

By: Representative Ladner

To: Education

HOUSE BILL NO. 96

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

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

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

178 (i) The two (2) appointed board members of the
179 Greenwood Public School District whose terms are nearest to
180 expiration shall expire on January 1, 2019, and thereafter become
181 permanently elected positions to be filled by persons elected as
182 board members from Supervisors Districts 2 and 3 in a November
183 2018 election held for that purpose, in the manner prescribed in



184 Section 37-7-203, and the newly elected members will take office
185 on January 1, 2019, for a term of * * * five (5) years;

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

194 (iii) One (1) appointed board member of the
195 Greenwood Public School District whose term is next nearest to
196 expiration shall expire on January 1, 2021, and thereafter become
197 a permanently elected position to be filled by a person elected as
198 a board member from Supervisors District 1 in a November 2020
199 election held for that purpose, in the manner prescribed in
200 Section 37-7-203, and the newly elected members will take office
201 on January 1, 2021, for a term of * * * three (3) years.

202 (b) All subsequent members shall be elected for a term
203 of four (4) years at the regular general election held on the
204 first Tuesday after the first Monday in November * * * 2023, at
205 the same time and manner as other general elections are held, and
206 shall take office on the first Monday of January following the
207 date of their election.



208 (4) On the first Tuesday after the first Monday in November
209 2017, an election shall be held in Holmes County for the purpose
210 of electing the county board of education in the new Holmes County
211 Consolidated School District. At the election, the members of
212 the * * * county board of education shall be elected from single
213 member board of education districts, which shall be consistent
214 with the supervisors district lines in the county, and shall be
215 elected for an initial term of six (6) years. Subsequent
216 elections for the Holmes County Board of Education shall be held
217 on the first Tuesday after the first Monday in November 2023 and
218 every four (4) years thereafter at the same time and manner as
219 other general elections are held, and the member shall be elected
220 for a term of four (4) years. All members of the county board of
221 education in the new Holmes County Consolidated School District
222 shall take office on the first Monday of January following the
223 date of their election.

224 (5) Beginning on the first Tuesday after the first Monday in
225 November 2023, and every four (4) years thereafter, an election
226 shall be held in Chickasaw County concurrently with the statewide
227 general election for the purpose of electing the county board of
228 education in the * * * Chickasaw County School District. The
229 board of supervisors shall declare and designate posts for each
230 member of the * * * board. At * * * the election, the members of
231 the * * * county board of education * * * shall be elected for a
232 term of four (4) years * * *. All members of the county board of



233 education in the * * * Chickasaw County School District shall take
234 office on the first Monday of January following the date of their
235 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, and after
1016 July 1, 2015, on all taxable property of the Starkville-Oktibbeha
1017 Consolidated School District, in an amount sufficient to pay the
1018 principal of and interest on such negotiable notes or certificates
1019 of indebtedness as the same shall respectively mature and accrue.
1020 Said tax shall be levied as provided in Section 37-59-107,
1021 Mississippi Code of 1972, except that the levy shall not exceed
1022 three (3) mills on the dollar for the payment of all notes that
1023 are subject to the levy under Section 37-59-107. Any notes or
1024 certificates of indebtedness issued pursuant to this subsection
1025 (7) shall become indebtedness of the new Starkville-Oktibbeha
1026 Consolidated School District from and after July 1, 2015, and the
1027 mandatory special ad valorem tax levied to pay the notes or
1028 certificates of indebtedness by the levying authority pursuant to
1029 Section 37-59-107, Mississippi Code of 1972, shall be levied upon



1030 all of the taxable property within the Starkville-Oktibbeha
1031 Consolidated School District.

1032 (8) For a period beginning July 1, 2014, and ending June 30,
1033 2015, the Conservator of the Oktibbeha County School District
1034 shall issue negotiable bonds of the Oktibbeha County School
1035 District for the purpose of purchasing school buses, textbooks,
1036 computers and software and other equipment and fixtures for school
1037 facilities, and making repairs, alterations and additions and
1038 utility upgrades, and for any purposes allowed by Section 37-59-3,
1039 Mississippi Code of 1972, to school facilities in the Oktibbeha
1040 County School District and in the Starkville School District to
1041 accommodate students in the former Oktibbeha County School
1042 District who will be attending school in the new
1043 Starkville-Oktibbeha Consolidated School District and the
1044 increased capacity needs under the consolidation. Said bonds
1045 shall be issued under the authority of Sections 37-59-1 through
1046 37-59-45, however, any resolutions as to the necessity for the
1047 issuance of any bonds and execution of the documents may be made
1048 periodically by the Conservator of the Oktibbeha County School
1049 District. Provided further, that the conservator shall publish
1050 each resolution of necessity and intent to issue any bonds once
1051 each week for at least three (3) consecutive weeks in a newspaper
1052 having general circulation in the Oktibbeha County School
1053 District, with the first publication thereof to be made not less
1054 than fifteen (15) days prior to the date upon which the



1055 conservator is to take final action upon the question of
1056 authorizing the issuance of said bonds. If no petition requesting
1057 an election is filed prior to the date and time of the meeting at
1058 which the conservator is to take final action on the issuance of
1059 said bonds, then the conservator shall authorize the issuance of
1060 the bonds. If at any time prior to the date and time of the
1061 meeting at which the conservator is to take final action upon the
1062 question of issuing such bonds a petition signed by not less than
1063 twenty percent (20%) of the qualified electors of the Oktibbeha
1064 County School District shall be filed with the Conservator of the
1065 Oktibbeha County School District requesting that an election be
1066 called on the question of issuing the bonds, then the conservator
1067 shall either rescind the applicable resolution of intent or adopt
1068 a resolution calling an election to be held within the territory
1069 of the Oktibbeha County School District upon such question. The
1070 election shall be called and held, and notice thereof shall be
1071 given, in the same manner for elections upon the question of bond
1072 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,
1073 and the results thereof shall be certified by the Oktibbeha County
1074 Election Commission to the Conservator of the Oktibbeha County
1075 School District. If three-fifths (3/5) of the qualified electors
1076 of the Oktibbeha County School District who voted in such election
1077 vote in favor of the issuance of such bonds, then the conservator
1078 shall authorize the Oktibbeha County School District to issue such
1079 bonds. Notwithstanding any provision to the contrary, the



1080 Oktibbeha County School District may issue bonds pursuant to this
1081 subsection (8) in an amount which, when added to all of the
1082 Oktibbeha County School District's then outstanding bonded
1083 indebtedness, shall not result in the imposition on any of the
1084 property in said district of an indebtedness for school purposes
1085 of more than twenty percent (20%) of the assessed value of the
1086 taxable property within said district, according to the then last
1087 completed assessment for taxation. Any bonds issued pursuant to
1088 this subsection (8) shall become indebtedness of the new
1089 Starkville-Oktibbeha Consolidated School District from and after
1090 July 1, 2015, and the mandatory special ad valorem tax to be
1091 levied by the levying authority pursuant to Section 37-59-23,
1092 Mississippi Code of 1972, to pay the bonds shall be levied upon
1093 all taxable property within the Starkville-Oktibbeha Consolidated
1094 School District.

