

Adopted
SUBSTITUTE NO 1 FOR COMMITTEE AMENDMENT NO 1 PROPOSED
TO

House Bill No. 1630

BY: Senator(s) DeBar

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

61 **SECTION 1.** Section 37-23-31, Mississippi Code of 1972, is
62 amended as follows:

63 37-23-31. (1) (a) When five (5) or more children under
64 twenty-one (21) years of age who, because of significant
65 developmental disabilities, complex communication needs,
66 significant language or learning deficits or any combination of
67 either, are unable to have their educational needs met
68 appropriately in a regular or special education public school
69 program within their local public school districts, a
70 state-supported university or college shall be authorized and



71 empowered, in its discretion, to provide a program of education,
72 instruction and training to such children, provided that such
73 program shall operate under rules, regulations, policies and
74 standards adopted by the State Department of Education, as
75 provided for in Section 37-23-33. The opinion of a parent or
76 guardian in regard to the provision of an appropriate special
77 education program in or by their respective local public school
78 district shall be considered before a placement decision is
79 finalized. Parents of students enrolled in a local education
80 agency (LEA) shall have any and all rights as provided in the
81 Individuals with Disabilities Education Act, including, but not
82 limited to, the right to equal participation in their child's
83 Individualized Education Program (IEP), the right to require
84 review of their child's IEP, and the right to appeal an IEP
85 Committee decision immediately. The parent or guardian or local
86 educational agency shall have the right to audio record the
87 proceedings of individualized education program team meetings.
88 The parent or guardian or local educational agency shall notify
89 the members of the individualized education program team of his,
90 her, or its intent to audio record a meeting at least twenty-four
91 (24) hours prior to the meeting.

92 (b) Instructors, including speech-language
93 pathologists, educational audiologists and special and early
94 childhood educators are qualified and empowered to serve as the
95 lead teacher for children enrolled within the state-supported



96 university's or college's university-based program (UBP) through
97 the IDEA-Part C and IDEA-Part B eligibility and placement process
98 upon completing instructional licensure requirements * * *.

99 (c) Due to the significance of the needs of the
100 children served through the UBP, general education setting
101 requirements may not be applicable as the least restrictive
102 environment. Students enrolled in a UBP by a LEA shall meet all
103 state educational requirements, including participation in
104 statewide assessments. Justification for placement decisions is
105 determined in conjunction with the LEA through each child's IEP
106 for ages three (3) to twenty-one (21). The UBP shall submit to
107 the local education agency and the parents of the student in the
108 program a progress report each semester on all IEP goals and
109 objectives. The UBP and local education agency shall confer
110 annually to develop the IEP for each student enrolled in the UBP.

111 (2) Any state-supported university or college conducting a
112 full-time medical teaching program acceptable to the State Board
113 of Education may, at its discretion, enter into such contracts or
114 agreements with any private school or nonprofit
115 corporation-supported institution, the Mississippi School for the
116 Deaf, or any state-supported institution, providing the special
117 education contemplated by this section for such services, provided
118 the private school or institution offering such services shall
119 have conducted a program of such services at standards acceptable
120 to the State Department of Education for a period of at least one



(1) year prior to the date at which the university or college proposes to enter into an agreement or contract for special educational services as described above.

SECTION 2. Section 37-23-33, Mississippi Code of 1972, is amended as follows:

37-23-33. (1) Such program of education, instruction and training as is provided for in Section 37-23-31 shall be furnished in such manner as shall be provided by rules and regulations adopted by the State Board of Education, which for such purposes shall have the full power to adopt such rules, regulations, policies and standards as it may deem necessary to carry out the purpose of Sections 37-23-31 through 37-23-35, including the establishment of qualifications consistent with the requirements of subsection (2) of this section for any teachers employed under the provisions thereof. It is expressly provided, however, that no program of education, instruction and training shall be furnished except in a university or college supported by the State of Mississippi and only in cases where such university or college shall consent thereto and shall provide any classroom space, furniture and facilities which may be deemed necessary in carrying out the provisions of those sections.

(2) Speech-language pathologists, educational audiologists, and special and early childhood educators are qualified and authorized to serve as the lead teacher for children enrolled in a university or college-based program through the IDEA-Part C and



IDEA-Part B eligibility and placement process. Whenever communication is a primary area of concern on a child's Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP), a speech-language pathologist or educational audiologist may serve as the lead instructor with an educator serving as a related service provider as necessary to meet the educational needs of the child. Speech-language pathologists and educational audiologists must undergo extensive college coursework in communication-based disorders impacting multiple areas of development, including cognition. The content of the college coursework must include typical and atypical development for ages birth through death. In addition to completing the college coursework, these instructional providers must meet all instructional licensure requirements as set forth by the State Department of Education * * *.

(3) The State Department of Education through its general supervision responsibilities set forth by the Office of Special Education Programs at the United States Department of Education, shall require that the program of education, instruction and training be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success.

(4) A university- or college-based program must submit all reports and data required by the State Department of Education on the same or similar time schedule and in the same or similar



manner that same or similar reports and data must be submitted to the department by local educational agencies.

SECTION 3. Section 37-23-35, Mississippi Code of 1972, is amended as follows:

37-23-35. (1) When any children who are residents of the State of Mississippi and qualify under the provisions of Section 37-23-31, are provided a program of education, instruction and training within a school under the provisions of Section 37-23-31, the State Department of Education shall allocate * * * funds equivalent to the full base student cost and all qualifying weighted adjustments as prescribed in Section 37-151-205. The university or college shall be eligible for state and federal funds for such programs in accordance with IDEA. The university or college shall be responsible for providing for the additional costs of the program.

(2) IDEA-Part B and preschool allocations for each LEA shall be determined and calculated by the State Department of Education with notification provided to the UBP of the total amount of funds being distributed to the LEA. The LEA and UBP shall enter into a collaborative agreement that describes the services provided and the funds required for such services.

(3) State funds for transportation, extended school year and * * * total funding formula funds, including National Board Certification/Speech-Language Pathology Supplements, shall be distributed by the State Department of Education directly to the



state-supported university or college for students placed either through the Individualized Education Program (IEP) process or who are parentally placed. The university-based program (UBP) shall submit this information directly to the State Department of Education.

SECTION 4. Section 37-61-33, Mississippi Code of 1972, is amended as follows:

37-61-33. (1) There is created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(5), (7) and (8) and 27-67-31(a) and (b).

(2) Of the amount deposited into the Education Enhancement Fund, Sixteen Million Dollars (\$16,000,000.00) shall be appropriated each fiscal year to the State Department of Education to be distributed to all school districts. Such money shall be distributed to all school districts in the proportion that the net enrollment of each school district bears to the net enrollment of all school districts within the state for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor;



221 (b) Establishing and equipping school athletic fields
222 and necessary facilities connected therewith, and purchasing land
223 therefor;

224 (c) Providing necessary water, light, heating,
225 air-conditioning and sewerage facilities for school buildings, and
226 purchasing land therefor;

227 (d) As a pledge to pay all or a portion of the debt
228 service on debt issued by the school district under Sections
229 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351
230 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302
231 and 37-41-81, or debt issued by boards of supervisors for
232 agricultural high schools pursuant to Section 37-27-65, if such
233 pledge is accomplished pursuant to a written contract or
234 resolution approved and spread upon the minutes of an official
235 meeting of the district's school board or board of supervisors.
236 The annual grant to such district in any subsequent year during
237 the term of the resolution or contract shall not be reduced below
238 an amount equal to the district's grant amount for the year in
239 which the contract or resolution was adopted. The intent of this
240 provision is to allow school districts to irrevocably pledge a
241 certain, constant stream of revenue as security for long-term
242 obligations issued under the code sections enumerated in this
243 paragraph or as otherwise allowed by law. It is the intent of the
244 Legislature that the provisions of this paragraph shall be
245 cumulative and supplemental to any existing funding programs or



other authority conferred upon school districts or school boards.
Debt of a district secured by a pledge of sales tax revenue
pursuant to this paragraph shall not be subject to any debt
limitation contained in the foregoing enumerated code sections;
and

(e) Any other purpose for which the total funding
formula funds as determined by Sections 37-151-200 through
37-151-215 are not sufficient.

