

By: Representatives Fondren, Arnold,  
Blackwell, Estrada, Varner

To: Education;  
Appropriations A

HOUSE BILL NO. 1094

1 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO CREATE A  
2 FINANCIAL LITERACY CURRICULUM TO BE IMPLEMENTED IN GRADES 6  
3 THROUGH 12 NO LATER THAN THE 2025-2026 SCHOOL YEAR; TO REQUIRE  
4 PASSAGE OF A ONE-HALF CARNEGIE UNIT COURSE IN FINANCIAL LITERACY  
5 AS A GRADUATION REQUIREMENT FOR ALL PUBLIC SCHOOL STUDENTS,  
6 INCLUDING THOSE IN CHARTER SCHOOLS; TO ESTABLISH THE FINANCIAL  
7 LITERACY TRUST FUND IN THE STATE TREASURY TO SUPPORT FINANCIAL  
8 LITERACY EDUCATION; TO REQUIRE THE STATE BOARD OF EDUCATION TO  
9 ADMINISTER THE FUND; TO AMEND SECTIONS 37-7-301, 37-16-7 AND  
10 37-28-45, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
11 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** (1) The State Board of Education shall implement  
14 a financial literacy curriculum to be taught in Grades 6 through  
15 12 beginning no later than the 2025-2026 school year. The  
16 financial literacy curriculum must incorporate the personal living  
17 and finances objectives required to be developed by the board  
18 under Section 37-1-3(2)(b). The financial literacy curriculum  
19 must be made available to all Mississippi students, including  
20 those enrolled in private schools, home instruction programs and  
21 public charter schools.



22           (2) During Grade 10, 11 or 12, each public school student  
23 must take and pass a one-half (1/2) Carnegie Unit credit course in  
24 personal finance in order to earn a high school diploma.

25           (3) There is established in the State Treasury a special  
26 fund to be known as the "Financial Literacy Trust Fund" to provide  
27 support for the financial literacy education required under this  
28 section. The fund must be administered by the State Board of  
29 Education and may accept private contributions, publicly or  
30 privately funded grants, and funds appropriated by the state or  
31 federal government. An expenditure from the fund may not cause  
32 the fund to be in deficiency at the close of the fiscal year.  
33 Unexpended monies remaining in the fund at the end of the fiscal  
34 year may not lapse into the General Fund but must be available for  
35 expenditure in the subsequent fiscal year. The fund is an  
36 expendable trust fund and is not subject to appropriation or  
37 allotment.

38           (4) The State Board of Education shall develop rules and  
39 regulations for the implementation of the trust. The trust may  
40 expend funds to administer the fund, which must include an annual  
41 independent audit of the financial activities of the fund. The  
42 trust also may enter into contracts with private corporations to  
43 manage and implement the programmatic, fiduciary or administrative  
44 goals of the trust, subject to the approval of the board. The  
45 trust also, to the extent necessary, may create a 501(c)(3)  
46 corporation to fulfill the purposes of the trust. The board shall



47 report to the Legislature all programmatic and financial  
48 activities and balances of the fund no later than December 31 of  
49 each year.

50 **SECTION 2.** The Department of Banking and Consumer Finance  
51 may contribute a portion of funds generated from penalties and  
52 fees collected under Chapter 1, Title 81, Mississippi Code of  
53 1972, to the Financial Literacy Trust Fund.

