

By: Representatives Eubanks, Criswell

To: Education

HOUSE BILL NO. 911

1 AN ACT TO CODIFY NEW SECTION 37-6-17, MISSISSIPPI CODE OF
2 1972, TO REQUIRE THE ELECTION OF ALL SCHOOL BOARD MEMBERS AT THE
3 SAME TIME AS THE PRESIDENTIAL ELECTION, BEGINNING IN NOVEMBER
4 2020; 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 AND TO REQUIRE A UNIFORM
7 NUMBER OF SIGNATURES ON PETITIONS OF NOMINATION; TO PROVIDE THE
8 PROCEDURE FOR FILLING VACANCIES IN THE OFFICE OF SCHOOL BOARD
9 MEMBERS; TO AMEND SECTIONS 37-5-1, 37-5-3, 37-5-7, 37-5-9,
10 37-5-19, 37-7-203, 37-7-207, 37-7-221 AND 37-7-703, MISSISSIPPI
11 CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO
12 REPEAL SECTION 37-5-18, MISSISSIPPI CODE OF 1972, WHICH REQUIRES
13 THE ELECTION OF THE COUNTY BOARDS OF EDUCATION MEMBERS FROM
14 TERRITORY OUTSIDE THE FOUR MUNICIPAL SEPARATE SCHOOL DISTRICTS IN
15 A CERTAIN COUNTY; TO BRING FORWARD SECTION 37-7-104, MISSISSIPPI
16 CODE OF 1972, WHICH REQUIRES THE CONSOLIDATION OF CERTAIN COUNTY
17 SCHOOL DISTRICTS UNDER CONSERVATORSHIP, FOR PURPOSES OF POSSIBLE
18 AMENDMENT; TO BRING FORWARD SECTION 37-7-104.1, MISSISSIPPI CODE
19 OF 1972, WHICH REQUIRES THE ADMINISTRATIVE CONSOLIDATION OF
20 CERTAIN SCHOOL DISTRICTS IN BOLIVAR COUNTY, FOR PURPOSES OF
21 POSSIBLE AMENDMENT; TO AMEND SECTIONS 37-7-104.2, 37-7-104.3 AND
22 37-7-104.4, MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE
23 ADMINISTRATIVE CONSOLIDATION OF ALL SCHOOL DISTRICTS IN CERTAIN
24 COUNTIES, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING
25 FORWARD SECTIONS 37-7-104.5, 37-7-104.6 AND 37-7-104.7,
26 MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE ADMINISTRATIVE
27 CONSOLIDATION OF ALL SCHOOL DISTRICTS IN CERTAIN COUNTIES, FOR THE
28 PURPOSE OF POSSIBLE AMENDMENTS; TO REPEAL SECTIONS 37-7-204,
29 37-7-209, 37-7-211, 37-7-215, 37-7-217, 37-7-219, 37-7-223,
30 37-7-225, 37-7-227 AND 37-7-229, MISSISSIPPI CODE OF 1972, WHICH
31 PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES OF MUNICIPAL AND
32 SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS AND CONSOLIDATED AND
33 LINE CONSOLIDATED SCHOOL DISTRICTS; TO REPEAL SECTIONS 37-7-705,
34 37-7-707, 37-7-709, 37-7-711, 37-7-713, 37-7-715 AND 37-7-717,



35 MISSISSIPPI CODE OF 1972, WHICH PROVIDE ADDITIONAL METHODS FOR
36 SELECTING TRUSTEES OF SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS;
37 AND FOR RELATED PURPOSES.

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

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

41 37-6-17. (1) For purposes of this section, the term "school
42 board member" means each member of a school board, as defined
43 under Section 37-6-3.

44 (2) On the first Tuesday after the first Monday in November
45 2020, and every four (4) years thereafter and concurrently with
46 the federal election for the President of the United States, there
47 shall be an election for local school board members in the manner
48 provided under this section. Except as otherwise provided in this
49 section, the laws regulating the time and manner of conducting
50 general elections apply to and govern elections of school board
51 members.

52 (3) All school board members elected pursuant to subsection
53 (2) of this section shall serve a term of four (4) years.
54 However, in order to provide for an orderly transition, each
55 incumbent school board member holding office on the effective date
56 of this act shall continue holding office until the first Monday
57 of January in 2021. Any incumbent school board member may qualify
58 to run for a subsequent four-year term under this section.

59 (4) In order for a person to be eligible to hold the office
60 of school board member, the person must be a bona fide resident
61 and a qualified elector of the territory that the person seeks to



represent on the school board. In the case of a school district lying in two (2) or more counties, such person must be a resident and a qualified elector of the territory entitled to such representation on the board as provided in Section 37-7-201.

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



87 three (3) weeks after the date of the general election, and the
88 candidate who receives a majority of the votes cast in the
89 district in the runoff election shall be declared elected. If,
90 after the time for candidates to file the petition and affidavit
91 required under this subsection, there is only one (1) person who
92 has qualified for the office of school board member, then no
93 election or notice of election shall be necessary and that person,
94 if otherwise qualified, must be declared elected without
95 opposition.

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

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

105 (8) A vacancy in the membership of the school board must be
106 filled by appointment within sixty (60) days after the vacancy
107 occurs by the remaining members of the school board. The
108 appointee must be selected from the qualified electors of the
109 school board member district in which the vacancy occur. The
110 appointee shall serve until the first Monday of January next
111 succeeding the next state or presidential general election, at



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

132 (9) (a) This section does not apply to any municipal
133 separate or special municipal separate school district having an
134 accreditation accountability rating of "A" or "B" upon the
135 effective date of this act. Those school districts having and
136 maintaining an "A" or "B" accountability rating shall continue to



select members to their respective board of trustees in the manner provided in Chapter 7, Title 37, Mississippi Code of 1972.

(b) (i) If at any time a school district that has had an accountability rating of "A" or "B" for a minimum of two (2) consecutive years receives an accountability rating of "C" and retains that "C" rating for two (2) consecutive years, the district must transition to electing its school board members in the manner provided in this section. Upon a determination that the office of school board member in a school district must become an elected position, those school board members must be elected in the next succeeding statewide general and presidential elections pursuant to this section.

(ii) If at any time a school district receives an accountability rating of "D" or "F" for any academic year's accreditation period, the district must transition to electing its school board members in the manner provided in this section. Upon a determination that the office of school board member in a school district must become an elected position, those school board members must be elected in the next succeeding statewide general and presidential elections, pursuant to this section.

(10) This section does not apply to any school district administratively consolidated by act of the Legislature between 2013 and 2021 for a period of four (4) years from the effective date of the consolidation, during which period the selection of school board members must be in the manner established by law in



the act requiring the consolidation. However, if at the end of the four-year period from the effective date of consolidation the school district has failed to achieve an accountability rating of "A" or "B," the school district must transition to electing its school board members in the manner provided in this section. Upon a determination that the office of school board member in such a school district must become an elected position, those school board members must be elected in the next succeeding statewide general and presidential elections pursuant to this section.

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

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

(2) The county boards of education shall apportion the county school district into five (5) single member board of education districts. The county boards of education shall place upon its minutes the boundaries determined for the * * * five (5) board of education districts. The board of education of * * * that county shall thereafter publish the same in some newspaper of general circulation within * * * the county for at least three (3) consecutive weeks, and after having given notice of publication



and recording the same upon the minutes of the board of education of * * * the county, * * * the district lines will thereafter be effective. The board of education of * * * the county shall reapportion the board of education districts in accordance with the procedure described herein for the original apportionment of districts as soon as practicable after the results of the 2000 decennial census are published and as soon as practicable after every decennial census thereafter.

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

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

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

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



county which together occupy all of the territory of a supervisors district of the county.

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

37-5-7. (1) * * * On the first Tuesday after the first Monday in November 2020, and every four (4) years thereafter, an election shall be held in each county in this state concurrently with the federal election for the President of the United States for the purpose of electing members of the county boards of education, as provided in Section 37-6-17.

