

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Cmte Sub for Senate Bill No. 2119

BY: Senator(s) Harden, Chaney

1 **AMEND by inserting the following after line 515 and**
2 **renumbering:**

3 **SECTION *.** (1) (a) In any Mississippi county in which is
4 located six (6) or more school districts, there shall be an
5 administrative consolidation of all of the school districts in the
6 county into not more than three (3) school districts with three
7 (3) administrative units and three (3) school boards. This
8 consolidation shall not require closing school facilities. In
9 such county, there shall be a new county board of education
10 elected in the November 2007 general election which shall be
11 elected as provided in Section 37-5-7, Mississippi Code of 1972.
12 The new county board of education shall provide for the
13 administrative consolidation of all school districts in the county
14 into not more than three (3) school districts on or before July 1
15 next following the November election. The new county board of
16 education shall serve as the school board for one (1) of the three
17 (3) school districts in the county. Any school district affected
18 by the required administrative consolidation that does not
19 voluntarily consolidate with the new school district ordered by
20 the county board of education shall be administratively
21 consolidated by the State Board of Education with the appropriate
22 school district in which such district is located, to be effective
23 on July 1 following the election of the new county board of

24 education. The State Board of Education shall promptly move on
25 its own motion to administratively consolidate a school district
26 which does not voluntarily consolidate in order to enable the
27 affected school districts to reasonably accomplish the resulting
28 administrative consolidation into three (3) school districts by
29 July 1 following the election of the new county board of
30 education. All affected school districts shall comply with any
31 consolidation order issued by the county board of education or the
32 State Board of Education, as the case may be, on or before July 1
33 following the election of the new county board of education.

34 (b) On July 1 following the election of the new county
35 board of education, the former county board of education, the
36 board of trustees of any municipal separate, special municipal
37 separate, consolidated or line consolidated school district
38 located in such county shall be abolished. All real and personal
39 property which is owned or titled in the name of a school district
40 located in such county shall be transferred to the new reorganized
41 school district of the county in which such school district is
42 located. Each affected school board shall be responsible for
43 establishing the contracts for teachers and principals for the
44 next school year following the required administrative
45 consolidation with the consultation of the newly elected successor
46 county board of education. The selection of the appointed county
47 superintendent of education and the assistant superintendent of
48 education in the central administration office of the successor
49 countywide school district shall be the responsibility of the
50 successor county board of education. No such administratively
51 consolidated school district shall have more than two (2)
52 assistant superintendents of education. It shall be the
53 responsibility of the successor county board of education to
54 prepare and approve the budget of the new reorganized districts,
55 and the county board of education may use staff from the former

56 school districts to prepare the budget. Any proposed order of the
57 successor county board of education directing the transfer of the
58 assets, real or personal property of an affected school district
59 in the county, shall be submitted and approved by the State Board
60 of Education. The finding of the State Board of Education shall
61 be final and conclusive for the purposes of the transfer of
62 property required by such administrative consolidation. Any
63 person or school district aggrieved by an order of the successor
64 county school board of education pursuant to the required
65 administrative consolidation may appeal therefrom to the State
66 Board of Education within ten (10) days from the date of the
67 adjournment of the meeting at which such order is entered. Such
68 appeal shall be de novo, and the finding of the State Board of
69 Education upon such question shall be final and conclusive for the
70 purpose of the approval or disapproval of the action by said
71 county board of education.

72 (c) When any school district in such county is
73 abolished under the provisions of this section, the abolition
74 thereof shall not impair or release the property of such former
75 school district from liability for the payment of the bonds or
76 other indebtedness of such district and it shall be the duty of
77 the board of supervisors of said county to levy taxes on the
78 property of said district so abolished from year to year according
79 to the terms of such indebtedness until same shall be fully paid.

80 (d) In the administratively consolidated countywide
81 school district created under this section, the ad valorem tax
82 rate shall be determined as set forth under Section 37-57-1 et
83 seq.

84 (e) Nothing in this section shall be construed to
85 require the closing of any school or school facility, unless such
86 facility is an unneeded administrative office located within a
87 school district which has been abolished under the provisions of

88 this section. All administrative consolidations under this
89 section shall be accomplished so as not to delay or in any manner
90 negatively affect the desegregation of another school district in
91 the county pursuant to court order.

92 (f) The State Board of Education shall promulgate rules
93 and regulations to facilitate the administrative consolidation of
94 the school districts in a county pursuant to this section. When
95 the orders of the successor county board of education adopting the
96 boundaries of the successor countywide school district have been
97 entered and are final, as approved by the State Board of
98 Education, the new district lines shall be submitted by the State
99 Board of Education with the assistance of the Attorney General to
100 the Attorney General of the United States for preclearance or to
101 the United States District Court for the District of Columbia for
102 a declaratory judgment in accordance with the provisions of the
103 Voting Rights Act of 1965, as amended and extended. In the event
104 the change in the school district lines are precleared or
105 approved, the State Board of Education shall formally declare the
106 new lines as the new boundaries of the consolidated countywide
107 school district.

108 **FURTHER, amend the title to conform.**