

By: Senator(s) DeBar

To: Education; Universities
and Colleges

SENATE BILL NO. 2334

1 AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF
3 PUBLIC EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF
4 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE
5 DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-3-9, Mississippi Code of 1972, is
8 amended as follows:

9 37-3-9. (1) There shall be a State Superintendent of Public
10 Education who shall be appointed by the State Board of Education,
11 with the advice and consent of the Senate, and serve at the
12 board's will and pleasure. He shall be the Chief Administrative
13 Officer for the State Department of Education and shall administer
14 the department in accordance with the policies established by the
15 State Board of Education. The State Superintendent of Education,
16 serving on July 1, 2011, shall continue to receive the salary that
17 he was receiving on January 1, 2011. From and after * * * July
18 1, * * * 2023, the salary of the State Superintendent of Education
19 shall be established by the State Board of Education and shall not



20 exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per year.

21 The State Superintendent of Public Education shall have at least a
22 master's degree in any field and a minimum of five (5) years'
23 experience in administration in the educational field.

24 (2) The State Superintendent shall give bond in the penalty
25 of Seventy-five Thousand Dollars (\$75,000.00), with sureties to be
26 approved by the Governor, conditioned according to law. The bond,
27 when approved, shall be filed and recorded in the Office of the
28 Secretary of State.

29 **SECTION 2.** Section 37-4-3, Mississippi Code of 1972, is
30 amended as follows:

31 37-4-3. (1) From and after July 1, 1986, there shall be a
32 Mississippi Community College Board which shall receive and
33 distribute funds appropriated by the Legislature for the use of
34 the public community and junior colleges and funds from federal
35 and other sources that are transmitted through the state
36 governmental organization for use by said colleges. This board
37 shall provide general coordination of the public community and
38 junior colleges, assemble reports and such other duties as may be
39 prescribed by law.

40 (2) The board shall consist of ten (10) members of which
41 none shall be an elected official. The Governor shall appoint two
42 (2) members from the First Mississippi Congressional District, one
43 (1) who shall serve an initial term of two (2) years and one (1)
44 who shall serve an initial term of five (5) years; two (2) members



45 from the Second Mississippi Congressional District, one (1) who
46 shall serve an initial term of five (5) years and one (1) who
47 shall serve an initial term of three (3) years; and two (2)
48 members from the Third Mississippi Congressional District, one (1)
49 who shall serve an initial term of four (4) years and one (1) who
50 shall serve an initial term of two (2) years; two (2) members from
51 the Fourth Mississippi Congressional District, one (1) who shall
52 serve an initial term of three (3) years and one (1) who shall
53 serve an initial term of four (4) years; and two (2) members from
54 the Fifth Mississippi Congressional District, one (1) who shall
55 serve an initial term of five (5) years and one (1) who shall
56 serve an initial term of two (2) years. All subsequent
57 appointments shall be for a term of six (6) years and continue
58 until their successors are appointed and qualify. An appointment
59 to fill a vacancy which arises for reasons other than by
60 expiration of a term of office shall be for the unexpired term
61 only. All members shall be appointed with the advice and consent
62 of the Senate.

63 (3) There shall be a chairman and vice chairman of the
64 board, elected by and from the membership of the board; and the
65 chairman shall be the presiding officer of the board. The board
66 shall adopt rules and regulations governing times and places for
67 meetings and governing the manner of conducting its business.

68 (4) The members of the board shall receive no annual salary,
69 but shall receive per diem compensation as authorized by Section



70 25-3-69, Mississippi Code of 1972, for each day devoted to the
71 discharge of official board duties and shall be entitled to
72 reimbursement for all actual and necessary expenses incurred in
73 the discharge of their duties, including mileage as authorized by
74 Section 25-3-41, Mississippi Code of 1972.

75 (5) The board shall name a director for the state system of
76 public junior and community colleges, who shall serve at the
77 pleasure of the board. Such director shall be the chief executive
78 officer of the board, give direction to the board staff, carry out
79 the policies set forth by the board, and work with the presidents
80 of the several community and junior colleges to assist them in
81 carrying out the mandates of the several boards of trustees and in
82 functioning within the state system and policies established by
83 the Mississippi Community College Board. The Mississippi
84 Community College Board shall set the salary of the director of
85 the board. From and after July 1, 2023, the salary of the
86 director shall not exceed Two Hundred Fifty Thousand Dollars
87 (\$250,000.00) per year. The Legislature shall provide adequate
88 funds for the Mississippi Community College Board, its activities
89 and its staff.

90 (6) The powers and duties of the Mississippi Community
91 College Board shall be:

92 (a) To authorize disbursements of state-appropriated
93 funds to community and junior colleges through orders in the
94 minutes of the board.



95 (b) To make studies of the needs of the state as they
96 relate to the mission of the community and junior colleges.

97 (c) To approve new, changes to and deletions of
98 vocational and technical programs to the various colleges.

99 (d) To require community and junior colleges to supply
100 such information as the board may request and compile, publish and
101 make available such reports based thereon as the board may deem
102 advisable.

103 (e) To approve proposed new attendance centers (campus
104 locations) as the local boards of trustees should determine to be
105 in the best interest of the district. Provided, however, that no
106 new community/junior college branch campus shall be approved
107 without an authorizing act of the Legislature.

108 (f) To serve as the state approving agency for federal
109 funds for proposed contracts to borrow money for the purpose of
110 acquiring land, erecting, repairing, etc., dormitories, dwellings
111 or apartments for students and/or faculty, such loans to be paid
112 from revenue produced by such facilities as requested by local
113 boards of trustees.

114 (g) To approve applications from community and junior
115 colleges for state funds for vocational-technical education
116 facilities.

117 (h) To approve any university branch campus offering
118 lower undergraduate level courses for credit.



119 (i) To appoint members to the Post-Secondary
120 Educational Assistance Board.

121 (j) To appoint members to the Authority for Educational
122 Television.

123 (k) To contract with other boards, commissions,
124 governmental entities, foundations, corporations or individuals
125 for programs, services, grants and awards when such are needed for
126 the operation and development of the state public community and
127 junior college system.

128 (l) To fix standards for community and junior colleges
129 to qualify for appropriations, and qualifications for community
130 and junior college teachers.

131 (m) To have sign-off approval on the State Plan for
132 Vocational Education which is developed in cooperation with
133 appropriate units of the State Department of Education.

134 (n) To approve or disapprove of any proposed inclusion
135 within municipal corporate limits of state-owned buildings and
136 grounds of any community college or junior college and to approve
137 or disapprove of land use development, zoning requirements,
138 building codes and delivery of governmental services applicable to
139 state-owned buildings and grounds of any community college or
140 junior college. Any agreement by a local board of trustees of a
141 community college or junior college to annexation of state-owned
142 property or other conditions described in this paragraph shall be



143 void unless approved by the board and by the board of supervisors
144 of the county in which the state-owned property is located.

145 **SECTION 3.** This act shall take effect and be in force from
146 and after July 1, 2023.

