

By: Senator(s) Parker, Boyd, Williams

To: Education

SENATE BILL NO. 2538

1 AN ACT TO AMEND SECTION 37-3-83, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE SCHOOL SAFETY GRANT PROGRAM MAY OFFER MENTORING
3 OR OTHER COMMUNITY-BASED POLICING PROGRAMS FORMED IN PARTNERSHIP
4 BETWEEN SCHOOL DISTRICTS AND LOCAL LAW ENFORCEMENT AGENCIES, AS
5 WELL AS MENTAL HEALTH SCREENING FOR STUDENTS CONDUCTED BY
6 SCREENERS SELECTED BY THE SCHOOL DISTRICT AND APPROVED BY THE
7 DEPARTMENT OF MENTAL HEALTH; TO REQUIRE THE SCHOOL BOARD OF EACH
8 SCHOOL DISTRICT TO ADOPT AND IMPLEMENT AN "ERIN'S LAW AWARENESS"
9 POLICY ADDRESSING SEXUAL ABUSE OF CHILDREN, TO BE BASED ON A MODEL
10 POLICY DEVELOPED BY THE DEPARTMENT OF MENTAL HEALTH, THE
11 DEPARTMENT OF EDUCATION AND THE ATTORNEY GENERAL'S OFFICE WORKING
12 IN CONCERT; TO REQUIRE THE DEPARTMENT OF EDUCATION TO REIMPLEMENT
13 THE PILOT PROGRAMS FOR PROVIDING STUDENTS IN GRADES K-5 WITH
14 SKILLS TO MANAGE STRESS AND ANXIETY IN 12 SCHOOL DISTRICTS FOR THE
15 2025-2026 AND 2026-2027 SCHOOL YEARS; TO REQUIRE THE DEPARTMENT OF
16 MENTAL HEALTH TO SUBMIT ANNUAL REPORTS TO THE LEGISLATURE
17 REGARDING THE RESULTS OF THE PILOT PROGRAMS; TO AMEND SECTION
18 37-3-93, MISSISSIPPI CODE OF 1972, TO INCLUDE CHAPLAINS IN THE
19 QUICK RESPONSE TEAM MADE AVAILABLE BY THE OFFICE CREATED BY THE
20 STATE DEPARTMENT OF EDUCATION FOR THE SCHOOL CRISIS MANAGEMENT
21 PROGRAM; TO TRANSFER THE RESPONSIBILITY OF PROVIDING THREAT
22 ASSESSMENT OFFICERS FROM THE MISSISSIPPI OFFICE OF HOMELAND
23 SECURITY TO LOCAL LAW ENFORCEMENT AGENCIES, USING THE TRAINING AND
24 CERTIFICATION CURRICULUM PROVIDED BY THE OFFICE OF HOMELAND
25 SECURITY; TO REQUIRE EACH SCHOOL DISTRICT AND CHARTER SCHOOL TO
26 ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LOCAL LAW
27 ENFORCEMENT FOR THE PROVISION OF A THREAT ASSESSMENT OFFICER FOR
28 THE DISTRICT OR CHARTER SCHOOL; TO DIRECT THE DEPARTMENT OF
29 EDUCATION TO FORM A COORDINATING COUNCIL TO OVERSEE A BEHAVIORAL
30 THREAT ASSESSMENT AND MANAGEMENT PROGRAM FOR PUBLIC SCHOOLS TO USE
31 FOR IDENTIFYING AND EVALUATING STUDENTS IN NEED OF MENTAL OR
32 BEHAVIORAL HEALTH SUPPORT, AND FOR CONNECTING STUDENTS WITH
33 SUPPORT RESOURCES; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION
34 SHALL SELECT EIGHT PERSONS, TWO FROM EACH CONGRESSIONAL DISTRICT,



