

By: Representative Carpenter

To: Education

HOUSE BILL NO. 1016

1 AN ACT TO ALLOW SCHOOL DISTRICTS AND CHARTER SCHOOLS TO
 2 EMPLOY OR ACCEPT AS A VOLUNTEER, A CHAPLAIN TO PROVIDE SUPPORT,
 3 SERVICES AND PROGRAMS WITH THE SCHOOL DISTRICT OR CHARTER SCHOOL;
 4 TO REQUIRE EACH SCHOOL DISTRICT OR CHARTER EMPLOYING OR ALLOWING
 5 CHAPLAIN TO PROVIDED SERVICES TO ITS STUDENTS TO UNDERGO A
 6 CRIMINAL BACKGROUND CHECK BEFORE ENTERING THE SCHOOLS TO CARRY OUT
 7 THEIR OBLIGATIONS; TO PROHIBIT SCHOOL DISTRICTS AND CHARTER
 8 SCHOOLS FROM EMPLOYING OR ALLOWING INDIVIDUALS WHO ARE REQUIRED TO
 9 REGISTER AS SEX OFFENDERS FROM PROVIDING SERVICES WITHIN ITS
 10 SCHOOLS; TO AMEND SECTION 37-3-93, MISSISSIPPI CODE OF 1972, TO
 11 REQUIRE QUICK RESPONSE TEAM OF PERSONNEL TRAINED IN SCHOOL SAFETY
 12 AND CRISIS MANAGEMENT BY THE STATE DEPARTMENT OF EDUCATION TO
 13 INCLUDE CHAPLAINS; TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF
 14 1972, TO REQUIRE LOCAL SCHOOL DISTRICTS TO FUND AND OPERATE
 15 IMPROVED SCHOOL SAFETY AND SECURITY MEASURES, INCLUDING COSTS
 16 ASSOCIATED WITH TRAINING AND PLANNING AND PROGRAMS PROVIDED BY
 17 CHAPLAINS; TO AMEND SECTION 37-11-54, MISSISSIPPI CODE OF 1972, TO
 18 REQUIRE LOCAL SCHOOL BOARDS SHALL INCORPORATE EVIDENCE-BASED
 19 PRACTICES AND POSITIVE BEHAVIORAL INTERVENTION SUPPORTS WHICH
 20 INCLUDE SERVICES PROVIDED BY CHAPLAINS; TO PROVIDE FOR THE
 21 SEVERABILITY OF PROVISIONS OF THIS ACT WHICH MAY BE DEEMED
 22 UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** (1) A school district or charter school may
 25 employ or accept as a volunteer, a chaplain to provide support,
 26 services and programs for students as assigned by the board of
 27 trustees of the district or the governing body of the school. A
 28 chaplain employed or volunteering under this act is not required



29 to be certified by the Commission on Teacher and Administrator
30 Education, Certification and Licensure and Development.

31 (2) A school district or charter school that employs or
32 accepts as volunteer a chaplain under this act shall ensure that
33 the chaplain complies with the applicable criminal background
34 check requirements of Section 37-9-17, before the chaplain begins
35 employment or volunteering at the district or school.

36 (3) A school district or charter school may not employ or
37 accept as a volunteer, a chaplain who has been convicted of or
38 placed on deferred adjudication community supervision for an
39 offense for which a defendant is required to register as sex
40 offender under Section 45-33-35.

41 **SECTION 2.** Each board of trustees of a school district and
42 each governing body of a charter school shall take a record vote,
43 and spread the same upon its minutes, not later than December 1,
44 2024, on whether to adopt a policy authorizing a campus of the
45 district or school to employ or accept as a volunteer a chaplain
46 under this act, which shall be implemented for the 2024-2025
47 school year.