54 **SECTION 3.** Section 37-7-301, Mississippi Code of 1972, is  
55 amended as follows:

56 37-7-301. The school boards of all school districts shall  
57 have the following powers, authority and duties in addition to all  
58 others imposed or granted by law, to wit:

59 (a) To organize and operate the schools of the district  
60 and to make such division between the high school grades and  
61 elementary grades as, in their judgment, will serve the best  
62 interests of the school;

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

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

69 (d) To have responsibility for the erection, repairing  
70 and equipping of school facilities and the making of necessary  
71 school improvements;



72 (e) To suspend or to expel a pupil or to change the  
73 placement of a pupil to the school district's alternative school  
74 or homebound program for misconduct in the school or on school  
75 property, as defined in Section 37-11-29, on the road to and from  
76 school, or at any school-related activity or event, or for conduct  
77 occurring on property other than school property or other than at  
78 a school-related activity or event when such conduct by a pupil,  
79 in the determination of the school superintendent or principal,  
80 renders that pupil's presence in the classroom a disruption to the  
81 educational environment of the school or a detriment to the best  
82 interest and welfare of the pupils and teacher of such class as a  
83 whole, and to delegate such authority to the appropriate officials  
84 of the school district;

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

88 (g) To support, within reasonable limits, the  
89 superintendent, principal and teachers where necessary for the  
90 proper discipline of the school;

91 (h) To exclude from the schools students with what  
92 appears to be infectious or contagious diseases; provided,  
93 however, such student may be allowed to return to school upon  
94 presenting a certificate from a public health officer, duly  
95 licensed physician or nurse practitioner that the student is free  
96 from such disease;



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

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

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

104 (l) To prescribe and enforce rules and regulations not  
105 inconsistent with law or with the regulations of the State Board  
106 of Education for their own government and for the government of  
107 the schools, and to transact their business at regular and special  
108 meetings called and held in the manner provided by law;

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

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

114 (o) To make orders directed to the superintendent of  
115 schools for the issuance of pay certificates for lawful purposes  
116 on any available funds of the district and to have full control of  
117 the receipt, distribution, allotment and disbursement of all funds  
118 provided for the support and operation of the schools of such  
119 school district whether such funds be derived from state  
120 appropriations, local ad valorem tax collections, or otherwise.

121 The local school board shall be authorized and empowered to



122 promulgate rules and regulations that specify the types of claims  
123 and set limits of the dollar amount for payment of claims by the  
124 superintendent of schools to be ratified by the board at the next  
125 regularly scheduled meeting after payment has been made;

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

130 (q) To provide athletic programs and other school  
131 activities and to regulate the establishment and operation of such  
132 programs and activities;

133 (r) To join, in their discretion, any association of  
134 school boards and other public school-related organizations, and  
135 to pay from local funds other than minimum foundation funds, any  
136 membership dues;

137 (s) To expend local school activity funds, or other  
138 available school district funds, other than minimum education  
139 program funds, for the purposes prescribed under this paragraph.  
140 "Activity funds" shall mean all funds received by school officials  
141 in all school districts paid or collected to participate in any  
142 school activity, such activity being part of the school program  
143 and partially financed with public funds or supplemented by public  
144 funds. The term "activity funds" shall not include any funds  
145 raised and/or expended by any organization unless commingled in a  
146 bank account with existing activity funds, regardless of whether



147 the funds were raised by school employees or received by school  
148 employees during school hours or using school facilities, and  
149 regardless of whether a school employee exercises influence over  
150 the expenditure or disposition of such funds. Organizations shall  
151 not be required to make any payment to any school for the use of  
152 any school facility if, in the discretion of the local school  
153 governing board, the organization's function shall be deemed to be  
154 beneficial to the official or extracurricular programs of the  
155 school. For the purposes of this provision, the term  
156 "organization" shall not include any organization subject to the  
157 control of the local school governing board. Activity funds may  
158 only be expended for any necessary expenses or travel costs,  
159 including advances, incurred by students and their chaperons in  
160 attending any in-state or out-of-state school-related programs,  
161 conventions or seminars and/or any commodities, equipment, travel  
162 expenses, purchased services or school supplies which the local  
163 school governing board, in its discretion, shall deem beneficial  
164 to the official or extracurricular programs of the district,  
165 including items which may subsequently become the personal  
166 property of individuals, including yearbooks, athletic apparel,  
167 book covers and trophies. Activity funds may be used to pay  
168 travel expenses of school district personnel. The local school  
169 governing board shall be authorized and empowered to promulgate  
170 rules and regulations specifically designating for what purposes  
171 school activity funds may be expended. The local school governing



