

By: Representatives Gunn, Wilson, Haney,  
Baker, Powell, Patterson

To: Education

HOUSE BILL NO. 1224  
(As Passed the House)

1 AN ACT TO AMEND SECTION 37-17-12, MISSISSIPPI CODE OF 1972,  
2 TO EXEMPT SCHOOL DISTRICTS WITH "A" AND "B" ACCOUNTABILITY  
3 RATINGS, AS DEFINED BY THE STATE BOARD OF EDUCATION, FROM  
4 PERFORMING CERTAIN DUTIES IMPOSED ON SCHOOL DISTRICTS; TO AMEND  
5 SECTION 37-1-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE  
6 BOARD OF EDUCATION TO DEVELOP A GRANT PROGRAM EXCLUSIVELY FOR  
7 SCHOOL DISTRICTS WITH "A" AND "B" ACCOUNTABILITY RATINGS TO  
8 RECEIVE FUNDS FOR THE IMPLEMENTATION OF INNOVATIVE EDUCATIONAL  
9 PROGRAMS; TO AMEND SECTIONS 37-3-2, 37-11-53, 37-13-41 AND  
10 37-43-31, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
11 PROVISIONS OF THIS ACT; TO AMEND SECTION 37-13-89, MISSISSIPPI  
12 CODE OF 1972, TO REQUIRE SCHOOL ATTENDANCE OFFICERS TO VISIT THE  
13 HOME OR PLACE OF RESIDENCE OF A COMPULSORY-SCHOOL-AGE CHILD WITHIN  
14 72 HOURS OF AN UNEXCUSED ABSENCE FOR CONSULTATION WITH THE PARENT  
15 OR LEGAL GUARDIAN OF THAT CHILD; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** Section 37-17-12, Mississippi Code of 1972, is  
18 amended as follows:

19 37-17-12. (1) \* \* \* Except as otherwise provided by law,  
20 school districts with "A" and "B" accountability ratings, as  
21 defined by the State Board of Education, are exempt from certain  
22 statutes applicable to public schools and school districts and the  
23 rules, regulations, policies and procedures of the State Board of  
24 Education. School districts with "A" and "B" accountability



25 ratings and the licensed employees of those districts are exempt  
26 from the following requirements:

27 \* \* \*

28 (a) Reporting student grades to the State Department of  
29 Education;

30 (b) Having the school district's official discipline  
31 plan and code of student conduct legally audited on an annual  
32 basis, as required under Section 37-11-53;

33 (c) Submitting reports regarding the type and amount of  
34 work done in each grade of their respective school to the  
35 superintendent of the school district, as required in Section  
36 37-13-41;

37 (d) Participating in the process of selecting textbooks  
38 by the State Board of Education, as prescribed in Section  
39 37-43-31;

40 (e) Completing surveys from the State Department of  
41 Education; and

42 (f) Fulfilling continuing education unit requirements  
43 for teacher license renewal, as prescribed in Section 37-3-2.

44 (2) Except as otherwise provided by law, school districts  
45 with "A" and "B" accountability ratings may provide for the  
46 following:

47 Certain incentives for eligible teachers, such as forgiveness  
48 of state student educational loans, housing assistance and moving



49 expenses in the same manner as provided for in the Critical Needs  
50 Teacher Shortage Act.

51 ( \* \* \*3) (a) \* \* \* Principals and administrators with  
52 career level certifications at schools with the highest levels of  
53 accreditation standards, as defined by the State Board of  
54 Education, shall be exempted from the provisions pursuant to  
55 Section 37-3-4, subject to approval of the local superintendent.

56 (b) \* \* \* School districts meeting the highest levels of  
57 accreditation standards, as defined by the State Board of  
58 Education, shall be exempted from the provisions pursuant to  
59 Sections 37-3-46, 37-3-49(2), 37-7-337, 37-17-8 and 37-21-7(4).

60 ( \* \* \*4) The State Department of Education shall develop a  
61 policy to determine reevaluation of exemption status.

62 \* \* \*

63 **SECTION 2.** Section 37-1-3, Mississippi Code of 1972, is  
64 amended as follows:

65 37-1-3. (1) The State Board of Education shall adopt rules  
66 and regulations and set standards and policies for the  
67 organization, operation, management, planning, budgeting and  
68 programs of the State Department of Education.

69 (a) The board is directed to identify all functions of  
70 the department that contribute to or comprise a part of the state  
71 system of educational accountability and to establish and maintain  
72 within the department the necessary organizational structure,  
73 policies and procedures for effectively coordinating such



74 functions. Such policies and procedures shall clearly fix and  
75 delineate responsibilities for various aspects of the system and  
76 for overall coordination of the total system and its effective  
77 management.

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

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

84 (d) The board shall establish and maintain a central  
85 budget policy.

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

89 (f) The board, with recommendations from the  
90 superintendent, shall design and maintain a five-year plan and  
91 program for educational improvement that shall set forth  
92 objectives for system performance and development and be the basis  
93 for budget requests and legislative initiatives.

94 (g) The board shall develop a grant program exclusively  
95 for school districts with "A" and "B" accountability ratings, as  
96 defined by the board, to receive funds for the implementation of  
97 innovative educational programs.



98           (2)   (a)   The State Board of Education shall adopt and  
99   maintain a curriculum and a course of study to be used in the  
100   public school districts that is designed to prepare the state's  
101   children and youth to be productive, informed, creative citizens,  
102   workers and leaders, and it shall regulate all matters arising in  
103   the practical administration of the school system not otherwise  
104   provided for.

105                   (b)   \* \* \* The State Board of Education shall develop  
106   personal living and finances objectives that focus on money  
107   management skills for individuals and families for appropriate,  
108   existing courses at the secondary level. The objectives must  
109   require the teaching of those skills necessary to handle personal  
110   business and finances and must include instruction in the  
111   following:

- 112                           (i)   Opening a bank account and assessing the  
113   quality of a bank's services;
- 114                           (ii)   Balancing a checkbook;
- 115                           (iii)   Managing debt, including retail and credit  
116   card debt;
- 117                           (iv)   Completing a loan application;
- 118                           (v)   The implications of an inheritance;
- 119                           (vi)   The basics of personal insurance policies;
- 120                           (vii)   Consumer rights and responsibilities;
- 121                           (viii)   Dealing with salesmen and merchants;
- 122                           (ix)   Computing state and federal income taxes;



- 123                   (x) Local tax assessments;
- 124                   (xi) Computing interest rates by various
- 125 mechanisms;
- 126                   (xii) Understanding simple contracts; and
- 127                   (xiii) Contesting an incorrect billing statement.

128           (3) The State Board of Education shall have authority to

129 expend any available federal funds, or any other funds expressly

130 designated, to pay training, educational expenses, salary

131 incentives and salary supplements to licensed teachers employed in

132 local school districts or schools administered by the State Board

133 of Education. Such incentive payments shall not be considered

134 part of a school district's local supplement as defined in Section

135 37-151-5(o), nor shall the incentives be considered part of the

136 local supplement paid to an individual teacher for the purposes of

137 Section 37-19-7(1). MAEP funds or any other state funds shall not

138 be used to provide such incentives unless specifically authorized

139 by law.

140           (4) The State Board of Education shall through its actions

141 seek to implement the policies set forth in Section 37-1-2.

142           **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is

143 amended as follows:

144           37-3-2. (1) There is established within the State

145 Department of Education the Commission on Teacher and

146 Administrator Education, Certification and Licensure and

147 Development. It shall be the purpose and duty of the commission



148 to make recommendations to the State Board of Education regarding  
149 standards for the certification and licensure and continuing  
150 professional development of those who teach or perform tasks of an  
151 educational nature in the public schools of Mississippi.

