

By: Representative Ladner

To: Education

HOUSE BILL NO. 976

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 STATEWIDE GENERAL ELECTION, BEGINNING IN NOVEMBER
4 2019; TO PROVIDE THAT THE TERMS OF OFFICE OF ALL SCHOOL BOARD
5 MEMBERS SHALL BE FOUR YEARS; TO PROVIDE FOR NOMINATING PETITIONS
6 TO RUN FOR THE OFFICE OF SCHOOL BOARD MEMBER AND TO REQUIRE A
7 UNIFORM NUMBER OF SIGNATURES ON PETITIONS OF NOMINATION; TO
8 ESTABLISH THE PROCEDURE FOR FILLING VACANCIES ON THE SCHOOL BOARD;
9 TO AMEND SECTION 37-5-1, MISSISSIPPI CODE OF 1972, TO REQUIRE
10 SCHOOL BOARD MEMBER DISTRICTS IN COUNTY SCHOOL DISTRICTS TO BE
11 COTERMINOUS WITH THE SUPERVISORS DISTRICTS OF THE COUNTY; TO AMEND
12 SECTIONS 37-5-3, 37-5-7, 37-5-9, 37-5-19, 37-7-203, 37-7-207,
13 37-7-221 AND 37-7-703, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO
14 THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 37-5-18, MISSISSIPPI
15 CODE OF 1972, WHICH REQUIRES THE ELECTION OF THE COUNTY BOARD OF
16 EDUCATION MEMBERS FROM TERRITORY OUTSIDE THE FOUR MUNICIPAL
17 SEPARATE SCHOOL DISTRICTS IN A CERTAIN COUNTY; TO REPEAL SECTIONS
18 37-7-204, 37-7-209, 37-7-211, 37-7-215, 37-7-217, 37-7-219,
19 37-7-223, 37-7-225, 37-7-227 AND 37-7-229, MISSISSIPPI CODE OF
20 1972, WHICH PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES OF
21 MUNICIPAL AND SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS AND
22 CONSOLIDATED AND LINE CONSOLIDATED SCHOOL DISTRICTS; TO REPEAL
23 SECTIONS 37-7-705, 37-7-707, 37-7-709, 37-7-711, 37-7-713,
24 37-7-715 AND 37-7-717, MISSISSIPPI CODE OF 1972, WHICH PROVIDE
25 ADDITIONAL METHODS FOR SELECTING TRUSTEES OF SPECIAL MUNICIPAL
26 SEPARATE SCHOOL DISTRICTS; TO BRING FORWARD SECTION 37-7-104,
27 MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CONSOLIDATION OF
28 CERTAIN COUNTY SCHOOL DISTRICTS UNDER CONSERVATORSHIP, FOR
29 PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS
30 37-7-104.1, 37-7-104.2, 37-7-104.3, 37-7-104.4, 37-7-104.5,
31 37-7-104.6, 37-7-104.7 AND 37-7-104.8, MISSISSIPPI CODE OF 1972,
32 WHICH REQUIRE THE ADMINISTRATIVE CONSOLIDATION OF SCHOOL DISTRICTS
33 IN CERTAIN COUNTIES, FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR
34 RELATED PURPOSES.



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

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

38 37-6-17. (1) For purposes of this section, the term "school
39 board member" means each member of a school board, as defined
40 under Section 37-6-3.

41 (2) On the first Tuesday after the first Monday in November
42 2019, and every four (4) years thereafter and concurrently with
43 the statewide general election, there shall be an election for all
44 local school board members in the manner provided under this
45 section. Except as otherwise provided in this section, the laws
46 regulating the time and manner of conducting general elections
47 apply to and govern elections of school board members.

48 (3) All school board members elected pursuant to this
49 section shall serve a term of four (4) years. However, in order
50 to provide for an orderly transition, each incumbent school board
51 member holding office on the effective date of this act shall
52 continue holding office until the first Monday of January in 2020.
53 Any incumbent school board member may qualify to run for office
54 under this section.

55 (4) In order for a person to be eligible to hold the office
56 of school board member, the person must be a bona fide resident
57 and a qualified elector of the territory that the person seeks to
58 represent on the school board. In the case of a school district
59 lying in two (2) or more counties, such person must be a resident



60 and a qualified elector of the territory entitled to such
61 representation on the board as provided in Section 37-7-201.

62 (5) The name of any qualified elector who is a candidate for
63 the school board must be placed on the ballot used in the general
64 election by the county election commissioners, provided that the
65 candidate files with the county election commissioners, not more
66 than ninety (90) days and not less than sixty (60) days before the
67 date of the general election, a petition of nomination signed by
68 not less than fifty (50) qualified electors of the county residing
69 within the appropriate school board district, as provided in
70 Section 37-5-9, as the case may be. Where there are less than one
71 hundred (100) qualified electors in the area represented by the
72 school board member, it is only required that the petition of
73 nomination be signed by at least twenty percent (20%) of the
74 qualified electors in the area. The petition must contain an
75 affidavit certifying that all signatures are the personal
76 signatures of each person whose name appears on the petition and
77 that each person is a qualified elector. The candidate who
78 receives a majority of the votes cast in the election must be
79 declared elected. If no candidate receives a majority of the
80 votes cast in the district, then the two (2) candidates who
81 receive the highest number of votes cast in the district shall
82 have their names submitted as candidates in a runoff election
83 three (3) weeks after the date of the general election, and the
84 candidate who receives a majority of the votes cast in the



85 district in the runoff election must be declared elected. If,
86 after the time for candidates to file the petition and affidavit
87 required under this subsection, there is only one (1) person who
88 has qualified for the office of school board member, then no
89 election or notice of election is necessary and that person, if
90 otherwise qualified, must be declared elected without opposition.

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

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

100 (8) A vacancy in the membership of the school board must be
101 filled by appointment within sixty (60) days after the vacancy
102 occurs by the remaining members of the school board. The
103 appointee must be selected from the qualified electors of the
104 school board member district in which the vacancy occurs. The
105 appointee shall serve until the first Monday of January next
106 succeeding the next state or presidential general election, at
107 which general election a member must be elected to fill the
108 remainder of the unexpired term in the same manner and with the
109 same qualifications applicable to the election of a member for the



110 full term as provided in this section. If a school district is
111 under conservatorship and no members of the applicable school
112 board remain in office, the Governor shall call a special election
113 to fill the vacancies, and the election will be conducted by the
114 county or municipal election commission, as the case may be. If
115 the vacancy occurs more than five (5) months before the next
116 general state or presidential election and the remaining members
117 of the school board are unable to agree upon an individual to be
118 appointed, any two (2) of the remaining members may certify the
119 disagreement to the county or municipal election commission, as
120 the case may be. Upon the receipt of such a certificate by the
121 county or municipal election commission, or any member thereof,
122 the commission shall hold a special election to fill the vacancy,
123 which election, notice thereof and ballot must be controlled by
124 the laws concerning special elections to fill vacancies in county
125 or municipal offices. The person elected at the special election
126 shall serve for the remainder of the unexpired term.

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

129 37-5-1. (1) There is * * * established a county board of
130 education in each county of the State of Mississippi. * * * The
131 county board of education shall consist of five (5) members, one
132 (1) of * * * whom shall be elected by the qualified electors of
133 each board of education district of the county at the time and in
134 the manner provided in Section 37-6-17. * * *



135 (2) The county board of education shall apportion the county
136 school district into five (5) single member board of education
137 districts, the boundaries of which must be coterminous with the
138 boundaries of the supervisors districts of the county. The county
139 board of education shall place upon its minutes the
140 boundaries * * * for the * * * five (5) board of education
141 districts. * * *

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

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

147 37-5-3. No person who is a resident of the territory
148 embraced within a municipal separate school district or a special
149 municipal separate school district shall be eligible to be a
150 member of the county board of education. Qualified electors
151 residing within a municipal separate school district or special
152 municipal separate school district shall not be eligible to vote
153 or participate in the election of members of the county board of
154 education provided under Section 37-6-17.

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



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

162 37-5-7. * * *

163 (* * *1) Except as otherwise provided, on the first Tuesday
164 after the first Monday in November * * * 2019, and every four (4)
165 years thereafter, an election shall be held in each * * * county
166 in this state for the purpose of electing the county boards of
167 education in such counties as provided in Section 37-6-17. * * *

168 (2) Except as otherwise provided in Section 37-6-17, all
169 members of the county board of education shall be elected for a
170 term of four (4) years and shall take office on the first Monday
171 of January following the date of their election.

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

177 (i) The two (2) appointed board members of the
178 Greenwood Public School District whose terms are nearest to
179 expiration shall expire on January 1, 2019, and thereafter become
180 permanently elected positions to be filled by persons elected as
181 board members from Supervisors Districts 2 and 3 in a November
182 2018 election held for that purpose, in the manner prescribed in
183 Section 37-7-203, and the newly elected members will take office
184 on January 1, 2019, for a term of four (4) years;



185 (ii) The final two (2) appointed board members of
186 the Greenwood Public School District whose terms are the farthest
187 removed from expiration shall expire on January 1, 2020, and
188 thereafter become permanently elected positions to be filled by
189 persons elected as board members from Supervisors Districts 4 and
190 5 in a November 2019 election held for that purpose, in the manner
191 prescribed in Section 37-7-203, and the newly elected members will
192 take office on January 1, 2020, for a term of four (4) years; and

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

201 (b) All subsequent members shall be elected for a term
202 of four (4) years at the regular general election held on the
203 first Monday in November next preceding the expiration of the term
204 of office of the respective members, and shall take office on
205 January 1 next succeeding the election.

206 (4) On the first Tuesday after the first Monday in November
207 2017, an election shall be held in Holmes County for the purpose
208 of electing the county board of education in the new Holmes County
209 Consolidated School District. At the election, the members of the



210 said county board of education shall be elected from single member
211 board of education districts, which shall be consistent with the
212 supervisors district lines in the county, and shall be elected for
213 an initial term of six (6) years. Subsequent elections for the
214 Holmes County Board of Education shall be held on the first
215 Tuesday after the first Monday in November 2023 and every four (4)
216 years thereafter at the same time and manner as other general
217 elections are held, and the member shall be elected for a term of
218 four (4) years. All members of the county board of education in
219 the new Holmes County Consolidated School District shall take
220 office on the first Monday of January following the date of their
221 election.

222 (5) On the first Tuesday after the first Monday in November
223 2023, an election shall be held in Chickasaw County for the
224 purpose of electing the county board of education in the new
225 Chickasaw County School District. The board of supervisors shall
226 declare and designate posts for each member of the new board. At
227 said election, the members of the said county board of education
228 from Posts One and Two shall be elected for a term of four (4)
229 years, the members from Posts Three and Four shall be elected for
230 a term of three (3) years and the member from Post Five shall be
231 elected for a term of two (2) years. Thereafter, members shall be
232 elected at general elections as vacancies occur for terms of four
233 (4) years each. All members of the county board of education in



234 the new Chickasaw County School District shall take office on the
235 first Monday of January following the date of their election.

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

238 37-5-9. As specifically provided in Section 37-6-17, the
239 name of any qualified elector who is a candidate for the county
240 board of education shall be placed on the ballot used in the
241 general elections by the county election commissioners * * *.

242 * * *

243 In no case shall any qualified elector residing within a
244 municipal separate school district or special municipal separate
245 school district be eligible to sign a petition of nomination for
246 any candidate for the county board of education * * *.

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

249 37-5-19. Vacancies in the membership of the county board of
250 education shall be filled * * * in the manner provided in Section
251 37-6-17(8).