48 **SECTION 3.** Section 37-3-93, Mississippi Code of 1972, is
49 amended as follows:

50 37-3-93. (1) Subject to the availability of funding
51 specifically appropriated for such purpose, there is established a
52 School Crisis Management Program under the State Department of
53 Education. This program is to be initiated and executed by the



54 department using only existing staff and resources. Under this
55 program, the State Department of Education shall create an office
56 making available a quick response team of personnel trained in
57 school safety and crisis management, which shall include
58 chaplains, to respond to traumatic or violent situations that
59 impact students and faculty in the public schools in Mississippi.
60 The required School Crisis Management Program shall operate in
61 accordance with the following:

62 (a) The basic response team shall consist of those
63 personnel designated by the State Superintendent of Public
64 Education, or their designees, depending on the size of the school
65 and the nature of the event.

66 (b) In order to access the services of a response team,
67 the request must be made by the local school principal or the
68 superintendent of schools, who shall make the request to the State
69 Department of Education or its contact designee.

70 (c) A response team shall enter a school to work with
71 students and faculty for a period of no more than three (3) days,
72 unless otherwise requested by the school district.

73 (d) The State Department of Education, or its designee,
74 shall operate a toll-free incoming wide area telephone service for
75 the purpose of receiving reports of suspected cases of school
76 violence and other traumatic situations impacting on students and
77 faculty in the public schools.



78 (e) The request made by a school district to access the
79 services of a response team following a school safety incident may
80 seek a review of the local school district's safety plan, and the
81 results of this evaluation may be published by the local school
82 board in a newspaper with wide circulation in the district.

83 (f) Subject to the availability of funds specifically
84 appropriated therefor by the Legislature, the expenses of the
85 quick response teams and their administrative support shall be
86 provided from state funds. The State Department of Education may
87 apply for and expend funds for the support and maintenance of this
88 program from private and other funding sources.

89 (2) Local school districts, school superintendents and
90 principals may request and utilize the services of quick response
91 teams provided for under this section; however, this section does
92 not require school officials to request the services of quick
93 response teams.

94 (3) As a component of the School Crisis Management Program,
95 the Mississippi Office of Homeland Security shall develop a
96 curriculum, train and certify threat assessment officers. A
97 certified threat assessment officer shall conduct an annual
98 inspection and threat assessment of each public school in the
99 state. The threat assessment officer shall develop an improvement
100 plan for each school inspected. The assessment shall include the
101 inspection of surveillance equipment and building-specific floor
102 plans. The findings of the inspection and threat assessment,



103 including a copy of the improvement plan shall be provided to
104 local law enforcement agencies and the local school board within
105 four (4) weeks of completion.

106 **SECTION 4.** Section 37-7-301, Mississippi Code of 1972, is
107 amended as follows:

108 37-7-301. The school boards of all school districts shall
109 have the following powers, authority and duties in addition to all
110 others imposed or granted by law, to wit:

111 (a) To organize and operate the schools of the district
112 and to make such division between the high school grades and
113 elementary grades as, in their judgment, will serve the best
114 interests of the school;

115 (b) To introduce public school music, art, manual
116 training and other special subjects into either the elementary or
117 high school grades, as the board shall deem proper;

118 (c) To be the custodians of real and personal school
119 property and to manage, control and care for same, both during the
120 school term and during vacation;

121 (d) To have responsibility for the erection, repairing
122 and equipping of school facilities and the making of necessary
123 school improvements;

124 (e) To suspend or to expel a pupil or to change the
125 placement of a pupil to the school district's alternative school
126 or homebound program for misconduct in the school or on school
127 property, as defined in Section 37-11-29, on the road to and from



128 school, or at any school-related activity or event, or for conduct
129 occurring on property other than school property or other than at
130 a school-related activity or event when such conduct by a pupil,
131 in the determination of the school superintendent or principal,
132 renders that pupil's presence in the classroom a disruption to the
133 educational environment of the school or a detriment to the best
134 interest and welfare of the pupils and teacher of such class as a
135 whole, and to delegate such authority to the appropriate officials
136 of the school district;

137 (f) To visit schools in the district, in their
138 discretion, in a body for the purpose of determining what can be
139 done for the improvement of the school in a general way;

140 (g) To support, within reasonable limits, the
141 superintendent, principal and teachers where necessary for the
142 proper discipline of the school;