TO SERVE ON THE COORDINATING COUNCIL EACH CALENDAR YEAR; TO ALLOW COUNCIL MEMBERS TO SERVE SUCCESSIVE TERMS WITHOUT LIMITATION; TO CREATE A NEW CODE SECTION TO AUTHORIZE SCHOOL DISTRICTS AND CHARTER SCHOOLS TO EMPLOY OR ACCEPT AS VOLUNTEERS CHAPLAINS TO PROVIDE SUPPORT, SERVICES AND PROGRAMS FOR STUDENTS; TO REQUIRE EACH SUCH EMPLOYED OR VOLUNTEERING CHAPLAIN TO UNDERGO A CRIMINAL BACKGROUND CHECK BEFORE WORKING FOR THE SCHOOL; TO PROHIBIT SCHOOL DISTRICTS AND CHARTER SCHOOLS FROM ALLOWING INDIVIDUALS WHO ARE REQUIRED TO REGISTER AS SEX OFFENDERS FROM PROVIDING CHAPLAIN SERVICES; TO DIRECT EACH BOARD OF TRUSTEES OF A SCHOOL DISTRICT AND EACH GOVERNING BODY OF A CHARTER SCHOOL TO TAKE A RECORD VOTE ON WHETHER TO ADOPT A POLICY, WHICH SHALL BE IMPLEMENTED FOR THE 2025-2026 SCHOOL YEAR, AUTHORIZING A CAMPUS OF THE DISTRICT OR SCHOOL TO EMPLOY A CHAPLAIN OR ACCEPT THE SAME AS A VOLUNTEER; TO AMEND SECTIONS 37-7-301, 37-11-54 AND 37-28-41, MISSISSIPPI CODE OF 1972, TO CONFORM; TO PROVIDE FOR THE SEVERABILITY OF PROVISIONS OF THIS ACT WHICH MAY BE DEEMED UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

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

SECTION 1. 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 and other appropriate training designated by the State Department of Education for faculty and staff; * * *

(e) School safety personnel * * *;

(f) Mentoring or other community-based policing programs formed in partnership between school districts and local law enforcement agencies; and

(g) Mental health screening for students conducted by screeners selected by the school district and approved by the Mississippi Department of Mental Health, with a preference for high-quality resources at the lowest and best cost.

(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



94 the school or school district. The base grant amount and amount
95 per student shall be determined by the State Board of Education,
96 subject to specific appropriation therefor by the Legislature. In
97 order to be eligible for such program, each local school board
98 desiring to participate shall apply to the State Department of
99 Education by May 31 before the beginning of the applicable fiscal
100 year on forms provided by the department, and shall be required to
101 establish a local School Safety Task Force to involve members of
102 the community in the school safety effort. The State Department
103 of Education shall determine by July 1 of each succeeding year
104 which local school districts have submitted approved applications
105 for school safety grants.

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

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

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

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

117 (6) Any local school district may use
118 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 * * * each school district * * * shall adopt and implement a policy addressing sexual abuse of children, to be known as "Erin's Law Awareness." Any policy adopted under this subsection shall be based on a model policy developed by the Mississippi Department of Mental Health, the Mississippi Department of Education and the Mississippi Attorney General's Office working in concert and 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) (a) 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.

(b) In the 2025-2026 and 2026-2027 school years, the State Department of Education shall implement the three (3) pilot programs provided for in paragraph (a) of this subsection in twelve (12) school districts. At least one (1) school district from each congressional district shall be selected to participate, unless no school districts from a congressional district apply. Only one (1) school district per congressional district shall be given preference on the basis of its having previously



168 participated. The Mississippi Department of Mental Health shall
169 submit a report to the Legislature no later than June 30, 2026,
170 and June 30, 2027, regarding the results of the pilot programs in
171 the prior school year.

172 (9) As a component of the comprehensive local school
173 district safety plan required under subsection (2) of this
174 section, beginning in the 2019-2020 school year, the State
175 Department of Education shall require local school districts to
176 conduct, every two (2) years, refresher training on mental health
177 and suicide prevention for all school employees and personnel,
178 including all cafeteria workers, custodians, teachers and
179 administrators. The Mississippi Department of Mental Health shall
180 be responsible for the development and/or selection of the content
181 of the training, which training shall be provided at no cost to
182 school employees. School districts shall report completion of the
183 training to the State Department of Education.

