

By: Representative Bennett

To: Education

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 669

1 AN ACT TO REQUIRE THE TATE COUNTY SCHOOL BOARD, HAVING
 2 JURISDICTION OVER THREE HIGH SCHOOLS WITHIN THE TATE COUNTY SCHOOL
 3 DISTRICT, TO CONSOLIDATE ITS SYSTEM OF HIGH SCHOOLS BY CLOSING
 4 COLDWATER HIGH SCHOOL, WHICH HAS CONSISTENTLY AND CHRONICALLY
 5 UNDERPERFORMED AS DETERMINED BY ITS GRADE DESIGNATION UNDER THE
 6 STATEWIDE SCHOOL ACCOUNTABILITY RATING SYSTEM AS DETERMINED BY THE
 7 STATE BOARD OF EDUCATION, UPON THE COMPLETION OF THE 2019-2020
 8 SCHOLASTIC YEAR; TO PROVIDE THAT UPON SUCH CLOSURE, STUDENTS THEN
 9 ATTENDING COLDWATER HIGH SCHOOL SHALL HAVE THE DISCRETION TO
 10 CHOOSE WHETHER TO ATTEND EITHER OF THE TWO REMAINING HIGH SCHOOLS
 11 IN THE TATE COUNTY SCHOOL DISTRICT OR REQUEST A TRANSFER TO THE
 12 SENATOBIA MUNICIPAL SCHOOL DISTRICT BASED ON RESIDENTIAL PROXIMITY
 13 TO THE APPROPRIATE HIGH SCHOOL OF ATTENDANCE WITHIN THE SENATOBIA
 14 MUNICIPAL SCHOOL DISTRICT; TO REQUIRE THE TATE COUNTY SCHOOL BOARD
 15 AND THE SENATOBIA MUNICIPAL SCHOOL BOARD TO ENTER INTO AN
 16 AGREEMENT NOT LATER THAN JULY 1, 2020, TO PROVIDE FOR THE
 17 AUTOMATIC TRANSFER OF ANY STUDENTS ENROLLED IN AND ATTENDING
 18 COLDWATER HIGH SCHOOL AT THE TIME OF ITS CLOSURE SEEKING TRANSFER
 19 TO THE SENATOBIA MUNICIPAL SCHOOL DISTRICT, AS DETERMINED BY THE
 20 RESIDENCE OF THE STUDENTS IN CLOSEST PROXIMITY TO THE BOUNDARY OF
 21 THE MUNICIPAL SCHOOL DISTRICT; TO PROVIDE THAT THE ATTENDANCE ZONE
 22 OF COLDWATER HIGH SCHOOL SHALL BE COLLAPSED TO BE REDRAWN AND
 23 DISTRIBUTED IN EQUAL PROPORTION TO THE REMAINING TWO HIGH SCHOOL
 24 ATTENDANCE ZONES IN THE COUNTY SCHOOL DISTRICT; TO BRING FORWARD
 25 SECTION 37-7-315, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF
 26 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

28 **SECTION 1.** (1) Not later than July 1, 2020, the Tate County
 29 School Board, having jurisdiction over three (3) high schools
 30 within the Tate County School District, shall consolidate its



31 system of high schools by closing Coldwater High School upon the
32 completion of the 2019-2020 scholastic year. Factors used in
33 determining the necessity to close Coldwater High School consists
34 of the following criteria:

35 (a) Coldwater High School has consistently and
36 chronically underperformed, as determined by its grade designation
37 under the statewide school accountability rating system, as
38 determined by the State Board of Education for the last four (4)
39 accreditation cycles as follows:

40 (i) Maintained a "F" accountability rating for the
41 2016, 2017 and 2018 school years; and

42 (ii) Achieved a "D" accountability rating for the
43 2019 school year;

44 (b) Coldwater High School has maintained an average
45 annual enrollment of approximately one hundred (100) students for
46 the last four (4) scholastic terms;

47 (c) Coldwater High School's average annual student
48 enrollment for the last four (4) scholastic terms represents less
49 than four percent (4%) of the overall student enrollment for the
50 Tate County School District;

51 (d) Coldwater High School provides a limited selection
52 of robust and advanced course offerings as part of its adopted
53 curriculum; and

54 (e) An assessment of Coldwater High School's graduation
55 percentage rates and dropout percentage rates in comparison to the



56 other remaining two (2) high schools throughout Tate County, the
57 Senatobia Municipal School District and in surrounding counties.

