

By: Representative Eubanks

To: Education

HOUSE BILL NO. 931

1 AN ACT TO CODIFY NEW SECTION 37-6-17, MISSISSIPPI CODE OF
2 1972, TO REQUIRE THE ELECTION OF ALL SCHOOL BOARD MEMBERS AT THE
3 SAME TIME AS THE PRESIDENTIAL OR GENERAL STATEWIDE ELECTIONS,
4 BEGINNING IN NOVEMBER 2019 OR 2020 AS DETERMINED BY TRUSTEE
5 DISTRICT; TO PROVIDE THAT THE TERMS OF OFFICE OF ALL SCHOOL BOARD
6 MEMBERS SHALL BE FOUR YEARS; TO PROVIDE FOR NOMINATING PETITIONS
7 TO RUN FOR THE OFFICE OF SCHOOL BOARD AND TO REQUIRE A UNIFORM
8 NUMBER OF SIGNATURES ON PETITIONS OF NOMINATION; TO PROVIDE THE
9 PROCEDURE FOR FILLING VACANCIES IN THE OFFICE OF SCHOOL BOARD
10 MEMBERS; TO AMEND SECTIONS 37-5-1, 37-5-3, 37-5-7, 37-5-9,
11 37-5-19, 37-7-203, 37-7-207, 37-7-221 AND 37-7-703, MISSISSIPPI
12 CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO
13 REPEAL SECTION 37-5-18, MISSISSIPPI CODE OF 1972, WHICH REQUIRES
14 THE ELECTION OF THE COUNTY BOARD OF EDUCATION MEMBERS FROM
15 TERRITORY OUTSIDE THE FOUR MUNICIPAL SEPARATE SCHOOL DISTRICTS IN
16 A CERTAIN COUNTY; TO BRING FORWARD SECTION 37-7-104, MISSISSIPPI
17 CODE OF 1972, WHICH REQUIRES THE CONSOLIDATION OF CERTAIN COUNTY
18 SCHOOL DISTRICTS UNDER CONSERVATORSHIP, FOR PURPOSES OF POSSIBLE
19 AMENDMENT; TO BRING FORWARD SECTION 37-7-104.1, MISSISSIPPI CODE
20 OF 1972, WHICH REQUIRES THE ADMINISTRATIVE CONSOLIDATION OF
21 CERTAIN SCHOOL DISTRICTS IN BOLIVAR COUNTY, FOR PURPOSES OF
22 POSSIBLE AMENDMENT; TO AMEND SECTIONS 37-7-104.2, 37-7-104.3 AND
23 37-7-104.4, MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE
24 ADMINISTRATIVE CONSOLIDATION OF ALL SCHOOL DISTRICTS IN CERTAIN
25 COUNTIES, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING
26 FORWARD SECTIONS 37-7-104.5, 37-7-104.6 AND 37-7-104.7,
27 MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE ADMINISTRATIVE
28 CONSOLIDATION OF ALL SCHOOL DISTRICTS IN CERTAIN COUNTIES, FOR THE
29 PURPOSE OF POSSIBLE AMENDMENTS; TO REPEAL SECTIONS 37-7-204,
30 37-7-209, 37-7-211, 37-7-215, 37-7-217, 37-7-219, 37-7-223,
31 37-7-225, 37-7-227 AND 37-7-229, MISSISSIPPI CODE OF 1972, WHICH
32 PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES OF MUNICIPAL AND
33 SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS AND CONSOLIDATED AND
34 LINE CONSOLIDATED SCHOOL DISTRICTS; TO REPEAL SECTIONS 37-7-705,



35 37-7-707, 37-7-709, 37-7-711, 37-7-713, 37-7-715 AND 37-7-717,
36 MISSISSIPPI CODE OF 1972, WHICH PROVIDE ADDITIONAL METHODS FOR
37 SELECTING TRUSTEES OF SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS;
38 AND FOR RELATED PURPOSES.

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

40 **SECTION 1.** The following shall be codified as Section
41 37-6-17, Mississippi Code of 1972:

42 37-6-17. (1) For purposes of this section, the term "school
43 board member" means each member of a school board, as defined
44 under Section 37-6-3.

45 (2) (a) On the first Tuesday after the first Monday in
46 November 2019, and every four (4) years thereafter and
47 concurrently with the general statewide election, there shall be
48 an election for local school board members from trustee election
49 districts 1, 3 and 5 in the manner provided under this section.
50 Except as otherwise provided in this section, the laws regulating
51 the time and manner of conducting general elections shall, apply
52 to and govern elections of school board members.

53 (b) On the first Tuesday after the first Monday in
54 November 2020, and every four (4) years thereafter and
55 concurrently with the federal election for the President of the
56 United States, there shall be an election for local school board
57 members from trustee election districts 2 and 4 in the manner
58 provided under this section. Except as otherwise provided in this
59 section, the laws regulating the time and manner of conducting
60 general elections shall apply to and govern elections of school
61 board members.



62 (3) (a) All school board members elected pursuant to
63 subsection (2) (a) of this section shall serve a term of four (4)
64 years. However, in order to provide for an orderly transition,
65 each incumbent school board member from trustee election districts
66 1, 3 and 5 holding office on the effective date of this act shall
67 continue holding office until the first Monday of January in 2020.
68 Any incumbent school board member may qualify to run for a
69 subsequent four-year term under the provisions of this section.

70 (b) All school board members elected pursuant to
71 subsection (2) (b) of this section shall serve a term of four (4)
72 years. However, in order to provide for an orderly transition,
73 each incumbent school board member from trustee election districts
74 2 and 4 holding office on the effective date of this act shall
75 continue holding office until the first Monday of January in
76 2021. Any incumbent school board member may qualify to run for a
77 subsequent four-year term under the provisions of this section.

78 (4) In order for a person to be eligible to hold the office
79 of school board member, the person must be a bona fide resident
80 and a qualified elector of the territory that the person seeks to
81 represent on the school board. In the case of a school district
82 lying in two (2) or more counties, such person must be a resident
83 and a qualified elector of the territory entitled to such
84 representation on the board as provided in Section 37-7-201.

85 (5) The name of any qualified elector who is a candidate for
86 the school board shall be placed on the ballot used in the general



87 election by the county election commissioners, provided that the
88 candidate files with the county election commissioners, not more
89 than ninety (90) days and not less than sixty (60) days before the
90 date of the general election, a petition of nomination signed by
91 not less than fifty (50) qualified electors of the county residing
92 within the appropriate school board district, as provided in
93 Section 37-5-9, as the case may be. Where there are less than one
94 hundred (100) qualified electors in the area represented by the
95 school board member, it shall only be required that the petition
96 of nomination be signed by at least twenty percent (20%) of the
97 qualified electors in the area. The petition must contain an
98 affidavit certifying that all signatures are the personal
99 signatures of each person whose name appears on the petition and
100 that each person is a qualified elector. The candidate who
101 receives a majority of the votes cast in the election must be
102 declared elected. If no candidate receives a majority of the
103 votes cast in the district, then the two (2) candidates who
104 receive the highest number of votes cast in the district shall
105 have their names submitted as candidates in a runoff election
106 three (3) weeks after the date of the general election, and the
107 candidate who receives a majority of the votes cast in the
108 district in the runoff election shall be declared elected. If,
109 after the time for candidates to file the petition and affidavit
110 required under this subsection, there is only one (1) person who
111 has qualified for the office of school board member, then no



election or notice of election shall be necessary and that person, if otherwise qualified, must be declared elected without opposition.

(6) The names of candidates seeking the office of school board member which appear on the ballot at the general election must be grouped together on a separate portion of the ballot clearly identified as school board member elections and must be listed in alphabetical order.

(7) At the election for school board members, all qualified electors residing within the appropriate school board election district are qualified to vote for a candidate for the office of school board member.

(8) A vacancy in the membership of the school board must be filled by appointment within sixty (60) days after the vacancy occurs by the remaining members of the school board. The appointee must be selected from the qualified electors of the school board member district in which the vacancy occur. The appointee shall serve until the first Monday of January next succeeding the next state or presidential general election, at which general election a member must be elected to fill the remainder of the unexpired term in the same manner and with the same qualifications applicable to the election of a member for the full term as provided in this section. If a school district is under conservatorship and no members of the applicable school board remain in office, the Governor shall call a special election



137 to fill the vacancies, and the election will be conducted by the
138 county or municipal election commission, as the case may be. If
139 the vacancy occurs more than five (5) months before the next
140 general state or presidential election and the remaining members
141 of the school board are unable to agree upon an individual to be
142 appointed, any two (2) of the remaining members may certify the
143 disagreement to the county or municipal election commission, as
144 the case may be. Upon the receipt of such a certificate by the
145 county or municipal election commission, or any member thereof,
146 the commission shall hold a special election to fill the vacancy,
147 which election, notice thereof and ballot must be controlled by
148 the laws concerning special elections to fill vacancies in county
149 or municipal offices. The person elected at the special election
150 shall serve for the remainder of the unexpired term.

151 (9) (a) The provisions of this section shall not be
152 applicable to any municipal, municipal separate or special
153 municipal separate school districts having an accreditation
154 accountability rating of "A" or "B" upon the effective date of
155 this act. Such school districts having and maintaining an "A" or
156 "B" accountability rating shall continue to select members to
157 their respective board of trustees in the manner provided in
158 Chapter 7, Title 37, Mississippi Code of 1972, which apply to the
159 selection of board members in municipal, municipal separate and
160 special municipal separate school districts.



161 (b) (i) However, if at any time such school district,
162 which has had an accountability rating of "A" or "B" for a minimum
163 of two (2) consecutive years of academic accreditation, receives a
164 reduced accountability rating of "C" and retains that "C" rating
165 for two (2) consecutive years of academic accreditation, the
166 district shall be required to have its board transformed to the
167 elected method in the same manner provided in this section. Upon
168 a determination that such school boards shall become elected
169 positions, those individuals shall be elected in the next
170 succeeding statewide general or presidential election, whichever
171 election shall occur first after such determination of
172 accreditation has been assigned for the second consecutive year.

173 (ii) However, if at any time such school district
174 receives a reduced accountability rating of "D" or "F" for any
175 academic year's accreditation period, the district shall be
176 required to have its board transformed to the elected method in
177 the same manner provided in this section. Upon a determination
178 that such school boards shall become elected positions, those
179 individuals shall be elected in the next succeeding statewide
180 general or presidential election, whichever election shall occur
181 first after such determination of accreditation has been assigned.

182 (c) The provisions of this section shall not be
183 applicable to any school district administratively consolidated by
184 act of the Legislature between 2013 and 2021 for a period of four
185 (4) years from the effective date of such consolidation, which



shall be entitled to continue the selection of board members to their respective boards of trustees as provided for by law requiring said consolidation. However, if at the end of the four-year period of exemption from the initial effective date of consolidation the school district has failed to achieve an accountability rating of "A" or "B," such school district shall be required to have its board transformed to the elected method in the same manner as provided in this section. Upon a determination that such school board shall become elected positions, those individuals shall be elected in the next succeeding statewide general or presidential elections, whichever election shall occur first after such determination of accreditation has been assigned.

SECTION 2. Section 37-5-1, Mississippi Code of 1972, is amended as follows:

37-5-1. (1) There is hereby established a county board of education in each county of the State of Mississippi. * * * The county board of education shall consist of five (5) members, one (1) of * * * whom shall be elected by the qualified electors of each board of education district of the county at the time and in the manner provided in Section 37-6-17. * * *

(2) The county board of education shall apportion the county school district into five (5) single member board of education districts. The county board of education shall place upon its minutes the boundaries determined for the new five (5) board of education districts. The board of education of said county shall



211 thereafter publish the same in some newspaper of general
212 circulation within said county for at least three (3) consecutive
213 weeks and after having given notice of publication and recording
214 the same upon the minutes of the board of education of said
215 county, said new district lines will thereafter be effective. The
216 board of education of said county shall reapportion the board of
217 education districts in accordance with the procedure described
218 herein for the original apportionment of districts as soon as
219 practicable after the results of the 2000 decennial census are
220 published and as soon as practicable after every decennial census
221 thereafter.

222 (3) In counties where the office of "administrative
223 superintendent" as defined in Section 37-6-3, * * * has been
224 abolished, there shall be no county board of education.

225 **SECTION 3.** Section 37-5-3, Mississippi Code of 1972, is
226 amended as follows:

227 37-5-3. No person who is a resident of the territory
228 embraced within a municipal separate school district or a special
229 municipal separate school district shall be eligible to be a
230 member of the county board of education. Qualified electors
231 residing within a municipal separate school district or special
232 municipal separate school district shall not be eligible to vote
233 or participate in the election of members of the county board of
234 education provided under Section 37-6-17.



