

By: Representative Scott (17th)

To: Education;  
Appropriations

HOUSE BILL NO. 1413

1 AN ACT TO AMEND SECTIONS 37-3-59 AND 37-7-339, MISSISSIPPI  
2 CODE OF 1972, TO AUTHORIZE A SUMMER KINDERGARTEN PROGRAM FOR  
3 STUDENTS TO ENROLL IN BEFORE AND AFTER THE BEGINNING OF THE  
4 REGULAR KINDERGARTEN SCHOOL YEAR; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-3-59, Mississippi Code of 1972, is  
7 amended as follows:

8 37-3-59. (1) The school boards of all school districts may  
9 establish, maintain and operate, in connection with the  
10 kindergarten program of the district, a summer kindergarten  
11 program that begins two (2) months before the beginning of the  
12 regular school year, and a summer kindergarten program for Grade 1  
13 readiness for those pupils making unsatisfactory progress during  
14 the regular kindergarten session that will continue for two (2)  
15 months after the regular school year. The summer kindergarten  
16 program may be held within that school district or may be operated  
17 by two (2) or more adjacent school districts, or may be operated  
18 by a community/junior college or by a public or private university  
19 or college, pursuant to a contract approved by the State Board of  
20 Education. Transportation for students attending the summer  
21 kindergarten program shall be the responsibility of the local  
22 school district. The expense of establishing, maintaining and  
23 operating the summer kindergarten program may be paid from funds  
24 contributed or otherwise made available to the school district for  
25 that purpose from state appropriation, or otherwise, or from local  
26 district maintenance funds.

27 (2) The school boards of all school districts are authorized  
28 to establish, maintain and operate a summer developmental program



29 for those students making unsatisfactory progress in Grades 1, 2,  
30 3, 4, 5 or 6, during the first two (2) semesters. Such summer  
31 programs shall be open to those students who are not required to  
32 attend summer classes, but have had difficulty in the first two  
33 (2) trimesters, and shall be open to those students who desire  
34 enrichment. Said summer developmental programs may be held within  
35 such school district or may be operated by two (2) or more  
36 adjacent school districts, or may be operated by a  
37 community/junior college or by a public or private university or  
38 college, pursuant to a contract approved by the State Board of  
39 Education. Transportation for students required to attend the  
40 summer program for Grades 1-6 shall be the responsibility of the  
41 local school district(s). The expense of establishing,  
42 maintaining and operating such summer program may be paid from  
43 funds contributed or made available to the school district for  
44 such purpose from state appropriation, or otherwise, or from local  
45 district maintenance funds.

46 (3) The school boards of all school districts are authorized  
47 to establish, maintain and operate a summer developmental program  
48 for those students making unsatisfactory progress in core  
49 curriculum courses in Grades 7 and 8, during the preceding school  
50 year. Said summer developmental programs may be held within such  
51 school district or may be operated by two (2) or more adjacent  
52 school districts, or may be operated by a community/junior college  
53 or by a public or private university or college, pursuant to a  
54 contract approved by the State Board of Education. Transportation  
55 for students required to attend the summer program for Grades 7  
56 and 8 shall be the responsibility of the local school district.  
57 The expense of establishing, maintaining and operating such summer  
58 program may be paid from funds contributed or made available to  
59 the school district for such purpose from state appropriation, or  
60 otherwise, or from local district maintenance funds.



61           **SECTION 2.** Section 37-7-339, Mississippi Code of 1972, is  
62 amended as follows:

63           37-7-339. (1) The school board of any \* \* \* school  
64 district \* \* \* may provide extended day programs, and may provide  
65 extended school year programs for kindergarten students as  
66 provided in Section 37-3-59, or compulsory-school-age students, or  
67 both, and may expend any funds for these purposes which are  
68 available from sources other than the adequate education program.  
69 It is not the intent of the Legislature, in enacting this section,  
70 to interfere with the Headstart program. School boards, in their  
71 discretion, may charge participants a reasonable fee for such  
72 programs.

73           (2) The school board of any school district may adopt any  
74 orders, policies, rules or regulations with respect to instruction  
75 within that school district for which no specific provision has  
76 been made by general law and which are not inconsistent with the  
77 Mississippi Constitution of 1890, the Mississippi Code of 1972, or  
78 any order, policy, rule or regulation of the State Board of  
79 Education; those school boards also may alter, modify and repeal  
80 any orders, policies, rules or regulations enacted under this  
81 subsection. Any such program pertaining to reading must further  
82 the goal that Mississippi students will demonstrate a growing  
83 proficiency in reading and will reach or exceed the national  
84 average within the next decade.

85           **SECTION 3.** This act shall take effect and be in force from  
86 and after July 1, 2003.