152 (2) The commission shall be composed of fifteen (15)  
153 qualified members. The membership of the commission shall be  
154 composed of the following members to be appointed, three (3) from  
155 each congressional district: four (4) classroom teachers; three  
156 (3) school administrators; one (1) representative of schools of  
157 education of institutions of higher learning located within the  
158 state to be recommended by the Board of Trustees of State  
159 Institutions of Higher Learning; one (1) representative from the  
160 schools of education of independent institutions of higher  
161 learning to be recommended by the Board of the Mississippi  
162 Association of Independent Colleges; one (1) representative from  
163 public community and junior colleges located within the state to  
164 be recommended by the Mississippi Community College Board; one (1)  
165 local school board member; and four (4) laypersons. All  
166 appointments shall be made by the State Board of Education after  
167 consultation with the State Superintendent of Public Education.  
168 The first appointments by the State Board of Education shall be  
169 made as follows: five (5) members shall be appointed for a term  
170 of one (1) year; five (5) members shall be appointed for a term of  
171 two (2) years; and five (5) members shall be appointed for a term



172 of three (3) years. Thereafter, all members shall be appointed  
173 for a term of four (4) years.

174 (3) The State Board of Education when making appointments  
175 shall designate a chairman. The commission shall meet at least  
176 once every two (2) months or more often if needed. Members of the  
177 commission shall be compensated at a rate of per diem as  
178 authorized by Section 25-3-69 and be reimbursed for actual and  
179 necessary expenses as authorized by Section 25-3-41.

180 (4) (a) An appropriate staff member of the State Department  
181 of Education shall be designated and assigned by the State  
182 Superintendent of Public Education to serve as executive secretary  
183 and coordinator for the commission. No less than two (2) other  
184 appropriate staff members of the State Department of Education  
185 shall be designated and assigned by the State Superintendent of  
186 Public Education to serve on the staff of the commission.

187 (b) An Office of Educator Misconduct Evaluations shall  
188 be established within the State Department of Education to assist  
189 the commission in responding to infractions and violations, and in  
190 conducting hearings and enforcing the provisions of \* \* \*  
191 subsections (11), (12), (13), (14) and (15) \* \* \* of this section,  
192 and violations of the Mississippi Educator Code of Ethics.

193 (5) It shall be the duty of the commission to:

194 (a) Set standards and criteria, subject to the approval  
195 of the State Board of Education, for all educator preparation  
196 programs in the state;





197 (b) Recommend to the State Board of Education each year  
198 approval or disapproval of each educator preparation program in  
199 the state, subject to a process and schedule determined by the  
200 State Board of Education;

201 (c) Establish, subject to the approval of the State  
202 Board of Education, standards for initial teacher certification  
203 and licensure in all fields;

204 (d) Establish, subject to the approval of the State  
205 Board of Education, standards for the renewal of teacher licenses  
206 in all fields;

207 (e) Review and evaluate objective measures of teacher  
208 performance, such as test scores, which may form part of the  
209 licensure process, and to make recommendations for their use;

210 (f) Review all existing requirements for certification  
211 and licensure;

212 (g) Consult with groups whose work may be affected by  
213 the commission's decisions;

214 (h) Prepare reports from time to time on current  
215 practices and issues in the general area of teacher education and  
216 certification and licensure;

217 (i) Hold hearings concerning standards for teachers'  
218 and administrators' education and certification and licensure with  
219 approval of the State Board of Education;

220 (j) Hire expert consultants with approval of the State  
221 Board of Education;



222 (k) Set up ad hoc committees to advise on specific  
223 areas; and

224 (l) Perform such other functions as may fall within  
225 their general charge and which may be delegated to them by the  
226 State Board of Education.

227 (6) (a) **Standard License - Approved Program Route.** An  
228 educator entering the school system of Mississippi for the first  
229 time and meeting all requirements as established by the State  
230 Board of Education shall be granted a standard five-year license.  
231 Persons who possess two (2) years of classroom experience as an  
232 assistant teacher or who have taught for one (1) year in an  
233 accredited public or private school shall be allowed to fulfill  
234 student teaching requirements under the supervision of a qualified  
235 participating teacher approved by an accredited college of  
236 education. The local school district in which the assistant  
237 teacher is employed shall compensate such assistant teachers at  
238 the required salary level during the period of time such  
239 individual is completing student teaching requirements.

240 Applicants for a standard license shall submit to the department:

241 (i) An application on a department form;

242 (ii) An official transcript of completion of a  
243 teacher education program approved by the department or a  
244 nationally accredited program, subject to the following:

245 Licensure to teach in Mississippi prekindergarten through  
246 kindergarten classrooms shall require completion of a teacher



247 education program or a Bachelor of Science degree with child  
248 development emphasis from a program accredited by the American  
249 Association of Family and Consumer Sciences (AAFCS) or by the  
250 National Association for Education of Young Children (NAEYC) or by  
251 the National Council for Accreditation of Teacher Education  
252 (NCATE). Licensure to teach in Mississippi kindergarten, for  
253 those applicants who have completed a teacher education program,  
254 and in Grade 1 through Grade 4 shall require the completion of an  
255 interdisciplinary program of studies. Licenses for Grades 4  
256 through 8 shall require the completion of an interdisciplinary  
257 program of studies with two (2) or more areas of concentration.  
258 Licensure to teach in Mississippi Grades 7 through 12 shall  
259 require a major in an academic field other than education, or a  
260 combination of disciplines other than education. Students  
261 preparing to teach a subject shall complete a major in the  
262 respective subject discipline. All applicants for standard  
263 licensure shall demonstrate that such person's college preparation  
264 in those fields was in accordance with the standards set forth by  
265 the National Council for Accreditation of Teacher Education  
266 (NCATE) or the National Association of State Directors of Teacher  
267 Education and Certification (NASDTEC) or, for those applicants who  
268 have a Bachelor of Science degree with child development emphasis,  
269 the American Association of Family and Consumer Sciences (AAFCS).  
270 Effective July 1, 2016, for initial elementary education  
271 licensure, a teacher candidate must earn a passing score on a



272 rigorous test of scientifically research-based reading instruction  
273 and intervention and data-based decision-making principles as  
274 approved by the State Board of Education;

275 (iii) A copy of test scores evidencing  
276 satisfactory completion of nationally administered examinations of  
277 achievement, such as the Educational Testing Service's teacher  
278 testing examinations;

279 (iv) Any other document required by the State  
280 Board of Education; and

281 (v) From and after September 30, 2015, no teacher  
282 candidate shall be licensed to teach in Mississippi who did not  
283 meet the following criteria for entrance into an approved teacher  
284 education program:

285 1. Twenty-one (21) ACT equivalent or achieve  
286 the nationally recommended passing score on the Praxis Core  
287 Academic Skills for Educators examination; and

288 2. No less than 2.75 GPA on pre-major  
289 coursework of the institution's approved teacher education program  
290 provided that the accepted cohort of candidates meets or exceeds a  
291 3.0 GPA on pre-major coursework.

292 (b) **Standard License - Nontraditional Teaching Route.**

293 From and after September 30, 2015, no teacher candidate shall be  
294 licensed to teach in Mississippi under the alternate route who did  
295 not meet the following criteria:



296 (i) Twenty-one (21) ACT equivalent or achieve the  
297 nationally recommended passing score on the Praxis Core Academic  
298 Skills for Educators examination; and

299 (ii) No less than 2.75 GPA on content coursework  
300 in the requested area of certification or passing Praxis II scores  
301 at or above the national recommended score provided that the  
302 accepted cohort of candidates of the institution's teacher  
303 education program meets or exceeds a 3.0 GPA on pre-major  
304 coursework.