184 **SECTION 2.** Section 37-3-93, Mississippi Code of 1972, is
185 amended as follows:

186 37-3-93. (1) Subject to the availability of funding
187 specifically appropriated for such purpose, there is established a
188 School Crisis Management Program under the State Department of
189 Education. This program is to be initiated and executed by the
190 department using only existing staff and resources. Under this
191 program, the State Department of Education shall create an office
192 making available a quick response team of personnel trained in



193 school safety and crisis management, which shall include
194 chaplains, to respond to traumatic or violent situations that
195 impact students and faculty in the public schools in Mississippi.
196 The required School Crisis Management Program shall operate in
197 accordance with the following:

198 (a) The basic response team shall consist of those
199 personnel designated by the State Superintendent of Public
200 Education, or their designees, depending on the size of the school
201 and the nature of the event.

202 (b) In order to access the services of a response team,
203 the request must be made by the local school principal or the
204 superintendent of schools, who shall make the request to the State
205 Department of Education or its contact designee.

206 (c) A response team shall enter a school to work with
207 students and faculty for a period of no more than three (3) days,
208 unless otherwise requested by the school district.

209 (d) The State Department of Education, or its designee,
210 shall operate a toll-free incoming wide area telephone service for
211 the purpose of receiving reports of suspected cases of school
212 violence and other traumatic situations impacting on students and
213 faculty in the public schools.

214 (e) The request made by a school district to access the
215 services of a response team following a school safety incident may
216 seek a review of the local school district's safety plan, and the



results of this evaluation may be published by the local school board in a newspaper with wide circulation in the district.

(f) Subject to the availability of funds specifically appropriated therefor by the Legislature, the expenses of the quick response teams and their administrative support shall be provided from state funds. The State Department of Education may apply for and expend funds for the support and maintenance of this program from private and other funding sources.

(2) Local school districts, school superintendents and principals may request and utilize the services of quick response teams provided for under this section; however, this section does not require school officials to request the services of quick response teams.

(3) As a component of the School Crisis Management Program, the Mississippi Office of Homeland Security shall develop a curriculum, train and certify local law enforcement officers as threat assessment officers. A certified threat assessment officer shall conduct an annual inspection and threat assessment of each public school in the state. The threat assessment officer shall develop an improvement plan for each school inspected. The assessment shall include the inspection of surveillance equipment and building-specific floor plans. The findings of the inspection and threat assessment, including a copy of the improvement plan shall be provided to * * * the Office of Homeland Security and the local school board within four (4) weeks of completion. To



effectuate the purpose of this subsection, each school district and charter school shall enter into a memorandum of understanding with the local sheriff's department, if a county school district or a charter school outside a municipality, or police department, if a municipal separate school district or a charter school inside a municipality, under which the law enforcement agency shall provide a threat assessment officer for the district or charter school.

(4) As a component of the School Crisis Management Program, the State Department of Education shall form a coordinating council to oversee a behavioral threat assessment and management program for public schools to use for identifying and evaluating students in need of mental or behavioral health support, and for connecting students with support resources within the school districts or communities. The Department of Education shall select eight (8) persons, two (2) from each congressional district, to serve on the coordinating council each calendar year. Council members may serve successive terms without limitation.

SECTION 3. (1) A school district or charter school may employ a chaplain or accept the same as a volunteer, to provide support, services and programs for students as assigned by the board of trustees of the district or the governing body of the school. The school chaplain shall be selected by and be responsible to the local school officials in each school district. A chaplain employed or volunteering under this section is not



required to be certified by the Commission on Teacher and Administrator Education, Certification and Licensure and Development. Nothing in this section shall prohibit any school board from employing or accepting as a volunteer more than one (1) chaplain for any school.

