

By: Representative Fleming

To: Education

HOUSE BILL NO. 251

1 AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A STUDENT MAY ATTEND A SCHOOL IN A DIFFERENT
3 SCHOOL DISTRICT IF HIS OR HER PARENT OR LEGAL GUARDIAN IS
4 PURCHASING A RESIDENCE IN THE OTHER DISTRICT WITHIN FOUR MONTHS OF
5 THE BEGINNING OF THE SCHOOL YEAR; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-15-29, Mississippi Code of 1972, is
8 amended as follows:

9 37-15-29. (1) Except as provided in subsections (2) through
10 (5) of this section, no minor child may enroll in or attend any
11 school except in the school district of his residence, unless such
12 child is lawfully transferred from the school district of his
13 residence to a school in another school district according to the
14 statutes of this state * * *.

15 (2) Those children whose parent(s) or legal guardian(s) are
16 instructional personnel or licensed employees of a school district
17 may, in such employee's discretion, enroll in and attend the
18 school or schools of their parent's or legal guardian's employment
19 regardless of the residence of the child.

20 (3) No child shall be required to be transported in excess
21 of thirty (30) miles on a school bus from his or her home to
22 school, or in excess of thirty (30) miles from school to his or
23 her home, if there is another school in an adjacent school
24 district located on a shorter school bus transportation route by
25 the nearest traveled road. Those children residing in such
26 geographical situations may, in the discretion of their parent(s)
27 or legal guardian(s), enroll in and attend the nearer school,
28 regardless of the residence of the child. If the parent or legal

29 guardian of such child and the school board are unable to agree on
30 the school bus mileage required to transport the child from his or
31 her home to school, an appeal shall lie to the State Board of
32 Education, or its designee, whose decision shall be final.

33 (4) * * * The brother(s) and sister(s) of those children
34 lawfully transferred from the school district of their residence
35 to a school in another school district before July 1, 1992, may,
36 in the discretion of their parent(s) or legal guardian(s), enroll
37 in and attend school in the transferee school district.

38 (5) (a) Any child whose residence will change from one (1)
39 school district to another school district during a school year
40 due to his parent or legal guardian purchasing a residence in the
41 other district shall have the option, in the discretion of the
42 child's parent or legal guardian, of enrolling in and attending
43 the appropriate attendance center in the district where the parent
44 or legal guardian is purchasing the residence, even if the parent
45 or legal guardian and child do not reside in that residence at the
46 beginning of the school year. In order to exercise the option
47 under this subsection, the real estate closing on the purchase of
48 the property in which the residence in the other district is
49 located must be within four (4) months of the beginning of the
50 school year.

51 (b) The school board of the district in which the
52 parent or legal guardian is purchasing a residence may require the
53 parent to provide documentation satisfactory to the board which
54 shows the pending purchase and location of the residence.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2007.