143 (h) To exclude from the schools students with what
144 appears to be infectious or contagious diseases; provided,
145 however, such student may be allowed to return to school upon
146 presenting a certificate from a public health officer, duly
147 licensed physician or nurse practitioner that the student is free
148 from such disease;

149 (i) To require those vaccinations specified by the
150 State Health Officer as provided in Section 41-23-37;

151 (j) To see that all necessary utilities and services
152 are provided in the schools at all times when same are needed;



153 (k) To authorize the use of the school buildings and
154 grounds for the holding of public meetings and gatherings of the
155 people under such regulations as may be prescribed by said board;

156 (l) To prescribe and enforce rules and regulations not
157 inconsistent with law or with the regulations of the State Board
158 of Education for their own government and for the government of
159 the schools, and to transact their business at regular and special
160 meetings called and held in the manner provided by law;

161 (m) To maintain and operate all of the schools under
162 their control for such length of time during the year as may be
163 required;

164 (n) To enforce in the schools the courses of study and
165 the use of the textbooks prescribed by the proper authorities;

166 (o) To make orders directed to the superintendent of
167 schools for the issuance of pay certificates for lawful purposes
168 on any available funds of the district and to have full control of
169 the receipt, distribution, allotment and disbursement of all funds
170 provided for the support and operation of the schools of such
171 school district whether such funds be derived from state
172 appropriations, local ad valorem tax collections, or otherwise.
173 The local school board shall be authorized and empowered to
174 promulgate rules and regulations that specify the types of claims
175 and set limits of the dollar amount for payment of claims by the
176 superintendent of schools to be ratified by the board at the next
177 regularly scheduled meeting after payment has been made;



178 (p) To select all school district personnel in the
179 manner provided by law, and to provide for such employee fringe
180 benefit programs, including accident reimbursement plans, as may
181 be deemed necessary and appropriate by the board;

182 (q) To provide athletic programs and other school
183 activities and to regulate the establishment and operation of such
184 programs and activities;

185 (r) To join, in their discretion, any association of
186 school boards and other public school-related organizations, and
187 to pay from local funds other than minimum foundation funds, any
188 membership dues;

189 (s) To expend local school activity funds, or other
190 available school district funds, other than minimum education
191 program funds, for the purposes prescribed under this paragraph.
192 "Activity funds" shall mean all funds received by school officials
193 in all school districts paid or collected to participate in any
194 school activity, such activity being part of the school program
195 and partially financed with public funds or supplemented by public
196 funds. The term "activity funds" shall not include any funds
197 raised and/or expended by any organization unless commingled in a
198 bank account with existing activity funds, regardless of whether
199 the funds were raised by school employees or received by school
200 employees during school hours or using school facilities, and
201 regardless of whether a school employee exercises influence over
202 the expenditure or disposition of such funds. Organizations shall



203 not be required to make any payment to any school for the use of
204 any school facility if, in the discretion of the local school
205 governing board, the organization's function shall be deemed to be
206 beneficial to the official or extracurricular programs of the
207 school. For the purposes of this provision, the term
208 "organization" shall not include any organization subject to the
209 control of the local school governing board. Activity funds may
210 only be expended for any necessary expenses or travel costs,
211 including advances, incurred by students and their chaperons in
212 attending any in-state or out-of-state school-related programs,
213 conventions or seminars and/or any commodities, equipment, travel
214 expenses, purchased services or school supplies which the local
215 school governing board, in its discretion, shall deem beneficial
216 to the official or extracurricular programs of the district,
217 including items which may subsequently become the personal
218 property of individuals, including yearbooks, athletic apparel,
219 book covers and trophies. Activity funds may be used to pay
220 travel expenses of school district personnel. The local school
221 governing board shall be authorized and empowered to promulgate
222 rules and regulations specifically designating for what purposes
223 school activity funds may be expended. The local school governing
224 board shall provide (i) that such school activity funds shall be
225 maintained and expended by the principal of the school generating
226 the funds in individual bank accounts, or (ii) that such school
227 activity funds shall be maintained and expended by the