1095 (9) For a period beginning July 1, 2015, and ending July 1,
1096 2024, the new Starkville-Oktibbeha Consolidated School District
1097 Board of Trustees may periodically issue negotiable bonds in one
1098 or more series of the Starkville-Oktibbeha Consolidated School
1099 District for the purpose of purchasing school buses, textbooks,
1100 computers and software and other equipment and fixtures for school
1101 facilities and for any purposes enumerated in Section 37-59-3,
1102 Mississippi Code of 1972. The term of any such bonds may not
1103 exceed the useful life of the financed project as determined
1104 according to the upper limit of useful life and depreciation



1105 guidelines established under the United States Internal Revenue
1106 Code and regulations. Said bonds shall be issued under the
1107 authority of Sections 37-59-1 through 37-59-45, including all
1108 notice and publication requirements, however, the necessity for
1109 the issuance of the bonds shall be made pursuant to a reverse
1110 referendum procedure to be followed by the Starkville-Oktibbeha
1111 Consolidated School District Board of Trustees as follows: the
1112 board of trustees shall publish each resolution of necessity and
1113 intent to issue bonds once each week for at least three (3)
1114 consecutive weeks in a newspaper having general circulation in the
1115 Starkville-Oktibbeha Consolidated School District, with the first
1116 publication thereof to be made not less than fifteen (15) days
1117 prior to the date on which the board of trustees is to take final
1118 action authorizing the issuance of the bonds. If no petition
1119 requesting an election is filed prior to the date and time of the
1120 meeting at which the board of trustees is to take final action on
1121 the issuance of the bonds, the board of trustees shall authorize
1122 the issuance of the bonds. If at any time prior to the date and
1123 time of the meeting at which the board of trustees is to take
1124 final action authorizing the issuance of the bonds a petition
1125 signed by not less than twenty percent (20%) of the qualified
1126 electors of the Starkville-Oktibbeha Consolidated School District
1127 shall be filed with the Board of Trustees of the
1128 Starkville-Oktibbeha Consolidated School District requesting that
1129 an election be called on the question of issuing the bonds, then



1130 the board of trustees shall, not later than its next regular
1131 meeting, adopt a resolution calling an election to be held within
1132 the Starkville-Oktibbeha Consolidated School District upon such
1133 question. The election shall be called and held, and notice
1134 thereof shall be given, in the same manner for elections upon the
1135 question of bond issues under Sections 37-59-11, 37-59-13,
1136 37-59-15 and 37-59-17, and the results thereof shall be certified
1137 to the Starkville-Oktibbeha Consolidated School District Board of
1138 Trustees, as the case may be. If three-fifths (3/5) of the
1139 qualified electors of the Starkville-Oktibbeha Consolidated School
1140 District who voted in such election vote in favor of the issuance
1141 of such bonds, then the board of trustees shall issue such bonds.
1142 Notwithstanding any provision to the contrary, the
1143 Starkville-Oktibbeha Consolidated School District may issue bonds
1144 pursuant to this subsection (9) in an amount which, when added to
1145 all of the Starkville-Oktibbeha Consolidated School District's
1146 then outstanding bonded indebtedness, shall not result in the
1147 imposition on any of the property in said district of an
1148 indebtedness for school purposes of more than twenty percent (20%)
1149 of the assessed value of the taxable property within said
1150 district, according to the then last completed assessment for
1151 taxation. Any bonds issued pursuant to this subsection (9) shall
1152 be indebtedness of the new Starkville-Oktibbeha Consolidated
1153 School District. The mandatory special ad valorem tax to be
1154 levied by the levying authority pursuant to Section 37-59-23,



1155 Mississippi Code of 1972, shall be levied on all taxable property
1156 of the Starkville-Oktibbeha Consolidated School District.

1157 (10) Notwithstanding any law or any provision of any law to
1158 the contrary, from and after July 1, 2015, all outstanding debt of
1159 the former Oktibbeha County School District and the former
1160 Starkville School District shall be assumed by and become the debt
1161 of the new Starkville-Oktibbeha Consolidated School District. Any
1162 debt assumed by the Starkville-Oktibbeha Consolidated School
1163 District secured by a special ad valorem tax shall become secured
1164 by and payable from a mandatory, special ad valorem tax which
1165 shall be levied on all taxable property in the
1166 Starkville-Oktibbeha Consolidated School District by the levying
1167 authority of the Starkville-Oktibbeha Consolidated School
1168 District. All debt secured by a pledge by either district of its
1169 education enhancement funds pursuant to Section 37-61-33,
1170 Mississippi Code of 1972, or by a pledge of its Mississippi
1171 Adequate Education Program funds will continue to be secured by
1172 and payable from the same funds after the debt is assumed by the
1173 Starkville-Oktibbeha Consolidated School District as of July 1,
1174 2015. It is the intent of the Legislature that any such pledges
1175 will remain in effect and that the pledged funds will be available
1176 to the Starkville-Oktibbeha Consolidated School District to pay
1177 its debt to which the funds are pledged.

1178 (11) It shall be the responsibility of the Board of
1179 Supervisors of Oktibbeha County to provide office, furnishing and



1180 utilities for the administrative Office of the Superintendent of
1181 the Starkville-Oktibbeha Consolidated School District.

1182 (12) The new Starkville-Oktibbeha Consolidated School
1183 District is authorized and encouraged to develop a partnership
1184 with Mississippi State University to create a model rural
1185 education school to serve all sixth- and seventh-grade students
1186 from Oktibbeha County and a model prekindergarten program which
1187 shall also serve as a model for the education of teachers and
1188 administrators. The Starkville-Oktibbeha Consolidated School
1189 District and Mississippi State University are authorized and
1190 empowered, in each's discretion, to enter into an agreement for
1191 the purpose of designing, constructing, maintaining and operating
1192 a model rural education school to serve all sixth- and
1193 seventh-grade students from Oktibbeha County. The
1194 Starkville-Oktibbeha Consolidated School District and Mississippi
1195 State University are further authorized and empowered, in each's
1196 discretion, to transfer funds to the other and expend such funds
1197 on mutually agreeable terms and conditions for the construction,
1198 maintenance and operation of such school.

1199 (13) The Board of Supervisors of Oktibbeha County shall be
1200 the "levying authority" for the Starkville-Oktibbeha Consolidated
1201 School District.