(2) A school district or charter school that employs a chaplain or accepts the same as a volunteer under this section shall ensure that the chaplain complies with the applicable criminal background check requirements of Section 37-9-17, before the chaplain begins employment or volunteering at the district or school.

(3) A school district or charter school may not employ, or accept as a volunteer, a chaplain who has been convicted of, or placed on deferred adjudication community supervision for, an offense for which a defendant is required to register as a sex offender under Section 45-33-35.

(4) Each board of trustees of a school district and each governing body of a charter school shall take a record vote, and spread the same upon its minutes, not later than December 1, 2025, on whether to adopt a policy, which shall be implemented for the 2025-2026 school year, authorizing a campus of the district or school to employ a chaplain or accept the same as a volunteer under this section.

SECTION 4. Section 37-7-301, Mississippi Code of 1972, is amended as follows:



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

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

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

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

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

(e) To suspend or to expel a pupil or to change the placement of a pupil to the school district's alternative school or homebound program for misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the school superintendent or principal, renders that pupil's presence in the classroom a disruption to the



educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, and to delegate such authority to the appropriate officials of the school district;

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

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

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

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

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

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

(l) To prescribe and enforce rules and regulations not inconsistent with law or with the regulations of the State Board



of Education for their own government and for the government of the schools, and to transact their business at regular and special meetings called and held in the manner provided by law;

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

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

(o) To make orders directed to the superintendent of schools for the issuance of pay certificates for lawful purposes on any available funds of the district and to have full control of the receipt, distribution, allotment and disbursement of all funds provided for the support and operation of the schools of such school district whether such funds be derived from state appropriations, local ad valorem tax collections, or otherwise. The local school board shall be authorized and empowered to promulgate rules and regulations that specify the types of claims and set limits of the dollar amount for payment of claims by the superintendent of schools to be ratified by the board at the next regularly scheduled meeting after payment has been made;

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



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

(r) To join, in their discretion, any association of school boards and other public school-related organizations, and to pay from local funds, other than total funding formula funds, any membership dues;

(s) To expend local school activity funds, or other available school district funds, other than total funding formula funds, for the purposes prescribed under this paragraph.

"Activity funds" shall mean all funds received by school officials in all school districts paid or collected to participate in any school activity, such activity being part of the school program and partially financed with public funds or supplemented by public funds. The term "activity funds" shall not include any funds raised and/or expended by any organization unless commingled in a bank account with existing activity funds, regardless of whether the funds were raised by school employees or received by school employees during school hours or using school facilities, and regardless of whether a school employee exercises influence over the expenditure or disposition of such funds. Organizations shall not be required to make any payment to any school for the use of any school facility if, in the discretion of the local school governing board, the organization's function shall be deemed to be beneficial to the official or extracurricular programs of the



391 school. For the purposes of this provision, the term
392 "organization" shall not include any organization subject to the
393 control of the local school governing board. Activity funds may
394 only be expended for any necessary expenses or travel costs,
395 including advances, incurred by students and their chaperons in
396 attending any in-state or out-of-state school-related programs,
397 conventions or seminars and/or any commodities, equipment, travel
398 expenses, purchased services or school supplies which the local
399 school governing board, in its discretion, shall deem beneficial
400 to the official or extracurricular programs of the district,
401 including items which may subsequently become the personal
402 property of individuals, including yearbooks, athletic apparel,
403 book covers and trophies. Activity funds may be used to pay
404 travel expenses of school district personnel. The local school
405 governing board shall be authorized and empowered to promulgate
406 rules and regulations specifically designating for what purposes
407 school activity funds may be expended. The local school governing
408 board shall provide (i) that such school activity funds shall be
409 maintained and expended by the principal of the school generating
410 the funds in individual bank accounts, or (ii) that such school
411 activity funds shall be maintained and expended by the
412 superintendent of schools in a central depository approved by the
413 board. The local school governing board shall provide that such
414 school activity funds be audited as part of the annual audit
415 required in Section 37-9-18. The State Department of Education



shall prescribe a uniform system of accounting and financial reporting for all school activity fund transactions;