172 board shall provide (i) that such school activity funds shall be  
173 maintained and expended by the principal of the school generating  
174 the funds in individual bank accounts, or (ii) that such school  
175 activity funds shall be maintained and expended by the  
176 superintendent of schools in a central depository approved by the  
177 board. The local school governing board shall provide that such  
178 school activity funds be audited as part of the annual audit  
179 required in Section 37-9-18. The State Department of Education  
180 shall prescribe a uniform system of accounting and financial  
181 reporting for all school activity fund transactions;

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

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

188 (v) (i) To lease a school building from an individual,  
189 partnership, nonprofit corporation or a private for-profit  
190 corporation for the use of such school district, and to expend  
191 funds therefor as may be available from any nonminimum program  
192 sources. The school board of the school district desiring to  
193 lease a school building shall declare by resolution that a need  
194 exists for a school building and that the school district cannot  
195 provide the necessary funds to pay the cost or its proportionate  
196 share of the cost of a school building required to meet the





197 present needs. The resolution so adopted by the school board  
198 shall be published once each week for three (3) consecutive weeks  
199 in a newspaper having a general circulation in the school district  
200 involved, with the first publication thereof to be made not less  
201 than thirty (30) days prior to the date upon which the school  
202 board is to act on the question of leasing a school building. If  
203 no petition requesting an election is filed prior to such meeting  
204 as hereinafter provided, then the school board may, by resolution  
205 spread upon its minutes, proceed to lease a school building. If  
206 at any time prior to said meeting a petition signed by not less  
207 than twenty percent (20%) or fifteen hundred (1500), whichever is  
208 less, of the qualified electors of the school district involved  
209 shall be filed with the school board requesting that an election  
210 be called on the question, then the school board shall, not later  
211 than the next regular meeting, adopt a resolution calling an  
212 election to be held within such school district upon the question  
213 of authorizing the school board to lease a school building. Such  
214 election shall be called and held, and notice thereof shall be  
215 given, in the same manner for elections upon the questions of the  
216 issuance of the bonds of school districts, and the results thereof  
217 shall be certified to the school board. If at least three-fifths  
218 (3/5) of the qualified electors of the school district who voted  
219 in such election shall vote in favor of the leasing of a school  
220 building, then the school board shall proceed to lease a school  
221 building. The term of the lease contract shall not exceed twenty



222 (20) years, and the total cost of such lease shall be either the  
223 amount of the lowest and best bid accepted by the school board  
224 after advertisement for bids or an amount not to exceed the  
225 current fair market value of the lease as determined by the  
226 averaging of at least two (2) appraisals by certified general  
227 appraisers licensed by the State of Mississippi. The term "school  
228 building" as used in this paragraph (v)(i) shall be construed to  
229 mean any building or buildings used for classroom purposes in  
230 connection with the operation of schools and shall include the  
231 site therefor, necessary support facilities, and the equipment  
232 thereof and appurtenances thereto such as heating facilities,  
233 water supply, sewage disposal, landscaping, walks, drives and  
234 playgrounds. The term "lease" as used in this paragraph (v)(i)  
235 may include a lease-purchase contract;

236 (ii) If two (2) or more school districts propose  
237 to enter into a lease contract jointly, then joint meetings of the  
238 school boards having control may be held but no action taken shall  
239 be binding on any such school district unless the question of  
240 leasing a school building is approved in each participating school  
241 district under the procedure hereinabove set forth in paragraph  
242 (v)(i). All of the provisions of paragraph (v)(i) regarding the  
243 term and amount of the lease contract shall apply to the school  
244 boards of school districts acting jointly. Any lease contract  
245 executed by two (2) or more school districts as joint lessees  
246 shall set out the amount of the aggregate lease rental to be paid