(3) The remainder of the money deposited into the Education
Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) Sixteen and sixty-one one-hundredths percent
(16.61%) to the cost of the total funding formula determined under
Sections 37-151-200 through 37-151-215; of the funds generated by
the percentage set forth in this section for the support of
the * * * total funding formula, one and one hundred seventy-eight
one-thousandths percent (1.178%) of the funds shall be
appropriated to be used by the State Department of Education for
the purchase of textbooks to be loaned under Sections 37-43-1
through 37-43-59 to approved nonpublic schools, as described in
Section 37-43-1. The funds to be distributed to each nonpublic
school shall be in the proportion that the average daily
attendance of each nonpublic school bears to the total average
daily attendance of all nonpublic schools;



(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) Nine and sixty-one one-hundredths percent (9.61%) for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On a date to be determined by the State Department of Education, but not later than July 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. For purposes of this subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind, the Mississippi School for the Deaf or public charter school, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department, and shall include any full- or part-time gifted or special education teacher. It is the intent of the Legislature that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall



goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. Such credentials or procurement cards shall be provided by the State Department of Education to local school districts on a date determined by the State Department of Education, but not later than August 1 of each year. Local school districts shall issue such credentials or procurement cards to classroom teachers at the beginning of the school year, but no later than August 1 of each year, and shall be issued in equal amounts per teacher determined by the total number of qualifying



personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund. After initial cards are issued under the timeline prescribed by this section, the State Department of Education may issue cards to districts for any classroom teacher hired after July 1 under a timeline prescribed by the State Department of Education. Such credentials or cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year;

(b) Twenty-two and nine one-hundredths percent (22.09%) to the Board of Trustees of State Institutions of Higher Learning for the purpose of supporting institutions of higher learning; and

(c) Fourteen and forty-one one-hundredths percent (14.41%) to the Mississippi Community College Board for the purpose of providing support to community and junior colleges.

(4) The amount remaining in the Education Enhancement Fund after funds are distributed as provided in subsections (2) and (3) of this section shall be appropriated for other educational needs.

(5) None of the funds appropriated pursuant to subsection (3)(a) of this section shall be used to reduce the state's General Fund appropriation for the categories listed in an amount below the following amounts:

(a) For subsection (3)(a)(ii) of this section, Thirty-six Million Seven Hundred Thousand Dollars (\$36,700,000.00);



(b) For the aggregate of minimum program allotments in the 1997 fiscal year, formerly provided for in Chapter 19, Title 37, Mississippi Code of 1972, as amended, excluding those funds for transportation as provided for in paragraph (a) of this subsection.

(6) Any funds appropriated from the Education Enhancement Fund that are unexpended at the end of a fiscal year shall lapse into the Education Enhancement Fund.

SECTION 5. Section 37-151-207, Mississippi Code of 1972, is amended as follows:

37-151-207. (1) The net enrollment of a school district or charter school for use in the funding formula must be computed and currently maintained by the State Board of Education in accordance with the following:

(a) Determination of school district net enrollment for use in the funding formula. Effective with fiscal year 2026, the State Department of Education shall * * * use the school district's net enrollment for months two (2) and three (3) for the preceding school year for which funds are being appropriated.

(b) Determination of charter school net enrollment for use in the funding formula. Effective with fiscal year 2026, the department shall base a charter school's net enrollment on the enrollment projections for the relevant year set forth over the term of the charter contract.



(c) The net enrollment of a school district used for funding formula calculations, as determined in paragraph (a) of this subsection, must be reconciled with the school district's net enrollment using months two (2) and three (3) for the year for which total funding formula funds are being appropriated, and any necessary adjustments must be made to payments during the school district's following year of operation. Any necessary adjustment for a school district must be based on the state share of the per pupil amount in effect for the year for which actual net enrollment did not meet expectations and not any new amount appropriated for the year in which the adjustment will be made. Reconciliation of net enrollment for charter schools must be based on requirements set forth in Section 37-28-55.

(2) The net enrollment of a school district or charter school must include any student enrolled in a dual enrollment-dual credit program as defined and provided for in Section 37-15-38. The State Department of Education shall make payments for dual enrollment-dual credit programs to the home school district or charter school in which the student is enrolled, in accordance with regulations promulgated by the State Board of Education. All state funding under the formula must cease upon completion of high school graduation requirements.

(3) The State Board of Education shall promulgate such rules and regulations as may be necessary for the counting and reporting of student enrollment by school districts and charter schools to



the department in a manner that enables the provisions of Sections 37-151-200 through 37-151-215 to be carried out. The rules and regulations must require school districts and charter schools to submit data that includes, at a minimum, numbers for the specific student populations that are subject to weighting under Sections 37-151-200 through 37-151-215 as well as the aggregate amount of students in enrollment when each calculation is made. For the first year of operation of a charter school, the State Board of Education shall use imputed student demographic data based on the traditional district in which the charter school is located to estimate student populations that are subject to weighting under Sections 37-151-200 through 37-151-215.

(4) The superintendent of each school district and the head of school of each charter school, as applicable, shall submit the data required by subsection (3) of this section with a signed affidavit attesting that the data submitted to the department is accurate to the best of the superintendent's knowledge, and any inaccuracies later discovered will be reported to the department. The State Board of Education shall be specifically authorized and empowered to withhold allocations from the total funding formula funds as provided in Sections 37-151-200 through 37-151-215, to any school district or charter school for improperly or inaccurately reporting the student data required by Sections 37-151-200 through 37-151-215.



417 **SECTION 6.** Section 37-159-7, Mississippi Code of 1972, is
418 amended as follows:

419 37-159-7. The school board of any school district situated
420 within a geographical area of the state where there exists a
421 critical shortage of teachers, as designated by the State Board of
422 Education, in its discretion, may reimburse persons who interview
423 for employment as a licensed teacher with the district for the
424 mileage and other actual expenses incurred in the course of travel
425 to and from the interview by such persons at the rate authorized
426 for county and municipal employees under Section 25-3-41. Any
427 reimbursement by a school board under this section shall be paid
428 from funds other than * * * total funding formula funds.

429 **SECTION 7.** Section 37-151-205, Mississippi Code of 1972, is
430 amended as follows:

431 37-151-205. (1) The preliminary weighted enrollment of each
432 school district and charter school under Sections 37-151-200
433 through 37-151-215 is determined by applying the weights
434 prescribed in this section, none of which are mutually exclusive
435 of another, to each applicable school district or charter school's
436 net enrollment, as determined by Section 37-151-207. To determine
437 additional funding authorized under this section, the number of
438 students in a school district that are identified as the
439 applicable weight shall be calculated as a percentage of the
440 students in the school district. Such amount shall be referred to
441 as the "percentage of applicable students."



(2) For students identified as low-income, as defined in Section 37-151-201, the percentage of applicable students in the school district is multiplied by thirty one-hundredths (30/100), and then multiplied by net enrollment.

(3) For students identified as English Language Learners, as defined in Section 37-151-201, the percentage of applicable students in the school district is multiplied by fifteen one-hundredths (15/100), and then multiplied by net enrollment.

(4) The following weights are applied to students who are identified as entitled to and receiving services in a special education program:

(a) Tier I: For students diagnosed with a specific learning disability, speech and language impairment, or developmental delay, the percentage of applicable students in the school district is multiplied by sixty one-hundredths (60/100), and then multiplied by net enrollment.