305 Beginning January 1, 2004, an individual who has a passing  
306 score on the Praxis I Basic Skills and Praxis II Specialty Area  
307 Test in the requested area of endorsement may apply for the Teach  
308 Mississippi Institute (TMI) program to teach students in Grades 7  
309 through 12 if the individual meets the requirements of this  
310 paragraph (b). The State Board of Education shall adopt rules  
311 requiring that teacher preparation institutions which provide the  
312 Teach Mississippi Institute (TMI) program for the preparation of  
313 nontraditional teachers shall meet the standards and comply with  
314 the provisions of this paragraph.

315 (i) The Teach Mississippi Institute (TMI) shall  
316 include an intensive eight-week, nine-semester-hour summer program  
317 or a curriculum of study in which the student matriculates in the  
318 fall or spring semester, which shall include, but not be limited  
319 to, instruction in education, effective teaching strategies,  
320 classroom management, state curriculum requirements, planning and



321 instruction, instructional methods and pedagogy, using test  
322 results to improve instruction, and a one (1) semester three-hour  
323 supervised internship to be completed while the teacher is  
324 employed as a full-time teacher intern in a local school district.  
325 The TMI shall be implemented on a pilot program basis, with  
326 courses to be offered at up to four (4) locations in the state,  
327 with one (1) TMI site to be located in each of the three (3)  
328 Mississippi Supreme Court districts.

329                   (ii) The school sponsoring the teacher intern  
330 shall enter into a written agreement with the institution  
331 providing the Teach Mississippi Institute (TMI) program, under  
332 terms and conditions as agreed upon by the contracting parties,  
333 providing that the school district shall provide teacher interns  
334 seeking a nontraditional provisional teaching license with a  
335 one-year classroom teaching experience. The teacher intern shall  
336 successfully complete the one (1) semester three-hour intensive  
337 internship in the school district during the semester immediately  
338 following successful completion of the TMI and prior to the end of  
339 the one-year classroom teaching experience.

340                   (iii) Upon completion of the nine-semester-hour  
341 TMI or the fall or spring semester option, the individual shall  
342 submit his transcript to the commission for provisional licensure  
343 of the intern teacher, and the intern teacher shall be issued a  
344 provisional teaching license by the commission, which will allow



345 the individual to legally serve as a teacher while the person  
346 completes a nontraditional teacher preparation internship program.

347 (iv) During the semester of internship in the  
348 school district, the teacher preparation institution shall monitor  
349 the performance of the intern teacher. The school district that  
350 employs the provisional teacher shall supervise the provisional  
351 teacher during the teacher's intern year of employment under a  
352 nontraditional provisional license, and shall, in consultation  
353 with the teacher intern's mentor at the school district of  
354 employment, submit to the commission a comprehensive evaluation of  
355 the teacher's performance sixty (60) days prior to the expiration  
356 of the nontraditional provisional license. If the comprehensive  
357 evaluation establishes that the provisional teacher intern's  
358 performance fails to meet the standards of the approved  
359 nontraditional teacher preparation internship program, the  
360 individual shall not be approved for a standard license.

361 (v) An individual issued a provisional teaching  
362 license under this nontraditional route shall successfully  
363 complete, at a minimum, a one-year beginning teacher mentoring and  
364 induction program administered by the employing school district  
365 with the assistance of the State Department of Education.

366 (vi) Upon successful completion of the TMI and the  
367 internship provisional license period, applicants for a Standard  
368 License - Nontraditional Route shall submit to the commission a  
369 transcript of successful completion of the twelve (12) semester



370 hours required in the internship program, and the employing school  
371 district shall submit to the commission a recommendation for  
372 standard licensure of the intern. If the school district  
373 recommends licensure, the applicant shall be issued a Standard  
374 License - Nontraditional Route which shall be valid for a  
375 five-year period and be renewable.

376 (vii) At the discretion of the teacher preparation  
377 institution, the individual shall be allowed to credit the twelve  
378 (12) semester hours earned in the nontraditional teacher  
379 internship program toward the graduate hours required for a Master  
380 of Arts in Teacher (MAT) Degree.

381 (viii) The local school district in which the  
382 nontraditional teacher intern or provisional licensee is employed  
383 shall compensate such teacher interns at Step 1 of the required  
384 salary level during the period of time such individual is  
385 completing teacher internship requirements and shall compensate  
386 such Standard License - Nontraditional Route teachers at Step 3 of  
387 the required salary level when they complete license requirements.

388 Implementation of the TMI program provided for under this  
389 paragraph (b) shall be contingent upon the availability of funds  
390 appropriated specifically for such purpose by the Legislature.  
391 Such implementation of the TMI program may not be deemed to  
392 prohibit the State Board of Education from developing and  
393 implementing additional alternative route teacher licensure  
394 programs, as deemed appropriate by the board. The emergency





395 certification program in effect prior to July 1, 2002, shall  
396 remain in effect.

397 A Standard License - Approved Program Route shall be issued  
398 for a five-year period, and may be renewed. Recognizing teaching  
399 as a profession, a hiring preference shall be granted to persons  
400 holding a Standard License - Approved Program Route or Standard  
401 License - Nontraditional Teaching Route over persons holding any  
402 other license.

403 (c) **Special License - Expert Citizen.** In order to  
404 allow a school district to offer specialized or technical courses,  
405 the State Department of Education, in accordance with rules and  
406 regulations established by the State Board of Education, may grant  
407 a one-year expert citizen-teacher license to local business or  
408 other professional personnel to teach in a public school or  
409 nonpublic school accredited or approved by the state. Such person  
410 may begin teaching upon his employment by the local school board  
411 and licensure by the Mississippi Department of Education. The  
412 board shall adopt rules and regulations to administer the expert  
413 citizen-teacher license. A Special License - Expert Citizen may  
414 be renewed in accordance with the established rules and  
415 regulations of the State Department of Education.

416 (d) **Special License - Nonrenewable.** The State Board of  
417 Education is authorized to establish rules and regulations to  
418 allow those educators not meeting requirements in \* \* \* paragraph  
419 (a), (b) or (c) of this subsection (6) to be licensed for a period



420 of not more than three (3) years, except by special approval of  
421 the State Board of Education.

422           (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
423 person may teach for a maximum of three (3) periods per teaching  
424 day in a public school district or a nonpublic school  
425 accredited/approved by the state. Such person shall submit to the  
426 department a transcript or record of his education and experience  
427 which substantiates his preparation for the subject to be taught  
428 and shall meet other qualifications specified by the commission  
429 and approved by the State Board of Education. In no case shall  
430 any local school board hire nonlicensed personnel as authorized  
431 under this paragraph in excess of five percent (5%) of the total  
432 number of licensed personnel in any single school.

433           (f) **Special License - Transitional Bilingual Education.**  
434 Beginning July 1, 2003, the commission shall grant special  
435 licenses to teachers of transitional bilingual education who  
436 possess such qualifications as are prescribed in this section.  
437 Teachers of transitional bilingual education shall be compensated  
438 by local school boards at not less than one (1) step on the  
439 regular salary schedule applicable to permanent teachers licensed  
440 under this section. The commission shall grant special licenses  
441 to teachers of transitional bilingual education who present the  
442 commission with satisfactory evidence that they (i) possess a  
443 speaking and reading ability in a language, other than English, in  
444 which bilingual education is offered and communicative skills in



445 English; (ii) are in good health and sound moral character; (iii)  
446 possess a bachelor's degree or an associate's degree in teacher  
447 education from an accredited institution of higher education; (iv)  
448 meet such requirements as to courses of study, semester hours  
449 therein, experience and training as may be required by the  
450 commission; and (v) are legally present in the United States and  
451 possess legal authorization for employment. A teacher of  
452 transitional bilingual education serving under a special license  
453 shall be under an exemption from standard licensure if he achieves  
454 the requisite qualifications therefor. Two (2) years of service  
455 by a teacher of transitional bilingual education under such an  
456 exemption shall be credited to the teacher in acquiring a Standard  
457 Educator License. Nothing in this paragraph shall be deemed to  
458 prohibit a local school board from employing a teacher licensed in  
459 an appropriate field as approved by the State Department of  
460 Education to teach in a program in transitional bilingual  
461 education.

