

By: Senator(s) DeBar

To: Education

## SENATE BILL NO. 2604

1 AN ACT TO IMPOSE CONDITIONS ON A SCHOOL BOARD'S AUTHORITY TO  
2 REGULATE ATHLETICS AND EXTRACURRICULAR ACTIVITIES AND TO EXPEND  
3 FUNDS FOR CERTAIN PURPOSES; TO PROVIDE FOR THE CREATION OF A  
4 SPECIAL COMMITTEE CONSISTING OF THREE MEMBERS OF THE STATE BOARD  
5 OF EDUCATION AND FOUR LEGISLATIVE APPOINTEES TO STUDY THE  
6 OVERSIGHT AND REGULATION OF SCHOOL ATHLETICS AND EXTRACURRICULAR  
7 ACTIVITIES AND TO DECIDE, BY JANUARY 1, 2026, WHETHER THE  
8 REGULATION SHALL BE ACCOMPLISHED BY A PRIVATE NOT-FOR-PROFIT  
9 CORPORATION CREATED BY THE SEVEN-MEMBER COMMITTEE OR BY ANY  
10 NOT-FOR-PROFIT CORPORATION CURRENTLY INVOLVED IN THE REGULATION OF  
11 SCHOOL ATHLETICS AND EXTRACURRICULAR ACTIVITIES; TO RESTRICT THE  
12 SCHOOL BOARD'S AUTHORITY TO PAY FUNDS UNDER THEIR CONTROL TO  
13 ORGANIZATIONS THAT CURRENTLY REGULATE SCHOOL ATHLETICS AND  
14 EXTRACURRICULAR ACTIVITIES; TO PROHIBIT ANY SUCH NOT-FOR-PROFIT  
15 ESTABLISHED FOR THE PURPOSE OF REGULATING PUBLIC HIGH SCHOOL  
16 ATHLETICS AND EXTRACURRICULAR ACTIVITIES FROM DENYING MEMBER  
17 SCHOOLS FROM COMPETING AGAINST NONMEMBER SCHOOLS WHEN IT IS THE  
18 DESIRE OF SAID SCHOOLS TO COMPETE ONE AGAINST THE OTHER; TO AMEND  
19 SECTION 37-7-301, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO;  
20 AND FOR RELATED PURPOSES.

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

22 **SECTION 1.** (1) The Legislature recognizes that public  
23 schools athletics and extracurricular activities constitute an  
24 important part of the educational experience for Mississippi's  
25 public school children, but the oversight of those programs must  
26 be transparent and accessible to the school administrators of the



state as well as to the parents and taxpayers of the State of Mississippi.

(2) From and after July 1, 2027, no school district shall be authorized to pay any public funds, or other funds over which it may have control, to an association, corporation or other organization established and operated for the purpose of regulating high school athletics and extracurricular activities. Further, no school administrator or school district shall direct, require, suggest or recommend that any booster organization or other association of parents, businesses or other persons pay any funds to any such association, corporation or other organization for the purpose of funding its operations.

(3) From and after July 1, 2025, the Chairman of the State Board of Education shall select from its membership a three (3) persons to serve on a committee to study the regulation and oversight of high school athletics and extracurricular activities. Additionally, the Speaker of the House of Representatives and the Lieutenant Governor shall each appoint two (2) members to serve on the committee. Of the two (2) members appointed by the Speaker of the House, one (1) member shall be a member of the House Committee on Accountability, Efficiency and Transparency, and one (1) shall be appointed from the state at large. Of the two (2) members appointed by the Lieutenant Governor, one (1) member shall be a member of the Senate Committee on Accountability, Efficiency and Transparency, and one (1) shall be appointed from the state at



52 large. No member of the seven-member committee shall be involved  
53 with the administration of any school, school district or athletic  
54 program. The committee shall take the following actions by  
55 January 1, 2026:

