

By: Senator(s) DeBar, Jordan, Simmons (13th) To: Education

SENATE BILL NO. 2618
(As Passed the Senate)

1 AN ACT TO AMEND SECTIONS 37-13-81, 37-13-83, 37-13-85,
2 37-13-87 AND 37-13-89, MISSISSIPPI CODE OF 1972, TO CLARIFY THE
3 NAME OF THE OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT AND
4 DROPOUT PREVENTION WITHIN THE STATE DEPARTMENT OF EDUCATION; TO
5 PROVIDE THAT THE STATE SUPERINTENDENT OF PUBLIC EDUCATION SHALL
6 EMPLOY SUFFICIENT STAFF FOR THE OFFICE, WHO SHALL MEET
7 QUALIFICATIONS ESTABLISHED BY THE SUPERINTENDENT WITH THE APPROVAL
8 OF THE STATE PERSONNEL BOARD, TO PROVIDE OVERSIGHT FOR THE
9 ENFORCEMENT OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW,
10 AND TO SUPPORT AND PROVIDE TECHNICAL ASSISTANCE AND PROFESSIONAL
11 DEVELOPMENT TO SCHOOL ATTENDANCE OFFICERS; TO TRANSFER THE
12 RESPONSIBILITY FOR EMPLOYING AND ESTABLISHING THE DUTIES OF SCHOOL
13 ATTENDANCE OFFICERS FROM THE STATE DEPARTMENT OF EDUCATION TO
14 LOCAL SCHOOL DISTRICTS; TO ABOLISH THE THREE REGIONAL SCHOOL
15 ATTENDANCE OFFICER SUPERVISOR POSITIONS; TO PROVIDE THAT SCHOOL
16 ATTENDANCE OFFICERS EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION
17 ON JULY 1, 2025, SHALL BE TRANSFERRED TO EMPLOYMENT STATUS AS
18 EMPLOYEES OF THEIR RESPECTIVE SCHOOL DISTRICTS WITH WORK LOCATIONS
19 THEREIN AND SHALL ENFORCE ATTENDANCE AT CHARTER SCHOOLS LOCATED
20 WITHIN THE SCHOOL DISTRICT; TO PROVIDE FOR THE SHARING OF
21 ADMINISTRATIVE AND COSTS-SHARING RESPONSIBILITIES OF TWO OR MORE
22 SCHOOL DISTRICTS WHICH WERE SIMULTANEOUSLY SERVED BY THE SAME
23 SCHOOL ATTENDANCE OFFICER; TO PROVIDE FOR THE TRANSFER OF ANY
24 UNUSED ACCUMULATED LEAVE; TO REQUIRE THE STATE TO PROVIDE FUNDING
25 FOR ONE SCHOOL ATTENDANCE OFFICER FOR EVERY 3,000
26 COMPULSORY-SCHOOL-AGE CHILDREN IN ENROLLMENT IN THE PUBLIC SCHOOLS
27 OF A COUNTY; TO ESTABLISH THE MINIMUM SALARY OF NEWLY HIRED SCHOOL
28 ATTENDANCE OFFICERS BEGINNING JULY 1, 2025, AND AUTHORIZE LOCAL
29 SCHOOL BOARDS TO PAY ADDITIONAL COMPENSATION ABOVE THE MINIMUM
30 SALARY ON A SCALE ESTABLISHED BY THE LOCAL SCHOOL BOARD; TO
31 PROVIDE THAT SCHOOL ATTENDANCE OFFICERS SHALL NOT EXPERIENCE ANY
32 INTERRUPTION OF SERVICE WITH THE PUBLIC EMPLOYEES' RETIREMENT
33 SYSTEM AND THE SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN AS A RESULT
34 OF THE TRANSFER OF EMPLOYMENT RESPONSIBILITY; TO REQUIRE THE STATE



35 DEPARTMENT OF EDUCATION AND THE MISSISSIPPI ASSOCIATION OF SCHOOL
36 SUPERINTENDENTS TO PROVIDE A JOINT REPORT ON THE STATUS AND
37 PROGRESS OF SCHOOL ATTENDANCE OFFICERS IN THEIR CAPACITY AS
38 EMPLOYEES OF LOCAL SCHOOL DISTRICTS AND THE FULFILLMENT OF THEIR
39 ASSIGNED DUTIES TO THE LEGISLATURE DURING THE 2027 REGULAR
40 SESSION; TO AMEND SECTIONS 37-13-91 AND 37-13-107, MISSISSIPPI
41 CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR
42 RELATED PURPOSES.