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

254 37-7-203. (1) * * * The boards of trustees of all municipal
255 separate school districts and special municipal separate school
256 districts created under this chapter, either with or without added
257 territory, shall consist of five (5) members * * *. On the first
258 Tuesday after the first Monday in November 2019, and every four



259 (4) years thereafter, an election shall be held pursuant to
260 Section 37-6-17 for the purpose of electing the members of the
261 board of trustees of the municipal separate school districts and
262 special municipal separate school districts established under the
263 provisions of this chapter. The five (5) members of the board of
264 trustees of such school district shall be elected from special
265 trustee election districts by the qualified electors thereof. The
266 board of trustees of such school district shall apportion the
267 municipal separate school district, including added territory,
268 into five (5) special trustee election districts as nearly equal
269 as possible according to population, incumbency and other factors
270 heretofore pronounced by the courts. The board of trustees shall
271 place upon its minutes the boundaries determined for the new five
272 (5) special trustee election districts. The board of trustees
273 shall thereafter publish the same in a newspaper of general
274 circulation within the school district for at least three (3)
275 consecutive weeks; and after having given notice of publication
276 and recording the same upon the minutes of the board of trustees,
277 the new district lines shall be effective. All incumbent trustees
278 holding office at the time of the creation of the trustee election
279 districts shall continue holding their respective offices,
280 provided they reside within the new district, for the remainder of
281 the term of office to which they have heretofore been selected,
282 and their successors shall be elected from the new trustee



283 election districts constituted in the manner provided for in this
284 section.

285 * * *

286 (2) * * * Vacancies in the membership of the board of
287 trustees of any municipal separate school district or special
288 municipal separate school district shall be filled in the manner
289 provided in Section 37-6-17(8).

290 * * *

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

293 37-7-207. (1) All school districts reconstituted or created
294 under the provisions of Article 1 of this chapter, and which lie
295 wholly within one (1) county, but not including municipal separate
296 and countywide districts, shall be governed by a board of five (5)
297 trustees. * * * Beginning with the election on the first Tuesday
298 after the first Monday in November 2019, and every four (4) years
299 thereafter, the trustees of such school districts shall be elected
300 at the same time and in the same manner provided in Section
301 37-6-17 for terms of four (4) years. The five (5) members of the
302 board of trustees of such consolidated school district shall be
303 elected from special trustee election districts by the qualified
304 electors thereof * * *. The board of trustees of any such
305 consolidated school district shall apportion the consolidated
306 school district into five (5) special trustee election districts.
307 The board of trustees of such school district shall place upon its



308 minutes the boundaries determined for the new five (5) trustee
309 election districts. The board of trustees shall thereafter
310 publish the same in a newspaper of general circulation
311 within * * * the school district for at least three (3)
312 consecutive weeks; and after having given notice of publication
313 and recording the same upon the minutes of the board of
314 trustees, * * * the new district lines shall thereafter be
315 effective.

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

320 (2) All school districts reconstituted and created under the
321 provisions of Article 1 of this chapter, which embrace territory
322 in two (2) or more counties, but not including municipal separate
323 school districts, shall be governed by a board of five (5)
324 trustees. * * * Beginning with the election on the first Tuesday
325 after the first Monday in November 2019, and every four (4) years
326 thereafter, the members of such line consolidated school district
327 board of trustees shall be elected at the same time and in the
328 same manner provided in Section 37-6-17 for terms of four (4)
329 years. The five (5) members of the board of trustees of such line
330 consolidated school district shall be elected from special trustee
331 election districts by the qualified electors thereof * * *. The
332 existing board of trustees of such line consolidated school



333 district shall apportion the line consolidated school district
334 into five (5) special trustee election districts. The board of
335 trustees shall place upon its minutes the boundaries determined
336 for the new five (5) trustee election districts. The board of
337 trustees shall thereafter publish the same in a newspaper of
338 general circulation within * * * the school district for at least
339 three (3) consecutive weeks; and after having given notice of
340 publication and recording the same upon the minutes of the board
341 of trustees, * * * the new district lines shall thereafter be
342 effective. * * * However, * * * in any line consolidated school
343 district encompassing two (2) or more counties created pursuant to
344 Laws, 1953, Extraordinary Session, Chapter 12, Section 8, in
345 which, as a condition precedent to the creation of * * * the
346 district, each county belonging thereto was contractually
347 guaranteed to always have at least one (1) representative on * * *
348 the board, in order that * * * the condition precedent may be
349 honored and guaranteed, in any year in which the board of trustees
350 of such line consolidated school district does not have at least
351 one (1) member from each county or part thereof forming such
352 district, the board of trustees in such district shall be governed
353 by a board of a sufficient number of trustees to fulfill this
354 guarantee, five (5) of whom shall be elected from the five (5)
355 special trustee election districts which shall be as nearly equal
356 as possible and one (1) member trustee * * * elected at large from
357 each county not having representation on the elected board in the



358 same manner and at the same time as provided for the election of
359 school board members under Section 37-6-17. In such cases, the
360 board of supervisors of each county shall make written agreement
361 to guarantee the * * * election of at least one (1) representative
362 from each county in the district, placing such written agreement
363 on the minutes of each board of supervisors in each county.

364 * * * All members of the * * * board of trustees shall take
365 office on the first Monday of January following the date of their
366 election. In all elections, the trustee elected shall be a
367 resident and qualified elector of the district entitled to the
368 representation upon the board, and he shall be elected only by the
369 qualified electors of such district in the manner provided in
370 Section 37-6-17. All vacancies which may occur during a term of
371 office shall be filled * * * in the manner provided in Section
372 37-16-7(8).

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

375 37-7-221. The election of consolidated or consolidated line
376 school district trustees shall be held in the manner provided for
377 in * * * Section 37-6-17.

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

380 37-7-703. In all such special municipal separate school
381 districts which embrace the entire county * * *, the board of
382 trustees of such special municipal separate school district shall



383 be * * * elected in the manner provided by * * * Section 37-6-17,
384 and all of the provisions thereof shall be fully applicable in all
385 respects to the selection and constitution of such board of
386 trustees. The board of trustees of each special municipal
387 separate school district shall apportion the school district into
388 five (5) single member trustee election districts, the boundaries
389 of which must be coterminous with the boundaries of the
390 supervisors districts of the county embraced by that school
391 district.

392 **SECTION 11.** Section 37-5-18, Mississippi code of 1972, which
393 requires the election of the members of the county board of
394 education in certain counties having four (4) municipal separate
395 school districts from board of education districts embracing
396 territory only outside the municipal separate school districts, is
397 repealed.

398 **SECTION 12.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,
399 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229,
400 Mississippi Code of 1972, which provide certain methods for
401 electing trustees of certain municipal and special municipal
402 separate school districts and consolidated and line consolidated
403 school districts, are repealed.

404 **SECTION 13.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,
405 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which
406 provide certain additional methods for selecting trustees of
407 special municipal separate school districts, are repealed.



408 **SECTION 14.** Section 37-7-104, Mississippi Code of 1972, is
409 brought forward as follows:

410 37-7-104. (1) In any Mississippi county in which are
411 located, as of February 8, 2012, three (3) school districts and
412 only three (3) school districts, all of which are under
413 conservatorship as defined by the Mississippi Department of
414 Education as of February 8, 2012, there shall be an administrative
415 consolidation of all of the school districts in the county into
416 one (1) countywide school district with one (1) county board of
417 education. The State Board of Education shall determine the
418 school district(s) applicable to the provisions of this section
419 and spread this finding on the minutes of its August 2012 meeting.
420 On or before September 1, 2012, the State Board of Education shall
421 serve the local school boards applicable to the provisions of this
422 section, or the Mississippi Department of Education Conservator
423 for each of the three (3) school districts, with notice and
424 instruction regarding the action to be taken to comply with this
425 section. In such county, there shall be a new county board of
426 education elected in a November 2013 special election which shall
427 be called for that purpose and the new county board members shall
428 be elected as provided in Section 37-5-7, Mississippi Code of
429 1972. No previous board member shall be eligible to serve on the
430 newly elected board. Provided, however, that it shall be the
431 responsibility of the board of supervisors of such county to
432 apportion the countywide school district into five (5) new single



433 member board of education districts which shall be consistent with
434 the supervisors district lines in said county. The board of
435 supervisors of said county shall thereafter publish the same in
436 some newspaper of general circulation within said county for at
437 least three (3) consecutive weeks and after having given notice of
438 publication and recording the same upon the minutes of the board
439 of supervisors of said county, said new district lines will
440 thereafter be effective for the November 2013 special election.
441 If necessary, the county board of education of said county shall
442 reapportion the board of education districts in accordance with
443 applicable law as soon as practicable after the results of the
444 2020 decennial census are published and as soon as practicable
445 after every decennial census thereafter. The new county board of
446 education, with the written approval of the Mississippi Department
447 of Education Conservator and the State Board of Education, shall
448 provide for the administrative consolidation of all school
449 districts in the county into one (1) countywide school district on
450 or before July 1 next following the November 2013 election. The
451 new county board of education shall serve as the school board for
452 the county. Any school district affected by the required
453 administrative consolidation that does not voluntarily consolidate
454 with the new school district ordered by the county board of
455 education shall be administratively consolidated by the State
456 Board of Education with the countywide school district, to be
457 effective on July 1 following the election of the new county board



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

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



483 The county superintendent of education of said reorganized school
484 district shall not be elected but shall thereafter be appointed by
485 the successor county board of education in the manner provided in
486 Section 37-9-25. The superintendents of the former
487 under-performing school districts located in the county shall not
488 be eligible for appointment as the new superintendent. The
489 selection of the appointed county superintendent of education and
490 the assistant superintendent of education in the central
491 administration office of the successor countywide school district
492 shall be the responsibility of the successor county board of
493 education with the approval of the Mississippi Department of
494 Education Conservator and the State Board of Education. No such
495 administratively consolidated school district shall have more than
496 one (1) assistant superintendent of education. It shall be the
497 responsibility of the successor county board of education, with
498 approval of the Mississippi Department of Education Conservator
499 and the State Board of Education, to prepare and approve the
500 budget of the new reorganized districts, and the county board of
501 education may use staff from the former school districts to
502 prepare the budget. Any proposed order of the successor county
503 board of education directing the transfer of the assets, real or
504 personal property of an affected school district in the county,
505 shall be submitted and approved by the State Board of Education.
506 The finding of the State Board of Education shall be final and
507 conclusive for the purposes of the transfer of property required



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

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

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

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



533 this section. All administrative consolidations under this
534 section shall be accomplished so as not to delay or in any manner
535 negatively affect the desegregation of another school district in
536 the county pursuant to court order.

537 (6) The State Board of Education shall promulgate rules and
538 regulations to facilitate the administrative consolidation of the
539 school districts in a county pursuant to this section. When the
540 orders of the successor county board of education adopting the
541 boundaries of the successor countywide school district have been
542 entered and are final, as approved by the State Board of
543 Education, the new district lines shall be submitted by the State
544 Board of Education with the assistance of the Attorney General to
545 the Attorney General of the United States for preclearance or to
546 the United States District Court for the District of Columbia for
547 a declaratory judgment in accordance with the provisions of the
548 Voting Rights Act of 1965, as amended and extended. In the event
549 the change in the school district lines are precleared or
550 approved, the State Board of Education shall formally declare the
551 new lines as the new boundaries of the consolidated countywide
552 school district.

553 **SECTION 15.** Section 37-7-104.1, Mississippi Code of 1972, is
554 brought forward as follows:

555 37-7-104.1. (1) In Bolivar County, Mississippi, in which
556 are located, as of January 1, 2012, six (6) school districts,
557 there shall be an administrative consolidation of all of the



558 school districts in the county into three (3) school districts as
559 follows:

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

562 (b) One (1) new consolidated school district to be
563 designated as North Bolivar Consolidated School District which
564 shall consist of the territory of the former North Bolivar School
565 District and the Mound Bayou Public School District. The central
566 administrative office of the North Bolivar Consolidated School
567 District shall be located in Mound Bayou, Mississippi; and

568 (c) One (1) new consolidated school district to be
569 designated as West Bolivar Consolidated School District which
570 shall consist of the territory of the former West Bolivar School
571 District, Shaw School District and Benoit School District. The
572 central administrative office of the West Bolivar Consolidated
573 School District shall be located in Rosedale, Mississippi.