247 by each, which may be agreed upon, but there shall be no right of  
248 occupancy by any lessee unless the aggregate rental is paid as  
249 stipulated in the lease contract. All rights of joint lessees  
250 under the lease contract shall be in proportion to the amount of  
251 lease rental paid by each;

252 (w) To employ all noninstructional and noncertificated  
253 employees and fix the duties and compensation of such personnel  
254 deemed necessary pursuant to the recommendation of the  
255 superintendent of schools;

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

258 (y) Subject to rules and regulations of the State Board  
259 of Education, to purchase, own and operate trucks, vans and other  
260 motor vehicles, which shall bear the proper identification  
261 required by law;

262 (z) To expend funds for the payment of substitute  
263 teachers and to adopt reasonable regulations for the employment  
264 and compensation of such substitute teachers;

265 (aa) To acquire in its own name by purchase all real  
266 property which shall be necessary and desirable in connection with  
267 the construction, renovation or improvement of any public school  
268 building or structure. Whenever the purchase price for such real  
269 property is greater than Fifty Thousand Dollars (\$50,000.00), the  
270 school board shall not purchase the property for an amount  
271 exceeding the fair market value of such property as determined by



272 the average of at least two (2) independent appraisals by  
273 certified general appraisers licensed by the State of Mississippi.  
274 If the board shall be unable to agree with the owner of any such  
275 real property in connection with any such project, the board shall  
276 have the power and authority to acquire any such real property by  
277 condemnation proceedings pursuant to Section 11-27-1 et seq.,  
278 Mississippi Code of 1972, and for such purpose, the right of  
279 eminent domain is hereby conferred upon and vested in said board.  
280 Provided further, that the local school board is authorized to  
281 grant an easement for ingress and egress over sixteenth section  
282 land or lieu land in exchange for a similar easement upon  
283 adjoining land where the exchange of easements affords substantial  
284 benefit to the sixteenth section land; provided, however, the  
285 exchange must be based upon values as determined by a competent  
286 appraiser, with any differential in value to be adjusted by cash  
287 payment. Any easement rights granted over sixteenth section land  
288 under such authority shall terminate when the easement ceases to  
289 be used for its stated purpose. No sixteenth section or lieu land  
290 which is subject to an existing lease shall be burdened by any  
291 such easement except by consent of the lessee or unless the school  
292 district shall acquire the unexpired leasehold interest affected  
293 by the easement;

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



297           (cc) Subject to rules and regulations of the State  
298 Board of Education, to purchase relocatable classrooms for the use  
299 of such school district, in the manner prescribed in Section  
300 37-1-13;

301           (dd) Enter into contracts or agreements with other  
302 school districts, political subdivisions or governmental entities  
303 to carry out one or more of the powers or duties of the school  
304 board, or to allow more efficient utilization of limited resources  
305 for providing services to the public;

306           (ee) To provide for in-service training for employees  
307 of the district;

308           (ff) As part of their duties to prescribe the use of  
309 textbooks, to provide that parents and legal guardians shall be  
310 responsible for the textbooks and for the compensation to the  
311 school district for any books which are not returned to the proper  
312 schools upon the withdrawal of their dependent child. If a  
313 textbook is lost or not returned by any student who drops out of  
314 the public school district, the parent or legal guardian shall  
315 also compensate the school district for the fair market value of  
316 the textbooks;

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



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

324 (ii) Fund-raising activities conducted or  
325 authorized by the board for the sale of school pictures, the  
326 rental of caps and gowns or the sale of graduation invitations for  
327 which the school board receives a commission, rebate or fee shall  
328 contain a disclosure statement advising that a portion of the  
329 proceeds of the sales or rentals shall be contributed to the  
330 student activity fund;

331 (hh) To allow individual lessons for music, art and  
332 other curriculum-related activities for academic credit or  
333 nonacademic credit during school hours and using school equipment  
334 and facilities, subject to uniform rules and regulations adopted  
335 by the school board;

