

By: Representative Scott

To: Education

HOUSE BILL NO. 278

1 AN ACT TO AMEND SECTION 37-11-54, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP THE CURRICULUM
3 AND IMPLEMENT A PROGRAM OF CONFLICT RESOLUTION AND PEER MEDIATION
4 TO BE USED BY LOCAL SCHOOL DISTRICTS; TO PROVIDE THAT THE
5 CURRICULUM DEVELOPED FOR USE SHALL BE AGE AND GRADE APPROPRIATE;
6 TO REQUIRE PROGRAMS OF CONFLICT RESOLUTION AND PEER MEDIATION IN
7 FAILING DISTRICTS TO BE SUPERVISED BY THE SCHOOL RESOURCE OFFICER
8 WITH THE ASSISTANCE OF OTHER DISTRICT PERSONNEL TO COMBAT VIOLENCE
9 AND BULLYING; TO PROVIDE THAT THE PROGRAM OF CONFLICT RESOLUTION
10 SHALL PROVIDE SCHOOL ADMINISTRATORS WITH ALTERNATIVES TO HANDLING
11 STUDENT DISCIPLINARY MATTERS; TO AMEND SECTION 37-11-53,
12 MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO ALLOW ANY
13 PUBLIC SCHOOL STUDENT WHO HAS NEVER BEEN SUBJECT TO DISCIPLINARY
14 ACTION WHO COMMITS AN ACT OR ENGAGES IN CONDUCT FOR WHICH THE
15 STUDENT OTHERWISE WOULD BE SUSPENDED OR EXPELLED UNDER THE SCHOOL
16 DISTRICT'S DISCIPLINE PLAN, AT THE ELECTION OF THE STUDENT, TO
17 PARTICIPATE IN A COMMUNITY SERVICE PROGRAM AS AN ALTERNATIVE TO
18 SUSPENSION OR EXPULSION; TO PROVIDE THAT WHILE PARTICIPATING IN
19 THE PROGRAM, THE STUDENT SHALL RECEIVE YOUTH PEER COUNSELING
20 DEEMED APPROPRIATE BY THE SCHOOL DISTRICT; TO AMEND SECTIONS
21 37-3-82 AND 37-3-83, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO
22 THE PRECEDING PROVISIONS; TO BRING FORWARD SECTION 37-7-321,
23 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS;
24 AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** Section 37-11-54, Mississippi Code of 1972, is
27 amended as follows:

28 37-11-54. (1) The State Board of Education shall develop
29 a * * * conflict resolution and mediation * * * program and * * *



30 curriculum that are developed from evidence-based practices and
31 positive behavioral intervention supports to address responsible
32 decision making, the causes and effects of school violence and
33 harassment, cultural diversity, and nonviolent methods for
34 resolving conflict, including peer mediation, * * * which
35 shall * * * be age- and grade-appropriate and incorporated into
36 the instructional curriculum of each school district before the
37 beginning of the * * * 2025-2026 school year. All "D" and "F"
38 rated school districts shall be required to participate in this
39 program. In addition, local school boards shall incorporate
40 evidence-based practices and positive behavioral intervention
41 supports into individual school district policies and Codes of
42 Conduct. In developing this * * * program and curriculum, the
43 State Board of Education shall emphasize materials, models and
44 curricula that currently are being used in Mississippi public
45 schools * * * that * * * it determines to be effective. In
46 developing the curriculum to be used by school districts the State
47 Board of Education shall include at least one (1) model that
48 includes instruction and guidance for * * * peer mediation
49 programs and one (1) model that provides instruction and guidance
50 for teachers concerning the integration of conflict resolution and
51 mediation lessons into the existing classroom curriculum.

52 (2) In each school district designated as failing as
53 determined by an accountability rating of "D" or "F," the program
54 of conflict resolution shall be under the direct supervision of



55 the school resource officer, who shall be assisted by a licensed
56 teacher and professional school counselor in implementing conflict
57 resolution and peer mediation practices which are aligned to the
58 adopted curriculum and the district's Code of Conduct to combat
59 violence and bullying.

60 (3) The processes of conflict resolution and peer mediation
61 required to be incorporated into the curriculum of each school
62 district shall also provide school administrative personnel with
63 alternative methods for disciplinary actions taken against
64 students who are disruptive to the educational environment,
65 including in-school suspension, temporary alternative school
66 placement and community services as an alternative to suspension.