The provisions of this section shall be applicable in the case of a special municipal separate school district and a line consolidated school district of which another county is the home county which together occupy all of the territory of a supervisors district of the county.

SECTION 4. Section 37-5-7, Mississippi Code of 1972, is amended as follows:

37-5-7. (1) (a) * * * On the first Tuesday after the first Monday in November * * * 2019 and every four (4) years thereafter, an election shall be held in each * * * county in this state in the same manner as general state and county elections are held and conducted for the purpose of electing the county boards of education in such counties as provided in Section 37-6-17. * * *
The election shall consist of those persons seeking election from county board of education Districts 1, 3 and 5.

(b) On the first Tuesday after the first Monday in November 2020, and every four (4) years thereafter, an election shall be held in each county in this state in the same manner as general state and county elections are held and conducted for the purpose of electing the county boards of education in such counties as provided in Section 37-6-17. The election shall consist of those persons seeking election from county board of education Districts 2 and 4.

(2) Except as otherwise provided in Section 37-6-37, all members of the county board of education shall be elected for a



term of four (4) years and shall take office on the first Monday of January following the date of their election.

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

(i) The two (2) appointed board members of the Greenwood Public School District whose terms are nearest to expiration shall expire on January 1, 2019, and thereafter become permanently elected positions to be filled by persons elected as board members from Supervisors Districts 2 and 3 in a November 2018 election held for that purpose, in the manner prescribed in Section 37-7-203, and the newly elected members will take office on January 1, 2019, for a term of four (4) years;

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

(iii) One (1) appointed board member of the Greenwood Public School District whose term is next nearest to



285 expiration shall expire on January 1, 2021, and thereafter become
286 a permanently elected position to be filled by a person elected as
287 a board member from Supervisors District 1 in a November 2020
288 election held for that purpose, in the manner prescribed in
289 Section 37-7-203, and the newly elected members will take office
290 on January 1, 2021, for a term of four (4) years.

291 (b) All subsequent members shall be elected for a term
292 of four (4) years at the regular general election held on the
293 first Monday in November next preceding the expiration of the term
294 of office of the respective members, and shall take office on
295 January 1 next succeeding the election.

296 (4) On the first Tuesday after the first Monday in November
297 2017, an election shall be held in Holmes County for the purpose
298 of electing the county board of education in the new Holmes County
299 Consolidated School District. At the election, the members of the
300 said county board of education shall be elected from single member
301 board of education districts, which shall be consistent with the
302 supervisors district lines in the county, and shall be elected for
303 an initial term of six (6) years. Subsequent elections for the
304 Holmes County Board of Education shall be held on the first
305 Tuesday after the first Monday in November 2023 and every four (4)
306 years thereafter at the same time and manner as other general
307 elections are held, and the member shall be elected for a term of
308 four (4) years. All members of the county board of education in
309 the new Holmes County Consolidated School District shall take



office on the first Monday of January following the date of their election.

(5) On the first Tuesday after the first Monday in November 2023, an election shall be held in Chickasaw County for the purpose of electing the county board of education in the new Chickasaw County School District. The board of supervisors shall declare and designate posts for each member of the new board. At said election, the members of the said county board of education from Posts One and Two shall be elected for a term of four (4) years, the members from Posts Three and Four shall be elected for a term of three (3) years and the member from Post Five shall be elected for a term of two (2) years. Thereafter, members shall be elected at general elections as vacancies occur for terms of four (4) years each. All members of the county board of education in the new Chickasaw County School District shall take office on the first Monday of January following the date of their election.

SECTION 5. Section 37-5-9, Mississippi Code of 1972, is amended as follows:

37-5-9. As specifically provided in Section 37-6-17, the name of any qualified elector who is a candidate for the county board of education shall be placed on the ballot used in the general elections by the county election commissioners * * *.

* * *

In no case shall any qualified elector residing within a municipal separate school district or special municipal separate



335 school district be eligible to sign a petition of nomination for
336 any candidate for the county board of education * * *.

337 **SECTION 6.** Section 37-5-19, Mississippi Code of 1972, is
338 amended as follows:

339 37-5-19. Vacancies in the membership of the county board of
340 education shall be filled * * * in the manner provided in Section
341 37-6-17(8).

342 **SECTION 7.** Section 37-7-203, Mississippi Code of 1972, is
343 amended as follows:

344 37-7-203. (1) Except as otherwise provided in subsections
345 (3) and (4) of this section, the boards of trustees of all
346 municipal separate school districts and special municipal separate
347 school districts created under this chapter, either with or
348 without added territory, shall consist of five (5) members * * *.

349 * * * Unless otherwise exempted by Section 37-6-17(9), on the
350 first Tuesday after the first Monday in November 2019, and every
351 four (4) years thereafter, an election shall be held pursuant to
352 Section 37-6-17 for the purpose of electing the members of the
353 boards of trustees from trustee election Districts 1, 3 and 5 of
354 the municipal separate school districts and special municipal
355 separate school districts established under the provisions of this
356 chapter. On the first Tuesday after the first Monday in November
357 2020, and every four (4) years thereafter, an election shall be
358 held pursuant to Section 37-6-17 for the purpose of electing the
359 members of the boards of trustees from trustee election Districts



2 and 4 of the municipal separate school districts and special
municipal separate school districts established under the
provisions of this chapter. The five (5) members of the board of
trustees of such school district shall be elected from special
trustee election districts by the qualified electors thereof. The
board of trustees of such school district shall apportion the
municipal separate school district, including added territory,
into five (5) special trustee election districts as nearly equal
as possible according to population, incumbency and other factors
heretofore pronounced by the courts. The board of trustees shall
place upon its minutes the boundaries determined for the new five
(5) special trustee election districts. The board of trustees
shall thereafter publish the same in a newspaper of general
circulation within the school district for at least three (3)
consecutive weeks; and after having given notice of publication
and recording the same upon the minutes of the board of trustees,
the new district lines shall be effective. All incumbent trustees
holding office at the time of the creation of the trustee election
districts shall continue holding their respective offices,
provided they reside within the new district, for the remainder of
the term of office to which they have heretofore been selected,
and their successors shall be elected from the new trustee
election districts constituted in the manner provided for in this
section.



384 (2) * * * Vacancies in the membership of the board of
385 trustees of any municipal separate school district or special
386 municipal separate school district shall be filled in the manner
387 provided in Section 37-6-17(8).

388 (3) (a) * * * In those school districts having a
389 classification of "A" or "B" on the effective date of this act,
390 the school board members shall be selected in the manner provided
391 in this subsection. The boards of trustees of all municipal
392 separate school districts having a classification of "A" or "B,"
393 either with or without added territory, shall consist of five (5)
394 members, each to be chosen for a term of five (5) years, but so
395 chosen that the term of office of one (1) member shall expire each
396 year. In the event the added territory of a municipal separate
397 school district furnishes fifteen percent (15%) or more of the
398 pupils enrolled in the schools of such district, then at least one
399 (1) member of the board of trustees of such school district shall
400 be a resident of the added territory outside the corporate
401 limits. In the event the added territory of a municipal separate
402 school district furnishes thirty percent (30%) or more of the
403 pupils enrolled in the schools of such district, then not more
404 than two (2) members of the board of trustees of such school
405 district shall be residents of the added territory outside the
406 corporate limits.

407 (b) The trustees of such a municipal separate school
408 district having a classification of "A" or "B" on the effective



409 date of this act shall be elected by a majority of the governing
410 authorities of the municipality at the first meeting of the
411 governing authorities held in the month of February of each year,
412 and the term of office of the member so elected shall commence on
413 the first Saturday of March following. In the case of a member of
414 the board of trustees who is required to come from the added
415 territory outside the corporate limits as is above provided, such
416 member of the board of trustees shall be elected by the qualified
417 electors of the school district residing in such added territory
418 outside the corporate limits at the same time and in the same
419 manner as is otherwise provided in this article for the election
420 of trustees of school districts other than municipal separate
421 school districts.

422 (c) All vacancies shall be filled for the unexpired
423 terms by appointment of the governing authorities of the
424 municipality; except that in the case of the trustees coming from
425 the added territory outside the corporate limits, the person so
426 appointed shall serve only until the next general election
427 following his appointment, at which time a person shall be elected
428 for the remainder of the unexpired term in the manner otherwise
429 provided herein.

430 (d) No person who is a member of such governing body,
431 or who is an employee of the municipality, or who is a member of
432 the county board of education, or who is a trustee of any public,
433 private or sectarian school or college located in the county,



434 inclusive of the municipal separate school district, or who is a
435 teacher in or a trustee of the school district, shall be eligible
436 for appointment to the board of trustees.

437 (e) However, if at any time a school district having a
438 classification of "A" or "B" on the effective date of this act,
439 and which is exempted from the requirements of Section 37-6-17,
440 fails to maintain such accountability rating and receives a
441 decreased accountability rating of "C," "D" or "F," the exemption
442 shall be revoked as provided in Section 37-6-17(9) (b), and shall
443 submit the board to the elected board requirements of Section
444 37-6-17.

445 (4) (a) Beginning in 2017, in any municipal separate school
446 district that is traversed by the Escatawpa River and in which
447 Interstate Highway 10 and Mississippi Highway 63 intersect, the
448 board of trustees of the municipal separate school district shall
449 consist of five (5) members, each to be elected for a term of four
450 (4) years in the manner provided in this subsection. Within
451 forty-five (45) days after July 1, 2017, the municipal governing
452 authority shall apportion the municipal separate school district,
453 including any added territory outside the corporate limits, into
454 five (5) special trustee election districts as nearly equal as
455 possible according to population, incumbency and other factors
456 pronounced by the courts before August 8, 2017. The municipal
457 governing authority shall place upon its minutes the boundaries
458 determined for the new five (5) trustee election districts and



shall publish the same in a newspaper of general circulation within the school district for at least three (3) consecutive weeks. After having given notice of publication and recording the same upon the minutes of the municipal governing authority, the new district lines shall be effective.

(b) On the first Tuesday after the first Monday in November 2017, and every four (4) years thereafter, an election shall be held in the municipal separate school district for local school board members from trustee election Districts 1, 3 and 5 in the same manner and at the same time as the general municipal election is held and conducted, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (b) shall take office on the first Monday of January immediately following the date of their election. However, in order to provide for an orderly transition, the term of each member of the board of trustees serving on July 1, 2017, which otherwise would expire after the first Monday in July 2018, shall expire on the first Monday of January 2018. If no individual qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2019, at which time the trustee elected



pursuant to this subsection shall take office for the remainder of the unexpired initial term.

From and after January 1, 2018, any vacancy on the board of trustees shall be filled by appointment by the remaining members of the board of trustees within sixty (60) days after the vacancy occurs. The appointee must be selected from the qualified electors of the trustee election district in which the vacancy occurs. The appointee shall serve until the first Monday of January succeeding the next general municipal election, at which election a member from that trustee election district shall be elected for a full term.

(c) On the first Tuesday after the first Monday in November 2018, and every four (4) years thereafter, an election shall be held in the municipal separate school district for local school board members from trustee election Districts 2 and 4 in the same manner and at the same time as the Congressional mid-term election is held and conducted, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (c) shall take office on the first Monday of January immediately following the date of their election. However, in order to provide for an orderly transition, the term of each member of the board of trustees serving on July 1, 2018, which otherwise would expire after the first Monday in July 2018, shall expire on the first Monday of January 2019. If no individual



qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2020, at which time the trustee elected pursuant to this subsection shall take office for the remainder of the unexpired initial term.

From and after July 1, 2020, any vacancy on the board of trustees shall be filled by appointment by the remaining members of the board of trustees within sixty (60) days after the vacancy occurs. The appointee must be selected from the qualified electors of the trustee election district in which the vacancy occurs. The appointee shall serve until the first Monday of July succeeding the next general municipal election, at which election a member from that trustee election district shall be elected for a full term.

SECTION 8. Section 37-7-207, Mississippi Code of 1972, is amended as follows:

37-7-207. (1) All school districts reconstituted or created under the provisions of Article 1 of this chapter, and which lie wholly within one (1) county, but not including municipal separate and countywide districts, shall be governed by a board of five (5) trustees. * * * Beginning with the election on the first Tuesday after the first Monday in November 2019, and every four (4) years thereafter, the trustees from trustee election districts 1, 3 and



5 of such school districts shall be elected at the same time and in the same manner provided in Section 37-6-17 for terms of four (4) years. Beginning with the election on the first Tuesday after the first Monday in November 2020, and every four (4) years thereafter, the trustees from trustee election districts 2 and 4 of such school districts shall be elected at the same time and in the same manner provided in Section 37-6-17 for terms of four (4) years. The five (5) members of the board of trustees of such consolidated school district shall be elected from special trustee election districts by the qualified electors thereof * * *. The board of trustees of any such consolidated school district shall apportion the consolidated school district into five (5) special trustee election districts. The board of trustees of such school district shall place upon its minutes the boundaries determined for the new five (5) trustee election districts. The board of trustees shall thereafter publish the same in a newspaper of general circulation within said school district for at least three (3) consecutive weeks; and after having given notice of publication and recording the same upon the minutes of the board of trustees, said new district lines shall thereafter be effective.