1202 **SECTION 18.** Section 37-7-104.4, Mississippi Code of 1972, is
1203 brought forward as follows:



1204 37-7-104.4. (1) In Montgomery County, Mississippi, in which
1205 are located, as of January 1, 2016, two (2) school districts,
1206 there shall be an administrative consolidation of all of those
1207 school districts in the county into one (1) new countywide
1208 municipal separate school district to be designated as
1209 Winona-Montgomery Consolidated School District which shall consist
1210 of the territory of the former Montgomery County School District
1211 and the Winona Municipal Separate School District, effective on
1212 July 1, 2018. At such time that the administrative consolidation
1213 becomes effective, the central administrative office of the
1214 Winona-Montgomery Consolidated School District shall be located in
1215 Winona, Mississippi.

1216 (2) As soon as practicable, a financial advisor and/or other
1217 facilitator with school district experience may be assigned by the
1218 Mississippi Department of Education to oversee the budgeting and
1219 financial matters relating to the consolidation of the districts
1220 slated for consolidation. The financial advisor and/or
1221 facilitator may, at the discretion of the Mississippi Department
1222 of Education, continue duties for one (1) year after the
1223 consolidation to ensure that all financial matters are in place.
1224 All financial expenditures of districts that are closing must be
1225 approved by the financial advisor and/or facilitator. If the
1226 superintendent and/or school board approves expenditures outside
1227 of this approval, they shall be personally liable for the excess
1228 expenditures. The State Board of Education shall determine the



1229 compensation to be paid to the financial advisor and/or
1230 facilitator which shall be paid by the local school district to
1231 which the financial advisor and/or facilitator is assigned.

1232 (3) (a) On or before September 1, 2017, the State Board of
1233 Education shall serve the local school board of the Winona
1234 Municipal Separate School District and the local school board of
1235 the Montgomery County School District with notice and instructions
1236 regarding the timetable for action to be taken to comply with the
1237 administrative consolidation required in this section.

1238 (b) In the new Winona-Montgomery Consolidated School
1239 District, there shall be a new countywide municipal separate
1240 school district board of trustees comprised of five (5) members,
1241 which shall consist of the existing members of the Board of
1242 Trustees of the Winona Municipal Separate School District.
1243 However, when consolidation becomes effective, the two (2)
1244 appointed board members of the Winona Municipal Separate School
1245 District whose terms are nearest to expiration shall expire on
1246 January 1, 2019, shall thereafter become elected positions to be
1247 filled by the election of board members in a manner prescribed in
1248 subparagraph (ii) of this paragraph (b). The new countywide
1249 municipal separate school district board of trustees of the
1250 Winona-Montgomery Consolidated School District shall be comprised
1251 as follows:

1252 (i) The three (3) members of the existing Board of
1253 Trustees of the Winona Municipal Separate School District



1254 appointed by the Board of Aldermen of the City of Winona with the
1255 most years remaining in their terms shall serve until the
1256 expiration of such appointed term and thereafter, appointments
1257 shall each be selected for a term of four (4) years beginning on
1258 January 1 of the year next succeeding the appointment;

1259 (ii) The two (2) members of the board elected
1260 after the appropriate appointments become permanently elected
1261 positions, shall be elected for a term of four (4) years by the
1262 electors of Montgomery County residing outside of the Winona
1263 corporate limits who shall be residents of that territory and who
1264 shall be elected in an election held on Tuesday after the first
1265 Monday in November 2018, in the manner prescribed in Section
1266 37-7-203, and the elected members will take office on January 1,
1267 2019. All subsequent members of the board elected from the
1268 territory outside of the Winona corporate limits shall be elected
1269 for a term of four (4) years at the regular general election held
1270 on the first Monday in November next preceding the expiration of
1271 the term of office of the respective member or members, and shall
1272 take office on January 1 next succeeding the election; and

1273 (iii) The Board of Supervisors of Montgomery
1274 County and the State Board of Education, with the assistance of
1275 the Joint Legislative Committee on Performance Evaluation and
1276 Expenditure Review (PEER), shall apportion the territory of the
1277 new consolidated school district located outside the Winona
1278 corporate limits into two (2) new proportionately equal single



1279 member board of trustee election districts. The board of
1280 supervisors shall thereafter publish the same in some newspaper of
1281 general circulation in the county for at least three (3)
1282 consecutive weeks and after having given notice of publication and
1283 recording the same upon the minutes of the school boards of each
1284 school district in the county, the new district lines will
1285 thereafter be effective for the November 2018 special election.
1286 Any school board member of the former school districts residing in
1287 the proper territory shall be eligible for appointment or election
1288 to the new Board of Trustees for Winona-Montgomery Consolidated
1289 School District.

1290 (c) Any school district affected by the required
1291 administrative consolidation in the county that does not
1292 voluntarily consolidate as ordered by the State Board of Education
1293 shall be administratively consolidated by the State Board of
1294 Education, to be effective immediately upon action of the State
1295 Board of Education. The State Board of Education shall promptly
1296 move on its own motion to administratively consolidate a school
1297 district which does not voluntarily consolidate in order to enable
1298 the affected school districts to reasonably accomplish the
1299 resulting administrative consolidation into one (1) consolidated
1300 school district by July 1 following the motion to consolidate.
1301 The affected school districts shall comply with any consolidation
1302 order issued by the State Board of Education.



1303 (4) (a) On July 1, 2018, following the motion of the State
1304 Board of Education to consolidate school districts in Montgomery
1305 County, the Montgomery County School District shall be abolished.
1306 All real and personal property which is owned or titled in the
1307 name of the school district located in such former school district
1308 shall be transferred to the Winona-Montgomery Consolidated School
1309 District as of July 1, 2018.

1310 (b) The new board of trustees of the Winona-Montgomery
1311 Consolidated School District shall be responsible for establishing
1312 the contracts for operations, teachers, principals, clerical and
1313 administrative staff personnel for the 2018-2019 school year and
1314 each school year thereafter.

1315 (c) The superintendent of the Winona-Montgomery
1316 Consolidated School District shall be appointed by the board and
1317 is authorized to appoint an assistant superintendent, but in no
1318 instance shall the administrative leadership of the
1319 Winona-Montgomery Consolidated School District exceed three (3)
1320 assistant superintendents to be appointed by the superintendent of
1321 the Winona-Montgomery Consolidated School District.

1322 (d) It shall be the responsibility of the board of
1323 trustees to prepare and approve the budget of the respective new
1324 reorganized district, and the board of trustees may use staff from
1325 the former school district to prepare the budget. Any transfer of
1326 the assets, real or personal property of the Montgomery County
1327 School District mandated by this section shall be final and



1328 conclusive for the purposes of the transfer of property required
1329 by this section to effectuate the administrative consolidation.