462 (g) In the event any school district meets the highest  
463 accreditation standards as defined by the State Board of Education  
464 in the accountability system, the State Board of Education, in its  
465 discretion, may exempt such school district from any restrictions  
466 in paragraph (e) relating to the employment of nonlicensed  
467 teaching personnel.

468 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,  
469 any teacher from any state meeting the federal definition of



470 highly qualified, as described in the No Child Left Behind Act,  
471 must be granted a standard five-year license by the State  
472 Department of Education.

473       (7) **Administrator License.** The State Board of Education is  
474 authorized to establish rules and regulations and to administer  
475 the licensure process of the school administrators in the State of  
476 Mississippi. There will be four (4) categories of administrator  
477 licensure with exceptions only through special approval of the  
478 State Board of Education.

479           (a) **Administrator License - Nonpracticing.** Those  
480 educators holding administrative endorsement but having no  
481 administrative experience or not serving in an administrative  
482 position on January 15, 1997.

483           (b) **Administrator License - Entry Level.** Those  
484 educators holding administrative endorsement and having met the  
485 department's qualifications to be eligible for employment in a  
486 Mississippi school district. Administrator License - Entry Level  
487 shall be issued for a five-year period and shall be nonrenewable.

488           (c) **Standard Administrator License - Career Level.** An  
489 administrator who has met all the requirements of the department  
490 for standard administrator licensure.

491           (d) **Administrator License - Nontraditional Route.** The  
492 board may establish a nontraditional route for licensing  
493 administrative personnel. Such nontraditional route for  
494 administrative licensure shall be available for persons holding,



495 but not limited to, a master of business administration degree, a  
496 master of public administration degree, a master of public  
497 planning and policy degree or a doctor of jurisprudence degree  
498 from an accredited college or university, with five (5) years of  
499 administrative or supervisory experience. Successful completion  
500 of the requirements of alternate route licensure for  
501 administrators shall qualify the person for a standard  
502 administrator license.

503 Individuals seeking school administrator licensure under  
504 paragraph (b), (c) or (d) shall successfully complete a training  
505 program and an assessment process prescribed by the State Board of  
506 Education. All applicants for school administrator licensure  
507 shall meet all requirements prescribed by the department under  
508 paragraph (b), (c) or (d), and the cost of the assessment process  
509 required shall be paid by the applicant.

510 (8) **Reciprocity.** (a) The department shall grant a standard  
511 license to any individual who possesses a valid standard license  
512 from another state and meets minimum Mississippi license  
513 requirements or equivalent requirements as determined by the State  
514 Board of Education. The issuance of a license by reciprocity to a  
515 military-trained applicant or military spouse shall be subject to  
516 the provisions of Section 73-50-1.

517 (b) The department shall grant a nonrenewable special  
518 license to any individual who possesses a credential which is less  
519 than a standard license or certification from another state. Such



520 special license shall be valid for the current school year plus  
521 one (1) additional school year to expire on June 30 of the second  
522 year, not to exceed a total period of twenty-four (24) months,  
523 during which time the applicant shall be required to complete the  
524 requirements for a standard license in Mississippi.

525       (9) (a) **Renewal and Reinstatement of Licenses.** The State  
526 Board of Education is authorized to establish rules and  
527 regulations for the renewal and reinstatement of educator and  
528 administrator licenses. Effective May 15, 1997, the valid  
529 standard license held by an educator shall be extended five (5)  
530 years beyond the expiration date of the license in order to afford  
531 the educator adequate time to fulfill new renewal requirements  
532 established pursuant to this subsection. An educator completing a  
533 master of education, educational specialist or doctor of education  
534 degree in May 1997 for the purpose of upgrading the educator's  
535 license to a higher class shall be given this extension of five  
536 (5) years plus five (5) additional years for completion of a  
537 higher degree.

538       (b) A licensed teacher who is employed in a school with  
539 an "A" or "B" accountability rating, as defined by the State Board  
540 of Education, is exempt from any continuing education requirements  
541 that may be established as a condition for renewal of the  
542 teacher's license.

543       (10) All controversies involving the issuance, revocation,  
544 suspension or any change whatsoever in the licensure of an



545 educator required to hold a license shall be initially heard in a  
546 hearing de novo, by the commission or by a subcommittee  
547 established by the commission and composed of commission members  
548 for the purpose of holding hearings. Any complaint seeking the  
549 denial of issuance, revocation or suspension of a license shall be  
550 by sworn affidavit filed with the Commission on Teacher and  
551 Administrator Education, Certification and Licensure and  
552 Development. The decision thereon by the commission or its  
553 subcommittee shall be final, unless the aggrieved party shall  
554 appeal to the State Board of Education, within ten (10) days, of  
555 the decision of the committee or its subcommittee. An appeal to  
556 the State Board of Education shall be on the record previously  
557 made before the commission or its subcommittee unless otherwise  
558 provided by rules and regulations adopted by the board. The State  
559 Board of Education in its authority may reverse, or remand with  
560 instructions, the decision of the committee or its subcommittee.  
561 The decision of the State Board of Education shall be final.

562 (11) The State Board of Education, acting through the  
563 commission, may deny an application for any teacher or  
564 administrator license for one or more of the following:

565 (a) Lack of qualifications which are prescribed by law  
566 or regulations adopted by the State Board of Education;

567 (b) The applicant has a physical, emotional or mental  
568 disability that renders the applicant unfit to perform the duties



569 authorized by the license, as certified by a licensed psychologist  
570 or psychiatrist;

571 (c) The applicant is actively addicted to or actively  
572 dependent on alcohol or other habit-forming drugs or is a habitual  
573 user of narcotics, barbiturates, amphetamines, hallucinogens or  
574 other drugs having similar effect, at the time of application for  
575 a license;

576 (d) Revocation, suspension or surrender of an  
577 applicant's certificate or license by another state shall result  
578 in immediate denial of licensure until such time that the records  
579 predicated the revocation, suspension or surrender in the prior  
580 state have been cleared;

581 (e) Fraud or deceit committed by the applicant in  
582 securing or attempting to secure such certification and license;

583 (f) Failing or refusing to furnish reasonable evidence  
584 of identification;

585 (g) The applicant has been convicted, has pled guilty  
586 or entered a plea of nolo contendere to a felony, as defined by  
587 federal or state law;

588 (h) The applicant has been convicted, has pled guilty  
589 or entered a plea of nolo contendere to a sex offense as defined  
590 by federal or state law. For purposes of this paragraph (h) and  
591 paragraph (g) of this subsection, a "guilty plea" includes a plea  
592 of guilty, entry of a plea of nolo contendere, or entry of an  
593 order granting pretrial or judicial diversion; or





594 (i) Probation or post-release supervision for a felony  
595 or sex offense conviction, as defined by federal or state law,  
596 shall result in the immediate denial of licensure application  
597 until expiration of the probationary or post-release supervision  
598 period.