67 **SECTION 2.** Section 37-11-53, Mississippi Code of 1972, is
68 amended as follows:

69 37-11-53. (1) A copy of the school district's discipline
70 plan shall be distributed to each student enrolled in the
71 district, and the parents, guardian or custodian of * * * each
72 student shall sign a statement verifying that they have been given
73 notice of the discipline policies of their respective school
74 district. The school board shall have its official discipline
75 plan and code of student conduct legally audited on an annual
76 basis to insure that its policies and procedures are currently in
77 compliance with applicable statutes, case law and state and
78 federal constitutional provisions. * * * The provisions of this
79 section, Section 37-11-55 and Section 37-11-18.1 shall be fully



incorporated into the school district's discipline plan and code of student conduct.

(2) All discipline plans of school districts shall include, but not be limited to, the following:

(a) A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible financially for his or her minor child's destructive acts against school property or persons;

(b) A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district may be requested to appear at school by the school attendance officer or an appropriate school official for a conference regarding acts of the child specified in paragraph (a) of this subsection, or for any other discipline conference regarding the acts of the child;

(c) Any parent, guardian or custodian of a compulsory-school-age child enrolled in a school district who refuses or willfully fails to attend * * * the discipline conference specified in paragraph (b) of this * * * subsection may be summoned by proper notification by the local superintendent of schools or the school attendance officer and be required to attend * * * the discipline conference; and

(d) A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible for any criminal fines brought against * * *



105 the student for unlawful activity occurring on school grounds or
106 buses.

107 (3) Any parent, guardian or custodian of a
108 compulsory-school-age child who (a) fails to attend a discipline
109 conference to which * * * the parent, guardian or custodian has
110 been summoned under * * * this section, or (b) refuses or
111 willfully fails to perform any other duties imposed upon him or
112 her under * * * this section, shall be guilty of a misdemeanor
113 and, upon conviction, shall be fined an amount not to exceed Two
114 Hundred Fifty Dollars (\$250.00).

115 (4) Any public school district shall be entitled to recover
116 damages in an amount not to exceed Twenty Thousand Dollars
117 (\$20,000.00), plus necessary court costs, from the parents of any
118 minor under the age of eighteen (18) years and over the age of six
119 (6) years, who maliciously and willfully damages or destroys
120 property belonging to * * * that school district. However, this
121 section shall not apply to parents whose parental control of * * *
122 their child has been removed by court order or decree. The action
123 authorized in this * * * subsection shall be in addition to all
124 other actions * * * that the school district is entitled to
125 maintain and nothing in this section shall preclude recovery in a
126 greater amount from the minor or from a person, including the
127 parents, for damages * * * for which * * * the minor or other
128 person would otherwise be liable.



(5) A school district's discipline plan may provide that as an alternative to suspension, a student may remain in school by having the parent, guardian or custodian, with the consent of the student's teacher or teachers, attend class with the student for a period of time specifically agreed upon by the reporting teacher and school principal. If the parent, guardian or custodian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with the code of student conduct and discipline policies of the school district.

(6) If a student who has never been subject to disciplinary action commits an act or engages in conduct for which the student otherwise would be suspended or expelled under the school district's discipline plan, as an alternative to suspension or expulsion, the student may be permitted, at the election of the student, to participate in a community service program of at least forty (40) hours in duration supervised by the school district or a nonprofit organization that has a collaborative relationship with the school district. While participating in the program, the student may receive youth peer counseling deemed appropriate by the school district.

SECTION 3. Section 37-3-82, Mississippi Code of 1972, is amended as follows:

37-3-82. (1) There is hereby established the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant



154 program in the State Department of Education to provide funding,
155 pursuant to specific appropriation by the Legislature therefor, to
156 assist law enforcement agencies in providing additional School
157 Resource Officers to engage in community policing in and around
158 primary and secondary schools. The MCOPS program shall authorize
159 the State Department of Education to make grants to increase
160 deployment of law enforcement officers in order (a) to increase or
161 enhance community policing in this state, (b) that trained, sworn
162 enforcement officers assigned to schools play an integral part in
163 the development and/or enhancement of a comprehensive school
164 safety plan, and (c) that the presence of these officers shall
165 provide schools with a direct link to local law enforcement
166 agencies.

167 (2) The MCOPS program shall meet the following requirements
168 and standards:

169 (a) This program shall provide an incentive for law
170 enforcement agencies to build collaborative partnerships with the
171 school community and to use community policing efforts to combat
172 school violence and implement educational programs to improve
173 student and school safety.

174 (b) The additional School Resource Officers must devote
175 at least seventy-five percent (75%) of their time to work in and
176 around primary and secondary schools, in addition to the time that
177 School Resource Officers are devoting in the absence of the MCOPS
178 in Schools grant.