1330 (e) Any person or school district aggrieved by an order
1331 of the successor newly selected board of trustees of the
1332 Winona-Montgomery Consolidated School District pursuant to the
1333 required administrative consolidation may appeal therefrom within
1334 ten (10) days from the date of the adjournment of the meeting at
1335 which such order is entered. The appeal shall be taken in the
1336 same manner as appeals are taken from judgments or decisions of
1337 the board of supervisors as provided in Section 11-51-75, the
1338 provisions of which shall be fully applicable to appeals taken
1339 hereunder. The board of trustees of the Winona-Montgomery
1340 Consolidated School District shall not pass upon or approve or
1341 disapprove any such order until the time for an appeal therefrom
1342 has expired, nor shall the board pass upon or approve or
1343 disapprove any such order from which an appeal is taken until said
1344 appeal has been finally determined.

1345 (5) Nothing in this section shall be construed to require
1346 the closing of any school or school facility, unless the facility
1347 is an unneeded administrative office located within a school
1348 district which has been abolished under the provisions of this
1349 section. All administrative consolidations under this section
1350 shall be accomplished so as not to delay or in any manner
1351 negatively affect the desegregation of another school district in
1352 the county pursuant to court order.



1353 (6) The State Board of Education shall promulgate rules and
1354 regulations to facilitate the administrative consolidation of the
1355 school districts in Montgomery County pursuant to the requirements
1356 of this section. Beginning with the insurance cafeteria plan year
1357 of November 1, 2018, the consolidated districts shall fall under
1358 all insurance plans and policies elected by the Winona-Montgomery
1359 Consolidated School District, including the group term life
1360 insurance described in Section 25-15-9(7).

1361 (7) The County Board of Education and the Superintendent of
1362 Education of the former Montgomery County School District and the
1363 local school board and Superintendent of Schools of the Winona
1364 Municipal Separate School District shall cooperate with the State
1365 Department of Education, as soon as practicable after July 1,
1366 2016, for the planning and transition of programs, services and
1367 alignment of curriculum for the administratively consolidated
1368 school districts.

1369 (8) It shall be the responsibility of the Board of
1370 Supervisors of Montgomery County to provide office, furnishing and
1371 utilities for the administrative Office of the Superintendent of
1372 the Winona-Montgomery Consolidated School District.

1373 (9) One (1) year prior to the date of consolidation, a
1374 financial advisor and/or other facilitator with school district
1375 experience may be assigned by the Mississippi Department of
1376 Education to oversee the budgeting and financial matters relating
1377 to the consolidation of the districts slated for consolidation.



1378 The financial advisor and/or facilitator may, at the discretion of
1379 the Mississippi Department of Education, continue duties for one
1380 year after the consolidation to ensure that all financial matters
1381 are in place. All financial expenditures of districts that are
1382 closing must be approved by the financial advisor and/or
1383 facilitator. If the superintendent and/or school board approves
1384 expenditures outside of this approval, they shall be personally
1385 liable for the excess expenditures. The State Board of Education
1386 shall determine the compensation to be paid to the financial
1387 advisor and/or facilitator which shall be paid by the local school
1388 district.

1389 **SECTION 19.** Section 37-7-104.5, Mississippi Code of 1972, is
1390 brought forward as follows:

1391 37-7-104.5. (1) Not later than July 1, 2019, the local
1392 school boards of the Lumberton Public School District, Lamar
1393 County School District and Poplarville Separate School District
1394 shall, under the authority provided in Section 37-7-103, enter
1395 into an agreement, by which the approval of such agreement shall
1396 be spread upon each board's minutes of their regularly scheduled
1397 meetings or at special meetings called for the specific purpose of
1398 such agreement, to abolish and dissolve the Lumberton School
1399 District and its central administrative office to be effective for
1400 the start of the 2019-2020 school year. The agreement between
1401 each school board made parties thereto must consider:



1402 (a) The composition of the district boundaries of the
1403 Lumberton Public School District, as it existed on January 1,
1404 2016, to ensure that the student population to be transferred to
1405 the Lamar County School District and Poplarville Separate School
1406 District does not disparately impact the desegregation of either
1407 school district entering into agreement;

1408 (b) The territory embraced by Lumberton, Mississippi,
1409 located within the bounded territory of Lamar County, from which
1410 the school district to be abolished by agreement draws a portion
1411 of its student population, shall be absorbed into the boundary
1412 lines of the Lamar County School District, which shall spread a
1413 legal description of the district's new boundaries upon its
1414 minutes. It shall be the responsibility of the board of
1415 supervisors of such county to apportion the school district into
1416 five (5) new single-member board of education election districts,
1417 which shall be consistent with the apportioned population of the
1418 existing Lamar County School District and that portion of the
1419 former Lumberton Public School District situated within Lamar
1420 County as the former district existed on July 1, 2016. The board
1421 of supervisors of the county shall thereafter publish the same in
1422 some newspaper of general circulation in the county for at least
1423 three (3) consecutive weeks and after having given notice of
1424 publication and recording the same upon the minutes of the school
1425 boards of each appropriate school district in the county, the new
1426 district lines will thereafter be effective; and



1427 (c) The territory embraced by Lumberton, Mississippi,
1428 located within the bounded territory of Pearl River County, from
1429 which the school district to be abolished by agreement draws a
1430 portion of its student population, shall be absorbed into the
1431 boundary lines of the Poplarville Separate School District as
1432 added territory, which shall spread a legal description of the
1433 district's new boundaries with added territory upon its minutes.
1434 It shall be the responsibility of the municipal governing
1435 authority having jurisdiction over the territory wherein the
1436 Poplarville Separate School District is located to provide
1437 residents of the added territory with representation on the school
1438 board as authorized under the provisions of Section 37-7-203(1),
1439 which shall be consistent with the apportioned population of the
1440 existing Poplarville Separate School District and the percentage
1441 of the student population from that portion of the former
1442 Lumberton Public School District situated in Pearl River County
1443 within the added territory of the Poplarville Separate School
1444 District as the former district existed on July 1, 2016. The
1445 municipal governing authority shall thereafter publish the same in
1446 some newspaper of general circulation in the county for at least
1447 three (3) consecutive weeks and after having given notice of
1448 publication and recording the same upon the minutes of the school
1449 boards of each appropriate school district in the county, the new
1450 member districts will thereafter be effective; and



1451 (2) (a) There is hereby created and established an advisory
1452 council to be known as the Commission on the Administrative
1453 Consolidation of the Lumberton Public School District. The
1454 commission shall be composed of eleven (11) members as follows:
1455 (i) The State Superintendent of Education, or his
1456 designee, who shall serve as Chairman of the Commission;
1457 (ii) The Superintendent of the Lumberton Public
1458 School District;
1459 (iii) The Superintendent of Education of the Lamar
1460 County School District;
1461 (iv) The Superintendent of the Poplarville
1462 Separate School District;
1463 (v) Two (2) members of the Lamar County Board of
1464 Education to be appointed by the Lamar County Board of Education;
1465 (vi) One (1) member of the Board of Trustees of
1466 the Poplarville Separate School District to be appointed by the
1467 Board of Trustees of the Poplarville Separate School District;
1468 (vii) One (1) member of the Board of Trustees of
1469 the Lumberton Public School District to be appointed by the Board
1470 of Trustees of the Lumberton Public School District;
1471 (viii) One (1) resident of the area which
1472 comprises the Lumberton Public School District to be appointed by
1473 the State Superintendent of Public Education;



1474 (ix) One (1) resident of the area which comprises
1475 the Lamar County School District to be appointed by the Lamar
1476 County Board of Supervisors; and

1477 (x) One (1) resident of the area which comprises
1478 the Poplarville Separate School District to be appointed by the
1479 Pearl River Board of Supervisors.