(b) Tier II: For students diagnosed with autism, hearing impairment, emotional disability, orthopedic impairment, intellectual disability, or other health impairment, the percentage of applicable students in the school district is multiplied by one hundred ten one-hundredths (110/100), and then multiplied by net enrollment.

(c) Tier III: For students diagnosed with visual impairment, deaf-blindness, multiple disabilities, or traumatic brain injury, the percentage of applicable students in the school



district is multiplied by one hundred thirty one-hundredths (130/100), and then multiplied by net enrollment.

For the purpose of student counts, a student entitled to and receiving special education services may not be included under more than one (1) tier prescribed in paragraphs (a), (b) and (c) of this subsection. A student having multiple diagnoses must be counted under the highest tier applicable to that student.

(5) A weight of five percent (5%) is applied to five percent (5%) of a school district or charter school's net enrollment for the purpose of providing gifted education, regardless of the number of students in a school district or charter school that have been identified as gifted students: the total number of students in net enrollment in a school district or charter school, as determined by Section 37-151-207, is multiplied by five one-hundredths (5/100), which is again multiplied by five one-hundredths (5/100).

(6) For Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Grade students enrolled in a career and technical education course, as defined in Section 37-151-201, the percentage of applicable students in the school district is multiplied by ten one-hundredths (10/100), and then multiplied by net enrollment. Students enrolled in multiple career and technical education courses are counted once.

(7) In each school district or charter school where the number of students identified as low income, as defined in Section



37-151-201, exceeds thirty-five percent (35%) of the school district or charter school's net enrollment, a weight of ten percent (10%) is applied only to the number of low-income students in excess of the number of low-income students which constitute thirty-five percent (35%) of net enrollment. The number of students eligible for this weight is calculated by subtracting the number of students equivalent to thirty-five percent (35%) of the net enrollment of that school district or charter school from the total number of students in that school district or charter school identified as low income: if the total percentage of applicable students identified in subsection (2) exceeds thirty-five percent (35%) of the school district or charter school's total net enrollment, as determined in Section 37-151-207, the difference between the total percentage of applicable students identified in subsection (2) and thirty-five percent (35%) of the school district or charter school's total net enrollment is multiplied by ten one-hundredths (10/100), and then multiplied by net enrollment.

(8) The final weighted enrollment of each school district and charter school under the total funding formula as provided for in Sections 37-151-200 through 37-151-215 is determined as follows:

(a) The final weighted enrollment for each school district or charter school that is not classified as a sparsely populated district or charter school, as defined in Section



37-151-201, is equivalent to the preliminary weighted enrollment of that school district or charter school, as determined in subsections (1) through (7) of this section: the State Department of Education shall add to the school district or charter school's net enrollment, as determined under Section 37-151-207, each of the additional figures calculated in accordance with subsections (2) through (7), and this total is the final weighted enrollment.

(b) The final weighted enrollment for each sparsely populated district or charter school, as defined in Section 37-151-201, is determined by multiplying the sparsity weight by the preliminary weighted enrollment, as determined in subsections (1) through (7) of this section, and then adding that figure to the preliminary weighted enrollment. To calculate the final weighted enrollment, the State Department of Education shall add to the school district or charter school's net enrollment, each of the additional figures calculated in accordance with subsections (2) through (7) to determine the preliminary weighted enrollment, multiply this figure by the sparsity weight as determined below, and add this resulting number to the preliminary weighted enrollment to find the final weighted enrollment. To calculate the sparsity weight, the State Department of Education shall find the difference between the number of students per square mile in that district or charter school and a sparsity threshold of eight (8) students per square mile, and then shall divide the resulting figure by one hundred (100) to create a percentage: for example,



if the number of students per square mile in a district is three (3), the difference is five (5) (eight (8) minus three (3)), and the sparsity weight is five percent (5%), or five one-hundredths (5/100).

SECTION 8. Section 25-11-126, Mississippi Code of 1972, is amended as follows:

25-11-126. (1) Any person * * * who was employed as a public school teacher or administrator at the time of his or her retirement, has been retired at least ninety (90) days and is receiving a retirement allowance, and holds a standard teaching license in Mississippi, may be employed as a teacher in a public school district after retirement, and choose to continue receiving the retirement allowance under this article during his or her employment as a teacher after retirement, in addition to receiving the salary authorized under this section, along with the local contribution of the school district in which the retiree is employed, at the discretion of the school district. * * *

(2) A retired teacher or administrator may only be hired to teach in a school district designated by the Department of Education as having critical shortages and/or critical subject-area shortages, and a retiree returning to work as a teacher shall hold the related standard teaching license and/or endorsements to teach in the subject area. The base compensation authorized for returning retired employees working as teachers under Section 37-19-7 shall not be graduated annually in the same



manner as teachers who are employed by a school district under traditional employment guidelines, but shall remain static for the entirety of his or her eligible teaching period as a retired employee returning to work as a teacher.

(3) (a) A retired teacher or administrator may be employed as a teacher, continue receiving his or her retirement allowance and be a contributing member of the system without accruing additional retirement benefits for a total of five (5) years, which may be performed consecutively or intermittently. This method is designed specifically to provide funding for the system to actuarially offset any pension liability created by this section. Each school district hiring retired * * * employees under the authority of this section, shall make a direct payment to PERS, which shall serve as pension liability participation assessment. The pension liability participation assessment and the retired * * * employee's salary for returning to work as a teacher shall be determined as follows:

(i) A school district shall rely on the salary schedule in Section 37-19-7 in considering the salary for a retired teacher or administrator returning to work as a teacher; provided, however, that the school district may allocate up to * * * one hundred and fifty percent (150%) of the amount provided under the salary schedule comparable to * * * such teacher's years of service and license type as salary and assessment under the program.



592 (ii) After determining the retired * * *
593 employee's compensation, the school district may pay no more than
594 fifty percent (50%) of the retired * * * employee's compensation
595 as salary to the retired * * * employee; and

596 (iii) The remaining fifty percent (50%) of the
597 retired * * * employee's compensation as salary shall be paid by
598 the school district to PERS as a pension liability participation
599 assessment.

600 (b) If a retired teacher or administrator, reemployed
601 under the authority of this section, works in a school district
602 for any portion of a scholastic year less than a full contractual
603 term of traditional teachers, the time worked by the retired * * *
604 employee shall constitute one (1) of the five (5) years of post
605 retirement * * * working eligibility. A retired * * * employee,
606 under the authority of this section, shall be entitled to work in
607 any applicable school district and shall not be obligated to
608 remain in any one (1) school district for the entirety of his or
609 her post retirement teaching eligibility, but shall be cumulative
610 in nature so as not to exceed five (5) years. The salary
611 authorized under Section 37-19-7 for retired employees returning
612 to work as teachers shall be prorated for any period worked by the
613 retired employee returning to work as a teacher that is less than
614 one (1) full academic year.

615 (c) The State Department of Education shall transfer to
616 the system the * * * total funding formula funds of local school



districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing shall follow the provisions of Section 25-11-123.

(d) Local educational agencies shall transfer to the system * * * the total funding formula funds of local school districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing must follow the provisions of Section 25-11-123.

(e) Local education agencies may pay, from local education funding, all or a portion of the health insurance premiums for retired employees returning to work as teachers under this section.

(4) Under the authority of this section, school districts may employ retired teachers or administrators based on criteria established by the department of education for critical teacher shortage areas and critical subject-matter areas. A school district that is not within a critical teacher shortage area may employ teachers for critical subject-matter areas.

