

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-15-29. Minor child to attend school in district of residence; exceptions.

- (1) Except as provided in subsections (2), (3) and (4) of this section, no minor child may enroll in or attend any school except in the school district of his residence, unless such child be lawfully transferred from the school district of his residence to a school in another school district in accord with the statutes of this state now in effect or which may be hereafter enacted.
- (2) Those children whose parent(s) or legal guardian(s) are instructional personnel or certificated employees of a school district may at such employee's discretion enroll and attend the school or schools of their parent's or legal guardian's employment regardless of the residence of the child.
- (3) No child shall be required to be transported in excess of thirty (30) miles on a school bus from his or her home to school, or in excess of thirty (30) miles from school to his or her home, if there is another school in an adjacent school district located on a shorter school bus transportation route by the nearest traveled road. Those children residing in such geographical situations may, at the discretion of their parent(s) or legal guardian(s), enroll and attend the nearer school, regardless of the residence of the child. In the event the parent or legal guardian of such child and the school board are unable to agree on the school bus mileage required to transport the child from his or her home to school, an appeal shall lie to the State Board of Education, or its designee, whose decision shall be final.
- (4) Those children lawfully transferred from the school district of his residence to a school in another school district prior to July 1, 1992, may, at the discretion of their parent(s) or legal guardian(s), continue to enroll and attend school in the transferee school district. Provided further, that the brother(s) and sister(s) of said children lawfully transferred prior to July 1, 1992, may also, at the discretion of their parent(s) or legal guardian(s), enroll and attend school in the transferee school district.

SOURCES: Codes, 1942, Sec. 6334-11; Laws, 1960, ch. 315; 1989, ch. 508, Sec. 1; 1990, ch. 565, Sec. 1; 1991, ch. 349, Sec. 1; 1992, ch. 410, Sec. 1, eff from and after July 1, 1992.

[Chapter Index](#) | [Table of Contents](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-41-2. Interference with operation of school bus; penalty.

(a) It shall be unlawful for any individual, other than a student scheduled to be a passenger upon that particular bus, a member of the public school administration or faculty, or a law enforcement official, to directly or indirectly interfere in any way with passenger ingress and egress or the operation, including unauthorized boarding thereof, of a bus used in public school student transportation unless permission has been obtained as prescribed by pertinent rules and regulations promulgated by the state board of education or the local school authorities.

(b) Upon conviction of violation of any provision of this section, such individual shall be guilty of a misdemeanor and shall be subject to a fine of not to exceed five hundred dollars (\$500.00), imprisonment in the county jail for a period not to exceed six (6) months, or both. Any person under the age of seventeen (17) who violates any provision of this section shall be treated as delinquent within the jurisdiction of the youth court.

SOURCES: Laws, 1973, ch. 339, Sec. 2, eff from and after June 1, 1973.

[Chapter Index](#) | [Table of Contents](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-41-3. Pupils entitled to transportation.

Pupils of legal school age, which shall include kindergarten pupils, and in actual attendance in the public schools who live a distance of one (1) mile or more by the nearest traveled road from the school to which they are assigned shall be entitled to transportation within the meaning of this chapter. Nothing contained in this section shall be construed to bar any child from such transportation where he or she lives less than one (1) mile and is on the regular route of travel of a school bus and space is available in such bus for such transportation. No state funds shall be paid for the transportation of children living within one (1) mile of the school, except as otherwise provided in this chapter, and such children shall not be included in transportation reports. In the development of route plans, economy shall be a prime consideration. There shall be no duplication of routes except in circumstances where it is totally unavoidable. The State Department of Education shall have authority to investigate school bus routing when there is reason to believe the provisions of this statute are being violated. The State Board of Education shall have authority to withhold transportation funds when school districts fail to correct unnecessary route duplication. Provided further, that all school districts are hereby authorized to lease or contract with any public or private individual, partnership, corporation, association, agency or other organization for the implementation of transportation of pupils as provided for in this section.

The school boards may provide transportation to such crippled and physically handicapped children as may be designated by such boards, when the failure to do so would result in undue hardship, even though the children are not otherwise entitled to transportation under the provisions of this chapter. The State Department of Education shall require all school districts during the 1993-1994 school year to equip school buses with properly designed seat belts to protect such physically handicapped children, and school districts are authorized to expend funds therefor from nonminimum program or other sources.

Where space is available, students attending junior colleges shall be allowed transportation on established routes in district-owned buses. However, no additional funds shall be allocated or expended for such purposes, and such persons shall not be included in transportation reports.

Children enrolled in special or alternative programs approved by local school boards may also be provided transportation, even though such children are not otherwise entitled under the provisions of this chapter. No additional funds shall be allocated for such purposes and such children shall not be included in transportation reports.

SOURCES: Codes, 1942, Sec. 6336-04; Laws, 1953, Ex Sess, ch. 15, Sec. 3; 1959, Ex Sess, ch. 29, Sec. 3; 1970, ch. 374, Sec. 3; 1971, ch. 339, Sec. 1; 1974, ch. 407; 1978, ch. 483, Sec. 1; 1982, ch. 354, Sec. 1; 1986, ch. 492, Sec. 130; 1988, ch. 487, Sec. 6; 1993, ch. 379, Sec. 1; 1993, ch. 602, Sec. 11, eff from and after July 1, 1993.

