

By: Representative Owen

To: Education

HOUSE BILL NO. 1610

1 AN ACT TO AMEND SECTION 37-13-81, 37-13-83, 37-13-85,
2 37-13-87 AND 37-13-89, MISSISSIPPI CODE OF 1972, TO CLARIFY THE
3 NAME OF THE OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT AND
4 DROPOUT PREVENTION WITHIN THE STATE DEPARTMENT OF EDUCATION; TO
5 PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF THE OFFICE
6 BY THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO TRANSFER THE
7 RESPONSIBILITY FOR EMPLOYING AND ESTABLISHING THE DUTIES OF SCHOOL
8 ATTENDANCE OFFICERS FROM THE STATE DEPARTMENT OF EDUCATION TO
9 LOCAL SCHOOL DISTRICTS; TO ABOLISH THE THREE REGIONAL SCHOOL
10 ATTENDANCE OFFICER POSITIONS; TO PROVIDE THAT STAFF EMPLOYED BY
11 THE STATE SUPERINTENDENT OF EDUCATION TO ENFORCE THE MISSISSIPPI
12 COMPULSORY SCHOOL ATTENDANCE LAW SHALL BE COMPENSATED AT THE SAME
13 SALARY RECEIVED BY REGIONAL SCHOOL ATTENDANCE OFFICERS FOR FISCAL
14 YEAR 2025 RATE PLUS AN ADDITIONAL 25%; TO CLARIFY THE MINIMUM
15 QUALIFICATIONS NECESSARY FOR SCHOOL ATTENDANCE OFFICERS AND REMOVE
16 THE REQUIREMENT OF THE STATE PERSONNEL BOARD TO ESTABLISH
17 ADDITIONAL QUALIFICATIONS FOR SCHOOL ATTENDANCE OFFICERS; TO
18 PROVIDE THAT SCHOOL ATTENDANCE OFFICERS EMPLOYED BY THE STATE
19 DEPARTMENT OF EDUCATION ON JULY 1, 2025, SHALL BE TRANSFERRED TO
20 EMPLOYMENT STATUS AS EMPLOYEES OF THEIR RESPECTIVE SCHOOL
21 DISTRICTS WITH WORK LOCATIONS THEREIN AND SHALL ENFORCE ATTENDANCE
22 AT CHARTER SCHOOLS LOCATED WITHIN THE SCHOOL DISTRICT; TO PROVIDE
23 FOR THE SHARING OF ADMINISTRATIVE AND COSTS SHARING
24 RESPONSIBILITIES OF TWO OR MORE SCHOOL DISTRICTS WHICH WERE
25 SIMULTANEOUSLY SERVED BY THE SAME SCHOOL ATTENDANCE OFFICER; TO
26 PROVIDE FOR THE TRANSFER OF ANY UNUSED ACCUMULATED LEAVE; TO
27 REQUIRE THE STATE TO PROVIDE FUNDING FOR ONE SCHOOL ATTENDANCE
28 OFFICER FOR EVERY 3,000 COMPULSORY-SCHOOL-AGE CHILDREN IN
29 ENROLLMENT IN THE PUBLIC SCHOOLS OF A COUNTY; TO ESTABLISH THE
30 MINIMUM SALARY OF NEWLY HIRED SCHOOL ATTENDANCE OFFICERS BEGINNING
31 JULY 1, 2025, AND AUTHORIZE LOCAL SCHOOL BOARDS TO PAY ADDITIONAL
32 COMPENSATION ABOVE THE MINIMUM SALARY ON A SCALE ESTABLISHED BY
33 THE LOCAL SCHOOL BOARD; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS
34 TRANSFERRED TO THE LOCAL SCHOOL DISTRICT FROM THE STATE DEPARTMENT