56 (a) Take steps to establish a not-for-profit  
57 corporation for the purpose of regulating athletics and activities  
58 in the states' public schools and other schools which choose to be  
59 members of the newly established corporation. Such corporation  
60 shall provide in its bylaws for the participations of members in  
61 its governance, but shall also require that the seven-member  
62 committee constituted under this subsection shall have final  
63 authority over any and all policies adopted with respect to the  
64 regulation of high school athletics and extracurricular  
65 activities. The seven-member committee constituted under this  
66 subsection shall ensure that the corporation adopts its bylaws,  
67 which shall include:

68 (i) Open, transparent policymaking processes that  
69 ensure that policies considered for adoption may be debated by  
70 members before adoption;

71 (ii) Requirements that the corporation send member  
72 schools a monthly, quarterly and/or semi-annual report with all  
73 data indicating financial position;

74 (iii) Requirements to provide member schools with  
75 all the information and data necessary to understand why fees  
76 change before those changes are officially made and become



77 effective. Member schools shall be able to understand why a fee  
78 change was made;

79 (iv) Requirements to provide member schools with  
80 information regarding staff salaries, data showing the need for  
81 certain gate percentages and fees, and an identification of the  
82 programs or events that remitted fees support; and

83 (v) Requirements that the corporation retain and  
84 log formal complaint information and provide member schools or  
85 complainants with a formal document to show how that complaint was  
86 addressed; or

87 (b) In lieu of establishing a not-for-profit  
88 corporation as set out in paragraph (a) of this subsection (3),  
89 the seven-member committee constituted under this subsection may  
90 select a currently constituted not-for-profit corporation  
91 organized for the purpose of regulating public schools' and other  
92 member schools' athletics and extracurricular activities,  
93 provided:

94 (i) The corporation described in paragraph (b) of  
95 this subsection consents to the seven-member committee constituted  
96 under this subsection having veto power over any policy, rule,  
97 regulation or other pronouncement of the corporation that purports  
98 to regulate school athletics and extracurricular activities;

99 (ii) The corporation agrees to the adoption of  
100 policies as described in paragraph (a) of this subsection; and



(iii) The corporation provides a quarterly financial report, with all data indicating financial position, to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER), and to the Chairs of the House and Senate Committees on Accountability, Efficiency and Transparency;

(4) From and after July 1, 2028:

(a) (i) Any corporation established by authority of this section shall be authorized to receive public funds or other funds from any school or school district; or

(ii) If the seven-member committee selects an existing not-for-profit corporation to regulate school athletics and extracurricular activities, the not-for-profit corporation shall be authorized to receive public funds or any other funds under the control of such schools and school districts; and

(b) There shall be no prohibition against schools or school districts requesting, suggesting or recommending that a booster organization or other association of parents, businesses or other persons pay any funds to any such corporation for the purpose of funding its operations.

(6) If a not-for-profit corporation existing on July 1, 2027, for the purpose of regulating school athletics and extracurricular activities is not selected by the seven-member committee to continue regulating school athletics and extracurricular activities, no public school or school district shall be authorized to confer upon such corporation any authority



to regulate athletics or extracurricular activities or charge any fee to such school district and its constituent schools after June 30, 2028.

(7) From and after July 1, 2025, the not-for-profit association, corporation or other organization established and operated for the purpose of regulating public high school athletics and extracurricular activities shall not prohibit any member school or school district from engaging in and competing against a nonmember school, whether public or private, in athletics or extracurricular activities if the two (2) competing schools have evidenced a desire to engage in competition against one another through a written agreement between the appropriate administrators of the member school district and the governing board of the nonmember school.

