

By: Senator(s) DeBar

To: Education

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2618

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



SHALL NOT EXPERIENCE ANY INTERRUPTION OF SERVICE WITH THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN AS A RESULT OF THE TRANSFER OF EMPLOYMENT RESPONSIBILITY; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION AND THE MISSISSIPPI ASSOCIATION OF SCHOOL SUPERINTENDENTS TO PROVIDE A JOINT REPORT ON THE STATUS AND PROGRESS OF SCHOOL ATTENDANCE OFFICERS IN THEIR CAPACITY AS EMPLOYEES OF LOCAL SCHOOL DISTRICTS AND THE FULFILLMENT OF THEIR ASSIGNED DUTIES TO THE LEGISLATURE DURING THE 2027 REGULAR SESSION; TO AMEND SECTIONS 37-13-91 AND 37-13-107, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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

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

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

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

37-13-83. The State Superintendent of Public Education shall * * * employ sufficient staff for the Office of Compulsory School Attendance Enforcement and Dropout Prevention, who shall meet all qualifications established * * * by the State Superintendent of Public Education * * * with the approval of the State Personnel Board. The * * * staff shall be responsible for the proper administration of the Office of Compulsory School Attendance Enforcement and Dropout Prevention in conformity with the Mississippi Compulsory School Attendance Law and any other



66 regulations or policies that may be adopted by the State Board of
67 Education. * * *

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

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

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

78 * * *

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

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

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



91 (* * *e) To develop and implement a system under which
92 school districts are required to maintain accurate records that
93 document enrollment and attendance in such a manner that the
94 records reflect all changes in enrollment and attendance, and to
95 require school attendance officers to submit information
96 concerning public school attendance on a monthly basis to the
97 office;

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

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

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

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

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



116 Department of Education to the supervision by the local
117 school * * * district;

118 * * *

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

123 (* * *h1) To adopt any other policies or guidelines
124 that the office deems necessary for the enforcement of the
125 Mississippi Compulsory School Attendance Law; however, the
126 policies or guidelines shall not add to or contradict with the
127 requirements of Section 37-13-91 * * *; and

128 (* * *m) To transfer all funds appropriated to the
129 State Department of Education for school attendance officers to
130 local school districts on the same schedule as total funding
131 formula disbursements in accordance with Section 37-151-103.

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

134 37-13-87. * * * The * * * State Superintendent of Public
135 Education shall employ sufficient staff to provide oversight for
136 the enforcement of the Mississippi Compulsory School Attendance
137 Law * * * and shall support and provide technical assistance and
138 professional development to the school attendance officers in the
139 local school districts. The * * * staff employed by the state
140 superintendent shall assist the school attendance officers in the



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

* * *

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

37-13-89. (1) (a) In each school district within the
state, there shall be employed the number of school attendance
officers determined by the local school district, in consultation
with the Office of Compulsory School Attendance Enforcement and
Dropout Prevention to be necessary to adequately enforce the
provisions of the Mississippi Compulsory School Attendance
Law * * *. In any school district where charter schools operate,
the school district's school attendance officer shall also enforce
the provisions of the Mississippi Compulsory School Attendance Law
for those charter schools. From and after July 1, * * * 2025, all
school attendance officers employed pursuant to this section shall
be employees of the * * * local school district. * * * Local
school districts shall employ all persons employed as school
attendance officers by * * * the State Department of Education
before July 1, * * * 2025, and shall assign them to school
attendance responsibilities in the school district in which they
were employed before July 1, * * * 2025. * * *



(b) If a school attendance officer employed by the State Department of Education performed services in two (2) or more school districts during the 2024-2025 school year, that school attendance officer shall continue to serve the same two (2) or more school districts for the 2025-2026 school year. For purposes of employment, the school attendance officer shall be assigned to the school district with the largest student enrollment, and that school district shall serve as the fiscal agent, with funding shared with the partnering districts. Effective on July 1, 2026, if two (2) or more school districts fall below a certain number of students enrolled, to be determined by the State Department of Education, or are only provided funding for one-half (1/2) of the salary of the school attendance officer, those school districts are authorized, in the discretion of their respective local school board, to enter into an agreement for the purposes of sharing a school attendance officer. The agreement shall designate which district shall serve as the fiscal agent and the mutually agreed upon salary for the school attendance officer. The agreement shall be duly adopted by resolution of the participating school boards as reflected in the minutes of each school board and approved by the Office of Compulsory School Attendance Enforcement and Dropout Prevention.

