

By: Senator(s) Tollison

To: Education

SENATE BILL NO. 2463
(As Sent to Governor)

1 AN ACT TO PROVIDE THAT IN THE CHICKASAW COUNTY AND HOUSTON
2 MUNICIPAL SEPARATE SCHOOL DISTRICT THERE SHALL BE AN
3 ADMINISTRATIVE CONSOLIDATION INTO ONE SCHOOL DISTRICT TO BE
4 DESIGNATED AS THE CHICKASAW COUNTY SCHOOL DISTRICT EFFECTIVE JULY
5 1, 2021; TO PROVIDE FOR A SUPERINTENDENT OF SCHOOLS FOR THE NEW
6 CHICKASAW COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE COMPOSITION
7 OF THE BOARD OF EDUCATION OF THE NEW CHICKASAW COUNTY SCHOOL
8 DISTRICT; TO DIRECT THE STATE BOARD OF EDUCATION TO
9 ADMINISTRATIVELY CONSOLIDATE ANY SCHOOL DISTRICT WHICH DOES NOT
10 VOLUNTARILY FOLLOW THE CONSOLIDATION ORDER; TO ABOLISH THE FORMER
11 SCHOOL DISTRICTS FOLLOWING THE ADMINISTRATIVE CONSOLIDATION AND
12 PROVIDE FOR THE TRANSFER OF SCHOOL DISTRICT ASSETS AND
13 LIABILITIES; TO PROVIDE FOR EXECUTION OF TEACHER AND SCHOOL
14 DISTRICT EMPLOYEE CONTRACTS AND THE PREPARATION OF A SCHOOL
15 DISTRICT BUDGET IN THE NEW SCHOOL DISTRICT; TO DIRECT THE STATE
16 BOARD OF EDUCATION TO PROMULGATE REGULATIONS TO IMPLEMENT SUCH
17 ADMINISTRATIVE CONSOLIDATION; TO PROVIDE A TWO-YEAR WAIVER FROM
18 ACCOUNTABILITY AND STATE ASSESSMENT REQUIREMENTS FOR THE NEW
19 STUDENT POPULATION; TO AMEND SECTIONS 37-7-103 AND 37-5-7,
20 MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION
21 37-7-203, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ELECTION OF
22 SCHOOL BOARD MEMBERS IN A CERTAIN SCHOOL DISTRICT BEGINNING WITH
23 THE NOVEMBER 2017 MUNICIPAL ELECTION AND THE 2018 CONGRESSIONAL
24 MID-TERM ELECTION RESPECTIVE TO THE TRUSTEE DISTRICTS ELIGIBLE FOR
25 ELECTION AT SUCH TIME AND EVERY FOUR YEARS THEREAFTER; AND FOR
26 RELATED PURPOSES.

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

28 **SECTION 1.** (1) In Chickasaw County, Mississippi, in which
29 are located, as of January 1, 2017, three (3) school districts,
30 there shall be an administrative consolidation of two (2) of those



31 school districts in the county as a new school district to be
32 designated as Chickasaw County School District which shall consist
33 of the territory of the former Chickasaw County School District
34 and the Houston Municipal Separate School District, effective on
35 July 1, 2021. At such time that the administrative consolidation
36 becomes effective, the central administrative office of the new
37 Chickasaw County School District shall be located in Houston,
38 Mississippi.

39 (2) On July 1, 2020, the Superintendent of Schools of the
40 former Houston Municipal Separate School District shall continue
41 to serve in like administrative capacity for the purpose of
42 managing the transition for the consolidation of the former
43 Chickasaw County School District and the Houston Municipal
44 Separate School District. The said Superintendent of Schools
45 shall be responsible for the administration, management and
46 operation of the school district from July 1, 2020, until July 1,
47 2021, including, but not limited to, the following activities:

48 (a) merging the existing budgets with the budget of the new
49 consolidated school district; (b) nonrenewal of central office
50 staff as necessary; (c) construction of a new salary scale for
51 licensed and nonlicensed employees; (d) supplemental duties of
52 school district employees; (e) assist local officials with school
53 tax assessment; (f) appointment of assistant superintendents for
54 the new district not to exceed three (3); and (g) veto authority
55 over decisions of the former school boards until the new Chickasaw



56 County Board of Education is in place. The said Superintendent of
57 Schools shall cooperate with the State Department of Education, as
58 soon as practicable after the effective date of this act, for the
59 planning and transition of programs, services and alignment of
60 curriculum for the administratively consolidated school districts.