574 (2) On or before September 1, 2012, the State Board of
575 Education shall serve the local school boards in Bolivar County
576 with notice and instructions regarding the timetable for action to
577 be taken to comply with the administrative consolidation required
578 in this section. The State Board of Education shall provide for
579 the administrative consolidation of all school districts in the
580 county outside of the territory of Cleveland School District into
581 North Bolivar Consolidated School District and West Bolivar
582 Consolidated School District on or before July 1, 2014. In each



583 new consolidated school district there shall be a new consolidated
584 school district board of trustees elected in a November 2013
585 special election which shall be called by the Governor for that
586 purpose. The new consolidated school district boards of trustees
587 shall be elected and the terms of office established as provided
588 in Section 37-7-207, Mississippi Code of 1972. The State Board of
589 Education shall determine the boundary lines for the territory of
590 the two (2) new school districts and shall spread a legal
591 description of the new school districts on the minutes of its
592 August 2012 meeting and shall serve the applicable school boards
593 and the board of supervisors with an adequate legal description of
594 these new boundaries. It shall be the responsibility of the State
595 Board of Education with the assistance of the Joint Legislative
596 Committee on Performance Evaluation and Expenditure Review (PEER)
597 to apportion the territory of the two (2) new school districts
598 into five (5) new board of trustee election districts for each new
599 school district. The State Board of Education shall thereafter
600 publish the same in some newspaper of general circulation in said
601 county for at least three (3) consecutive weeks and after having
602 given notice of publication and recording the same upon the
603 minutes of the school boards of each school district in the
604 county, said new district lines will thereafter be effective for
605 the November 2013 special election. Any school board member of
606 the former school district residing in the proper election
607 district shall be eligible for election to the new board of



608 trustees for North Bolivar Consolidated School District or West
609 Bolivar Consolidated School District. The local school board of
610 each new school district shall reapportion the school board
611 districts in accordance with the procedure described in Section
612 37-7-207, Mississippi Code of 1972, as is necessary as soon as
613 practicable after the 2020 decennial census are published and as
614 soon as practicable after every decennial census thereafter. Any
615 school district affected by the required administrative
616 consolidation in such county that does not voluntarily consolidate
617 with the two (2) new school districts ordered by the State Board
618 of Education shall be administratively consolidated by the State
619 Board of Education with the appropriate school district in which
620 such district is located, to be effective on July 1 following the
621 election of the new local school boards. The State Board of
622 Education shall promptly move on its own motion to
623 administratively consolidate a school district which does not
624 voluntarily consolidate in order to enable the affected school
625 districts to reasonably accomplish the resulting administrative
626 consolidation into two (2) school districts by July 1 following
627 the election of the new school boards. All affected school
628 districts shall comply with any consolidation order issued by the
629 State Board of Education on or before July 1 following the
630 election of the new school boards.

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



633 board of education and the former board of trustees of North
634 Bolivar School District, Mound Bayou Public School District, West
635 Bolivar School District, Shaw School District and Benoit School
636 District shall be abolished. All real and personal property which
637 is owned or titled in the name of a school district located in
638 such former school district shall be transferred to the new
639 reorganized school district of Bolivar County in which such former
640 school district is located. Each former school board shall be
641 responsible for establishing the contracts for teachers and
642 principals for the next school year following the required
643 administrative consolidation with the consultation of the newly
644 elected successor school boards. The new Board of Trustees for
645 the North Bolivar Consolidated School District shall appoint the
646 Superintendent of Schools for said school district, and the Board
647 of Trustees for the West Bolivar Consolidated School District
648 shall appoint the Superintendent of Schools for said school
649 district. The subsequent superintendent of schools of said
650 reorganized school districts shall not be elected but shall
651 thereafter be appointed by the successor boards of trustees in the
652 manner provided in Section 37-9-25. Any superintendent serving in
653 the former school districts shall be eligible for appointment as a
654 superintendent in North Bolivar Consolidated School District or
655 West Bolivar Consolidated School District. North Bolivar
656 Consolidated School District and West Bolivar Consolidated School
657 District shall not have more than one (1) assistant



658 superintendent. It shall be the responsibility of the successor
659 boards of trustees to prepare and approve the budget of the
660 respective new reorganized districts, and the successor boards of
661 trustees may use staff from the former school districts to prepare
662 the budget. Any proposed order of the State Board of Education
663 directing the transfer of the assets, real or personal property of
664 an affected school district in the county, shall be final and
665 conclusive for the purposes of the transfer of property required
666 by such administrative consolidation. Any person or school
667 district aggrieved by an order of the successor newly elected
668 board of trustees of a consolidated school district pursuant to
669 the required administrative consolidation may appeal therefrom to
670 the State Board of Education within ten (10) days from the date of
671 the adjournment of the meeting at which such order is entered.
672 Such appeal shall be de novo, and the finding of the State Board
673 of Education upon such question shall be final and conclusive for
674 the purpose of the approval or disapproval of the action by said
675 county board of education.

676 (4) When any school district in such county is abolished
677 under the provisions of this section, the abolition thereof shall
678 not impair or release the property of such former school district
679 from liability for the payment of the bonds or other indebtedness
680 of such district.

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



683 is an unneeded administrative office located within a school
684 district which has been abolished under the provisions of this
685 section. All administrative consolidations under this section
686 shall be accomplished so as not to delay or in any manner
687 negatively affect the desegregation of another school district in
688 the county pursuant to court order.

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



708 **SECTION 16.** Section 37-7-104.2, Mississippi Code of 1972, is
709 brought forward as follows:

710 37-7-104.2. (1) In Clay County, Mississippi, in which are
711 located, as of January 1, 2013, two (2) school districts, there
712 shall be an administrative consolidation of all of those school
713 districts in the county into one (1) new consolidated school
714 district to be designated as West Point Consolidated School
715 District which shall consist of the territory of the former Clay
716 County School District and the West Point School District. The
717 central administrative office of the West Point Consolidated
718 School District shall be located in West Point, Mississippi.

719 (2) On or before September 1, 2013, the State Board of
720 Education shall serve the local school boards in Clay County with
721 notice and instructions regarding the timetable for action to be
722 taken to comply with the administrative consolidation required in
723 this section. The State Board of Education shall provide for the
724 administrative consolidation of the school districts in the county
725 on or before July 1, 2015. In the new West Point Consolidated
726 School District, there shall be a new board of trustees comprised
727 of five (5) members selected as follows: (a) the Mayor and Board
728 of Aldermen of the City of West Point shall appoint three (3) of
729 the five (5) members, each to be selected for a term of four (4)
730 years; and (b) two (2) members to be elected for a term of four
731 (4) years by the electors of Clay County residing outside of the
732 West Point corporate limits who shall be residents of that



733 territory and who shall be elected in a November 2014 special
734 election which shall be called by the Governor for that purpose.
735 All subsequent members of the board elected from the territory
736 outside of the West Point corporate limits shall be elected for a
737 term of four (4) years at the regular general election held on the
738 first Monday in November next preceding the expiration of the term
739 of office of the respective member or members. All elected and
740 appointed members shall take office on the first Monday of January
741 following the date of their election or appointment. The State
742 Board of Education, with the assistance of the Joint Legislative
743 Committee on Performance Evaluation and Expenditure Review (PEER),
744 shall apportion the territory of the new consolidated school
745 district located outside the West Point corporate limits into two
746 (2) new single member board of trustee election districts. The
747 State Board of Education shall thereafter publish the same in some
748 newspaper of general circulation in the county for at least three
749 (3) consecutive weeks and after having given notice of publication
750 and recording the same upon the minutes of the school boards of
751 each school district in the county, the new district lines will
752 thereafter be effective for the November 2014 special election.
753 Any school board member of the former school districts residing in
754 the proper territory shall be eligible for appointment or election
755 to the new Board of Trustees for West Point Consolidated School
756 District.



757 Any school district affected by the required administrative
758 consolidation in Clay County that does not voluntarily consolidate
759 as ordered by the State Board of Education shall be
760 administratively consolidated by the State Board of Education, to
761 be effective on July 1 following the election of the new local
762 school board. The State Board of Education shall promptly move on
763 its own motion to administratively consolidate a school district
764 which does not voluntarily consolidate in order to enable the
765 affected school districts to reasonably accomplish the resulting
766 administrative consolidation into one (1) consolidated school
767 district by July 1 following the selection of the new board of
768 trustees. The affected school districts shall comply with any
769 consolidation order issued by the State Board of Education on or
770 before July 1 following the selection of the new school boards.

771 (3) On July 1 following the selection of the new Board of
772 Trustees of the West Point Consolidated School District, the
773 former county board of education and the former Board of Trustees
774 of the West Point School District shall be abolished. All real
775 and personal property which is owned or titled in the name of a
776 school district located in such former school district shall be
777 transferred to the new reorganized school district of West Point
778 Consolidated School District in which such former school district
779 is located. Each former school board shall be responsible for
780 establishing the contracts for teachers and principals for the
781 next school year following the required administrative



782 consolidation with the consultation of the newly elected successor
783 school board. The new Board of Trustees for the West Point
784 Consolidated School District shall appoint the Superintendent of
785 Schools for the school district. The Superintendent of Schools
786 for the West Point Consolidated School District may appoint
787 assistant superintendent(s) of schools for the district, but in no
788 instance shall the administrative leadership of the West Point
789 Consolidated School District exceed the number of assistant
790 superintendents employed in the former West Point School District.
791 The subsequent superintendent of schools of the reorganized school
792 district shall not be elected, but shall thereafter be appointed
793 by the successor board of trustees in the manner provided in
794 Section 37-9-25. It shall be the responsibility of the successor
795 board of trustees to prepare and approve the budget of the new
796 reorganized district, and the successor board of trustees may use
797 staff from the former school districts to prepare the budget. Any
798 proposed order of the State Board of Education directing the
799 transfer of the assets, real or personal property of an affected
800 school district in the county, shall be final and conclusive for
801 the purposes of the transfer of property required by such
802 administrative consolidation. Any person or school district
803 aggrieved by an order of the successor newly selected Board of
804 Trustees of the West Point Consolidated School District pursuant
805 to the required administrative consolidation may appeal therefrom
806 within ten (10) days from the date of the adjournment of the



807 meeting at which such order is entered. Said appeal shall be
808 taken in the same manner as appeals are taken from judgments or
809 decisions of the board of supervisors as provided in Section
810 11-51-75, Mississippi Code of 1972, the provisions of which shall
811 be fully applicable to appeals taken hereunder. The Board of
812 Trustees of the West Point Consolidated School District shall not
813 pass upon or approve or disapprove any such order until the time
814 for an appeal therefrom shall have expired, nor shall said board
815 pass upon or approve or disapprove any such order from which an
816 appeal is taken until said appeal shall have been finally
817 determined.

818 (4) When any school district in the county is abolished
819 under the provisions of this section, the abolition thereof shall
820 not impair or release the property of that former school district
821 from liability for the payment of the bonds or other indebtedness
822 of such district.

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



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

850 (7) For the initial two (2) years following the
851 administrative consolidation required by this section, the State
852 Department of Education may grant a waiver of accountability and
853 state assessment requirements to the West Point Consolidated
854 School District for the student population enrolled therein from
855 the former Clay County School District when determining the new



856 consolidated school district accreditation level on the
857 performance and accountability rating model.