599 (12) The State Board of Education, acting through the  
600 commission, may revoke, suspend or refuse to renew any teacher or  
601 administrator license for specified periods of time or may place  
602 on probation, censure, reprimand a licensee, or take other  
603 disciplinary action with regard to any license issued under this  
604 chapter for one or more of the following:

605 (a) Breach of contract or abandonment of employment may  
606 result in the suspension of the license for one (1) school year as  
607 provided in Section 37-9-57;

608 (b) Obtaining a license by fraudulent means shall  
609 result in immediate suspension and continued suspension for one  
610 (1) year after correction is made;

611 (c) Suspension or revocation of a certificate or  
612 license by another state shall result in immediate suspension or  
613 revocation and shall continue until records in the prior state  
614 have been cleared;

615 (d) The license holder has been convicted, has pled  
616 guilty or entered a plea of nolo contendere to a felony, as  
617 defined by federal or state law. For purposes of this paragraph,  
618 a "guilty plea" includes a plea of guilty, entry of a plea of nolo



619 contendere, or entry of an order granting pretrial or judicial  
620 diversion;

621 (e) The license holder has been convicted, has pled  
622 guilty or entered a plea of nolo contendere to a sex offense, as  
623 defined by federal or state law, shall result in immediate  
624 suspension or revocation;

625 (f) The license holder has received probation or  
626 post-release supervision for a felony or sex offense conviction,  
627 as defined by federal or state law, which shall result in  
628 immediate suspension or revocation until expiration of the  
629 probationary or post-release supervision period;

630 (g) The license holder knowingly and willfully  
631 committing any of the acts affecting validity of mandatory uniform  
632 test results as provided in Section 37-16-4(1);

633 (h) The license holder has engaged in unethical conduct  
634 relating to an educator/student relationship as identified by the  
635 State Board of Education in its rules;

636 (i) The license holder has fondled a student as  
637 described in Section 97-5-23, or had any type of sexual  
638 involvement with a student as described in Section 97-3-95;

639 (j) The license holder has failed to report sexual  
640 involvement of a school employee with a student as required by  
641 Section 97-5-24;

642 (k) The license holder served as superintendent or  
643 principal in a school district during the time preceding and/or



644 that resulted in the Governor declaring a state of emergency and  
645 the State Board of Education appointing a conservator;

646 (l) The license holder submitted a false certification  
647 to the State Department of Education that a statewide test was  
648 administered in strict accordance with the Requirements of the  
649 Mississippi Statewide Assessment System; or

650 (m) The license holder has failed to comply with the  
651 Procedures for Reporting Infractions as promulgated by the  
652 commission and approved by the State Board of Education pursuant  
653 to subsection (15) of this section.

654 (13) (a) Dismissal or suspension of a licensed employee by  
655 a local school board pursuant to Section 37-9-59 may result in the  
656 suspension or revocation of a license for a length of time which  
657 shall be determined by the commission and based upon the severity  
658 of the offense.

659 (b) Any offense committed or attempted in any other  
660 state shall result in the same penalty as if committed or  
661 attempted in this state.

662 (c) A person may voluntarily surrender a license. The  
663 surrender of such license may result in the commission  
664 recommending any of the above penalties without the necessity of a  
665 hearing. However, any such license which has voluntarily been  
666 surrendered by a licensed employee may only be reinstated by a  
667 majority vote of all members of the commission present at the  
668 meeting called for such purpose.



669           (14) (a) A person whose license has been revoked or  
670 surrendered on any grounds except criminal grounds may petition  
671 for reinstatement of the license after one (1) year from the date  
672 of revocation or surrender, or after one-half (1/2) of the revoked  
673 or surrendered time has lapsed, whichever is greater. A person  
674 whose license has been suspended on any grounds or violations  
675 under subsection (12) of this section may be reinstated  
676 automatically or approved for a reinstatement hearing, upon  
677 submission of a written request to the commission. A license  
678 suspended, revoked or surrendered on criminal grounds may be  
679 reinstated upon petition to the commission filed after expiration  
680 of the sentence and parole or probationary period imposed upon  
681 conviction. A revoked, suspended or surrendered license may be  
682 reinstated upon satisfactory showing of evidence of  
683 rehabilitation. The commission shall require all who petition for  
684 reinstatement to furnish evidence satisfactory to the commission  
685 of good character, good mental, emotional and physical health and  
686 such other evidence as the commission may deem necessary to  
687 establish the petitioner's rehabilitation and fitness to perform  
688 the duties authorized by the license.

689           (b) A person whose license expires while under  
690 investigation by the Office of Educator Misconduct for an alleged  
691 violation may not be reinstated without a hearing before the  
692 commission if required based on the results of the investigation.



693           (15) Reporting procedures and hearing procedures for dealing  
694 with infractions under this section shall be promulgated by the  
695 commission, subject to the approval of the State Board of  
696 Education. The revocation or suspension of a license shall be  
697 effected at the time indicated on the notice of suspension or  
698 revocation. The commission shall immediately notify the  
699 superintendent of the school district or school board where the  
700 teacher or administrator is employed of any disciplinary action  
701 and also notify the teacher or administrator of such revocation or  
702 suspension and shall maintain records of action taken. The State  
703 Board of Education may reverse or remand with instructions any  
704 decision of the commission regarding a petition for reinstatement  
705 of a license, and any such decision of the State Board of  
706 Education shall be final.

707           (16) An appeal from the action of the State Board of  
708 Education in denying an application, revoking or suspending a  
709 license or otherwise disciplining any person under the provisions  
710 of this section shall be filed in the Chancery Court of the First  
711 Judicial District of Hinds County, Mississippi, on the record  
712 made, including a verbatim transcript of the testimony at the  
713 hearing. The appeal shall be filed within thirty (30) days after  
714 notification of the action of the board is mailed or served and  
715 the proceedings in chancery court shall be conducted as other  
716 matters coming before the court. The appeal shall be perfected  
717 upon filing notice of the appeal and by the prepayment of all



718 costs, including the cost of preparation of the record of the  
719 proceedings by the State Board of Education, and the filing of a  
720 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
721 if the action of the board be affirmed by the chancery court, the  
722 applicant or license holder shall pay the costs of the appeal and  
723 the action of the chancery court.

724 (17) All such programs, rules, regulations, standards and  
725 criteria recommended or authorized by the commission shall become  
726 effective upon approval by the State Board of Education as  
727 designated by appropriate orders entered upon the minutes thereof.

728 (18) The granting of a license shall not be deemed a  
729 property right nor a guarantee of employment in any public school  
730 district. A license is a privilege indicating minimal eligibility  
731 for teaching in the public school districts of Mississippi. This  
732 section shall in no way alter or abridge the authority of local  
733 school districts to require greater qualifications or standards of  
734 performance as a prerequisite of initial or continued employment  
735 in such districts.

736 (19) In addition to the reasons specified in subsections  
737 (12) and (13) of this section, the board shall be authorized to  
738 suspend the license of any licensee for being out of compliance  
739 with an order for support, as defined in Section 93-11-153. The  
740 procedure for suspension of a license for being out of compliance  
741 with an order for support, and the procedure for the reissuance or  
742 reinstatement of a license suspended for that purpose, and the



743 payment of any fees for the reissuance or reinstatement of a  
744 license suspended for that purpose, shall be governed by Section  
745 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
746 board in suspending a license when required by Section 93-11-157  
747 or 93-11-163 are not actions from which an appeal may be taken  
748 under this section. Any appeal of a license suspension that is  
749 required by Section 93-11-157 or 93-11-163 shall be taken in  
750 accordance with the appeal procedure specified in Section  
751 93-11-157 or 93-11-163, as the case may be, rather than the  
752 procedure specified in this section. If there is any conflict  
753 between any provision of Section 93-11-157 or 93-11-163 and any  
754 provision of this chapter, the provisions of Section 93-11-157 or  
755 93-11-163, as the case may be, shall control.