* * * All members of the said board of trustees shall take office on the first Monday of January following the date of their election. All vacancies which may occur during a term shall be filled * * * in the manner provided in Section 37-6-17(8).



(2) All school districts reconstituted and created under the provisions of Article 1 of this chapter, which embrace territory in two (2) or more counties, but not including municipal separate school districts, shall be governed by a board of five (5) trustees. * * * Beginning with the election on the first Tuesday after the first Monday in November 2019, and every four (4) years thereafter, the members from trustee election districts 1, 3 and 5 of such line consolidated school district board of trustees shall be elected at the same time and in the same manner provided in Section 37-6-17 for terms of four (4) years. Beginning with the election on the first Tuesday after the first Monday in November 2020, and every four (4) years thereafter, the members from trustee election districts 2 and 4 of such line consolidated school district board of trustees shall be elected at the same time and in the same manner provided in Section 37-6-17 for terms of four (4) years. The five (5) members of the board of trustees of such line consolidated school district shall be elected from special trustee election districts by the qualified electors thereof * * *. The existing board of trustees of such line consolidated school district shall apportion the line consolidated school district into five (5) special trustee election districts. The board of trustees shall place upon its minutes the boundaries determined for the new five (5) trustee election districts. The board of trustees shall thereafter publish the same in a newspaper of general circulation within said school district for at least



583 three (3) consecutive weeks; and after having given notice of
584 publication and recording the same upon the minutes of the board
585 of trustees, said new district lines shall thereafter be
586 effective. Provided, however, that in any line consolidated
587 school district encompassing two (2) or more counties created
588 pursuant to Laws, 1953, Extraordinary Session, Chapter 12, Section
589 8, in which, as a condition precedent to the creation of said
590 district, each county belonging thereto was contractually
591 guaranteed to always have at least one (1) representative on said
592 board, in order that said condition precedent may be honored and
593 guaranteed, in any year in which the board of trustees of such
594 line consolidated school district does not have at least one (1)
595 member from each county or part thereof forming such district, the
596 board of trustees in such district shall be governed by a board of
597 a sufficient number of trustees to fulfill this guarantee, five
598 (5) of whom shall be elected from the five (5) special trustee
599 election districts which shall be as nearly equal as possible and
600 one (1) member trustee * * * elected at large from each county not
601 having representation on the elected board in the same manner and
602 at the same time as provided for the election of school board
603 members under Section 37-6-17. In such cases, the board of
604 supervisors of each county shall make written agreement to
605 guarantee the * * * election of at least one (1) representative
606 from each county in the district, placing such written agreement
607 on the minutes of each board of supervisors in each county.



608 * * * All members of the said board of trustees shall take
609 office on the first Monday of January following the date of their
610 election. In all elections, the trustee elected shall be a
611 resident and qualified elector of the district entitled to the
612 representation upon the board, and he shall be elected only by the
613 qualified electors of such district in the manner provided in
614 Section 37-6-17. All vacancies which may occur during a term of
615 office shall be filled * * * in the manner provided in Section
616 37-16-7(8).

617 **SECTION 9.** Section 37-7-221, Mississippi Code of 1972, is
618 amended as follows:

619 37-7-221. The election of consolidated or consolidated line
620 school district trustees shall be held in the manner provided for
621 in * * * Section 37-6-17.

622 **SECTION 10.** Section 37-7-703, Mississippi Code of 1972, is
623 amended as follows:

624 37-7-703. (1) In all such special municipal separate school
625 districts which embrace the entire county * * *, the board of
626 trustees of such special municipal separate school district shall
627 be * * * elected in the manner provided by * * * Section 37-6-17,
628 and all of the provisions thereof shall be fully applicable in all
629 respects to the selection and constitution of such board of
630 trustees unless such board is exempted under Section 37-6-17(9).
631 The board of trustees of any special municipal separate school



632 district shall apportion the new trustee election districts in the
633 manner provided in Section 37-7-203(1).

634 (2) In those school districts having a classification of "A"
635 or "B" on the effective date of this act, the school board members
636 shall be selected in the manner provided in this subsection. In
637 all such special municipal separate school districts which embrace
638 the entire county, the board of trustees of such special municipal
639 separate school district shall be chosen and selected in the
640 manner provided by Section 37-7-203(3), and all of the provisions
641 thereof shall be fully applicable in all respects to the selection
642 and constitution of such board of trustees. However, if at any
643 time a school district having a classification of "A" or "B" on
644 the effective date of this act and which is exempted from the
645 requirements of Section 37-6-17, fails to maintain such
646 accountability rating and receives a decreased accountability
647 rating of "C," "D" or "F," the exemption shall be revoked as
648 provided in Section 37-6-17(9)(b), and shall submit the board to
649 the elected board requirements of Section 37-6-17.

650 **SECTION 11.** Section 37-5-18, Mississippi code of 1972, which
651 requires the election of the members of the county board of
652 education in certain counties having four (4) municipal separate
653 school districts from board of education districts embracing
654 territory only outside the municipal separate school districts, is
655 repealed.



656 **SECTION 12.** Section 37-7-104, Mississippi Code of 1972, is
657 brought forward as follows:

658 37-7-104. (1) In any Mississippi county in which are
659 located, as of February 8, 2012, three (3) school districts and
660 only three (3) school districts, all of which are under
661 conservatorship as defined by the Mississippi Department of
662 Education as of February 8, 2012, there shall be an administrative
663 consolidation of all of the school districts in the county into
664 one (1) countywide school district with one (1) county board of
665 education. The State Board of Education shall determine the
666 school district(s) applicable to the provisions of this section
667 and spread this finding on the minutes of its August 2012 meeting.
668 On or before September 1, 2012, the State Board of Education shall
669 serve the local school boards applicable to the provisions of this
670 section, or the Mississippi Department of Education Conservator
671 for each of the three (3) school districts, with notice and
672 instruction regarding the action to be taken to comply with this
673 section. In such county, there shall be a new county board of
674 education elected in a November 2013 special election which shall
675 be called for that purpose and the new county board members shall
676 be elected as provided in Section 37-5-7, Mississippi Code of
677 1972. No previous board member shall be eligible to serve on the
678 newly elected board. Provided, however, that it shall be the
679 responsibility of the board of supervisors of such county to
680 apportion the countywide school district into five (5) new single



681 member board of education districts which shall be consistent with
682 the supervisors district lines in said county. The board of
683 supervisors of said county shall thereafter publish the same in
684 some newspaper of general circulation within said county for at
685 least three (3) consecutive weeks and after having given notice of
686 publication and recording the same upon the minutes of the board
687 of supervisors of said county, said new district lines will
688 thereafter be effective for the November 2013 special election.
689 If necessary, the county board of education of said county shall
690 reapportion the board of education districts in accordance with
691 applicable law as soon as practicable after the results of the
692 2020 decennial census are published and as soon as practicable
693 after every decennial census thereafter. The new county board of
694 education, with the written approval of the Mississippi Department
695 of Education Conservator and the State Board of Education, shall
696 provide for the administrative consolidation of all school
697 districts in the county into one (1) countywide school district on
698 or before July 1 next following the November 2013 election. The
699 new county board of education shall serve as the school board for
700 the county. Any school district affected by the required
701 administrative consolidation that does not voluntarily consolidate
702 with the new school district ordered by the county board of
703 education shall be administratively consolidated by the State
704 Board of Education with the countywide school district, to be
705 effective on July 1 following the election of the new county board



of education. The State Board of Education shall promptly move on its own motion to administratively consolidate any school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into one (1) countywide district by July 1 following the election of the new county board of education. All affected school districts shall comply with any consolidation order issued by the county board of education or the State Board of Education, as the case may be, on or before July 1 following the election of the new county board of education.

(2) On July 1 following the election of the new county board of education, the former county board of education and the former board of trustees of any municipal separate, or special municipal separate school district located in such county shall be abolished. All real and personal property which is owned or titled in the name of a school district located in such county shall be transferred to the new reorganized school district of the county in which such school district is located. The Mississippi Department of Education Conservator and the State Board of Education shall be responsible for establishing the contracts for teachers and principals for the next school year following the required administrative consolidation with the consultation of the newly elected successor county board of education. The successor county board of education shall appoint the new county superintendent of education for the reorganized school district.



731 The county superintendent of education of said reorganized school
732 district shall not be elected but shall thereafter be appointed by
733 the successor county board of education in the manner provided in
734 Section 37-9-25. The superintendents of the former
735 under-performing school districts located in the county shall not
736 be eligible for appointment as the new superintendent. The
737 selection of the appointed county superintendent of education and
738 the assistant superintendent of education in the central
739 administration office of the successor countywide school district
740 shall be the responsibility of the successor county board of
741 education with the approval of the Mississippi Department of
742 Education Conservator and the State Board of Education. No such
743 administratively consolidated school district shall have more than
744 one (1) assistant superintendent of education. It shall be the
745 responsibility of the successor county board of education, with
746 approval of the Mississippi Department of Education Conservator
747 and the State Board of Education, to prepare and approve the
748 budget of the new reorganized districts, and the county board of
749 education may use staff from the former school districts to
750 prepare the budget. Any proposed order of the successor county
751 board of education directing the transfer of the assets, real or
752 personal property of an affected school district in the county,
753 shall be submitted and approved by the State Board of Education.
754 The finding of the State Board of Education shall be final and
755 conclusive for the purposes of the transfer of property required



by such administrative consolidation. Any person or school district aggrieved by an order of the successor county school board of education pursuant to the required administrative consolidation may appeal therefrom to the State Board of Education within ten (10) days from the date of the adjournment of the meeting at which such order is entered. Such appeal shall be de novo, and the finding of the State Board of Education upon such question shall be final and conclusive for the purpose of the approval or disapproval of the action by said county board of education.

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

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

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



781 this section. All administrative consolidations under this
782 section shall be accomplished so as not to delay or in any manner
783 negatively affect the desegregation of another school district in
784 the county pursuant to court order.

785 (6) The State Board of Education shall promulgate rules and
786 regulations to facilitate the administrative consolidation of the
787 school districts in a county pursuant to this section. When the
788 orders of the successor county board of education adopting the
789 boundaries of the successor countywide school district have been
790 entered and are final, as approved by the State Board of
791 Education, the new district lines shall be submitted by the State
792 Board of Education with the assistance of the Attorney General to
793 the Attorney General of the United States for preclearance or to
794 the United States District Court for the District of Columbia for
795 a declaratory judgment in accordance with the provisions of the
796 Voting Rights Act of 1965, as amended and extended. In the event
797 the change in the school district lines are precleared or
798 approved, the State Board of Education shall formally declare the
799 new lines as the new boundaries of the consolidated countywide
800 school district.

801 **SECTION 13.** Section 37-7-104.1, Mississippi Code of 1972, is
802 brought forward as follows:

803 37-7-104.1. (1) In Bolivar County, Mississippi, in which
804 are located, as of January 1, 2012, six (6) school districts,
805 there shall be an administrative consolidation of all of the



806 school districts in the county into three (3) school districts as
807 follows:

808 (a) One (1) existing school district which shall be the
809 Cleveland School District;

810 (b) One (1) new consolidated school district to be
811 designated as North Bolivar Consolidated School District which
812 shall consist of the territory of the former North Bolivar School
813 District and the Mound Bayou Public School District. The central
814 administrative office of the North Bolivar Consolidated School
815 District shall be located in Mound Bayou, Mississippi; and

816 (c) One (1) new consolidated school district to be
817 designated as West Bolivar Consolidated School District which
818 shall consist of the territory of the former West Bolivar School
819 District, Shaw School District and Benoit School District. The
820 central administrative office of the West Bolivar Consolidated
821 School District shall be located in Rosedale, Mississippi.

