

By: Representative Scott

To: Education

HOUSE BILL NO. 1431

1 AN ACT TO AMEND SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO
 2 REQUIRE THE STATE BOARD OF EDUCATION TO SELECT CERTAIN SCHOOL
 3 DISTRICTS FOR PARTICIPATION IN A PILOT PROGRAM TO PRESCRIBE A
 4 MANDATORY STUDENT UNIFORM; TO AMEND SECTION 37-7-335, MISSISSIPPI
 5 CODE OF 1972, TO AUTHORIZE THE SCHOOL DISTRICTS SELECTED BY THE
 6 STATE BOARD OF EDUCATION FOR PARTICIPATION IN A PILOT PROGRAM TO
 7 CHARGE FEES NOT EXCEEDING THE ACTUAL COST FOR STUDENT UNIFORMS; TO
 8 AMEND SECTION 37-11-55, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
 9 SCHOOL DISTRICTS SELECTED BY THE STATE BOARD OF EDUCATION FOR
 10 PARTICIPATION IN A PILOT PROGRAM TO INCLUDE AN EXPLANATION OF
 11 STUDENTS' RESPONSIBILITIES REGARDING UNIFORMS IN THE CODE OF
 12 STUDENT CONDUCT; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 37-1-3, Mississippi Code of 1972, is
 15 amended as follows:

16 37-1-3. (1) The State Board of Education shall adopt rules
 17 and regulations and set standards and policies for the
 18 organization, operation, management, planning, budgeting and
 19 programs of the State Department of Education.

20 (a) The board is directed to identify all functions of
 21 the department that contribute to or comprise a part of the state
 22 system of educational accountability and to establish and maintain
 23 within the department the necessary organizational structure,
 24 policies and procedures for effectively coordinating such
 25 functions. Such policies and procedures shall clearly fix and
 26 delineate responsibilities for various aspects of the system and
 27 for overall coordination of the total system and its effective
 28 management.

29 (b) The board shall establish and maintain a
 30 system-wide plan of performance, policy and directions of public
 31 education not otherwise provided for.

32 (c) The board shall effectively use the personnel and
33 resources of the department to enhance technical assistance to
34 school districts in instruction and management therein.

35 (d) The board shall establish and maintain a central
36 budget policy.

37 (e) The board shall establish and maintain within the
38 State Department of Education a central management capacity under
39 the direction of the State Superintendent of Public Education.

40 (f) The board, with recommendations from the
41 superintendent, shall design and maintain a five-year plan and
42 program for educational improvement that shall set forth
43 objectives for system performance and development and be the basis
44 for budget requests and legislative initiatives.

45 (2) (a) The State Board of Education shall adopt and
46 maintain a curriculum and a course of study to be used in the
47 public schools that is designed to prepare the state's children
48 and youth to be productive, informed, creative citizens, workers
49 and leaders, and it shall regulate all matters arising in the
50 practical administration of the school system not otherwise
51 provided for.

52 (b) Before the 1999-2000 school year, the State Board
53 of Education shall develop personal living and finances objectives
54 that focus on money management skills for individuals and families
55 for appropriate, existing courses at the secondary level. The
56 objectives must require the teaching of those skills necessary to
57 handle personal business and finances and must include instruction
58 in the following:

59 (i) Opening a bank account and assessing the
60 quality of a bank's services;

61 (ii) Balancing a checkbook;

62 (iii) Managing debt, including retail and credit
63 card debt;

64 (iv) Completing a loan application;

- 65 (v) The implications of an inheritance;
66 (vi) The basics of personal insurance policies;
67 (vii) Consumer rights and responsibilities;
68 (viii) Dealing with salesmen and merchants;
69 (ix) Computing state and federal income taxes;
70 (x) Local tax assessments;
71 (xi) Computing interest rates by various
72 mechanisms;
73 (xii) Understanding simple contracts; and
74 (xiii) Contesting an incorrect billing statement.

75 (3) The State Board of Education shall through its actions
76 seek to implement the policies set forth in Section 37-1-2.

77 (4) The State Board of Education shall select districts
78 having a high incidence of juvenile crime, sixty percent (60%)
79 food stamp participation and a Level 3 or lower accreditation
80 rating to participate in a pilot program mandating school
81 uniforms.