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

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

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



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

238 (ii) The final two (2) appointed board members of
239 the Greenwood Public School District whose terms are the farthest
240 removed from expiration shall expire on January 1, 2020, and
241 thereafter become permanently elected positions to be filled by
242 persons elected as board members from Supervisors Districts 4 and
243 5 in a November 2019 election held for that purpose, in the manner
244 prescribed in Section 37-7-203, and the newly elected members will
245 take office on January 1, 2020, for a term of four (4) years; and

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

254 (b) All subsequent members shall be elected for a term
255 of four (4) years at the regular general election held on the
256 first Monday in November next preceding the expiration of the term
257 of office of the respective members, and shall take office on
258 January 1 next succeeding the election.

259 (4) On the first Tuesday after the first Monday in November
260 2017, an election shall be held in Holmes County for the purpose



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

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



(4) years each. All members of the county board of education in the new Chickasaw County School District shall take office on the first Monday of January following the date of their election.

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

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

* * *

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

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

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

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

37-7-203. (1) Except as otherwise provided in subsections (3) and (4) of this section, the boards of trustees of all municipal separate school districts and special municipal separate school districts created under this chapter, either with or



without added territory, shall consist of five (5) members * * *.

* * * Unless otherwise exempted by Section 37-6-17(9) or (10), on the first Tuesday after the first Monday in November 2020, and every four (4) years thereafter, an election shall be held pursuant to Section 37-6-17 for the purpose of electing the members of the boards of trustees of the municipal separate school districts and special municipal separate school districts established under this chapter. The five (5) members of the board of trustees of the school district must be elected from special trustee election districts by the qualified electors thereof. The board of trustees of the school district shall apportion the municipal separate school district, including added territory, into five (5) special trustee election districts as nearly equal as possible according to population, incumbency and other factors heretofore pronounced by the courts. The board of trustees shall place upon its minutes the boundaries determined for the new five (5) special trustee election districts. The board of trustees shall thereafter publish the same in a newspaper of general circulation within the school district for at least three (3) consecutive weeks; and after having given notice of publication and recording the same upon the minutes of the board of trustees, the new district lines shall be effective. All incumbent trustees holding office at the time of the creation of the trustee election districts shall continue holding their respective offices, provided they reside within the new district, for the remainder of



the term of office to which they have heretofore been selected,
and their successors shall be elected from the new trustee
election districts constituted in the manner provided for in this
section.

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

(3) (a) * * * In those school districts having a
classification of "A" or "B" on the effective date of this act,
the school board members must be selected in the manner provided
in this subsection. The boards of trustees of all municipal
separate school districts either with or without added territory
having a classification of "A" or "B" shall consist of five (5)
members, each to be chosen for a term of five (5) years, but so
chosen that the term of office of one (1) member shall expire each
year. In the event the added territory of a municipal separate
school district furnishes fifteen percent (15%) or more of the
pupils enrolled in the schools of the district, then at least one
(1) member of the board of trustees of the school district must be
a resident of the added territory outside the corporate limits.
In the event the added territory of a municipal separate school
district furnishes thirty percent (30%) or more of the pupils
enrolled in the schools of the district, then not more than two



360 (2) members of the board of trustees of the school district must
361 be residents of the added territory outside the corporate limits.

362 (b) The trustees of such a municipal separate school
363 district having a classification of "A" or "B" on the effective
364 date of this act shall be elected by a majority of the governing
365 authorities of the municipality at the first meeting of the
366 governing authorities held in the month of February of each year,
367 and the term of office of the members so elected shall commence on
368 the first Saturday of the following month of March. In the case
369 of a member of the board of trustees who is required to come from
370 the added territory outside the corporate limits as is provided in
371 paragraph (a) of this subsection, the member of the board of
372 trustees shall be elected by the qualified electors of the school
373 district residing in such added territory outside the corporate
374 limits at the same time and in the same manner as is otherwise
375 provided in this article for the election of trustees of school
376 districts other than municipal separate school districts.

377 (c) All vacancies must be filled for the unexpired
378 terms by appointment of the governing authorities of the
379 municipality; however, in the case of the trustees coming from the
380 added territory outside the corporate limits, the person so
381 appointed may serve only until the next general election following
382 his or her appointment, at which time a person shall be elected
383 for the remainder of the unexpired term in the manner otherwise
384 provided herein.



385 (d) A person who is a member of the municipal governing
386 body, or who is an employee of the municipality, or who is a
387 member of the county board of education, or who is a trustee of
388 any public, private or sectarian school or college located in the
389 county, inclusive of the municipal separate school district, or
390 who is a teacher in or a trustee of the school district, is not
391 eligible for appointment to the board of trustees.

392 (e) If a school district having an accountability
393 rating of "A" or "B" on the effective date of this act fails to
394 maintain that accountability rating and subsequently receives an
395 accountability rating of "C," "D" or "F," the office of trustee in
396 that school district must become an elected position, as provided
397 in Section 37-6-17(9) (b), and the district must transition to
398 electing its trustees in the manner provided in Section 37-6-17.

399 (4) (a) Beginning in 2017, in any municipal separate school
400 district that is traversed by the Escatawpa River and in which
401 Interstate Highway 10 and Mississippi Highway 63 intersect, the
402 board of trustees of the municipal separate school district shall
403 consist of five (5) members, each to be elected for a term of four
404 (4) years in the manner provided in this subsection. Within
405 forty-five (45) days after July 1, 2017, the municipal governing
406 authority shall apportion the municipal separate school district,
407 including any added territory outside the corporate limits, into
408 five (5) special trustee election districts as nearly equal as
409 possible according to population, incumbency and other factors



pronounced by the courts before August 8, 2017. The municipal governing authority shall place upon its minutes the boundaries determined for the new five (5) trustee election districts and shall publish the same in a newspaper of general circulation within the school district for at least three (3) consecutive weeks. After having given notice of publication and recording the same upon the minutes of the municipal governing authority, the new district lines shall be effective.

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



435 person so appointed to fill the vacancy may serve only until the
436 first Monday in January 2019, at which time the trustee elected
437 pursuant to this subsection shall take office for the remainder of
438 the unexpired initial term.

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

448 (c) On the first Tuesday after the first Monday in
449 November 2018, and every four (4) years thereafter, an election
450 shall be held in the municipal separate school district for local
451 school board members from trustee election Districts 2 and 4 in
452 the same manner and at the same time as the Congressional mid-term
453 election is held and conducted, for the purpose of electing the
454 board of trustees of the municipal separate school district. All
455 members of the board of trustees elected pursuant to this
456 paragraph (c) shall take office on the first Monday of January
457 immediately following the date of their election. However, in
458 order to provide for an orderly transition, the term of each
459 member of the board of trustees serving on July 1, 2018, which



otherwise would expire after the first Monday in July 2018, shall expire on the first Monday of January 2019. If no individual qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2020, at which time the trustee elected pursuant to this subsection shall take office for the remainder of the unexpired initial term.

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

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

37-7-207. (1) All school districts reconstituted or created under the provisions of Article 1 of this chapter, and which lie wholly within one (1) county, but not including municipal separate and countywide districts, shall be governed by a board of five (5) trustees. * * * Beginning with the election on the first Tuesday



485 after the first Monday in November 2020, and every four (4) years
486 thereafter, the trustees of such school districts shall be elected
487 at the same time and in the same manner provided in Section
488 37-6-17 for terms of four (4) years. The five (5) members of the
489 board of trustees of such consolidated school district shall be
490 elected from special trustee election districts by the qualified
491 electors thereof * * *. The board of trustees of any such
492 consolidated school district shall apportion the consolidated
493 school district into five (5) special trustee election districts.
494 The board of trustees of such school district shall place upon its
495 minutes the boundaries determined for the new five (5) trustee
496 election districts. The board of trustees shall thereafter
497 publish the same in a newspaper of general circulation within said
498 school district for at least three (3) consecutive weeks; and
499 after having given notice of publication and recording the same
500 upon the minutes of the board of trustees, said new district lines
501 shall thereafter be effective.