(2) (a) The * * * local school districts shall * * *
conduct criminal records background checks and current child abuse registry checks on all persons applying for the position of school



attendance officer after July * * * 1, 2025. The criminal records information and registry checks must be kept on file for any new hires. * * * To determine an applicant's suitability for employment as a school attendance officer, the applicant must be fingerprinted. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history record check. The applicant shall pay the fee, not to exceed Fifty Dollars (\$50.00), for the fingerprinting and criminal records background check; however, the * * * local school district, in its discretion, may pay the fee for the fingerprinting and criminal records background check on behalf of any applicant. Under no circumstances may a member of the * * * local school board of trustees, employee of the * * * local school district or any person other than the subject of the criminal records background check disseminate information received through any such checks except insofar as required to fulfill the purposes of this subsection.

(b) If the fingerprinting or criminal records check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been



215 granted, the applicant is not eligible to be employed as a school
216 attendance officer. Any employment of an applicant pending the
217 results of the fingerprinting and criminal records check is
218 voidable if the new hire receives a disqualifying criminal records
219 check. However, the * * * local school board, in its discretion,
220 may allow an applicant aggrieved by an employment decision under
221 this subsection to appear before the board, or before a hearing
222 officer designated for that purpose, to show mitigating
223 circumstances that may exist and allow the new hire to be employed
224 as a school attendance officer. The * * * local school board may
225 grant waivers for mitigating circumstances, which may include, but
226 are not necessarily limited to:

227 (i) Age at which the crime was committed;
228 (ii) Circumstances surrounding the crime;
229 (iii) Length of time since the conviction and
230 criminal history since the conviction;
231 (iv) Work history;
232 (v) Current employment and character references;
233 and
234 (vi) Other evidence demonstrating the ability of
235 the person to perform the responsibilities of a school attendance
236 officer competently and that the person does not pose a threat to
237 the health or safety of children.

238 (c) * * * No local school district, school district
239 employee, member of the State Board of Education or employee of a



240 school under the purview of the State * * * Board of
241 Education * * * shall be held liable in any employment
242 discrimination suit in which an allegation of discrimination is
243 made regarding an employment decision authorized under this
244 section.

245 (3) Each school attendance officer shall possess a college
246 degree with a major in education, counseling, a behavioral science
247 or a related field or shall have no less than three (3) years
248 combined actual experience as a school teacher, school
249 administrator, law enforcement officer possessing such degree,
250 and/or social worker; however, these requirements shall not apply
251 to persons employed as school attendance officers before January
252 1, 1987. School attendance officers also shall satisfy any
253 additional requirements that may be established by the * * *
254 hiring local school district.

255 (4) It shall be the duty of each school attendance officer
256 to:

257 (a) Cooperate with any public agency to locate and
258 identify all compulsory-school-age children who are not attending
259 school;

260 (b) Cooperate with all courts of competent
261 jurisdiction;

262 (c) Investigate all cases of nonattendance and unlawful
263 absences by compulsory-school-age children not enrolled in a
264 nonpublic school;



265 (d) Provide appropriate counseling to encourage all
266 school-age children to attend school until they have completed
267 high school;

268 (e) Attempt to secure the provision of social or
269 welfare services that may be required to enable any child to
270 attend school;

271 (f) Contact the home or place of residence of a
272 compulsory-school-age child and any other place in which the
273 officer is likely to find any compulsory-school-age child when the
274 child is absent from school during school hours without a valid
275 written excuse from school officials, and when the child is found,
276 the officer shall notify the parents and school officials as to
277 where the child was physically located;

278 (g) Contact promptly the home of each
279 compulsory-school-age child in the school district within the
280 officer's jurisdiction who is not enrolled in school or is not in
281 attendance at public school and is without a valid written excuse
282 from school officials; if no valid reason is found for the
283 nonenrollment or absence from the school, the school attendance
284 officer shall give written notice to the parent, guardian or
285 custodian of the requirement for the child's enrollment or
286 attendance;