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

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

(v) (i) To lease a school building from an individual, partnership, nonprofit corporation or a private for-profit corporation for the use of such school district, and to expend funds therefor as may be available from any sources other than total funding formula funds as set by Sections 37-151-200 through 37-151-215. The school board of the school district desiring to lease a school building shall declare by resolution that a need exists for a school building and that the school district cannot provide the necessary funds to pay the cost or its proportionate share of the cost of a school building required to meet the present needs. The resolution so adopted by the school board shall be published once each week for three (3) consecutive weeks in a newspaper having a general circulation in the school district involved, with the first publication thereof to be made not less than thirty (30) days prior to the date upon which the school board is to act on the question of leasing a school building. If no petition requesting an election is filed prior to such meeting



441 as hereinafter provided, then the school board may, by resolution
442 spread upon its minutes, proceed to lease a school building. If
443 at any time prior to said meeting a petition signed by not less
444 than twenty percent (20%) or fifteen hundred (1500), whichever is
445 less, of the qualified electors of the school district involved
446 shall be filed with the school board requesting that an election
447 be called on the question, then the school board shall, not later
448 than the next regular meeting, adopt a resolution calling an
449 election to be held within such school district upon the question
450 of authorizing the school board to lease a school building. Such
451 election shall be called and held, and notice thereof shall be
452 given, in the same manner for elections upon the questions of the
453 issuance of the bonds of school districts, and the results thereof
454 shall be certified to the school board. If at least three-fifths
455 (3/5) of the qualified electors of the school district who voted
456 in such election shall vote in favor of the leasing of a school
457 building, then the school board shall proceed to lease a school
458 building. The term of the lease contract shall not exceed twenty
459 (20) years, and the total cost of such lease shall be either the
460 amount of the lowest and best bid accepted by the school board
461 after advertisement for bids or an amount not to exceed the
462 current fair market value of the lease as determined by the
463 averaging of at least two (2) appraisals by certified general
464 appraisers licensed by the State of Mississippi. The term "school
465 building" as used in this paragraph (v) (i) shall be construed to



mean any building or buildings used for classroom purposes in connection with the operation of schools and shall include the site therefor, necessary support facilities, and the equipment thereof and appurtenances thereto such as heating facilities, water supply, sewage disposal, landscaping, walks, drives and playgrounds. The term "lease" as used in this paragraph (v) (i) may include a lease-purchase contract;

(ii) If two (2) or more school districts propose to enter into a lease contract jointly, then joint meetings of the school boards having control may be held but no action taken shall be binding on any such school district unless the question of leasing a school building is approved in each participating school district under the procedure hereinabove set forth in paragraph (v) (i). All of the provisions of paragraph (v) (i) regarding the term and amount of the lease contract shall apply to the school boards of school districts acting jointly. Any lease contract executed by two (2) or more school districts as joint lessees shall set out the amount of the aggregate lease rental to be paid by each, which may be agreed upon, but there shall be no right of occupancy by any lessee unless the aggregate rental is paid as stipulated in the lease contract. All rights of joint lessees under the lease contract shall be in proportion to the amount of lease rental paid by each;

(w) To employ all noninstructional and noncertificated employees and fix the duties and compensation of such personnel



deemed necessary pursuant to the recommendation of the
superintendent of schools;