(5) A person may be hired under this section subject to the following conditions:



642 (a) The retired member holds any teacher's professional
643 license or certificate as may be required in Section 37-3-2, and
644 holds the related standard teaching license and/or endorsements to
645 teach in the applicable subject area;

646 (b) The superintendent of the employing school district
647 certifies in writing to the State Department of Education that the
648 retired member has the requisite experience, training and
649 expertise for the position to be filled;

650 (c) The superintendent of the school district certifies
651 or the principal of the school certifies that there was no
652 preexisting arrangement for the person to be hired;

653 (d) The person had a satisfactory performance review
654 for the most recent period before retirement; and

655 (e) The person is hired to teach in a critical
656 subject-matter area or in a critical teacher shortage area.

657 (6) The State Superintendent of Public Education shall
658 report the persons who are employed under this section to the
659 Executive Director of the Public Employees' Retirement System.

660 (7) The department of education shall promulgate regulations
661 that prescribe a salary schedule that reflects the provisions of
662 this section. Each school district shall create a policy,
663 approved by the local school board, related to the hiring of
664 retired teachers or administrators and including, but not limited
665 to, the hiring of full- and part-time retired * * * employees to
666 serve as teachers under this section and Section 25-11-127.



667 (8) Any retired * * * employee who returns to work in
668 accordance with this section shall not be eligible to return to
669 work under the provisions of Section 25-11-127.

670 **SECTION 9.** Section 37-19-7, Mississippi Code of 1972, is
671 amended as follows:

672 37-19-7. (1) Teachers' salaries in each public school
673 district shall be determined and paid in accordance with the scale
674 for teachers' salaries as provided in this subsection. For
675 teachers holding the following types of licenses or the equivalent
676 as determined by the State Board of Education, and the following
677 number of years of teaching experience, the scale shall be as
678 follows:

679 **2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE**

680	Exp.	AAAA	AAA	AA	A
681	0	45,500.00	44,000.00	43,000.00	41,500.00
682	1	46,100.00	44,550.00	43,525.00	41,900.00
683	2	46,700.00	45,100.00	44,050.00	42,300.00
684	3	47,300.00	45,650.00	44,575.00	42,700.00
685	4	47,900.00	46,200.00	45,100.00	43,100.00
686	5	49,250.00	47,500.00	46,350.00	44,300.00
687	6	49,850.00	48,050.00	46,875.00	44,700.00
688	7	50,450.00	48,600.00	47,400.00	45,100.00
689	8	51,050.00	49,150.00	47,925.00	45,500.00
690	9	51,650.00	49,700.00	48,450.00	45,900.00
691	10	53,000.00	51,000.00	49,700.00	47,100.00



692	11	53,600.00	51,550.00	50,225.00	47,500.00
693	12	54,200.00	52,100.00	50,750.00	47,900.00
694	13	54,800.00	52,650.00	51,275.00	48,300.00
695	14	55,400.00	53,200.00	51,800.00	48,700.00
696	15	56,750.00	54,500.00	53,050.00	49,900.00
697	16	57,350.00	55,050.00	53,575.00	50,300.00
698	17	57,950.00	55,600.00	54,100.00	50,700.00
699	18	58,550.00	56,150.00	54,625.00	51,100.00
700	19	59,150.00	56,700.00	55,150.00	51,500.00
701	20	60,500.00	58,000.00	56,400.00	52,700.00
702	21	61,100.00	58,550.00	56,925.00	53,100.00
703	22	61,700.00	59,100.00	57,450.00	53,500.00
704	23	62,300.00	59,650.00	57,975.00	53,900.00
705	24	62,900.00	60,200.00	58,500.00	54,300.00
706	25	65,400.00	62,700.00	61,000.00	56,800.00
707	26	66,000.00	63,250.00	61,525.00	57,200.00
708	27	66,600.00	63,800.00	62,050.00	57,600.00
709	28	67,200.00	64,350.00	62,575.00	58,000.00
710	29	67,800.00	64,900.00	63,100.00	58,400.00
711	30	68,400.00	65,450.00	63,625.00	58,800.00
712	31	69,000.00	66,000.00	64,150.00	59,200.00
713	32	69,600.00	66,550.00	64,675.00	59,600.00
714	33	70,200.00	67,100.00	65,200.00	60,000.00
715	34	70,800.00	67,650.00	65,725.00	60,400.00
716	35				



& above 71,400.00 68,200.00 66,250.00 60,800.00

2024-2025 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

The school district, with assistance from the Department of Education, shall consider the teacher's years of service and license type and determine the corresponding salary for the retired teacher or administrator returning to work as a teacher.

After determining the retired * * * employee's corresponding salary, the school district may allocate up to * * * one hundred and fifty percent (150%) of the amount provided under the salary schedule for such retired employee returning to work as a teacher, as applicable, as salary and assessment under the program.

After determining the * * * salary of the retired employee returning to work as a teacher, the school district may pay no more than fifty percent (50%) of the retired * * * employee's compensation as salary to the retired * * * employee. The remaining fifty percent (50%) of the retired * * * employee's compensation as salary shall be paid by the school district to PERS as a pension liability participation assessment.

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority



to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary for the teacher for each year shall be determined by the type of valid teacher's license issued to that teacher on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:



(i) Any licensed teacher or retired employee returning to work as a teacher employed by a school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.



(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic



816 language therapist (CALT) who has met the certification
817 requirements of the Academic Language Therapy Association and who
818 is employed by a local school board. The licensed speech-language
819 pathologist and audiologist and certified academic language
820 therapist shall submit documentation to the State Department of
821 Education that the certificate or endorsement was received before
822 October 15 in order to be eligible for the full salary supplement
823 in the current school year, or the licensed speech-language
824 pathologist and audiologist and certified academic language
825 therapist shall submit the documentation to the State Department
826 of Education before February 15 in order to be eligible for a
827 prorated salary supplement beginning with the second term of the
828 school year.

829 (v) Any licensed athletic trainer who has met the
830 requirements and acquired Board Certification for the Athletic
831 Trainer from the Board of Certification, Inc., and who is employed
832 by a local school board or the State Board of Education as an
833 athletic trainer and not as an administrator. The licensed
834 athletic trainer shall submit documentation to the State
835 Department of Education that the certificate was received before
836 October 15 in order to be eligible for the full salary supplement
837 in the current school year, or the licensed athletic trainer shall
838 submit the documentation to the State Department of Education
839 before February 15 in order to be eligible for a prorated salary
840 supplement beginning with the second term of the school year.



(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its allotments from the total funding formula provided in Sections 37-151-200 through 37-151-215 and not a part thereof in accordance with regulations promulgated



by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher or retired employee returning to



work as a teacher employed by a local school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This subsection shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in



student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.



939 (b) The State Board of Education shall develop the
940 processes and procedures for designating schools eligible to
941 participate in the MPBP. State assessment results, growth in
942 student achievement at individual schools and other measures
943 deemed appropriate in designating successful student achievement
944 shall be used in establishing MPBP criteria.

945 (5) (a) If funds are available for that purpose, each
946 school in Mississippi shall have mentor teachers, as defined by
947 Sections 37-9-201 through 37-9-213, who shall receive additional
948 base compensation provided for by the State Legislature in the
949 amount of One Thousand Dollars (\$1,000.00) per each beginning
950 teacher that is being mentored. The additional state compensation
951 shall be limited to those mentor teachers that provide mentoring
952 services to beginning teachers. For the purposes of such funding,
953 a beginning teacher shall be defined as any teacher in any school
954 in Mississippi that has less than one (1) year of classroom
955 experience teaching in a public school. For the purposes of such
956 funding, no full-time academic teacher shall mentor more than two
957 (2) beginning teachers.

958 (b) To be eligible for this state funding, the
959 individual school must have a classroom management program
960 approved by the local school board.