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

506 (2) All school districts reconstituted and created under the
507 provisions of Article 1 of this chapter, which embrace territory
508 in two (2) or more counties, but not including municipal separate
509 school districts, shall be governed by a board of five (5)



510 trustees. * * * Beginning with the election on the first Tuesday
511 after the first Monday in November 2020, and every four (4) years
512 thereafter, the members of such line consolidated school district
513 board of trustees shall be elected at the same time and in the
514 same manner provided in Section 37-6-17 for terms of four (4)
515 years. The five (5) members of the board of trustees of such line
516 consolidated school district shall be elected from special trustee
517 election districts by the qualified electors thereof * * *. The
518 existing board of trustees of such line consolidated school
519 district shall apportion the line consolidated school district
520 into five (5) special trustee election districts. The board of
521 trustees shall place upon its minutes the boundaries determined
522 for the new five (5) trustee election districts. The board of
523 trustees shall thereafter publish the same in a newspaper of
524 general circulation within * * * the school district for at least
525 three (3) consecutive weeks; and after having given notice of
526 publication and recording the same upon the minutes of the board
527 of trustees, * * * the new district lines shall thereafter be
528 effective. * * * However, * * * in any line consolidated school
529 district encompassing two (2) or more counties created pursuant to
530 Laws, 1953, Extraordinary Session, Chapter 12, Section 8, in
531 which, as a condition precedent to the creation of * * * the
532 district, each county belonging thereto was contractually
533 guaranteed to always have at least one (1) representative on * * *
534 the board, in order that * * * the condition precedent may be



535 honored and guaranteed, in any year in which the board of trustees
536 of such line consolidated school district does not have at least
537 one (1) member from each county or part thereof forming such
538 district, the board of trustees in such district shall be governed
539 by a board of a sufficient number of trustees to fulfill this
540 guarantee, five (5) of whom shall be elected from the five (5)
541 special trustee election districts which shall be as nearly equal
542 as possible and one (1) member trustee * * * elected at large from
543 each county not having representation on the elected board in the
544 same manner and at the same time as provided for the election of
545 school board members under Section 37-6-17. In such cases, the
546 board of supervisors of each county shall make written agreement
547 to guarantee the * * * election of at least one (1) representative
548 from each county in the district, placing such written agreement
549 on the minutes of each board of supervisors in each county.

550 * * * All members of the * * * board of trustees shall take
551 office on the first Monday of January following the date of their
552 election. In all elections, the trustee elected shall be a
553 resident and qualified elector of the district entitled to the
554 representation upon the board, and he shall be elected only by the
555 qualified electors of such district in the manner provided in
556 Section 37-6-17. All vacancies which may occur during a term of
557 office shall be filled * * * in the manner provided in Section
558 37-16-7(8).



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

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

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

37-7-703. (1) In all such special municipal separate school districts which embrace the entire county * * *, the board of trustees of such special municipal separate school district shall be * * * elected in the manner provided by * * * Section 37-6-17, and all of the provisions thereof shall be fully applicable in all respects to the selection and constitution of such board of trustees unless such board is exempted under Section 37-6-17(9) or (10). The board of trustees of each special municipal separate school district shall apportion the new trustee election districts in the manner provided in Section 37-7-203(1).

(2) In those school districts having a classification of "A" or "B" on the effective date of this act, the school board members shall be selected in the manner provided in this subsection. In all such special municipal separate school districts which embrace the entire county, the board of trustees of such special municipal separate school district shall be chosen and selected in the manner provided by Section 37-7-203(3), and all of the provisions thereof shall be fully applicable in all respects to the selection



584 and constitution of such board of trustees. However, if at any
585 time a school district having an accountability of "A" or "B" on
586 the effective date of this act fails to maintain that
587 accountability rating and subsequently receives an accountability
588 rating of "C," "D" or "F," the office of trustee in that school
589 district must become an elected position, as provided in Section
590 37-6-17(9) (b), and the district must transition to electing its
591 trustees in the manner provided in Section 37-6-17.

592 **SECTION 11.** Section 37-5-18, Mississippi Code of 1972, which
593 requires the election of the members of the county board of
594 education in certain counties having four (4) municipal separate
595 school districts from board of education districts embracing
596 territory only outside the municipal separate school districts, is
597 repealed.

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

600 37-7-104. (1) In any Mississippi county in which are
601 located, as of February 8, 2012, three (3) school districts and
602 only three (3) school districts, all of which are under
603 conservatorship as defined by the Mississippi Department of
604 Education as of February 8, 2012, there shall be an administrative
605 consolidation of all of the school districts in the county into
606 one (1) countywide school district with one (1) county board of
607 education. The State Board of Education shall determine the
608 school district(s) applicable to the provisions of this section



609 and spread this finding on the minutes of its August 2012 meeting.
610 On or before September 1, 2012, the State Board of Education shall
611 serve the local school boards applicable to the provisions of this
612 section, or the Mississippi Department of Education Conservator
613 for each of the three (3) school districts, with notice and
614 instruction regarding the action to be taken to comply with this
615 section. In such county, there shall be a new county board of
616 education elected in a November 2013 special election which shall
617 be called for that purpose and the new county board members shall
618 be elected as provided in Section 37-5-7, Mississippi Code of
619 1972. No previous board member shall be eligible to serve on the
620 newly elected board. Provided, however, that it shall be the
621 responsibility of the board of supervisors of such county to
622 apportion the countywide school district into five (5) new single
623 member board of education districts which shall be consistent with
624 the supervisors district lines in said county. The board of
625 supervisors of said county shall thereafter publish the same in
626 some newspaper of general circulation within said county for at
627 least three (3) consecutive weeks and after having given notice of
628 publication and recording the same upon the minutes of the board
629 of supervisors of said county, said new district lines will
630 thereafter be effective for the November 2013 special election.
631 If necessary, the county board of education of said county shall
632 reapportion the board of education districts in accordance with
633 applicable law as soon as practicable after the results of the



634 2020 decennial census are published and as soon as practicable
635 after every decennial census thereafter. The new county board of
636 education, with the written approval of the Mississippi Department
637 of Education Conservator and the State Board of Education, shall
638 provide for the administrative consolidation of all school
639 districts in the county into one (1) countywide school district on
640 or before July 1 next following the November 2013 election. The
641 new county board of education shall serve as the school board for
642 the county. Any school district affected by the required
643 administrative consolidation that does not voluntarily consolidate
644 with the new school district ordered by the county board of
645 education shall be administratively consolidated by the State
646 Board of Education with the countywide school district, to be
647 effective on July 1 following the election of the new county board
648 of education. The State Board of Education shall promptly move on
649 its own motion to administratively consolidate any school district
650 which does not voluntarily consolidate in order to enable the
651 affected school districts to reasonably accomplish the resulting
652 administrative consolidation into one (1) countywide district by
653 July 1 following the election of the new county board of
654 education. All affected school districts shall comply with any
655 consolidation order issued by the county board of education or the
656 State Board of Education, as the case may be, on or before July 1
657 following the election of the new county board of education.



658 (2) On July 1 following the election of the new county board
659 of education, the former county board of education and the former
660 board of trustees of any municipal separate, or special municipal
661 separate school district located in such county shall be
662 abolished. All real and personal property which is owned or
663 titled in the name of a school district located in such county
664 shall be transferred to the new reorganized school district of the
665 county in which such school district is located. The Mississippi
666 Department of Education Conservator and the State Board of
667 Education shall be responsible for establishing the contracts for
668 teachers and principals for the next school year following the
669 required administrative consolidation with the consultation of the
670 newly elected successor county board of education. The successor
671 county board of education shall appoint the new county
672 superintendent of education for the reorganized school district.
673 The county superintendent of education of said reorganized school
674 district shall not be elected but shall thereafter be appointed by
675 the successor county board of education in the manner provided in
676 Section 37-9-25. The superintendents of the former
677 under-performing school districts located in the county shall not
678 be eligible for appointment as the new superintendent. The
679 selection of the appointed county superintendent of education and
680 the assistant superintendent of education in the central
681 administration office of the successor countywide school district
682 shall be the responsibility of the successor county board of



683 education with the approval of the Mississippi Department of
684 Education Conservator and the State Board of Education. No such
685 administratively consolidated school district shall have more than
686 one (1) assistant superintendent of education. It shall be the
687 responsibility of the successor county board of education, with
688 approval of the Mississippi Department of Education Conservator
689 and the State Board of Education, to prepare and approve the
690 budget of the new reorganized districts, and the county board of
691 education may use staff from the former school districts to
692 prepare the budget. Any proposed order of the successor county
693 board of education directing the transfer of the assets, real or
694 personal property of an affected school district in the county,
695 shall be submitted and approved by the State Board of Education.
696 The finding of the State Board of Education shall be final and
697 conclusive for the purposes of the transfer of property required
698 by such administrative consolidation. Any person or school
699 district aggrieved by an order of the successor county school
700 board of education pursuant to the required administrative
701 consolidation may appeal therefrom to the State Board of Education
702 within ten (10) days from the date of the adjournment of the
703 meeting at which such order is entered. Such appeal shall be de
704 novo, and the finding of the State Board of Education upon such
705 question shall be final and conclusive for the purpose of the
706 approval or disapproval of the action by said county board of
707 education.