858 **SECTION 17.** Section 37-7-104.3, Mississippi Code of 1972, is
859 brought forward as follows:

860 37-7-104.3. (1) In Oktibbeha County, Mississippi, in which
861 are located, as of January 1, 2013, two (2) school districts,
862 there shall be an administrative consolidation of all of those
863 school districts in the county into one (1) new countywide
864 municipal separate school district to be designated as
865 Starkville-Oktibbeha Consolidated School District which shall
866 consist of the territory of the former Oktibbeha County School
867 District and the Starkville School District, effective on July 1,
868 2015. Until June 30, 2015, preceding the effective date of the
869 required administrative consolidation of school districts in the
870 county, the Oktibbeha County School District shall remain in
871 conservatorship, under the authority and control of the
872 Mississippi Recovery School District of the State Department of
873 Education. At such time that the administrative consolidation
874 becomes effective, the central administrative office of the
875 Starkville-Oktibbeha Consolidated School District shall be located
876 in Starkville, Mississippi.

877 (2) (a) On or before July 1, 2014, the State Board of
878 Education shall serve the local school board of the Starkville
879 School District with notice and instructions regarding the



880 timetable for action to be taken to comply with the administrative
881 consolidation required in this section.

882 (b) In the new consolidated school district there shall
883 be a countywide municipal separate school district board of
884 trustees, which shall consist of the existing members of the Board
885 of Trustees of the Starkville School District. However, upon the
886 first occurrence of a vacancy on the board as a result of an
887 expired term of an appointed board member, that vacancy shall
888 become an elected position and shall be filled by the election of
889 a board member as follows: the 2016 expiring term board member
890 shall remain in office until January 1, 2017. In November 2016,
891 an election will be held for a board member who resides outside of
892 the incorporated municipal limits in the manner prescribed in
893 Section 37-7-203, and the elected board member will take office
894 for a five-year term beginning January 1, 2017. Subsequent board
895 members shall be selected in the manner prescribed in Section
896 37-7-203. The Board of Supervisors of Oktibbeha County shall
897 publish notice of the school board elections in some newspaper of
898 general circulation in the county for at least three (3)
899 consecutive weeks.

900 (c) Any school district affected by the required
901 administrative consolidation in the county that does not
902 voluntarily consolidate as ordered by the State Board of Education
903 shall be administratively consolidated by the State Board of
904 Education, to be effective immediately upon action of the State



905 Board of Education. The State Board of Education shall promptly
906 move on its own motion to administratively consolidate a school
907 district which does not voluntarily consolidate in order to enable
908 the affected school districts to reasonably accomplish the
909 resulting administrative consolidation into one (1) consolidated
910 school district by July 1 following the motion to consolidate.
911 The affected school districts shall comply with any consolidation
912 order issued by the State Board of Education.

913 (3) On July 1, 2015, following the motion of State Board of
914 Education to consolidate school districts in Oktibbeha County, the
915 Oktibbeha County School District shall be abolished. All real and
916 personal property which is owned or titled in the name of the
917 school district located in such former school district shall be
918 transferred to the Starkville-Oktibbeha Consolidated School
919 District as of July 1, 2015. The Conservator of the Oktibbeha
920 County School District is authorized and directed to execute and
921 record all documents and conveyances necessary to convey title to
922 all real and personal property of the Oktibbeha County School
923 District to the Starkville-Oktibbeha Consolidated School District.
924 The conservator is further authorized and directed to sign all
925 documents and to take all actions necessary to assign contracts
926 and other property, contract rights and obligations of the
927 Oktibbeha County School District to the Starkville-Oktibbeha
928 Consolidated School District. The Board of Trustees of the
929 Starkville School District shall be responsible for establishing



930 the contracts for operations, teachers, principals, clerical and
931 administrative staff personnel for the 2015-2016 school year prior
932 to July 1, 2015, and shall consult with the conservator for the
933 establishment of contracts for teachers, principals, clerical and
934 administrative staff personnel located in the former Oktibbeha
935 County School District for the 2015-2016 school year. In order to
936 prepare for the efficient staffing of the Starkville-Oktibbeha
937 Consolidated School District, the Conservator of the Oktibbeha
938 County School District and the Superintendent of the Starkville
939 School District shall have full authority to nonrenew the
940 employment contract of any teacher, principal, clerical or
941 administrative staff located within their respective school
942 districts for the 2015-2016 school year. The superintendent and
943 assistant superintendent(s) of schools of the former Starkville
944 School District shall continue to serve in like administrative
945 capacities of the Starkville-Oktibbeha Consolidated School
946 District, but in no instance shall the administrative leadership
947 of the Starkville-Oktibbeha Consolidated School District exceed
948 three (3) assistant superintendents to be appointed by the
949 superintendent of the former Starkville School District. No
950 superintendent serving in the former Oktibbeha County School
951 District shall be eligible for appointment as a superintendent or
952 assistant superintendent in the Starkville-Oktibbeha Consolidated
953 School District. Likewise, no trustee serving in the former
954 Oktibbeha County School District shall be eligible for election to



955 the new Board of Trustees of the Starkville-Oktibbeha Consolidated
956 School District. It shall be the responsibility of the board of
957 trustees to prepare and approve the budget of the respective new
958 reorganized district, and the board of trustees may use staff from
959 the former school district to prepare the budget. Any transfer of
960 the assets, real or personal property of the Oktibbeha County
961 School District mandated by this section shall be final and
962 conclusive for the purposes of the transfer of property required
963 by this section to effectuate the administrative consolidation.

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

972 (5) The State Board of Education shall promulgate rules and
973 regulations to facilitate the administrative consolidation of the
974 school districts in Oktibbeha County pursuant to the requirements
975 of this section. Beginning with the insurance cafeteria plan year
976 of November 1, 2014, the consolidated districts shall fall under
977 all insurance plans and policies elected by the Starkville Public
978 School District, including the group term life insurance described
979 in Section 25-15-9(7).



980 (6) For the initial three (3) years following the
981 administrative consolidation required by this section, the State
982 Department of Education shall grant a waiver of accountability and
983 state assessment requirements to the Starkville-Oktibbeha
984 Consolidated School District, subject to the approval of the State
985 Board of Education.

986 (7) As soon as practicable after March 31, 2015, the
987 Conservator of the Oktibbeha County School District shall initiate
988 the issuance of notes or certificates of indebtedness of the
989 Oktibbeha County School District for the purpose of purchasing
990 school buses, textbooks, computers and software and other
991 equipment and fixtures for school facilities, and for any purposes
992 enumerated in Section 37-59-3, Mississippi Code of 1972, and
993 making repairs, alterations, utility upgrades and additions to two
994 (2) elementary school buildings located in the Oktibbeha County
995 School District in order to meet the same physical and educational
996 standards as the elementary school buildings in Starkville, and to
997 contribute funds to the Starkville School District for capital
998 improvements to accommodate county school district students and
999 increase capacity for the consolidation. The contribution of such
1000 funds to the Starkville School District is hereby authorized.
1001 Said notes or certificates of indebtedness shall be issued under
1002 the authority of Sections 37-59-101 through 37-59-115, Mississippi
1003 Code of 1972, including all notice requirements, however, the
1004 resolution as to the necessity for the issuance of the notes and



1005 the execution of the documents shall be made by the Conservator of
1006 the Oktibbeha County School District. The term of any notes or
1007 certificates of indebtedness issued under this section may not
1008 exceed the useful life of the financed project as determined
1009 according to the upper limit of useful life and depreciation
1010 guidelines established under the United States Internal Revenue
1011 Code and regulations. The levying authority for the Oktibbeha
1012 County School District, and after July 1, 2015, the levying
1013 authority for the Starkville-Oktibbeha Consolidated School
1014 District, shall annually levy a special tax on all taxable
1015 property of the former Oktibbeha County School District in an
1016 amount sufficient to pay the principal of and interest on such
1017 negotiable notes or certificates of indebtedness as the same shall
1018 respectively mature and accrue. Said tax shall be levied as
1019 provided in Section 37-59-107, Mississippi Code of 1972, except
1020 that the levy shall not exceed three (3) mills on the dollar for
1021 the payment of all notes that are subject to the levy under
1022 Section 37-59-107. Any notes or certificates of indebtedness
1023 issued pursuant to this subsection (7) shall become indebtedness
1024 of the new Starkville-Oktibbeha Consolidated School District from
1025 and after July 1, 2015, and the mandatory special ad valorem tax
1026 levied to pay the notes or certificates of indebtedness by the
1027 levying authority pursuant to Section 37-59-101, Mississippi Code
1028 of 1972, shall be levied upon all of the taxable property within
1029 the former Oktibbeha County School District.



1030 (8) For a period beginning July 1, 2014, and ending June 30,
1031 2015, the Conservator of the Oktibbeha County School District
1032 shall issue negotiable bonds of the Oktibbeha County School
1033 District for the purpose of purchasing school buses, textbooks,
1034 computers and software and other equipment and fixtures for school
1035 facilities, and making repairs, alterations and additions and
1036 utility upgrades, and for any purposes allowed by Section 37-59-3,
1037 Mississippi Code of 1972, to school facilities in the Oktibbeha
1038 County School District and in the Starkville School District to
1039 accommodate students in the former Oktibbeha County School
1040 District who will be attending school in the new
1041 Starkville-Oktibbeha Consolidated School District and the
1042 increased capacity needs under the consolidation. Said bonds
1043 shall be issued under the authority of Sections 37-59-1 through
1044 37-59-45, however, the resolution as to the necessity for the
1045 issuance of the bonds and execution of the documents may be made
1046 by the Conservator of the Oktibbeha County School District.
1047 Provided further, that the conservator shall publish notice of the
1048 issuance of the bonds once each week for at least three (3)
1049 consecutive weeks in a newspaper having general circulation in the
1050 Oktibbeha County School District, with the first publication
1051 thereof to be made not less than fifteen (15) days prior to the
1052 date upon which the conservator is to take final action upon the
1053 question of authorizing the issuance of said bonds. If no
1054 petition requesting an election is filed prior to the date on



1055 which the conservator is to take final action on the issuance of
1056 the bonds, then the conservator shall authorize the issuance of
1057 the bonds. If at any time prior to the date on which the
1058 conservator takes final action upon the question of issuing such
1059 bonds a petition signed by not less than twenty percent (20%) of
1060 the qualified electors of the Oktibbeha County School District
1061 shall be filed with the Conservator of the Oktibbeha County School
1062 District requesting that an election be called on the question of
1063 issuing the bonds, then the conservator shall either rescind the
1064 resolution of intent or adopt a resolution calling an election to
1065 be held within the territory of the Oktibbeha County School
1066 District upon such question. The election shall be called and
1067 held, and notice thereof shall be given, in the same manner for
1068 elections upon the question of bond issues under Sections
1069 37-59-13, 37-59-15 and 37-59-17, and the results thereof shall be
1070 certified by the Oktibbeha County Election Commission to the
1071 Conservator of the Oktibbeha County School District. If
1072 three-fifths (3/5) of the qualified electors who voted in such
1073 election vote in favor of the issuance of such bonds, then the
1074 conservator shall authorize the Oktibbeha County School District
1075 to issue such bonds. Notwithstanding any provision to the
1076 contrary, the Oktibbeha County School District may issue bonds
1077 pursuant to this subsection (8) in an amount which, when added to
1078 all of the Oktibbeha County School District's then outstanding
1079 bonded indebtedness, shall not result in the imposition on any of



1080 the property in said district of an indebtedness for school
1081 purposes of more than twenty percent (20%) of the assessed value
1082 of the taxable property within said district, according to the
1083 then last completed assessment for taxation. Any bonds issued
1084 pursuant to this subsection (8) shall become indebtedness of the
1085 new Starkville-Oktibbeha Consolidated School District from and
1086 after July 1, 2015, and the mandatory special ad valorem tax to be
1087 levied by the levying authority pursuant to Section 37-59-23,
1088 Mississippi Code of 1972, to pay the bonds shall be levied only
1089 upon the taxable real property that was within the former
1090 Oktibbeha County School District. The tax for the bonds may not
1091 be imposed on the real property within the former Starkville
1092 School District.