82 **SECTION 2.** Section 37-7-335, Mississippi Code of 1972, is
83 amended as follows:

84 37-7-335. (1) The school board of any school district shall
85 be authorized to charge reasonable fees, but not more than the
86 actual cost, for the following:

87 (a) Supplemental instructional materials and supplies,
88 excluding textbooks;

89 (b) Any other fees designated by the local school board
90 as fees related to a valid curriculum educational objective,
91 including school uniforms in those districts selected for
92 participation in the school uniform pilot program under Section
93 37-1-3 and transportation; and

94 (c) Extracurricular activities and any other
95 educational activities of the school district which are not
96 designated by the local school board as valid curriculum
97 educational objectives, such as band trips and athletic events.

98 (2) (a) All fees authorized to be charged under this
99 section, except those fees authorized under subsection (1)(c) of
100 this section, shall be charged only upon the condition that the
101 school board of each school district shall adopt a financial
102 hardship waiver policy that shall be kept in the strictest of
103 confidence with all files and personal disclosures restricted from
104 review by the general public. The board shall insure that a pupil
105 eligible to have any such fees waived as a result of an inability
106 to pay for said fees, shall not be discriminated against nor shall
107 there be any overt identification of any pupil who has received a
108 financial hardship waiver by use of special tokens or tickets,
109 announcements, posting or publication of names, physical
110 separation, choice of materials or by any other means. In no case
111 shall any school district's procedures expose any pupil receiving
112 a hardship waiver to any type of stigma or ridicule by other
113 pupils or school district personnel.

114 (b) The confidentiality of the financial hardship
115 waiver policy adopted by such school board shall apply to any
116 students who have an inability to pay any fees authorized under
117 subsection (1)(c) of this section.

118 (3) In no case shall the inability to pay the assessment of
119 fees authorized under * * * this section result in a pupil being
120 denied or deprived of any academic awards or standards, any class
121 selection, grade, diploma, transcript or the right to participate
122 in any activity related to educational enhancement.

123 **SECTION 3.** Section 37-11-55, Mississippi Code of 1972, is
124 amended as follows:

125 37-11-55. The local school board shall adopt and make
126 available to all teachers, school personnel, students and parents
127 or guardians, at the beginning of each school year, a code of
128 student conduct developed in consultation with teachers, school
129 personnel, students and parents or guardians. The code shall be
130 based on the rules governing student conduct and discipline

131 adopted by the school board and shall be made available at the
132 school level in the student handbook or similar publication. The
133 code shall include, but not be limited to:

134 (a) Specific grounds for disciplinary action under the
135 school district's discipline plan;

136 (b) Procedures to be followed for acts requiring
137 discipline, including suspensions and expulsion, which comply with
138 due process requirements;

139 (c) An explanation of the responsibilities and rights
140 of students with regard to: attendance; proper attire in
141 conformity with the school uniform in those districts selected for
142 participation in the school uniform pilot program under Section
143 37-1-3; respect for persons and property; knowledge and
144 observation of rules of conduct; free speech and student
145 publications; assembly; privacy; and participation in school
146 programs and activities;

147 (d) Policies and procedures recognizing the teacher as
148 the authority in classroom matters, and supporting that teacher in
149 any decision in compliance with the written discipline code of
150 conduct. Such recognition shall include the right of the teacher
151 to remove from the classroom any student who, in the professional
152 judgment of the teacher, is disrupting the learning environment,
153 to the office of the principal or assistant principal. The
154 principal or assistant principal shall determine the proper
155 placement for the student, who may not be returned to the
156 classroom until a conference of some kind has been held with the
157 parent, guardian or custodian during which the disrupting behavior
158 is discussed and agreements are reached that no further disruption
159 will be tolerated. If the principal does not approve of the
160 determination of the teacher to remove the student from the
161 classroom, the student may not be removed from the classroom, and
162 the principal, upon request from the teacher, must provide
163 justification for his disapproval;

164 (e) Policies and procedures for dealing with a student
165 who causes a disruption in the classroom, on school property or
166 vehicles, or at school-related activities;

167 (f) Procedures for the development of behavior
168 modification plans by the school principal, reporting teacher and
169 student's parent for a student who causes a disruption in the
170 classroom, on school property or vehicles, or at school-related
171 activities for a second time during the school year; and

172 (g) Policies and procedures specifically concerning
173 gang-related activities in the school, on school property or
174 vehicles, or at school-related activities.

175 **SECTION 4.** This act shall take effect and be in force from
176 and after July 1, 2005.