

By: Representative Warren

To: Education;  
Appropriations

HOUSE BILL NO. 641

1 AN ACT TO AMEND SECTION 37-31-13, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THAT STATE APPROPRIATIONS MADE FOR VOCATIONAL EDUCATION  
3 PURPOSES MAY BE USED TO MAKE PAYMENTS, RATHER THAN REIMBURSEMENTS,  
4 TO HIGH SCHOOLS CONDUCTING VOCATIONAL PROGRAMS IN ACCORDANCE WITH  
5 THE FEDERAL SMITH-HUGHES ACT; TO AMEND SECTION 37-31-205,  
6 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
7 ACT; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-31-13, Mississippi Code of 1972, is  
10 amended as follows:

11 37-31-13. (1) Any appropriation that may be made under the  
12 provisions of Sections 37-31-1 through 37-31-15 shall be used by  
13 the board for the promotion of vocational education as provided  
14 for in the "Smith-Hughes Act" and for the purpose set forth in  
15 Sections 37-31-1 through 37-31-15. The state appropriation shall  
16 not be used for payments to high schools which are now receiving  
17 other state funds, except in lieu of not more than one-half (1/2)  
18 the amount that may be due such high schools from federal funds.  
19 Only such portion of the state appropriation shall be used as may  
20 be absolutely necessary to carry out the provisions of Sections  
21 37-31-1 through 37-31-15, and to meet the federal requirements.  
22 Except as \* \* \* provided in subsection (2) of this section the  
23 state appropriation shall not be used for payments to high schools  
24 for conducting vocational programs for more than ten (10) months  
25 in any school year, and only \* \* \* funds other than adequate  
26 education program funds may be expended for such purpose.

27 (2) Subject to annual approval by the State Board of  
28 Education, extended contracts for vocational agriculture education  
29 services and other related vocational education services which



30 contribute to economic development may be conducted by local  
31 school districts, and state appropriations may be used for  
32 payments to school districts providing such services. The board  
33 of trustees of each school district shall determine whether any  
34 proposed services contribute to the economic development of the  
35 area. Local districts may apply to the Division of Vocational and  
36 Technical Education \* \* \* of the State Department of Education for  
37 any state funds available for these extended contracts. The State  
38 Board of Education shall establish the application process and the  
39 selection criteria for this program. The number of state funded  
40 extended contracts approved by the State Board of Education will  
41 be determined by the availability of funds specified for this  
42 purpose. The State Board of Education's decision shall be final.  
43 Payments under this subsection shall only be available to those  
44 high schools whose teachers of vocational programs are responsible  
45 for the following programs of instruction during those months  
46 between the academic years: (a) supervision and instruction of  
47 students in agricultural or other vocational experience programs;  
48 (b) group and individual instruction of farmers and  
49 agribusinessmen; (c) supervision of student members of youth  
50 groups who are involved in leadership training or other activity  
51 required by state or federal law; or (d) any program of vocational  
52 agriculture or other vocational-related services established by  
53 the Division of Vocational and Technical Education \* \* \* of the  
54 State Department of Education that contribute to the economic  
55 development of the geographic area.

56 **SECTION 2.** Section 37-31-205, Mississippi Code of 1972, is  
57 amended as follows:

58 37-31-205. (1) The State Board of Education shall have the  
59 authority to:

60 (a) Expend funds received either by appropriation or  
61 directly from federal or private sources;



62 (b) Channel funds to secondary schools, community and  
63 junior colleges and regional vocational-technical facilities  
64 according to priorities set by the board;

65 (c) Allocate funds on an annual budgetary basis;

66 (d) Set standards for and approve all vocational and  
67 technical education programs in the public school system and  
68 community and junior colleges or other agencies or institutions  
69 which receive state funds and federal funds for such purposes,  
70 including, but not limited to, the following vocational and  
71 technical education programs: agriculture, trade and industry,  
72 occupational home economics, consumer and homemaking education,  
73 distributive education, business and office, health, industrial  
74 arts, guidance services, technical education, cooperative  
75 education, and all other specialized training not requiring a  
76 bachelor's degree, with the exception of programs of nursing  
77 education regulated under the provisions of Section 37-129-1. The  
78 State Board of Education shall authorize local schools boards,  
79 within such school board's discretion, to offer distributive  
80 education as a one-hour or two-hour block course. There shall be  
81 no reduction of payments from state funding for distributive  
82 education due to the selection of either the one-hour or two-hour  
83 course offering;