756       **SECTION 4.** Section 37-11-53, Mississippi Code of 1972, is  
757 amended as follows:

758       37-11-53. (1) A copy of the school district's discipline  
759 plan shall be distributed to each student enrolled in the  
760 district, and the parents, guardian or custodian of such student  
761 shall sign a statement verifying that they have been given notice  
762 of the discipline policies of their respective school district.  
763 The school board, except in those school districts with "A" and  
764 "B" accountability ratings, as defined by the State Board of  
765 Education, shall have its official discipline plan and code of  
766 student conduct legally audited on an annual basis to insure that  
767 its policies and procedures are currently in compliance with



768 applicable statutes, case law and state and federal constitutional  
769 provisions. \* \* \* This section, Section 37-11-55 and Section  
770 37-11-18.1 shall be fully incorporated into the school district's  
771 discipline plan and code of student conduct.

772 (2) All discipline plans of school districts shall include,  
773 but not be limited to, the following:

774 (a) A parent, guardian or custodian of a  
775 compulsory-school-age child enrolled in a public school district  
776 shall be responsible financially for his or her minor child's  
777 destructive acts against school property or persons;

778 (b) A parent, guardian or custodian of a  
779 compulsory-school-age child enrolled in a public school district  
780 may be requested to appear at school by the school attendance  
781 officer or an appropriate school official for a conference  
782 regarding acts of the child specified in paragraph (a) of this  
783 subsection, or for any other discipline conference regarding the  
784 acts of the child;

785 (c) Any parent, guardian or custodian of a  
786 compulsory-school-age child enrolled in a school district who  
787 refuses or willfully fails to attend such discipline conference  
788 specified in paragraph (b) of this \* \* \* subsection may be  
789 summoned by proper notification by the superintendent of schools  
790 or the school attendance officer and be required to attend such  
791 discipline conference; and





792 (d) A parent, guardian or custodian of a  
793 compulsory-school-age child enrolled in a public school district  
794 shall be responsible for any criminal fines brought against such  
795 student for unlawful activity occurring on school grounds or  
796 buses.

797 (3) Any parent, guardian or custodian of a  
798 compulsory-school-age child who (a) fails to attend a discipline  
799 conference to which such parent, guardian or custodian has been  
800 summoned under the provisions of this section, or (b) refuses or  
801 willfully fails to perform any other duties imposed upon him or  
802 her under the provisions of this section, shall be guilty of a  
803 misdemeanor and, upon conviction, shall be fined not to exceed Two  
804 Hundred Fifty Dollars (\$250.00).

805 (4) Any public school district shall be entitled to recover  
806 damages in an amount not to exceed Twenty Thousand Dollars  
807 (\$20,000.00), plus necessary court costs, from the parents of any  
808 minor under the age of eighteen (18) years and over the age of six  
809 (6) years, who maliciously and willfully damages or destroys  
810 property belonging to such school district. However, this section  
811 shall not apply to parents whose parental control of such child  
812 has been removed by court order or decree. The action authorized  
813 in this section shall be in addition to all other actions which  
814 the school district is entitled to maintain and nothing in this  
815 section shall preclude recovery in a greater amount from the minor



816 or from a person, including the parents, for damages to which such  
817 minor or other person would otherwise be liable.

818 (5) A school district's discipline plan may provide that as  
819 an alternative to suspension, a student may remain in school by  
820 having the parent, guardian or custodian, with the consent of the  
821 student's teacher or teachers, attend class with the student for a  
822 period of time specifically agreed upon by the reporting teacher  
823 and school principal. If the parent, guardian or custodian does  
824 not agree to attend class with the student or fails to attend  
825 class with the student, the student shall be suspended in  
826 accordance with the code of student conduct and discipline  
827 policies of the school district.

828 **SECTION 5.** Section 37-13-41, Mississippi Code of 1972, is  
829 amended as follows:

830 37-13-41. Except in school districts with "A" and "B"  
831 accountability ratings, as defined by the State Board of  
832 Education, all principals and/or superintendents of public schools  
833 in all school districts in Mississippi shall report to their \* \* \*  
834 superintendent of education upon forms prepared and sent to  
835 the \* \* \* superintendent of education by the director of the  
836 division of instruction, giving the type and amount of work done  
837 in each grade of their respective school, with other information  
838 that may be desired by the director. The \* \* \* superintendents of  
839 education shall compile this information on forms sent out by the  
840 director. This shall be made in duplicate, one (1) copy to be



841 sent to the director, and the other filed as other public records  
842 are filed in the \* \* \* superintendents' offices. This report  
843 shall be made to the director by the \* \* \* superintendents of  
844 education not later than the first of June each year.

845 **SECTION 6.** Section 37-13-89, Mississippi Code of 1972, is  
846 amended as follows:

847 37-13-89. (1) In each school district within the state,  
848 except in school districts with "A" and "B" accountability  
849 ratings, as defined by the State Board of Education, there shall  
850 be employed the number of school attendance officers determined by  
851 the Office of Compulsory School Attendance Enforcement to be  
852 necessary to adequately enforce the provisions of the Mississippi  
853 Compulsory School Attendance Law; however, this number shall not  
854 exceed one hundred fifty-three (153) school attendance officers at  
855 any time. \* \* \* All school attendance officers employed pursuant  
856 to this section shall be employees of the State Department of  
857 Education. \* \* \* The first twelve (12) months of employment for  
858 each school attendance officer shall be the probationary period of  
859 state service.

860 (2) (a) The State Department of Education shall obtain  
861 current criminal records background checks and current child abuse  
862 registry checks on all persons applying for the position of school  
863 attendance officer \* \* \*. The criminal records information and  
864 registry checks must be kept on file for any new hires. In order  
865 to determine an applicant's suitability for employment as a school



866 attendance officer, the applicant must be fingerprinted. If no  
867 disqualifying record is identified at the state level, the  
868 Department of Public Safety shall forward the fingerprints to the  
869 Federal Bureau of Investigation (FBI) for a national criminal  
870 history record check. The applicant shall pay the fee, not to  
871 exceed Fifty Dollars (\$50.00), for the fingerprinting and criminal  
872 records background check; however, the State Department of  
873 Education, in its discretion, may pay the fee for the  
874 fingerprinting and criminal records background check on behalf of  
875 any applicant. Under no circumstances may a member of the State  
876 Board of Education, employee of the State Department of Education  
877 or any person other than the subject of the criminal records  
878 background check disseminate information received through any such  
879 checks except insofar as required to fulfill the purposes of this  
880 subsection.

881 (b) If the fingerprinting or criminal records check  
882 discloses a felony conviction, guilty plea or plea of nolo  
883 contendere to a felony of possession or sale of drugs, murder,  
884 manslaughter, armed robbery, rape, sexual battery, sex offense  
885 listed in Section 45-33-23(h), child abuse, arson, grand larceny,  
886 burglary, gratification of lust or aggravated assault which has  
887 not been reversed on appeal or for which a pardon has not been  
888 granted, the applicant is not eligible to be employed as a school  
889 attendance officer. Any employment of an applicant pending the  
890 results of the fingerprinting and criminal records check is



891 voidable if the new hire receives a disqualifying criminal records  
892 check. However, the State Board of Education, in its discretion,  
893 may allow an applicant aggrieved by an employment decision under  
894 this subsection to appear before the board, or before a hearing  
895 officer designated for that purpose, to show mitigating  
896 circumstances that may exist and allow the new hire to be employed  
897 as a school attendance officer. The State Board of Education may  
898 grant waivers for mitigating circumstances, which may include, but  
899 are not necessarily limited to: (i) age at which the crime was  
900 committed; (ii) circumstances surrounding the crime; (iii) length  
901 of time since the conviction and criminal history since the  
902 conviction; (iv) work history; (v) current employment and  
903 character references; and (vi) other evidence demonstrating the  
904 ability of the person to perform the responsibilities of a school  
905 attendance officer competently and that the person does not pose a  
906 threat to the health or safety of children.

