriated in fiscal  
863 year 2002, and one hundred percent (100%) shall be appropriated in  
864 fiscal year 2003 into the State Adequate Education Program Fund.  
865 Until July 1, 2002, such money shall be used by school districts  
866 for the following purposes:



867           (a) Purchasing, erecting, repairing, equipping,  
868 remodeling and enlarging school buildings and related facilities,  
869 including gymnasiums, auditoriums, lunchrooms, vocational training  
870 buildings, libraries, school barns and garages for transportation  
871 vehicles, school athletic fields and necessary facilities  
872 connected therewith, and purchasing land therefor. Any such  
873 capital improvement project by a school district shall be approved  
874 by the State Board of Education, and based on an approved  
875 long-range plan. The State Board of Education shall promulgate  
876 minimum requirements for the approval of school district capital  
877 expenditure plans.

878           (b) Providing necessary water, light, heating,  
879 air-conditioning, and sewerage facilities for school buildings,  
880 and purchasing land therefor.

881           (c) Paying debt service on existing capital improvement  
882 debt of the district or refinancing outstanding debt of a district  
883 if such refinancing will result in an interest cost savings to the  
884 district.

885           (d) From and after October 1, 1997, through June 30,  
886 1998, pursuant to a school district capital expenditure plan  
887 approved by the State Department of Education, a school district  
888 may pledge such funds until July 1, 2002, plus funds provided for  
889 in paragraph (e) of this subsection (4) that are not otherwise  
890 permanently pledged under such paragraph (e) to pay all or a  
891 portion of the debt service on debt issued by the school district



892 under Sections 37-59-1 through 37-59-45, 37-59-101 through  
893 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99,  
894 37-7-301, 37-7-302 and 37-41-81, \* \* \* or debt issued by boards of  
895 supervisors for agricultural high schools pursuant to Section  
896 37-27-65, \* \* \* or lease-purchase contracts entered into pursuant  
897 to Section 31-7-13, \* \* \* or to retire or refinance outstanding  
898 debt of a district, if such pledge is accomplished pursuant to a  
899 written contract or resolution approved and spread upon the  
900 minutes of an official meeting of the district's school board or  
901 board of supervisors. It is the intent of this provision to allow  
902 school districts to irrevocably pledge their Interim School  
903 District Capital Expenditure Fund allotments as a constant stream  
904 of revenue to secure a debt issued under the foregoing code  
905 sections. To allow school districts to make such an irrevocable  
906 pledge, the state shall take all action necessary to ensure that  
907 the amount of a district's Interim School District Capital  
908 Expenditure Fund allotments shall not be reduced below the amount  
909 certified by the department or the district's total allotment  
910 under the Interim Capital Expenditure Fund if fully funded, so  
911 long as such debt remains outstanding.

912 (e) [Repealed]

913 (f) [Repealed]

914 (g) The State Board of Education may authorize the  
915 school district to expend not more than twenty percent (20%) of  
916 its annual allotment of such funds or Twenty Thousand Dollars



917 (\$20,000.00), whichever is greater, for technology needs of the  
918 school district, including computers, software,  
919 telecommunications, cable television, interactive video, film,  
920 low-power television, satellite communications, microwave  
921 communications, technology-based equipment installation and  
922 maintenance, and the training of staff in the use of such  
923 technology-based instruction. Any such technology expenditure  
924 shall be reflected in the local district technology plan approved  
925 by the State Board of Education under Section 37-151-17 \* \* \*.

926 (h) To the extent a school district has not utilized  
927 twenty percent (20%) of its annual allotment for technology  
928 purposes under paragraph (g), a school district may expend not  
929 more than twenty percent (20%) of its annual allotment or Twenty  
930 Thousand Dollars (\$20,000.00), whichever is greater, for  
931 instructional purposes. The State Board of Education may  
932 authorize a school district to expend more than \* \* \* twenty  
933 percent (20%) of its annual allotment for instructional purposes  
934 if it determines that such expenditures are needed for  
935 accreditation purposes.

936 (i) The State Department of Education or the State  
937 Board of Education may require that any project commenced under  
938 this section with an estimated project cost of not less than Five  
939 Million Dollars (\$5,000,000.00) shall be done only pursuant to  
940 program management of the process with respect to design and  
941 construction. Any individuals, partnerships, companies or other



942 entities acting as a program manager on behalf of a local school  
943 district and performing program management services for projects  
944 covered under this subsection shall be approved by the State  
945 Department of Education.

946 Any interest accruing on any unexpended balance in the  
947 Interim School District Capital Expenditure Fund shall be invested  
948 by the State Treasurer and placed to the credit of each school  
949 district participating in such fund in its proportionate share.

950 The provisions of this subsection (4) shall be cumulative and  
951 supplemental to any existing funding programs or other authority  
952 conferred upon school districts or school boards.

953 (5) The State Department of Education shall make payments to  
954 charter schools for each student in average daily attendance at  
955 the charter school equal to the state share of the adequate  
956 education program payments for each student in average daily  
957 attendance at the school district in which the public charter  
958 school is located. In calculating the local contribution for  
959 purposes of determining the state share of the adequate education  
960 program payments, the department shall deduct the pro rata local  
961 contribution of the school district in which the student resides  
962 as determined in subsection (2)(a) of this section.

963 **SECTION 8.** Section 37-9-24, Mississippi Code of 1972, is  
964 brought forward as follows:

965 37-9-24. (1) Except as otherwise provided in this section,  
966 no school district shall contract with any licensed personnel for



967 a number of employment days which shall be less than one hundred  
968 eighty-five (185).

969 Beginning with the 1994-1995 school year, no school district  
970 shall contract with any licensed personnel for less than one  
971 hundred eighty-seven (187) employment days.

972 (2) Licensed personnel may be employed for less than a full  
973 school year if the contract states the exact period of time for  
974 which the licensed person is to be employed.

975 **SECTION 9.** This act shall take effect and be in force from  
976 and after July 1, 2023.