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

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

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

(aa) To acquire in its own name by purchase all real
property which shall be necessary and desirable in connection with
the construction, renovation or improvement of any public school
building or structure. Whenever the purchase price for such real
property is greater than Fifty Thousand Dollars (\$50,000.00), the
school board shall not purchase the property for an amount
exceeding the fair market value of such property as determined by
the average of at least two (2) independent appraisals by
certified general appraisers licensed by the State of Mississippi.
If the board shall be unable to agree with the owner of any such
real property in connection with any such project, the board shall
have the power and authority to acquire any such real property by
condemnation proceedings pursuant to Section 11-27-1 et seq.,
Mississippi Code of 1972, and for such purpose, the right of



eminent domain is hereby conferred upon and vested in said board. Provided further, that the local school board is authorized to grant an easement for ingress and egress over sixteenth section land or lieu land in exchange for a similar easement upon adjoining land where the exchange of easements affords substantial benefit to the sixteenth section land; provided, however, the exchange must be based upon values as determined by a competent appraiser, with any differential in value to be adjusted by cash payment. Any easement rights granted over sixteenth section land under such authority shall terminate when the easement ceases to be used for its stated purpose. No sixteenth section or lieu land which is subject to an existing lease shall be burdened by any such easement except by consent of the lessee or unless the school district shall acquire the unexpired leasehold interest affected by the easement;

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

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

(dd) Enter into contracts or agreements with other school districts, political subdivisions or governmental entities to carry out one or more of the powers or duties of the school



board, or to allow more efficient utilization of limited resources for providing services to the public;

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

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

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

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

(ii) Fund-raising activities conducted or authorized by the board for the sale of school pictures, the rental of caps and gowns or the sale of graduation invitations for which the school board receives a commission, rebate or fee shall contain a disclosure statement advising that a portion of the



566 proceeds of the sales or rentals shall be contributed to the
567 student activity fund;

568 (hh) To allow individual lessons for music, art and
569 other curriculum-related activities for academic credit or
570 nonacademic credit during school hours and using school equipment
571 and facilities, subject to uniform rules and regulations adopted
572 by the school board;

573 (ii) To charge reasonable fees for participating in an
574 extracurricular activity for academic or nonacademic credit for
575 necessary and required equipment such as safety equipment, band
576 instruments and uniforms;

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

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

582 (ll) To expend funds for the services of nonprofit arts
583 organizations or other such nonprofit organizations who provide
584 performances or other services for the students of the school
585 district;

586 (mm) To expend federal No Child Left Behind Act funds,
587 or any other available funds that are expressly designated and
588 authorized for that use, to pay training, educational expenses,
589 salary incentives and salary supplements to employees of local
590 school districts; except that incentives shall not be considered



part of the local supplement, nor shall incentives be considered part of the local supplement paid to an individual teacher for the purposes of Section 37-19-7(1);

(nn) To use any available funds, not appropriated or designated for any other purpose, for reimbursement to the state-licensed employees from both in state and out of state, who enter into a contract for employment in a school district, for the expense of moving when the employment necessitates the relocation of the licensed employee to a different geographical area than that in which the licensed employee resides before entering into the contract. The reimbursement shall not exceed One Thousand Dollars (\$1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for county and municipal employees under Section 25-3-41 if the licensed employee used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation. No licensed employee may be reimbursed for moving expenses under this section on more than one (1) occasion by the same school district. Nothing in this section shall be construed to require the actual residence to which the licensed employee relocates to be within the boundaries of the school district that has executed a contract for employment in order for the licensed employee to be eligible for reimbursement for the



616 moving expenses. However, the licensed employee must relocate
617 within the boundaries of the State of Mississippi. Any individual
618 receiving relocation assistance through the Critical Teacher
619 Shortage Act as provided in Section 37-159-5 shall not be eligible
620 to receive additional relocation funds as authorized in this
621 paragraph;

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

628 (pp) Consistent with the report of the Task Force to
629 Conduct a Best Financial Management Practices Review, to improve
630 school district management and use of resources and identify cost
631 savings as established in Section 8 of Chapter 610, Laws of 2002,
632 local school boards are encouraged to conduct independent reviews
633 of the management and efficiency of schools and school districts.
634 Such management and efficiency reviews shall provide state and
635 local officials and the public with the following:

636 (i) An assessment of a school district's
637 governance and organizational structure;

638 (ii) An assessment of the school district's
639 financial and personnel management;

640 (iii) An assessment of revenue levels and sources;



641 (iv) An assessment of facilities utilization,
642 planning and maintenance;