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

44 **SECTION 1.** Section 37-13-81, Mississippi Code of 1972, is
45 amended as follows:

46 37-13-81. There is created the Office of Compulsory School
47 Attendance Enforcement * * * and Dropout Prevention * * * within
48 the State Department of Education. The office shall be
49 responsible for the administration of a statewide system of
50 enforcement of the Mississippi Compulsory School Attendance Law
51 (Section 37-13-91) * * *.

52 **SECTION 2.** Section 37-13-83, Mississippi Code of 1972, is
53 amended as follows:

54 37-13-83. The State Superintendent of Public Education
55 shall * * * employ sufficient staff for the Office of Compulsory
56 School Attendance Enforcement and Dropout Prevention, who shall
57 meet all qualifications established * * * by the State
58 Superintendent of Public Education * * * with the approval of the
59 State Personnel Board. The * * * staff shall be responsible for
60 the proper administration of the Office of Compulsory School
61 Attendance Enforcement and Dropout Prevention in conformity with
62 the Mississippi Compulsory School Attendance Law and any other



63 regulations or policies that may be adopted by the State Board of
64 Education. * * *

65 **SECTION 3.** Section 37-13-85, Mississippi Code of 1972, is
66 amended as follows:

67 37-13-85. The Office of Compulsory School Attendance
68 Enforcement and Dropout Prevention shall have the following powers
69 and duties, in addition to all others imposed or granted by law:

70 (a) To establish any policies or guidelines * * * to be
71 used by local school districts for the employment of school
72 attendance officers which serve to effectuate a uniform system of
73 enforcement under the Mississippi Compulsory School Attendance Law
74 throughout the state * * *;

75 * * *

76 (* * *b) To establish minimum standards for enrollment
77 and attendance for the state and each individual school district,
78 and to monitor the success of the state and districts in achieving
79 the required levels of performance;

80 (* * *c) To provide to school districts failing to
81 meet the established standards for enrollment and attendance
82 assistance in reducing absenteeism or the dropout rates in those
83 districts;

84 (* * *d) To establish any qualifications, in addition
85 to those required under Section 37-13-89, for school attendance
86 officers as the office deems necessary to further the purposes of
87 the Mississippi Compulsory School Attendance Law;



88 (* * *e) To develop and implement a system under which
89 school districts are required to maintain accurate records that
90 document enrollment and attendance in such a manner that the
91 records reflect all changes in enrollment and attendance, and to
92 require school attendance officers to submit information
93 concerning public school attendance on a monthly basis to the
94 office;

95 (* * *f) To prepare the form of the certificate of
96 enrollment required under the Mississippi Compulsory School
97 Attendance Law and to furnish a sufficient number of the
98 certificates of enrollment to each school attendance officer in
99 the state;

100 (* * *g) To provide to the State Board of Education
101 statistical information concerning absenteeism, dropouts and other
102 attendance-related problems as requested by the State Board of
103 Education;

104 (* * *h) To provide for the certification of school
105 attendance officers;

106 (* * *i) To provide for a course of training and
107 education for school attendance officers, and to require
108 successful completion of the course as a prerequisite to
109 certification by the office as school attendance officers;

110 (* * *j) To adopt any guidelines or policies the
111 office deems necessary to effectuate an orderly transition from
112 the supervision of school attendance officers by * * * the State



Department of Education to the supervision by the local
school * * * district;

* * *

(* * *k) To adopt policies or guidelines to assist
local school districts with linking the duties of school
attendance officers to the appropriate courts, law enforcement
agencies and community service providers; * * *

(* * *h1) To adopt any other policies or guidelines
that the office deems necessary for the enforcement of the
Mississippi Compulsory School Attendance Law; however, the
policies or guidelines shall not add to or contradict with the
requirements of Section 37-13-91 * * *; and

(m) To transfer all funds appropriated to the State
Department of Education for school attendance officers to local
school districts on the same schedule as total funding formula
disbursements in accordance with Section 37-151-103.