61 (3) On July 1, 2020, the State Board of Education shall
62 serve the Chickasaw County Board of Education and the Board of
63 Trustees of the Houston Municipal Separate School District with
64 notice and instructions regarding the timetable for action to be
65 taken to comply with the administrative consolidation required in
66 this section. The State Board of Education shall require the
67 administrative consolidation of the Chickasaw County School
68 District and the Houston Municipal Separate School District on or
69 before July 1, 2021.

70 (4) In the new Chickasaw County School District, there shall
71 be an Interim County Board of Education elected in a November 2020
72 special election which shall be called by the Governor for that
73 purpose. The State Board of Education shall declare that the
74 following territory shall be the election districts for the
75 Interim Chickasaw County Board of Education, and members shall be
76 qualified electors residing in that district: (a) three (3)
77 members shall be elected at large from the territory of the former
78 Houston School District; and (b) two (2) members shall be elected
79 at large from the territory of the former Chickasaw County School
80 District. Members elected in the November 2020 special election



81 shall serve terms of three (3) years beginning on January 1, 2021.
82 There shall be a new Chickasaw County Board of Education for the
83 Chickasaw County School District, elected on the first Tuesday
84 after the first Monday in November 2023, at the same time and in
85 the same manner as the statewide general election is held and
86 conducted, for that purpose. The new county board of education
87 shall be elected and the terms of office established as provided
88 in Section 37-5-7(5). Any school board member of the former
89 school districts residing in the proper territory shall be
90 eligible for election to the new Chickasaw County Board of
91 Education.

92 (5) The State Board of Education shall declare that the
93 territory embraced by Chickasaw County, Mississippi, excluding the
94 territory of Okolona Separate School District, shall be the
95 boundary lines for the territory of the new Chickasaw County
96 School District and shall spread a legal description of the new
97 school district on the minutes of its August 2020 meeting and
98 shall serve the applicable school boards and the board of
99 supervisors with an adequate legal description of these new
100 boundaries. Any school district affected by the required
101 administrative consolidation in the county that does not
102 voluntarily consolidate as ordered by the State Board of Education
103 shall be administratively consolidated by the State Board of
104 Education, to be effective immediately upon action of the State
105 Board of Education. The State Board of Education shall promptly



106 move on its own motion to administratively consolidate a school
107 district which does not voluntarily consolidate in order to enable
108 the affected school districts to reasonably accomplish the
109 resulting administrative consolidation into the Chickasaw School
110 District by July 1, 2021, following the motion to consolidate.
111 The affected school districts shall comply with any consolidation
112 order issued by the State Board of Education.

113 (6) The Interim Chickasaw County Board of Education shall
114 conduct a search for a new Superintendent of Schools for the
115 Chickasaw County School District to be selected no later than July
116 1, 2021, in the manner provided in Section 37-9-13 and the
117 Superintendent of Schools serving on that date may be selected to
118 continue in office. The position of Chickasaw County
119 Superintendent of Schools shall be an appointive position. No
120 superintendent serving in a school district placed under
121 conservatorship shall be eligible for appointment as a
122 superintendent or assistant superintendent in the new Chickasaw
123 County School District. The Interim Chickasaw County Board of
124 Education shall also employ central office staff for the Chickasaw
125 County School District no later than July 1, 2021, or as soon
126 thereafter as is practicable.

127 (7) On January 1, 2021, following the motion of the State
128 Board of Education to consolidate school districts in Chickasaw
129 County and the Houston Municipal Separate School Districts, the
130 Chickasaw County School District and the Houston Municipal



131 Separate School District and the former school boards of those
132 districts shall be abolished. All real and personal property
133 which is owned or titled in the name of the school district
134 located in such former school districts shall be transferred to
135 the new Chickasaw County School District. The Superintendent of
136 Schools and the County Board of Education of the new Chickasaw
137 County School District shall be responsible for establishing the
138 contracts for teachers, principals, clerical and administrative
139 staff personnel for the 2020-2021 school year and thereafter. It
140 shall be the responsibility of the Superintendent of Schools and
141 the County Board of Education of the new Chickasaw County School
142 District to prepare and approve the budget of the new reorganized
143 district. Any proposed order of the State Board of Education
144 directing the transfer of the assets, real or personal property of
145 an affected school district in the county, shall be final and
146 conclusive for the purposes of the transfer of property required
147 by such administrative consolidation.