643 (v) An assessment of food services, transportation
644 and safety/security systems;

645 (vi) An assessment of instructional and
646 administrative technology;

647 (vii) A review of the instructional management and
648 the efficiency and effectiveness of existing instructional
649 programs; and

650 (viii) Recommended methods for increasing
651 efficiency and effectiveness in providing educational services to
652 the public;

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

657 (rr) To implement a financial literacy program for
658 students in Grades 10 and 11. The board may review the national
659 programs and obtain free literature from various nationally
660 recognized programs. After review of the different programs, the
661 board may certify a program that is most appropriate for the
662 school districts' needs. If a district implements a financial
663 literacy program, then any student in Grade 10 or 11 may
664 participate in the program. The financial literacy program shall
665 include, but is not limited to, instruction in the same areas of



666 personal business and finance as required under Section
667 37-1-3(2) (b). The school board may coordinate with volunteer
668 teachers from local community organizations, including, but not
669 limited to, the following: United States Department of
670 Agriculture Rural Development, United States Department of Housing
671 and Urban Development, Junior Achievement, bankers and other
672 nonprofit organizations. Nothing in this paragraph shall be
673 construed as to require school boards to implement a financial
674 literacy program;

675 (ss) To collaborate with the State Board of Education,
676 Community Action Agencies or the Department of Human Services to
677 develop and implement a voluntary program to provide services for
678 a prekindergarten program that addresses the cognitive, social,
679 and emotional needs of four-year-old and three-year-old children.
680 The school board may utilize any source of available revenue to
681 fund the voluntary program. Effective with the 2013-2014 school
682 year, to implement voluntary prekindergarten programs under the
683 Early Learning Collaborative Act of 2013 pursuant to state funds
684 awarded by the State Department of Education on a matching basis;

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



691 (i) Withhold all or any part (as agreed by the
692 school board) of any monies which such local school board is
693 entitled to receive from time to time under any law and which is
694 in the possession of the Department of Revenue, or any state
695 agency, department or commission created under state law; and

696 (ii) Pay the same over to any financial
697 institution, trustee or other obligee, as directed in writing by
698 the school board, to satisfy all or part of such obligation of the
699 school district.

700 The school board may make such written agreement to withhold
701 and transfer funds irrevocable for the term of the written
702 obligation and may include in the written agreement any other
703 terms and provisions acceptable to the school board. If the
704 school board files a copy of such written agreement with the
705 Department of Revenue, or any state agency, department or
706 commission created under state law then the Department of Revenue
707 or any state agency, department or commission created under state
708 law shall immediately make the withholdings provided in such
709 agreement from the amounts due the local school board and shall
710 continue to pay the same over to such financial institution,
711 trustee or obligee for the term of the agreement.

712 This paragraph (tt) shall not grant any extra authority to a
713 school board to issue debt in any amount exceeding statutory
714 limitations on assessed value of taxable property within such
715 school district or the statutory limitations on debt maturities,



and shall not grant any extra authority to impose, levy or collect a tax which is not otherwise expressly provided for, and shall not be construed to apply to sixteenth section public school trust land;

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

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

(ww) To delegate, privatize or otherwise enter into a contract with private entities for the operation of any and all functions of nonacademic school process, procedures and operations including, but not limited to, cafeteria workers, janitorial services, transportation, professional development, achievement and instructional consulting services materials and products,



741 purchasing cooperatives, insurance, business manager services,
742 auditing and accounting services, school safety/risk prevention,
743 data processing and student records, and other staff services;
744 however, the authority under this paragraph does not apply to the
745 leasing, management or operation of sixteenth section lands.
746 Local school districts, working through their regional education
747 service agency, are encouraged to enter into buying consortia with
748 other member districts for the purposes of more efficient use of
749 state resources as described in Section 37-7-345;

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

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

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

760 (aaa) To issue and provide for the use of procurement
761 cards by school board members, superintendents and licensed school
762 personnel consistent with the rules and regulations of the
763 Mississippi Department of Finance and Administration under Section
764 31-7-9; * * *



