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Chapter No. 313

11/HR07/R1657PH

job list

HOUSE BILL NO. 1156

Originated in House Don Richardson Clerk

HOUSE BILL NO. 1156

AN ACT TO EXEMPT CERTAIN SCHOOL DISTRICTS FROM THE REQUIREMENT TO OPERATE ITS SCHOOLS FOR THE MINIMUM OF 180 DAYS IN THE EVENT OF EXTREME WEATHER CONDITIONS; TO ALLOW SUCH AFFECTED SCHOOL DISTRICTS TO RECEIVE PER PUPIL EXPENDITURE PAYMENTS FROM THE STATE DEPARTMENT OF EDUCATION FOR A MAXIMUM OF TEN DAYS; TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE A DETERMINATION OF ALTERING A SCHOOL DISTRICT'S CALENDAR ON A CASE-BY-CASE BASIS IN THE EVENT OF CERTAIN WEATHER CONDITIONS NOT DECLARED AS A STATE OF EMERGENCY; TO AMEND SECTION 37-13-63, MISSISSIPPI CODE OF 1972, TO ALLOW A SCHOOL DISTRICT THAT IS ALLOWED TO ALTER ITS SCHOOL TERM DUE TO CERTAIN DECLARED DISASTERS OR STATES OF EMERGENCY TO RECEIVE PAYMENTS FOR THE AVERAGE DAILY ATTENDANCE COSTS OF PUPILS FOR A MAXIMUM OF TEN DAYS; TO AMEND SECTION 37-13-65, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-13-61, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Beginning with the 2010-2011 school term, any school district required to close the operation of its schools by decision of the superintendent, under the authority provided by the local school board, due to extreme weather conditions, in the best interests of the health and safety of the students, administration and staff of the school district, shall be exempt from the requirement that schools be kept in session a minimum of one hundred eighty (180) days. Any school district that closes its schools for reasons authorized under this section shall receive payment from the State Department of Education for per pupil expenditure for pupils in average daily attendance not to exceed ten (10) days.

(2) In the event weather conditions are cause for the closure of operations of schools in any local school district in any instance in which a state of emergency has not been declared pursuant to Section 37-151-7(3)(c), the State Board of Education

may consider, on a case-by-case basis, requests submitted by local school districts to alter the school calendar consistent with the provision of that section.

SECTION 2. Section 37-13-63, Mississippi Code of 1972, is amended as follows:

37-13-63. (1) Except as otherwise provided, all public schools in the state shall be kept in session for at least one hundred eighty (180) days in each scholastic year.

(2) If the school board of any school district shall determine that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a scholastic year as contemplated due to an enemy attack, a man-made, technological or natural disaster or extreme weather emergency in which the Governor has declared a disaster or state of emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, the school board may notify the State Department of Education of the disaster or weather emergency and submit a plan for altering the school term. If the State Board of Education finds the disaster or extreme weather emergency to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster or state of emergency declaration, it may permit that school board to operate the schools in its district for less than one hundred eighty (180) days; however, in no instance of a declared disaster or state of emergency under the provisions of this subsection shall a school board receive payment from the State Department of Education for per pupil expenditure for pupils in average daily attendance in excess of ten (10) days.

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

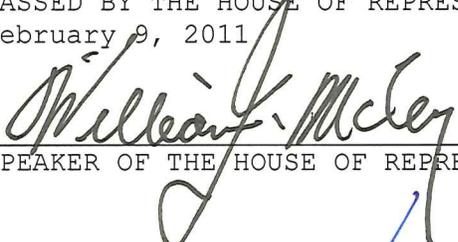
37-13-65. Upon application from the school board, the superintendent of schools may close any school because of an epidemic prevailing in the school district or because of the death, resignation, sickness or dismissal of a teacher or teachers or because of any other emergency necessitating the closing of the school. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63(2).

SECTION 4. Section 37-13-61, Mississippi Code of 1972, is brought forward as follows:

37-13-61. The local school board shall have the power and authority to fix the date for the opening and closing of the school term, subject to the minimum number of days which schools must be in session during a scholastic year, as prescribed under Section 37-13-63. However, local school boards are authorized to keep school in session in excess of the minimum number of days prescribed in Section 37-13-63.

SECTION 5. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 9, 2011



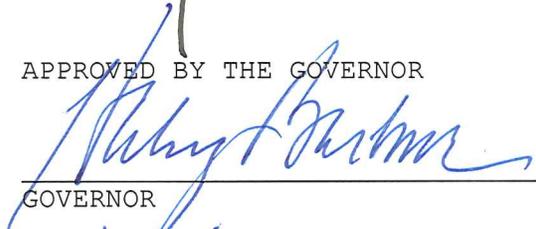
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
February 17, 2011



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

2/24/11

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