179 (c) Beginning with the 2019-2020 school year, the MCOPS
180 in Schools program shall provide a minimum state contribution of
181 up to Ten Thousand Dollars (\$10,000.00) per officer position over
182 the one-year grant period, to be matched from local funds on a
183 50/50 matching basis. Officers paid with MCOPS funds may be
184 employed by the local law enforcement agency or by the local
185 school district. MCOPS funds may be used to pay for entry-level
186 salaries and benefits of newly trained additional School Resource
187 Officers and may be used to pay the salaries and benefits of
188 School Resource Officers employed prior to July 1, 2013. All
189 jurisdictions that apply must demonstrate that they have primary
190 law enforcement authority over the school(s) identified in their
191 application and demonstrate their inability to implement this
192 project without state assistance. Schools or law enforcement
193 agencies may not reduce its overall federal, state, locally funded
194 level of sworn officers (including other School Resource Officers
195 or other sworn officers assigned to the schools) as a result of
196 applying for or receiving MCOPS in Schools grant funding. MCOPS
197 in Schools funding may be used to rehire sworn officers previously
198 employed who have been laid off for financial reasons unrelated to
199 the availability of the MCOPS in Schools grant, but must obtain
200 prior written approval from the State Department of Education.
201 MCOPS in Schools funding may be used to train school resource
202 officers. In order to be eligible for such program, each local
203 school board desiring to participate shall apply to the State



Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department. The State Department of Education shall determine by July 1 of each succeeding year which local school districts have submitted approved applications for School Resource Officer funding.

(d) School Resource Officers (SROs) may serve in a variety of roles, including, but not limited to, that of a law enforcement officer/safety specialist, law-related educator, conflict resolution/peer mediation supervisor and problem-solver/community liaison. These officers may teach programs such as crime prevention, substance abuse prevention, and gang resistance as well as monitor and assist troubled students through mentoring programs. The School Resource Officer(s) may also identify physical changes in the environment that may reduce crime in and around the schools, as well as assist in developing school policies which address criminal activity and school safety. The application must also include a Memorandum of Understanding (MOU), signed by the law enforcement executive and the appropriate school official(s), to document the roles and responsibilities to be undertaken by the law enforcement agency and the educational school partner(s) through this collaborative effort. The application must also include a Narrative Addendum to document that the School Resource Officer(s) will be assigned to work in and around primary or secondary schools and provide supporting documentation in the following areas: problem identification and



justification, community policing strategies to be used by the officers, quality and level of commitment to the effort, and the link to community policing.

(e) All agencies receiving awards through the MCOPS in Schools program are required to send the School Resource Officer position(s) funded by this grant, to the Mississippi Law Enforcement Officers' Training Academy where they shall be required to participate in training through the Advanced Law Enforcement Rapid Response Training Program at the academy, with the cost to be defrayed from the MCOPS program. The MCOPS Office of the State Department of Education will reimburse grantees for training, per diem, travel, and lodging costs for attendance of required participants up to a maximum of One Thousand Two Hundred Dollars (\$1,200.00) per person attending. Applicants receiving an MCOPS in Schools grant, will receive additional training information following notification of the grant award. The MCOPS in Schools training requirement must be completed prior to the end of twelve-month grant funding for officer positions.

(3) The State Department of Education shall promulgate rules and regulations prescribing procedures for the application, expenditure requirements and the administration of the Mississippi Community Oriented Policing Services in Schools (MCOPS) program established in this section, and shall make a report on the implementation of the MCOPS program with any recommendations to the 2020 Regular Session of the Legislature.



SECTION 4. Section 37-3-83, Mississippi Code of 1972, is amended as follows:

37-3-83. (1) There is established within the State Department of Education, using only existing staff and resources, a School Safety Grant Program, available to all eligible public school districts, to assist in financing programs to provide school safety. However, no monies from the Temporary Assistance for Needy Families grant may be used for the School Safety Grant Program.

(2) The school board of each school district, with the assistance of the State Department of Education School Safety Center, shall adopt a comprehensive local school district school safety plan and shall update the plan on an annual basis.

(3) Subject to the extent of appropriations available, the School Safety Grant Program shall offer any of the following specific preventive services, and other additional services appropriate to the most current school district school safety plan:

(a) Metal detectors;

(b) Video surveillance cameras, communications equipment and monitoring equipment for classrooms, school buildings, school grounds and school buses;

(c) Crisis management/action teams responding to school violence;



(d) Violence prevention training, conflict resolution training, behavioral stress training, peer mediation training, anti-bullying training and other appropriate training designated by the State Department of Education for faculty and staff; and

(e) School safety personnel.

