

By: Representative Wilkes

To: Constitution; Education

HOUSE CONCURRENT RESOLUTION NO. 25

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 203
2 AND SECTION 202, MISSISSIPPI CONSTITUTION OF 1890, TO ABOLISH THE
3 EXISTING STATE DEPARTMENT OF EDUCATION AND TRANSFER THE POWERS AND
4 DUTIES TO THE OFFICE OF THE GOVERNOR; TO PROVIDE THAT THE FORMER
5 STATE DEPARTMENT OF EDUCATION SHALL BE KNOWN AS THE DIVISION OF
6 PUBLIC EDUCATION IN THE OFFICE OF THE GOVERNOR; AND FOR RELATED
7 PURPOSES.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
9 MISSISSIPPI, That the following amendments to the Mississippi
10 Constitution of 1890 are proposed to the qualified electors of the
11 state:

12 I.

13 Amend Section 203, Mississippi Constitution of 1890, to read
14 as follows:

15 "Section 203. * * * There shall be a State Board of
16 Education which shall manage and invest school funds according to
17 law, formulate policies according to law for implementation by
18 the * * * Division of Public Education in the Office of the
19 Governor, and perform such other duties as prescribed by law. The
20 board shall consist of nine (9) members of which none shall be an



21 elected official. The Governor shall appoint one (1) member who
22 shall be a resident of the Northern Supreme Court District and who
23 shall serve an initial term of one (1) year, one (1) member who
24 shall be a resident of the Central Supreme Court District and who
25 shall serve an initial term of five (5) years, one (1) member who
26 shall be a resident of the Southern Supreme Court District and who
27 shall serve an initial term of nine (9) years, one (1) member who
28 shall be employed on an active and full-time basis as a school
29 administrator and who shall serve an initial term of three (3)
30 years, and one (1) member who shall be employed on an active and
31 full-time basis as a schoolteacher and who shall serve an initial
32 term of seven (7) years. The Lieutenant Governor shall appoint
33 two (2) members from the state at large, one (1) of whom shall
34 serve an initial term of four (4) years and one (1) of whom shall
35 serve an initial term of eight (8) years. The Speaker of the
36 House of Representatives shall appoint two (2) members from the
37 state at large, one (1) of whom shall serve an initial term of two
38 (2) years and one (1) of whom shall serve an initial term of six
39 (6) years. The initial terms of appointees shall begin on July 1,
40 1984, and all subsequent appointments shall begin on the first day
41 of July for a term of (9) years and continue until their
42 successors are appointed and qualify. An appointment to fill a
43 vacancy which arises for reasons other than by expiration of a
44 term of office shall be for the unexpired term only. The
45 Legislature shall by general law prescribe the compensation which



members of the board shall be entitled to receive. All members shall be appointed with the advice and consent of the Senate and no members shall be actively engaged in the educational profession except as stated above."

II.

Amend Section 202, Mississippi Constitution of 1890, to read as follows:

"Section 202. * * * There shall be a State Superintendent of Public Education who shall be appointed by the State Board of Education, subject to the Governor's approval, and with the advice and consent of the Senate, and serve at the * * * Governor's will and pleasure. He shall possess such qualifications as may be prescribed by law. He shall be the chief administrative officer for the * * * Division of Public Education and shall administer the * * * division in accordance with the policies established by the State Board of Education. He shall perform such other duties and receive such compensation as shall be prescribed by law."

BE IT FURTHER RESOLVED, That these proposed amendments shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2018, as provided by Section 273 of the Constitution and by general law, with the amendments in this resolution being voted on as one (1) amendment since the proposed amendments pertain to one (1) subject.



70 BE IT FURTHER RESOLVED, That the explanation for this
71 proposed amendment for the ballot shall read as follows: "This
72 proposed constitutional amendment provides that the existing State
73 Department of Education shall be abolished and the powers and
74 duties transferred to the Division of Public Education in the
75 Office of the Governor."