1093 (9) For a period beginning July 1, 2015, and ending July 1,
1094 2024, the new Starkville-Oktibbeha Consolidated School District
1095 Board of Trustees may issue negotiable bonds of the
1096 Starkville-Oktibbeha Consolidated School District for the purpose
1097 of purchasing school buses, textbooks, computers and software and
1098 other equipment and fixtures for school facilities and for any
1099 purposes enumerated in Section 37-59-3, Mississippi Code of 1972.
1100 The term of any such bonds may not exceed the useful life of the
1101 financed project as determined according to the upper limit of
1102 useful life and depreciation guidelines established under the
1103 United States Internal Revenue Code and regulations. Said bonds
1104 shall be issued under the authority of Sections 37-59-1 through



1105 37-59-45, including all notice and publication requirements,
1106 however, the necessity for the issuance of the bonds shall be made
1107 pursuant to a reverse referendum procedure to be followed by the
1108 Starkville-Oktibbeha Consolidated School District Board of
1109 Trustees as follows: the board of trustees shall publish notice
1110 of the issuance of the bonds once each week for at least three (3)
1111 consecutive weeks in a newspaper having general circulation in the
1112 Starkville-Oktibbeha Consolidated School District, with the first
1113 publication thereof to be made not less than fifteen (15) days
1114 prior to the date on which the board of trustees is to take final
1115 action authorizing the issuance of the bonds. If no petition
1116 requesting an election is filed prior to the date on which the
1117 board of trustees is to take final action on the issuance of the
1118 bonds, the board of trustees shall authorize the issuance of the
1119 bonds. If at any time prior to the date on which the board of
1120 trustees is to take final action authorizing the issuance of the
1121 bonds a petition signed by not less than twenty percent (20%) of
1122 the qualified electors of the Starkville-Oktibbeha Consolidated
1123 School District shall be filed with the Board of Trustees of
1124 Starkville-Oktibbeha Consolidated School District requesting that
1125 an election be called on the question of issuing the bonds, then
1126 the board of trustees shall, not later than its next regular
1127 meeting, adopt a resolution calling an election to be held within
1128 the Starkville-Oktibbeha Consolidated School District upon such
1129 question. The election shall be called and held, and notice



1130 thereof shall be given, in the same manner for elections upon the
1131 question of bond issues under Sections 37-59-13, 37-59-15 and
1132 37-59-17, and the results there shall be certified to the
1133 Starkville-Oktibbeha Consolidated School District Board of
1134 Trustees, as the case may be. If three-fifths (3/5) of the
1135 qualified electors who voted in such election vote in favor of the
1136 issuance of such bonds, then the board of trustees shall issue
1137 such bonds. Notwithstanding any provision to the contrary, the
1138 Starkville-Oktibbeha Consolidated School District may issue bonds
1139 pursuant to this subsection (9) in an amount which, when added to
1140 all of the Starkville-Oktibbeha Consolidated School District's
1141 then outstanding bonded indebtedness, shall not result in the
1142 imposition on any of the property in said district of an
1143 indebtedness for school purposes of more than twenty percent (20%)
1144 of the assessed value of the taxable property within said
1145 district, according to the then last completed assessment for
1146 taxation. Any bonds issued pursuant to this subsection (9) shall
1147 be indebtedness of the new Starkville-Oktibbeha Consolidated
1148 School District. The mandatory special ad valorem tax to be
1149 levied by the levying authority pursuant to Section 37-59-23,
1150 Mississippi Code of 1972, shall be levied on all taxable property
1151 of the Starkville-Oktibbeha Consolidated School District.

1152 (10) Notwithstanding any law or any provision of any law to
1153 the contrary, from and after July 1, 2015, all outstanding debt of
1154 the former Oktibbeha County School District and the former



1155 Starkville School District shall be assumed by and become the debt
1156 of the new Starkville-Oktibbeha Consolidated School District. Any
1157 debt assumed by the Starkville-Oktibbeha Consolidated School
1158 District secured by a special ad valorem tax shall be secured by
1159 and payable from a special ad valorem tax levied on taxable
1160 property in the former Starkville School District and the former
1161 Oktibbeha County School District, by its respective levying
1162 authority. All debt secured by a pledge by either district of its
1163 education enhancement funds pursuant to Section 37-61-33,
1164 Mississippi Code of 1972, or by a pledge of its Mississippi
1165 Adequate Education Program funds will continue to be secured by
1166 and payable from the same funds after the debt is assumed by the
1167 Starkville-Oktibbeha Consolidated School District as of July 1,
1168 2015. It is the intent of the Legislature that any such pledges
1169 will remain in effect and that the pledged funds will be available
1170 to the Starkville-Oktibbeha Consolidated School District to pay
1171 its debt to which the funds are pledged.

1172 (11) It shall be the responsibility of the Board of
1173 Supervisors of Oktibbeha County to provide office, furnishing and
1174 utilities for the administrative Office of the Superintendent of
1175 the Starkville-Oktibbeha Consolidated School District.

1176 (12) The new Starkville-Oktibbeha Consolidated School
1177 District is authorized and encouraged to develop a partnership
1178 with Mississippi State University to create a model rural
1179 education school to serve all sixth- and seventh-grade students



1180 from Oktibbeha County and a model prekindergarten program which
1181 shall also serve as a model for the education of teachers and
1182 administrators. The Starkville-Oktibbeha Consolidated School
1183 District and Mississippi State University are authorized and
1184 empowered, in each's discretion, to enter into an agreement for
1185 the purpose of designing, constructing, maintaining and operating
1186 a model rural education school to serve all sixth- and
1187 seventh-grade students from Oktibbeha County. The
1188 Starkville-Oktibbeha Consolidated School District and Mississippi
1189 State University are further authorized and empowered, in each's
1190 discretion, to transfer funds to the other and expend such funds
1191 on mutually agreeable terms and conditions for the construction,
1192 maintenance and operation of such school.

1193 (13) The Board of Supervisors of Oktibbeha County shall be
1194 the "levying authority" for the Starkville-Oktibbeha Consolidated
1195 School District.

1196 **SECTION 18.** Section 37-7-104.4, Mississippi Code of 1972, is
1197 brought forward as follows:

1198 37-7-104.4. (1) In Montgomery County, Mississippi, in which
1199 are located, as of January 1, 2016, two (2) school districts,
1200 there shall be an administrative consolidation of all of those
1201 school districts in the county into one (1) new countywide
1202 municipal separate school district to be designated as
1203 Winona-Montgomery Consolidated School District which shall consist
1204 of the territory of the former Montgomery County School District



1205 and the Winona Municipal Separate School District, effective on
1206 July 1, 2018. At such time that the administrative consolidation
1207 becomes effective, the central administrative office of the
1208 Winona-Montgomery Consolidated School District shall be located in
1209 Winona, Mississippi.

1210 (2) As soon as practicable, a financial advisor and/or other
1211 facilitator with school district experience may be assigned by the
1212 Mississippi Department of Education to oversee the budgeting and
1213 financial matters relating to the consolidation of the districts
1214 slated for consolidation. The financial advisor and/or
1215 facilitator may, at the discretion of the Mississippi Department
1216 of Education, continue duties for one (1) year after the
1217 consolidation to ensure that all financial matters are in place.
1218 All financial expenditures of districts that are closing must be
1219 approved by the financial advisor and/or facilitator. If the
1220 superintendent and/or school board approves expenditures outside
1221 of this approval, they shall be personally liable for the excess
1222 expenditures. The State Board of Education shall determine the
1223 compensation to be paid to the financial advisor and/or
1224 facilitator which shall be paid by the local school district to
1225 which the financial advisor and/or facilitator is assigned.

1226 (3) (a) On or before September 1, 2017, the State Board of
1227 Education shall serve the local school board of the Winona
1228 Municipal Separate School District and the local school board of
1229 the Montgomery County School District with notice and instructions



1230 regarding the timetable for action to be taken to comply with the
1231 administrative consolidation required in this section.

1232 (b) In the new Winona-Montgomery Consolidated School
1233 District, there shall be a new countywide municipal separate
1234 school district board of trustees comprised of five (5) members,
1235 which shall consist of the existing members of the Board of
1236 Trustees of the Winona Municipal Separate School District.
1237 However, when consolidation becomes effective, the two (2)
1238 appointed board members of the Winona Municipal Separate School
1239 District whose terms are nearest to expiration shall expire on
1240 January 1, 2019, shall thereafter become elected positions to be
1241 filled by the election of board members in a manner prescribed in
1242 subparagraph (ii) of this paragraph (b). The new countywide
1243 municipal separate school district board of trustees of the
1244 Winona-Montgomery Consolidated School District shall be comprised
1245 as follows:

1246 (i) The three (3) members of the existing Board of
1247 Trustees of the Winona Municipal Separate School District
1248 appointed by the Board of Aldermen of the City of Winona with the
1249 most years remaining in their terms shall serve until the
1250 expiration of such appointed term and thereafter, appointments
1251 shall each be selected for a term of four (4) years beginning on
1252 January 1 of the year next succeeding the appointment;

1253 (ii) The two (2) members of the board elected
1254 after the appropriate appointments become permanently elected



1255 positions, shall be elected for a term of four (4) years by the
1256 electors of Montgomery County residing outside of the Winona
1257 corporate limits who shall be residents of that territory and who
1258 shall be elected in an election held on Tuesday after the first
1259 Monday in November 2018, in the manner prescribed in Section
1260 37-7-203, and the elected members will take office on January 1,
1261 2019. All subsequent members of the board elected from the
1262 territory outside of the Winona corporate limits shall be elected
1263 for a term of four (4) years at the regular general election held
1264 on the first Monday in November next preceding the expiration of
1265 the term of office of the respective member or members, and shall
1266 take office on January 1 next succeeding the election; and
1267 (iii) The Board of Supervisors of Montgomery
1268 County and the State Board of Education, with the assistance of
1269 the Joint Legislative Committee on Performance Evaluation and
1270 Expenditure Review (PEER), shall apportion the territory of the
1271 new consolidated school district located outside the Winona
1272 corporate limits into two (2) new proportionately equal single
1273 member board of trustee election districts. The board of
1274 supervisors shall thereafter publish the same in some newspaper of
1275 general circulation in the county for at least three (3)
1276 consecutive weeks and after having given notice of publication and
1277 recording the same upon the minutes of the school boards of each
1278 school district in the county, the new district lines will
1279 thereafter be effective for the November 2018 special election.



1280 Any school board member of the former school districts residing in
1281 the proper territory shall be eligible for appointment or election
1282 to the new Board of Trustees for Winona-Montgomery Consolidated
1283 School District.

1284 (c) Any school district affected by the required
1285 administrative consolidation in the county that does not
1286 voluntarily consolidate as ordered by the State Board of Education
1287 shall be administratively consolidated by the State Board of
1288 Education, to be effective immediately upon action of the State
1289 Board of Education. The State Board of Education shall promptly
1290 move on its own motion to administratively consolidate a school
1291 district which does not voluntarily consolidate in order to enable
1292 the affected school districts to reasonably accomplish the
1293 resulting administrative consolidation into one (1) consolidated
1294 school district by July 1 following the motion to consolidate.
1295 The affected school districts shall comply with any consolidation
1296 order issued by the State Board of Education.

1297 (4) (a) On July 1, 2018, following the motion of the State
1298 Board of Education to consolidate school districts in Montgomery
1299 County, the Montgomery County School District shall be abolished.
1300 All real and personal property which is owned or titled in the
1301 name of the school district located in such former school district
1302 shall be transferred to the Winona-Montgomery Consolidated School
1303 District as of July 1, 2018.



1304 (b) The new board of trustees of the Winona-Montgomery
1305 Consolidated School District shall be responsible for establishing
1306 the contracts for operations, teachers, principals, clerical and
1307 administrative staff personnel for the 2018-2019 school year and
1308 each school year thereafter.