961 (6) Effective with the 2014-2015 school year, the school
962 districts participating in the Pilot Performance-Based



Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 10. (1) Beginning in the 2026-2027 school year, the State Board of Education shall incorporate financial literacy components within the existing curriculum offered in Grades 6-8. This section shall apply to all schools accredited by the State Department of Education, including public charter schools.

(2) Beginning with the graduating class of 2031, each student, during Grade 9, 10, 11 or 12, shall take and pass a one-half (1/2) Carnegie Unit course in personal finance or a full Carnegie Unit course where at least one-half (1/2) of the course standards concern financial literacy in order to earn a high school diploma.

(3) There is established in the State Treasury a special fund to be known as the "Financial Literacy Trust Fund" to provide financial literacy education for this program. The fund shall be administered by the State Board of Education and shall be eligible to accept monies appropriated by the state or federal government. No expenditure from the fund shall cause the fund to be in deficiency at the close of the fiscal year. Unexpended monies remaining in the fund at the end of the fiscal year shall lapse into the State General Fund. The fund shall be an expendable trust fund which shall be subject to appropriation.

(4) The State Board of Education shall administer the fund and develop rules and regulations for the administration of the



trust. Every two (2) years, an independent audit of the financial activities of the trust fund shall be conducted, with the results being provided to the Chairmen of the House and Senate Education Committees upon its completion. The State Board of Education may expend trust fund monies to conduct the independent audit. The board shall annually report to the Legislature all programmatic and financial activities and balances of the fund on or before December 1 of each year.

SECTION 11. 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 * * *:

(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;



1011 (d) To have responsibility for the erection, repairing
1012 and equipping of school facilities and the making of necessary
1013 school improvements;

1014 (e) To suspend or to expel a pupil or to change the
1015 placement of a pupil to the school district's alternative school
1016 or homebound program for misconduct in the school or on school
1017 property, as defined in Section 37-11-29, on the road to and from
1018 school, or at any school-related activity or event, or for conduct
1019 occurring on property other than school property or other than at
1020 a school-related activity or event when such conduct by a pupil,
1021 in the determination of the school superintendent or principal,
1022 renders that pupil's presence in the classroom a disruption to the
1023 educational environment of the school or a detriment to the best
1024 interest and welfare of the pupils and teacher of such class as a
1025 whole, and to delegate such authority to the appropriate officials
1026 of the school district;

1027 (f) To visit schools in the district, in their
1028 discretion, in a body for the purpose of determining what can be
1029 done for the improvement of the school in a general way;

1030 (g) To support, within reasonable limits, the
1031 superintendent, principal and teachers where necessary for the
1032 proper discipline of the school;

1033 (h) To exclude from the schools students with what
1034 appears to be infectious or contagious diseases; provided,
1035 however, such student may be allowed to return to school upon



1036 presenting a certificate from a public health officer, duly
1037 licensed physician or nurse practitioner that the student is free
1038 from such disease;

1039 (i) To require those vaccinations specified by the
1040 State Health Officer as provided in Section 41-23-37;

1041 (j) To see that all necessary utilities and services
1042 are provided in the schools at all times when same are needed;

1043 (k) To authorize the use of the school buildings and
1044 grounds for the holding of public meetings and gatherings of the
1045 people under such regulations as may be prescribed by said board;

1046 (l) To prescribe and enforce rules and regulations not
1047 inconsistent with law or with the regulations of the State Board
1048 of Education for their own government and for the government of
1049 the schools, and to transact their business at regular and special
1050 meetings called and held in the manner provided by law;

1051 (m) To maintain and operate all of the schools under
1052 their control for such length of time during the year as may be
1053 required;

1054 (n) To enforce in the schools the courses of study and
1055 the use of the textbooks prescribed by the proper authorities;

1056 (o) To make orders directed to the superintendent of
1057 schools for the issuance of pay certificates for lawful purposes
1058 on any available funds of the district and to have full control of
1059 the receipt, distribution, allotment and disbursement of all funds
1060 provided for the support and operation of the schools of such



1061 school district whether such funds be derived from state
1062 appropriations, local ad valorem tax collections, or otherwise.
1063 The local school board shall be authorized and empowered to
1064 promulgate rules and regulations that specify the types of claims
1065 and set limits of the dollar amount for payment of claims by the
1066 superintendent of schools to be ratified by the board at the next
1067 regularly scheduled meeting after payment has been made;

1068 (p) To select all school district personnel in the
1069 manner provided by law, and to provide for such employee fringe
1070 benefit programs, including accident reimbursement plans, as may
1071 be deemed necessary and appropriate by the board;

1072 (q) To provide athletic programs and other school
1073 activities and to regulate the establishment and operation of such
1074 programs and activities;

1075 (r) To join, in their discretion, any association of
1076 school boards and other public school-related organizations, and
1077 to pay from local funds other than total funding formula funds,
1078 any membership dues;

1079 (s) To expend local school activity funds, or other
1080 available school district funds, other than total funding formula
1081 funds, for the purposes prescribed under this paragraph.

1082 "Activity funds" shall mean all funds received by school officials
1083 in all school districts paid or collected to participate in any
1084 school activity, such activity being part of the school program
1085 and partially financed with public funds or supplemented by public



1086 funds. The term "activity funds" shall not include any funds
1087 raised and/or expended by any organization unless commingled in a
1088 bank account with existing activity funds, regardless of whether
1089 the funds were raised by school employees or received by school
1090 employees during school hours or using school facilities, and
1091 regardless of whether a school employee exercises influence over
1092 the expenditure or disposition of such funds. Organizations shall
1093 not be required to make any payment to any school for the use of
1094 any school facility if, in the discretion of the local school
1095 governing board, the organization's function shall be deemed to be
1096 beneficial to the official or extracurricular programs of the
1097 school. For the purposes of this provision, the term
1098 "organization" shall not include any organization subject to the
1099 control of the local school governing board. Activity funds may
1100 only be expended for any necessary expenses or travel costs,
1101 including advances, incurred by students and their chaperons in
1102 attending any in-state or out-of-state school-related programs,
1103 conventions or seminars and/or any commodities, equipment, travel
1104 expenses, purchased services or school supplies which the local
1105 school governing board, in its discretion, shall deem beneficial
1106 to the official or extracurricular programs of the district,
1107 including items which may subsequently become the personal
1108 property of individuals, including yearbooks, athletic apparel,
1109 book covers and trophies. Activity funds may be used to pay
1110 travel expenses of school district personnel. The local school



1111 governing board shall be authorized and empowered to promulgate
1112 rules and regulations specifically designating for what purposes
1113 school activity funds may be expended. The local school governing
1114 board shall provide (i) that such school activity funds shall be
1115 maintained and expended by the principal of the school generating
1116 the funds in individual bank accounts, or (ii) that such school
1117 activity funds shall be maintained and expended by the
1118 superintendent of schools in a central depository approved by the
1119 board. The local school governing board shall provide that such
1120 school activity funds be audited as part of the annual audit
1121 required in Section 37-9-18. The State Department of Education
1122 shall prescribe a uniform system of accounting and financial
1123 reporting for all school activity fund transactions;

1124 (t) To enter into an energy performance contract,
1125 energy services contract, on a shared-savings, lease or
1126 lease-purchase basis, for energy efficiency services and/or
1127 equipment as provided for in Section 31-7-14;

1128 (u) To maintain accounts and issue pay certificates on
1129 school food service bank accounts;

1130 (v) (i) To lease a school building from an individual,
1131 partnership, nonprofit corporation or a private for-profit
1132 corporation for the use of such school district, and to expend
1133 funds therefor as may be available from any sources other than
1134 total funding formula funds as set by Sections 37-151-200 through
1135 37-151-215. The school board of the school district desiring to