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

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

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

727 (6) The State Board of Education shall promulgate rules and
728 regulations to facilitate the administrative consolidation of the
729 school districts in a county pursuant to this section. When the
730 orders of the successor county board of education adopting the
731 boundaries of the successor countywide school district have been
732 entered and are final, as approved by the State Board of



Education, the new district lines shall be submitted by the State Board of Education with the assistance of the Attorney General to the Attorney General of the United States for preclearance or to the United States District Court for the District of Columbia for a declaratory judgment in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended. In the event the change in the school district lines are precleared or approved, the State Board of Education shall formally declare the new lines as the new boundaries of the consolidated countywide school district.

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

37-7-104.1. (1) In Bolivar County, Mississippi, in which are located, as of January 1, 2012, six (6) school districts, there shall be an administrative consolidation of all of the school districts in the county into three (3) school districts as follows:

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

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



758 (c) One (1) new consolidated school district to be
759 designated as West Bolivar Consolidated School District which
760 shall consist of the territory of the former West Bolivar School
761 District, Shaw School District and Benoit School District. The
762 central administrative office of the West Bolivar Consolidated
763 School District shall be located in Rosedale, Mississippi.

764 (2) On or before September 1, 2012, the State Board of
765 Education shall serve the local school boards in Bolivar County
766 with notice and instructions regarding the timetable for action to
767 be taken to comply with the administrative consolidation required
768 in this section. The State Board of Education shall provide for
769 the administrative consolidation of all school districts in the
770 county outside of the territory of Cleveland School District into
771 North Bolivar Consolidated School District and West Bolivar
772 Consolidated School District on or before July 1, 2014. In each
773 new consolidated school district there shall be a new consolidated
774 school district board of trustees elected in a November 2013
775 special election which shall be called by the Governor for that
776 purpose. The new consolidated school district boards of trustees
777 shall be elected and the terms of office established as provided
778 in Section 37-7-207, Mississippi Code of 1972. The State Board of
779 Education shall determine the boundary lines for the territory of
780 the two (2) new school districts and shall spread a legal
781 description of the new school districts on the minutes of its
782 August 2012 meeting and shall serve the applicable school boards



783 and the board of supervisors with an adequate legal description of
784 these new boundaries. It shall be the responsibility of the State
785 Board of Education with the assistance of the Joint Legislative
786 Committee on Performance Evaluation and Expenditure Review (PEER)
787 to apportion the territory of the two (2) new school districts
788 into five (5) new board of trustee election districts for each new
789 school district. The State Board of Education shall thereafter
790 publish the same in some newspaper of general circulation in said
791 county for at least three (3) consecutive weeks and after having
792 given notice of publication and recording the same upon the
793 minutes of the school boards of each school district in the
794 county, said new district lines will thereafter be effective for
795 the November 2013 special election. Any school board member of
796 the former school district residing in the proper election
797 district shall be eligible for election to the new board of
798 trustees for North Bolivar Consolidated School District or West
799 Bolivar Consolidated School District. The local school board of
800 each new school district shall reapportion the school board
801 districts in accordance with the procedure described in Section
802 37-7-207, Mississippi Code of 1972, as is necessary as soon as
803 practicable after the 2020 decennial census are published and as
804 soon as practicable after every decennial census thereafter. Any
805 school district affected by the required administrative
806 consolidation in such county that does not voluntarily consolidate
807 with the two (2) new school districts ordered by the State Board



of Education shall be administratively consolidated by the State Board of Education with the appropriate school district in which such district is located, to be effective on July 1 following the election of the new local school boards. The State Board of Education shall promptly move on its own motion to administratively consolidate a school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into two (2) school districts by July 1 following the election of the new school boards. All affected school districts shall comply with any consolidation order issued by the State Board of Education on or before July 1 following the election of the new school boards.

(3) On July 1 following the election of the new school district boards of trustees in Bolivar County, the former county board of education and the former board of trustees of North Bolivar School District, Mound Bayou Public School District, West Bolivar School District, Shaw School District and Benoit School District shall be abolished. All real and personal property which is owned or titled in the name of a school district located in such former school district shall be transferred to the new reorganized school district of Bolivar County in which such former school district is located. Each former school board shall be responsible for establishing the contracts for teachers and principals for the next school year following the required



833 administrative consolidation with the consultation of the newly
834 elected successor school boards. The new Board of Trustees for
835 the North Bolivar Consolidated School District shall appoint the
836 Superintendent of Schools for said school district, and the Board
837 of Trustees for the West Bolivar Consolidated School District
838 shall appoint the Superintendent of Schools for said school
839 district. The subsequent superintendent of schools of said
840 reorganized school districts shall not be elected but shall
841 thereafter be appointed by the successor boards of trustees in the
842 manner provided in Section 37-9-25. Any superintendent serving in
843 the former school districts shall be eligible for appointment as a
844 superintendent in North Bolivar Consolidated School District or
845 West Bolivar Consolidated School District. North Bolivar
846 Consolidated School District and West Bolivar Consolidated School
847 District shall not have more than one (1) assistant
848 superintendent. It shall be the responsibility of the successor
849 boards of trustees to prepare and approve the budget of the
850 respective new reorganized districts, and the successor boards of
851 trustees may use staff from the former school districts to prepare
852 the budget. Any proposed order of the State Board of Education
853 directing the transfer of the assets, real or personal property of
854 an affected school district in the county, shall be final and
855 conclusive for the purposes of the transfer of property required
856 by such administrative consolidation. Any person or school
857 district aggrieved by an order of the successor newly elected



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

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

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

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



883 of consolidation concerning the group term life insurance
884 described in subsection (7) of Section 25-15-9. When the orders
885 of the State Board of Education adopting the boundaries of the
886 successor school districts and the successor board of trustees
887 election districts have been entered and are final, as directed by
888 the State Board of Education, the new district lines shall be
889 submitted by the State Board of Education with the assistance of
890 the Attorney General to the Attorney General of the United States
891 for preclearance or to the United States District Court for the
892 District of Columbia for a declaratory judgment in accordance with
893 the provisions of the Voting Rights Act of 1965, as amended and
894 extended. In the event the change in the school district lines
895 and election districts are precleared or approved, the State Board
896 of Education shall formally declare the new lines as the new
897 boundaries of the successor school districts.

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

900 37-7-104.2. (1) In Clay County, Mississippi, in which are
901 located, as of January 1, 2013, two (2) school districts, there
902 shall be an administrative consolidation of all of those school
903 districts in the county into one (1) new consolidated school
904 district to be designated as West Point Consolidated School
905 District which shall consist of the territory of the former Clay
906 County School District and the West Point School District. The



central administrative office of the West Point Consolidated School District shall be located in West Point, Mississippi.

(2) On or before September 1, 2013, the State Board of Education shall serve the local school boards in Clay County with notice and instructions regarding the timetable for action to be taken to comply with the administrative consolidation required in this section. The State Board of Education shall provide for the administrative consolidation of the school districts in the county on or before July 1, 2015. In the new West Point Consolidated School District, there shall be a new board of trustees comprised of five (5) members selected as follows: (a) the Mayor and Board of Aldermen of the City of West Point shall appoint three (3) of the five (5) members, each to be selected for a term of four (4) years; and (b) two (2) members to be elected for a term of four (4) years by the electors of Clay County residing outside of the West Point corporate limits who shall be residents of that territory and who shall be elected in a November 2014 special election which shall be called by the Governor for that purpose. All subsequent members of the board elected from the territory outside of the West Point corporate limits shall be elected for a term of four (4) years at the regular general election held on the first Monday in November next preceding the expiration of the term of office of the respective member or members. All elected and appointed members shall take office on the first Monday of January following the date of their election or appointment. The State



932 Board of Education, with the assistance of the Joint Legislative
933 Committee on Performance Evaluation and Expenditure Review (PEER),
934 shall apportion the territory of the new consolidated school
935 district located outside the West Point corporate limits into two
936 (2) new single member board of trustee election districts. The
937 State Board of Education shall thereafter publish the same in some
938 newspaper of general circulation in the county for at least three
939 (3) consecutive weeks and after having given notice of publication
940 and recording the same upon the minutes of the school boards of
941 each school district in the county, the new district lines will
942 thereafter be effective for the November 2014 special election.
943 Any school board member of the former school districts residing in
944 the proper territory shall be eligible for appointment or election
945 to the new Board of Trustees for West Point Consolidated School
946 District. However, if the consolidated school district fails to
947 achieve an accountability rating of "A" or "B" as required by
948 Section 37-6-17(10), the school district must transition to
949 electing the trustees of the school district in the manner
950 provided in Section 37-6-17.