1309 (c) The superintendent of the Winona-Montgomery
1310 Consolidated School District shall be appointed by the board and
1311 is authorized to appoint an assistant superintendent, but in no
1312 instance shall the administrative leadership of the
1313 Winona-Montgomery Consolidated School District exceed three (3)
1314 assistant superintendents to be appointed by the superintendent of
1315 the Winona-Montgomery Consolidated School District.

1316 (d) It shall be the responsibility of the board of
1317 trustees to prepare and approve the budget of the respective new
1318 reorganized district, and the board of trustees may use staff from
1319 the former school district to prepare the budget. Any transfer of
1320 the assets, real or personal property of the Montgomery County
1321 School District mandated by this section shall be final and
1322 conclusive for the purposes of the transfer of property required
1323 by this section to effectuate the administrative consolidation.

1324 (e) Any person or school district aggrieved by an order
1325 of the successor newly selected board of trustees of the
1326 Winona-Montgomery Consolidated School District pursuant to the
1327 required administrative consolidation may appeal therefrom within
1328 ten (10) days from the date of the adjournment of the meeting at



1329 which such order is entered. The appeal shall be taken in the
1330 same manner as appeals are taken from judgments or decisions of
1331 the board of supervisors as provided in Section 11-51-75, the
1332 provisions of which shall be fully applicable to appeals taken
1333 hereunder. The board of trustees of the Winona-Montgomery
1334 Consolidated School District shall not pass upon or approve or
1335 disapprove any such order until the time for an appeal therefrom
1336 has expired, nor shall the board pass upon or approve or
1337 disapprove any such order from which an appeal is taken until said
1338 appeal has been finally determined.

1339 (5) Nothing in this section shall be construed to require
1340 the closing of any school or school facility, unless the facility
1341 is an unneeded administrative office located within a school
1342 district which has been abolished under the provisions of this
1343 section. All administrative consolidations under this section
1344 shall be accomplished so as not to delay or in any manner
1345 negatively affect the desegregation of another school district in
1346 the county pursuant to court order.

1347 (6) The State Board of Education shall promulgate rules and
1348 regulations to facilitate the administrative consolidation of the
1349 school districts in Montgomery County pursuant to the requirements
1350 of this section. Beginning with the insurance cafeteria plan year
1351 of November 1, 2018, the consolidated districts shall fall under
1352 all insurance plans and policies elected by the Winona-Montgomery



1353 Consolidated School District, including the group term life
1354 insurance described in Section 25-15-9(7).

1355 (7) The County Board of Education and the Superintendent of
1356 Education of the former Montgomery County School District and the
1357 local school board and Superintendent of Schools of the Winona
1358 Municipal Separate School District shall cooperate with the State
1359 Department of Education, as soon as practicable after July 1,
1360 2016, for the planning and transition of programs, services and
1361 alignment of curriculum for the administratively consolidated
1362 school districts.

1363 (8) It shall be the responsibility of the Board of
1364 Supervisors of Montgomery County to provide office, furnishing and
1365 utilities for the administrative Office of the Superintendent of
1366 the Winona-Montgomery Consolidated School District.

1367 (9) One (1) year prior to the date of consolidation, a
1368 financial advisor and/or other facilitator with school district
1369 experience may be assigned by the Mississippi Department of
1370 Education to oversee the budgeting and financial matters relating
1371 to the consolidation of the districts slated for consolidation.
1372 The financial advisor and/or facilitator may, at the discretion of
1373 the Mississippi Department of Education, continue duties for one
1374 year after the consolidation to ensure that all financial matters
1375 are in place. All financial expenditures of districts that are
1376 closing must be approved by the financial advisor and/or
1377 facilitator. If the superintendent and/or school board approves



1378 expenditures outside of this approval, they shall be personally
1379 liable for the excess expenditures. The State Board of Education
1380 shall determine the compensation to be paid to the financial
1381 advisor and/or facilitator which shall be paid by the local school
1382 district.

1383 **SECTION 19.** Section 37-7-104.5, Mississippi Code of 1972, is
1384 brought forward as follows:

1385 37-7-104.5. (1) Not later than July 1, 2019, the local
1386 school boards of the Lumberton Public School District, Lamar
1387 County School District and Poplarville Separate School District
1388 shall, under the authority provided in Section 37-7-103, enter
1389 into an agreement, by which the approval of such agreement shall
1390 be spread upon each board's minutes of their regularly scheduled
1391 meetings or at special meetings called for the specific purpose of
1392 such agreement, to abolish and dissolve the Lumberton School
1393 District and its central administrative office to be effective for
1394 the start of the 2019-2020 school year. The agreement between
1395 each school board made parties thereto must consider:

1396 (a) The composition of the district boundaries of the
1397 Lumberton Public School District, as it existed on January 1,
1398 2016, to ensure that the student population to be transferred to
1399 the Lamar County School District and Poplarville Separate School
1400 District does not disparately impact the desegregation of either
1401 school district entering into agreement;



1402 (b) The territory embraced by Lumberton, Mississippi,
1403 located within the bounded territory of Lamar County, from which
1404 the school district to be abolished by agreement draws a portion
1405 of its student population, shall be absorbed into the boundary
1406 lines of the Lamar County School District, which shall spread a
1407 legal description of the district's new boundaries upon its
1408 minutes. It shall be the responsibility of the board of
1409 supervisors of such county to apportion the school district into
1410 five (5) new single-member board of education election districts,
1411 which shall be consistent with the apportioned population of the
1412 existing Lamar County School District and that portion of the
1413 former Lumberton Public School District situated within Lamar
1414 County as the former district existed on July 1, 2016. The board
1415 of supervisors of the county shall thereafter publish the same in
1416 some newspaper of general circulation in the county for at least
1417 three (3) consecutive weeks and after having given notice of
1418 publication and recording the same upon the minutes of the school
1419 boards of each appropriate school district in the county, the new
1420 district lines will thereafter be effective; and

1421 (c) The territory embraced by Lumberton, Mississippi,
1422 located within the bounded territory of Pearl River County, from
1423 which the school district to be abolished by agreement draws a
1424 portion of its student population, shall be absorbed into the
1425 boundary lines of the Poplarville Separate School District as
1426 added territory, which shall spread a legal description of the



1427 district's new boundaries with added territory upon its minutes.
1428 It shall be the responsibility of the municipal governing
1429 authority having jurisdiction over the territory wherein the
1430 Poplarville Separate School District is located to provide
1431 residents of the added territory with representation on the school
1432 board as authorized under the provisions of Section 37-7-203(1),
1433 which shall be consistent with the apportioned population of the
1434 existing Poplarville Separate School District and the percentage
1435 of the student population from that portion of the former
1436 Lumberton Public School District situated in Pearl River County
1437 within the added territory of the Poplarville Separate School
1438 District as the former district existed on July 1, 2016. The
1439 municipal governing authority shall thereafter publish the same in
1440 some newspaper of general circulation in the county for at least
1441 three (3) consecutive weeks and after having given notice of
1442 publication and recording the same upon the minutes of the school
1443 boards of each appropriate school district in the county, the new
1444 member districts will thereafter be effective; and

1445 (2) (a) There is hereby created and established an advisory
1446 council to be known as the Commission on the Administrative
1447 Consolidation of the Lumberton Public School District. The
1448 commission shall be composed of eleven (11) members as follows:

1449 (i) The State Superintendent of Education, or his
1450 designee, who shall serve as Chairman of the Commission;



1451 (ii) The Superintendent of the Lumberton Public
1452 School District;

1453 (iii) The Superintendent of Education of the Lamar
1454 County School District;

1455 (iv) The Superintendent of the Poplarville
1456 Separate School District;

1457 (v) Two (2) members of the Lamar County Board of
1458 Education to be appointed by the Lamar County Board of Education;

1459 (vi) One (1) member of the Board of Trustees of
1460 the Poplarville Separate School District to be appointed by the
1461 Board of Trustees of the Poplarville Separate School District;

1462 (vii) One (1) member of the Board of Trustees of
1463 the Lumberton Public School District to be appointed by the Board
1464 of Trustees of the Lumberton Public School District;

1465 (viii) One (1) resident of the area which
1466 comprises the Lumberton Public School District to be appointed by
1467 the State Superintendent of Public Education;

1468 (ix) One (1) resident of the area which comprises
1469 the Lamar County School District to be appointed by the Lamar
1470 County Board of Supervisors; and

1471 (x) One (1) resident of the area which comprises
1472 the Poplarville Separate School District to be appointed by the
1473 Pearl River Board of Supervisors.

1474 (b) The Commission on the Administrative Consolidation
1475 of the Lumberton Public School District shall meet within thirty



1476 (30) days of July 1, 2016, upon the call of the State
1477 Superintendent of Education and shall hold hearings and meet as
1478 necessary and develop a report to the Legislature, the Governor
1479 and the State Board of Education on or before December 1, 2017,
1480 with the agreed-upon plan for proceeding with the abolition and
1481 dissolving of the Lumberton Public School District, which shall
1482 include a reasonable effort to maintain and operate a school in
1483 the former Lumberton Public School District by which students
1484 desiring may, in the discretion of the parents of such students,
1485 attend.

1486 (c) The plan may provide an option for students
1487 enrolled in the schools of the Lumberton Public School District on
1488 May 1, 2017, and children registered for kindergarten on that date
1489 with the Lumberton Public School District may be granted an
1490 automatic transfer by the Lamar County Board of Education or the
1491 Poplarville School Board, as determined by the agreed-upon plan.

1492 (3) Nothing in this section shall be construed to require
1493 the closing or maintenance of any school or school facility,
1494 unless the facility is an unneeded administrative office located
1495 within a school district which has been abolished under the
1496 provisions of this section.

1497 **SECTION 20.** Section 37-7-104.6, Mississippi Code of 1972, is
1498 brought forward as follows:

1499 37-7-104.6. (1) In Leflore County, Mississippi, in which
1500 are located, as of January 1, 2016, two (2) school districts,



1501 there shall be an administrative consolidation of those school
1502 districts in the county into one (1) new countywide school
1503 district to be designated as Greenwood-Leflore School District
1504 which shall consist of the territory of the former Leflore County
1505 School District and the Greenwood Municipal Separate School
1506 District, effective on July 1, 2019. At such time that the
1507 administrative consolidation becomes effective, the central
1508 administrative office of the Greenwood-Leflore School District
1509 shall be current Greenwood Public School District Central Office,
1510 located in Greenwood, Mississippi.

1511 (2) As soon as practicable, a financial advisor and/or other
1512 facilitator with school district experience may be assigned by the
1513 Mississippi Department of Education to oversee the budgeting and
1514 financial matters relating to the consolidation of the districts
1515 slated for consolidation. The financial advisor and/or
1516 facilitator may, at the discretion of the Mississippi Department
1517 of Education, continue duties for one (1) year after the
1518 consolidation to ensure that all financial matters are in place.
1519 All financial expenditures of districts that are closing must be
1520 approved by the financial advisor and/or facilitator. If the
1521 superintendent and/or school board approves expenditures outside
1522 of this approval, they shall be personally liable for the excess
1523 expenditures. The State Board of Education shall determine the
1524 compensation to be paid to the financial advisor and/or



1525 facilitator which shall be paid by the local school district to
1526 which the financial advisor and/or facilitator is assigned.

