

**OFFICE OF STATE SUPERINTENDENT OF EDUCATION**  
**Summary of State Board of Education Agenda Items**  
**August 6, 2020**

**OFFICE OF STATE SUPERINTENDENT OF EDUCATION**

01. Action: Approval to consider a waiver of the 180 day requirement in accordance with Mississippi Code Annotated Section 37-13-63 [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]

Recommendation: Approval

Back-up material attached

West's Annotated Mississippi Code

Title 37. Education

Chapter 13. Curriculum; School Year and Attendance (Refs & Annos)

School Year and Attendance

Miss. Code Ann. § 37-13-63

§ 37-13-63. Term of school year

Currentness

<<See Executive Order 1460 (2020 MS EO 1460), related to the COVID-19 State of Emergency, for temporary suspension of certain provisions of this section governing attendance periods and pupil funds.>>

<<See Executive Order 1476 (2020 MS EO 1476), related to the COVID-19 State of Emergency, for temporary suspension of certain provisions of this section governing pupil funds.>>

(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.

**Credits**

Laws 1953, 1st Ex. Sess., Ch. 16, § 10; Laws 1986, Ch. 492, § 86; Laws 1992, Ch. 524, § 7, eff. July 1, 1992. Amended by Laws 2003, Ch. 544, § 1, eff. from and after passage (approved April 21, 2003); Laws 2011, Ch. 313, § 2, eff. from and after passage (approved February 24, 2011).

Miss. Code Ann. § 37-13-63, MS ST § 37-13-63

The Statutes and Constitution are current with laws from the 2020 Regular Session effective upon passage as approved through July 1, 2020. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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