

By: Representative McCoy

To: Education

## HOUSE BILL NO. 946

1 AN ACT TO AMEND SECTION 37-7-201, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE FUTURE SCHOOL BOARD MEMBERS TO POSSESS A HIGH SCHOOL  
3 EDUCATION OR GED EQUIVALENCY; TO AMEND SECTION 37-6-11,  
4 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL FROM OFFICE  
5 OR SCHOOL BOARD MEMBERS MISSING FOUR OR MORE CONSECUTIVE BOARD  
6 MEETINGS; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-7-201, Mississippi Code of 1972, is  
9 amended as follows:

10 37-7-201. In order for a person to be eligible to hold the  
11 office of trustee of any school district, such person must be a  
12 bona fide resident and a qualified elector of such school  
13 district, and, in the case of a school district lying in two (2)  
14 or more counties, but not including municipal separate school  
15 districts, such person must be a bona fide resident and a  
16 qualified elector of the territory entitled to such representation  
17 on the board. Beginning on the effective date of House Bill  
18 No. \_\_\_\_\_, 1999 Regular Session, a person also must possess a high  
19 school diploma or a general educational development (GED)  
20 equivalency in order to be eligible to hold the office of trustee  
21 of a school district; however, the requirement shall not apply to  
22 any person holding the office of trustee of a school district on  
23 the effective date of House Bill No. \_\_\_\_\_, 1999 Regular Session  
24 for the remainder of that trustee's current term of office and for  
25 any consecutive terms for which the trustee may be elected or  
26 appointed.

27 SECTION 2. Section 37-6-11, Mississippi Code of 1972, is  
28 amended as follows:

29           37-6-11. (1) The school boards of all school districts  
30 shall meet regularly at such time and at such place as shall be  
31 designated by an order entered upon the minutes of the board.  
32 Special meetings of such boards shall be held upon the call of the  
33 president \* \* \*, or upon the call of a majority of the members of  
34 the school board.

35           (2) Any school board member who is absent from four (4) or  
36 more consecutive meetings of the board for reasons other than  
37 illness of the member or a death in the member's family shall be  
38 removed from office in the following manner:

39           (a) If the school board member is holding office in an  
40 appointive position, the president of the school board shall  
41 certify to the appointing authority that the member is subject to  
42 removal from office. The appointing authority, by resolution duly  
43 adopted and spread upon its minutes, shall remove the school board  
44 member from office. The recovery created by the member's removal  
45 shall be filled in the same manner that other vacancies ont he  
46 board are filled.

47           (b) If the school board member is holding elective  
48 office, the president of the school board shall take such action  
49 as may be required by law to effectuate the person's removal from  
50 office. The vacancy created by the member's removal shall be  
51 filled in the same manner that other vacancies on the board are  
52 filled.

53           (3) For purposes of this subsection only, the term "family"  
54 means spouse, parent, stepparent, sibling, child or stepchild.

55           SECTION 3. The Attorney General of the State of Mississippi  
56 shall submit this act, immediately upon approval by the Governor,  
57 or upon approval by the Legislature subsequent to a veto, to the  
58 Attorney General of the United States or to the United States  
59 District Court for the District of Columbia in accordance with the  
60 provisions of the Voting Rights Act of 1965, as amended and  
61 extended.

62           SECTION 4. This act shall take effect and be in force from  
63 and after the date it is effectuated under Section 5 of the Voting  
64 Rights Act of 1965, as amended and extended.