951 Any school district affected by the required administrative
952 consolidation in Clay County that does not voluntarily consolidate
953 as ordered by the State Board of Education shall be
954 administratively consolidated by the State Board of Education, to
955 be effective on July 1 following the election of the new local
956 school board. The State Board of Education shall promptly move on



957 its own motion to administratively consolidate a school district
958 which does not voluntarily consolidate in order to enable the
959 affected school districts to reasonably accomplish the resulting
960 administrative consolidation into one (1) consolidated school
961 district by July 1 following the selection of the new board of
962 trustees. The affected school districts shall comply with any
963 consolidation order issued by the State Board of Education on or
964 before July 1 following the selection of the new school boards.

965 (3) On July 1 following the selection of the new Board of
966 Trustees of the West Point Consolidated School District, the
967 former county board of education and the former Board of Trustees
968 of the West Point School District shall be abolished. All real
969 and personal property which is owned or titled in the name of a
970 school district located in such former school district shall be
971 transferred to the new reorganized school district of West Point
972 Consolidated School District in which such former school district
973 is located. Each former school board shall be responsible for
974 establishing the contracts for teachers and principals for the
975 next school year following the required administrative
976 consolidation with the consultation of the newly elected successor
977 school board. The new Board of Trustees for the West Point
978 Consolidated School District shall appoint the Superintendent of
979 Schools for the school district. The Superintendent of Schools
980 for the West Point Consolidated School District may appoint
981 assistant superintendent(s) of schools for the district, but in no



982 instance shall the administrative leadership of the West Point
983 Consolidated School District exceed the number of assistant
984 superintendents employed in the former West Point School District.
985 The subsequent superintendent of schools of the reorganized school
986 district shall not be elected, but shall thereafter be appointed
987 by the successor board of trustees in the manner provided in
988 Section 37-9-25. It shall be the responsibility of the successor
989 board of trustees to prepare and approve the budget of the new
990 reorganized district, and the successor board of trustees may use
991 staff from the former school districts to prepare the budget. Any
992 proposed order of the State Board of Education directing the
993 transfer of the assets, real or personal property of an affected
994 school district in the county, shall be final and conclusive for
995 the purposes of the transfer of property required by such
996 administrative consolidation. Any person or school district
997 aggrieved by an order of the successor newly selected Board of
998 Trustees of the West Point Consolidated School District pursuant
999 to the required administrative consolidation may appeal therefrom
1000 within ten (10) days from the date of the adjournment of the
1001 meeting at which such order is entered. Said appeal shall be
1002 taken in the same manner as appeals are taken from judgments or
1003 decisions of the board of supervisors as provided in Section
1004 11-51-75, Mississippi Code of 1972, the provisions of which shall
1005 be fully applicable to appeals taken hereunder. The Board of
1006 Trustees of the West Point Consolidated School District shall not



1007 pass upon or approve or disapprove any such order until the time
1008 for an appeal therefrom shall have expired, nor shall said board
1009 pass upon or approve or disapprove any such order from which an
1010 appeal is taken until said appeal shall have been finally
1011 determined.

1012 (4) When any school district in the county is abolished
1013 under the provisions of this section, the abolition thereof shall
1014 not impair or release the property of that former school district
1015 from liability for the payment of the bonds or other indebtedness
1016 of such district.

1017 (5) Nothing in this section shall be construed to require
1018 the closing of any school or school facility, unless the facility
1019 is an unneeded administrative office located within a school
1020 district which has been abolished under the provisions of this
1021 section. All administrative consolidations under this section
1022 shall be accomplished so as not to delay or in any manner
1023 negatively affect the desegregation of another school district in
1024 the county pursuant to court order.

1025 (6) The State Board of Education shall promulgate rules and
1026 regulations to facilitate the administrative consolidation of the
1027 school districts in Clay County pursuant to this section. The
1028 consolidated districts shall make an election within one (1) year
1029 of consolidation concerning the group term life insurance
1030 described in subsection (7) of Section 25-15-9. When the orders
1031 of the State Board of Education adopting the boundaries of the



1032 successor board of trustees election districts have been entered
1033 and are final, as directed by the State Board of Education, the
1034 new district lines shall be submitted by the State Board of
1035 Education with the assistance of the Attorney General to the
1036 Attorney General of the United States for preclearance or to the
1037 United States District Court for the District of Columbia for a
1038 declaratory judgment in accordance with the provisions of the
1039 Voting Rights Act of 1965, as amended and extended. In the event
1040 the change in the school district lines and election districts are
1041 precleared or approved, the State Board of Education shall
1042 formally declare the new lines as the new boundaries of the
1043 successor school district.

1044 (7) For the initial two (2) years following the
1045 administrative consolidation required by this section, the State
1046 Department of Education may grant a waiver of accountability and
1047 state assessment requirements to the West Point Consolidated
1048 School District for the student population enrolled therein from
1049 the former Clay County School District when determining the new
1050 consolidated school district accreditation level on the
1051 performance and accountability rating model.

1052 **SECTION 15.** Section 37-7-104.3, Mississippi Code of 1972, is
1053 amended as follows:

1054 37-7-104.3. (1) In Oktibbeha County, Mississippi, in which
1055 are located, as of January 1, 2013, two (2) school districts,
1056 there shall be an administrative consolidation of all of those



1057 school districts in the county into one (1) new countywide
1058 municipal separate school district to be designated as
1059 Starkville-Oktibbeha Consolidated School District which shall
1060 consist of the territory of the former Oktibbeha County School
1061 District and the Starkville School District, effective on July 1,
1062 2015. Until June 30, 2015, preceding the effective date of the
1063 required administrative consolidation of school districts in the
1064 county, the Oktibbeha County School District shall remain in
1065 conservatorship, under the authority and control of the
1066 Mississippi Recovery School District of the State Department of
1067 Education. At such time that the administrative consolidation
1068 becomes effective, the central administrative office of the
1069 Starkville-Oktibbeha Consolidated School District shall be located
1070 in Starkville, Mississippi.

1071 (2) (a) On or before July 1, 2014, the State Board of
1072 Education shall serve the local school board of the Starkville
1073 School District with notice and instructions regarding the
1074 timetable for action to be taken to comply with the administrative
1075 consolidation required in this section.

1076 (b) In the new consolidated school district there shall
1077 be a countywide municipal separate school district board of
1078 trustees, which shall consist of the existing members of the Board
1079 of Trustees of the Starkville School District. However, upon the
1080 first occurrence of a vacancy on the board as a result of an
1081 expired term of an appointed board member, that vacancy shall



1082 become an elected position and shall be filled by the election of
1083 a board member as follows: the 2016 expiring term board member
1084 shall remain in office until January 1, 2017. In November 2016,
1085 an election will be held for a board member who resides outside of
1086 the incorporated municipal limits in the manner prescribed in
1087 Section 37-7-203, and the elected board member will take office
1088 for a five-year term beginning January 1, 2017. Subsequent board
1089 members shall be selected in the manner prescribed in Section
1090 37-7-203. The Board of Supervisors of Oktibbeha County shall
1091 publish notice of the school board elections in some newspaper of
1092 general circulation in the county for at least three (3)
1093 consecutive weeks. However, if the consolidated school district
1094 fails to achieve an accountability rating of "A" or "B" as
1095 required by Section 37-6-17(10), the school district must
1096 transition to electing the trustees of the school district in the
1097 manner provided in Section 37-6-17.