1136 lease a school building shall declare by resolution that a need
1137 exists for a school building and that the school district cannot
1138 provide the necessary funds to pay the cost or its proportionate
1139 share of the cost of a school building required to meet the
1140 present needs. The resolution so adopted by the school board
1141 shall be published once each week for three (3) consecutive weeks
1142 in a newspaper having a general circulation in the school district
1143 involved, with the first publication thereof to be made not less
1144 than thirty (30) days prior to the date upon which the school
1145 board is to act on the question of leasing a school building. If
1146 no petition requesting an election is filed prior to such meeting
1147 as hereinafter provided, then the school board may, by resolution
1148 spread upon its minutes, proceed to lease a school building. If
1149 at any time prior to said meeting a petition signed by not less
1150 than twenty percent (20%) or fifteen hundred (1500), whichever is
1151 less, of the qualified electors of the school district involved
1152 shall be filed with the school board requesting that an election
1153 be called on the question, then the school board shall, not later
1154 than the next regular meeting, adopt a resolution calling an
1155 election to be held within such school district upon the question
1156 of authorizing the school board to lease a school building. Such
1157 election shall be called and held, and notice thereof shall be
1158 given, in the same manner for elections upon the questions of the
1159 issuance of the bonds of school districts, and the results thereof
1160 shall be certified to the school board. If at least three-fifths



1161 (3/5) of the qualified electors of the school district who voted
1162 in such election shall vote in favor of the leasing of a school
1163 building, then the school board shall proceed to lease a school
1164 building. The term of the lease contract shall not exceed twenty
1165 (20) years, and the total cost of such lease shall be either the
1166 amount of the lowest and best bid accepted by the school board
1167 after advertisement for bids or an amount not to exceed the
1168 current fair market value of the lease as determined by the
1169 averaging of at least two (2) appraisals by certified general
1170 appraisers licensed by the State of Mississippi. The term "school
1171 building" as used in this paragraph (v)(i) shall be construed to
1172 mean any building or buildings used for classroom purposes in
1173 connection with the operation of schools and shall include the
1174 site therefor, necessary support facilities, and the equipment
1175 thereof and appurtenances thereto such as heating facilities,
1176 water supply, sewage disposal, landscaping, walks, drives and
1177 playgrounds. The term "lease" as used in this paragraph (v)(i)
1178 may include a lease-purchase contract;

1179 (ii) If two (2) or more school districts propose
1180 to enter into a lease contract jointly, then joint meetings of the
1181 school boards having control may be held but no action taken shall
1182 be binding on any such school district unless the question of
1183 leasing a school building is approved in each participating school
1184 district under the procedure hereinabove set forth in paragraph
1185 (v)(i). All of the provisions of paragraph (v)(i) regarding the



1186 term and amount of the lease contract shall apply to the school
1187 boards of school districts acting jointly. Any lease contract
1188 executed by two (2) or more school districts as joint lessees
1189 shall set out the amount of the aggregate lease rental to be paid
1190 by each, which may be agreed upon, but there shall be no right of
1191 occupancy by any lessee unless the aggregate rental is paid as
1192 stipulated in the lease contract. All rights of joint lessees
1193 under the lease contract shall be in proportion to the amount of
1194 lease rental paid by each;

1195 (w) To employ all noninstructional and noncertificated
1196 employees and fix the duties and compensation of such personnel
1197 deemed necessary pursuant to the recommendation of the
1198 superintendent of schools;

1199 (x) To employ and fix the duties and compensation of
1200 such legal counsel as deemed necessary;

1201 (y) Subject to rules and regulations of the State Board
1202 of Education, to purchase, own and operate trucks, vans and other
1203 motor vehicles, which shall bear the proper identification
1204 required by law;

1205 (z) To expend funds for the payment of substitute
1206 teachers and to adopt reasonable regulations for the employment
1207 and compensation of such substitute teachers;

1208 (aa) To acquire in its own name by purchase all real
1209 property which shall be necessary and desirable in connection with
1210 the construction, renovation or improvement of any public school



1211 building or structure. Whenever the purchase price for such real
1212 property is greater than Fifty Thousand Dollars (\$50,000.00), the
1213 school board shall not purchase the property for an amount
1214 exceeding the fair market value of such property as determined by
1215 the average of at least two (2) independent appraisals by
1216 certified general appraisers licensed by the State of Mississippi.
1217 If the board shall be unable to agree with the owner of any such
1218 real property in connection with any such project, the board shall
1219 have the power and authority to acquire any such real property by
1220 condemnation proceedings pursuant to Section 11-27-1 et seq.,
1221 Mississippi Code of 1972, and for such purpose, the right of
1222 eminent domain is hereby conferred upon and vested in said board.
1223 Provided further, that the local school board is authorized to
1224 grant an easement for ingress and egress over sixteenth section
1225 land or lieu land in exchange for a similar easement upon
1226 adjoining land where the exchange of easements affords substantial
1227 benefit to the sixteenth section land; provided, however, the
1228 exchange must be based upon values as determined by a competent
1229 appraiser, with any differential in value to be adjusted by cash
1230 payment. Any easement rights granted over sixteenth section land
1231 under such authority shall terminate when the easement ceases to
1232 be used for its stated purpose. No sixteenth section or lieu land
1233 which is subject to an existing lease shall be burdened by any
1234 such easement except by consent of the lessee or unless the school



1235 district shall acquire the unexpired leasehold interest affected
1236 by the easement;

1237 (bb) To charge reasonable fees related to the
1238 educational programs of the district, in the manner prescribed in
1239 Section 37-7-335;

1240 (cc) Subject to rules and regulations of the State
1241 Board of Education, to purchase relocatable classrooms for the use
1242 of such school district, in the manner prescribed in Section
1243 37-1-13;

1244 (dd) Enter into contracts or agreements with other
1245 school districts, political subdivisions or governmental entities
1246 to carry out one or more of the powers or duties of the school
1247 board, or to allow more efficient utilization of limited resources
1248 for providing services to the public;

1249 (ee) To provide for in-service training for employees
1250 of the district;

1251 (ff) As part of their duties to prescribe the use of
1252 textbooks, to provide that parents and legal guardians shall be
1253 responsible for the textbooks and for the compensation to the
1254 school district for any books which are not returned to the proper
1255 schools upon the withdrawal of their dependent child. If a
1256 textbook is lost or not returned by any student who drops out of
1257 the public school district, the parent or legal guardian shall
1258 also compensate the school district for the fair market value of
1259 the textbooks;



1260 (gg) To conduct fund-raising activities on behalf of
1261 the school district that the local school board, in its
1262 discretion, deems appropriate or beneficial to the official or
1263 extracurricular programs of the district; provided that:

1264 (i) Any proceeds of the fund-raising activities
1265 shall be treated as "activity funds" and shall be accounted for as
1266 are other activity funds under this section; and

1267 (ii) Fund-raising activities conducted or
1268 authorized by the board for the sale of school pictures, the
1269 rental of caps and gowns or the sale of graduation invitations for
1270 which the school board receives a commission, rebate or fee shall
1271 contain a disclosure statement advising that a portion of the
1272 proceeds of the sales or rentals shall be contributed to the
1273 student activity fund;

1274 (hh) To allow individual lessons for music, art and
1275 other curriculum-related activities for academic credit or
1276 nonacademic credit during school hours and using school equipment
1277 and facilities, subject to uniform rules and regulations adopted
1278 by the school board;

1279 (ii) To charge reasonable fees for participating in an
1280 extracurricular activity for academic or nonacademic credit for
1281 necessary and required equipment such as safety equipment, band
1282 instruments and uniforms;



1283 (jj) To conduct or participate in any fund-raising
1284 activities on behalf of or in connection with a tax-exempt
1285 charitable organization;

