

By: Senator(s) Tate

To: Education

SENATE BILL NO. 2160

1 AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972,
2 TO ALLOW A STUDENT WHOSE PARENT OR LEGAL GUARDIAN IS A MEMBER OF
3 THE NATIONAL GUARD TO ENROLL IN AND ATTEND THE SCHOOL DISTRICT AND
4 SCHOOL CAMPUS OF THE PARENT'S OR LEGAL GUARDIAN'S CHOOSING,
5 REGARDLESS OF THE RESIDENCE OF THE CHILD; TO LIMIT SUCH A STUDENT
6 TO ONE TRANSFER PER ACADEMIC YEAR; TO PROVIDE THAT, ONCE A CHILD
7 HAS TRANSFERRED AND ENROLLED IN ANOTHER SCHOOL DISTRICT, HIS OR
8 HER PARENT OR LEGAL GUARDIAN IS NOT REQUIRED TO REAPPLY FOR
9 CONTINUED ADMISSION IN THE SCHOOL DISTRICT OR SCHOOL CAMPUS OF
10 LAST ATTENDANCE; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 37-15-29, Mississippi Code of 1972, is
13 amended as follows:

14 37-15-29. (1) Except as provided in subsections (2), (3),
15 (4) and (5) of this section, no minor child may enroll in or
16 attend any school except in the school district of his residence,
17 unless such child be lawfully transferred from the school district
18 of his residence to a school in another school district in accord
19 with the statutes of this state now in effect or which may be
20 hereafter enacted.

21 (2) Those children whose parent(s) or legal guardian(s) are
22 instructional personnel or certificated employees of a school



23 district may at such employee's discretion enroll and attend the
24 school or schools of their parent's or legal guardian's employment
25 regardless of the residence of the child.

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

44 (4) Those children lawfully transferred from the school
45 district of his residence to a school in another school district
46 prior to July 1, 1992, may, at the discretion of their parent(s)
47 or legal guardian(s), continue to enroll and attend school in the



48 transferee school district. Provided further, that the brother(s)
49 and sister(s) of said children lawfully transferred prior to July
50 1, 1992, may also, at the discretion of their parent(s) or legal
51 guardian(s), enroll and attend school in the transferee school
52 district.

53 (5) (a) Those children whose parent(s) or legal guardian(s)
54 are active members of the United States Armed Forces, or are
55 civilian military personnel and reside on a military base, or are
56 members of the National Guard may * * * enroll in and attend the
57 school district and school campus of their parent's or legal
58 guardian's choosing, regardless of the residence of the child.

59 * * *

60 (* * * b) For purposes of * * * paragraph (a) * * * of
61 this subsection (5):

62 (i) A school district is not required to provide
63 transportation to a student who enrolls in or transfers to another
64 school district or school campus within the district of chosen
65 attendance;

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

68 (iii) Once admitted, and unless expelled, the
69 parent(s) or legal guardian(s) of students transferring under the
70 authority of this subsection shall not be required to reapply for
71 admission for continued enrollment in the school district or



72 school campus of last attendance for any subsequent years of
73 attendance therein; and

74 (iv) If the school district is unable to
75 accommodate a request for enrollment for transfer due to a lack of
76 capacity to accept the student in to the district or a specific
77 school campus, the school board shall deny the request and spread
78 the same upon its minutes.

79 **SECTION 2.** This act shall take effect and be in force from
80 and after July 1, 2025.