1098 (c) Any school district affected by the required
1099 administrative consolidation in the county that does not
1100 voluntarily consolidate as ordered by the State Board of Education
1101 shall be administratively consolidated by the State Board of
1102 Education, to be effective immediately upon action of the State
1103 Board of Education. The State Board of Education shall promptly
1104 move on its own motion to administratively consolidate a school
1105 district which does not voluntarily consolidate in order to enable
1106 the affected school districts to reasonably accomplish the



1107 resulting administrative consolidation into one (1) consolidated
1108 school district by July 1 following the motion to consolidate.
1109 The affected school districts shall comply with any consolidation
1110 order issued by the State Board of Education.

1111 (3) On July 1, 2015, following the motion of the State Board
1112 of Education to consolidate school districts in Oktibbeha County,
1113 the Oktibbeha County School District shall be abolished. All real
1114 and personal property which is owned or titled in the name of the
1115 school district located in such former school district shall be
1116 transferred to the Starkville-Oktibbeha Consolidated School
1117 District as of July 1, 2015. The Conservator of the Oktibbeha
1118 County School District is authorized and directed to execute and
1119 record all documents and conveyances necessary to convey title to
1120 all real and personal property of the Oktibbeha County School
1121 District to the Starkville-Oktibbeha Consolidated School District.
1122 The conservator is further authorized and directed to sign all
1123 documents and to take all actions necessary to assign contracts
1124 and other property, contract rights and obligations of the
1125 Oktibbeha County School District to the Starkville-Oktibbeha
1126 Consolidated School District. The Board of Trustees of the
1127 Starkville School District shall be responsible for establishing
1128 the contracts for operations, teachers, principals, clerical and
1129 administrative staff personnel for the 2015-2016 school year prior
1130 to July 1, 2015, and shall consult with the conservator for the
1131 establishment of contracts for teachers, principals, clerical and



1132 administrative staff personnel located in the former Oktibbeha
1133 County School District for the 2015-2016 school year. In order to
1134 prepare for the efficient staffing of the Starkville-Oktibbeha
1135 Consolidated School District, the Conservator of the Oktibbeha
1136 County School District and the Superintendent of the Starkville
1137 School District shall have full authority to nonrenew the
1138 employment contract of any teacher, principal, clerical or
1139 administrative staff located within their respective school
1140 districts for the 2015-2016 school year. The superintendent and
1141 assistant superintendent(s) of schools of the former Starkville
1142 School District shall continue to serve in like administrative
1143 capacities of the Starkville-Oktibbeha Consolidated School
1144 District, but in no instance shall the administrative leadership
1145 of the Starkville-Oktibbeha Consolidated School District exceed
1146 three (3) assistant superintendents to be appointed by the
1147 superintendent of the former Starkville School District. No
1148 superintendent serving in the former Oktibbeha County School
1149 District shall be eligible for appointment as a superintendent or
1150 assistant superintendent in the Starkville-Oktibbeha Consolidated
1151 School District. Likewise, no trustee serving in the former
1152 Oktibbeha County School District shall be eligible for election to
1153 the new Board of Trustees of the Starkville-Oktibbeha Consolidated
1154 School District. It shall be the responsibility of the board of
1155 trustees to prepare and approve the budget of the respective new
1156 reorganized district, and the board of trustees may use staff from



1157 the former school district to prepare the budget. Any transfer of
1158 the assets, real or personal property of the Oktibbeha County
1159 School District mandated by this section shall be final and
1160 conclusive for the purposes of the transfer of property required
1161 by this section to effectuate the administrative consolidation.

1162 (4) Nothing in this section shall be construed to require
1163 the closing of any school or school facility, unless the facility
1164 is an unneeded administrative office located within a school
1165 district which has been abolished under the provisions of this
1166 section. All administrative consolidations under this section
1167 shall be accomplished so as not to delay or in any manner
1168 negatively affect the desegregation of another school district in
1169 the county pursuant to court order.

1170 (5) The State Board of Education shall promulgate rules and
1171 regulations to facilitate the administrative consolidation of the
1172 school districts in Oktibbeha County pursuant to the requirements
1173 of this section. Beginning with the insurance cafeteria plan year
1174 of November 1, 2014, the consolidated districts shall fall under
1175 all insurance plans and policies elected by the Starkville Public
1176 School District, including the group term life insurance described
1177 in Section 25-15-9(7).

1178 (6) For the initial three (3) years following the
1179 administrative consolidation required by this section, the State
1180 Department of Education shall grant a waiver of accountability and
1181 state assessment requirements to the Starkville-Oktibbeha



1182 Consolidated School District, subject to the approval of the State
1183 Board of Education.

1184 (7) As soon as practicable after March 31, 2015, the
1185 Conservator of the Oktibbeha County School District shall initiate
1186 the issuance of notes or certificates of indebtedness of the
1187 Oktibbeha County School District for the purpose of purchasing
1188 school buses, textbooks, computers and software and other
1189 equipment and fixtures for school facilities, and for any purposes
1190 enumerated in Section 37-59-3, Mississippi Code of 1972, and
1191 making repairs, alterations, utility upgrades and additions to two
1192 (2) elementary school buildings located in the Oktibbeha County
1193 School District in order to meet the same physical and educational
1194 standards as the elementary school buildings in Starkville, and to
1195 contribute funds to the Starkville School District for capital
1196 improvements to accommodate county school district students and
1197 increase capacity for the consolidation. The contribution of such
1198 funds to the Starkville School District is hereby authorized.
1199 Said notes or certificates of indebtedness shall be issued under
1200 the authority of Sections 37-59-101 through 37-59-115, Mississippi
1201 Code of 1972, including all notice requirements, however, the
1202 resolution as to the necessity for the issuance of the notes and
1203 the execution of the documents shall be made by the Conservator of
1204 the Oktibbeha County School District. The term of any notes or
1205 certificates of indebtedness issued under this section may not
1206 exceed the useful life of the financed project as determined



1207 according to the upper limit of useful life and depreciation
1208 guidelines established under the United States Internal Revenue
1209 Code and regulations. The levying authority for the Oktibbeha
1210 County School District, and after July 1, 2015, the levying
1211 authority for the Starkville-Oktibbeha Consolidated School
1212 District, shall annually levy a special tax on all taxable
1213 property of the former Oktibbeha County School District, and after
1214 July 1, 2015, on all taxable property of the Starkville-Oktibbeha
1215 Consolidated School District, in an amount sufficient to pay the
1216 principal of and interest on such negotiable notes or certificates
1217 of indebtedness as the same shall respectively mature and accrue.
1218 Said tax shall be levied as provided in Section 37-59-107,
1219 Mississippi Code of 1972, except that the levy shall not exceed
1220 three (3) mills on the dollar for the payment of all notes that
1221 are subject to the levy under Section 37-59-107. Any notes or
1222 certificates of indebtedness issued pursuant to this subsection
1223 (7) shall become indebtedness of the new Starkville-Oktibbeha
1224 Consolidated School District from and after July 1, 2015, and the
1225 mandatory special ad valorem tax levied to pay the notes or
1226 certificates of indebtedness by the levying authority pursuant to
1227 Section 37-59-107, Mississippi Code of 1972, shall be levied upon
1228 all of the taxable property within the Starkville-Oktibbeha
1229 Consolidated School District.