148 (8) From and after July 1, 2021, all outstanding debt of the
149 former Chickasaw County School District and the Houston Municipal
150 Separate School District shall be assumed by and become the debt
151 of the new Chickasaw County School District. Any debt assumed by
152 the Chickasaw County School District secured by a special ad
153 valorem tax shall become secured by and payable from a mandatory,
154 special ad valorem tax which shall be levied on all taxable
155 property in the territory of the former Houston Municipal Separate



156 School District or the former Chickasaw County School District, as
157 the case may be, by the levying authority of the new Chickasaw
158 County School District. It is the intent of the Legislature that
159 any such pledges of the former school districts will remain in
160 effect and that the pledged funds will be available to the new
161 Chickasaw County School District to pay its debt to which the
162 funds are pledged. The Board of Supervisors of Chickasaw County
163 shall be the "levying authority" for the new Chickasaw County
164 School District.

165 (9) Nothing in this section shall be construed to require
166 the closing of any school or school facility, unless the facility
167 is an unneeded administrative office located within a school
168 district which has been abolished under the provisions of this
169 section. All administrative consolidations under this section
170 shall be accomplished so as not to delay or in any manner
171 negatively affect the desegregation of another school district in
172 the county pursuant to court order.

173 (10) The State Board of Education, acting through the new
174 Superintendent of Schools, shall promulgate rules and regulations
175 to facilitate the administrative consolidation of the school
176 districts in Chickasaw County and Houston, Mississippi, pursuant
177 to this section. The consolidated district shall make an election
178 within one (1) year of consolidation concerning the group term
179 life insurance described in Section 25-15-9(7).



180 (11) For the initial two (2) years following the
181 administrative consolidation required by this section, conditioned
182 on approval by the U.S. Department of Education, the State
183 Department of Education shall grant a waiver of accountability and
184 state assessment requirements to the new Chickasaw County School
185 District for the student population enrolled therein from the
186 former Chickasaw County School District and the Houston Municipal
187 Separate School District, when determining the new consolidated
188 school district accreditation level based on the performance and
189 accountability rating model.

190 **SECTION 2.** Section 37-7-103, Mississippi Code of 1972, is
191 amended as follows:

192 37-7-103. From and after July 1, 1987, the school board of
193 any school district shall have full jurisdiction, power and
194 authority, at any regular meeting thereof or at any special
195 meeting called for that purpose, to abolish such existing
196 district, or to reorganize, change or alter the boundaries of any
197 such district. In addition thereto, with the consent of the
198 school board of the school district involved, the school board may
199 add to such school district any part of the school district
200 adjoining same, and with the consent of the school board of the
201 school district involved, may detach territory from such school
202 district and annex same to an adjoining district. Provided,
203 however, that the consent of the school board of the school
204 districts involved in implementing the provisions of Sections



205 37-7-104.1, * * * 37-7-104.2, * * * 37-7-104.3, * * *
206 37-7-104.4, * * * 37-7-104.5, * * * 37-7-104.6, * * * 37-7-104.7
207 or Section 1 of this act shall not be required for the
208 administrative consolidation of such school districts pursuant to
209 the order of the State Board of Education.

210 **SECTION 3.** Section 37-5-7, Mississippi Code of 1972, is
211 amended as follows:

212 37-5-7. (1) On the first Tuesday after the first Monday in
213 May, 1954, an election shall be held in each county in this state
214 in the same manner as general state and county elections are held
215 and conducted, which election shall be held for the purpose of
216 electing the county boards of education established under the
217 provisions of this chapter. At such election, the members of the
218 said board from Supervisors Districts One and Two shall be elected
219 for the term expiring on the first Monday of January, 1957;
220 members of the board from Supervisors Districts Three and Four
221 shall be elected for a term expiring on the first Monday of
222 January, 1959; and the member of the board from Supervisors
223 District Five shall be elected for a term expiring on the first
224 Monday of January, 1955. Except as otherwise provided in
225 subsection (2), all subsequent members of the board shall be
226 elected for a term of six (6) years at the regular general
227 election held on the first Monday in November next preceding the
228 expiration of the term of office of the respective member or
229 members of such board. All members of the county board of



230 education as herein constituted, shall take office on the first
231 Monday of January following the date of their election.