822 (2) On or before September 1, 2012, the State Board of
823 Education shall serve the local school boards in Bolivar County
824 with notice and instructions regarding the timetable for action to
825 be taken to comply with the administrative consolidation required
826 in this section. The State Board of Education shall provide for
827 the administrative consolidation of all school districts in the
828 county outside of the territory of Cleveland School District into
829 North Bolivar Consolidated School District and West Bolivar
830 Consolidated School District on or before July 1, 2014. In each



831 new consolidated school district there shall be a new consolidated
832 school district board of trustees elected in a November 2013
833 special election which shall be called by the Governor for that
834 purpose. The new consolidated school district boards of trustees
835 shall be elected and the terms of office established as provided
836 in Section 37-7-207, Mississippi Code of 1972. The State Board of
837 Education shall determine the boundary lines for the territory of
838 the two (2) new school districts and shall spread a legal
839 description of the new school districts on the minutes of its
840 August 2012 meeting and shall serve the applicable school boards
841 and the board of supervisors with an adequate legal description of
842 these new boundaries. It shall be the responsibility of the State
843 Board of Education with the assistance of the Joint Legislative
844 Committee on Performance Evaluation and Expenditure Review (PEER)
845 to apportion the territory of the two (2) new school districts
846 into five (5) new board of trustee election districts for each new
847 school district. The State Board of Education shall thereafter
848 publish the same in some newspaper of general circulation in said
849 county for at least three (3) consecutive weeks and after having
850 given notice of publication and recording the same upon the
851 minutes of the school boards of each school district in the
852 county, said new district lines will thereafter be effective for
853 the November 2013 special election. Any school board member of
854 the former school district residing in the proper election
855 district shall be eligible for election to the new board of



trustees for North Bolivar Consolidated School District or West Bolivar Consolidated School District. The local school board of each new school district shall reapportion the school board districts in accordance with the procedure described in Section 37-7-207, Mississippi Code of 1972, as is necessary as soon as practicable after the 2020 decennial census are published and as soon as practicable after every decennial census thereafter. Any school district affected by the required administrative consolidation in such county that does not voluntarily consolidate with the two (2) new school districts ordered by the State Board of Education shall be administratively consolidated by the State Board of Education with the appropriate school district in which such district is located, to be effective on July 1 following the election of the new local school boards. The State Board of Education shall promptly move on its own motion to administratively consolidate a school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into two (2) school districts by July 1 following the election of the new school boards. All affected school districts shall comply with any consolidation order issued by the State Board of Education on or before July 1 following the election of the new school boards.

(3) On July 1 following the election of the new school district boards of trustees in Bolivar County, the former county



881 board of education and the former board of trustees of North
882 Bolivar School District, Mound Bayou Public School District, West
883 Bolivar School District, Shaw School District and Benoit School
884 District shall be abolished. All real and personal property which
885 is owned or titled in the name of a school district located in
886 such former school district shall be transferred to the new
887 reorganized school district of Bolivar County in which such former
888 school district is located. Each former school board shall be
889 responsible for establishing the contracts for teachers and
890 principals for the next school year following the required
891 administrative consolidation with the consultation of the newly
892 elected successor school boards. The new Board of Trustees for
893 the North Bolivar Consolidated School District shall appoint the
894 Superintendent of Schools for said school district, and the Board
895 of Trustees for the West Bolivar Consolidated School District
896 shall appoint the Superintendent of Schools for said school
897 district. The subsequent superintendent of schools of said
898 reorganized school districts shall not be elected but shall
899 thereafter be appointed by the successor boards of trustees in the
900 manner provided in Section 37-9-25. Any superintendent serving in
901 the former school districts shall be eligible for appointment as a
902 superintendent in North Bolivar Consolidated School District or
903 West Bolivar Consolidated School District. North Bolivar
904 Consolidated School District and West Bolivar Consolidated School
905 District shall not have more than one (1) assistant



906 superintendent. It shall be the responsibility of the successor
907 boards of trustees to prepare and approve the budget of the
908 respective new reorganized districts, and the successor boards of
909 trustees may use staff from the former school districts to prepare
910 the budget. Any proposed order of the State Board of Education
911 directing the transfer of the assets, real or personal property of
912 an affected school district in the county, shall be final and
913 conclusive for the purposes of the transfer of property required
914 by such administrative consolidation. Any person or school
915 district aggrieved by an order of the successor newly elected
916 board of trustees of a consolidated school district pursuant to
917 the required administrative consolidation may appeal therefrom to
918 the State Board of Education within ten (10) days from the date of
919 the adjournment of the meeting at which such order is entered.
920 Such appeal shall be de novo, and the finding of the State Board
921 of Education upon such question shall be final and conclusive for
922 the purpose of the approval or disapproval of the action by said
923 county board of education.

924 (4) When any school district in such county is abolished
925 under the provisions of this section, the abolition thereof shall
926 not impair or release the property of such former school district
927 from liability for the payment of the bonds or other indebtedness
928 of such district.

929 (5) Nothing in this section shall be construed to require
930 the closing of any school or school facility, unless such facility



931 is an unneeded administrative office located within a school
932 district which has been abolished under the provisions of this
933 section. All administrative consolidations under this section
934 shall be accomplished so as not to delay or in any manner
935 negatively affect the desegregation of another school district in
936 the county pursuant to court order.

937 (6) The State Board of Education shall promulgate rules and
938 regulations to facilitate the administrative consolidation of the
939 school districts in Bolivar County pursuant to this section. The
940 consolidated districts shall make an election within one (1) year
941 of consolidation concerning the group term life insurance
942 described in subsection (7) of Section 25-15-9. When the orders
943 of the State Board of Education adopting the boundaries of the
944 successor school districts and the successor board of trustees
945 election districts have been entered and are final, as directed by
946 the State Board of Education, the new district lines shall be
947 submitted by the State Board of Education with the assistance of
948 the Attorney General to the Attorney General of the United States
949 for preclearance or to the United States District Court for the
950 District of Columbia for a declaratory judgment in accordance with
951 the provisions of the Voting Rights Act of 1965, as amended and
952 extended. In the event the change in the school district lines
953 and election districts are precleared or approved, the State Board
954 of Education shall formally declare the new lines as the new
955 boundaries of the successor school districts.



956 **SECTION 14.** Section 37-7-104.2, Mississippi Code of 1972, is
957 amended as follows:

958 37-7-104.2. (1) In Clay County, Mississippi, in which are
959 located, as of January 1, 2013, two (2) school districts, there
960 shall be an administrative consolidation of all of those school
961 districts in the county into one (1) new consolidated school
962 district to be designated as West Point Consolidated School
963 District which shall consist of the territory of the former Clay
964 County School District and the West Point School District. The
965 central administrative office of the West Point Consolidated
966 School District shall be located in West Point, Mississippi.

967 (2) On or before September 1, 2013, the State Board of
968 Education shall serve the local school boards in Clay County with
969 notice and instructions regarding the timetable for action to be
970 taken to comply with the administrative consolidation required in
971 this section. The State Board of Education shall provide for the
972 administrative consolidation of the school districts in the county
973 on or before July 1, 2015. In the new West Point Consolidated
974 School District, there shall be a new board of trustees comprised
975 of five (5) members selected as follows: (a) the Mayor and Board
976 of Aldermen of the City of West Point shall appoint three (3) of
977 the five (5) members, each to be selected for a term of four (4)
978 years; and (b) two (2) members to be elected for a term of four
979 (4) years by the electors of Clay County residing outside of the
980 West Point corporate limits who shall be residents of that



981 territory and who shall be elected in a November 2014 special
982 election which shall be called by the Governor for that purpose.
983 All subsequent members of the board elected from the territory
984 outside of the West Point corporate limits shall be elected for a
985 term of four (4) years at the regular general election held on the
986 first Monday in November next preceding the expiration of the term
987 of office of the respective member or members. All elected and
988 appointed members shall take office on the first Monday of January
989 following the date of their election or appointment. The State
990 Board of Education, with the assistance of the Joint Legislative
991 Committee on Performance Evaluation and Expenditure Review (PEER),
992 shall apportion the territory of the new consolidated school
993 district located outside the West Point corporate limits into two
994 (2) new single member board of trustee election districts. The
995 State Board of Education shall thereafter publish the same in some
996 newspaper of general circulation in the county for at least three
997 (3) consecutive weeks and after having given notice of publication
998 and recording the same upon the minutes of the school boards of
999 each school district in the county, the new district lines will
1000 thereafter be effective for the November 2014 special election.
1001 Any school board member of the former school districts residing in
1002 the proper territory shall be eligible for appointment or election
1003 to the new Board of Trustees for West Point Consolidated School
1004 District. However, if the consolidated school district fails to
1005 achieve an accountability rating of "A" or "B" as required by



1006 Section 37-6-17(9)(c), such school district shall be required to
1007 have its board transformed to the elected method in the same
1008 manner as provided in this Section 37-6-17.

1009 Any school district affected by the required administrative
1010 consolidation in Clay County that does not voluntarily consolidate
1011 as ordered by the State Board of Education shall be
1012 administratively consolidated by the State Board of Education, to
1013 be effective on July 1 following the election of the new local
1014 school board. The State Board of Education shall promptly move on
1015 its own motion to administratively consolidate a school district
1016 which does not voluntarily consolidate in order to enable the
1017 affected school districts to reasonably accomplish the resulting
1018 administrative consolidation into one (1) consolidated school
1019 district by July 1 following the selection of the new board of
1020 trustees. The affected school districts shall comply with any
1021 consolidation order issued by the State Board of Education on or
1022 before July 1 following the selection of the new school boards.

1023 (3) On July 1 following the selection of the new Board of
1024 Trustees of the West Point Consolidated School District, the
1025 former county board of education and the former Board of Trustees
1026 of the West Point School District shall be abolished. All real
1027 and personal property which is owned or titled in the name of a
1028 school district located in such former school district shall be
1029 transferred to the new reorganized school district of West Point
1030 Consolidated School District in which such former school district



1031 is located. Each former school board shall be responsible for
1032 establishing the contracts for teachers and principals for the
1033 next school year following the required administrative
1034 consolidation with the consultation of the newly elected successor
1035 school board. The new Board of Trustees for the West Point
1036 Consolidated School District shall appoint the Superintendent of
1037 Schools for the school district. The Superintendent of Schools
1038 for the West Point Consolidated School District may appoint
1039 assistant superintendent(s) of schools for the district, but in no
1040 instance shall the administrative leadership of the West Point
1041 Consolidated School District exceed the number of assistant
1042 superintendents employed in the former West Point School District.
1043 The subsequent superintendent of schools of the reorganized school
1044 district shall not be elected, but shall thereafter be appointed
1045 by the successor board of trustees in the manner provided in
1046 Section 37-9-25. It shall be the responsibility of the successor
1047 board of trustees to prepare and approve the budget of the new
1048 reorganized district, and the successor board of trustees may use
1049 staff from the former school districts to prepare the budget. Any
1050 proposed order of the State Board of Education directing the
1051 transfer of the assets, real or personal property of an affected
1052 school district in the county, shall be final and conclusive for
1053 the purposes of the transfer of property required by such
1054 administrative consolidation. Any person or school district
1055 aggrieved by an order of the successor newly selected Board of



1056 Trustees of the West Point Consolidated School District pursuant
1057 to the required administrative consolidation may appeal therefrom
1058 within ten (10) days from the date of the adjournment of the
1059 meeting at which such order is entered. Said appeal shall be
1060 taken in the same manner as appeals are taken from judgments or
1061 decisions of the board of supervisors as provided in Section
1062 11-51-75, Mississippi Code of 1972, the provisions of which shall
1063 be fully applicable to appeals taken hereunder. The Board of
1064 Trustees of the West Point Consolidated School District shall not
1065 pass upon or approve or disapprove any such order until the time
1066 for an appeal therefrom shall have expired, nor shall said board
1067 pass upon or approve or disapprove any such order from which an
1068 appeal is taken until said appeal shall have been finally
1069 determined.

1070 (4) When any school district in the county is abolished
1071 under the provisions of this section, the abolition thereof shall
1072 not impair or release the property of that former school district
1073 from liability for the payment of the bonds or other indebtedness
1074 of such district.

1075 (5) Nothing in this section shall be construed to require
1076 the closing of any school or school facility, unless the facility
1077 is an unneeded administrative office located within a school
1078 district which has been abolished under the provisions of this
1079 section. All administrative consolidations under this section
1080 shall be accomplished so as not to delay or in any manner



negatively affect the desegregation of another school district in the county pursuant to court order.

(6) The State Board of Education shall promulgate rules and regulations to facilitate the administrative consolidation of the school districts in Clay County pursuant to this section. The consolidated districts shall make an election within one (1) year of consolidation concerning the group term life insurance described in subsection (7) of Section 25-15-9. When the orders of the State Board of Education adopting the boundaries of the successor board of trustees election districts have been entered and are final, as directed by the State Board of Education, the new district lines shall be submitted by the State Board of Education with the assistance of the Attorney General to the Attorney General of the United States for preclearance or to the United States District Court for the District of Columbia for a declaratory judgment in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended. In the event the change in the school district lines and election districts are precleared or approved, the State Board of Education shall formally declare the new lines as the new boundaries of the successor school district.