336 (ii) To charge reasonable fees for participating in an  
337 extracurricular activity for academic or nonacademic credit for  
338 necessary and required equipment such as safety equipment, band  
339 instruments and uniforms;

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

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



345           (11) To expend funds for the services of nonprofit arts  
346 organizations or other such nonprofit organizations who provide  
347 performances or other services for the students of the school  
348 district;

349           (mm) To expend federal No Child Left Behind Act funds,  
350 or any other available funds that are expressly designated and  
351 authorized for that use, to pay training, educational expenses,  
352 salary incentives and salary supplements to employees of local  
353 school districts; except that incentives shall not be considered  
354 part of the local supplement as defined in Section 37-151-5(o),  
355 nor shall incentives be considered part of the local supplement  
356 paid to an individual teacher for the purposes of Section  
357 37-19-7(1). Mississippi Adequate Education Program funds or any  
358 other state funds may not be used for salary incentives or salary  
359 supplements as provided in this paragraph (mm);

360           (nn) To use any available funds, not appropriated or  
361 designated for any other purpose, for reimbursement to the  
362 state-licensed employees from both in state and out of state, who  
363 enter into a contract for employment in a school district, for the  
364 expense of moving when the employment necessitates the relocation  
365 of the licensed employee to a different geographical area than  
366 that in which the licensed employee resides before entering into  
367 the contract. The reimbursement shall not exceed One Thousand  
368 Dollars (\$1,000.00) for the documented actual expenses incurred in  
369 the course of relocating, including the expense of any



370 professional moving company or persons employed to assist with the  
371 move, rented moving vehicles or equipment, mileage in the amount  
372 authorized for county and municipal employees under Section  
373 25-3-41 if the licensed employee used his personal vehicle or  
374 vehicles for the move, meals and such other expenses associated  
375 with the relocation. No licensed employee may be reimbursed for  
376 moving expenses under this section on more than one (1) occasion  
377 by the same school district. Nothing in this section shall be  
378 construed to require the actual residence to which the licensed  
379 employee relocates to be within the boundaries of the school  
380 district that has executed a contract for employment in order for  
381 the licensed employee to be eligible for reimbursement for the  
382 moving expenses. However, the licensed employee must relocate  
383 within the boundaries of the State of Mississippi. Any individual  
384 receiving relocation assistance through the Critical Teacher  
385 Shortage Act as provided in Section 37-159-5 shall not be eligible  
386 to receive additional relocation funds as authorized in this  
387 paragraph;

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





394 (pp) Consistent with the report of the Task Force to  
395 Conduct a Best Financial Management Practices Review, to improve  
396 school district management and use of resources and identify cost  
397 savings as established in Section 8 of Chapter 610, Laws of 2002,  
398 local school boards are encouraged to conduct independent reviews  
399 of the management and efficiency of schools and school districts.  
400 Such management and efficiency reviews shall provide state and  
401 local officials and the public with the following:

- 402 (i) An assessment of a school district's  
403 governance and organizational structure;
- 404 (ii) An assessment of the school district's  
405 financial and personnel management;
- 406 (iii) An assessment of revenue levels and sources;
- 407 (iv) An assessment of facilities utilization,  
408 planning and maintenance;
- 409 (v) An assessment of food services, transportation  
410 and safety/security systems;
- 411 (vi) An assessment of instructional and  
412 administrative technology;
- 413 (vii) A review of the instructional management and  
414 the efficiency and effectiveness of existing instructional  
415 programs; and
- 416 (viii) Recommended methods for increasing  
417 efficiency and effectiveness in providing educational services to  
418 the public;