228 superintendent of schools in a central depository approved by the
229 board. The local school governing board shall provide that such
230 school activity funds be audited as part of the annual audit
231 required in Section 37-9-18. The State Department of Education
232 shall prescribe a uniform system of accounting and financial
233 reporting for all school activity fund transactions;

234 (t) To enter into an energy performance contract,
235 energy services contract, on a shared-savings, lease or
236 lease-purchase basis, for energy efficiency services and/or
237 equipment as provided for in Section 31-7-14;

238 (u) To maintain accounts and issue pay certificates on
239 school food service bank accounts;

240 (v) (i) To lease a school building from an individual,
241 partnership, nonprofit corporation or a private for-profit
242 corporation for the use of such school district, and to expend
243 funds therefor as may be available from any nonminimum program
244 sources. The school board of the school district desiring to
245 lease a school building shall declare by resolution that a need
246 exists for a school building and that the school district cannot
247 provide the necessary funds to pay the cost or its proportionate
248 share of the cost of a school building required to meet the
249 present needs. The resolution so adopted by the school board
250 shall be published once each week for three (3) consecutive weeks
251 in a newspaper having a general circulation in the school district
252 involved, with the first publication thereof to be made not less



253 than thirty (30) days prior to the date upon which the school
254 board is to act on the question of leasing a school building. If
255 no petition requesting an election is filed prior to such meeting
256 as hereinafter provided, then the school board may, by resolution
257 spread upon its minutes, proceed to lease a school building. If
258 at any time prior to said meeting a petition signed by not less
259 than twenty percent (20%) or fifteen hundred (1500), whichever is
260 less, of the qualified electors of the school district involved
261 shall be filed with the school board requesting that an election
262 be called on the question, then the school board shall, not later
263 than the next regular meeting, adopt a resolution calling an
264 election to be held within such school district upon the question
265 of authorizing the school board to lease a school building. Such
266 election shall be called and held, and notice thereof shall be
267 given, in the same manner for elections upon the questions of the
268 issuance of the bonds of school districts, and the results thereof
269 shall be certified to the school board. If at least three-fifths
270 (3/5) of the qualified electors of the school district who voted
271 in such election shall vote in favor of the leasing of a school
272 building, then the school board shall proceed to lease a school
273 building. The term of the lease contract shall not exceed twenty
274 (20) years, and the total cost of such lease shall be either the
275 amount of the lowest and best bid accepted by the school board
276 after advertisement for bids or an amount not to exceed the
277 current fair market value of the lease as determined by the



278 averaging of at least two (2) appraisals by certified general
279 appraisers licensed by the State of Mississippi. The term "school
280 building" as used in this paragraph (v) (i) shall be construed to
281 mean any building or buildings used for classroom purposes in
282 connection with the operation of schools and shall include the
283 site therefor, necessary support facilities, and the equipment
284 thereof and appurtenances thereto such as heating facilities,
285 water supply, sewage disposal, landscaping, walks, drives and
286 playgrounds. The term "lease" as used in this paragraph (v) (i)
287 may include a lease-purchase contract;

288 (ii) If two (2) or more school districts propose
289 to enter into a lease contract jointly, then joint meetings of the
290 school boards having control may be held but no action taken shall
291 be binding on any such school district unless the question of
292 leasing a school building is approved in each participating school
293 district under the procedure hereinabove set forth in paragraph
294 (v) (i). All of the provisions of paragraph (v) (i) regarding the
295 term and amount of the lease contract shall apply to the school
296 boards of school districts acting jointly. Any lease contract
297 executed by two (2) or more school districts as joint lessees
298 shall set out the amount of the aggregate lease rental to be paid
299 by each, which may be agreed upon, but there shall be no right of
300 occupancy by any lessee unless the aggregate rental is paid as
301 stipulated in the lease contract. All rights of joint lessees



302 under the lease contract shall be in proportion to the amount of
303 lease rental paid by each;

304 (w) To employ all noninstructional and noncertificated
305 employees and fix the duties and compensation of such personnel
306 deemed necessary pursuant to the recommendation of the
307 superintendent of schools;

308 (x) To employ and fix the duties and compensation of
309 such legal counsel as deemed necessary;