(7) For the initial two (2) years following the administrative consolidation required by this section, the State Department of Education may grant a waiver of accountability and state assessment requirements to the West Point Consolidated



1106 School District for the student population enrolled therein from
1107 the former Clay County School District when determining the new
1108 consolidated school district accreditation level on the
1109 performance and accountability rating model.

1110 **SECTION 15.** Section 37-7-104.3, Mississippi Code of 1972, is
1111 amended as follows:

1112 37-7-104.3. (1) In Oktibbeha County, Mississippi, in which
1113 are located, as of January 1, 2013, two (2) school districts,
1114 there shall be an administrative consolidation of all of those
1115 school districts in the county into one (1) new countywide
1116 municipal separate school district to be designated as
1117 Starkville-Oktibbeha Consolidated School District which shall
1118 consist of the territory of the former Oktibbeha County School
1119 District and the Starkville School District, effective on July 1,
1120 2015. Until June 30, 2015, preceding the effective date of the
1121 required administrative consolidation of school districts in the
1122 county, the Oktibbeha County School District shall remain in
1123 conservatorship, under the authority and control of the
1124 Mississippi Recovery School District of the State Department of
1125 Education. At such time that the administrative consolidation
1126 becomes effective, the central administrative office of the
1127 Starkville-Oktibbeha Consolidated School District shall be located
1128 in Starkville, Mississippi.

1129 (2) (a) On or before July 1, 2014, the State Board of
1130 Education shall serve the local school board of the Starkville



1131 School District with notice and instructions regarding the
1132 timetable for action to be taken to comply with the administrative
1133 consolidation required in this section.

1134 (b) In the new consolidated school district there shall
1135 be a countywide municipal separate school district board of
1136 trustees, which shall consist of the existing members of the Board
1137 of Trustees of the Starkville School District. However, upon the
1138 first occurrence of a vacancy on the board as a result of an
1139 expired term of an appointed board member, that vacancy shall
1140 become an elected position and shall be filled by the election of
1141 a board member as follows: the 2016 expiring term board member
1142 shall remain in office until January 1, 2017. In November 2016,
1143 an election will be held for a board member who resides outside of
1144 the incorporated municipal limits in the manner prescribed in
1145 Section 37-7-203, and the elected board member will take office
1146 for a five-year term beginning January 1, 2017. Subsequent board
1147 members shall be selected in the manner prescribed in Section
1148 37-7-203. The Board of Supervisors of Oktibbeha County shall
1149 publish notice of the school board elections in some newspaper of
1150 general circulation in the county for at least three (3)
1151 consecutive weeks. However, if the consolidated school district
1152 fails to achieve an accountability rating of "A" or "B" as
1153 required by Section 37-6-17(9)(c), such school district shall be
1154 required to have its board transformed to the elected method in
1155 the same manner as provided in Section 37-6-17.



1156 (c) Any school district affected by the required
1157 administrative consolidation in the county that does not
1158 voluntarily consolidate as ordered by the State Board of Education
1159 shall be administratively consolidated by the State Board of
1160 Education, to be effective immediately upon action of the State
1161 Board of Education. The State Board of Education shall promptly
1162 move on its own motion to administratively consolidate a school
1163 district which does not voluntarily consolidate in order to enable
1164 the affected school districts to reasonably accomplish the
1165 resulting administrative consolidation into one (1) consolidated
1166 school district by July 1 following the motion to consolidate.
1167 The affected school districts shall comply with any consolidation
1168 order issued by the State Board of Education.

1169 (3) On July 1, 2015, following the motion of the State Board
1170 of Education to consolidate school districts in Oktibbeha County,
1171 the Oktibbeha County School District shall be abolished. All real
1172 and personal property which is owned or titled in the name of the
1173 school district located in such former school district shall be
1174 transferred to the Starkville-Oktibbeha Consolidated School
1175 District as of July 1, 2015. The Conservator of the Oktibbeha
1176 County School District is authorized and directed to execute and
1177 record all documents and conveyances necessary to convey title to
1178 all real and personal property of the Oktibbeha County School
1179 District to the Starkville-Oktibbeha Consolidated School District.
1180 The conservator is further authorized and directed to sign all



1181 documents and to take all actions necessary to assign contracts
1182 and other property, contract rights and obligations of the
1183 Oktibbeha County School District to the Starkville-Oktibbeha
1184 Consolidated School District. The Board of Trustees of the
1185 Starkville School District shall be responsible for establishing
1186 the contracts for operations, teachers, principals, clerical and
1187 administrative staff personnel for the 2015-2016 school year prior
1188 to July 1, 2015, and shall consult with the conservator for the
1189 establishment of contracts for teachers, principals, clerical and
1190 administrative staff personnel located in the former Oktibbeha
1191 County School District for the 2015-2016 school year. In order to
1192 prepare for the efficient staffing of the Starkville-Oktibbeha
1193 Consolidated School District, the Conservator of the Oktibbeha
1194 County School District and the Superintendent of the Starkville
1195 School District shall have full authority to nonrenew the
1196 employment contract of any teacher, principal, clerical or
1197 administrative staff located within their respective school
1198 districts for the 2015-2016 school year. The superintendent and
1199 assistant superintendent(s) of schools of the former Starkville
1200 School District shall continue to serve in like administrative
1201 capacities of the Starkville-Oktibbeha Consolidated School
1202 District, but in no instance shall the administrative leadership
1203 of the Starkville-Oktibbeha Consolidated School District exceed
1204 three (3) assistant superintendents to be appointed by the
1205 superintendent of the former Starkville School District. No



1206 superintendent serving in the former Oktibbeha County School
1207 District shall be eligible for appointment as a superintendent or
1208 assistant superintendent in the Starkville-Oktibbeha Consolidated
1209 School District. Likewise, no trustee serving in the former
1210 Oktibbeha County School District shall be eligible for election to
1211 the new Board of Trustees of the Starkville-Oktibbeha Consolidated
1212 School District. It shall be the responsibility of the board of
1213 trustees to prepare and approve the budget of the respective new
1214 reorganized district, and the board of trustees may use staff from
1215 the former school district to prepare the budget. Any transfer of
1216 the assets, real or personal property of the Oktibbeha County
1217 School District mandated by this section shall be final and
1218 conclusive for the purposes of the transfer of property required
1219 by this section to effectuate the administrative consolidation.

1220 (4) Nothing in this section shall be construed to require
1221 the closing of any school or school facility, unless the facility
1222 is an unneeded administrative office located within a school
1223 district which has been abolished under the provisions of this
1224 section. All administrative consolidations under this section
1225 shall be accomplished so as not to delay or in any manner
1226 negatively affect the desegregation of another school district in
1227 the county pursuant to court order.

1228 (5) The State Board of Education shall promulgate rules and
1229 regulations to facilitate the administrative consolidation of the
1230 school districts in Oktibbeha County pursuant to the requirements



1231 of this section. Beginning with the insurance cafeteria plan year
1232 of November 1, 2014, the consolidated districts shall fall under
1233 all insurance plans and policies elected by the Starkville Public
1234 School District, including the group term life insurance described
1235 in Section 25-15-9(7).

1236 (6) For the initial three (3) years following the
1237 administrative consolidation required by this section, the State
1238 Department of Education shall grant a waiver of accountability and
1239 state assessment requirements to the Starkville-Oktibbeha
1240 Consolidated School District, subject to the approval of the State
1241 Board of Education.

1242 (7) As soon as practicable after March 31, 2015, the
1243 Conservator of the Oktibbeha County School District shall initiate
1244 the issuance of notes or certificates of indebtedness of the
1245 Oktibbeha County School District for the purpose of purchasing
1246 school buses, textbooks, computers and software and other
1247 equipment and fixtures for school facilities, and for any purposes
1248 enumerated in Section 37-59-3, Mississippi Code of 1972, and
1249 making repairs, alterations, utility upgrades and additions to two
1250 (2) elementary school buildings located in the Oktibbeha County
1251 School District in order to meet the same physical and educational
1252 standards as the elementary school buildings in Starkville, and to
1253 contribute funds to the Starkville School District for capital
1254 improvements to accommodate county school district students and
1255 increase capacity for the consolidation. The contribution of such



1256 funds to the Starkville School District is hereby authorized.
1257 Said notes or certificates of indebtedness shall be issued under
1258 the authority of Sections 37-59-101 through 37-59-115, Mississippi
1259 Code of 1972, including all notice requirements, however, the
1260 resolution as to the necessity for the issuance of the notes and
1261 the execution of the documents shall be made by the Conservator of
1262 the Oktibbeha County School District. The term of any notes or
1263 certificates of indebtedness issued under this section may not
1264 exceed the useful life of the financed project as determined
1265 according to the upper limit of useful life and depreciation
1266 guidelines established under the United States Internal Revenue
1267 Code and regulations. The levying authority for the Oktibbeha
1268 County School District, and after July 1, 2015, the levying
1269 authority for the Starkville-Oktibbeha Consolidated School
1270 District, shall annually levy a special tax on all taxable
1271 property of the former Oktibbeha County School District, and after
1272 July 1, 2015, on all taxable property of the Starkville-Oktibbeha
1273 Consolidated School District, in an amount sufficient to pay the
1274 principal of and interest on such negotiable notes or certificates
1275 of indebtedness as the same shall respectively mature and accrue.
1276 Said tax shall be levied as provided in Section 37-59-107,
1277 Mississippi Code of 1972, except that the levy shall not exceed
1278 three (3) mills on the dollar for the payment of all notes that
1279 are subject to the levy under Section 37-59-107. Any notes or
1280 certificates of indebtedness issued pursuant to this subsection



1281 (7) shall become indebtedness of the new Starkville-Oktibbeha
1282 Consolidated School District from and after July 1, 2015, and the
1283 mandatory special ad valorem tax levied to pay the notes or
1284 certificates of indebtedness by the levying authority pursuant to
1285 Section 37-59-107, Mississippi Code of 1972, shall be levied upon
1286 all of the taxable property within the Starkville-Oktibbeha
1287 Consolidated School District.

1288 (8) For a period beginning July 1, 2014, and ending June 30,
1289 2015, the Conservator of the Oktibbeha County School District
1290 shall issue negotiable bonds of the Oktibbeha County School
1291 District for the purpose of purchasing school buses, textbooks,
1292 computers and software and other equipment and fixtures for school
1293 facilities, and making repairs, alterations and additions and
1294 utility upgrades, and for any purposes allowed by Section 37-59-3,
1295 Mississippi Code of 1972, to school facilities in the Oktibbeha
1296 County School District and in the Starkville School District to
1297 accommodate students in the former Oktibbeha County School
1298 District who will be attending school in the new
1299 Starkville-Oktibbeha Consolidated School District and the
1300 increased capacity needs under the consolidation. Said bonds
1301 shall be issued under the authority of Sections 37-59-1 through
1302 37-59-45, however, any resolutions as to the necessity for the
1303 issuance of any bonds and execution of the documents may be made
1304 periodically by the Conservator of the Oktibbeha County School
1305 District. Provided further, that the conservator shall publish



1306 each resolution of necessity and intent to issue any bonds once
1307 each week for at least three (3) consecutive weeks in a newspaper
1308 having general circulation in the Oktibbeha County School
1309 District, with the first publication thereof to be made not less
1310 than fifteen (15) days prior to the date upon which the
1311 conservator is to take final action upon the question of
1312 authorizing the issuance of said bonds. If no petition requesting
1313 an election is filed prior to the date and time of the meeting at
1314 which the conservator is to take final action on the issuance of
1315 said bonds, then the conservator shall authorize the issuance of
1316 the bonds. If at any time prior to the date and time of the
1317 meeting at which the conservator is to take final action upon the
1318 question of issuing such bonds a petition signed by not less than
1319 twenty percent (20%) of the qualified electors of the Oktibbeha
1320 County School District shall be filed with the Conservator of the
1321 Oktibbeha County School District requesting that an election be
1322 called on the question of issuing the bonds, then the conservator
1323 shall either rescind the applicable resolution of intent or adopt
1324 a resolution calling an election to be held within the territory
1325 of the Oktibbeha County School District upon such question. The
1326 election shall be called and held, and notice thereof shall be
1327 given, in the same manner for elections upon the question of bond
1328 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,
1329 and the results thereof shall be certified by the Oktibbeha County
1330 Election Commission to the Conservator of the Oktibbeha County



1331 School District. If three-fifths (3/5) of the qualified electors
1332 of the Oktibbeha County School District who voted in such election
1333 vote in favor of the issuance of such bonds, then the conservator
1334 shall authorize the Oktibbeha County School District to issue such
1335 bonds. Notwithstanding any provision to the contrary, the
1336 Oktibbeha County School District may issue bonds pursuant to this
1337 subsection (8) in an amount which, when added to all of the
1338 Oktibbeha County School District's then outstanding bonded
1339 indebtedness, shall not result in the imposition on any of the
1340 property in said district of an indebtedness for school purposes
1341 of more than twenty percent (20%) of the assessed value of the
1342 taxable property within said district, according to the then last
1343 completed assessment for taxation. Any bonds issued pursuant to
1344 this subsection (8) shall become indebtedness of the new
1345 Starkville-Oktibbeha Consolidated School District from and after
1346 July 1, 2015, and the mandatory special ad valorem tax to be
1347 levied by the levying authority pursuant to Section 37-59-23,
1348 Mississippi Code of 1972, to pay the bonds shall be levied upon
1349 all taxable property within the Starkville-Oktibbeha Consolidated
1350 School District.