1480 (b) The Commission on the Administrative Consolidation
1481 of the Lumberton Public School District shall meet within thirty
1482 (30) days of July 1, 2016, upon the call of the State
1483 Superintendent of Education and shall hold hearings and meet as
1484 necessary and develop a report to the Legislature, the Governor
1485 and the State Board of Education on or before December 1, 2017,
1486 with the agreed-upon plan for proceeding with the abolition and
1487 dissolving of the Lumberton Public School District, which shall
1488 include a reasonable effort to maintain and operate a school in
1489 the former Lumberton Public School District by which students
1490 desiring may, in the discretion of the parents of such students,
1491 attend.

1492 (c) The plan may provide an option for students
1493 enrolled in the schools of the Lumberton Public School District on
1494 May 1, 2017, and children registered for kindergarten on that date
1495 with the Lumberton Public School District may be granted an
1496 automatic transfer by the Lamar County Board of Education or the
1497 Poplarville School Board, as determined by the agreed-upon plan.



1498 (3) Nothing in this section shall be construed to require
1499 the closing or maintenance of any school or school facility,
1500 unless the facility is an unneeded administrative office located
1501 within a school district which has been abolished under the
1502 provisions of this section.

1503 **SECTION 20.** Section 37-7-104.6, Mississippi Code of 1972, is
1504 brought forward as follows:

1505 37-7-104.6. (1) In Leflore County, Mississippi, in which
1506 are located, as of January 1, 2016, two (2) school districts,
1507 there shall be an administrative consolidation of those school
1508 districts in the county into one (1) new countywide school
1509 district to be designated as Greenwood-Leflore School District
1510 which shall consist of the territory of the former Leflore County
1511 School District and the Greenwood Municipal Separate School
1512 District, effective on July 1, 2019. At such time that the
1513 administrative consolidation becomes effective, the central
1514 administrative office of the Greenwood-Leflore School District
1515 shall be current Greenwood Public School District Central Office,
1516 located in Greenwood, Mississippi.

1517 (2) As soon as practicable, a financial advisor and/or other
1518 facilitator with school district experience may be assigned by the
1519 Mississippi Department of Education to oversee the budgeting and
1520 financial matters relating to the consolidation of the districts
1521 slated for consolidation. The financial advisor and/or
1522 facilitator may, at the discretion of the Mississippi Department



1523 of Education, continue duties for one (1) year after the
1524 consolidation to ensure that all financial matters are in place.
1525 All financial expenditures of districts that are closing must be
1526 approved by the financial advisor and/or facilitator. If the
1527 superintendent and/or school board approves expenditures outside
1528 of this approval, they shall be personally liable for the excess
1529 expenditures. The State Board of Education shall determine the
1530 compensation to be paid to the financial advisor and/or
1531 facilitator which shall be paid by the local school district to
1532 which the financial advisor and/or facilitator is assigned.

1533 (3) (a) On July 1, 2018, the State Board of Education shall
1534 serve the local school boards of the Leflore County School
1535 District and the Greenwood Municipal Separate School District with
1536 notice and instructions regarding the timetable for action to be
1537 taken to comply with the administrative consolidation required in
1538 this section. The State Board of Education shall require the
1539 administrative consolidation of Leflore County School District and
1540 the Greenwood Municipal Separate School District on or before July
1541 1, 2019. In the new Greenwood-Leflore School District, there
1542 shall be a new phased-in County Board of Education comprised of
1543 five (5) members elected to staggered terms of office from single
1544 member supervisors districts in the manner prescribed in this
1545 subsection. Current members of the Board of Trustees of the
1546 Greenwood Public School District serving on November 1, 2017,
1547 shall continue in office as the new County Board of Education of



1548 the Greenwood-Leflore School District until their successors are
1549 elected as follows:

1550 (i) The two (2) appointed board members of the
1551 Greenwood Public School District whose terms are nearest to
1552 expiration shall expire on January 1, 2019, and thereafter become
1553 permanently elected positions to be filled by persons elected as
1554 board members from Supervisors Districts 2 and 3 in a November
1555 2018 election held for that purpose, in the manner prescribed in
1556 Section 37-7-203, and the newly elected members will take office
1557 on January 1, 2019, for a term of four (4) years;

1558 (ii) The final two (2) appointed board members of
1559 the Greenwood Public School District whose terms are the farthest
1560 removed from expiration shall expire on January 1, 2020, and
1561 thereafter become permanently elected positions to be filled by
1562 persons elected as board members from Supervisors Districts 4 and
1563 5 in a November 2019 election held for that purpose, in the manner
1564 prescribed in Section 37-7-203, and the newly elected members will
1565 take office on January 1, 2020, for a term of four (4) years; and

1566 (iii) One (1) appointed board member of the
1567 Greenwood Public School District whose term is next nearest to
1568 expiration shall expire on January 1, 2021, and thereafter become
1569 a permanently elected position to be filled by a person elected as
1570 a board member from Supervisors District 1 in a November 2020
1571 election held for that purpose, in the manner prescribed in



1572 Section 37-7-203, and the newly elected members will take office
1573 on January 1, 2021, for a term of four (4) years.

1574 (b) All subsequent members shall be elected for a term
1575 of four (4) years at the regular general election held on the
1576 first Monday in November next preceding the expiration of the term
1577 of office of the respective members, and shall take office on
1578 January 1 next succeeding the election.

1579 (c) No previous school board member of the former
1580 school district that was placed under conservatorship residing in
1581 the proper territory shall be eligible for selection to the new
1582 Board of Education for the Greenwood-Leflore Consolidated School
1583 District.

1584 (d) The State Board of Education shall declare that the
1585 territory embraced by Leflore County, Mississippi, shall be the
1586 boundary lines for the territory of the new Greenwood-Leflore
1587 School District and shall spread a legal description of the new
1588 school district on the minutes of its August 2018 meeting and
1589 shall serve the applicable school boards and the board of
1590 supervisors with an adequate legal description of these new
1591 boundaries. Any school board member of the former school
1592 districts residing in the proper supervisors district shall be
1593 eligible for election to the new Board of Education for the
1594 Greenwood-Leflore School District unless such person was serving
1595 as a member of the board when either district subject to



1596 consolidation under this section was placed under conservatorship,
1597 which shall render the board member ineligible for election.