**SECTION 2.** 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;



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

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

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

158           (e) To suspend or to expel a pupil or to change the  
159 placement of a pupil to the school district's alternative school  
160 or homebound program for misconduct in the school or on school  
161 property, as defined in Section 37-11-29, on the road to and from  
162 school, or at any school-related activity or event, or for conduct  
163 occurring on property other than school property or other than at  
164 a school-related activity or event when such conduct by a pupil,  
165 in the determination of the school superintendent or principal,  
166 renders that pupil's presence in the classroom a disruption to the  
167 educational environment of the school or a detriment to the best  
168 interest and welfare of the pupils and teacher of such class as a  
169 whole, and to delegate such authority to the appropriate officials  
170 of the school district;

171           (f) To visit schools in the district, in their  
172 discretion, in a body for the purpose of determining what can be  
173 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, provided that the regulations established comply with Section 1 of this act;

(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, provided that the regulations established  
comply with Section 1 of this act;

(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  
school. For the purposes of this provision, the term  
"organization" shall not include any organization subject to the  
control of the local school governing board. Activity funds may  
only be expended for any necessary expenses or travel costs,  
including advances, incurred by students and their chaperons in



248 attending any in-state or out-of-state school-related programs,  
249 conventions or seminars and/or any commodities, equipment, travel  
250 expenses, purchased services or school supplies which the local  
251 school governing board, in its discretion, shall deem beneficial  
252 to the official or extracurricular programs of the district,  
253 including items which may subsequently become the personal  
254 property of individuals, including yearbooks, athletic apparel,  
255 book covers and trophies. Activity funds may be used to pay  
256 travel expenses of school district personnel. The local school  
257 governing board shall be authorized and empowered to promulgate  
258 rules and regulations specifically designating for what purposes  
259 school activity funds may be expended. The local school governing  
260 board shall provide (i) that such school activity funds shall be  
261 maintained and expended by the principal of the school generating  
262 the funds in individual bank accounts, or (ii) that such school  
263 activity funds shall be maintained and expended by the  
264 superintendent of schools in a central depository approved by the  
265 board. The local school governing board shall provide that such  
266 school activity funds be audited as part of the annual audit  
267 required in Section 37-9-18. The State Department of Education  
268 shall prescribe a uniform system of accounting and financial  
269 reporting for all school activity fund transactions;

270 (t) To enter into an energy performance contract,  
271 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 as hereinafter provided, then the school board may, by resolution spread upon its minutes, proceed to lease a school building. If at any time prior to said meeting a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is



297 less, of the qualified electors of the school district involved  
298 shall be filed with the school board requesting that an election  
299 be called on the question, then the school board shall, not later  
300 than the next regular meeting, adopt a resolution calling an  
301 election to be held within such school district upon the question  
302 of authorizing the school board to lease a school building. Such  
303 election shall be called and held, and notice thereof shall be  
304 given, in the same manner for elections upon the questions of the  
305 issuance of the bonds of school districts, and the results thereof  
306 shall be certified to the school board. If at least three-fifths  
307 (3/5) of the qualified electors of the school district who voted  
308 in such election shall vote in favor of the leasing of a school  
309 building, then the school board shall proceed to lease a school  
310 building. The term of the lease contract shall not exceed twenty  
311 (20) years, and the total cost of such lease shall be either the  
312 amount of the lowest and best bid accepted by the school board  
313 after advertisement for bids or an amount not to exceed the  
314 current fair market value of the lease as determined by the  
315 averaging of at least two (2) appraisals by certified general  
316 appraisers licensed by the State of Mississippi. The term "school  
317 building" as used in this paragraph (v)(i) shall be construed to  
318 mean any building or buildings used for classroom purposes in  
319 connection with the operation of schools and shall include the  
320 site therefor, necessary support facilities, and the equipment  
321 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;



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

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

354           (aa) To acquire in its own name by purchase all real  
355 property which shall be necessary and desirable in connection with  
356 the construction, renovation or improvement of any public school  
357 building or structure. Whenever the purchase price for such real  
358 property is greater than Fifty Thousand Dollars (\$50,000.00), the  
359 school board shall not purchase the property for an amount  
360 exceeding the fair market value of such property as determined by  
361 the average of at least two (2) independent appraisals by  
362 certified general appraisers licensed by the State of Mississippi.  
363 If the board shall be unable to agree with the owner of any such  
364 real property in connection with any such project, the board shall  
365 have the power and authority to acquire any such real property by  
366 condemnation proceedings pursuant to Section 11-27-1 et seq.,  
367 Mississippi Code of 1972, and for such purpose, the right of  
368 eminent domain is hereby conferred upon and vested in said board.  
369 Provided further, that the local school board is authorized to  
370 grant an easement for ingress and egress over sixteenth section  
371 land or lieu land in exchange for a similar easement upon