OF EDUCATION SHALL BE COMPENSATED AT THE SAME SALARY RECEIVED
FISCAL YEAR 2025 RATE PLUS AN ADDITIONAL 25%; TO PROVIDE THAT
SCHOOL ATTENDANCE OFFICERS SHALL NOT EXPERIENCE ANY INTERRUPTION
OF SERVICE WITH THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE
SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN AS A RESULT OF THE
TRANSFER OF EMPLOYMENT RESPONSIBILITY; TO REQUIRE THE STATE
DEPARTMENT OF EDUCATION AND THE MISSISSIPPI ASSOCIATION OF SCHOOL
SUPERINTENDENTS TO SUBMIT A REPORT TO THE LEGISLATURE ON THE
STATUS AND PROGRESS OF SCHOOL ATTENDANCE OFFICERS AS EMPLOYEES OF
THE LUNCH SCHOOL DISTRICT; TO AMEND SECTION 37-13-107, MISSISSIPPI
CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND
SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LOCAL
SCHOOL DISTRICT TO REPORT ANY UNEXCUSED ABSENCE OF A STUDENT TO
THE SCHOOL ATTENDANCE OFFICER WITHIN 24 HOURS OF THE ABSENCE; AND
FOR RELATED PURPOSES.

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

SECTION 1. Section 37-13-81, Mississippi Code of 1972, is
amended as follows:

37-13-81. There is created the Office of Compulsory School
Attendance Enforcement * * * and Dropout Prevention * * * within
the State Department of Education. The office shall be
responsible for the administration of a statewide system of
enforcement of the Mississippi Compulsory School Attendance Law
(Section 37-13-91) * * *.

SECTION 2. Section 37-13-83, Mississippi Code of 1972, is
amended as follows:

37-13-83. The State Superintendent of Public Education
shall * * * employ sufficient staff responsible for the proper
administration of the Office of Compulsory School Attendance
Enforcement and Dropout Prevention in conformity with the
Mississippi Compulsory School Attendance Law and any other
regulations or policies that may be adopted by the State Board of
Education. * * *



68 **SECTION 3.** Section 37-13-85, Mississippi Code of 1972, is
69 amended as follows:

70 37-13-85. The Office of Compulsory School Attendance
71 Enforcement and Dropout Prevention shall have the following powers
72 and duties, in addition to all others imposed or granted by law:

73 (a) To establish any policies or guidelines * * * to be
74 used by local school districts for the employment of school
75 attendance officers which serve to effectuate a uniform system of
76 enforcement under the Mississippi Compulsory School Attendance Law
77 throughout the state * * *;

78 * * *

79 (* * *b) To establish minimum standards for enrollment
80 and attendance for the state and each individual school district,
81 and to monitor the success of the state and districts in achieving
82 the required levels of performance;

83 (* * *c) To provide to school districts failing to
84 meet the established standards for enrollment and attendance
85 assistance in reducing absenteeism or the dropout rates in those
86 districts;

87 (* * *d) To establish any qualifications, in addition
88 to those required under Section 37-13-89, for school attendance
89 officers as the office deems necessary to further the purposes of
90 the Mississippi Compulsory School Attendance Law;

91 (* * *e) To develop and implement a system under which
92 school districts are required to maintain accurate records that



93 document enrollment and attendance in such a manner that the
94 records reflect all changes in enrollment and attendance, and to
95 require school attendance officers to submit information
96 concerning public school attendance on a monthly basis to the
97 office;

98 (* * *f) To prepare the form of the certificate of
99 enrollment required under the Mississippi Compulsory School
100 Attendance Law and to furnish a sufficient number of the
101 certificates of enrollment to each school attendance officer in
102 the state;

103 (* * *g) To provide to the State Board of Education
104 statistical information concerning absenteeism, dropouts and other
105 attendance-related problems as requested by the State Board of
106 Education;

107 (* * *h) To provide for the certification of school
108 attendance officers;

109 (* * *i) To provide for a course of training and
110 education for school attendance officers, and to require
111 successful completion of the course as a prerequisite to
112 certification by the office as school attendance officers;

113 (* * *j) To adopt any guidelines or policies the
114 office deems necessary to effectuate an orderly transition from
115 the supervision of school attendance officers by * * * State
116 Department of Education to the supervision by the local
117 school * * * district;