1598 (e) Any school district affected by the required
1599 administrative consolidation in the county that does not
1600 voluntarily consolidate as ordered by the State Board of Education
1601 shall be administratively consolidated by the State Board of
1602 Education, to be effective immediately upon action of the State
1603 Board of Education. The State Board of Education shall promptly
1604 move on its own motion to administratively consolidate a school
1605 district which does not voluntarily consolidate in order to enable
1606 the affected school districts to reasonably accomplish the
1607 resulting administrative consolidation into the Greenwood-Leflore
1608 School District by July 1, 2019, following the motion to
1609 consolidate. The affected school districts shall comply with any
1610 consolidation order issued by the State Board of Education.

1611 (4) The successor Greenwood-Leflore Board of Education shall
1612 appoint a new Superintendent of Schools for the Greenwood-Leflore
1613 School District to be selected no later than July 1, 2019, in the
1614 manner provided in Section 37-9-13. The position of
1615 Greenwood-Leflore Superintendent of Schools shall be an appointive
1616 position. The successor Greenwood-Leflore Board of Education
1617 shall also employ central office staff for the Greenwood-Leflore
1618 School District no later than July 1, 2019.

1619 (5) (a) On January 1, 2020, following the motion of the
1620 State Board of Education to consolidate school districts in



1621 Leflore County and the Greenwood Municipal Separate School
1622 Districts, the Leflore County and the Greenwood Municipal Separate
1623 School Districts and the former school boards of those districts
1624 shall be abolished. All real and personal property which is owned
1625 or titled in the name of the school district located in such
1626 former school districts shall be transferred to the new
1627 Greenwood-Leflore Consolidated School District.

1628 (b) The new board of trustees of the Greenwood-Leflore
1629 Consolidated School District shall be responsible for establishing
1630 the contracts for teachers, principals, clerical and
1631 administrative staff personnel for the 2019-2020 school year and
1632 each school year thereafter.

1633 (c) The new board of trustees for the Greenwood-Leflore
1634 Consolidated School District shall appoint the superintendent of
1635 schools for the school district. The superintendent of schools
1636 for the Greenwood-Leflore Consolidated School District may appoint
1637 three (3) assistant superintendents of schools for the district,
1638 but in no instance shall the administrative leadership of the
1639 Greenwood-Leflore Consolidated School District have more than
1640 three (3) assistant superintendents of education. The subsequent
1641 superintendent of schools of the consolidated school district
1642 shall not be elected, but shall thereafter be appointed by the
1643 successor board of trustees in the manner provided in Section
1644 37-9-25. It shall be the responsibility of the successor board of
1645 trustees to prepare and approve the budget of the new consolidated



1646 district, and the successor board of trustees may use staff from
1647 the former school districts to prepare the budget. Any proposed
1648 order of the State Board of Education directing the transfer of
1649 the assets, real or personal property of an affected school
1650 district in the county, shall be final and conclusive for the
1651 purposes of the transfer of property required by such
1652 administrative consolidation.

1653 (d) Any person or school district aggrieved by an order
1654 of the successor newly selected board of trustees of the
1655 Greenwood-Leflore Consolidated School District pursuant to the
1656 required administrative consolidation may appeal therefrom within
1657 ten (10) days from the date of the adjournment of the meeting at
1658 which such order is entered. The appeal shall be taken in the
1659 same manner as appeals are taken from judgments or decisions of
1660 the board of supervisors as provided in Section 11-51-75, the
1661 provisions of which shall be fully applicable to appeals taken
1662 hereunder. The board of trustees of the Greenwood-Leflore
1663 Consolidated School District shall not pass upon or approve or
1664 disapprove any such order until the time for an appeal therefrom
1665 has expired, nor shall the board pass upon or approve or
1666 disapprove any such order from which an appeal is taken until said
1667 appeal has been finally determined.

1668 (6) Nothing in this section shall be construed to require
1669 the closing of any school or school facility, unless the facility
1670 is an unneeded administrative office located within a school



1671 district which has been abolished under the provisions of this
1672 section. All administrative consolidations under this section
1673 shall be accomplished so as not to delay or in any manner
1674 negatively affect the desegregation of another school district in
1675 the county pursuant to court order.

1676 (7) The State Board of Education shall promulgate rules and
1677 regulations to facilitate the administrative consolidation of the
1678 school districts in Leflore County pursuant to this section. The
1679 consolidated districts shall make an election within one (1) year
1680 of consolidation concerning the group term life insurance
1681 described in subsection (6) of Section 25-15-9.

1682 (8) The County Board of Education and the Superintendent of
1683 Education of the former Leflore County School District and the
1684 local school board and Superintendent of Schools of the
1685 Greenwood-Leflore Public School District shall cooperate with the
1686 State Department of Education, as soon as practicable after July
1687 1, 2016, for the planning and transition of programs, services and
1688 alignment of curriculum for the administratively consolidated
1689 school districts.

1690 **SECTION 21.** Section 37-7-104.7, Mississippi Code of 1972, is
1691 brought forward as follows:

1692 37-7-104.7. (1) In Holmes County, Mississippi, in which are
1693 located, as of January 1, 2016, two (2) school districts, there
1694 shall be an administrative consolidation of all of those school
1695 districts in the county into one (1) new countywide school



1696 district to be designated as Holmes County Consolidated School
1697 District which shall consist of the territory of the former Holmes
1698 County School District and the Durant Public School District,
1699 effective on July 1, 2018. At such time that the administrative
1700 consolidation becomes effective, the central administrative office
1701 of the Holmes County Consolidated School District shall be located
1702 in Lexington, Mississippi.

1703 (2) Within two (2) years prior to the date of consolidation,
1704 or as soon as practicable after July 1, 2016, a financial advisor
1705 and/or other facilitator with school district experience may be
1706 assigned by the Mississippi Department of Education to oversee the
1707 budgeting and financial matters relating to the consolidation of
1708 the districts slated for consolidation. The financial advisor
1709 and/or facilitator may, at the discretion of the Mississippi
1710 Department of Education, continue duties for one (1) year after
1711 the consolidation to ensure that all financial matters are in
1712 place. All financial expenditures of districts that are closing
1713 must be approved by the financial advisor and/or facilitator. If
1714 the superintendent and/or school board approves expenditures
1715 outside of this approval, they shall be personally liable for the
1716 excess expenditures. The State Board of Education shall determine
1717 the compensation to be paid to the financial advisor and/or
1718 facilitator which shall be paid by the local school district to
1719 which the financial advisor and/or facilitator is assigned.