372 adjoining land where the exchange of easements affords substantial  
373 benefit to the sixteenth section land; provided, however, the  
374 exchange must be based upon values as determined by a competent  
375 appraiser, with any differential in value to be adjusted by cash  
376 payment. Any easement rights granted over sixteenth section land  
377 under such authority shall terminate when the easement ceases to  
378 be used for its stated purpose. No sixteenth section or lieu land  
379 which is subject to an existing lease shall be burdened by any  
380 such easement except by consent of the lessee or unless the school  
381 district shall acquire the unexpired leasehold interest affected  
382 by the easement;

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

386 (cc) Subject to rules and regulations of the State  
387 Board of Education, to purchase relocatable classrooms for the use  
388 of such school district, in the manner prescribed in Section  
389 37-1-13;

390 (dd) Enter into contracts or agreements with other  
391 school districts, political subdivisions or governmental entities  
392 to carry out one or more of the powers or duties of the school  
393 board, or to allow more efficient utilization of limited resources  
394 for providing services to the public;

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





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

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

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

413               (ii) Fund-raising activities conducted or  
414 authorized by the board for the sale of school pictures, the  
415 rental of caps and gowns or the sale of graduation invitations for  
416 which the school board receives a commission, rebate or fee shall  
417 contain a disclosure statement advising that a portion of the  
418 proceeds of the sales or rentals shall be contributed to the  
419 student activity fund;

420           (hh) To allow individual lessons for music, art and  
421 other curriculum-related activities for academic credit or



422 nonacademic credit during school hours and using school equipment  
423 and facilities, subject to uniform rules and regulations adopted  
424 by the school board;

425           (ii) To charge reasonable fees for participating in an  
426 extracurricular activity for academic or nonacademic credit for  
427 necessary and required equipment such as safety equipment, band  
428 instruments and uniforms;

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

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

434           (ll) To expend funds for the services of nonprofit arts  
435 organizations or other such nonprofit organizations who provide  
436 performances or other services for the students of the school  
437 district;

438           (mm) To expend federal No Child Left Behind Act funds,  
439 or any other available funds that are expressly designated and  
440 authorized for that use, to pay training, educational expenses,  
441 salary incentives and salary supplements to employees of local  
442 school districts; except that incentives shall not be considered  
443 part of the local supplement, nor shall incentives be considered  
444 part of the local supplement paid to an individual teacher for the  
445 purposes of Section 37-19-7(1);



446           (nn) To use any available funds, not appropriated or  
447 designated for any other purpose, for reimbursement to the  
448 state-licensed employees from both in state and out of state, who  
449 enter into a contract for employment in a school district, for the  
450 expense of moving when the employment necessitates the relocation  
451 of the licensed employee to a different geographical area than  
452 that in which the licensed employee resides before entering into  
453 the contract. The reimbursement shall not exceed One Thousand  
454 Dollars (\$1,000.00) for the documented actual expenses incurred in  
455 the course of relocating, including the expense of any  
456 professional moving company or persons employed to assist with the  
457 move, rented moving vehicles or equipment, mileage in the amount  
458 authorized for county and municipal employees under Section  
459 25-3-41 if the licensed employee used his personal vehicle or  
460 vehicles for the move, meals and such other expenses associated  
461 with the relocation. No licensed employee may be reimbursed for  
462 moving expenses under this section on more than one (1) occasion  
463 by the same school district. Nothing in this section shall be  
464 construed to require the actual residence to which the licensed  
465 employee relocates to be within the boundaries of the school  
466 district that has executed a contract for employment in order for  
467 the licensed employee to be eligible for reimbursement for the  
468 moving expenses. However, the licensed employee must relocate  
469 within the boundaries of the State of Mississippi. Any individual  
470 receiving relocation assistance through the Critical Teacher