118 * * *

119 (* * *k) To adopt policies or guidelines to assist
120 local school districts with linking the duties of school
121 attendance officers to the appropriate courts, law enforcement
122 agencies and community service providers; * * *

123 (* * *l) To adopt any other policies or guidelines
124 that the office deems necessary for the enforcement of the
125 Mississippi Compulsory School Attendance Law; however, the
126 policies or guidelines shall not add to or contradict with the
127 requirements of Section 37-13-91 * * *; and

128 (m) To transfer all funds appropriated to the State
129 Department of Education for school attendance officers to local
130 school district on the same schedule as Mississippi Student
131 Funding Formula (MSFF) disbursements in accordance with Section
132 37-151-103.

133 **SECTION 4.** Section 37-13-87, Mississippi Code of 1972, is
134 amended as follows:

135 37-13-87. (1) The * * * State Superintendent of Public
136 Education shall employ * * * sufficient staff of whom shall * * *
137 provide oversight for the enforcement of the Mississippi
138 Compulsory School Attendance Law * * * and shall * * * support and
139 provide technical assistance and professional development to the
140 school attendance officers in the * * * local school districts.
141 The * * * staff employed by the State Superintendent of Public
142 Education shall assist the school attendance officers in the



performance of their duties as established by law or otherwise * * * and may also perform any such other duties within the Office of Compulsory School Attendance Enforcement and Dropout Prevention as may be assigned by the State Superintendent of Public Education.

(2) * * * The * * * staff employed by the State Superintendent of Education at the State Department of Education shall receive an annual salary to be set by the State Superintendent of Public Education, provided that each employee employed by the State Department of Education on June 30, 2025, shall be compensated at the annual salary rate established for such position during the 2025 fiscal year plus an additional twenty-five percent (25%), subject to the approval of the State Personnel Board.

SECTION 5. Section 37-13-89, Mississippi Code of 1972, is amended as follows:

37-13-89. (1) (a) In each school district within the state, there shall be employed the number of school attendance officers determined by the local school district, in consultation with the Office of Compulsory School Attendance Enforcement and Dropout Prevention to be necessary to adequately enforce the provisions of the Mississippi Compulsory School Attendance Law * * *. In any school district where charter schools operate, the school district's school attendance officer shall also enforce the provisions of the Mississippi Compulsory School Attendance Law



168 for those charter schools. From and after July 1, * * * 2025, all
169 school attendance officers employed pursuant to this section shall
170 be employees of the * * * local school district. * * * Local
171 school districts shall employ all persons employed as school
172 attendance officers by * * * the State Department of Education
173 before July 1, * * * 2025, and shall assign them to school
174 attendance responsibilities in the school district in which they
175 were employed before July 1, * * * 2025. * * *

176 (b) If a school attendance officer employed by the
177 State Department of Education performed services in two (2) or
178 more school districts during the 2024-2025 school year, that
179 school attendance officer shall continue to serve the same two (2)
180 or more school districts for the 2025-2026 school year. For
181 purposes of employment, the school attendance officer shall be
182 assigned to the school district with the largest student
183 enrollment, and that school district shall serve as the fiscal
184 agent, with funding shared with the partnering districts.
185 Effective on July 1, 2026, if two (2) or more school districts
186 fall below a certain number of students enrolled, to be determined
187 by the State Department of Education, or are only provided funding
188 for one-half (1/2) of the salary of the school attendance officer,
189 those school districts are authorized, in the discretion of their
190 respective local school board, to enter into an agreement for the
191 purposes of sharing a school attendance officer. The agreement
192 shall designate which district shall serve as the fiscal agent and



193 the mutually agreed upon salary for the school attendance officer.
194 The agreement shall be duly adopted by resolution of the
195 participating school boards as reflected in the minutes of each
196 school board and approved by the Office of Compulsory School
197 Attendance Enforcement and Dropout Prevention.

