

By: Representative Felsher

To: Education

HOUSE BILL NO. 905

1 AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE SCHOOL ENROLLMENT CHOICES OF CHILDREN WHOSE PARENTS
3 ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES OR CIVILIAN
4 MILITARY PERSONNEL; TO ALLOW THE CHILDREN OF ACTIVE MEMBERS OF THE
5 UNITED STATES ARMED FORCES TO ATTEND THE SCHOOL DISTRICT OR SCHOOL
6 OF THEIR CHOICE WHETHER OR NOT THE PARENT OR LEGAL GUARDIAN RESIDE
7 ON A MILITARY BASE; TO ALLOW THE CHILDREN OF MILITARY CIVILIAN
8 PERSONNEL WHO RESIDE ON A MILITARY BASE TO ATTEND THE SCHOOL
9 DISTRICT OR SCHOOL OF THEIR CHOICE; TO REMOVE THE LIMITATION ON
10 PROHIBITED DISTANCE OF TRANSPORTING SUCH STUDENTS BY EXCLUDING THE
11 DISTRICT FROM PROVIDING TRANSPORTATION TO SUCH STUDENTS; TO LIMIT
12 STUDENTS TO ONE TRANSFER PER ACADEMIC YEAR; TO PROVIDE THAT ONCE A
13 CHILD HAS TRANSFERRED AND ENROLLED IN ANOTHER SCHOOL DISTRICT, HIS
14 OR HER PARENT IS NOT REQUIRED TO REAPPLY FOR CONTINUED ADMISSION
15 IN THE SCHOOL DISTRICT OR SCHOOL OF LAST ATTENDANCE; AND FOR
16 RELATED PURPOSES.

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

18 **SECTION 1.** Section 37-15-29, Mississippi Code of 1972, is
19 amended as follows:

20 37-15-29. (1) Except as provided in subsections (2), (3),
21 (4) and (5) of this section, no minor child may enroll in or
22 attend any school except in the school district of his residence,
23 unless such child be lawfully transferred from the school district
24 of his residence to a school in another school district in accord



with the statutes of this state now in effect or which may be hereafter enacted.

(2) Those children whose parent(s) or legal guardian(s) are instructional personnel or certificated employees of a school district may at such employee's discretion enroll and attend the school or schools of their parent's or legal guardian's employment regardless of the residence of the child.

(3) No child shall be required to be transported in excess of thirty (30) miles on a school bus from his or her home to school, or in excess of thirty (30) miles from school to his or her home, if there is another school in an adjacent school district located on a shorter school bus transportation route by the nearest traveled road. Those children residing in such geographical situations may, at the discretion of their parent(s) or legal guardian(s), enroll and attend the nearer school, regardless of the residence of the child. In the event the parent or legal guardian of such child and the school board are unable to agree on the school bus mileage required to transport the child from his or her home to school, an appeal shall lie to the State Board of Education, or its designee, whose decision shall be final. The school districts involved in the appeal shall provide the Mississippi Department of Education with any school bus route information requested, including riding the buses as necessary, in order to measure the bus routes in question, as needed by the State Board of Education in considering the appeal.



50 (4) Those children lawfully transferred from the school
51 district of his residence to a school in another school district
52 prior to July 1, 1992, may, at the discretion of their parent(s)
53 or legal guardian(s), continue to enroll and attend school in the
54 transferee school district. Provided further, that the brother(s)
55 and sister(s) of said children lawfully transferred prior to July
56 1, 1992, may also, at the discretion of their parent(s) or legal
57 guardian(s), enroll and attend school in the transferee school
58 district.

59 (5) (a) Those children whose parent(s) or legal guardian(s)
60 are active members of the United States Armed Forces * * * may, at
61 the discretion of their parent(s) or legal guardian(s), enroll and
62 attend the school district and school campus of their parent's or
63 legal guardian's choosing, regardless of the residence of the
64 child * * *.

65 (b) Those children whose parent(s) or legal guardian(s)
66 are civilian military personnel and reside on a military base
67 may, at the discretion of their parent(s) or legal guardian(s),
68 enroll and attend the school district and school campus of their
69 parent's or legal guardian's choosing, regardless of the residence
70 of the child.

71 (c) For purposes of paragraphs (a) and (b) of this
72 subsection (5):

73 (i) A school district is not required to provide
74 transportation to a student who enrolls in or transfers to another



school district or school campus within the district of chosen attendance;

(ii) A student eligible for enrollment or transfer shall be allowed only one (1) school transfer per academic year; and

(iii) Once admitted, and unless expelled, the parent(s) or legal guardian(s) of students transferring under the authority of this subsection shall not be required to reapply for admission for continued enrollment in the school district or school campus of last attendance for any subsequent years of attendance therein.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