232 (2) On the first Tuesday after the first Monday in November,
233 in any year in which any county shall elect to utilize the
234 authority contained in Section 37-5-1(2), an election shall be
235 held in each such county in this state for the purpose of electing
236 the county boards of education in such counties. At said election
237 the members of the said county board of education from Districts
238 One and Two shall be elected for a term of four (4) years, the
239 members from Districts Three and Four shall be elected for a term
240 of six (6) years, and the member from District Five shall be
241 elected for a term of two (2) years. Thereafter, members shall be
242 elected at general elections as vacancies occur for terms of six
243 (6) years each. All members of the county board of education
244 shall take office on the first Monday of January following the
245 date of their election.

246 (3) (a) Current members of the Board of Trustees of the
247 Greenwood Public School District serving on November 1, 2017,
248 shall continue in office as the new County Board of Education of
249 the Greenwood-Leflore School District until their successors are
250 elected as follows:

251 (i) The two (2) appointed board members of the
252 Greenwood Public School District whose terms are nearest to
253 expiration shall expire on January 1, 2019, and thereafter become
254 permanently elected positions to be filled by persons elected as



255 board members from Supervisors Districts 2 and 3 in a November
256 2018 election held for that purpose, in the manner prescribed in
257 Section 37-7-203, and the newly elected members will take office
258 on January 1, 2019, for a term of four (4) years;

259 (ii) The final two (2) appointed board members of
260 the Greenwood Public School District whose terms are the farthest
261 removed from expiration shall expire on January 1, 2020, and
262 thereafter become permanently elected positions to be filled by
263 persons elected as board members from Supervisors Districts 4 and
264 5 in a November 2019 election held for that purpose, in the manner
265 prescribed in Section 37-7-203, and the newly elected members will
266 take office on January 1, 2020, for a term of four (4) years; and

267 (iii) One (1) appointed board member of the
268 Greenwood Public School District whose term is next nearest to
269 expiration shall expire on January 1, 2021, and thereafter become
270 a permanently elected position to be filled by a person elected as
271 a board member from Supervisors District 1 in a November 2020
272 election held for that purpose, in the manner prescribed in
273 Section 37-7-203, and the newly elected members will take office
274 on January 1, 2021, for a term of four (4) years.

275 (b) All subsequent members shall be elected for a term
276 of four (4) years at the regular general election held on the
277 first Monday in November next preceding the expiration of the term
278 of office of the respective members, and shall take office on
279 January 1 next succeeding the election.



280 (4) On the first Tuesday after the first Monday in November
281 2017, an election shall be held in Holmes County for the purpose
282 of electing the county board of education in the new Holmes County
283 Consolidated School District. At the election, the members of the
284 said county board of education shall be elected from single member
285 board of education districts, which shall be consistent with the
286 supervisors district lines in the county, and shall be elected for
287 an initial term of six (6) years. Subsequent elections for the
288 Holmes County Board of Education shall be held on the first
289 Tuesday after the first Monday in November 2023 and every four (4)
290 years thereafter at the same time and manner as other general
291 elections are held, and the member shall be elected for a term of
292 four (4) years. All members of the county board of education in
293 the new Holmes County Consolidated School District shall take
294 office on the first Monday of January following the date of their
295 election.

296 (5) On the first Tuesday after the first Monday in November
297 2023, an election shall be held in Chickasaw County for the
298 purpose of electing the county board of education in the new
299 Chickasaw County School District. The board of supervisors shall
300 declare and designate posts for each member of the new board. At
301 said election, the members of the said county board of education
302 from Posts One and Two shall be elected for a term of four (4)
303 years, the members from Posts Three and Four shall be elected for
304 a term of three (3) years and the member from Post Five shall be



305 elected for a term of two (2) years. Thereafter, members shall be
306 elected at general elections as vacancies occur for terms of four
307 (4) years each. All members of the county board of education in
308 the new Chickasaw County School District shall take office on the
309 first Monday of January following the date of their election.