198 (2) (a) The * * * local school districts shall * * *
199 conduct criminal records background checks and current child abuse
200 registry checks on all persons applying for the position of school
201 attendance officer after July * * * 1, 2025. The criminal records
202 information and registry checks must be kept on file for any new
203 hires. * * * To determine an applicant's suitability for
204 employment as a school attendance officer, the applicant must be
205 fingerprinted. If no disqualifying record is identified at the
206 state level, the Department of Public Safety shall forward the
207 fingerprints to the Federal Bureau of Investigation (FBI) for a
208 national criminal history record check. The applicant shall pay
209 the fee, not to exceed Fifty Dollars (\$50.00), for the
210 fingerprinting and criminal records background check; however,
211 the * * * local school district, in its discretion, may pay the
212 fee for the fingerprinting and criminal records background check
213 on behalf of any applicant. Under no circumstances may a member
214 of the * * * local school board of trustees, employee of the * * *
215 local school district or any person other than the subject of the
216 criminal records background check disseminate information received



217 through any such checks except insofar as required to fulfill the
218 purposes of this subsection.

219 (b) If the fingerprinting or criminal records check
220 discloses a felony conviction, guilty plea or plea of nolo
221 contendere to a felony of possession or sale of drugs, murder,
222 manslaughter, armed robbery, rape, sexual battery, sex offense
223 listed in Section 45-33-23(h), child abuse, arson, grand larceny,
224 burglary, gratification of lust or aggravated assault which has
225 not been reversed on appeal or for which a pardon has not been
226 granted, the applicant is not eligible to be employed as a school
227 attendance officer. Any employment of an applicant pending the
228 results of the fingerprinting and criminal records check is
229 voidable if the new hire receives a disqualifying criminal records
230 check. However, the * * * local school board, in its discretion,
231 may allow an applicant aggrieved by an employment decision under
232 this subsection to appear before the board, or before a hearing
233 officer designated for that purpose, to show mitigating
234 circumstances that may exist and allow the new hire to be employed
235 as a school attendance officer. The * * * local school board may
236 grant waivers for mitigating circumstances, which may include, but
237 are not necessarily limited to:

238 (i) Age at which the crime was committed;
239 (ii) Circumstances surrounding the crime;
240 (iii) Length of time since the conviction and
241 criminal history since the conviction;



242 (iv) Work history;
243 (v) Current employment and character references;
244 and
245 (vi) Other evidence demonstrating the ability of
246 the person to perform the responsibilities of a school attendance
247 officer competently and that the person does not pose a threat to
248 the health or safety of children.

249 (c) * * * No local school district, school district
250 employee, member of the State Board of Education or employee of a
251 school under the purview of the State * * * Board of
252 Education * * * shall be held liable in any employment
253 discrimination suit in which an allegation of discrimination is
254 made regarding an employment decision authorized under this
255 section.

256 (3) Each school attendance officer shall possess a college
257 degree with a major in a behavioral science or a related field or
258 shall have no less than three (3) years combined actual experience
259 as a school teacher, school administrator, law enforcement officer
260 possessing such degree, and/or social worker; however, these
261 requirements shall not apply to persons employed as school
262 attendance officers before January 1, 1987. School attendance
263 officers also shall satisfy any additional requirements that may
264 be established by the * * * hiring local school district.

265 (4) It shall be the duty of each school attendance officer
266 to:



267 (a) Cooperate with any public agency to locate and
268 identify all compulsory-school-age children who are not attending
269 school;

270 (b) Cooperate with all courts of competent
271 jurisdiction;

272 (c) Investigate all cases of nonattendance and unlawful
273 absences by compulsory-school-age children not enrolled in a
274 nonpublic school;

275 (d) Provide appropriate counseling to encourage all
276 school-age children to attend school until they have completed
277 high school;

278 (e) Attempt to secure the provision of social or
279 welfare services that may be required to enable any child to
280 attend school;