310 (y) Subject to rules and regulations of the State Board
311 of Education, to purchase, own and operate trucks, vans and other
312 motor vehicles, which shall bear the proper identification
313 required by law;

314 (z) To expend funds for the payment of substitute
315 teachers and to adopt reasonable regulations for the employment
316 and compensation of such substitute teachers;

317 (aa) To acquire in its own name by purchase all real
318 property which shall be necessary and desirable in connection with
319 the construction, renovation or improvement of any public school
320 building or structure. Whenever the purchase price for such real
321 property is greater than Fifty Thousand Dollars (\$50,000.00), the
322 school board shall not purchase the property for an amount
323 exceeding the fair market value of such property as determined by
324 the average of at least two (2) independent appraisals by
325 certified general appraisers licensed by the State of Mississippi.
326 If the board shall be unable to agree with the owner of any such



327 real property in connection with any such project, the board shall
328 have the power and authority to acquire any such real property by
329 condemnation proceedings pursuant to Section 11-27-1 et seq.,
330 Mississippi Code of 1972, and for such purpose, the right of
331 eminent domain is hereby conferred upon and vested in said board.
332 Provided further, that the local school board is authorized to
333 grant an easement for ingress and egress over sixteenth section
334 land or lieu land in exchange for a similar easement upon
335 adjoining land where the exchange of easements affords substantial
336 benefit to the sixteenth section land; provided, however, the
337 exchange must be based upon values as determined by a competent
338 appraiser, with any differential in value to be adjusted by cash
339 payment. Any easement rights granted over sixteenth section land
340 under such authority shall terminate when the easement ceases to
341 be used for its stated purpose. No sixteenth section or lieu land
342 which is subject to an existing lease shall be burdened by any
343 such easement except by consent of the lessee or unless the school
344 district shall acquire the unexpired leasehold interest affected
345 by the easement;

346 (bb) To charge reasonable fees related to the
347 educational programs of the district, in the manner prescribed in
348 Section 37-7-335;

349 (cc) Subject to rules and regulations of the State
350 Board of Education, to purchase relocatable classrooms for the use



351 of such school district, in the manner prescribed in Section
352 37-1-13;

353 (dd) Enter into contracts or agreements with other
354 school districts, political subdivisions or governmental entities
355 to carry out one or more of the powers or duties of the school
356 board, or to allow more efficient utilization of limited resources
357 for providing services to the public;

358 (ee) To provide for in-service training for employees
359 of the district;

360 (ff) As part of their duties to prescribe the use of
361 textbooks, to provide that parents and legal guardians shall be
362 responsible for the textbooks and for the compensation to the
363 school district for any books which are not returned to the proper
364 schools upon the withdrawal of their dependent child. If a
365 textbook is lost or not returned by any student who drops out of
366 the public school district, the parent or legal guardian shall
367 also compensate the school district for the fair market value of
368 the textbooks;

369 (gg) To conduct fund-raising activities on behalf of
370 the school district that the local school board, in its
371 discretion, deems appropriate or beneficial to the official or
372 extracurricular programs of the district; provided that:

373 (i) Any proceeds of the fund-raising activities
374 shall be treated as "activity funds" and shall be accounted for as
375 are other activity funds under this section; and



376 (ii) Fund-raising activities conducted or
377 authorized by the board for the sale of school pictures, the
378 rental of caps and gowns or the sale of graduation invitations for
379 which the school board receives a commission, rebate or fee shall
380 contain a disclosure statement advising that a portion of the
381 proceeds of the sales or rentals shall be contributed to the
382 student activity fund;

383 (hh) To allow individual lessons for music, art and
384 other curriculum-related activities for academic credit or
385 nonacademic credit during school hours and using school equipment
386 and facilities, subject to uniform rules and regulations adopted
387 by the school board;

388 (ii) To charge reasonable fees for participating in an
389 extracurricular activity for academic or nonacademic credit for
390 necessary and required equipment such as safety equipment, band
391 instruments and uniforms;

392 (jj) To conduct or participate in any fund-raising
393 activities on behalf of or in connection with a tax-exempt
394 charitable organization;

