

By: Gibbs

To: Education;
Appropriations

HOUSE BILL NO. 1467

1 AN ACT TO AMEND SECTION 37-22-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE SECOND-LEVEL FUNDING FOR ANY REGIONAL HIGH SCHOOL
3 ESTABLISHED BY TWO OR MORE SCHOOL DISTRICTS WHICH IS THE ONLY HIGH
4 SCHOOL IN THE COUNTY IN WHICH IT IS SITUATED; TO BRING FORWARD
5 SECTIONS 37-7-417 AND 37-7-419, MISSISSIPPI CODE OF 1972, WHICH
6 AUTHORIZE SCHOOL DISTRICTS TO ESTABLISH REGIONAL HIGH SCHOOLS AND
7 PROVIDE FOR THE GOVERNANCE OF SUCH HIGH SCHOOLS; AND FOR RELATED
8 PURPOSES.

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

10 SECTION 1. Section 37-22-3, Mississippi Code of 1972, is
11 amended as follows:

12 37-22-3. There is * * * provided a Second-Level Funding
13 Program which shall qualify any school district within a county
14 wherein there is only one (1) school district and any school
15 district in which there is a regional high school created by two
16 (2) or more school districts, which is the only high school in the
17 county, for additional state funding on an annual basis. The
18 nonparticipation of any line consolidated school district to
19 conform their district administration to receive second-level
20 funding under the provisions of this section shall not prohibit
21 the participation of any other school districts located within any
22 of the affected counties in such funding program. In the event
23 the board of trustees of a line consolidated school district
24 elects to participate in second-level funding, it shall merge its
25 administration with the county in which the majority of its
26 facilities are located. The State Board of Education shall
27 designate the county in which the majority of such line
28 consolidated district facilities are located in accordance with
29 its established inventory of school district facilities. The

30 school board in any such county having only one (1) school
31 district on July 1, 1989, * * * the school boards in any county
32 having more than one (1) school district which hereafter adopts a
33 plan for the transition of all administrative functions into one
34 (1) school district for such county, and the school board of any
35 school district in which, by agreement of two (2) or more school
36 districts, a regional high school has been established which is
37 the only high school in the county, shall qualify for this
38 Second-Level Funding Program. Any uniform millage assistance
39 grant received by an agricultural high school shall not affect the
40 granting of second-level funding grants to any school district
41 under the provisions of this section; and any agricultural high
42 school located in such school district shall also be eligible for
43 such second-level funding grants. The state funds available to
44 such school district for the Second-Level Funding Program shall be
45 Thirty-six Dollars (\$36.00) per pupil in average daily attendance;
46 however, whenever a school district is eligible for second-level
47 funding grants because the school district has established, by
48 agreement, with one or more other school districts, a regional
49 high school which is the only high school in the county, the
50 average daily attendance shall be the total average daily
51 attendance for high school students in those school districts
52 participating in the regional high school. The total state funds
53 needed for the Second-Level Funding Program annually shall be the
54 total of the amounts needed by all of the school districts in the
55 state having one (1) school district within the county. The State
56 Second-Level Funding Program Fund is * * * established in the
57 State Treasury which shall be used to distribute the funds to
58 school districts entitled to such funds under the provisions of
59 this section. Any such funds shall be transferred to the school
60 district maintenance fund of such district in the manner
61 prescribed in Section 37-19-47 and shall be expended in the manner
62 provided by law for classroom instructional purposes. A school
63 district is entitled to such funds because the district has
64 established, by agreement with one or more other school districts,
65 a regional high school which is the only high school in the
66 county, such funds shall be transferred to the school district

67 designated as the fiscal agent of the regional high school
68 pursuant to Section 37-7-419.

69 SECTION 2. Section 37-7-417, Mississippi Code of 1972, is
70 brought forward as follows:

71 37-7-417. The various school districts of this state are
72 authorized to enter into agreements between such school districts
73 providing for the construction or operation of regional high
74 school centers. Any such agreement shall be subject to the
75 approval of the State Board of Education. Any such agreement may,
76 among other provisions, provide for the method of financing the
77 construction and operation of such facilities, the manner in which
78 such facilities are to be controlled, operated and staffed, and
79 the basis upon which students are to be admitted thereto and
80 transportation provided for students in attendance therein. Any
81 such agreement or any subsequent modification thereof shall be
82 spread at large upon the minutes of each party thereto after
83 having been duly adopted by the school board of each school
84 district.

85 Such agreements may provide for the establishment of boards
86 of trustees of such high school centers to be made up of
87 representatives of the school boards of the school districts which
88 may be parties thereto. Said school boards of the school
89 districts to such agreement may delegate any and all powers of
90 said trustees as may be necessary or desirable for the operation
91 of any such regional high schools to the board of trustees of any
92 such center so created, except for the power to request or require
93 the levy of taxes or the power to issue or require the issuance of
94 any bonds, notes or other evidences of indebtedness, or to call
95 for an election on the question of the issuance thereof.

96 SECTION 3. Section 37-7-419, Mississippi Code of 1972, is
97 amended as follows:

98 37-7-419. The various school districts which may become
99 parties to any such agreement are authorized to appropriate and
100 expend for the purposes thereof any and all funds which may be
101 required to carry out the terms of any such agreement from any
102 funds available to any such party to such an agreement not
103 otherwise appropriated without limitation as to the source of such

104 funds, including minimum foundation program funds, sixteenth
105 section funds, funds received from the federal government or other
106 sources by way of grant, donation or otherwise, and funds which
107 may be available to any such party through the State Department of
108 Education or any other agency of the state, regardless of the
109 party to such agreement designated thereby to be primarily
110 responsible for the construction or operation of any such regional
111 high school center and regardless of the limitation on the
112 expenditure of any such funds imposed by any other statute.
113 However, no such funds whose use was originally limited to the
114 construction of capital improvements shall be utilized for the
115 purpose of defraying the administrative or operating costs of any
116 such center. Any one or more of the parties to such an agreement
117 may be designated as the fiscal agent or contracting party in
118 carrying out any of the purposes of such agreement, and any and
119 all funds authorized to be spent therefor by any of the said
120 parties may be paid over to the fiscal agent or contracting party
121 for disbursement by such fiscal agent or contracting party. Such
122 disbursements shall be made and contracted for under the laws and
123 regulations applicable to such fiscal or disbursing agent. All of
124 the school district parties to any such agreement may issue bonds,
125 negotiable notes or other evidences of indebtedness for the
126 purpose of providing funds for the acquisition of land and for the
127 construction of buildings and permanent improvements under the
128 terms of any such agreement under any existing laws authorizing
129 the issuance or sale thereof to provide funds for any capital
130 improvement.

131 SECTION 4. This act shall take effect and be in force from
132 and after July 1, 2000.