281 (f) Contact the home or place of residence of a
282 compulsory-school-age child and any other place in which the
283 officer is likely to find any compulsory-school-age child when the
284 child is absent from school during school hours without a valid
285 written excuse from school officials, and when the child is found,
286 the officer shall notify the parents and school officials as to
287 where the child was physically located;

288 (g) Contact promptly the home of each
289 compulsory-school-age child in the school district within the
290 officer's jurisdiction who is not enrolled in school or is not in
291 attendance at public school and is without a valid written excuse



from school officials; if no valid reason is found for the nonenrollment or absence from the school, the school attendance officer shall give written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance;

(h) Collect and maintain information concerning absenteeism, dropouts and other attendance-related problems, as may be required by law, the local school district or the Office of Compulsory School Attendance Enforcement and Dropout Prevention; and

(i) Perform all other duties relating to compulsory school attendance established by the * * * local school district.

(5) While engaged in the performance of his duties, each school attendance officer shall carry on his person a badge identifying him as a school attendance officer * * *. Neither the badge nor the identification card shall bear the name of any elected public official.

(6) The state shall provide funding for one (1) school attendance officer employed by a local school district for every three thousand (3,000) compulsory-school-age children, as defined by Section 37-13-91(2)(f), in enrollment in the public schools of the county, for the purpose of employing school attendance officers as defined in Section 37-13-91(2)(g).

(* * * 7) The * * * salary * * * for school attendance officers * * * shall be based upon factors including, but not



limited to, education, professional certification and licensure,
and number of years of experience. School attendance must meet
the minimum requirements as identified in subsection (3) of this
section. Effective July 1, 2025, any newly hired school
attendance officers shall be paid * * * a minimum salary * * * of
Thirty Thousand Dollars (\$30,000.00). Local school districts may
pay additional compensation above the minimum salary on a schedule
established by the local school board. * * *

* * *

(* * *8) * * * Each school attendance officer employed by
the State Department of Education on June 30, 2025, shall be
transferred from state services under the authority of the State
Personnel Board to employment status as an employee of the
respective school district of assignment and shall be paid at the
salary established for the 2025 fiscal year plus an additional
twenty-five percent (25%). Each school attendance officer shall
have a work location within the school district they serve. Each
school attendance officer who became an employee of the local
school district on July 1, 2025, shall have no interruption of
service with the Public Employees' Retirement System and the State
and School Employees' Health Insurance Plan. Any unused leave
accumulated in state-service employment with the State Department
of Education shall be transferred in accordance with the provision
of Section 37-7-307, unless otherwise provided.

* * *



(* * *9) * * * School attendance officers shall maintain regular office hours on a year-round basis as determined by the local school district of employment * * *. However, during the school term, on those days that teachers in all of the school districts served by a school attendance officer are not required to report to work, the school attendance officer also shall not be required to report to work. (For purposes of this subsection, a school district's school term is that period of time identified as the school term in contracts entered into by the district with licensed personnel.) A school attendance officer shall be required to report to work on any day recognized as an official state holiday if teachers in any school district served by that school attendance officer are required to report to work on that day * * *.

* * *

(* * *10) The State Department of Education shall provide all continuing education and training courses that school attendance officers are required to complete under state law or rules and regulations of the department.

(11) The State Department of Education and the Mississippi Association of School Superintendents shall provide a joint report on the status and progress of school attendance officers in their capacity as employees of local school districts and the fulfillment of their assigned duties and obligations to the



Legislature for review and consideration during the 2027 Regular Session.

SECTION 6. Section 37-13-91, Mississippi Code of 1972, is amended as follows:

37-13-91. (1) This section shall be referred to as the "Mississippi Compulsory School Attendance Law."

(2) The following terms as used in this section are defined as follows:

(a) "Parent" means the father or mother to whom a child has been born, or the father or mother by whom a child has been legally adopted.

(b) "Guardian" means a guardian of the person of a child, other than a parent, who is legally appointed by a court of competent jurisdiction.

(c) "Custodian" means any person having the present care or custody of a child, other than a parent or guardian of the child.