907 (c) A member of the State Board of Education or  
908 employee of the State Department of Education may not be held  
909 liable in any employment discrimination suit in which an  
910 allegation of discrimination is made regarding an employment  
911 decision authorized under this section.

912 (3) Each school attendance officer shall possess a college  
913 degree with a major in a behavioral science or a related field or  
914 shall have no less than three (3) years combined actual experience  
915 as a school teacher, school administrator, law enforcement officer



916 possessing such degree, and/or social worker; however, these  
917 requirements shall not apply to persons employed as school  
918 attendance officers before January 1, 1987. School attendance  
919 officers also shall satisfy any additional requirements that may  
920 be established by the State Personnel Board for the position of  
921 school attendance officer.

922 (4) It shall be the duty of each school attendance officer  
923 to:

924 (a) Cooperate with any public agency to locate and  
925 identify all compulsory-school-age children who are not attending  
926 school;

927 (b) Cooperate with all courts of competent  
928 jurisdiction;

929 (c) Investigate all cases of nonattendance and unlawful  
930 absences by compulsory-school-age children not enrolled in a  
931 nonpublic school;

932 (d) Provide appropriate counseling to encourage all  
933 school-age children to attend school until they have completed  
934 high school;

935 (e) Attempt to secure the provision of social or  
936 welfare services that may be required to enable any child to  
937 attend school;

938 \* \* \* (f) (i) Contact, through actual visitation,  
939 the home or place of residence of a compulsory-school-age child  
940 and any other place in which the officer is likely to find any



941 compulsory-school-age child \* \* \*, for consultation with the  
942 parent or legal guardian of a compulsory-school-age child within  
943 seventy-two (72) hours of the child's \* \* \* absence from school  
944 during school hours without a valid written excuse from school  
945 officials. The school shall report all absences to the school  
946 attendance officer by the end of each school day \* \* \*; and

947 (ii) When the child is found, if in any place  
948 other than the home or place of residence, the officer shall  
949 notify the parents \* \* \*, school officials or local law  
950 enforcement officers if appropriate as to where the child was  
951 physically located;

952 (g) Contact promptly the home of each  
953 compulsory-school-age child in the school district within the  
954 officer's jurisdiction who is not enrolled in school or is not in  
955 attendance at public school and is without a valid written excuse  
956 from school officials; if no valid reason is found for the  
957 nonenrollment or absence from the school, the school attendance  
958 officer shall give written notice to the parent, guardian or  
959 custodian of the requirement for the child's enrollment or  
960 attendance;

961 (h) Collect and maintain information concerning  
962 absenteeism, dropouts and other attendance-related problems, as  
963 may be required by law or the Office of Compulsory School  
964 Attendance Enforcement; and



965 (i) Perform all other duties relating to compulsory  
966 school attendance established by the State Department of Education  
967 or district school attendance supervisor, or both.

968 (5) While engaged in the performance of his duties, each  
969 school attendance officer shall carry on his person a badge  
970 identifying him as a school attendance officer under the Office of  
971 Compulsory School Attendance Enforcement of the State Department  
972 of Education and an identification card designed by the State  
973 Superintendent of Public Education and issued by the school  
974 attendance officer supervisor. Neither the badge nor the  
975 identification card shall bear the name of any elected public  
976 official.

977 (6) The State Personnel Board shall develop a salary scale  
978 for school attendance officers as part of the variable  
979 compensation plan. The various pay ranges of the salary scale  
980 shall be based upon factors including, but not limited to,  
981 education, professional certification and licensure, and number of  
982 years of experience. School attendance officers shall be paid in  
983 accordance with this salary scale. The minimum salaries under the  
984 scale shall be no less than the following:

985 (a) For school attendance officers holding a bachelor's  
986 degree or any other attendance officer who does not hold such a  
987 degree, the annual salary shall be based on years of experience as  
988 a school attendance officer or related field of service or  
989 employment, no less than as follows:





990	Years of Experience	Salary
991	0 - 4 years	\$19,650.00
992	5 - 8 years	21,550.00
993	9 - 12 years	23,070.00
994	13 - 16 years	24,590.00
995	Over 17 years	26,110.00

996 (b) For school attendance officers holding a license as  
 997 a social worker, the annual salary shall be based on years of  
 998 experience as a school attendance officer or related field of  
 999 service or employment, no less than as follows:

1000	Years of Experience	Salary
1001	0 - 4 years	\$20,650.00
1002	5 - 8 years	22,950.00
1003	9 - 12 years	24,790.00
1004	13 - 16 years	26,630.00
1005	17 - 20 years	28,470.00
1006	Over 21 years	30,310.00

1007 (c) For school attendance officers holding a master's  
 1008 degree in a behavioral science or a related field, the annual  
 1009 salary shall be based on years of experience as a school  
 1010 attendance officer or related field of service or employment, no  
 1011 less than as follows:

1012	Years of Experience	Salary
1013	0 - 4 years	\$21,450.00
1014	5 - 8 years	24,000.00



1015	9 - 12 years	26,040.00
1016	13 - 16 years	28,080.00
1017	17 - 20 years	30,120.00
1018	Over 21 years	32,160.00

1019           (7)   (a)  Each school attendance officer employed by a  
1020 district attorney on June 30, 1998, who became an employee of the  
1021 State Department of Education on July 1, 1998, shall be awarded  
1022 credit for personal leave and major medical leave for his  
1023 continuous service as a school attendance officer under the  
1024 district attorney, and if applicable, the youth or family court or  
1025 a state agency.  The credit for personal leave shall be in an  
1026 amount equal to one-third (1/3) of the maximum personal leave the  
1027 school attendance officer could have accumulated had he been  
1028 credited with such leave under Section 25-3-93 during his  
1029 employment with the district attorney, and if applicable, the  
1030 youth or family court or a state agency.  The credit for major  
1031 medical leave shall be in an amount equal to one-half (1/2) of the  
1032 maximum major medical leave the school attendance officer could  
1033 have accumulated had he been credited with such leave under  
1034 Section 25-3-95 during his employment with the district attorney,  
1035 and if applicable, the youth or family court or a state agency.  
1036 However, if a district attorney who employed a school attendance  
1037 officer on June 30, 1998, certifies, in writing, to the State  
1038 Department of Education that the school attendance officer had  
1039 accumulated, pursuant to a personal leave policy or major medical



1040 leave policy lawfully adopted by the district attorney, a number  
1041 of days of unused personal leave or major medical leave, or both,  
1042 which is greater than the number of days to which the school  
1043 attendance officer is entitled under this paragraph, the State  
1044 Department of Education shall authorize the school attendance  
1045 officer to retain the actual unused personal leave or major  
1046 medical leave, or both, certified by the district attorney,  
1047 subject to the maximum amount of personal leave and major medical  
1048 leave the school attendance officer could have accumulated had he  
1049 been credited with such leave under Sections 25-3-93 and 25-3-95.

1050 (b) For the purpose of determining the accrual rate for  
1051 personal leave under Section 25-3-93 and major medical leave under  
1052 Section 25-3-95, the State Department of Education shall give  
1053 consideration to all continuous service rendered by a school  
1054 attendance officer before July 1, 1998, in addition to the service  
1055 rendered by the school attendance officer as an employee of the  
1056 department.