1286 (kk) To exercise such powers as may be reasonably
1287 necessary to carry out the provisions of this section;

1288 (ll) To expend funds for the services of nonprofit arts
1289 organizations or other such nonprofit organizations who provide
1290 performances or other services for the students of the school
1291 district;

1292 (mm) To expend federal No Child Left Behind Act funds,
1293 or any other available funds that are expressly designated and
1294 authorized for that use, to pay training, educational expenses,
1295 salary incentives and salary supplements to employees of local
1296 school districts; except that incentives shall not be considered
1297 part of the local supplement, nor shall incentives be considered
1298 part of the local supplement paid to an individual teacher for the
1299 purposes of Section 37-19-7(1);

1300 (nn) To use any available funds, not appropriated or
1301 designated for any other purpose, for reimbursement to the
1302 state-licensed employees from both in state and out of state, who
1303 enter into a contract for employment in a school district, for the
1304 expense of moving when the employment necessitates the relocation
1305 of the licensed employee to a different geographical area than
1306 that in which the licensed employee resides before entering into
1307 the contract. The reimbursement shall not exceed One Thousand



1308 Dollars (\$1,000.00) for the documented actual expenses incurred in
1309 the course of relocating, including the expense of any
1310 professional moving company or persons employed to assist with the
1311 move, rented moving vehicles or equipment, mileage in the amount
1312 authorized for county and municipal employees under Section
1313 25-3-41 if the licensed employee used his personal vehicle or
1314 vehicles for the move, meals and such other expenses associated
1315 with the relocation. No licensed employee may be reimbursed for
1316 moving expenses under this section on more than one (1) occasion
1317 by the same school district. Nothing in this section shall be
1318 construed to require the actual residence to which the licensed
1319 employee relocates to be within the boundaries of the school
1320 district that has executed a contract for employment in order for
1321 the licensed employee to be eligible for reimbursement for the
1322 moving expenses. However, the licensed employee must relocate
1323 within the boundaries of the State of Mississippi. Any individual
1324 receiving relocation assistance through the Critical Teacher
1325 Shortage Act as provided in Section 37-159-5 shall not be eligible
1326 to receive additional relocation funds as authorized in this
1327 paragraph;

1328 (oo) To use any available funds, not appropriated or
1329 designated for any other purpose, to reimburse persons who
1330 interview for employment as a licensed employee with the district
1331 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;

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

(vi) An assessment of instructional and administrative technology;

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



1356 (viii) Recommended methods for increasing
1357 efficiency and effectiveness in providing educational services to
1358 the public;

1359 (qq) To enter into agreements with other local school
1360 boards for the establishment of an educational service agency
1361 (ESA) to provide for the cooperative needs of the region in which
1362 the school district is located, as provided in Section 37-7-345;

1363 (rr) To * * * incorporate financial literacy components
1364 within the curriculum offered to * * * students in Grades * * *
1365 6-8. Current curriculum for Grades 6-12 shall include content on
1366 financial literacy education. Each student, during Grade 9, 10,
1367 11 or 12, shall take and pass a one-half (1/2) Carnegie Unit
1368 course, where at least one-half (1/2) of the course standards
1369 concern financial literacy, in order to earn a high school
1370 diploma. The financial literacy program shall include, but is not
1371 limited to, instruction in the same areas of personal business and
1372 finance as required under Section 37-1-3(2)(b). The school board
1373 may coordinate with volunteer teachers from local community
1374 organizations, including, but not limited to, the following:
1375 United States Department of Agriculture Rural Development, United
1376 States Department of Housing and Urban Development, Junior
1377 Achievement, bankers and other nonprofit organizations. * * * In
1378 addition to any financial literacy standards administratively
1379 required by the State Department of Education's College- and



Career-Readiness course, the financial literacy program for Grades 9, 10, 11 and 12 shall include, but not be limited to:

(i) Decision-making;

(ii) Earning an income;

(iii) Saving and spending;

(iv) Using credit; and

(v) Budgeting.

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

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

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



1405 entitled to receive from time to time under any law and which is
1406 in the possession of the Department of Revenue, or any state
1407 agency, department or commission created under state law; and
1408 (ii) Pay the same over to any financial
1409 institution, trustee or other obligee, as directed in writing by
1410 the school board, to satisfy all or part of such obligation of the
1411 school district.

1412 The school board may make such written agreement to withhold
1413 and transfer funds irrevocable for the term of the written
1414 obligation and may include in the written agreement any other
1415 terms and provisions acceptable to the school board. If the
1416 school board files a copy of such written agreement with the
1417 Department of Revenue, or any state agency, department or
1418 commission created under state law then the Department of Revenue
1419 or any state agency, department or commission created under state
1420 law shall immediately make the withholdings provided in such
1421 agreement from the amounts due the local school board and shall
1422 continue to pay the same over to such financial institution,
1423 trustee or obligee for the term of the agreement.

1424 This paragraph (tt) shall not grant any extra authority to a
1425 school board to issue debt in any amount exceeding statutory
1426 limitations on assessed value of taxable property within such
1427 school district or the statutory limitations on debt maturities,
1428 and shall not grant any extra authority to impose, levy or collect
1429 a tax which is not otherwise expressly provided for, and shall not



1430 be construed to apply to sixteenth section public school trust
1431 land;

1432 (uu) With respect to any matter or transaction that is
1433 competitively bid by a school district, to accept from any bidder
1434 as a good-faith deposit or bid bond or bid surety, the same type
1435 of good-faith deposit or bid bond or bid surety that may be
1436 accepted by the state or any other political subdivision on
1437 similar competitively bid matters or transactions. This paragraph
1438 (uu) shall not be construed to apply to sixteenth section public
1439 school trust land. The school board may authorize the investment
1440 of any school district funds in the same kind and manner of
1441 investments, including pooled investments, as any other political
1442 subdivision, including community hospitals;

1443 (vv) To utilize the alternate method for the conveyance
1444 or exchange of unused school buildings and/or land, reserving a
1445 partial or other undivided interest in the property, as
1446 specifically authorized and provided in Section 37-7-485;

1447 (wv) To delegate, privatize or otherwise enter into a
1448 contract with private entities for the operation of any and all
1449 functions of nonacademic school process, procedures and operations
1450 including, but not limited to, cafeteria workers, janitorial
1451 services, transportation, professional development, achievement
1452 and instructional consulting services materials and products,
1453 purchasing cooperatives, insurance, business manager services,
1454 auditing and accounting services, school safety/risk prevention,



1455 data processing and student records, and other staff services;
1456 however, the authority under this paragraph does not apply to the
1457 leasing, management or operation of sixteenth section lands.
1458 Local school districts, working through their regional education
1459 service agency, are encouraged to enter into buying consortia with
1460 other member districts for the purposes of more efficient use of
1461 state resources as described in Section 37-7-345;

1462 (xx) To partner with entities, organizations and
1463 corporations for the purpose of benefiting the school district;

1464 (yy) To borrow funds from the Rural Economic
1465 Development Authority for the maintenance of school buildings;
1466 (zz) To fund and operate voluntary early childhood
1467 education programs, defined as programs for children less than
1468 five (5) years of age on or before September 1, and to use any
1469 source of revenue for such early childhood education programs.

1470 Such programs shall not conflict with the Early Learning
1471 Collaborative Act of 2013;

1472 (aaa) To issue and provide for the use of procurement
1473 cards by school board members, superintendents and licensed school
1474 personnel consistent with the rules and regulations of the
1475 Mississippi Department of Finance and Administration under Section
1476 31-7-9; * * *

1477 (* * *aab) To conduct an annual comprehensive
1478 evaluation of the superintendent of schools consistent with the
1479 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 * * *; and

(aac) To vote to provide school board members and their eligible dependents with health insurance, provided that such insurance is paid for with local funds and not state funds.