(* * *aab) To conduct an annual comprehensive evaluation of the superintendent of schools consistent with the assessment components of paragraph (pp) of this section and the assessment benchmarks established by the Mississippi School Board Association to evaluate the success the superintendent has attained in meeting district goals and objectives, the superintendent's leadership skill and whether or not the superintendent has established appropriate standards for performance, is monitoring success and is using data for improvement * * *;

(aac) To enter into a memorandum of understanding with the local sheriff's department, if a county school district, or police department, if a municipal separate school district, under which the law enforcement agency shall provide a threat assessment officer to conduct the annual inspection and threat assessment of, and develop the improvement plan for, each school within the district, pursuant to Section 37-3-93;

(aad) To appoint personnel to the coordinating council formed by the State Department of Education to oversee the behavioral threat assessment and management program under Section 37-3-93; and

(aae) To fund and operate improved school safety and security measures, including costs associated with training and planning, including:



(i) The prevention, identification and management of emergencies and threats, using effective prevention practices and including:

1. Providing licensed counselors, social workers and chaplains;

2. Providing mental health personnel and support, including chaplains;

3. Providing behavioral health services, including services provided by chaplains;

4. Establishing threat reporting systems; and

5. Developing and implementing programs focused on providing mental health support, including support provided by chaplains; and

(ii) Providing programs related to suicide prevention, intervention and postvention, including programs provided by chaplains.

SECTION 5. Section 37-11-54, Mississippi Code of 1972, is amended as follows:

37-11-54. The State Board of Education shall develop a list of recommended conflict resolution and mediation materials, models and curricula that are developed from evidence-based practices and positive behavioral intervention supports to address responsible decision making, the causes and effects of school violence and harassment, cultural diversity, and nonviolent methods for resolving conflict, including peer mediation, and shall make the



list available to local school administrative units and school buildings before the beginning of the 2007-2008 school year. In addition, local school boards shall incorporate evidence-based practices and positive behavioral intervention supports into individual school district policies and Codes of Conduct. In developing this list, the board shall emphasize materials, models and curricula that currently are being used in Mississippi and that the board determines to be effective. The board shall include at least one (1) model that includes instruction and guidance for the voluntary implementation of peer mediation programs and one (1) model that provides instruction and guidance for teachers concerning the integration of conflict resolution and mediation lessons into the existing classroom curriculum, both of which shall include programs and services provided by chaplains.

SECTION 6. Section 37-28-41, Mississippi Code of 1972, is amended as follows:

37-28-41. (1) A charter school may exercise those powers necessary for carrying out the terms of its charter contract, including the following powers:

(a) To receive and disburse funds authorized by law for school purposes;

(b) To secure appropriate insurance and to enter into contracts and leases;

(c) To contract with an education service provider for the management and operation of the charter school so long as the



school's governing board retains oversight authority over the school;

(d) To solicit and accept any gifts or grants for school purposes subject to applicable laws and the terms of its charter contract;

(e) To acquire real property for use as its facility or facilities, from public or private sources; and

(f) To sue and be sued in its own name.

(2) A charter school shall also be authorized to enter into a memorandum of understanding with the local sheriff's department, if outside a municipality, or police department, if inside a municipality, under which the law enforcement agency shall provide a threat assessment officer to conduct the annual inspection and threat assessment of, and develop the improvement plan for, the charter school, pursuant to Section 37-3-93.

SECTION 7. If any provision, section, subsection, sentence, clause, phrase or word of this act or the application thereof to any person or circumstances is found to be unconstitutional, the same is hereby declared to be severable, and the balance of this act shall remain effective notwithstanding such unconstitutionality. The Legislature declares that it would have passed this act, and each provision, section, subsection, sentence, clause, phrase or word thereof, irrespective of whether any provision, section, subsection, sentence, clause, phrase or word be declared unconstitutional.



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