SECTION 4. Section 37-13-87, Mississippi Code of 1972, is
amended as follows:

37-13-87. * * * The * * * State Superintendent of Public
Education shall employ sufficient staff to provide oversight for
the enforcement of the Mississippi Compulsory School Attendance
Law * * * and shall support and provide technical assistance and
professional development to the school attendance officers in the
local school districts. The * * * staff employed by the state
superintendent shall assist the school attendance officers in the



performance of their duties as established by law or otherwise and
may also perform any such other duties within the Office of
Compulsory School Attendance Enforcement and Dropout Prevention as
may be assigned by the State Superintendent of Public Education.

* * *

SECTION 5. Section 37-13-89, Mississippi Code of 1972, is
amended as follows:

37-13-89. (1) (a) In each school district within the
state, there shall be employed the number of school attendance
officers determined by the local school district, in consultation
with the Office of Compulsory School Attendance Enforcement and
Dropout Prevention to be necessary to adequately enforce the
provisions of the Mississippi Compulsory School Attendance
Law * * *. In any school district where charter schools operate,
the school district's school attendance officer shall also enforce
the provisions of the Mississippi Compulsory School Attendance Law
for those charter schools. From and after July 1, * * * 2025, all
school attendance officers employed pursuant to this section shall
be employees of the * * * local school district. * * * Local
school districts shall employ all persons employed as school
attendance officers by * * * the State Department of Education
before July 1, * * * 2025, and shall assign them to school
attendance responsibilities in the school district in which they
were employed before July 1, * * * 2025. * * *



(b) If a school attendance officer employed by the State Department of Education performed services in two (2) or more school districts during the 2024-2025 school year, that school attendance officer shall continue to serve the same two (2) or more school districts for the 2025-2026 school year. For purposes of employment, the school attendance officer shall be assigned to the school district with the largest student enrollment, and that school district shall serve as the fiscal agent, with funding shared with the partnering districts. Effective on July 1, 2026, if two (2) or more school districts fall below a certain number of students enrolled, to be determined by the State Department of Education, or are only provided funding for one-half (1/2) of the salary of the school attendance officer, those school districts are authorized, in the discretion of their respective local school board, to enter into an agreement for the purposes of sharing a school attendance officer. The agreement shall designate which district shall serve as the fiscal agent and the mutually agreed upon salary for the school attendance officer. The agreement shall be duly adopted by resolution of the participating school boards as reflected in the minutes of each school board and approved by the Office of Compulsory School Attendance Enforcement and Dropout Prevention.

(2) (a) The * * * local school districts shall * * *
conduct criminal records background checks and current child abuse registry checks on all persons applying for the position of school



187 attendance officer after July * * * 1, 2025. The criminal records
188 information and registry checks must be kept on file for any new
189 hires. * * * To determine an applicant's suitability for
190 employment as a school attendance officer, the applicant must be
191 fingerprinted. If no disqualifying record is identified at the
192 state level, the Department of Public Safety shall forward the
193 fingerprints to the Federal Bureau of Investigation (FBI) for a
194 national criminal history record check. The applicant shall pay
195 the fee, not to exceed Fifty Dollars (\$50.00), for the
196 fingerprinting and criminal records background check; however,
197 the * * * local school district, in its discretion, may pay the
198 fee for the fingerprinting and criminal records background check
199 on behalf of any applicant. Under no circumstances may a member
200 of the * * * local school board of trustees, employee of the * * *
201 local school district or any person other than the subject of the
202 criminal records background check disseminate information received
203 through any such checks except insofar as required to fulfill the
204 purposes of this subsection.

205 (b) If the fingerprinting or criminal records check
206 discloses a felony conviction, guilty plea or plea of nolo
207 contendere to a felony of possession or sale of drugs, murder,
208 manslaughter, armed robbery, rape, sexual battery, sex offense
209 listed in Section 45-33-23(h), child abuse, arson, grand larceny,
210 burglary, gratification of lust or aggravated assault which has
211 not been reversed on appeal or for which a pardon has not been



212 granted, the applicant is not eligible to be employed as a school
213 attendance officer. Any employment of an applicant pending the
214 results of the fingerprinting and criminal records check is
215 voidable if the new hire receives a disqualifying criminal records
216 check. However, the * * * local school board, in its discretion,
217 may allow an applicant aggrieved by an employment decision under
218 this subsection to appear before the board, or before a hearing
219 officer designated for that purpose, to show mitigating
220 circumstances that may exist and allow the new hire to be employed
221 as a school attendance officer. The * * * local school board may
222 grant waivers for mitigating circumstances, which may include, but
223 are not necessarily limited to:

- 224 (i) Age at which the crime was committed;
- 225 (ii) Circumstances surrounding the crime;
- 226 (iii) Length of time since the conviction and
227 criminal history since the conviction;
- 228 (iv) Work history;
- 229 (v) Current employment and character references;
- 230 and
- 231 (vi) Other evidence demonstrating the ability of
232 the person to perform the responsibilities of a school attendance
233 officer competently and that the person does not pose a threat to
234 the health or safety of children.

235 (c) * * * No local school district, school district
236 employee, member of the State Board of Education or employee of a a



237 school under the purview of the State * * * Board of
238 Education * * * shall be held liable in any employment
239 discrimination suit in which an allegation of discrimination is
240 made regarding an employment decision authorized under this
241 section.

242 (3) Each school attendance officer shall possess a college
243 degree with a major in education, counseling, a behavioral science
244 or a related field or shall have no less than three (3) years
245 combined actual experience as a school teacher, school
246 administrator, law enforcement officer possessing such degree,
247 and/or social worker; however, these requirements shall not apply
248 to persons employed as school attendance officers before January
249 1, 1987. School attendance officers also shall satisfy any
250 additional requirements that may be established by the * * *
251 hiring local school district.

252 (4) It shall be the duty of each school attendance officer
253 to:

254 (a) Cooperate with any public agency to locate and
255 identify all compulsory-school-age children who are not attending
256 school;

257 (b) Cooperate with all courts of competent
258 jurisdiction;

259 (c) Investigate all cases of nonattendance and unlawful
260 absences by compulsory-school-age children not enrolled in a
261 nonpublic school;



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

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

(f) Contact the home or place of residence of a compulsory-school-age child and any other place in which the officer is likely to find any compulsory-school-age child when the child is absent from school during school hours without a valid written excuse from school officials, and when the child is found, the officer shall notify the parents and school officials as to where the child was physically located;

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

(h) Collect and maintain information concerning absenteeism, dropouts and other attendance-related problems, as may be required by law, the local school district or the Office of



Compulsory School Attendance Enforcement and Dropout Prevention;
and

(i) Perform all other duties relating to compulsory
school attendance established by the * * * local school district.

(5) While engaged in the performance of his duties, each
school attendance officer shall carry on his person a badge
identifying him as a school attendance officer * * *. Neither the
badge nor the identification card shall bear the name of any
elected public official.

(6) The state shall provide funding for one (1) school
attendance officer employed by a local school district for every
three thousand (3,000) compulsory-school-age children, as defined
by Section 37-13-91(2)(f), in enrollment in the public schools of
the county, for the purpose of employing school attendance
officers as defined in Section 37-13-91(2)(g).

(* * * 7) The * * * salary * * * for school attendance
officers * * * shall be based upon factors including, but not
limited to, education, professional certification and licensure,
and number of years of experience. School attendance officers
must meet the minimum requirements as identified in subsection (3)
of this section. Effective July 1, 2025, any newly hired school
attendance officers shall be paid * * * a minimum salary * * * of
Thirty-four Thousand Dollars (\$34,000.00). * * * Local school
districts may pay additional compensation above the minimum salary
on a schedule established by the local school board.



312 * * *

313 (* * *8) * * * Each school attendance officer employed by
314 the State Department of Education on June 30, 2025, shall be
315 transferred from state services under the authority of the State
316 Personnel Board to employment status as an employee of the
317 respective school district of assignment. Each school attendance
318 officer shall have a work location within the school district they
319 serve. Each school attendance officer who became an employee of
320 the local school district on July 1, 2025, shall have no
321 interruption of service with the Public Employees' Retirement
322 System and the State and School Employees' Health Insurance Plan.
323 Any unused leave accumulated in state-service employment with the
324 State Department of Education shall be transferred in accordance
325 with the provision of Section 37-7-307, unless otherwise provided.