58 (2) Under the authority provided in Section 37-7-315, the
59 Tate County School Board shall execute a plan to provide for the
60 closure of Coldwater High School, which shall be spread upon the
61 minutes of its regularly scheduled meeting or at a special meeting
62 called for the specific purpose of the school closure. At said
63 meeting, the Tate County School Board shall:

64 (a) Issue an order to provide that the attendance zone
65 of Coldwater High School shall be collapsed and redrawn for
66 distribution in equal proportions to the school attendance zones
67 for Independence High School and Strayhorn High School. The Tate
68 County School Board shall thereafter publish the same in some
69 newspaper of general circulation in the county for at least three

70 (3) consecutive weeks and after having given notice of publication
71 and recording the same upon the minutes of the school board, the
72 new high school attendance zones will thereafter be effective;

73 (b) Issue an order to provide that upon such closure,
74 students attending Coldwater High School shall have the discretion
75 to choose whether to:

76 (i) Attend either Independence High School or
77 Strayhorn High School in a manner that does not disparately impact
78 the desegregation of either school; or

79 (ii) Transfer to the Senatobia Municipal School
80 District, provided that the appropriate high school located



81 therein is closest in proximity to the student's residence than
82 either of the two (2) high schools in the Tate County School
83 District; and

84 (c) Issue an order to enter agreement with the
85 Senatobia Municipal School Board for the release by the Tate
86 County School Board and subsequent acceptance by the Senatobia
87 Municipal School District of students affected by the closure of
88 Coldwater High School. The agreement between each school board
89 made parties thereto must consider the composition of the district
90 boundaries of the Tate County School District, as it existed on
91 January 1, 2020, to ensure that the student population eligible to
92 be transferred from the Coldwater High School attendance zone to
93 the Senatobia Municipal School District does not disparately
94 impact the desegregation of either school district entering into
95 agreement.

96 **SECTION 2.** Section 37-7-315, Mississippi Code of 1972, is
97 brought forward as follows:

98 37-7-315. In creating school districts under the provisions
99 of Article 1 of this chapter, it shall not be necessary that the
100 school board, in the order creating such districts, specify or
101 designate the location of the school houses or attendance centers
102 therein, and existing school buildings shall be retained as places
103 of attendance until changed in the manner hereinafter set forth.
104 Where any existing facilities or buildings shall not be used as
105 attendance centers, the school board may utilize such facilities



106 and buildings in connection with any related school activity which
107 said school board may deem advisable.

108 The school board of any school district shall have the power
109 and authority to designate the locations for school buildings and
110 attendance centers in the school district subject to its
111 jurisdiction and to change, alter or abolish the location of such
112 school buildings and attendance centers from time to time as may
113 be required by the educational needs of such school district.
114 Where students from three (3) or more school districts are in
115 attendance at one (1) attendance center by order of the respective
116 school boards of the school districts, the use of the attendance
117 center shall not be changed, altered or abolished except upon
118 order of a majority of each of the school boards of the school
119 districts from which pupils have been in attendance at the
120 attendance center for the scholastic year; any acts, decisions,
121 orders or resolutions by the school board of any such school
122 district in conflict with this provision shall be null and void.
123 If any change or alteration of the location of a school building
124 or attendance center shall involve the construction of new school
125 facilities, or the making of additions to, or the major repair,
126 alteration or renovation of existing facilities, then such change
127 or alteration shall not be effective until same shall have been
128 submitted to and approved by the State Board of Education. There
129 may be located and established in any school district as many
130 school buildings and attendance centers as the educational needs



131 of such district shall require. The school board of the school
132 district shall have the power and authority to specify the
133 attendance areas which shall be served by each school building or
134 attendance center, and to change or alter same from time to time
135 as necessity requires.

136 **SECTION 3.** The Attorney General of the State of Mississippi
137 shall submit this act, immediately upon approval by the Governor,
138 or upon approval by the Legislature subsequent to a veto, to the
139 United States District Court, Northern District of Mississippi,
140 such court having jurisdiction over a desegregation order
141 concerning one or more school districts affected by the
142 requirements provided in this act.

143 **SECTION 4.** This act shall take effect and be in force from
144 and after the date it is approved by the District Court Judge for
145 the United States District Court, Northern District of
146 Mississippi.