1230 (8) For a period beginning July 1, 2014, and ending June 30,
1231 2015, the Conservator of the Oktibbeha County School District



1232 shall issue negotiable bonds of the Oktibbeha County School
1233 District for the purpose of purchasing school buses, textbooks,
1234 computers and software and other equipment and fixtures for school
1235 facilities, and making repairs, alterations and additions and
1236 utility upgrades, and for any purposes allowed by Section 37-59-3,
1237 Mississippi Code of 1972, to school facilities in the Oktibbeha
1238 County School District and in the Starkville School District to
1239 accommodate students in the former Oktibbeha County School
1240 District who will be attending school in the new
1241 Starkville-Oktibbeha Consolidated School District and the
1242 increased capacity needs under the consolidation. Said bonds
1243 shall be issued under the authority of Sections 37-59-1 through
1244 37-59-45, however, any resolutions as to the necessity for the
1245 issuance of any bonds and execution of the documents may be made
1246 periodically by the Conservator of the Oktibbeha County School
1247 District. Provided further, that the conservator shall publish
1248 each resolution of necessity and intent to issue any bonds once
1249 each week for at least three (3) consecutive weeks in a newspaper
1250 having general circulation in the Oktibbeha County School
1251 District, with the first publication thereof to be made not less
1252 than fifteen (15) days prior to the date upon which the
1253 conservator is to take final action upon the question of
1254 authorizing the issuance of said bonds. If no petition requesting
1255 an election is filed prior to the date and time of the meeting at
1256 which the conservator is to take final action on the issuance of



1257 said bonds, then the conservator shall authorize the issuance of
1258 the bonds. If at any time prior to the date and time of the
1259 meeting at which the conservator is to take final action upon the
1260 question of issuing such bonds a petition signed by not less than
1261 twenty percent (20%) of the qualified electors of the Oktibbeha
1262 County School District shall be filed with the Conservator of the
1263 Oktibbeha County School District requesting that an election be
1264 called on the question of issuing the bonds, then the conservator
1265 shall either rescind the applicable resolution of intent or adopt
1266 a resolution calling an election to be held within the territory
1267 of the Oktibbeha County School District upon such question. The
1268 election shall be called and held, and notice thereof shall be
1269 given, in the same manner for elections upon the question of bond
1270 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,
1271 and the results thereof shall be certified by the Oktibbeha County
1272 Election Commission to the Conservator of the Oktibbeha County
1273 School District. If three-fifths (3/5) of the qualified electors
1274 of the Oktibbeha County School District who voted in such election
1275 vote in favor of the issuance of such bonds, then the conservator
1276 shall authorize the Oktibbeha County School District to issue such
1277 bonds. Notwithstanding any provision to the contrary, the
1278 Oktibbeha County School District may issue bonds pursuant to this
1279 subsection (8) in an amount which, when added to all of the
1280 Oktibbeha County School District's then outstanding bonded
1281 indebtedness, shall not result in the imposition on any of the



1282 property in said district of an indebtedness for school purposes
1283 of more than twenty percent (20%) of the assessed value of the
1284 taxable property within said district, according to the then last
1285 completed assessment for taxation. Any bonds issued pursuant to
1286 this subsection (8) shall become indebtedness of the new
1287 Starkville-Oktibbeha Consolidated School District from and after
1288 July 1, 2015, and the mandatory special ad valorem tax to be
1289 levied by the levying authority pursuant to Section 37-59-23,
1290 Mississippi Code of 1972, to pay the bonds shall be levied upon
1291 all taxable property within the Starkville-Oktibbeha Consolidated
1292 School District.

1293 (9) For a period beginning July 1, 2015, and ending July 1,
1294 2024, the new Starkville-Oktibbeha Consolidated School District
1295 Board of Trustees may periodically issue negotiable bonds in one
1296 or more series of the Starkville-Oktibbeha Consolidated School
1297 District for the purpose of purchasing school buses, textbooks,
1298 computers and software and other equipment and fixtures for school
1299 facilities and for any purposes enumerated in Section 37-59-3,
1300 Mississippi Code of 1972. The term of any such bonds may not
1301 exceed the useful life of the financed project as determined
1302 according to the upper limit of useful life and depreciation
1303 guidelines established under the United States Internal Revenue
1304 Code and regulations. Said bonds shall be issued under the
1305 authority of Sections 37-59-1 through 37-59-45, including all
1306 notice and publication requirements, however, the necessity for



1307 the issuance of the bonds shall be made pursuant to a reverse
1308 referendum procedure to be followed by the Starkville-Oktibbeha
1309 Consolidated School District Board of Trustees as follows: the
1310 board of trustees shall publish each resolution of necessity and
1311 intent to issue bonds once each week for at least three (3)
1312 consecutive weeks in a newspaper having general circulation in the
1313 Starkville-Oktibbeha Consolidated School District, with the first
1314 publication thereof to be made not less than fifteen (15) days
1315 prior to the date on which the board of trustees is to take final
1316 action authorizing the issuance of the bonds. If no petition
1317 requesting an election is filed prior to the date and time of the
1318 meeting at which the board of trustees is to take final action on
1319 the issuance of the bonds, the board of trustees shall authorize
1320 the issuance of the bonds. If at any time prior to the date and
1321 time of the meeting at which the board of trustees is to take
1322 final action authorizing the issuance of the bonds a petition
1323 signed by not less than twenty percent (20%) of the qualified
1324 electors of the Starkville-Oktibbeha Consolidated School District
1325 shall be filed with the Board of Trustees of the
1326 Starkville-Oktibbeha Consolidated School District requesting that
1327 an election be called on the question of issuing the bonds, then
1328 the board of trustees shall, not later than its next regular
1329 meeting, adopt a resolution calling an election to be held within
1330 the Starkville-Oktibbeha Consolidated School District upon such
1331 question. The election shall be called and held, and notice



1332 thereof shall be given, in the same manner for elections upon the
1333 question of bond issues under Sections 37-59-11, 37-59-13,
1334 37-59-15 and 37-59-17, and the results thereof shall be certified
1335 to the Starkville-Oktibbeha Consolidated School District Board of
1336 Trustees, as the case may be. If three-fifths (3/5) of the
1337 qualified electors of the Starkville-Oktibbeha Consolidated School
1338 District who voted in such election vote in favor of the issuance
1339 of such bonds, then the board of trustees shall issue such bonds.
1340 Notwithstanding any provision to the contrary, the
1341 Starkville-Oktibbeha Consolidated School District may issue bonds
1342 pursuant to this subsection (9) in an amount which, when added to
1343 all of the Starkville-Oktibbeha Consolidated School District's
1344 then outstanding bonded indebtedness, shall not result in the
1345 imposition on any of the property in said district of an
1346 indebtedness for school purposes of more than twenty percent (20%)
1347 of the assessed value of the taxable property within said
1348 district, according to the then last completed assessment for
1349 taxation. Any bonds issued pursuant to this subsection (9) shall
1350 be indebtedness of the new Starkville-Oktibbeha Consolidated
1351 School District. The mandatory special ad valorem tax to be
1352 levied by the levying authority pursuant to Section 37-59-23,
1353 Mississippi Code of 1972, shall be levied on all taxable property
1354 of the Starkville-Oktibbeha Consolidated School District.

1355 (10) Notwithstanding any law or any provision of any law to
1356 the contrary, from and after July 1, 2015, all outstanding debt of



1357 the former Oktibbeha County School District and the former
1358 Starkville School District shall be assumed by and become the debt
1359 of the new Starkville-Oktibbeha Consolidated School District. Any
1360 debt assumed by the Starkville-Oktibbeha Consolidated School
1361 District secured by a special ad valorem tax shall become secured
1362 by and payable from a mandatory, special ad valorem tax which
1363 shall be levied on all taxable property in the
1364 Starkville-Oktibbeha Consolidated School District by the levying
1365 authority of the Starkville-Oktibbeha Consolidated School
1366 District. All debt secured by a pledge by either district of its
1367 education enhancement funds pursuant to Section 37-61-33,
1368 Mississippi Code of 1972, or by a pledge of its Mississippi
1369 Adequate Education Program funds will continue to be secured by
1370 and payable from the same funds after the debt is assumed by the
1371 Starkville-Oktibbeha Consolidated School District as of July 1,
1372 2015. It is the intent of the Legislature that any such pledges
1373 will remain in effect and that the pledged funds will be available
1374 to the Starkville-Oktibbeha Consolidated School District to pay
1375 its debt to which the funds are pledged.

1376 (11) It shall be the responsibility of the Board of
1377 Supervisors of Oktibbeha County to provide office, furnishing and
1378 utilities for the administrative Office of the Superintendent of
1379 the Starkville-Oktibbeha Consolidated School District.

1380 (12) The new Starkville-Oktibbeha Consolidated School
1381 District is authorized and encouraged to develop a partnership



1382 with Mississippi State University to create a model rural
1383 education school to serve all sixth- and seventh-grade students
1384 from Oktibbeha County and a model prekindergarten program which
1385 shall also serve as a model for the education of teachers and
1386 administrators. The Starkville-Oktibbeha Consolidated School
1387 District and Mississippi State University are authorized and
1388 empowered, in each's discretion, to enter into an agreement for
1389 the purpose of designing, constructing, maintaining and operating
1390 a model rural education school to serve all sixth- and
1391 seventh-grade students from Oktibbeha County. The
1392 Starkville-Oktibbeha Consolidated School District and Mississippi
1393 State University are further authorized and empowered, in each's
1394 discretion, to transfer funds to the other and expend such funds
1395 on mutually agreeable terms and conditions for the construction,
1396 maintenance and operation of such school.