287 (h) Collect and maintain information concerning
288 absenteeism, dropouts and other attendance-related problems, as
289 may be required by law, the local school district or the Office of



Compulsory School Attendance Enforcement and Dropout Prevention;
and

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

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

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

(* * * 7) The * * * salary * * * for school attendance
officers * * * shall be based upon factors including, but not
limited to, education, professional certification and licensure,
and number of years of experience. School attendance officers
must meet the minimum requirements as identified in subsection (3)
of this section. Effective July 1, 2025, any newly hired school
attendance officers shall be paid * * * a minimum salary * * * of
Thirty-four Thousand Dollars (\$34,000.00). * * * Local school
districts may pay additional compensation above the minimum salary
on a schedule established by the local school board.



315 * * *

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

331 * * *

332 (* * *9) * * * School attendance officers shall maintain
333 regular office hours on a year-round basis * * * as determined by
334 the local school district of employment. However, during the
335 school term, on those days that teachers in all of the school
336 districts served by a school attendance officer are not required
337 to report to work, the school attendance officer also shall not be
338 required to report to work. (For purposes of this subsection, a
339 school district's school term is that period of time identified as



the school term in contracts entered into by the district with licensed personnel.) A school attendance officer shall be required to report to work on any day recognized as an official state holiday if teachers in any school district served by that school attendance officer are required to report to work on that day * * *.

* * *

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

(11) The State Department of Education and the Mississippi Association of School Superintendents shall provide a joint report on the status and progress of school attendance officers in their capacity as employees of local school districts and the fulfillment of their assigned duties and obligations to the Legislature for review and consideration during the 2027 Regular Session.

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

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

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



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

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

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

373 (d) "School day" means not less than five and one-half
374 (5-1/2) and not more than eight (8) hours of actual teaching in
375 which both teachers and pupils are in regular attendance for
376 scheduled schoolwork.

377 (e) "School" means any public school, including a
378 charter school, in this state or any nonpublic school in this
379 state which is in session each school year for at least one
380 hundred eighty (180) school days, except that the "nonpublic"
381 school term shall be the number of days that each school shall
382 require for promotion from grade to grade.

383 (f) "Compulsory-school-age child" means a child who has
384 attained or will attain the age of six (6) years on or before
385 September 1 of the calendar year and who has not attained the age
386 of seventeen (17) years on or before September 1 of the calendar
387 year; and shall include any child who has attained or will attain



the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.

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

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

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

(3) A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

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



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

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

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

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

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

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

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

436 (* * *iv) A simple description of the type of
437 education the compulsory-school-age child is receiving and, if the



438 child is enrolled in a nonpublic school, the name and address of
439 the school; and

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

445 The certificate of enrollment shall be returned to the school
446 attendance officer that serves the local public school district
447 where the child resides on or before September 15 of each year.
448 Any parent, guardian or custodian found by the school attendance
449 officer to be in noncompliance with this section shall comply,
450 after written notice of the noncompliance by the school attendance
451 officer, with this subsection within ten (10) days after the
452 notice or be in violation of this section. However, in the event
453 the child has been enrolled in a public school within fifteen (15)
454 calendar days after the first day of the school year as required
455 in subsection (6), the parent or custodian may, at a later date,
456 enroll the child in a legitimate nonpublic school or legitimate
457 home instruction program and send the certificate of enrollment to
458 the school attendance officer and be in compliance with this
459 subsection.

460 For the purposes of this subsection, a legitimate nonpublic
461 school or legitimate home instruction program shall be those not



operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

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

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of the excuse is provided to the superintendent of the school district, or his designee:

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



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

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

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

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

502 (f) An absence is excused when it results from the
503 attendance of a compulsory-school-age child at the proceedings of
504 a court or an administrative tribunal if the child is a party to
505 the action or under subpoena as a witness.

506 (g) An absence may be excused if the religion to which
507 the compulsory-school-age child or the child's parents adheres,
508 requires or suggests the observance of a religious event. The
509 approval of the absence is within the discretion of the
510 superintendent of the school district, or his designee, but



511 approval should be granted unless the religion's observance is of
512 such duration as to interfere with the education of the child.