310 **SECTION 4.** Section 37-7-203, Mississippi Code of 1972, is
311 amended as follows:

312 37-7-203. (1) Except as otherwise provided in subsections
313 (3) and (4) of this section, the boards of trustees of all
314 municipal separate school districts created under this chapter,
315 either with or without added territory, shall consist of five (5)
316 members, each to be chosen for a term of five (5) years, but so
317 chosen that the term of office of one (1) member shall expire each
318 year. In the event the added territory of a municipal separate
319 school district furnishes fifteen percent (15%) or more of the
320 pupils enrolled in the schools of such district, then at least one
321 (1) member of the board of trustees of such school district shall
322 be a resident of the added territory outside the corporate limits.
323 In the event the added territory of a municipal separate school
324 district furnishes thirty percent (30%) or more of the pupils
325 enrolled in the schools of such district, then not more than two
326 (2) members of the board of trustees of such school district shall
327 be residents of the added territory outside the corporate limits.
328 In the event the added territory of a municipal separate school
329 district in a county in which Mississippi Highways 8 and 15



330 intersect furnishes thirty percent (30%) or more of the pupils
331 enrolled in the schools of such district, then the five (5)
332 members of the board of trustees of such school district shall be
333 elected at large from such school district for a term of five (5)
334 years each except that the two (2) elected trustees presently
335 serving on such board shall continue to serve for their respective
336 terms of office. The three (3) appointed trustees presently
337 serving on such board shall continue to serve until their
338 successors are elected in March of 1975 in the manner provided for
339 in Section 37-7-215. At such election, one (1) trustee shall be
340 elected for a term of two (2) years, one (1) for a term of three
341 (3) years and one (1) for a term of five (5) years. Subsequent
342 terms for each successor trustee shall be for five (5) years. In
343 the event one (1) of two (2) municipal separate school districts
344 located in any county with two (2) judicial districts, District 1
345 being comprised of Supervisors Districts 1, 2, 4 and 5, and
346 District 2 being comprised of Supervisors District 3, with added
347 territory embraces three (3) full supervisors districts of a
348 county, one (1) trustee shall be elected from each of the three
349 (3) supervisors districts outside the corporate limits of the
350 municipality. In the further event that the territory of a
351 municipal separate school district located in any county with two
352 (2) judicial districts, District 1 being comprised of Supervisors
353 Districts 1, 2, 4 and 5, and District 2 being comprised of
354 Supervisors District 3, with added territory embraces four (4)



355 full supervisors districts in the county, and in any county in
356 which a municipal separate school district embraces the entire
357 county in which Highways 14 and 15 intersect, one (1) trustee
358 shall be elected from each supervisors district.

359 Except as otherwise provided herein, the trustees of such a
360 municipal separate school district shall be elected by a majority
361 of the governing authorities of the municipality at the first
362 meeting of the governing authorities held in the month of February
363 of each year, and the term of office of the member so elected
364 shall commence on the first Saturday of March following. In the
365 case of a member of the board of trustees who is required to come
366 from the added territory outside the corporate limits as is above
367 provided, such member of the board of trustees shall be elected by
368 the qualified electors of the school district residing in such
369 added territory outside the corporate limits at the same time and
370 in the same manner as is otherwise provided in this article for
371 the election of trustees of school districts other than municipal
372 separate school districts.

373 In the event that a portion of a county school district is
374 reconstituted, in the manner provided by law, into a municipal
375 separate school district with added territory and in the event
376 that the trustees to be elected from the added territory are
377 requested to be elected from separate election districts within
378 the added territory, instead of elected at large, by the Attorney
379 General of the United States as a result of and pursuant to