395 (kk) To exercise such powers as may be reasonably
396 necessary to carry out the provisions of this section;

397 (ll) To expend funds for the services of nonprofit arts
398 organizations or other such nonprofit organizations who provide
399 performances or other services for the students of the school
400 district;



401 (mm) To expend federal No Child Left Behind Act funds,
402 or any other available funds that are expressly designated and
403 authorized for that use, to pay training, educational expenses,
404 salary incentives and salary supplements to employees of local
405 school districts; except that incentives shall not be considered
406 part of the local supplement as defined in Section 37-151-5(o),
407 nor shall incentives be considered part of the local supplement
408 paid to an individual teacher for the purposes of Section
409 37-19-7(1). Mississippi Adequate Education Program funds or any
410 other state funds may not be used for salary incentives or salary
411 supplements as provided in this paragraph (mm);

412 (nn) To use any available funds, not appropriated or
413 designated for any other purpose, for reimbursement to the
414 state-licensed employees from both in state and out of state, who
415 enter into a contract for employment in a school district, for the
416 expense of moving when the employment necessitates the relocation
417 of the licensed employee to a different geographical area than
418 that in which the licensed employee resides before entering into
419 the contract. The reimbursement shall not exceed One Thousand
420 Dollars (\$1,000.00) for the documented actual expenses incurred in
421 the course of relocating, including the expense of any
422 professional moving company or persons employed to assist with the
423 move, rented moving vehicles or equipment, mileage in the amount
424 authorized for county and municipal employees under Section
425 25-3-41 if the licensed employee used his personal vehicle or



426 vehicles for the move, meals and such other expenses associated
427 with the relocation. No licensed employee may be reimbursed for
428 moving expenses under this section on more than one (1) occasion
429 by the same school district. Nothing in this section shall be
430 construed to require the actual residence to which the licensed
431 employee relocates to be within the boundaries of the school
432 district that has executed a contract for employment in order for
433 the licensed employee to be eligible for reimbursement for the
434 moving expenses. However, the licensed employee must relocate
435 within the boundaries of the State of Mississippi. Any individual
436 receiving relocation assistance through the Critical Teacher
437 Shortage Act as provided in Section 37-159-5 shall not be eligible
438 to receive additional relocation funds as authorized in this
439 paragraph;

440 (oo) To use any available funds, not appropriated or
441 designated for any other purpose, to reimburse persons who
442 interview for employment as a licensed employee with the district
443 for the mileage and other actual expenses incurred in the course
444 of travel to and from the interview at the rate authorized for
445 county and municipal employees under Section 25-3-41;

446 (pp) Consistent with the report of the Task Force to
447 Conduct a Best Financial Management Practices Review, to improve
448 school district management and use of resources and identify cost
449 savings as established in Section 8 of Chapter 610, Laws of 2002,
450 local school boards are encouraged to conduct independent reviews



451 of the management and efficiency of schools and school districts.
452 Such management and efficiency reviews shall provide state and
453 local officials and the public with the following:

454 (i) An assessment of a school district's
455 governance and organizational structure;

456 (ii) An assessment of the school district's
457 financial and personnel management;

458 (iii) An assessment of revenue levels and sources;

459 (iv) An assessment of facilities utilization,
460 planning and maintenance;

461 (v) An assessment of food services, transportation
462 and safety/security systems;

463 (vi) An assessment of instructional and
464 administrative technology;

465 (vii) A review of the instructional management and
466 the efficiency and effectiveness of existing instructional
467 programs; and

468 (viii) Recommended methods for increasing
469 efficiency and effectiveness in providing educational services to
470 the public;

471 (qq) To enter into agreements with other local school
472 boards for the establishment of an educational service agency
473 (ESA) to provide for the cooperative needs of the region in which
474 the school district is located, as provided in Section 37-7-345;