1720 (3) (a) On or before July 1, 2017, the State Board of
1721 Education shall serve the local school boards of the Holmes County
1722 School District and the Durant Public School District with notice
1723 and instructions regarding the timetable for action to be taken to
1724 comply with the administrative consolidation required in this
1725 section. The State Board of Education shall provide for the
1726 administrative consolidation of Holmes County School District and
1727 the Durant Public School District on or before July 1, 2018. In
1728 the new Holmes County Consolidated School District, there shall be
1729 a new county board of education elected in a November 2017 special
1730 election, which shall be called by the Governor for that purpose.
1731 The new county board of education shall be elected and the terms
1732 of office established as provided in Section 37-5-7(3). The State
1733 Board of Education shall declare that the territory embraced by
1734 Holmes County, Mississippi, shall be the boundary lines for the
1735 territory of the new Holmes County Consolidated School District
1736 and shall spread a legal description of the new school district on
1737 the minutes of its August 2017 meeting and shall serve the
1738 applicable school boards and the board of supervisors with an
1739 adequate legal description of these new boundaries. It shall be
1740 the responsibility of the board of supervisors of such county to
1741 apportion the newly consolidated school district into five (5) new
1742 single member board of education election districts, which shall
1743 be consistent with the supervisors district lines in the county.
1744 The board of supervisors of the county shall thereafter publish



1745 the same in some newspaper of general circulation in the county
1746 for at least three (3) consecutive weeks and after having given
1747 notice of publication and recording the same upon the minutes of
1748 the school boards of each appropriate school district in the
1749 county, the new district lines will thereafter be effective for
1750 the November 2017 special election.

1751 (b) Any school district affected by the required
1752 administrative consolidation in Holmes County that does not
1753 voluntarily consolidate as ordered by the State Board of Education
1754 shall be administratively consolidated by the State Board of
1755 Education, to be effective on July 1 following the November 2017
1756 special election of the new school board members. The State Board
1757 of Education shall promptly move on its own motion to
1758 administratively consolidate a school district which does not
1759 voluntarily consolidate in order to enable the affected school
1760 districts to reasonably accomplish the resulting administrative
1761 consolidation into the Holmes County Consolidated School District
1762 by July 1, 2018, following the election of the new board of
1763 trustees. The affected school districts shall comply with any
1764 consolidation order issued by the State Board of Education on or
1765 before July 1 following the election of the new board of trustees.

1766 (4) (a) On July 1, 2018, following the election of the new
1767 board of trustees of the Holmes County Consolidated School
1768 District, the former county board of education for Holmes County
1769 and the former board of trustees of the Durant Public School



1770 Districts shall be abolished. All real and personal property
1771 which is owned or titled in the name of the school district
1772 located in such former school districts shall be transferred to
1773 the new Holmes County Consolidated School District.

1774 (b) The new board of trustees of the Holmes County
1775 Consolidated School District shall be responsible for establishing
1776 the contracts for teachers, principals, clerical and
1777 administrative staff personnel for the 2018-2019 school year and
1778 each school year thereafter.

1779 (c) The new board of trustees for the Holmes County
1780 Consolidated School District shall appoint the superintendent of
1781 schools for the school district. The superintendent of schools
1782 for the Holmes County Consolidated School District may appoint an
1783 assistant superintendent of schools for the district, but in no
1784 instance shall the administrative leadership of the Holmes County
1785 Consolidated School District have more than one (1) assistant
1786 superintendent of education. The subsequent superintendent of
1787 schools of the consolidated school district shall not be elected,
1788 but shall thereafter be appointed by the successor board of
1789 trustees in the manner provided in Section 37-9-25. It shall be
1790 the responsibility of the successor board of trustees to prepare
1791 and approve the budget of the new consolidated district, and the
1792 successor board of trustees may use staff from the former school
1793 districts to prepare the budget. Any proposed order of the State
1794 Board of Education directing the transfer of the assets, real or



1795 personal property of an affected school district in the county,
1796 shall be final and conclusive for the purposes of the transfer of
1797 property required by such administrative consolidation.

1798 (d) Any person or school district aggrieved by an order
1799 of the successor newly selected board of trustees of the Holmes
1800 County Consolidated School District pursuant to the required
1801 administrative consolidation may appeal therefrom within ten (10)
1802 days from the date of the adjournment of the meeting at which such
1803 order is entered. The appeal shall be taken in the same manner as
1804 appeals are taken from judgments or decisions of the board of
1805 supervisors as provided in Section 11-51-75, the provisions of
1806 which shall be fully applicable to appeals taken hereunder. The
1807 board of trustees of the Holmes County Consolidated School
1808 District shall not pass upon or approve or disapprove any such
1809 order until the time for an appeal therefrom has expired, nor
1810 shall the board pass upon or approve or disapprove any such order
1811 from which an appeal is taken until said appeal has been finally
1812 determined.

1813 (5) Nothing in this section shall be construed to require
1814 the closing of any school or school facility, unless the facility
1815 is an unneeded administrative office located within a school
1816 district which has been abolished under the provisions of this
1817 section. All administrative consolidations under this section
1818 shall be accomplished so as not to delay or in any manner



1819 negatively affect the desegregation of another school district in
1820 the county pursuant to court order.

1821 (6) The State Board of Education shall promulgate rules and
1822 regulations to facilitate the administrative consolidation of the
1823 school districts in Holmes County pursuant to this section. The
1824 consolidated districts shall make an election within one (1) year
1825 of consolidation concerning the group term life insurance
1826 described in subsection (6) of Section 25-15-9.

1827 (7) The County Board of Education and the Superintendent of
1828 Education of the former Holmes County School District and the
1829 local school board and Superintendent of Schools of the Durant
1830 Public School District shall cooperate with the State Department
1831 of Education, as soon as practicable after July 1, 2016, for the
1832 planning and transition of programs, services and alignment of
1833 curriculum for the administratively consolidated school districts.

1834 **SECTION 22.** Section 37-7-104.8, Mississippi Code of 1972, is
1835 brought forward as follows:

1836 37-7-104.8. (1) In Chickasaw County, Mississippi, in which
1837 are located, as of January 1, 2017, three (3) school districts,
1838 there shall be an administrative consolidation of two (2) of those
1839 school districts in the county as a new school district to be
1840 designated as Chickasaw County School District which shall consist
1841 of the territory of the former Chickasaw County School District
1842 and the Houston Municipal Separate School District, effective on
1843 July 1, 2021. At such time that the administrative consolidation



1844 becomes effective, the central administrative office of the new
1845 Chickasaw County School District shall be located in Houston,
1846 Mississippi.