1351 (9) For a period beginning July 1, 2015, and ending July 1,
1352 2024, the new Starkville-Oktibbeha Consolidated School District
1353 Board of Trustees may periodically issue negotiable bonds in one
1354 or more series of the Starkville-Oktibbeha Consolidated School
1355 District for the purpose of purchasing school buses, textbooks,



1356 computers and software and other equipment and fixtures for school
1357 facilities and for any purposes enumerated in Section 37-59-3,
1358 Mississippi Code of 1972. The term of any such bonds may not
1359 exceed the useful life of the financed project as determined
1360 according to the upper limit of useful life and depreciation
1361 guidelines established under the United States Internal Revenue
1362 Code and regulations. Said bonds shall be issued under the
1363 authority of Sections 37-59-1 through 37-59-45, including all
1364 notice and publication requirements, however, the necessity for
1365 the issuance of the bonds shall be made pursuant to a reverse
1366 referendum procedure to be followed by the Starkville-Oktibbeha
1367 Consolidated School District Board of Trustees as follows: the
1368 board of trustees shall publish each resolution of necessity and
1369 intent to issue bonds once each week for at least three (3)
1370 consecutive weeks in a newspaper having general circulation in the
1371 Starkville-Oktibbeha Consolidated School District, with the first
1372 publication thereof to be made not less than fifteen (15) days
1373 prior to the date on which the board of trustees is to take final
1374 action authorizing the issuance of the bonds. If no petition
1375 requesting an election is filed prior to the date and time of the
1376 meeting at which the board of trustees is to take final action on
1377 the issuance of the bonds, the board of trustees shall authorize
1378 the issuance of the bonds. If at any time prior to the date and
1379 time of the meeting at which the board of trustees is to take
1380 final action authorizing the issuance of the bonds a petition



1381 signed by not less than twenty percent (20%) of the qualified
1382 electors of the Starkville-Oktibbeha Consolidated School District
1383 shall be filed with the Board of Trustees of the
1384 Starkville-Oktibbeha Consolidated School District requesting that
1385 an election be called on the question of issuing the bonds, then
1386 the board of trustees shall, not later than its next regular
1387 meeting, adopt a resolution calling an election to be held within
1388 the Starkville-Oktibbeha Consolidated School District upon such
1389 question. The election shall be called and held, and notice
1390 thereof shall be given, in the same manner for elections upon the
1391 question of bond issues under Sections 37-59-11, 37-59-13,
1392 37-59-15 and 37-59-17, and the results thereof shall be certified
1393 to the Starkville-Oktibbeha Consolidated School District Board of
1394 Trustees, as the case may be. If three-fifths (3/5) of the
1395 qualified electors of the Starkville-Oktibbeha Consolidated School
1396 District who voted in such election vote in favor of the issuance
1397 of such bonds, then the board of trustees shall issue such bonds.
1398 Notwithstanding any provision to the contrary, the
1399 Starkville-Oktibbeha Consolidated School District may issue bonds
1400 pursuant to this subsection (9) in an amount which, when added to
1401 all of the Starkville-Oktibbeha Consolidated School District's
1402 then outstanding bonded indebtedness, shall not result in the
1403 imposition on any of the property in said district of an
1404 indebtedness for school purposes of more than twenty percent (20%)
1405 of the assessed value of the taxable property within said



1406 district, according to the then last completed assessment for
1407 taxation. Any bonds issued pursuant to this subsection (9) shall
1408 be indebtedness of the new Starkville-Oktibbeha Consolidated
1409 School District. The mandatory special ad valorem tax to be
1410 levied by the levying authority pursuant to Section 37-59-23,
1411 Mississippi Code of 1972, shall be levied on all taxable property
1412 of the Starkville-Oktibbeha Consolidated School District.

1413 (10) Notwithstanding any law or any provision of any law to
1414 the contrary, from and after July 1, 2015, all outstanding debt of
1415 the former Oktibbeha County School District and the former
1416 Starkville School District shall be assumed by and become the debt
1417 of the new Starkville-Oktibbeha Consolidated School District. Any
1418 debt assumed by the Starkville-Oktibbeha Consolidated School
1419 District secured by a special ad valorem tax shall become secured
1420 by and payable from a mandatory, special ad valorem tax which
1421 shall be levied on all taxable property in the
1422 Starkville-Oktibbeha Consolidated School District by the levying
1423 authority of the Starkville-Oktibbeha Consolidated School
1424 District. All debt secured by a pledge by either district of its
1425 education enhancement funds pursuant to Section 37-61-33,
1426 Mississippi Code of 1972, or by a pledge of its Mississippi
1427 Adequate Education Program funds will continue to be secured by
1428 and payable from the same funds after the debt is assumed by the
1429 Starkville-Oktibbeha Consolidated School District as of July 1,
1430 2015. It is the intent of the Legislature that any such pledges



1431 will remain in effect and that the pledged funds will be available
1432 to the Starkville-Oktibbeha Consolidated School District to pay
1433 its debt to which the funds are pledged.

1434 (11) It shall be the responsibility of the Board of
1435 Supervisors of Oktibbeha County to provide office, furnishing and
1436 utilities for the administrative Office of the Superintendent of
1437 the Starkville-Oktibbeha Consolidated School District.

1438 (12) The new Starkville-Oktibbeha Consolidated School
1439 District is authorized and encouraged to develop a partnership
1440 with Mississippi State University to create a model rural
1441 education school to serve all sixth- and seventh-grade students
1442 from Oktibbeha County and a model prekindergarten program which
1443 shall also serve as a model for the education of teachers and
1444 administrators. The Starkville-Oktibbeha Consolidated School
1445 District and Mississippi State University are authorized and
1446 empowered, in each's discretion, to enter into an agreement for
1447 the purpose of designing, constructing, maintaining and operating
1448 a model rural education school to serve all sixth- and
1449 seventh-grade students from Oktibbeha County. The
1450 Starkville-Oktibbeha Consolidated School District and Mississippi
1451 State University are further authorized and empowered, in each's
1452 discretion, to transfer funds to the other and expend such funds
1453 on mutually agreeable terms and conditions for the construction,
1454 maintenance and operation of such school.



(13) The Board of Supervisors of Oktibbeha County shall be the "levying authority" for the Starkville-Oktibbeha Consolidated School District.

SECTION 16. Section 37-7-104.4, Mississippi Code of 1972, is amended as follows:

37-7-104.4. (1) In Montgomery County, Mississippi, in which are located, as of January 1, 2016, two (2) school districts, there shall be an administrative consolidation of all of those school districts in the county into one (1) new countywide municipal separate school district to be designated as Winona-Montgomery Consolidated School District which shall consist of the territory of the former Montgomery County School District and the Winona Municipal Separate School District, effective on July 1, 2018. At such time that the administrative consolidation becomes effective, the central administrative office of the Winona-Montgomery Consolidated School District shall be located in Winona, Mississippi.

(2) As soon as practicable, a financial advisor and/or other facilitator with school district experience may be assigned by the Mississippi Department of Education to oversee the budgeting and financial matters relating to the consolidation of the districts slated for consolidation. The financial advisor and/or facilitator may, at the discretion of the Mississippi Department of Education, continue duties for one (1) year after the consolidation to ensure that all financial matters are in place.



1480 All financial expenditures of districts that are closing must be
1481 approved by the financial advisor and/or facilitator. If the
1482 superintendent and/or school board approves expenditures outside
1483 of this approval, they shall be personally liable for the excess
1484 expenditures. The State Board of Education shall determine the
1485 compensation to be paid to the financial advisor and/or
1486 facilitator which shall be paid by the local school district to
1487 which the financial advisor and/or facilitator is assigned.

1488 (3) (a) On or before September 1, 2017, the State Board of
1489 Education shall serve the local school board of the Winona
1490 Municipal Separate School District and the local school board of
1491 the Montgomery County School District with notice and instructions
1492 regarding the timetable for action to be taken to comply with the
1493 administrative consolidation required in this section.

1494 (b) In the new Winona-Montgomery Consolidated School
1495 District, there shall be a new countywide municipal separate
1496 school district board of trustees comprised of five (5) members,
1497 which shall consist of the existing members of the Board of
1498 Trustees of the Winona Municipal Separate School District.
1499 However, when consolidation becomes effective, the two (2)
1500 appointed board members of the Winona Municipal Separate School
1501 District whose terms are nearest to expiration shall expire on
1502 January 1, 2019, shall thereafter become elected positions to be
1503 filled by the election of board members in a manner prescribed in
1504 subparagraph (ii) of this paragraph (b). The new countywide



1505 municipal separate school district board of trustees of the
1506 Winona-Montgomery Consolidated School District shall be comprised
1507 as follows:

1508 (i) The three (3) members of the existing Board of
1509 Trustees of the Winona Municipal Separate School District
1510 appointed by the Board of Aldermen of the City of Winona with the
1511 most years remaining in their terms shall serve until the
1512 expiration of such appointed term and thereafter, appointments
1513 shall each be selected for a term of four (4) years beginning on
1514 January 1 of the year next succeeding the appointment;

1515 (ii) The two (2) members of the board elected
1516 after the appropriate appointments become permanently elected
1517 positions, shall be elected for a term of four (4) years by the
1518 electors of Montgomery County residing outside of the Winona
1519 corporate limits who shall be residents of that territory and who
1520 shall be elected in an election held on Tuesday after the first
1521 Monday in November 2018, in the manner prescribed in Section
1522 37-7-203, and the elected members will take office on January 1,
1523 2019. All subsequent members of the board elected from the
1524 territory outside of the Winona corporate limits shall be elected
1525 for a term of four (4) years at the regular general election held
1526 on the first Monday in November next preceding the expiration of
1527 the term of office of the respective member or members, and shall
1528 take office on January 1 next succeeding the election; and



1529 (iii) The Board of Supervisors of Montgomery
1530 County and the State Board of Education, with the assistance of
1531 the Joint Legislative Committee on Performance Evaluation and
1532 Expenditure Review (PEER), shall apportion the territory of the
1533 new consolidated school district located outside the Winona
1534 corporate limits into two (2) new proportionately equal single
1535 member board of trustee election districts. The board of
1536 supervisors shall thereafter publish the same in some newspaper of
1537 general circulation in the county for at least three (3)
1538 consecutive weeks and after having given notice of publication and
1539 recording the same upon the minutes of the school boards of each
1540 school district in the county, the new district lines will
1541 thereafter be effective for the November 2018 special election.
1542 Any school board member of the former school districts residing in
1543 the proper territory shall be eligible for appointment or election
1544 to the new Board of Trustees for Winona-Montgomery Consolidated
1545 School District. However, if the consolidated school district
1546 fails to achieve an accountability rating of "A" or "B" as
1547 required by Section 37-6-17(9) (c), such school district shall be
1548 required to have its board transformed to the elected method in
1549 the same manner as provided in Section 37-6-17.

1550 (c) Any school district affected by the required
1551 administrative consolidation in the county that does not
1552 voluntarily consolidate as ordered by the State Board of Education
1553 shall be administratively consolidated by the State Board of



1554 Education, to be effective immediately upon action of the State
1555 Board of Education. The State Board of Education shall promptly
1556 move on its own motion to administratively consolidate a school
1557 district which does not voluntarily consolidate in order to enable
1558 the affected school districts to reasonably accomplish the
1559 resulting administrative consolidation into one (1) consolidated
1560 school district by July 1 following the motion to consolidate.
1561 The affected school districts shall comply with any consolidation
1562 order issued by the State Board of Education.

1563 (4) (a) On July 1, 2018, following the motion of the State
1564 Board of Education to consolidate school districts in Montgomery
1565 County, the Montgomery County School District shall be abolished.
1566 All real and personal property which is owned or titled in the
1567 name of the school district located in such former school district
1568 shall be transferred to the Winona-Montgomery Consolidated School
1569 District as of July 1, 2018.

1570 (b) The new board of trustees of the Winona-Montgomery
1571 Consolidated School District shall be responsible for establishing
1572 the contracts for operations, teachers, principals, clerical and
1573 administrative staff personnel for the 2018-2019 school year and
1574 each school year thereafter.