SECTION 12. (1) (a) Each public school district, public charter school and agricultural high school, the Mississippi Schools for the Deaf and the Blind, the Mississippi School of the Arts, and the Mississippi School for Mathematics and Science shall, no later than January 1, 2026, adopt and send to the State Department of Education a specific policy banning the possession, or restricting the use, of cell phones by students during class or while under the supervision and control of a school employee. The State Department of Education shall retain a copy of the policy on file.

(b) If a school or school district fails to adopt and transmit a policy as required in this subsection, the State Department of Education shall deduct one (1) day's worth of the school's or district's funds under the total funding formula for



each day after January 1, 2026, that the school or district is noncompliant.

(2) In developing and adopting a policy under this section, a school or district may include exceptions to allow a student to possess or use a cell phone under any of the following circumstances:

(a) In the case of an emergency, or in response to a perceived threat of danger;

(b) When a licensed advanced practice registered nurse, physician or surgeon determines that the possession or use of a cell phone is medically necessary for the health or well-being of the student; or

(c) When the possession or use of a cell phone is required in a student's individualized education program.

(3) Students may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension or expulsion consist of only a violation of the cell phone possession and use policy developed and implemented under this section, except that suspension may be used as a disciplinary measure of last resort.

SECTION 13. This act shall take effect and be in force from and after July 1, 2025.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



1 AN ACT TO AMEND SECTIONS 37-23-31, 37-23-33, 37-23-35,
2 37-61-33, 37-151-207 AND 37-159-7, MISSISSIPPI CODE OF 1972, TO
3 UPDATE THE STATUTORY LANGUAGE TO REFLECT THE CURRENT TOTAL FUNDING
4 FORMULA; TO AMEND SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO
5 REVISE THE MISSISSIPPI STUDENT FUNDING FORMULA TO INCLUDE STUDENTS
6 IN THE SEVENTH AND EIGHTH GRADES IN THE MULTIPLIER APPLICABLE TO
7 STUDENTS ENROLLED IN A CAREER AND TECHNICAL EDUCATION COURSE; TO
8 AMEND SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO CONFORM, AND
9 TO ALLOW ANY PERSON WHO WAS EMPLOYED AS A PUBLIC SCHOOL TEACHER OR
10 ADMINISTRATOR AT THE TIME OF RETIREMENT, HAS BEEN RETIRED AT LEAST
11 90 DAYS AND IS RECEIVING A RETIREMENT ALLOWANCE, AND HOLDS THE
12 APPLICABLE EDUCATOR LICENSE, TO BE EMPLOYED AS A TEACHER IN A
13 SCHOOL DISTRICT AFTER RETIREMENT, AND CHOOSE TO CONTINUE RECEIVING
14 THE RETIREMENT ALLOWANCE IN ADDITION TO A SALARY, ALONG WITH THE
15 LOCAL CONTRIBUTION OF THE DISTRICT IN WHICH THE RETIREE IS
16 EMPLOYED; TO REMOVE THE REQUIREMENT OF HAVING AT LEAST 30 YEARS OF
17 CREDITABLE SERVICE; TO AUTHORIZE THE SCHOOL DISTRICT TO ALLOCATE,
18 AS SALARY AND ASSESSMENT OF A RETIRED TEACHER RETURNING TO WORK AS
19 A TEACHER, UP TO 150% OF THE AMOUNT PROVIDED UNDER THE SALARY
20 SCHEDULE COMPARABLE TO THE YEARS OF SERVICE AND LICENSE TYPE OF
21 THE TEACHER; TO PROVIDE THAT LOCAL EDUCATION AGENCIES MAY PAY,
22 FROM LOCAL EDUCATION FUNDING, ALL OR A PORTION OF THE HEALTH
23 INSURANCE PREMIUMS FOR RETIRED EMPLOYEES RETURNING TO WORK AS
24 TEACHERS; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
25 CONFORM; TO CREATE A NEW CODE SECTION TO REQUIRE THE STATE BOARD
26 OF EDUCATION TO INCORPORATE FINANCIAL LITERACY COMPONENTS WITHIN
27 THE EXISTING CURRICULUM TO BE TAUGHT IN GRADES 6-8 ON OR BEFORE
28 THE 2026-2027 SCHOOL YEAR; TO REQUIRE SUCCESSFUL PASSAGE OF THE
29 STAND-ALONE ONE-HALF CARNEGIE UNIT PERSONAL FINANCE COURSE OR A
30 FULL CARNEGIE UNIT COURSE WHERE AT LEAST ONE-HALF OF THE COURSE
31 STANDARDS CONCERN FINANCIAL LITERACY AS A GRADUATION REQUIREMENT;
32 TO ESTABLISH THE "FINANCIAL LITERACY TRUST FUND" AS A SPECIAL FUND
33 IN THE STATE TREASURY THAT SHALL PROVIDE FINANCIAL LITERACY
34 EDUCATION AND BE ADMINISTERED BY THE STATE BOARD OF EDUCATION; TO
35 REQUIRE THE BOARD TO DEVELOP RULES AND REGULATIONS FOR THE
36 ADMINISTRATION OF THE FUND; TO AMEND SECTION 37-7-301, MISSISSIPPI
37 CODE OF 1972, TO CONFORM, AND TO SET CERTAIN TOPICS THAT SHALL BE
38 REQUIRED FOR THE FINANCIAL LITERACY PROGRAM; TO EMPOWER ALL SCHOOL
39 BOARDS OF ALL SCHOOL DISTRICTS TO VOTE TO PROVIDE SCHOOL BOARD
40 MEMBERS AND THEIR ELIGIBLE DEPENDENTS WITH HEALTH INSURANCE,
41 PROVIDED THAT SUCH INSURANCE IS PAID FOR WITH LOCAL FUNDS AND NOT
42 STATE FUNDS; TO CREATE A NEW CODE SECTION TO REQUIRE EACH PUBLIC
43 SCHOOL DISTRICT, PUBLIC CHARTER SCHOOL AND AGRICULTURAL HIGH
44 SCHOOL, AND CERTAIN STATE HIGH SCHOOLS, TO ADOPT AND SEND TO THE
45 STATE DEPARTMENT OF EDUCATION, NO LATER THAN JANUARY 1, 2026, A
46 SPECIFIC POLICY BANNING THE POSSESSION, OR RESTRICTING THE USE, OF
47 CELL PHONES BY STUDENTS DURING CLASS OR WHILE UNDER THE
48 SUPERVISION AND CONTROL OF A SCHOOL EMPLOYEE; TO PROVIDE THAT, IF
49 A SCHOOL OR SCHOOL DISTRICT FAILS TO ADOPT AND TRANSMIT A POLICY
50 AS REQUIRED, THE STATE DEPARTMENT OF EDUCATION SHALL DEDUCT ONE



51 DAY'S WORTH OF THE SCHOOL'S OR DISTRICT'S FUNDS UNDER THE TOTAL
52 FUNDING FORMULA FOR EACH DAY AFTER JANUARY 1, 2026, THAT THE
53 SCHOOL OR DISTRICT IS NONCOMPLIANT; TO PROVIDE FOR POTENTIAL
54 EXCEPTIONS WHICH ALLOW STUDENTS TO POSSESS OR USE CELL PHONES
55 UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT SUFFICIENT CAUSE FOR
56 SUSPENSION OR EXPULSION MAY NOT CONSIST OF ONLY A VIOLATION OF THE
57 CELL PHONE POSSESSION AND USE POLICY DEVELOPED AND IMPLEMENTED
58 UNDER THIS ACT, EXCEPT THAT SUSPENSION MAY BE USED AS A
59 DISCIPLINARY MEASURE OF LAST RESORT; AND FOR RELATED PURPOSES.