1057 (c) In order for a school attendance officer to be  
1058 awarded credit for personal leave and major medical leave or to  
1059 retain the actual unused personal leave and major medical leave  
1060 accumulated by him before July 1, 1998, the district attorney who  
1061 employed the school attendance officer must certify, in writing,  
1062 to the State Department of Education the hire date of the school  
1063 attendance officer. For each school attendance officer employed  
1064 by the youth or family court or a state agency before being



1065 designated an employee of the district attorney who has not had a  
1066 break in continuous service, the hire date shall be the date that  
1067 the school attendance officer was hired by the youth or family  
1068 court or state agency. The department shall prescribe the date by  
1069 which the certification must be received by the department and  
1070 shall provide written notice to all district attorneys of the  
1071 certification requirement and the date by which the certification  
1072 must be received.

1073       (8) (a) School attendance officers shall maintain regular  
1074 office hours on a year-round basis; however, during the school  
1075 term, on those days that teachers in all of the school districts  
1076 served by a school attendance officer are not required to report  
1077 to work, the school attendance officer also shall not be required  
1078 to report to work. (For purposes of this subsection, a school  
1079 district's school term is that period of time identified as the  
1080 school term in contracts entered into by the district with  
1081 licensed personnel.) A school attendance officer shall be  
1082 required to report to work on any day recognized as an official  
1083 state holiday if teachers in any school district served by that  
1084 school attendance officer are required to report to work on that  
1085 day, regardless of the school attendance officer's status as an  
1086 employee of the State Department of Education, and compensatory  
1087 leave may not be awarded to the school attendance officer for  
1088 working during that day. However, a school attendance officer may



1089 be allowed by the school attendance officer's supervisor to use  
1090 earned leave on such days.

1091 (b) The State Department of Education annually shall  
1092 designate a period of six (6) consecutive weeks in the summer  
1093 between school years during which school attendance officers shall  
1094 not be required to report to work. A school attendance officer  
1095 who elects to work at any time during that period may not be  
1096 awarded compensatory leave for such work and may not opt to be  
1097 absent from work at any time other than during the six (6) weeks  
1098 designated by the department unless the school attendance officer  
1099 uses personal leave or major medical leave accrued under Section  
1100 25-3-93 or 25-3-95 for such absence.

1101 (9) The State Department of Education shall provide all  
1102 continuing education and training courses that school attendance  
1103 officers are required to complete under state law or rules and  
1104 regulations of the department.

1105 **SECTION 7.** Section 37-43-31, Mississippi Code of 1972, is  
1106 amended as follows:

1107 37-43-31. (1) The State Board of Education shall adopt and  
1108 furnish textbooks only for use in those courses set up in the  
1109 state course of study as recommended by the State Accreditation  
1110 Commission and adopted by such board, or courses established by  
1111 acts of the Legislature. In all subjects the board, in its  
1112 discretion, may adopt textbooks and/or series from those  
1113 recommended by the textbook rating committees. The board may



1114 adopt a plan which permits the local school districts to choose  
1115 the book or books to be requisitioned from those adopted,  
1116 provided:

1117 (a) That, when a book is furnished by the state, it  
1118 shall remain in use during the period of its adoption;

1119 (b) That the average per pupil cost of textbooks so  
1120 furnished any unit shall not exceed that allowed for all other  
1121 units in the state;

1122 (c) That nothing herein provided shall be construed as  
1123 giving any school the authority to discard or replace usable  
1124 copies of textbooks now being furnished by the state;

1125 (d) That the State Department of Education is  
1126 authorized to disburse the annual textbook appropriation directly  
1127 to the public school districts in accordance with \* \* \* paragraph  
1128 (b) of this subsection. The textbooks procured through this  
1129 chapter, as well as textbooks which are on hand on June 30, 1994,  
1130 which were previously purchased through the provisions of this  
1131 statute, shall become the property of the public school district  
1132 which purchased them, unless the State Department of Education  
1133 authorizes the transfer of unneeded textbooks to another location  
1134 in accordance with rules and regulations promulgated by the State  
1135 Board of Education;

1136 (e) That textbooks which are on loan to other than  
1137 public schools as referenced in Section 37-43-1, shall remain the  
1138 property of the State of Mississippi. All requisitions for



1139 textbooks from these schools shall be submitted to the State  
1140 Department of Education to be processed and subsequently shipped  
1141 to the requesting school. No funds shall be disbursed directly  
1142 from the State Department of Education to the schools in this  
1143 category for the purpose of procuring textbooks; and

1144 (f) That funds made available through this chapter may  
1145 be used to purchase any state-adopted or \* \* \* nonadopted textbook  
1146 from any state depository, directly from the publisher, or in  
1147 accordance with the provisions of Sections 37-43-21(5) and  
1148 37-43-31(3). For purchases made directly from the publisher, the  
1149 public school district, or the State Department of Education when  
1150 purchasing for other than public schools, shall not pay a higher  
1151 price for a textbook than that listed on the current state-adopted  
1152 list.

1153 (2) Whenever any book under contract is displaced by a new  
1154 adoption, the board may continue to require the schools to use the  
1155 recently purchased books from any previous adoption; however, such  
1156 period of use shall not exceed four (4) years.

1157 (3) If five (5) or more school boards petition the State  
1158 Board of Education to add a book, or a series of books, to the  
1159 approved list of state adoptions in a given subject area, then the  
1160 State Superintendent of Public Education shall have sixty (60)  
1161 days to show cause to the State Board of Education why the books  
1162 in question should or should not be purchased with state funds.  
1163 If the petition is not acted upon within the sixty-day period, the



1164 petition shall be deemed to be approved. Once a textbook has been  
1165 approved through the petition process, any public school district  
1166 or eligible other school may procure the said textbook utilizing  
1167 funds appropriated through this chapter.

1168 (4) If new and innovative textbooks that would improve a  
1169 particular course of study become available between adoption  
1170 cycles, a school board may petition the State Board of Education  
1171 for permission to purchase these books out of sequence to be paid  
1172 for with state textbook funds.

1173 (5) The State Board of Education shall not allow previously  
1174 rejected textbooks to be used if such textbooks were rejected for  
1175 any of the following reasons:

- 1176 (a) Obscene, lewd, sexist or vulgar material;  
1177 (b) Advocating prejudicial behavior or actions; or  
1178 (c) Encouraging acts determined to be \* \* \* antisocial  
1179 or derogatory to any race, sex or religion.

1180 (6) All books or series of books adopted under the petition  
1181 procedures of this chapter shall be purchased under the provisions  
1182 for bidding, pricing and distribution as prescribed in Section  
1183 37-43-23.

1184 (7) Petition procedure books or series of books adopted  
1185 under this section shall be considered only until the date of the  
1186 next regular adoption series in the applicable subject area.  
1187 Petition procedure books shall be submitted for formal adoption at  
1188 the next applicable regular textbook adoption as prescribed under





1189 the provisions of Chapter 43, Title 37, Mississippi Code of 1972;  
1190 otherwise, such books adopted under the petition procedures which  
1191 do not receive formal adoption approval as recommended by the  
1192 textbook rating committee shall be dropped from the state textbook  
1193 petition adoption list. Provided, however, this provision shall  
1194 in no way prohibit a school district from using other funds,  
1195 federal or local, for the purchase of such books.

1196 (8) School districts with "A" and "B" accountability  
1197 ratings, as defined by the State Board of Education, are not  
1198 required to participate in the textbook selection process set  
1199 forth in this section.

1200 **SECTION 8.** This act shall take effect and be in force from  
1201 and after July 1, 2017.