1575 (c) The superintendent of the Winona-Montgomery
1576 Consolidated School District shall be appointed by the board and
1577 is authorized to appoint an assistant superintendent, but in no
1578 instance shall the administrative leadership of the



1579 Winona-Montgomery Consolidated School District exceed three (3)
1580 assistant superintendents to be appointed by the superintendent of
1581 the Winona-Montgomery Consolidated School District.

1582 (d) It shall be the responsibility of the board of
1583 trustees to prepare and approve the budget of the respective new
1584 reorganized district, and the board of trustees may use staff from
1585 the former school district to prepare the budget. Any transfer of
1586 the assets, real or personal property of the Montgomery County
1587 School District mandated by this section shall be final and
1588 conclusive for the purposes of the transfer of property required
1589 by this section to effectuate the administrative consolidation.

1590 (e) Any person or school district aggrieved by an order
1591 of the successor newly selected board of trustees of the
1592 Winona-Montgomery Consolidated School District pursuant to the
1593 required administrative consolidation may appeal therefrom within
1594 ten (10) days from the date of the adjournment of the meeting at
1595 which such order is entered. The appeal shall be taken in the
1596 same manner as appeals are taken from judgments or decisions of
1597 the board of supervisors as provided in Section 11-51-75, the
1598 provisions of which shall be fully applicable to appeals taken
1599 hereunder. The board of trustees of the Winona-Montgomery
1600 Consolidated School District shall not pass upon or approve or
1601 disapprove any such order until the time for an appeal therefrom
1602 has expired, nor shall the board pass upon or approve or



disapprove any such order from which an appeal is taken until said appeal has been finally determined.

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

(6) The State Board of Education shall promulgate rules and regulations to facilitate the administrative consolidation of the school districts in Montgomery County pursuant to the requirements of this section. Beginning with the insurance cafeteria plan year of November 1, 2018, the consolidated districts shall fall under all insurance plans and policies elected by the Winona-Montgomery Consolidated School District, including the group term life insurance described in Section 25-15-9(7).

(7) The County Board of Education and the Superintendent of Education of the former Montgomery County School District and the local school board and Superintendent of Schools of the Winona Municipal Separate School District shall cooperate with the State Department of Education, as soon as practicable after July 1, 2016, for the planning and transition of programs, services and



1627 alignment of curriculum for the administratively consolidated
1628 school districts.

1629 (8) It shall be the responsibility of the Board of
1630 Supervisors of Montgomery County to provide office, furnishing and
1631 utilities for the administrative Office of the Superintendent of
1632 the Winona-Montgomery Consolidated School District.

1633 (9) One (1) year prior to the date of consolidation, a
1634 financial advisor and/or other facilitator with school district
1635 experience may be assigned by the Mississippi Department of
1636 Education to oversee the budgeting and financial matters relating
1637 to the consolidation of the districts slated for consolidation.
1638 The financial advisor and/or facilitator may, at the discretion of
1639 the Mississippi Department of Education, continue duties for one
1640 year after the consolidation to ensure that all financial matters
1641 are in place. All financial expenditures of districts that are
1642 closing must be approved by the financial advisor and/or
1643 facilitator. If the superintendent and/or school board approves
1644 expenditures outside of this approval, they shall be personally
1645 liable for the excess expenditures. The State Board of Education
1646 shall determine the compensation to be paid to the financial
1647 advisor and/or facilitator which shall be paid by the local school
1648 district.

1649 **SECTION 17.** Section 37-7-104.5, Mississippi Code of 1972, is
1650 brought forward as follows:



1651 37-7-104.5. (1) Not later than July 1, 2019, the local
1652 school boards of the Lumberton Public School District, Lamar
1653 County School District and Poplarville Separate School District
1654 shall, under the authority provided in Section 37-7-103, enter
1655 into an agreement, by which the approval of such agreement shall
1656 be spread upon each board's minutes of their regularly scheduled
1657 meetings or at special meetings called for the specific purpose of
1658 such agreement, to abolish and dissolve the Lumberton School
1659 District and its central administrative office to be effective for
1660 the start of the 2019-2020 school year. The agreement between
1661 each school board made parties thereto must consider:

1662 (a) The composition of the district boundaries of the
1663 Lumberton Public School District, as it existed on January 1,
1664 2016, to ensure that the student population to be transferred to
1665 the Lamar County School District and Poplarville Separate School
1666 District does not disparately impact the desegregation of either
1667 school district entering into agreement;

1668 (b) The territory embraced by Lumberton, Mississippi,
1669 located within the bounded territory of Lamar County, from which
1670 the school district to be abolished by agreement draws a portion
1671 of its student population, shall be absorbed into the boundary
1672 lines of the Lamar County School District, which shall spread a
1673 legal description of the district's new boundaries upon its
1674 minutes. It shall be the responsibility of the board of
1675 supervisors of such county to apportion the school district into



1676 five (5) new single-member board of education election districts,
1677 which shall be consistent with the apportioned population of the
1678 existing Lamar County School District and that portion of the
1679 former Lumberton Public School District situated within Lamar
1680 County as the former district existed on July 1, 2016. The board
1681 of supervisors of the county shall thereafter publish the same in
1682 some newspaper of general circulation in the county for at least
1683 three (3) consecutive weeks and after having given notice of
1684 publication and recording the same upon the minutes of the school
1685 boards of each appropriate school district in the county, the new
1686 district lines will thereafter be effective; and

1687 (c) The territory embraced by Lumberton, Mississippi,
1688 located within the bounded territory of Pearl River County, from
1689 which the school district to be abolished by agreement draws a
1690 portion of its student population, shall be absorbed into the
1691 boundary lines of the Poplarville Separate School District as
1692 added territory, which shall spread a legal description of the
1693 district's new boundaries with added territory upon its minutes.
1694 It shall be the responsibility of the municipal governing
1695 authority having jurisdiction over the territory wherein the
1696 Poplarville Separate School District is located to provide
1697 residents of the added territory with representation on the school
1698 board as authorized under the provisions of Section 37-7-203(1),
1699 which shall be consistent with the apportioned population of the
1700 existing Poplarville Separate School District and the percentage



1701 of the student population from that portion of the former
1702 Lumberton Public School District situated in Pearl River County
1703 within the added territory of the Poplarville Separate School
1704 District as the former district existed on July 1, 2016. The
1705 municipal governing authority shall thereafter publish the same in
1706 some newspaper of general circulation in the county for at least
1707 three (3) consecutive weeks and after having given notice of
1708 publication and recording the same upon the minutes of the school
1709 boards of each appropriate school district in the county, the new
1710 member districts will thereafter be effective; and

1711 (2) (a) There is hereby created and established an advisory
1712 council to be known as the Commission on the Administrative
1713 Consolidation of the Lumberton Public School District. The
1714 commission shall be composed of eleven (11) members as follows:

1715 (i) The State Superintendent of Education, or his
1716 designee, who shall serve as Chairman of the Commission;

1717 (ii) The Superintendent of the Lumberton Public
1718 School District;

1719 (iii) The Superintendent of Education of the Lamar
1720 County School District;

1721 (iv) The Superintendent of the Poplarville
1722 Separate School District;

1723 (v) Two (2) members of the Lamar County Board of
1724 Education to be appointed by the Lamar County Board of Education;



1725 (vi) One (1) member of the Board of Trustees of
1726 the Poplarville Separate School District to be appointed by the
1727 Board of Trustees of the Poplarville Separate School District;

1728 (vii) One (1) member of the Board of Trustees of
1729 the Lumberton Public School District to be appointed by the Board
1730 of Trustees of the Lumberton Public School District;

1731 (viii) One (1) resident of the area which
1732 comprises the Lumberton Public School District to be appointed by
1733 the State Superintendent of Public Education;

1734 (ix) One (1) resident of the area which comprises
1735 the Lamar County School District to be appointed by the Lamar
1736 County Board of Supervisors; and

1737 (x) One (1) resident of the area which comprises
1738 the Poplarville Separate School District to be appointed by the
1739 Pearl River Board of Supervisors.

1740 (b) The Commission on the Administrative Consolidation
1741 of the Lumberton Public School District shall meet within thirty
1742 (30) days of July 1, 2016, upon the call of the State
1743 Superintendent of Education and shall hold hearings and meet as
1744 necessary and develop a report to the Legislature, the Governor
1745 and the State Board of Education on or before December 1, 2017,
1746 with the agreed-upon plan for proceeding with the abolition and
1747 dissolving of the Lumberton Public School District, which shall
1748 include a reasonable effort to maintain and operate a school in
1749 the former Lumberton Public School District by which students



1750 desiring may, in the discretion of the parents of such students,
1751 attend.

1752 (c) The plan may provide an option for students
1753 enrolled in the schools of the Lumberton Public School District on
1754 May 1, 2017, and children registered for kindergarten on that date
1755 with the Lumberton Public School District may be granted an
1756 automatic transfer by the Lamar County Board of Education or the
1757 Poplarville School Board, as determined by the agreed-upon plan.

1758 (3) Nothing in this section shall be construed to require
1759 the closing or maintenance of any school or school facility,
1760 unless the facility is an unneeded administrative office located
1761 within a school district which has been abolished under the
1762 provisions of this section.

1763 **SECTION 18.** Section 37-7-104.6, Mississippi Code of 1972, is
1764 brought forward as follows:

1765 37-7-104.6. (1) In Leflore County, Mississippi, in which
1766 are located, as of January 1, 2016, two (2) school districts,
1767 there shall be an administrative consolidation of those school
1768 districts in the county into one (1) new countywide school
1769 district to be designated as Greenwood-Leflore School District
1770 which shall consist of the territory of the former Leflore County
1771 School District and the Greenwood Municipal Separate School
1772 District, effective on July 1, 2019. At such time that the
1773 administrative consolidation becomes effective, the central
1774 administrative office of the Greenwood-Leflore School District



1775 shall be current Greenwood Public School District Central Office,
1776 located in Greenwood, Mississippi.

1777 (2) As soon as practicable, a financial advisor and/or other
1778 facilitator with school district experience may be assigned by the
1779 Mississippi Department of Education to oversee the budgeting and
1780 financial matters relating to the consolidation of the districts
1781 slated for consolidation. The financial advisor and/or
1782 facilitator may, at the discretion of the Mississippi Department
1783 of Education, continue duties for one (1) year after the
1784 consolidation to ensure that all financial matters are in place.
1785 All financial expenditures of districts that are closing must be
1786 approved by the financial advisor and/or facilitator. If the
1787 superintendent and/or school board approves expenditures outside
1788 of this approval, they shall be personally liable for the excess
1789 expenditures. The State Board of Education shall determine the
1790 compensation to be paid to the financial advisor and/or
1791 facilitator which shall be paid by the local school district to
1792 which the financial advisor and/or facilitator is assigned.

1793 (3) (a) On July 1, 2018, the State Board of Education shall
1794 serve the local school boards of the Leflore County School
1795 District and the Greenwood Municipal Separate School District with
1796 notice and instructions regarding the timetable for action to be
1797 taken to comply with the administrative consolidation required in
1798 this section. The State Board of Education shall require the
1799 administrative consolidation of Leflore County School District and



1800 the Greenwood Municipal Separate School District on or before July
1801 1, 2019. In the new Greenwood-Leflore School District, there
1802 shall be a new phased-in County Board of Education comprised of
1803 five (5) members elected to staggered terms of office from single
1804 member supervisors districts in the manner prescribed in this
1805 subsection. Current members of the Board of Trustees of the
1806 Greenwood Public School District serving on November 1, 2017,
1807 shall continue in office as the new County Board of Education of
1808 the Greenwood-Leflore School District until their successors are
1809 elected as follows:

1810 (i) The two (2) appointed board members of the
1811 Greenwood Public School District whose terms are nearest to
1812 expiration shall expire on January 1, 2019, and thereafter become
1813 permanently elected positions to be filled by persons elected as
1814 board members from Supervisors Districts 2 and 3 in a November
1815 2018 election held for that purpose, in the manner prescribed in
1816 Section 37-7-203, and the newly elected members will take office
1817 on January 1, 2019, for a term of four (4) years;

1818 (ii) The final two (2) appointed board members of
1819 the Greenwood Public School District whose terms are the farthest
1820 removed from expiration shall expire on January 1, 2020, and
1821 thereafter become permanently elected positions to be filled by
1822 persons elected as board members from Supervisors Districts 4 and
1823 5 in a November 2019 election held for that purpose, in the manner



1824 prescribed in Section 37-7-203, and the newly elected members will
1825 take office on January 1, 2020, for a term of four (4) years; and
1826 (iii) One (1) appointed board member of the
1827 Greenwood Public School District whose term is next nearest to
1828 expiration shall expire on January 1, 2021, and thereafter become
1829 a permanently elected position to be filled by a person elected as
1830 a board member from Supervisors District 1 in a November 2020
1831 election held for that purpose, in the manner prescribed in
1832 Section 37-7-203, and the newly elected members will take office
1833 on January 1, 2021, for a term of four (4) years.

