

By: Representative Bennett

To: Education;  
Appropriations

HOUSE BILL NO. 561

1 AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT PARENTS OR LEGAL GUARDIANS WHO ARE ACTIVE MEMBERS  
3 OF THE UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL  
4 AND WHO RESIDE ON A MILITARY BASE SHALL HAVE THE RIGHT TO SELECT  
5 THE SCHOOL OF ENROLLMENT IN THE ADJACENT SCHOOL DISTRICT CHOSEN BY  
6 THE PARENT OR LEGAL GUARDIAN FOR THE CHILD'S ATTENDANCE; AND FOR  
7 RELATED PURPOSES.

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

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

11 37-15-29. (1) Except as provided in subsections (2), (3),  
12 (4) and (5) of this section, no minor child may enroll in or  
13 attend any school except in the school district of his residence,  
14 unless such child be lawfully transferred from the school district  
15 of his residence to a school in another school district in accord  
16 with the statutes of this state now in effect or which may be  
17 hereafter enacted.

18 (2) Those children whose parent(s) or legal guardian(s) are  
19 instructional personnel or certificated employees of a school  
20 district may at such employee's discretion enroll and attend the



21 school or schools of their parent's or legal guardian's employment  
22 regardless of the residence of the child.

23 (3) No child shall be required to be transported in excess  
24 of thirty (30) miles on a school bus from his or her home to  
25 school, or in excess of thirty (30) miles from school to his or  
26 her home, if there is another school in an adjacent school  
27 district located on a shorter school bus transportation route by  
28 the nearest traveled road. Those children residing in such  
29 geographical situations may, at the discretion of their parent(s)  
30 or legal guardian(s), enroll and attend the nearer school,  
31 regardless of the residence of the child. In the event the parent  
32 or legal guardian of such child and the school board are unable to  
33 agree on the school bus mileage required to transport the child  
34 from his or her home to school, an appeal shall lie to the State  
35 Board of Education, or its designee, whose decision shall be  
36 final. The school districts involved in the appeal shall provide  
37 the Mississippi Department of Education with any school bus route  
38 information requested, including riding the buses as necessary, in  
39 order to measure the bus routes in question, as needed by the  
40 State Board of Education in considering the appeal.

41 (4) Those children lawfully transferred from the school  
42 district of his residence to a school in another school district  
43 prior to July 1, 1992, may, at the discretion of their parent(s)  
44 or legal guardian(s), continue to enroll and attend school in the  
45 transferee school district. Provided further, that the brother(s)



46 and sister(s) of said children lawfully transferred prior to July  
47 1, 1992, may also, at the discretion of their parent(s) or legal  
48 guardian(s), enroll and attend school in the transferee school  
49 district.

50 (5) Those children whose parent(s) or legal guardian(s) are  
51 active members of the United States Armed Forces or civilian  
52 military personnel and reside on a military base, may, at the  
53 discretion of their parent(s) or legal guardian(s), enroll and  
54 attend the school district of their parent's or legal guardian's  
55 choosing, regardless of the residence of the child, provided the  
56 school district where the student resides \* \* \* is adjacent to the  
57 school district \* \* \* of the parent's or guardian's \* \* \* and does  
58 not violate \* \* \* subsection (3) of this section prohibiting the  
59 transportation of students in excess of thirty (30) miles. Any  
60 parent or guardian exercising the option of enrolling his or her  
61 child in an adjacent school district under this subsection shall  
62 have the right to select the school in the adjacent district in  
63 which the child is to be enrolled and attend.

64 **SECTION 2.** This act shall take effect and be in force from  
65 and after its passage.