475 (rr) To implement a financial literacy program for
476 students in Grades 10 and 11. The board may review the national
477 programs and obtain free literature from various nationally
478 recognized programs. After review of the different programs, the
479 board may certify a program that is most appropriate for the
480 school districts' needs. If a district implements a financial
481 literacy program, then any student in Grade 10 or 11 may
482 participate in the program. The financial literacy program shall
483 include, but is not limited to, instruction in the same areas of
484 personal business and finance as required under Section
485 37-1-3(2) (b). The school board may coordinate with volunteer
486 teachers from local community organizations, including, but not
487 limited to, the following: United States Department of
488 Agriculture Rural Development, United States Department of Housing
489 and Urban Development, Junior Achievement, bankers and other
490 nonprofit organizations. Nothing in this paragraph shall be
491 construed as to require school boards to implement a financial
492 literacy program;

493 (ss) To collaborate with the State Board of Education,
494 Community Action Agencies or the Department of Human Services to
495 develop and implement a voluntary program to provide services for
496 a prekindergarten program that addresses the cognitive, social,
497 and emotional needs of four-year-old and three-year-old children.
498 The school board may utilize any source of available revenue to
499 fund the voluntary program. Effective with the 2013-2014 school



500 year, to implement voluntary prekindergarten programs under the
501 Early Learning Collaborative Act of 2013 pursuant to state funds
502 awarded by the State Department of Education on a matching basis;

503 (tt) With respect to any lawful, written obligation of
504 a school district, including, but not limited to, leases
505 (excluding leases of sixteenth section public school trust land),
506 bonds, notes, or other agreement, to agree in writing with the
507 obligee that the Department of Revenue or any state agency,
508 department or commission created under state law may:

509 (i) Withhold all or any part (as agreed by the
510 school board) of any monies which such local school board is
511 entitled to receive from time to time under any law and which is
512 in the possession of the Department of Revenue, or any state
513 agency, department or commission created under state law; and

514 (ii) Pay the same over to any financial
515 institution, trustee or other obligee, as directed in writing by
516 the school board, to satisfy all or part of such obligation of the
517 school district.

518 The school board may make such written agreement to withhold
519 and transfer funds irrevocable for the term of the written
520 obligation and may include in the written agreement any other
521 terms and provisions acceptable to the school board. If the
522 school board files a copy of such written agreement with the
523 Department of Revenue, or any state agency, department or
524 commission created under state law then the Department of Revenue



525 or any state agency, department or commission created under state
526 law shall immediately make the withholdings provided in such
527 agreement from the amounts due the local school board and shall
528 continue to pay the same over to such financial institution,
529 trustee or obligee for the term of the agreement.

530 This paragraph (tt) shall not grant any extra authority to a
531 school board to issue debt in any amount exceeding statutory
532 limitations on assessed value of taxable property within such
533 school district or the statutory limitations on debt maturities,
534 and shall not grant any extra authority to impose, levy or collect
535 a tax which is not otherwise expressly provided for, and shall not
536 be construed to apply to sixteenth section public school trust
537 land;

538 (uu) With respect to any matter or transaction that is
539 competitively bid by a school district, to accept from any bidder
540 as a good-faith deposit or bid bond or bid surety, the same type
541 of good-faith deposit or bid bond or bid surety that may be
542 accepted by the state or any other political subdivision on
543 similar competitively bid matters or transactions. This paragraph
544 (uu) shall not be construed to apply to sixteenth section public
545 school trust land. The school board may authorize the investment
546 of any school district funds in the same kind and manner of
547 investments, including pooled investments, as any other political
548 subdivision, including community hospitals;



549 (vv) To utilize the alternate method for the conveyance
550 or exchange of unused school buildings and/or land, reserving a
551 partial or other undivided interest in the property, as
552 specifically authorized and provided in Section 37-7-485;

553 (ww) To delegate, privatize or otherwise enter into a
554 contract with private entities for the operation of any and all
555 functions of nonacademic school process, procedures and operations
556 including, but not limited to, cafeteria workers, janitorial
557 services, transportation, professional development, achievement
558 and instructional consulting services materials and products,
559 purchasing cooperatives, insurance, business manager services,
560 auditing and accounting services, school safety/risk prevention,
561 data processing and student records, and other staff services;
562 however, the authority under this paragraph does not apply to the
563 leasing, management or operation of sixteenth section lands.
564 Local school districts, working through their regional education
565 service agency, are encouraged to enter into buying consortia with
566 other member districts for the purposes of more efficient use of
567 state resources as described in Section 37-7-345;