1527 (3) (a) On July 1, 2018, the State Board of Education shall
1528 serve the local school boards of the Leflore County School
1529 District and the Greenwood Municipal Separate School District with
1530 notice and instructions regarding the timetable for action to be
1531 taken to comply with the administrative consolidation required in
1532 this section. The State Board of Education shall require the
1533 administrative consolidation of Leflore County School District and
1534 the Greenwood Municipal Separate School District on or before July
1535 1, 2019. In the new Greenwood-Leflore School District, there
1536 shall be a new phased-in County Board of Education comprised of
1537 five (5) members elected to staggered terms of office from single
1538 member supervisors districts in the manner prescribed in this
1539 subsection. Current members of the Board of Trustees of the
1540 Greenwood Public School District serving on November 1, 2017,
1541 shall continue in office as the new County Board of Education of
1542 the Greenwood-Leflore School District until their successors are
1543 elected as follows:

1544 (i) The two (2) appointed board members of the
1545 Greenwood Public School District whose terms are nearest to
1546 expiration shall expire on January 1, 2019, and thereafter become
1547 permanently elected positions to be filled by persons elected as
1548 board members from Supervisors Districts 2 and 3 in a November
1549 2018 election held for that purpose, in the manner prescribed in



1550 Section 37-7-203, and the newly elected members will take office
1551 on January 1, 2019, for a term of four (4) years;

1552 (ii) The final two (2) appointed board members of
1553 the Greenwood Public School District whose terms are the farthest
1554 removed from expiration shall expire on January 1, 2020, and
1555 thereafter become permanently elected positions to be filled by
1556 persons elected as board members from Supervisors Districts 4 and
1557 5 in a November 2019 election held for that purpose, in the manner
1558 prescribed in Section 37-7-203, and the newly elected members will
1559 take office on January 1, 2020, for a term of four (4) years; and

1560 (iii) One (1) appointed board member of the
1561 Greenwood Public School District whose term is next nearest to
1562 expiration shall expire on January 1, 2021, and thereafter become
1563 a permanently elected position to be filled by a person elected as
1564 a board member from Supervisors District 1 in a November 2020
1565 election held for that purpose, in the manner prescribed in
1566 Section 37-7-203, and the newly elected members will take office
1567 on January 1, 2021, for a term of four (4) years.

1568 (b) All subsequent members shall be elected for a term
1569 of four (4) years at the regular general election held on the
1570 first Monday in November next preceding the expiration of the term
1571 of office of the respective members, and shall take office on
1572 January 1 next succeeding the election.

1573 (c) No previous school board member of the former
1574 school district that was placed under conservatorship residing in



1575 the proper territory shall be eligible for selection to the new
1576 Board of Education for the Greenwood-Leflore Consolidated School
1577 District.

1578 (d) The State Board of Education shall declare that the
1579 territory embraced by Leflore County, Mississippi, shall be the
1580 boundary lines for the territory of the new Greenwood-Leflore
1581 School District and shall spread a legal description of the new
1582 school district on the minutes of its August 2018 meeting and
1583 shall serve the applicable school boards and the board of
1584 supervisors with an adequate legal description of these new
1585 boundaries. Any school board member of the former school
1586 districts residing in the proper supervisors district shall be
1587 eligible for election to the new Board of Education for the
1588 Greenwood-Leflore School District unless such person was serving
1589 as a member of the board when either district subject to
1590 consolidation under this section was placed under conservatorship,
1591 which shall render the board member ineligible for election.

1592 (e) Any school district affected by the required
1593 administrative consolidation in the county that does not
1594 voluntarily consolidate as ordered by the State Board of Education
1595 shall be administratively consolidated by the State Board of
1596 Education, to be effective immediately upon action of the State
1597 Board of Education. The State Board of Education shall promptly
1598 move on its own motion to administratively consolidate a school
1599 district which does not voluntarily consolidate in order to enable



1600 the affected school districts to reasonably accomplish the
1601 resulting administrative consolidation into the Greenwood-Leflore
1602 School District by July 1, 2019, following the motion to
1603 consolidate. The affected school districts shall comply with any
1604 consolidation order issued by the State Board of Education.

1605 (4) The successor Greenwood-Leflore Board of Education shall
1606 appoint a new Superintendent of Schools for the Greenwood-Leflore
1607 School District to be selected no later than July 1, 2019, in the
1608 manner provided in Section 37-9-13. The position of
1609 Greenwood-Leflore Superintendent of Schools shall be an appointive
1610 position. The successor Greenwood-Leflore Board of Education
1611 shall also employ central office staff for the Greenwood-Leflore
1612 School District no later than July 1, 2019.

1613 (5) (a) On January 1, 2020, following the motion of the
1614 State Board of Education to consolidate school districts in
1615 Leflore County and the Greenwood Municipal Separate School
1616 Districts, the Leflore County and the Greenwood Municipal Separate
1617 School Districts and the former school boards of those districts
1618 shall be abolished. All real and personal property which is owned
1619 or titled in the name of the school district located in such
1620 former school districts shall be transferred to the new
1621 Greenwood-Leflore Consolidated School District.

1622 (b) The new board of trustees of the Greenwood-Leflore
1623 Consolidated School District shall be responsible for establishing
1624 the contracts for teachers, principals, clerical and



1625 administrative staff personnel for the 2019-2020 school year and
1626 each school year thereafter.

1627 (c) The new board of trustees for the Greenwood-Leflore
1628 Consolidated School District shall appoint the superintendent of
1629 schools for the school district. The superintendent of schools
1630 for the Greenwood-Leflore Consolidated School District may appoint
1631 three (3) assistant superintendents of schools for the district,
1632 but in no instance shall the administrative leadership of the
1633 Greenwood-Leflore Consolidated School District have more than
1634 three (3) assistant superintendents of education. The subsequent
1635 superintendent of schools of the consolidated school district
1636 shall not be elected, but shall thereafter be appointed by the
1637 successor board of trustees in the manner provided in Section
1638 37-9-25. It shall be the responsibility of the successor board of
1639 trustees to prepare and approve the budget of the new consolidated
1640 district, and the successor board of trustees may use staff from
1641 the former school districts to prepare the budget. Any proposed
1642 order of the State Board of Education directing the transfer of
1643 the assets, real or personal property of an affected school
1644 district in the county, shall be final and conclusive for the
1645 purposes of the transfer of property required by such
1646 administrative consolidation.

1647 (d) Any person or school district aggrieved by an order
1648 of the successor newly selected board of trustees of the
1649 Greenwood-Leflore Consolidated School District pursuant to the



1650 required administrative consolidation may appeal therefrom within
1651 ten (10) days from the date of the adjournment of the meeting at
1652 which such order is entered. The appeal shall be taken in the
1653 same manner as appeals are taken from judgments or decisions of
1654 the board of supervisors as provided in Section 11-51-75, the
1655 provisions of which shall be fully applicable to appeals taken
1656 hereunder. The board of trustees of the Greenwood-Leflore
1657 Consolidated School District shall not pass upon or approve or
1658 disapprove any such order until the time for an appeal therefrom
1659 has expired, nor shall the board pass upon or approve or
1660 disapprove any such order from which an appeal is taken until said
1661 appeal has been finally determined.

1662 (6) Nothing in this section shall be construed to require
1663 the closing of any school or school facility, unless the facility
1664 is an unneeded administrative office located within a school
1665 district which has been abolished under the provisions of this
1666 section. All administrative consolidations under this section
1667 shall be accomplished so as not to delay or in any manner
1668 negatively affect the desegregation of another school district in
1669 the county pursuant to court order.

1670 (7) The State Board of Education shall promulgate rules and
1671 regulations to facilitate the administrative consolidation of the
1672 school districts in Leflore County pursuant to this section. The
1673 consolidated districts shall make an election within one (1) year



1674 of consolidation concerning the group term life insurance
1675 described in subsection (6) of Section 25-15-9.

1676 (8) The County Board of Education and the Superintendent of
1677 Education of the former Leflore County School District and the
1678 local school board and Superintendent of Schools of the
1679 Greenwood-Leflore Public School District shall cooperate with the
1680 State Department of Education, as soon as practicable after July
1681 1, 2016, for the planning and transition of programs, services and
1682 alignment of curriculum for the administratively consolidated
1683 school districts.

1684 **SECTION 21.** Section 37-7-104.7, Mississippi Code of 1972, is
1685 brought forward as follows:

1686 37-7-104.7. (1) In Holmes County, Mississippi, in which are
1687 located, as of January 1, 2016, two (2) school districts, there
1688 shall be an administrative consolidation of all of those school
1689 districts in the county into one (1) new countywide school
1690 district to be designated as Holmes County Consolidated School
1691 District which shall consist of the territory of the former Holmes
1692 County School District and the Durant Public School District,
1693 effective on July 1, 2018. At such time that the administrative
1694 consolidation becomes effective, the central administrative office
1695 of the Holmes County Consolidated School District shall be located
1696 in Lexington, Mississippi.

1697 (2) Within two (2) years prior to the date of consolidation,
1698 or as soon as practicable after July 1, 2016, a financial advisor



1699 and/or other facilitator with school district experience may be
1700 assigned by the Mississippi Department of Education to oversee the
1701 budgeting and financial matters relating to the consolidation of
1702 the districts slated for consolidation. The financial advisor
1703 and/or facilitator may, at the discretion of the Mississippi
1704 Department of Education, continue duties for one (1) year after
1705 the consolidation to ensure that all financial matters are in
1706 place. All financial expenditures of districts that are closing
1707 must be approved by the financial advisor and/or facilitator. If
1708 the superintendent and/or school board approves expenditures
1709 outside of this approval, they shall be personally liable for the
1710 excess expenditures. The State Board of Education shall determine
1711 the compensation to be paid to the financial advisor and/or
1712 facilitator which shall be paid by the local school district to
1713 which the financial advisor and/or facilitator is assigned.

1714 (3) (a) On or before July 1, 2017, the State Board of
1715 Education shall serve the local school boards of the Holmes County
1716 School District and the Durant Public School District with notice
1717 and instructions regarding the timetable for action to be taken to
1718 comply with the administrative consolidation required in this
1719 section. The State Board of Education shall provide for the
1720 administrative consolidation of Holmes County School District and
1721 the Durant Public School District on or before July 1, 2018. In
1722 the new Holmes County Consolidated School District, there shall be
1723 a new county board of education elected in a November 2017 special



1724 election, which shall be called by the Governor for that purpose.
1725 The new county board of education shall be elected and the terms
1726 of office established as provided in Section 37-5-7(3). The State
1727 Board of Education shall declare that the territory embraced by
1728 Holmes County, Mississippi, shall be the boundary lines for the
1729 territory of the new Holmes County Consolidated School District
1730 and shall spread a legal description of the new school district on
1731 the minutes of its August 2017 meeting and shall serve the
1732 applicable school boards and the board of supervisors with an
1733 adequate legal description of these new boundaries. It shall be
1734 the responsibility of the board of supervisors of such county to
1735 apportion the newly consolidated school district into five (5) new
1736 single member board of education election districts, which shall
1737 be consistent with the supervisors district lines in the county.
1738 The board of supervisors of the county shall thereafter publish
1739 the same in some newspaper of general circulation in the county
1740 for at least three (3) consecutive weeks and after having given
1741 notice of publication and recording the same upon the minutes of
1742 the school boards of each appropriate school district in the
1743 county, the new district lines will thereafter be effective for
1744 the November 2017 special election.

1745 (b) Any school district affected by the required
1746 administrative consolidation in Holmes County that does not
1747 voluntarily consolidate as ordered by the State Board of Education
1748 shall be administratively consolidated by the State Board of



1749 Education, to be effective on July 1 following the November 2017
1750 special election of the new school board members. The State Board
1751 of Education shall promptly move on its own motion to
1752 administratively consolidate a school district which does not
1753 voluntarily consolidate in order to enable the affected school
1754 districts to reasonably accomplish the resulting administrative
1755 consolidation into the Holmes County Consolidated School District
1756 by July 1, 2018, following the election of the new board of
1757 trustees. The affected school districts shall comply with any
1758 consolidation order issued by the State Board of Education on or
1759 before July 1 following the election of the new board of trustees.

1760 (4) (a) On July 1, 2018, following the election of the new
1761 board of trustees of the Holmes County Consolidated School
1762 District, the former county board of education for Holmes County
1763 and the former board of trustees of the Durant Public School
1764 Districts shall be abolished. All real and personal property
1765 which is owned or titled in the name of the school district
1766 located in such former school districts shall be transferred to
1767 the new Holmes County Consolidated School District.

