

By: Representatives Felsher, McLean, Hall

To: Education

HOUSE BILL NO. 1341

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



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

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

32 (3) No child shall be required to be transported in excess
33 of thirty (30) miles on a school bus from his or her home to
34 school, or in excess of thirty (30) miles from school to his or
35 her home, if there is another school in an adjacent school
36 district located on a shorter school bus transportation route by
37 the nearest traveled road. Those children residing in such
38 geographical situations may, at the discretion of their parent(s)
39 or legal guardian(s), enroll and attend the nearer school,
40 regardless of the residence of the child. In the event the parent
41 or legal guardian of such child and the school board are unable to
42 agree on the school bus mileage required to transport the child
43 from his or her home to school, an appeal shall lie to the State
44 Board of Education, or its designee, whose decision shall be
45 final. The school districts involved in the appeal shall provide
46 the Mississippi Department of Education with any school bus route
47 information requested, including riding the buses as necessary, in
48 order to measure the bus routes in question, as needed by the
49 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



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

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

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

85 (iv) If the school district is unable to
86 accommodate a request for enrollment for transfer due to a lack of
87 capacity to accept the student in to the district or a specific
88 school campus, the school board shall deny the request and spread
89 the same upon its minutes.

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