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

423 (rr) To implement a financial literacy program for  
424 students in Grades \* \* \* 6 through 12. The curriculum for Grades  
425 6 through 12 must include content on financial literacy education.  
426 The financial literacy program shall include, but is not limited  
427 to, instruction in the same areas of personal business and finance  
428 as required under Section 37-1-3(2) (b). The school board may  
429 coordinate with volunteer teachers from local community  
430 organizations, including, but not limited to, the following:  
431 United States Department of Agriculture Rural Development, United  
432 States Department of Housing and Urban Development, Junior  
433 Achievement, bankers and other nonprofit organizations. \* \* \* In  
434 addition to any financial literacy standards required by the State  
435 Department of Education in the College and Career Readiness  
436 Standards, the financial literacy program for students in Grades  
437 10, 11 and 12 must include:

- 438 (i) Decision making;  
439 (ii) Earning an income;  
440 (iii) Saving and spending;  
441 (iv) Use of credit; and  
442 (v) Budgeting.



443           The school board shall require schools to make best efforts  
444 to cover as many of these topics as possible through the  
445 curriculum implemented for Grades 6 through 9;

446           (ss) To collaborate with the State Board of Education,  
447 Community Action Agencies or the Department of Human Services to  
448 develop and implement a voluntary program to provide services for  
449 a prekindergarten program that addresses the cognitive, social,  
450 and emotional needs of four-year-old and three-year-old children.  
451 The school board may utilize any source of available revenue to  
452 fund the voluntary program. Effective with the 2013-2014 school  
453 year, to implement voluntary prekindergarten programs under the  
454 Early Learning Collaborative Act of 2013 pursuant to state funds  
455 awarded by the State Department of Education on a matching basis;

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

462           (i) Withhold all or any part (as agreed by the  
463 school board) of any monies which such local school board is  
464 entitled to receive from time to time under any law and which is  
465 in the possession of the Department of Revenue, or any state  
466 agency, department or commission created under state law; and



467 (ii) Pay the same over to any financial  
468 institution, trustee or other obligee, as directed in writing by  
469 the school board, to satisfy all or part of such obligation of the  
470 school district.

471 The school board may make such written agreement to withhold  
472 and transfer funds irrevocable for the term of the written  
473 obligation and may include in the written agreement any other  
474 terms and provisions acceptable to the school board. If the  
475 school board files a copy of such written agreement with the  
476 Department of Revenue, or any state agency, department or  
477 commission created under state law then the Department of Revenue  
478 or any state agency, department or commission created under state  
479 law shall immediately make the withholdings provided in such  
480 agreement from the amounts due the local school board and shall  
481 continue to pay the same over to such financial institution,  
482 trustee or obligee for the term of the agreement.

483 This paragraph (tt) shall not grant any extra authority to a  
484 school board to issue debt in any amount exceeding statutory  
485 limitations on assessed value of taxable property within such  
486 school district or the statutory limitations on debt maturities,  
487 and shall not grant any extra authority to impose, levy or collect  
488 a tax which is not otherwise expressly provided for, and shall not  
489 be construed to apply to sixteenth section public school trust  
490 land;



491           (uu) With respect to any matter or transaction that is  
492 competitively bid by a school district, to accept from any bidder  
493 as a good-faith deposit or bid bond or bid surety, the same type  
494 of good-faith deposit or bid bond or bid surety that may be  
495 accepted by the state or any other political subdivision on  
496 similar competitively bid matters or transactions. This paragraph  
497 (uu) shall not be construed to apply to sixteenth section public  
498 school trust land. The school board may authorize the investment  
499 of any school district funds in the same kind and manner of  
500 investments, including pooled investments, as any other political  
501 subdivision, including community hospitals;

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

506           (wv) To delegate, privatize or otherwise enter into a  
507 contract with private entities for the operation of any and all  
508 functions of nonacademic school process, procedures and operations  
509 including, but not limited to, cafeteria workers, janitorial  
510 services, transportation, professional development, achievement  
511 and instructional consulting services materials and products,  
512 purchasing cooperatives, insurance, business manager services,  
513 auditing and accounting services, school safety/risk prevention,  
514 data processing and student records, and other staff services;  
515 however, the authority under this paragraph does not apply to the