380 preclearance under Section 5 of the Voting Rights Act of 1965, as
381 amended and extended, and in the event the added territory of a
382 municipal separate school district of a municipality furnishes
383 thirty percent (30%) or more of the pupils enrolled in the schools
384 of such district, then two (2) members of the board of trustees
385 shall be residents of the added territory outside the corporate
386 limits of such municipality and shall be elected from special
387 trustee election districts by the qualified electors thereof as
388 herein provided. The board of trustees of the school district
389 shall apportion the added territory into two (2) special trustee
390 election districts as nearly as possible according to population
391 and other factors heretofore pronounced by the courts. The board
392 of trustees of the school district shall thereafter publish the
393 same in a newspaper of general circulation within that school
394 district for at least two (2) consecutive weeks; and after having
395 given notice of publication and recording the same upon the
396 minutes of the board of trustees of the school district, the new
397 district lines shall thereafter be effective. Any person elected
398 from the new trustee election districts constituted herein shall
399 be elected in the manner provided for in Section 37-7-215 for a
400 term of five (5) years. Any vacancy in the office of a trustee
401 elected from such trustee election district, whether occasioned by
402 redistricting or by other cause, shall be filled by appointment of
403 the governing authorities of the municipality, provided that the
404 person so appointed shall serve only until the next general



405 election following his appointment, at which time a person shall
406 be elected for the remainder of the unexpired term in the manner
407 provided in Section 37-7-215.

408 In any county organizing a countywide municipal separate
409 school district after January 1, 1965, the trustees thereof to be
410 elected from outside the municipality, such trustees shall be
411 elected by the board of supervisors of such county, and the
412 superintendent of such school district shall have authority to pay
413 out and distribute the funds of the district. In the event a
414 municipal separate school district should occupy territory in a
415 county other than that in which the municipality is located and
416 fifteen percent (15%) or more of the pupils enrolled in the
417 schools of such district shall come from the territory of the
418 district in the county other than that in which the municipality
419 is located, the territory of such county in which the municipality
420 is not located shall be entitled to one (1) member on the board of
421 trustees of such school district. The trustee shall be a resident
422 of the territory of that part of the district lying in the county
423 in which the municipality is not located and shall be elected by
424 the qualified electors of the territory of such county at the same
425 time and in the same manner as is provided for the election of
426 trustees of school districts other than municipal separate school
427 districts having territory in two (2) or more counties.

428 All vacancies shall be filled for the unexpired terms by
429 appointment of the governing authorities of the municipality;



430 except that in the case of the trustees coming from the added
431 territory outside the corporate limits, the person so appointed
432 shall serve only until the next general election following his
433 appointment, at which time a person shall be elected for the
434 remainder of the unexpired term in the manner otherwise provided
435 herein.

436 No person who is a member of such governing body, or who is
437 an employee of the municipality, or who is a member of the county
438 board of education, or who is a trustee of any public, private or
439 sectarian school or college located in the county, inclusive of
440 the municipal separate school district, or who is a teacher in or
441 a trustee of the school district, shall be eligible for
442 appointment to the board of trustees.

443 (2) In counties of less than fifteen thousand (15,000)
444 people having a municipal separate school district with added
445 territory which embraces all the territory of a county, one or
446 more trustees of the school district shall be nominated from each
447 supervisors district upon petition of fifty (50) qualified
448 electors of that supervisors district, or twenty percent (20%) of
449 the qualified electors of such district, whichever number shall be
450 smaller. One (1) trustee must be elected from each supervisors
451 district of the county. In such counties embraced entirely by a
452 municipal separate school district, there shall be no county board
453 of education after the formation of such district, and the county
454 superintendent of education shall act as superintendent of schools



455 of the district and shall be appointed by the board of trustees of
456 that district, and the provisions of subsection (1) of this
457 section and the first paragraph of Section 37-7-211 shall not
458 apply to such districts.

459 (3) In municipalities designated as having a mayor-council
460 form of government under Chapter 8, Title 21, Mississippi Code of
461 1972, and having a population in excess of one hundred thousand
462 (100,000) according to the 2000 federal decennial census, the
463 boards of trustees of the municipal separate school district
464 located in the municipality may, if authorized by ordinance of the
465 municipal governing authority, consist of seven (7) members
466 residing in each of the seven (7) wards in the municipality, to be
467 appointed by the mayor and confirmed by the city council as
468 follows: (a) each board member shall reside in the ward from
469 which he is appointed; (b) members serving on March 31, 2010,
470 shall continue to serve until a new term commences and new members
471 shall be selected from wards not currently represented on the
472 board; (c) one (1) of the two (2) additional appointments shall
473 serve a term of five (5) years and one (1) for a term of four (4)
474 years, with all subsequent appointments for a five-year term; and
475 (d) each new appointment shall be made by the mayor and confirmed
476 by the city council of the municipality at the first meeting of
477 the governing authorities held in the month of June following
478 March 31, 2010, and thereafter each year, and the term of office



479 of each member so selected shall commence on the first Saturday of
480 July following.