Shortage Act as provided in Section 37-159-5 shall not be eligible to receive additional relocation funds as authorized in this paragraph;

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

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

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

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

(iii) An assessment of revenue levels and sources;

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



495                   (v)   An assessment of food services, transportation  
496 and safety/security systems;  
497                   (vi)   An assessment of instructional and  
498 administrative technology;  
499                   (vii)   A review of the instructional management and  
500 the efficiency and effectiveness of existing instructional  
501 programs; and  
502                   (viii)   Recommended methods for increasing  
503 efficiency and effectiveness in providing educational services to  
504 the public;  
505                   (qq)   To enter into agreements with other local school  
506 boards for the establishment of an educational service agency  
507 (ESA) to provide for the cooperative needs of the region in which  
508 the school district is located, as provided in Section 37-7-345;  
509                   (rr)   To implement a financial literacy program for  
510 students in Grades 10 and 11. The board may review the national  
511 programs and obtain free literature from various nationally  
512 recognized programs. After review of the different programs, the  
513 board may certify a program that is most appropriate for the  
514 school districts' needs. If a district implements a financial  
515 literacy program, then any student in Grade 10 or 11 may  
516 participate in the program. The financial literacy program shall  
517 include, but is not limited to, instruction in the same areas of  
518 personal business and finance as required under Section  
519 37-1-3(2) (b). The school board may coordinate with volunteer



520 teachers from local community organizations, including, but not  
521 limited to, the following: United States Department of  
522 Agriculture Rural Development, United States Department of Housing  
523 and Urban Development, Junior Achievement, bankers and other  
524 nonprofit organizations. Nothing in this paragraph shall be  
525 construed as to require school boards to implement a financial  
526 literacy program;

527           (ss) To collaborate with the State Board of Education,  
528 Community Action Agencies or the Department of Human Services to  
529 develop and implement a voluntary program to provide services for  
530 a prekindergarten program that addresses the cognitive, social,  
531 and emotional needs of four-year-old and three-year-old children.  
532 The school board may utilize any source of available revenue to  
533 fund the voluntary program. Effective with the 2013-2014 school  
534 year, to implement voluntary prekindergarten programs under the  
535 Early Learning Collaborative Act of 2013 pursuant to state funds  
536 awarded by the State Department of Education on a matching basis;

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

543           (i) Withhold all or any part (as agreed by the  
544 school board) of any monies which such local school board is



entitled to receive from time to time under any law and which is in the possession of the Department of Revenue, or any state agency, department or commission created under state law; and

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

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

This paragraph (tt) shall not grant any extra authority to a school board to issue debt in any amount exceeding statutory limitations on assessed value of taxable property within such 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,  
purchasing cooperatives, insurance, business manager services,  
auditing and accounting services, school safety/risk prevention,





data processing and student records, and other staff services;  
however, the authority under this paragraph does not apply to the  
leasing, management or operation of sixteenth section lands.  
Local school districts, working through their regional education  
service agency, are encouraged to enter into buying consortia with  
other member districts for the purposes of more efficient use of  
state resources as described in Section 37-7-345;

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

(yy) To borrow funds from the Rural Economic  
Development Authority for the maintenance of school buildings;  
(zz) To fund and operate voluntary early childhood  
education programs, defined as programs for children less than  
five (5) years of age on or before September 1, and to use any  
source of revenue for such early childhood education programs.

Such programs shall not conflict with the Early Learning  
Collaborative Act of 2013;

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

( \* \* \*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



620 assessment benchmarks established by the Mississippi School Board  
621 Association to evaluate the success the superintendent has  
622 attained in meeting district goals and objectives, the  
623 superintendent's leadership skill and whether or not the  
624 superintendent has established appropriate standards for  
625 performance, is monitoring success and is using data for  
626 improvement.

627       **SECTION 3.** This act shall take effect and be in force from  
628 and after July 1, 2025.