84 (e) Set and publish licensure standards for vocational  
85 and technical education personnel. The State Board of Education  
86 shall recognize a vocational and technical education teacher's  
87 work when school is not in session which is in the teacher's  
88 particular field of instruction as a means for the teacher to  
89 fulfill the requirements for renewal of the teacher's license.  
90 The board shall establish, by rules and regulations, the  
91 documentation of such work which must be submitted to the board  
92 and the number of actual working hours required to fulfill renewal  
93 requirements. If a vocational and technical education teacher who  
94 does not have a bachelor's degree takes classes in fulfillment of



95 licensure renewal requirements, such classes must be in  
96 furtherance of a bachelor's degree;

97 (f) Require data and information on program performance  
98 from those programs receiving state funds;

99 (g) Expend funds to expand career information;

100 (h) Supervise and maintain the Division of Vocational  
101 and Technical Education and to utilize, to the greatest extent  
102 possible, the division as the administrative unit of the board  
103 responsible for coordinating programs and services with local  
104 institutions;

105 (i) Promulgate such rules and regulations necessary to  
106 carry out the provisions of this chapter in accordance with  
107 Section 25-43-1 et seq.;

108 (j) Set standards and approve all vocational and  
109 technical education equipment and facilities purchased and/or  
110 leased with state and federal vocational funds;

111 (k) Encourage provisions for lifelong learning and  
112 changing personal career preferences and advancement of vocational  
113 and technical education students through articulated programs  
114 between high schools and community and junior colleges;

115 (l) Encourage the establishment of new linkages with  
116 business and industry which will provide for a better  
117 understanding of essential labor market concepts;

118 (m) Periodically review the funding and reporting  
119 processes required of local school districts by the board or  
120 division with the aim of simplifying or eliminating inefficient  
121 practices and procedures;

122 (n) Assist in the development of high technology  
123 programs and resource centers to support current and projected  
124 industrial needs;

125 (o) Assist in the development of a technical assistance  
126 program for business and industry which will provide for  
127 industrial training and services, including the transfer of



128 information relative to new applications and advancements in  
129 technology; and

130           (p) Enter into contracts and agreements with the State  
131 Board for Community and Junior Colleges for conditions under which  
132 vocational and technical education programs in community and  
133 junior colleges shall receive state and federal funds which flow  
134 through the State Board of Education for such purposes.

135           (2) It is the intent of the Legislature that no vocational  
136 and technical education course or program existing on June 30,  
137 1982, shall be eliminated by the State Board of Education under  
138 the authority vested in paragraph (d) of subsection (1) of this  
139 section prior to June 30, 1985. It is further the intent of the  
140 Legislature that no vocational and technical education teacher or  
141 other personnel employed on June 30, 1983, shall be discharged due  
142 to licensure standards promulgated by the board under paragraph  
143 (e) of subsection (1) of this section, if any such teacher or  
144 personnel shall have complied with any newly published licensure  
145 standards by June 30, 1985. Nothing contained in this section  
146 shall be construed to abrogate or affect in any manner the  
147 authority of local public school districts or community and junior  
148 colleges to eliminate vocational and technical education courses  
149 or programs or to discharge any vocational and technical education  
150 teacher or other personnel.

151           (3) The State Board of Education and the State Board for  
152 Community and Junior Colleges may provide that \* \* \* every  
153 vocational and technical education course or program in  
154 Mississippi may integrate academic and vocational-technical  
155 education through coherent sequences of courses, so that students  
156 in such programs achieve both academic and occupational  
157 competencies. The boards may expend federal funds available from  
158 the 1990 Perkins Act, or other available federal funds, for the  
159 alignment of vocational-technical programs with academic programs



160 through the accreditation process and the teacher licensure  
161 process.

162           **SECTION 3.** This act shall take effect and be in force from  
163 and after July 1, 2002.