481 (4) (a) Beginning in 2017, in any municipal separate school
482 district that is traversed by the Escatawpa River and in which
483 Interstate Highway 10 and Mississippi Highway 63 intersect, the
484 board of trustees of the municipal separate school district shall
485 consist of five (5) members, each to be elected for a term of four
486 (4) years in the manner provided in this subsection. Within
487 forty-five (45) days after the effective date of this act, the
488 municipal governing authority shall apportion the municipal
489 separate school district, including any added territory outside
490 the corporate limits, into five (5) special trustee election
491 districts as nearly equal as possible according to population,
492 incumbency and other factors pronounced by the courts before
493 August 8, 2017. The municipal governing authority shall place
494 upon its minutes the boundaries determined for the new five (5)
495 trustee election districts and shall publish the same in a
496 newspaper of general circulation within the school district for at
497 least three (3) consecutive weeks. After having given notice of
498 publication and recording the same upon the minutes of the
499 municipal governing authority, the new district lines shall be
500 effective.

501 (b) On the first Tuesday after the first Monday in
502 November 2017, and every four (4) years thereafter, an election
503 shall be held in the municipal separate school district for local



504 school board members from trustee election districts 1, 3 and 5 in
505 the same manner and at the same time as the general municipal
506 election is held and conducted, for the purpose of electing the
507 board of trustees of the municipal separate school district. All
508 members of the board of trustees elected pursuant to this
509 paragraph (b) shall take office on the first Monday of January
510 immediately following the date of their election. However, in
511 order to provide for an orderly transition, the term of each
512 member of the board of trustees serving on July 1, 2017, which
513 otherwise would expire after the first Monday in July 2018, shall
514 expire on the first Monday of January 2018. If no individual
515 qualifies for the elective office of school district trustee, the
516 trustee for that specific trustee district shall be filled by
517 appointment of the municipal governing authority; however, the
518 person so appointed to fill the vacancy may serve only until the
519 first Monday in January 2019, at which time the trustee elected
520 pursuant to this subsection shall take office for the remainder of
521 the unexpired initial term.

522 From and after January 1, 2018, any vacancy on the board of
523 trustees shall be filled by appointment by the remaining members
524 of the board of trustees within sixty (60) days after the vacancy
525 occurs. The appointee must be selected from the qualified
526 electors of the trustee election district in which the vacancy
527 occurs. The appointee shall serve until the first Monday of
528 January succeeding the next general municipal election, at which



529 election a member from that trustee election district shall be
530 elected for a full term.

531 (c) On the first Tuesday after the first Monday in
532 November 2018, and every four (4) years thereafter, an election
533 shall be held in the municipal separate school district for local
534 school board members from trustee election districts 2 and 4 in
535 the same manner and at the same time as the Congressional mid-term
536 election is held and conducted, for the purpose of electing the
537 board of trustees of the municipal separate school district. All
538 members of the board of trustees elected pursuant to this
539 paragraph (c) shall take office on the first Monday of January
540 immediately following the date of their election. However, in
541 order to provide for an orderly transition, the term of each
542 member of the board of trustees serving on July 1, 2018, which
543 otherwise would expire after the first Monday in July 2018, shall
544 expire on the first Monday of January 2019. If no individual
545 qualifies for the elective office of school district trustee, the
546 trustee for that specific trustee district shall be filled by
547 appointment of the municipal governing authority; however, the
548 person so appointed to fill the vacancy may serve only until the
549 first Monday in January 2020, at which time the trustee elected
550 pursuant to this subsection shall take office for the remainder of
551 the unexpired initial term.

552 From and after July 1, 2020, any vacancy on the board of
553 trustees shall be filled by appointment by the remaining members



554 of the board of trustees within sixty (60) days after the vacancy
555 occurs. The appointee must be selected from the qualified
556 electors of the trustee election district in which the vacancy
557 occurs. The appointee shall serve until the first Monday of July
558 succeeding the next general municipal election, at which election
559 a member from that trustee election district shall be elected for
560 a full term.

561 **SECTION 5.** This act shall take effect and be in force from
562 and after July 1, 2017.