[Chapter Index](#) | [Table of Contents](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-41-13. How routes are to be laid out.

All routes shall be laid out so as to place all pupils entitled to transportation within a reasonable distance of same. No child entitled to transportation shall be required to walk a greater distance than one mile to reach the vehicle of transportation in the morning or to reach his home in the afternoon.

SOURCES: Codes, 1942, Sec. 6336-08; Laws, 1953, Ex Sess, ch. 15, Sec. 7.

[Chapter Index](#) | [Table of Contents](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-41-27. School buses may be used for special events and during emergencies.

The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of participating students, teachers, coaches and sponsors in connection with athletic events, events of boys' and girls' clubs and special events in connection with the schools which the boards may consider a part of the educational program. The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of citizens for grand jury and other jury functions upon order of the court or as considered necessary by the school board during natural or man-made emergencies, hurricanes, tornadoes, floods and other acts of God.

SOURCES: Codes, 1942, Sec. 6336-12; Laws, 1953, Ex Sess, ch. 15, Sec. 11; 1968, ch. 403, Sec. 1; 1975, ch. 304; 1982, ch. 354, Sec. 9; 1986, ch. 492, Sec. 138, eff from and after July 1, 1987.

[Chapter Index](#) | [Table of Contents](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 37-41-47. Speed of school bus; penalty.

It shall be unlawful for a driver of any school bus, whether a public or a contract bus, to drive said bus at a speed greater than forty-five (45) miles per hour while transporting children to and from school on regular routes. However, any such driver, while operating a school bus on other authorized trips, shall not drive said school bus at a speed greater than fifty (50) miles per hour. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each such offense. In addition thereto, upon such conviction, such driver may be discharged from further employment as a school bus driver or carrier and his contract as such may be terminated.

SOURCES: Codes, 1942, Sec. 6336-17; Laws, 1953, Ex Sess, ch. 15, Sec. 16; 1982, ch. 354, Sec. 17, eff from and after July 1, 1982.

[Chapter Index](#) | [Table of Contents](#)

§ 63-3-615. Meeting or overtaking school bus.

(1) The driver of a vehicle upon a street or highway upon meeting or overtaking any school bus which has stopped on the street or highway for the purpose of receiving or discharging any school children shall come to a complete stop and shall not proceed until the children have crossed the street or highway and the school bus has proceeded in the direction it was going.

(2) Any person violating the provisions of subsection (1) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or imprisoned for not more than one (1) year, or both.

(3) This section shall be applicable only in the event the school bus shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than four (4) inches in height.

Sources: Codes, 1942, § 8226; Laws, 1938, ch. 200; Laws, 1946, ch. 341; Laws, 1946, ch. 420, § 10; Laws, 1974, ch. 304; Laws, 1986, ch. 368, eff from and after July 1, 1986.

[Prev Doc](#)

[Next Doc](#)

MISSISSIPPI CODE OF 1972

As Amended

SEC. 19-3-42. Maintenance of private roads and driveways used for school bus turnarounds; public school grounds; driveways and parking lots of nonprofit organizations.

(1) The board of supervisors of any county is hereby authorized and empowered, in its discretion, to grade, gravel or shell, repair, and/or maintain private gravel or shell roads or driveways to private residences if such roads or driveways are used for school bus turnarounds.

(2) Prior to engaging in the work authorized in subsection (1) of this section, the board of supervisors shall spread upon the official minutes of the board:

- (a) The written request of the school board for such work;
- (b) The written approval of the board of supervisors for such work;
- (c) The specific location of the road or driveway to be worked; and
- (d) The name of the owner of the road or driveway to be worked.

(3) The written request of the school board, as required in subsection (2)(a) above, shall contain a current list of all active school bus turnarounds presently in use by the school district or contemplated for use by the school district for the present school year. The approval by the board of supervisors shall be valid and effective for the period of time that a turnaround is anticipated for use, but in no event for a period greater than one (1) year.

(4) In addition to the authority granted in subsection (1) of this section, from and after October 1, 1989, the board of supervisors of any county is further authorized, in its discretion, to maintain public school grounds of the county and to grade, gravel, shell or overlay, and/or to maintain gravel, shell, asphalt or concrete roads, driveways or parking lots of public schools of the county if, before engaging in such work, the board of supervisors shall spread upon its official minutes the written request of the school board for such work, the written approval of the board of supervisors for such work and the specific location of the school grounds or road, driveway or parking lot, to be worked.

(5) In addition to any other authority granted in this section, the board of supervisors of any county is hereby authorized, in its discretion, to repair and maintain driveways and parking lots of: (a) any nonprofit organization in the county which is tax exempt under Section 501(c) of the United States Internal Revenue Code and which has as one (1) of its primary purposes for organization to aid and assist in the rehabilitation of persons suffering from drug abuse or drug addiction; and (b) any private, nonprofit cemeteries in the county. The board of supervisors of any county shall not be authorized under the provisions of this subsection to repair or maintain driveways or parking lots located more than one hundred fifty (150) feet from the center of any highway, road or street under the jurisdiction of the county.

SOURCES: Laws, 1988, ch. 493, Sec. 1; 1989, ch. 422, Sec. 1; 1989, ch. 541, Sec. 1; 1990, ch. 368, Sec. 1, eff from and after October 1, 1990.