

By: Senator(s) Horhn

To: Education

SENATE BILL NO. 2325

1 AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO  
 2 ENACT THE "OUR CHILDREN'S HEALTH IMPACTS OUR FUTURE LAW"; TO  
 3 REQUIRE THAT WHEN ANY CHILD APPLIES FOR ADMISSION OR ENROLLMENT IN  
 4 ANY PUBLIC SCHOOL IN THE STATE, THE CHILD'S PARENT, LEGAL GUARDIAN  
 5 OR LEGAL CUSTODIAN SHALL RECEIVE NOTICE ON THE SCHOOL REGISTRATION  
 6 FORM OF THE IMPORTANCE THAT HIS OR HER CHILD RECEIVES A MEDICAL  
 7 AND DENTAL PHYSICAL; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-15-9, Mississippi Code of 1972, is  
 10 amended as follows:

11 37-15-9. (1) Except as provided in subsection (2) and  
 12 subject to the provisions of subsection (3) of this section, no  
 13 child shall be enrolled or admitted to any kindergarten which is a  
 14 part of a public school during any school year unless such child  
 15 will reach his fifth birthday on or before September 1 of said  
 16 school year, and no child shall be enrolled or admitted to the  
 17 first grade in any public school during any school year unless  
 18 such child will reach his sixth birthday on or before September 1  
 19 of said school year. No pupil shall be permanently enrolled in a  
 20 public school in the State of Mississippi who formerly was



21 enrolled in another public or private school within the state  
22 until the cumulative record of the pupil shall have been received  
23 from the school from which he transferred. Should such record  
24 have become lost or destroyed, then it shall be the duty of the  
25 superintendent or principal of the school where the pupil last  
26 attended school to initiate a new record.

27 (2) Subject to the provisions of subsection (3) of this  
28 section, any child who transfers from an out-of-state public or  
29 private school in which that state's law provides for a  
30 first-grade or kindergarten enrollment date subsequent to  
31 September 1, shall be allowed to enroll in the public schools of  
32 Mississippi, at the same grade level as their prior out-of-state  
33 enrollment, if:

34 (a) The parent, legal guardian or custodian of such  
35 child was a legal resident of the state from which the child is  
36 transferring;

37 (b) The out-of-state school from which the child is  
38 transferring is duly accredited by that state's appropriate  
39 accrediting authority;

40 (c) Such child was legally enrolled in a public or  
41 private school for a minimum of four (4) weeks in the previous  
42 state; and

43 (d) The superintendent of schools in the applicable  
44 Mississippi school district or the principal of a charter school,



45 as the case may be, has determined that the child was making  
46 satisfactory educational progress in the previous state.

47 (3) When any child applies for admission or enrollment in  
48 any public school in the state, the parent, guardian or child, in  
49 the absence of an accompanying parent or guardian, shall indicate  
50 on the school registration form if the enrolling child has been  
51 expelled from any public or private school or is currently a party  
52 to an expulsion proceeding. If it is determined from the child's  
53 cumulative record or application for admission or enrollment that  
54 the child has been expelled, the school district or charter school  
55 may deny the student admission and enrollment until the  
56 superintendent of the school, or his designee, or principal of the  
57 charter school, as the case may be, has reviewed the child's  
58 cumulative record and determined that the child has participated  
59 in successful rehabilitative efforts including, but not limited  
60 to, progress in an alternative school or similar program. If the  
61 child is a party to an expulsion proceeding, the child may be  
62 admitted to a public school pending final disposition of the  
63 expulsion proceeding. If the expulsion proceeding results in the  
64 expulsion of the child, the public school may revoke such  
65 admission to school. If the child was expelled or is a party to  
66 an expulsion proceeding for an act involving violence, weapons,  
67 alcohol, illegal drugs or other activity that may result in  
68 expulsion, the school district or charter school shall not be



69 required to grant admission or enrollment to the child before one  
70 (1) calendar year after the date of the expulsion.

71 (4) (a) This subsection (4) shall be known and may be cited  
72 as "Our Children's Health Impacts Our Future Law."

73 (b) When any child applies for admission or enrollment  
74 in any public school in the state, the child's parent, legal  
75 guardian or legal custodian, shall receive notice on the school  
76 registration form of the importance that his or her child receives  
77 a medical and dental physical. The registration form shall  
78 include the following statement: "It is beneficial to the overall  
79 health of your child to receive a medical and dental physical  
80 prior to the first day of school if he or she has not already  
81 received one."

82 **SECTION 2.** This act shall take effect and be in force from  
83 and after July 1, 2023.

