

By: Eaton

To: Education

HOUSE BILL NO. 238

1 AN ACT TO AMEND SECTION 37-9-17, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE SCHOOL BOARD OF ANY SCHOOL DISTRICT TO DESIGNATE A
3 PERSONNEL SUPERVISOR OR ANOTHER PRINCIPAL EMPLOYED BY THE SCHOOL
4 DISTRICT TO MAKE OR ACCEPT RECOMMENDATIONS FOR THE EMPLOYMENT OF
5 NONINSTRUCTIONAL EMPLOYEES AND TO TRANSMIT APPROVED
6 RECOMMENDATIONS TO THE BOARD; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-9-17, Mississippi Code of 1972, is
9 amended as follows:

10 37-9-17. On or before April 1 of each year, the principal of
11 each school shall recommend to the superintendent of the school
12 district the licensed employees or noninstructional employees to
13 be employed for the school involved except those licensed
14 employees or noninstructional employees who have been previously
15 employed and who have a contract valid for the ensuing scholastic
16 year. If such recommendations meet with the approval of the
17 superintendent, the superintendent shall recommend the employment
18 of such licensed employees or noninstructional employees to the
19 school board, and, unless good reason to the contrary exists, the
20 board shall elect the employees so recommended. If, for any
21 reason, the school board shall decline to elect any employee so
22 recommended, additional recommendations for the places to be
23 filled shall be made by the principal to the superintendent and

24 then by the superintendent to the school board as provided above.

25 The school board of any school district shall be authorized to
26 designate a personnel supervisor or another principal employed by
27 the school district to recommend to the superintendent licensed
28 employees or noninstructional employees; however, this
29 authorization shall be restricted to no more than two (2)
30 positions for each employment period for each school in the school
31 district. Any noninstructional employee employed upon the
32 recommendation of a personnel supervisor or another principal
33 employed by the school district must have been employed by the
34 school district at the time the superintendent takes office; a
35 noninstructional employee employed under this authorization may
36 not be paid compensation in excess of the statewide average
37 compensation for such noninstructional position with comparable
38 experience, as established by the State Department of Education.

39 The school board of any school district shall be authorized to
40 designate a personnel supervisor or another principal employed by
41 the school district to accept the recommendations of principals or
42 their designees for licensed employees or noninstructional
43 employees and to transmit approved recommendations to the board;
44 however, this authorization shall be restricted to no more than
45 two (2) positions for each employment period for each school in
46 the school district.

47 When the licensed employees have been elected as provided in
48 the preceding paragraph, the superintendent of the district shall
49 enter into a contract with such persons in the manner provided in
50 this chapter.

51 If, at the commencement of the scholastic year, any licensed
52 employee shall present to the superintendent a license of a higher
53 grade than that specified in such individual's contract, such
54 individual may, if funds are available from minimum education

55 program funds of the district, or from district funds, be paid
56 from such funds the amount to which such higher grade license
57 would have entitled the individual, had the license been held at
58 the time the contract was executed.

59 SECTION 2. This act shall take effect and be in force from
60 and after its passage.