1847 (2) On July 1, 2020, the Superintendent of Schools of the
1848 former Houston Municipal Separate School District shall continue
1849 to serve in like administrative capacity for the purpose of
1850 managing the transition for the consolidation of the former
1851 Chickasaw County School District and the Houston Municipal
1852 Separate School District. The said Superintendent of Schools
1853 shall be responsible for the administration, management and
1854 operation of the school district from July 1, 2020, until July 1,
1855 2021, including, but not limited to, the following activities:
1856 (a) merging the existing budgets with the budget of the new
1857 consolidated school district; (b) nonrenewal of central office
1858 staff as necessary; (c) construction of a new salary scale for
1859 licensed and nonlicensed employees; (d) supplemental duties of
1860 school district employees; (e) assist local officials with school
1861 tax assessment; (f) appointment of assistant superintendents for
1862 the new district not to exceed three (3); and (g) veto authority
1863 over decisions of the former school boards until the new Chickasaw
1864 County Board of Education is in place. The said Superintendent of
1865 Schools shall cooperate with the State Department of Education, as
1866 soon as practicable after July 1, 2017, for the planning and
1867 transition of programs, services and alignment of curriculum for
1868 the administratively consolidated school districts.



1869 (3) On July 1, 2020, the State Board of Education shall
1870 serve the Chickasaw County Board of Education and the Board of
1871 Trustees of the Houston Municipal Separate School District with
1872 notice and instructions regarding the timetable for action to be
1873 taken to comply with the administrative consolidation required in
1874 this section. The State Board of Education shall require the
1875 administrative consolidation of the Chickasaw County School
1876 District and the Houston Municipal Separate School District on or
1877 before July 1, 2021.

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



1894 conducted, for that purpose. The new county board of education
1895 shall be elected and the terms of office established as provided
1896 in Section 37-5-7(5). Any school board member of the former
1897 school districts residing in the proper territory shall be
1898 eligible for election to the new Chickasaw County Board of
1899 Education.

1900 (5) The State Board of Education shall declare that the
1901 territory embraced by Chickasaw County, Mississippi, excluding the
1902 territory of Okolona Separate School District, shall be the
1903 boundary lines for the territory of the new Chickasaw County
1904 School District and shall spread a legal description of the new
1905 school district on the minutes of its August 2020 meeting and
1906 shall serve the applicable school boards and the board of
1907 supervisors with an adequate legal description of these new
1908 boundaries. Any school district affected by the required
1909 administrative consolidation in the county that does not
1910 voluntarily consolidate as ordered by the State Board of Education
1911 shall be administratively consolidated by the State Board of
1912 Education, to be effective immediately upon action of the State
1913 Board of Education. The State Board of Education shall promptly
1914 move on its own motion to administratively consolidate a school
1915 district which does not voluntarily consolidate in order to enable
1916 the affected school districts to reasonably accomplish the
1917 resulting administrative consolidation into the Chickasaw School
1918 District by July 1, 2021, following the motion to consolidate.



1919 The affected school districts shall comply with any consolidation
1920 order issued by the State Board of Education.

1921 (6) The Interim Chickasaw County Board of Education shall
1922 conduct a search for a new Superintendent of Schools for the
1923 Chickasaw County School District to be selected no later than July
1924 1, 2021, in the manner provided in Section 37-9-13 and the
1925 Superintendent of Schools serving on that date may be selected to
1926 continue in office. The position of Chickasaw County
1927 Superintendent of Schools shall be an appointive position. No
1928 superintendent serving in a school district placed under
1929 conservatorship shall be eligible for appointment as a
1930 superintendent or assistant superintendent in the new Chickasaw
1931 County School District. The Interim Chickasaw County Board of
1932 Education shall also employ central office staff for the Chickasaw
1933 County School District no later than July 1, 2021, or as soon
1934 thereafter as is practicable.

1935 (7) On January 1, 2021, following the motion of the State
1936 Board of Education to consolidate school districts in Chickasaw
1937 County and the Houston Municipal Separate School Districts, the
1938 Chickasaw County School District and the Houston Municipal
1939 Separate School District and the former school boards of those
1940 districts shall be abolished. All real and personal property
1941 which is owned or titled in the name of the school district
1942 located in such former school districts shall be transferred to
1943 the new Chickasaw County School District. The Superintendent of



1944 Schools and the County Board of Education of the new Chickasaw
1945 County School District shall be responsible for establishing the
1946 contracts for teachers, principals, clerical and administrative
1947 staff personnel for the 2020-2021 school year and thereafter. It
1948 shall be the responsibility of the Superintendent of Schools and
1949 the County Board of Education of the new Chickasaw County School
1950 District to prepare and approve the budget of the new reorganized
1951 district. Any proposed order of the State Board of Education
1952 directing the transfer of the assets, real or personal property of
1953 an affected school district in the county, shall be final and
1954 conclusive for the purposes of the transfer of property required
1955 by such administrative consolidation.

1956 (8) From and after July 1, 2021, all outstanding debt of the
1957 former Chickasaw County School District and the Houston Municipal
1958 Separate School District shall be assumed by and become the debt
1959 of the new Chickasaw County School District. Any debt assumed by
1960 the Chickasaw County School District secured by a special ad
1961 valorem tax shall become secured by and payable from a mandatory,
1962 special ad valorem tax which shall be levied on all taxable
1963 property in the territory of the former Houston Municipal Separate
1964 School District or the former Chickasaw County School District, as
1965 the case may be, by the levying authority of the new Chickasaw
1966 County School District. It is the intent of the Legislature that
1967 any such pledges of the former school districts will remain in
1968 effect and that the pledged funds will be available to the new



1969 Chickasaw County School District to pay its debt to which the
1970 funds are pledged. The Board of Supervisors of Chickasaw County
1971 shall be the "levying authority" for the new Chickasaw County
1972 School District.

1973 (9) Nothing in this section shall be construed to require
1974 the closing of any school or school facility, unless the facility
1975 is an unneeded administrative office located within a school
1976 district which has been abolished under the provisions of this
1977 section. All administrative consolidations under this section
1978 shall be accomplished so as not to delay or in any manner
1979 negatively affect the desegregation of another school district in
1980 the county pursuant to court order.

1981 (10) The State Board of Education, acting through the new
1982 Superintendent of Schools, shall promulgate rules and regulations
1983 to facilitate the administrative consolidation of the school
1984 districts in Chickasaw County and Houston, Mississippi, pursuant
1985 to this section. The consolidated district shall make an election
1986 within one (1) year of consolidation concerning the group term
1987 life insurance described in Section 25-15-9(7).

1988 (11) For the initial two (2) years following the
1989 administrative consolidation required by this section, conditioned
1990 on approval by the U.S. Department of Education, the State
1991 Department of Education shall grant a waiver of accountability and
1992 state assessment requirements to the new Chickasaw County School
1993 District for the student population enrolled therein from the



1994 former Chickasaw County School District and the Houston Municipal
1995 Separate School District, when determining the new consolidated
1996 school district accreditation level based on the performance and
1997 accountability rating model.

1998 **SECTION 23.** This act shall take effect and be in force from
1999 and after its passage.