513 (h) An absence may be excused when it is demonstrated
514 to the satisfaction of the superintendent of the school district,
515 or his designee, that the purpose of the absence is to take
516 advantage of a valid educational opportunity such as travel,
517 including vacations or other family travel. Approval of the
518 absence must be gained from the superintendent of the school
519 district, or his designee, before the absence, but the approval
520 shall not be unreasonably withheld.

521 (i) An absence may be excused when it is demonstrated
522 to the satisfaction of the superintendent of the school district,
523 or his designee, that conditions are sufficient to warrant the
524 compulsory-school-age child's nonattendance. However, no absences
525 shall be excused by the school district superintendent, or his
526 designee, when any student suspensions or expulsions circumvent
527 the intent and spirit of the compulsory attendance law.

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



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

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

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian



of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to attend or the child has accumulated five (5) unlawful absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report * * * within twenty-four (24) hours of the unlawful absences to the school attendance officer. The * * * local school district shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee, also shall report any student suspensions or student expulsions to the school attendance officer when they occur.

(7) When a school attendance officer has made all attempts to secure enrollment and/or attendance of a compulsory-school-age child and is unable to * * * verify the enrollment and/or attendance, the attendance officer shall file a petition with the youth court under Section 43-21-451 or shall file a petition in a court of competent jurisdiction as it pertains to parent or child. Sheriffs, deputy sheriffs and municipal law enforcement officers shall be fully authorized to investigate all cases of



nonattendance and unlawful absences by compulsory-school-age children, and shall be authorized to file a petition with the youth court under Section 43-21-451 or file a petition or information in the court of competent jurisdiction as it pertains to parent or child for violation of this section. The youth court shall expedite a hearing to make an appropriate adjudication and a disposition to ensure compliance with the Compulsory School Attendance Law, and may order the child to enroll or re-enroll in school. The superintendent of the school district to which the child is ordered may assign, in his discretion, the child to the alternative school program of the school established pursuant to Section 37-13-92.

(8) The State Board of Education shall adopt rules and regulations * * * to:

(a) Ensure school superintendents timely report unlawful absences under the provisions of this section; and

(b) Sanction school districts that do not adhere to said policy through findings of noncompliance on the monitoring process.

(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or



610 otherwise, to the State of Mississippi, * * * school attendance
611 officers, agencies or subdivisions any right or authority to
612 control, manage, supervise or make any suggestion as to the
613 control, management or supervision of any private or parochial
614 school or institution for the education or training of children,
615 of any kind whatsoever that is not a public school according to
616 the laws of this state; and this section shall never be construed
617 so as to grant, by implication or otherwise, any right or
618 authority to any state agency or other entity to control, manage,
619 supervise, provide for or affect the operation, management,
620 program, curriculum, admissions policy or discipline of any such
621 school or home instruction program.

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

624 37-13-107. (1) Every school attendance officer shall be
625 required annually to attend and complete a comprehensive course of
626 training and education which is provided or approved by the Office
627 of Compulsory School Attendance Enforcement and Dropout Prevention
628 of the State Department of Education. Attendance shall be
629 required beginning with the first training seminar conducted after
630 the school attendance officer is employed as a school attendance
631 officer.

632 (2) The Office of Compulsory School Attendance Enforcement
633 and Dropout Prevention shall provide or approve a course of
634 training and education for school attendance officers of the



635 state. The course shall consist of at least twelve (12) hours of
636 training per year. The content of the course of training and when
637 and where it is to be conducted shall be approved by the office.
638 A certificate of completion shall be furnished by the State
639 Department of Education to those school attendance officers who
640 complete the course. Each certificate shall be made a permanent
641 record of the local school * * * district where the school
642 attendance officer is employed.

643 (3) Upon the failure of any person employed as a school
644 attendance officer to receive the certificate of completion from
645 the State Department of Education within the first year of his
646 employment, the person shall not be allowed to carry out any of
647 the duties of a school attendance officer and shall not be
648 entitled to compensation for the period of time during which the
649 certificate has not been obtained.

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