(4) Each local school district of this state may annually apply for school safety grant funds subject to appropriations by the Legislature. School safety grants shall include a base grant amount plus an additional amount per student in net enrollment in the school or school district. The base grant amount and amount per student shall be determined by the State Board of Education, subject to specific appropriation therefor by the Legislature. In order to be eligible for such program, each local school board desiring to participate shall apply to the State Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department, and shall be required to establish a local School Safety Task Force to involve members of the community in the school safety effort. The State Department of Education shall determine by July 1 of each succeeding year which local school districts have submitted approved applications for school safety grants.

(5) As part of the School Safety Grant Program, the State Department of Education may conduct a pilot program to research the feasibility of using video camera equipment in the classroom to address the following:



(a) Determine if video cameras in the classroom reduce student disciplinary problems;

(b) Enable teachers to present clear and convincing evidence of a student's disruptive behavior to the student, the principal, the superintendent and the student's parents; and

(c) Enable teachers to review teaching performance and receive diagnostic feedback for developmental purposes.

(6) Any local school district may use audio/visual-monitoring equipment in classrooms, hallways, buildings, grounds and buses for the purpose of monitoring school disciplinary problems.

(7) As a component of the comprehensive local school district school safety plan required under subsection (2) of this section, the school board of a school district may adopt and implement a policy addressing sexual abuse of children, to be known as "Erin's Law Awareness." Any policy adopted under this subsection may include or address, but need not be limited to, the following:

(a) Methods for increasing teacher, student and parental awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;

(b) Educational information for parents or guardians, which may be included in the school handbook, on the warning signs



of a child being abused, along with any needed assistance,
referral or resource information;

(c) Training for school personnel on child sexual
abuse;

(d) Age-appropriate curriculum for students in
prekindergarten through fifth grade;

(e) Actions that a child who is a victim of sexual
abuse should take to obtain assistance and intervention;

(f) Counseling and resources available for students
affected by sexual abuse; and

(g) Emotional and educational support for a child who
has been abused to enable the child to be successful in school.

(8) As part of the school safety grant program, the State
Department of Education shall establish three (3) pilot programs
in six (6) school districts utilizing an evidence-based curriculum
to provide students in Grades K-5 with skills to manage stress and
anxiety in order for them to be better equipped to handle
challenges in a healthy way and build resiliency. The Mississippi
Department of Mental Health shall be responsible for the selection
of the content of the evidence-based curriculum. The results of
this pilot program shall be measured and reported, and such
results shall be used in consideration of the implementation of
this curriculum statewide.

(9) As a component of the comprehensive local school
district safety plan required under subsection (2) of this



section, beginning in the 2019-2020 school year, the State Department of Education shall require local school districts to conduct, every two (2) years, refresher training on mental health and suicide prevention for all school employees and personnel, including all cafeteria workers, custodians, teachers and administrators. The Mississippi Department of Mental Health shall be responsible for the development and/or selection of the content of the training, which training shall be provided at no cost to school employees. School districts shall report completion of the training to the State Department of Education.

SECTION 5. Section 37-7-321, Mississippi Code of 1972, is brought forward as follows:

37-7-321. (1) The school board of any school district within the State of Mississippi, in its discretion, may employ one or more persons as security personnel and may designate such persons as peace officers in or on any property operated for school purposes by such board upon their taking such oath and making such bond as required of a constable of the county in which the school district is situated.

(2) Any person employed by a school board as a security guard or school resource officer or in any other position that has the powers of a peace officer must receive a minimum level of basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Officer Standards and Training and the State Board of Education, within two (2) years of



the person's initial employment in such position. Upon the failure of any person employed in such position to receive the required training within the designated time, the person may not exercise the powers of a peace officer in or on the property of the school district.

(3) The school board is authorized and empowered, in its discretion, and subject to the approval of the Federal Communications Commission, to install and operate a noncommercial radio broadcasting and transmission station for educational and vocational educational purposes.

(4) If a law enforcement officer is duly appointed to be a peace officer by a school district under this section, the local school board may enter into an interlocal agreement with other law enforcement entities for the provision of equipment or traffic control duties, however, the duty to enforce traffic regulations and to enforce the laws of the state or municipality off of school property lies with the local police or sheriff's department which cannot withhold its services solely because of the lack of such an agreement.

SECTION 6. This act shall take effect and be in force from and after July 1, 2025.