568 (xx) To partner with entities, organizations and
569 corporations for the purpose of benefiting the school district;

570 (yy) To borrow funds from the Rural Economic
571 Development Authority for the maintenance of school buildings;

572 (zz) To fund and operate voluntary early childhood
573 education programs, defined as programs for children less than



574 five (5) years of age on or before September 1, and to use any
575 source of revenue for such early childhood education programs.
576 Such programs shall not conflict with the Early Learning
577 Collaborative Act of 2013;

578 (aaa) To issue and provide for the use of procurement
579 cards by school board members, superintendents and licensed school
580 personnel consistent with the rules and regulations of the
581 Mississippi Department of Finance and Administration under Section
582 31-7-9; * * *

583 (bbb) To conduct an annual comprehensive evaluation of
584 the superintendent of schools consistent with the assessment
585 components of paragraph (pp) of this section and the assessment
586 benchmarks established by the Mississippi School Board Association
587 to evaluate the success the superintendent has attained in meeting
588 district goals and objectives, the superintendent's leadership
589 skill and whether or not the superintendent has established
590 appropriate standards for performance, is monitoring success and
591 is using data for improvement * * *; and

592 (ccc) To fund and operate improved school safety and
593 security measures, including costs associated with training and
594 planning, including:

595 (i) The prevention, identification, and management
596 of emergencies and threats, using evidence-based, effective
597 prevention practices and including:



- 598 1. Providing licensed counselors, social
599 workers, chaplains and individuals trained in restorative
600 discipline and restorative justice practices;
- 601 2. Providing mental health personnel and
602 support, including chaplains;
- 603 3. Providing behavioral health services,
604 including services provided by chaplains;
- 605 4. Establishing threat reporting systems; and
- 606 5. Developing and implementing programs
607 focused on restorative justice practices, culturally relevant
608 instruction, and providing mental health support, including
609 support provided by chaplains; and
- 610 (ii) Providing programs related to suicide
611 prevention, intervention and postvention, including programs
612 provided by chaplains.

613 **SECTION 5.** Section 37-11-54, Mississippi Code of 1972, is
614 amended as follows:

615 37-11-54. The State Board of Education shall develop a list
616 of recommended conflict resolution and mediation materials, models
617 and curricula that are developed from evidence-based practices and
618 positive behavioral intervention supports to address responsible
619 decision making, the causes and effects of school violence and
620 harassment, cultural diversity, and nonviolent methods for
621 resolving conflict, including peer mediation, and shall make the
622 list available to local school administrative units and school



623 buildings before the beginning of the 2007-2008 school year. In
624 addition, local school boards shall incorporate evidence-based
625 practices and positive behavioral intervention supports into
626 individual school district policies and Codes of Conduct. In
627 developing this list, the board shall emphasize materials, models
628 and curricula that currently are being used in Mississippi and
629 that the board determines to be effective. The board shall
630 include at least one (1) model that includes instruction and
631 guidance for the voluntary implementation of peer mediation
632 programs and one (1) model that provides instruction and guidance
633 for teachers concerning the integration of conflict resolution and
634 mediation lessons into the existing classroom curriculum, both of
635 which shall included programs and services provided by chaplains.

636 **SECTION 6.** If any one or more provisions, sections,
637 subsections, sentences, clauses, phrases or words of this act or
638 the application thereof to any person or circumstances is found to
639 be unconstitutional, the same is hereby declared to be severable
640 and the balance of this act shall remain effective notwithstanding
641 such unconstitutionality. The Legislature hereby declares that it
642 would have passed this act, and each provision, section,
643 subsection, sentence, clause, phrase or word thereof, irrespective
644 of the fact that any one or more provisions, sections,
645 subsections, sentences, clauses, phrases or words be declared
646 unconstitutional.



647 **SECTION 7.** This act shall take effect and be in force from
648 and after July 1, 2024.