326 * * *

327 (* * *9) * * * School attendance officers shall maintain
328 regular office hours on a year-round basis * * * as determined by
329 the local school district of employment. However, during the
330 school term, on those days that teachers in all of the school
331 districts served by a school attendance officer are not required
332 to report to work, the school attendance officer also shall not be
333 required to report to work. (For purposes of this subsection, a
334 school district's school term is that period of time identified as
335 the school term in contracts entered into by the district with
336 licensed personnel.) A school attendance officer shall be



required to report to work on any day recognized as an official state holiday if teachers in any school district served by that school attendance officer are required to report to work on that day * * *.

* * *

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

(11) The State Department of Education and the Mississippi Association of School Superintendents shall provide a joint report on the status and progress of school attendance officers in their capacity as employees of local school districts and the fulfillment of their assigned duties and obligations to the Legislature for review and consideration during the 2027 Regular Session.

SECTION 6. Section 37-13-91, Mississippi Code of 1972, is amended as follows:

37-13-91. (1) This section shall be referred to as the "Mississippi Compulsory School Attendance Law."

(2) The following terms as used in this section are defined as follows:

(a) "Parent" means the father or mother to whom a child has been born, or the father or mother by whom a child has been legally adopted.



(b) "Guardian" means a guardian of the person of a child, other than a parent, who is legally appointed by a court of competent jurisdiction.

(c) "Custodian" means any person having the present care or custody of a child, other than a parent or guardian of the child.

(d) "School day" means not less than five and one-half (5-1/2) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.

(e) "School" means any public school, including a charter school, in this state or any nonpublic school in this state which is in session each school year for at least one hundred eighty (180) school days, except that the "nonpublic" school term shall be the number of days that each school shall require for promotion from grade to grade.

(f) "Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.

(g) "School attendance officer" means a person employed by a local school district, wherein they receive additional



387 support and technical assistance from the State Department of
388 Education's Office of Compulsory School Attendance Enforcement and
389 Dropout Prevention * * *.

390 (h) "Appropriate school official" means the
391 superintendent of the school district, or his designee, or, in the
392 case of a nonpublic school, the principal or the headmaster.

393 (i) "Nonpublic school" means an institution for the
394 teaching of children, consisting of a physical plant, whether
395 owned or leased, including a home, instructional staff members and
396 students, and which is in session each school year. This
397 definition shall include, but not be limited to, private, church,
398 parochial and home instruction programs.

399 (3) A parent, guardian or custodian of a
400 compulsory-school-age child in this state shall cause the child to
401 enroll in and attend a public school or legitimate nonpublic
402 school for the period of time that the child is of compulsory
403 school age, except under the following circumstances:

404 (a) When a compulsory-school-age child is physically,
405 mentally or emotionally incapable of attending school as
406 determined by the appropriate school official based upon
407 sufficient medical documentation.

408 (b) When a compulsory-school-age child is enrolled in
409 and pursuing a course of special education, remedial education or
410 education for children with physical or mental disadvantages or
411 disabilities.



(c) When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection, or the parent, guardian or custodian of a compulsory-school-age child attending any charter school or nonpublic school, or the appropriate school official for any or all children attending a charter school or nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section.

The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education and shall be designed to obtain the following information only:

(i) The name, address, telephone number and date of birth of the compulsory-school-age child;

(ii) The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;

(iii) The local public school district where the compulsory-school-age child resides;

(* * *iv) A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and

(* * *y) The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all



compulsory-school-age child or children attending a charter school or nonpublic school, the signature of the appropriate school official and the date signed.

The certificate of enrollment shall be returned to the school attendance officer that serves the local public school district where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required in subsection (6), the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.

For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

(4) An "unlawful absence" is an absence for an entire school day or during part of a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary



nonattendance. For purposes of reporting absenteeism under subsection (6) of this section, if a compulsory-school-age child has an absence that is more than thirty-seven percent (37%) of the instructional day, as fixed by the school board for the school at which the compulsory-school-age child is enrolled, the child must be considered absent the entire school day. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. This subsection shall not apply to children enrolled in a nonpublic school.

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of the excuse is provided to the superintendent of the school district, or his designee:

(a) An absence is excused when the absence results from the compulsory-school-age child's attendance at an authorized school activity with the prior approval of the superintendent of the school district, or his designee. These activities may include field trips, athletic contests, student conventions, musical festivals and any similar activity.

(b) An absence is excused when the absence results from illness or injury which prevents the compulsory-school-age child from being physically able to attend school.

(c) An absence is excused when isolation of a compulsory-school-age child is ordered by the county health



officer, by the State Board of Health or appropriate school official.