(d) "School day" means not less than five and one-half (5-1/2) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.

(e) "School" means any public school, including a charter school, in this state or any nonpublic school in this state which is in session each school year for at least one hundred eighty (180) school days, except that the "nonpublic"



391 school term shall be the number of days that each school shall
392 require for promotion from grade to grade.

393 (f) "Compulsory-school-age child" means a child who has
394 attained or will attain the age of six (6) years on or before
395 September 1 of the calendar year and who has not attained the age
396 of seventeen (17) years on or before September 1 of the calendar
397 year; and shall include any child who has attained or will attain
398 the age of five (5) years on or before September 1 and has
399 enrolled in a full-day public school kindergarten program.

400 (g) "School attendance officer" means a person employed
401 by a local school district, wherein they receive additional
402 support and technical assistance from the State Department of
403 Education's Office of Compulsory School Attendance Enforcement and
404 Dropout Prevention * * *.

405 (h) "Appropriate school official" means the
406 superintendent of the school district, or his designee, or, in the
407 case of a nonpublic school, the principal or the headmaster.

408 (i) "Nonpublic school" means an institution for the
409 teaching of children, consisting of a physical plant, whether
410 owned or leased, including a home, instructional staff members and
411 students, and which is in session each school year. This
412 definition shall include, but not be limited to, private, church,
413 parochial and home instruction programs.

414 (3) A parent, guardian or custodian of a
415 compulsory-school-age child in this state shall cause the child to



enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

(a) When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.

(b) When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for children with physical or mental disadvantages or disabilities.

(c) When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection * * * shall complete a "certificate of enrollment" in order to facilitate the administration of this section. * * * The appropriate school official for any or all compulsory-school-age children attending a charter school or nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section.

The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education and shall be designed to obtain the following information only:



(i) The name, address, telephone number and date of birth of the compulsory-school-age child;

(ii) The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;

(iii) The local public school district where the compulsory-school-age child resides;

(* * *iv) A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and

(* * *y) The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all compulsory-school-age child or children attending a charter school or nonpublic school, the signature of the appropriate school official and the date signed.

The certificate of enrollment shall be returned to the school attendance officer that serves the local public school district where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required



in subsection (6), the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.

For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

(4) An "unlawful absence" is an absence for an entire school day or during part of a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. For purposes of reporting absenteeism under subsection (6) of this section, if a compulsory-school-age child has an absence that is more than thirty-seven percent (37%) of the instructional day, as fixed by the school board for the school at which the compulsory-school-age child is enrolled, the child must be considered absent the entire school day. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. This subsection shall not apply to children enrolled in a nonpublic school.

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of



the excuse is provided to the superintendent of the school district, or his designee:

(a) An absence is excused when the absence results from the compulsory-school-age child's attendance at an authorized school activity with the prior approval of the superintendent of the school district, or his designee. These activities may include field trips, athletic contests, student conventions, musical festivals and any similar activity.

(b) An absence is excused when the absence results from illness or injury which prevents the compulsory-school-age child from being physically able to attend school.

(c) An absence is excused when isolation of a compulsory-school-age child is ordered by the county health officer, by the State Board of Health or appropriate school official.

(d) An absence is excused when it results from the death or serious illness of a member of the immediate family of a compulsory-school-age child. The immediate family members of a compulsory-school-age child shall include children, spouse, grandparents, parents, brothers and sisters, including stepbrothers and stepsisters.

(e) An absence is excused when it results from a medical or dental appointment of a compulsory-school-age child.

(f) An absence is excused when it results from the attendance of a compulsory-school-age child at the proceedings of



515 a court or an administrative tribunal if the child is a party to
516 the action or under subpoena as a witness.

517 (g) An absence may be excused if the religion to which
518 the compulsory-school-age child or the child's parents adheres,
519 requires or suggests the observance of a religious event. The
520 approval of the absence is within the discretion of the
521 superintendent of the school district, or his designee, but
522 approval should be granted unless the religion's observance is of
523 such duration as to interfere with the education of the child.