1834 (b) All subsequent members shall be elected for a term
1835 of four (4) years at the regular general election held on the
1836 first Monday in November next preceding the expiration of the term
1837 of office of the respective members, and shall take office on
1838 January 1 next succeeding the election.

1839 (c) No previous school board member of the former
1840 school district that was placed under conservatorship residing in
1841 the proper territory shall be eligible for selection to the new
1842 Board of Education for the Greenwood-Leflore Consolidated School
1843 District.

1844 (d) The State Board of Education shall declare that the
1845 territory embraced by Leflore County, Mississippi, shall be the
1846 boundary lines for the territory of the new Greenwood-Leflore
1847 School District and shall spread a legal description of the new
1848 school district on the minutes of its August 2018 meeting and



shall serve the applicable school boards and the board of supervisors with an adequate legal description of these new boundaries. Any school board member of the former school districts residing in the proper supervisors district shall be eligible for election to the new Board of Education for the Greenwood-Leflore School District unless such person was serving as a member of the board when either district subject to consolidation under this section was placed under conservatorship, which shall render the board member ineligible for election.

(e) Any school district affected by the required administrative consolidation in the county that does not voluntarily consolidate as ordered by the State Board of Education shall be administratively consolidated by the State Board of Education, to be effective immediately upon action of the State Board of Education. The State Board of Education shall promptly move on its own motion to administratively consolidate a school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into the Greenwood-Leflore School District by July 1, 2019, following the motion to consolidate. The affected school districts shall comply with any consolidation order issued by the State Board of Education.

(4) The successor Greenwood-Leflore Board of Education shall appoint a new Superintendent of Schools for the Greenwood-Leflore School District to be selected no later than July 1, 2019, in the



1874 manner provided in Section 37-9-13. The position of
1875 Greenwood-Leflore Superintendent of Schools shall be an appointive
1876 position. The successor Greenwood-Leflore Board of Education
1877 shall also employ central office staff for the Greenwood-Leflore
1878 School District no later than July 1, 2019.

1879 (5) (a) On January 1, 2020, following the motion of the
1880 State Board of Education to consolidate school districts in
1881 Leflore County and the Greenwood Municipal Separate School
1882 Districts, the Leflore County and the Greenwood Municipal Separate
1883 School Districts and the former school boards of those districts
1884 shall be abolished. All real and personal property which is owned
1885 or titled in the name of the school district located in such
1886 former school districts shall be transferred to the new
1887 Greenwood-Leflore Consolidated School District.

1888 (b) The new board of trustees of the Greenwood-Leflore
1889 Consolidated School District shall be responsible for establishing
1890 the contracts for teachers, principals, clerical and
1891 administrative staff personnel for the 2019-2020 school year and
1892 each school year thereafter.

1893 (c) The new board of trustees for the Greenwood-Leflore
1894 Consolidated School District shall appoint the superintendent of
1895 schools for the school district. The superintendent of schools
1896 for the Greenwood-Leflore Consolidated School District may appoint
1897 three (3) assistant superintendents of schools for the district,
1898 but in no instance shall the administrative leadership of the



1899 Greenwood-Leflore Consolidated School District have more than
1900 three (3) assistant superintendents of education. The subsequent
1901 superintendent of schools of the consolidated school district
1902 shall not be elected, but shall thereafter be appointed by the
1903 successor board of trustees in the manner provided in Section
1904 37-9-25. It shall be the responsibility of the successor board of
1905 trustees to prepare and approve the budget of the new consolidated
1906 district, and the successor board of trustees may use staff from
1907 the former school districts to prepare the budget. Any proposed
1908 order of the State Board of Education directing the transfer of
1909 the assets, real or personal property of an affected school
1910 district in the county, shall be final and conclusive for the
1911 purposes of the transfer of property required by such
1912 administrative consolidation.

1913 (d) Any person or school district aggrieved by an order
1914 of the successor newly selected board of trustees of the
1915 Greenwood-Leflore Consolidated School District pursuant to the
1916 required administrative consolidation may appeal therefrom within
1917 ten (10) days from the date of the adjournment of the meeting at
1918 which such order is entered. The appeal shall be taken in the
1919 same manner as appeals are taken from judgments or decisions of
1920 the board of supervisors as provided in Section 11-51-75, the
1921 provisions of which shall be fully applicable to appeals taken
1922 hereunder. The board of trustees of the Greenwood-Leflore
1923 Consolidated School District shall not pass upon or approve or



1924 disapprove any such order until the time for an appeal therefrom
1925 has expired, nor shall the board pass upon or approve or
1926 disapprove any such order from which an appeal is taken until said
1927 appeal has been finally determined.

1928 (6) Nothing in this section shall be construed to require
1929 the closing of any school or school facility, unless the facility
1930 is an unneeded administrative office located within a school
1931 district which has been abolished under the provisions of this
1932 section. All administrative consolidations under this section
1933 shall be accomplished so as not to delay or in any manner
1934 negatively affect the desegregation of another school district in
1935 the county pursuant to court order.

1936 (7) The State Board of Education shall promulgate rules and
1937 regulations to facilitate the administrative consolidation of the
1938 school districts in Leflore County pursuant to this section. The
1939 consolidated districts shall make an election within one (1) year
1940 of consolidation concerning the group term life insurance
1941 described in subsection (6) of Section 25-15-9.

1942 (8) The County Board of Education and the Superintendent of
1943 Education of the former Leflore County School District and the
1944 local school board and Superintendent of Schools of the
1945 Greenwood-Leflore Public School District shall cooperate with the
1946 State Department of Education, as soon as practicable after July
1947 1, 2016, for the planning and transition of programs, services and



1948 alignment of curriculum for the administratively consolidated
1949 school districts.

1950 **SECTION 19.** Section 37-7-104.7, Mississippi Code of 1972, is
1951 brought forward as follows:

1952 37-7-104.7. (1) In Holmes County, Mississippi, in which are
1953 located, as of January 1, 2016, two (2) school districts, there
1954 shall be an administrative consolidation of all of those school
1955 districts in the county into one (1) new countywide school
1956 district to be designated as Holmes County Consolidated School
1957 District which shall consist of the territory of the former Holmes
1958 County School District and the Durant Public School District,
1959 effective on July 1, 2018. At such time that the administrative
1960 consolidation becomes effective, the central administrative office
1961 of the Holmes County Consolidated School District shall be located
1962 in Lexington, Mississippi.

1963 (2) Within two (2) years prior to the date of consolidation,
1964 or as soon as practicable after July 1, 2016, a financial advisor
1965 and/or other facilitator with school district experience may be
1966 assigned by the Mississippi Department of Education to oversee the
1967 budgeting and financial matters relating to the consolidation of
1968 the districts slated for consolidation. The financial advisor
1969 and/or facilitator may, at the discretion of the Mississippi
1970 Department of Education, continue duties for one (1) year after
1971 the consolidation to ensure that all financial matters are in
1972 place. All financial expenditures of districts that are closing



1973 must be approved by the financial advisor and/or facilitator. If
1974 the superintendent and/or school board approves expenditures
1975 outside of this approval, they shall be personally liable for the
1976 excess expenditures. The State Board of Education shall determine
1977 the compensation to be paid to the financial advisor and/or
1978 facilitator which shall be paid by the local school district to
1979 which the financial advisor and/or facilitator is assigned.

1980 (3) (a) On or before July 1, 2017, the State Board of
1981 Education shall serve the local school boards of the Holmes County
1982 School District and the Durant Public School District with notice
1983 and instructions regarding the timetable for action to be taken to
1984 comply with the administrative consolidation required in this
1985 section. The State Board of Education shall provide for the
1986 administrative consolidation of Holmes County School District and
1987 the Durant Public School District on or before July 1, 2018. In
1988 the new Holmes County Consolidated School District, there shall be
1989 a new county board of education elected in a November 2017 special
1990 election, which shall be called by the Governor for that purpose.
1991 The new county board of education shall be elected and the terms
1992 of office established as provided in Section 37-5-7(3). The State
1993 Board of Education shall declare that the territory embraced by
1994 Holmes County, Mississippi, shall be the boundary lines for the
1995 territory of the new Holmes County Consolidated School District
1996 and shall spread a legal description of the new school district on
1997 the minutes of its August 2017 meeting and shall serve the



1998 applicable school boards and the board of supervisors with an
1999 adequate legal description of these new boundaries. It shall be
2000 the responsibility of the board of supervisors of such county to
2001 apportion the newly consolidated school district into five (5) new
2002 single member board of education election districts, which shall
2003 be consistent with the supervisors district lines in the county.
2004 The board of supervisors of the county shall thereafter publish
2005 the same in some newspaper of general circulation in the county
2006 for at least three (3) consecutive weeks and after having given
2007 notice of publication and recording the same upon the minutes of
2008 the school boards of each appropriate school district in the
2009 county, the new district lines will thereafter be effective for
2010 the November 2017 special election.

2011 (b) Any school district affected by the required
2012 administrative consolidation in Holmes County that does not
2013 voluntarily consolidate as ordered by the State Board of Education
2014 shall be administratively consolidated by the State Board of
2015 Education, to be effective on July 1 following the November 2017
2016 special election of the new school board members. The State Board
2017 of Education shall promptly move on its own motion to
2018 administratively consolidate a school district which does not
2019 voluntarily consolidate in order to enable the affected school
2020 districts to reasonably accomplish the resulting administrative
2021 consolidation into the Holmes County Consolidated School District
2022 by July 1, 2018, following the election of the new board of



trustees. The affected school districts shall comply with any consolidation order issued by the State Board of Education on or before July 1 following the election of the new board of trustees.

(4) (a) On July 1, 2018, following the election of the new board of trustees of the Holmes County Consolidated School District, the former county board of education for Holmes County and the former board of trustees of the Durant Public School Districts shall be abolished. All real and personal property which is owned or titled in the name of the school district located in such former school districts shall be transferred to the new Holmes County Consolidated School District.

(b) The new board of trustees of the Holmes County Consolidated School District shall be responsible for establishing the contracts for teachers, principals, clerical and administrative staff personnel for the 2018-2019 school year and each school year thereafter.

(c) The new board of trustees for the Holmes County Consolidated School District shall appoint the superintendent of schools for the school district. The superintendent of schools for the Holmes County Consolidated School District may appoint an assistant superintendent of schools for the district, but in no instance shall the administrative leadership of the Holmes County Consolidated School District have more than one (1) assistant superintendent of education. The subsequent superintendent of schools of the consolidated school district shall not be elected,



but shall thereafter be appointed by the successor board of trustees in the manner provided in Section 37-9-25. It shall be the responsibility of the successor board of trustees to prepare and approve the budget of the new consolidated district, and the successor board of trustees may use staff from the former school districts to prepare the budget. Any proposed order of the State Board of Education directing the transfer of the assets, real or personal property of an affected school district in the county, shall be final and conclusive for the purposes of the transfer of property required by such administrative consolidation.

(d) Any person or school district aggrieved by an order of the successor newly selected board of trustees of the Holmes County Consolidated School District pursuant to the required administrative consolidation may appeal therefrom within ten (10) days from the date of the adjournment of the meeting at which such order is entered. The appeal shall be taken in the same manner as appeals are taken from judgments or decisions of the board of supervisors as provided in Section 11-51-75, the provisions of which shall be fully applicable to appeals taken hereunder. The board of trustees of the Holmes County Consolidated School District shall not pass upon or approve or disapprove any such order until the time for an appeal therefrom has expired, nor shall the board pass upon or approve or disapprove any such order from which an appeal is taken until said appeal has been finally determined.



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

(6) The State Board of Education shall promulgate rules and regulations to facilitate the administrative consolidation of the school districts in Holmes County pursuant to this section. The consolidated districts shall make an election within one (1) year of consolidation concerning the group term life insurance described in subsection (6) of Section 25-15-9.

(7) The County Board of Education and the Superintendent of Education of the former Holmes County School District and the local school board and Superintendent of Schools of the Durant Public School District shall cooperate with the State Department of Education, as soon as practicable after July 1, 2016, for the planning and transition of programs, services and alignment of curriculum for the administratively consolidated school districts.

SECTION 20. Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215, 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229, Mississippi Code of 1972, which provide certain methods for electing trustees of certain municipal and special municipal



2098 separate school districts and consolidated and line consolidated
2099 school districts, are repealed.

2100 **SECTION 21.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,
2101 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which
2102 provide certain additional methods for selecting trustees of
2103 special municipal separate school districts, are repealed.

2104 **SECTION 22.** This act shall take effect and be in force from
2105 and after its passage.