(d) An absence is excused when it results from the death or serious illness of a member of the immediate family of a compulsory-school-age child. The immediate family members of a compulsory-school-age child shall include children, spouse, grandparents, parents, brothers and sisters, including stepbrothers and stepsisters.

(e) An absence is excused when it results from a medical or dental appointment of a compulsory-school-age child.

(f) An absence is excused when it results from the attendance of a compulsory-school-age child at the proceedings of a court or an administrative tribunal if the child is a party to the action or under subpoena as a witness.

(g) An absence may be excused if the religion to which the compulsory-school-age child or the child's parents adheres, requires or suggests the observance of a religious event. The approval of the absence is within the discretion of the superintendent of the school district, or his designee, but approval should be granted unless the religion's observance is of such duration as to interfere with the education of the child.

(h) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that the purpose of the absence is to take advantage of a valid educational opportunity such as travel,



including vacations or other family travel. Approval of the absence must be gained from the superintendent of the school district, or his designee, before the absence, but the approval shall not be unreasonably withheld.

(i) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that conditions are sufficient to warrant the compulsory-school-age child's nonattendance. However, no absences shall be excused by the school district superintendent, or his designee, when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law.

(j) An absence is excused when it results from the attendance of a compulsory school age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.

(k) An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

(5) Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or



her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished in accordance with Section 97-5-39.

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to



attend or the child has accumulated five (5) unlawful absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report * * * within twenty-four (24) hours of the unlawful absences to the school attendance officer. The * * * local school district shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee, also shall report any student suspensions or student expulsions to the school attendance officer when they occur.

(7) When a school attendance officer has made all attempts to secure enrollment and/or attendance of a compulsory-school-age child and is unable to * * * verify the enrollment and/or attendance, the attendance officer shall file a petition with the youth court under Section 43-21-451 or shall file a petition in a court of competent jurisdiction as it pertains to parent or child. Sheriffs, deputy sheriffs and municipal law enforcement officers shall be fully authorized to investigate all cases of nonattendance and unlawful absences by compulsory-school-age children, and shall be authorized to file a petition with the youth court under Section 43-21-451 or file a petition or information in the court of competent jurisdiction as it pertains to parent or child for violation of this section. The youth court shall expedite a hearing to make an appropriate adjudication and a disposition to ensure compliance with the Compulsory School



Attendance Law, and may order the child to enroll or re-enroll in school. The superintendent of the school district to which the child is ordered may assign, in his discretion, the child to the alternative school program of the school established pursuant to Section 37-13-92.

(8) The State Board of Education shall adopt rules and regulations * * * to:

(a) Ensure school superintendents timely report unlawful absences under the provisions of this section; and

(b) Sanction school districts that do not adhere to said policy through findings of noncompliance on the monitoring process.

(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi, * * * school attendance officers, agencies or subdivisions any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision of any private or parochial school or institution for the education or training of children, of any kind whatsoever that is not a public school according to the laws of this state; and this section shall never be construed



so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.

SECTION 7. Section 37-13-107, Mississippi Code of 1972, is amended as follows:

37-13-107. (1) Every school attendance officer shall be required annually to attend and complete a comprehensive course of training and education which is provided or approved by the Office of Compulsory School Attendance Enforcement and Dropout Prevention of the State Department of Education. Attendance shall be required beginning with the first training seminar conducted after the school attendance officer is employed as a school attendance officer.

(2) The Office of Compulsory School Attendance Enforcement and Dropout Prevention shall provide or approve a course of training and education for school attendance officers of the state. The course shall consist of at least twelve (12) hours of training per year. The content of the course of training and when and where it is to be conducted shall be approved by the office. A certificate of completion shall be furnished by the State Department of Education to those school attendance officers who complete the course. Each certificate shall be made a permanent



636 record of the local school * * * district where the school
637 attendance officer is employed.

638 (3) Upon the failure of any person employed as a school
639 attendance officer to receive the certificate of completion from
640 the State Department of Education within the first year of his
641 employment, the person shall not be allowed to carry out any of
642 the duties of a school attendance officer and shall not be
643 entitled to compensation for the period of time during which the
644 certificate has not been obtained.

645 **SECTION 8.** This act shall take effect and be in force from
646 and after July 1, 2025.