1768 (b) The new board of trustees of the Holmes County
1769 Consolidated School District shall be responsible for establishing
1770 the contracts for teachers, principals, clerical and
1771 administrative staff personnel for the 2018-2019 school year and
1772 each school year thereafter.



1773 (c) The new board of trustees for the Holmes County
1774 Consolidated School District shall appoint the superintendent of
1775 schools for the school district. The superintendent of schools
1776 for the Holmes County Consolidated School District may appoint an
1777 assistant superintendent of schools for the district, but in no
1778 instance shall the administrative leadership of the Holmes County
1779 Consolidated School District have more than one (1) assistant
1780 superintendent of education. The subsequent superintendent of
1781 schools of the consolidated school district shall not be elected,
1782 but shall thereafter be appointed by the successor board of
1783 trustees in the manner provided in Section 37-9-25. It shall be
1784 the responsibility of the successor board of trustees to prepare
1785 and approve the budget of the new consolidated district, and the
1786 successor board of trustees may use staff from the former school
1787 districts to prepare the budget. Any proposed order of the State
1788 Board of Education directing the transfer of the assets, real or
1789 personal property of an affected school district in the county,
1790 shall be final and conclusive for the purposes of the transfer of
1791 property required by such administrative consolidation.

1792 (d) Any person or school district aggrieved by an order
1793 of the successor newly selected board of trustees of the Holmes
1794 County Consolidated School District pursuant to the required
1795 administrative consolidation may appeal therefrom within ten (10)
1796 days from the date of the adjournment of the meeting at which such
1797 order is entered. The appeal shall be taken in the same manner as



1798 appeals are taken from judgments or decisions of the board of
1799 supervisors as provided in Section 11-51-75, the provisions of
1800 which shall be fully applicable to appeals taken hereunder. The
1801 board of trustees of the Holmes County Consolidated School
1802 District shall not pass upon or approve or disapprove any such
1803 order until the time for an appeal therefrom has expired, nor
1804 shall the board pass upon or approve or disapprove any such order
1805 from which an appeal is taken until said appeal has been finally
1806 determined.

1807 (5) Nothing in this section shall be construed to require
1808 the closing of any school or school facility, unless the facility
1809 is an unneeded administrative office located within a school
1810 district which has been abolished under the provisions of this
1811 section. All administrative consolidations under this section
1812 shall be accomplished so as not to delay or in any manner
1813 negatively affect the desegregation of another school district in
1814 the county pursuant to court order.

1815 (6) The State Board of Education shall promulgate rules and
1816 regulations to facilitate the administrative consolidation of the
1817 school districts in Holmes County pursuant to this section. The
1818 consolidated districts shall make an election within one (1) year
1819 of consolidation concerning the group term life insurance
1820 described in subsection (6) of Section 25-15-9.

1821 (7) The County Board of Education and the Superintendent of
1822 Education of the former Holmes County School District and the



1823 local school board and Superintendent of Schools of the Durant
1824 Public School District shall cooperate with the State Department
1825 of Education, as soon as practicable after July 1, 2016, for the
1826 planning and transition of programs, services and alignment of
1827 curriculum for the administratively consolidated school districts.

1828 **SECTION 22.** Section 37-7-104.8, Mississippi Code of 1972, is
1829 brought forward as follows:

1830 37-7-104.8. (1) In Chickasaw County, Mississippi, in which
1831 are located, as of January 1, 2017, three (3) school districts,
1832 there shall be an administrative consolidation of two (2) of those
1833 school districts in the county as a new school district to be
1834 designated as Chickasaw County School District which shall consist
1835 of the territory of the former Chickasaw County School District
1836 and the Houston Municipal Separate School District, effective on
1837 July 1, 2021. At such time that the administrative consolidation
1838 becomes effective, the central administrative office of the new
1839 Chickasaw County School District shall be located in Houston,
1840 Mississippi.

1841 (2) On July 1, 2020, the Superintendent of Schools of the
1842 former Houston Municipal Separate School District shall continue
1843 to serve in like administrative capacity for the purpose of
1844 managing the transition for the consolidation of the former
1845 Chickasaw County School District and the Houston Municipal
1846 Separate School District. The said Superintendent of Schools
1847 shall be responsible for the administration, management and



1848 operation of the school district from July 1, 2020, until July 1,
1849 2021, including, but not limited to, the following activities:
1850 (a) merging the existing budgets with the budget of the new
1851 consolidated school district; (b) nonrenewal of central office
1852 staff as necessary; (c) construction of a new salary scale for
1853 licensed and nonlicensed employees; (d) supplemental duties of
1854 school district employees; (e) assist local officials with school
1855 tax assessment; (f) appointment of assistant superintendents for
1856 the new district not to exceed three (3); and (g) veto authority
1857 over decisions of the former school boards until the new Chickasaw
1858 County Board of Education is in place. The said Superintendent of
1859 Schools shall cooperate with the State Department of Education, as
1860 soon as practicable after July 1, 2017, for the planning and
1861 transition of programs, services and alignment of curriculum for
1862 the administratively consolidated school districts.

1863 (3) On July 1, 2020, the State Board of Education shall
1864 serve the Chickasaw County Board of Education and the Board of
1865 Trustees of the Houston Municipal Separate School District with
1866 notice and instructions regarding the timetable for action to be
1867 taken to comply with the administrative consolidation required in
1868 this section. The State Board of Education shall require the
1869 administrative consolidation of the Chickasaw County School
1870 District and the Houston Municipal Separate School District on or
1871 before July 1, 2021.



1872 (4) In the new Chickasaw County School District, there shall
1873 be an Interim County Board of Education elected in a November 2020
1874 special election which shall be called by the Governor for that
1875 purpose. The State Board of Education shall declare that the
1876 following territory shall be the election districts for the
1877 Interim Chickasaw County Board of Education, and members shall be
1878 qualified electors residing in that district: (a) three (3)
1879 members shall be elected at large from the territory of the former
1880 Houston School District; and (b) two (2) members shall be elected
1881 at large from the territory of the former Chickasaw County School
1882 District. Members elected in the November 2020 special election
1883 shall serve terms of three (3) years beginning on January 1, 2021.
1884 There shall be a new Chickasaw County Board of Education for the
1885 Chickasaw County School District, elected on the first Tuesday
1886 after the first Monday in November 2023, at the same time and in
1887 the same manner as the statewide general election is held and
1888 conducted, for that purpose. The new county board of education
1889 shall be elected and the terms of office established as provided
1890 in Section 37-5-7(5). Any school board member of the former
1891 school districts residing in the proper territory shall be
1892 eligible for election to the new Chickasaw County Board of
1893 Education.

1894 (5) The State Board of Education shall declare that the
1895 territory embraced by Chickasaw County, Mississippi, excluding the
1896 territory of Okolona Separate School District, shall be the



1897 boundary lines for the territory of the new Chickasaw County
1898 School District and shall spread a legal description of the new
1899 school district on the minutes of its August 2020 meeting and
1900 shall serve the applicable school boards and the board of
1901 supervisors with an adequate legal description of these new
1902 boundaries. Any school district affected by the required
1903 administrative consolidation in the county that does not
1904 voluntarily consolidate as ordered by the State Board of Education
1905 shall be administratively consolidated by the State Board of
1906 Education, to be effective immediately upon action of the State
1907 Board of Education. The State Board of Education shall promptly
1908 move on its own motion to administratively consolidate a school
1909 district which does not voluntarily consolidate in order to enable
1910 the affected school districts to reasonably accomplish the
1911 resulting administrative consolidation into the Chickasaw School
1912 District by July 1, 2021, following the motion to consolidate.
1913 The affected school districts shall comply with any consolidation
1914 order issued by the State Board of Education.

1915 (6) The Interim Chickasaw County Board of Education shall
1916 conduct a search for a new Superintendent of Schools for the
1917 Chickasaw County School District to be selected no later than July
1918 1, 2021, in the manner provided in Section 37-9-13 and the
1919 Superintendent of Schools serving on that date may be selected to
1920 continue in office. The position of Chickasaw County
1921 Superintendent of Schools shall be an appointive position. No



1922 superintendent serving in a school district placed under
1923 conservatorship shall be eligible for appointment as a
1924 superintendent or assistant superintendent in the new Chickasaw
1925 County School District. The Interim Chickasaw County Board of
1926 Education shall also employ central office staff for the Chickasaw
1927 County School District no later than July 1, 2021, or as soon
1928 thereafter as is practicable.

1929 (7) On January 1, 2021, following the motion of the State
1930 Board of Education to consolidate school districts in Chickasaw
1931 County and the Houston Municipal Separate School Districts, the
1932 Chickasaw County School District and the Houston Municipal
1933 Separate School District and the former school boards of those
1934 districts shall be abolished. All real and personal property
1935 which is owned or titled in the name of the school district
1936 located in such former school districts shall be transferred to
1937 the new Chickasaw County School District. The Superintendent of
1938 Schools and the County Board of Education of the new Chickasaw
1939 County School District shall be responsible for establishing the
1940 contracts for teachers, principals, clerical and administrative
1941 staff personnel for the 2020-2021 school year and thereafter. It
1942 shall be the responsibility of the Superintendent of Schools and
1943 the County Board of Education of the new Chickasaw County School
1944 District to prepare and approve the budget of the new reorganized
1945 district. Any proposed order of the State Board of Education
1946 directing the transfer of the assets, real or personal property of



1947 an affected school district in the county, shall be final and
1948 conclusive for the purposes of the transfer of property required
1949 by such administrative consolidation.

1950 (8) From and after July 1, 2021, all outstanding debt of the
1951 former Chickasaw County School District and the Houston Municipal
1952 Separate School District shall be assumed by and become the debt
1953 of the new Chickasaw County School District. Any debt assumed by
1954 the Chickasaw County School District secured by a special ad
1955 valorem tax shall become secured by and payable from a mandatory,
1956 special ad valorem tax which shall be levied on all taxable
1957 property in the territory of the former Houston Municipal Separate
1958 School District or the former Chickasaw County School District, as
1959 the case may be, by the levying authority of the new Chickasaw
1960 County School District. It is the intent of the Legislature that
1961 any such pledges of the former school districts will remain in
1962 effect and that the pledged funds will be available to the new
1963 Chickasaw County School District to pay its debt to which the
1964 funds are pledged. The Board of Supervisors of Chickasaw County
1965 shall be the "levying authority" for the new Chickasaw County
1966 School District.

1967 (9) Nothing in this section shall be construed to require
1968 the closing of any school or school facility, unless the facility
1969 is an unneeded administrative office located within a school
1970 district which has been abolished under the provisions of this
1971 section. All administrative consolidations under this section



1972 shall be accomplished so as not to delay or in any manner
1973 negatively affect the desegregation of another school district in
1974 the county pursuant to court order.

1975 (10) The State Board of Education, acting through the new
1976 Superintendent of Schools, shall promulgate rules and regulations
1977 to facilitate the administrative consolidation of the school
1978 districts in Chickasaw County and Houston, Mississippi, pursuant
1979 to this section. The consolidated district shall make an election
1980 within one (1) year of consolidation concerning the group term
1981 life insurance described in Section 25-15-9(7).

1982 (11) For the initial two (2) years following the
1983 administrative consolidation required by this section, conditioned
1984 on approval by the U.S. Department of Education, the State
1985 Department of Education shall grant a waiver of accountability and
1986 state assessment requirements to the new Chickasaw County School
1987 District for the student population enrolled therein from the
1988 former Chickasaw County School District and the Houston Municipal
1989 Separate School District, when determining the new consolidated
1990 school district accreditation level based on the performance and
1991 accountability rating model.

1992 **SECTION 23.** This act shall take effect and be in force from
1993 and after its passage.