516 leasing, management or operation of sixteenth section lands.  
517 Local school districts, working through their regional education  
518 service agency, are encouraged to enter into buying consortia with  
519 other member districts for the purposes of more efficient use of  
520 state resources as described in Section 37-7-345;

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

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

525 (zz) To fund and operate voluntary early childhood  
526 education programs, defined as programs for children less than  
527 five (5) years of age on or before September 1, and to use any  
528 source of revenue for such early childhood education programs.  
529 Such programs shall not conflict with the Early Learning  
530 Collaborative Act of 2013;

531 (aaa) To issue and provide for the use of procurement  
532 cards by school board members, superintendents and licensed school  
533 personnel consistent with the rules and regulations of the  
534 Mississippi Department of Finance and Administration under Section  
535 31-7-9; and

536 (bbb) To conduct an annual comprehensive evaluation of  
537 the superintendent of schools consistent with the assessment  
538 components of paragraph (pp) of this section and the assessment  
539 benchmarks established by the Mississippi School Board Association  
540 to evaluate the success the superintendent has attained in meeting



541 district goals and objectives, the superintendent's leadership  
542 skill and whether or not the superintendent has established  
543 appropriate standards for performance, is monitoring success and  
544 is using data for improvement.

545       **SECTION 4.** Section 37-16-7, Mississippi Code of 1972, is  
546 amended as follows:

547       37-16-7. (1) Each district school board shall establish  
548 standards for graduation from its schools which shall include as a  
549 minimum:

550           (a) Mastery of minimum academic skills as measured by  
551 assessments developed and administered by the State Board of  
552 Education.

553           (b) Completion of a minimum number of academic credits,  
554 including a one-half (1/2) Carnegie Unit credit course in personal  
555 finance, and all other applicable requirements prescribed by the  
556 district school board.

557       ( \* \* \*2) By school, each school district shall maintain and  
558 report information on high school graduation rates. High schools  
559 with graduation rates lower than eighty percent (80%) must submit  
560 a detailed plan to the \* \* \* State Department of Education to  
561 restructure the high school experience to improve graduation  
562 rates.

563       ( \* \* \*3) A student who meets all requirements prescribed in  
564 subsection (1) of this section shall be awarded a standard diploma  
565 in a form prescribed by the State Board of Education.



566 ( \* \* \*4) The State Board of Education may establish student  
567 proficiency standards for promotion to grade levels leading to  
568 graduation.

569 **SECTION 5.** Section 37-28-45, Mississippi Code of 1972, is  
570 amended as follows:

571 37-28-45. (1) Charter schools are subject to the same civil  
572 rights, health and safety requirements applicable to noncharter  
573 public schools in the state, except as otherwise specifically  
574 provided in this chapter.

575 (2) Charter schools are subject to the student assessment  
576 and accountability requirements applicable to noncharter public  
577 schools in the state; however, this requirement does not preclude  
578 a charter school from establishing additional student assessment  
579 measures that go beyond state requirements if the authorizer  
580 approves those measures.

581 (3) Although a charter school is geographically located  
582 within the boundaries of a particular school district and enrolls  
583 students who reside within the school district, the charter school  
584 may not be considered a school within that district under the  
585 purview of the school district's school board. The rules,  
586 regulations, policies and procedures established by the school  
587 board for the noncharter public schools that are in the school  
588 district in which the charter school is geographically located do  
589 not apply to the charter school unless otherwise required under





590 the charter contract or any contract entered into between the  
591 charter school governing board and the local school board.

592 (4) Whenever the provisions of Title 37, Mississippi Code of  
593 1972, relating to the elementary and secondary education of public  
594 school students establish a requirement for or grant authority to  
595 local school districts, their school boards and the schools within  
596 the respective school districts, the language "school districts,"  
597 "school boards," "boards of trustees," "the schools within a  
598 school district," or any other similar phraseology does not  
599 include a charter school and the governing board of a charter  
600 school unless the statute specifically is made applicable to  
601 charter schools as well as noncharter public schools.