524 (h) An absence may be excused when it is demonstrated
525 to the satisfaction of the superintendent of the school district,
526 or his designee, that the purpose of the absence is to take
527 advantage of a valid educational opportunity such as travel,
528 including vacations or other family travel. Approval of the
529 absence must be gained from the superintendent of the school
530 district, or his designee, before the absence, but the approval
531 shall not be unreasonably withheld.

532 (i) An absence may be excused when it is demonstrated
533 to the satisfaction of the superintendent of the school district,
534 or his designee, that conditions are sufficient to warrant the
535 compulsory-school-age child's nonattendance. However, no absences
536 shall be excused by the school district superintendent, or his
537 designee, when any student suspensions or expulsions circumvent
538 the intent and spirit of the compulsory attendance law.



(j) An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.

(k) An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

(5) Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished in accordance with Section 97-5-39.

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child



has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to attend or * * * upon any occurrence of unexcused absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report, within * * * twenty-four (24) hours of the unexcused absences, the absences to the school attendance officer.

The * * * local school district shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee, also shall report any student suspensions or student expulsions to the school attendance officer when they occur.



588 (7) When a school attendance officer has made all attempts
589 to secure enrollment and/or attendance of a compulsory-school-age
590 child and is unable to * * * verify the enrollment and/or
591 attendance, the attendance officer shall file a petition with the
592 youth court under Section 43-21-451 or shall file a petition in a
593 court of competent jurisdiction as it pertains to parent or child.
594 Sheriffs, deputy sheriffs and municipal law enforcement officers
595 shall be fully authorized to investigate all cases of
596 nonattendance and unlawful absences by compulsory-school-age
597 children, and shall be authorized to file a petition with the
598 youth court under Section 43-21-451 or file a petition or
599 information in the court of competent jurisdiction as it pertains
600 to parent or child for violation of this section. The youth court
601 shall expedite a hearing to make an appropriate adjudication and a
602 disposition to ensure compliance with the Compulsory School
603 Attendance Law, and may order the child to enroll or re-enroll in
604 school. The superintendent of the school district to which the
605 child is ordered may assign, in his discretion, the child to the
606 alternative school program of the school established pursuant to
607 Section 37-13-92.

608 (8) The State Board of Education shall adopt rules and
609 regulations * * * to sanction school districts that do not adhere
610 to said policy through findings of noncompliance on the monitoring
611 process.



(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi, * * * school attendance officers, agencies or subdivisions any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision of any private or parochial school or institution for the education or training of children, of any kind whatsoever that is not a public school according to the laws of this state; and this section shall never be construed so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.

SECTION 7. Section 37-13-107, Mississippi Code of 1972, is amended as follows:

37-13-107. (1) Every school attendance officer shall be required annually to attend and complete a comprehensive course of training and education which is provided or approved by the Office of Compulsory School Attendance Enforcement and Dropout Prevention of the State Department of Education. Attendance shall be



637 required beginning with the first training seminar conducted after
638 the school attendance officer is employed as a school attendance
639 officer.

640 (2) The Office of Compulsory School Attendance Enforcement
641 and Dropout Prevention shall provide or approve a course of
642 training and education for school attendance officers of the
643 state. The course shall consist of at least twelve (12) hours of
644 training per year. The content of the course of training and when
645 and where it is to be conducted shall be approved by the office.
646 A certificate of completion shall be furnished by the State
647 Department of Education to those school attendance officers who
648 complete the course. Each certificate shall be made a permanent
649 record of the local school * * * district where the school
650 attendance officer is employed.

651 (3) Upon the failure of any person employed as a school
652 attendance officer to receive the certificate of completion from
653 the State Department of Education within the first year of his
654 employment, the person shall not be allowed to carry out any of
655 the duties of a school attendance officer and shall not be
656 entitled to compensation for the period of time during which the
657 certificate has not been obtained.

658 **SECTION 8.** This act shall take effect and be in force from
659 and after July 1, 2025.