602 (5) A charter school is not subject to any rule, regulation,  
603 policy or procedure adopted by the State Board of Education or the  
604 State Department of Education unless otherwise required by the  
605 authorizer or in the charter contract.

606 (6) Charter schools are not exempt from the following  
607 statutes:

608 (a) Chapter 41, Title 25, Mississippi Code of 1972,  
609 which relate to open meetings of public bodies.

610 (b) Chapter 61, Title 25, Mississippi Code of 1972,  
611 which relate to public access to public records.

612 (c) Section 37-3-51, which requires notice by the  
613 district attorney of licensed school employees who are convicted  
614 of certain sex offenses.



615 (d) Section 37-3-53, which requires publication of the  
616 Mississippi Report Card by the State Board of Education.

617 (e) Section 37-11-18, which requires the automatic  
618 expulsion of a student possessing a weapon or controlled substance  
619 on educational property.

620 (f) Section 37-11-18.1, which requires expulsion of  
621 certain habitually disruptive students.

622 (g) Section 37-11-19, which requires suspension or  
623 expulsion of a student who damages school property.

624 (h) Section 37-11-20, which prohibits acts of  
625 intimidation intended to keep a student from attending school.

626 (i) Section 37-11-21, which prohibits parental abuse of  
627 school staff.

628 (j) Section 37-11-23, which prohibits the willful  
629 disruption of school and school meetings.

630 (k) Sections 37-11-29 and 37-11-31, which relate to  
631 reporting requirements regarding unlawful or violent acts on  
632 school property.

633 (l) Section 37-11-67, which prohibits bullying or  
634 harassing behavior in public schools.

635 (m) Section 37-13-3, which prohibits doctrinal,  
636 sectarian or denominational teaching in public schools.

637 (n) Sections 37-13-5 and 37-13-6, which require the  
638 flags of the United States and the State of Mississippi to be  
639 displayed near the school building.



640           (o) Section 37-13-63(1), which prescribes the minimum  
641 number of days which public schools must be kept in session during  
642 a scholastic year.

643           (p) Section 37-13-91, which is the Mississippi  
644 Compulsory School Attendance Law.

645           (q) Section 37-13-171(2) and (4), which requires any  
646 course containing sex-related education to include instruction in  
647 abstinence-only or abstinence-plus education.

648           (r) Section 37-13-173, which requires notice to parents  
649 before instruction on human sexuality is provided in public  
650 classrooms.

651           (s) Section 37-13-193, which relates to civil rights  
652 and human rights education in the public schools.

653           (t) Sections 37-15-1 and 37-15-3, which relate to the  
654 maintenance and transfer of permanent student records in public  
655 schools.

656           (u) Section 37-15-6, which requires the State  
657 Department of Education to maintain a record of expulsions from  
658 the public schools.

659           (v) Section 37-15-9, which establishes minimum age  
660 requirements for kindergarten and first grade enrollment in public  
661 schools.

662           (w) Section 37-15-11, which requires a parent, legal  
663 guardian or custodian to accompany a child seeking enrollment in a  
664 public school.



665 (x) Sections 37-16-1, 37-16-3, 37-16-4 and 37-16-9,  
666 which relate to the statewide assessment testing program.

667 (y) Section 37-18-1, which establishes the  
668 Superior-Performing Schools Program and Exemplary Schools Program  
669 to recognize public schools that improve.

670 (z) Section 1 of House Bill No. , 2024 Regular  
671 Session, which requires all high school students to pass a  
672 one-half (1/2) Carnegie Unit credit course in personal finance as  
673 a requirement for earning a high school diploma.

674 **SECTION 6.** This act shall take effect and be in force from  
675 and after July 1, 2024.