1397 (13) The Board of Supervisors of Oktibbeha County shall be
1398 the "levying authority" for the Starkville-Oktibbeha Consolidated
1399 School District.

1400 **SECTION 16.** Section 37-7-104.4, Mississippi Code of 1972, is
1401 amended as follows:

1402 37-7-104.4. (1) In Montgomery County, Mississippi, in which
1403 are located, as of January 1, 2016, two (2) school districts,
1404 there shall be an administrative consolidation of all of those
1405 school districts in the county into one (1) new countywide
1406 municipal separate school district to be designated as



1407 Winona-Montgomery Consolidated School District which shall consist
1408 of the territory of the former Montgomery County School District
1409 and the Winona Municipal Separate School District, effective on
1410 July 1, 2018. At such time that the administrative consolidation
1411 becomes effective, the central administrative office of the
1412 Winona-Montgomery Consolidated School District shall be located in
1413 Winona, Mississippi.

1414 (2) As soon as practicable, a financial advisor and/or other
1415 facilitator with school district experience may be assigned by the
1416 Mississippi Department of Education to oversee the budgeting and
1417 financial matters relating to the consolidation of the districts
1418 slated for consolidation. The financial advisor and/or
1419 facilitator may, at the discretion of the Mississippi Department
1420 of Education, continue duties for one (1) year after the
1421 consolidation to ensure that all financial matters are in place.
1422 All financial expenditures of districts that are closing must be
1423 approved by the financial advisor and/or facilitator. If the
1424 superintendent and/or school board approves expenditures outside
1425 of this approval, they shall be personally liable for the excess
1426 expenditures. The State Board of Education shall determine the
1427 compensation to be paid to the financial advisor and/or
1428 facilitator which shall be paid by the local school district to
1429 which the financial advisor and/or facilitator is assigned.

1430 (3) (a) On or before September 1, 2017, the State Board of
1431 Education shall serve the local school board of the Winona



1432 Municipal Separate School District and the local school board of
1433 the Montgomery County School District with notice and instructions
1434 regarding the timetable for action to be taken to comply with the
1435 administrative consolidation required in this section.

1436 (b) In the new Winona-Montgomery Consolidated School
1437 District, there shall be a new countywide municipal separate
1438 school district board of trustees comprised of five (5) members,
1439 which shall consist of the existing members of the Board of
1440 Trustees of the Winona Municipal Separate School District.
1441 However, when consolidation becomes effective, the two (2)
1442 appointed board members of the Winona Municipal Separate School
1443 District whose terms are nearest to expiration shall expire on
1444 January 1, 2019, shall thereafter become elected positions to be
1445 filled by the election of board members in a manner prescribed in
1446 subparagraph (ii) of this paragraph (b). The new countywide
1447 municipal separate school district board of trustees of the
1448 Winona-Montgomery Consolidated School District shall be comprised
1449 as follows:

1450 (i) The three (3) members of the existing Board of
1451 Trustees of the Winona Municipal Separate School District
1452 appointed by the Board of Aldermen of the City of Winona with the
1453 most years remaining in their terms shall serve until the
1454 expiration of such appointed term and thereafter, appointments
1455 shall each be selected for a term of four (4) years beginning on
1456 January 1 of the year next succeeding the appointment;



1457 (ii) The two (2) members of the board elected
1458 after the appropriate appointments become permanently elected
1459 positions, shall be elected for a term of four (4) years by the
1460 electors of Montgomery County residing outside of the Winona
1461 corporate limits who shall be residents of that territory and who
1462 shall be elected in an election held on Tuesday after the first
1463 Monday in November 2018, in the manner prescribed in Section
1464 37-7-203, and the elected members will take office on January 1,
1465 2019. All subsequent members of the board elected from the
1466 territory outside of the Winona corporate limits shall be elected
1467 for a term of four (4) years at the regular general election held
1468 on the first Monday in November next preceding the expiration of
1469 the term of office of the respective member or members, and shall
1470 take office on January 1 next succeeding the election; and

1471 (iii) The Board of Supervisors of Montgomery
1472 County and the State Board of Education, with the assistance of
1473 the Joint Legislative Committee on Performance Evaluation and
1474 Expenditure Review (PEER), shall apportion the territory of the
1475 new consolidated school district located outside the Winona
1476 corporate limits into two (2) new proportionately equal single
1477 member board of trustee election districts. The board of
1478 supervisors shall thereafter publish the same in some newspaper of
1479 general circulation in the county for at least three (3)
1480 consecutive weeks and after having given notice of publication and
1481 recording the same upon the minutes of the school boards of each



1482 school district in the county, the new district lines will
1483 thereafter be effective for the November 2018 special election.
1484 Any school board member of the former school districts residing in
1485 the proper territory shall be eligible for appointment or election
1486 to the new Board of Trustees for Winona-Montgomery Consolidated
1487 School District. However, if the consolidated school district
1488 fails to achieve an accountability rating of "A" or "B" as
1489 required by Section 37-6-17(10), the school district must
1490 transition to electing the trustees of the school district in the
1491 manner provided in Section 37-6-17.

1492 (c) Any school district affected by the required
1493 administrative consolidation in the county that does not
1494 voluntarily consolidate as ordered by the State Board of Education
1495 shall be administratively consolidated by the State Board of
1496 Education, to be effective immediately upon action of the State
1497 Board of Education. The State Board of Education shall promptly
1498 move on its own motion to administratively consolidate a school
1499 district which does not voluntarily consolidate in order to enable
1500 the affected school districts to reasonably accomplish the
1501 resulting administrative consolidation into one (1) consolidated
1502 school district by July 1 following the motion to consolidate.
1503 The affected school districts shall comply with any consolidation
1504 order issued by the State Board of Education.

1505 (4) (a) On July 1, 2018, following the motion of the State
1506 Board of Education to consolidate school districts in Montgomery



1507 County, the Montgomery County School District shall be abolished.
1508 All real and personal property which is owned or titled in the
1509 name of the school district located in such former school district
1510 shall be transferred to the Winona-Montgomery Consolidated School
1511 District as of July 1, 2018.

1512 (b) The new board of trustees of the Winona-Montgomery
1513 Consolidated School District shall be responsible for establishing
1514 the contracts for operations, teachers, principals, clerical and
1515 administrative staff personnel for the 2018-2019 school year and
1516 each school year thereafter.

1517 (c) The superintendent of the Winona-Montgomery
1518 Consolidated School District shall be appointed by the board and
1519 is authorized to appoint an assistant superintendent, but in no
1520 instance shall the administrative leadership of the
1521 Winona-Montgomery Consolidated School District exceed three (3)
1522 assistant superintendents to be appointed by the superintendent of
1523 the Winona-Montgomery Consolidated School District.

1524 (d) It shall be the responsibility of the board of
1525 trustees to prepare and approve the budget of the respective new
1526 reorganized district, and the board of trustees may use staff from
1527 the former school district to prepare the budget. Any transfer of
1528 the assets, real or personal property of the Montgomery County
1529 School District mandated by this section shall be final and
1530 conclusive for the purposes of the transfer of property required
1531 by this section to effectuate the administrative consolidation.



1532 (e) Any person or school district aggrieved by an order
1533 of the successor newly selected board of trustees of the
1534 Winona-Montgomery Consolidated School District pursuant to the
1535 required administrative consolidation may appeal therefrom within
1536 ten (10) days from the date of the adjournment of the meeting at
1537 which such order is entered. The appeal shall be taken in the
1538 same manner as appeals are taken from judgments or decisions of
1539 the board of supervisors as provided in Section 11-51-75, the
1540 provisions of which shall be fully applicable to appeals taken
1541 hereunder. The board of trustees of the Winona-Montgomery
1542 Consolidated School District shall not pass upon or approve or
1543 disapprove any such order until the time for an appeal therefrom
1544 has expired, nor shall the board pass upon or approve or
1545 disapprove any such order from which an appeal is taken until said
1546 appeal has been finally determined.

1547 (5) Nothing in this section shall be construed to require
1548 the closing of any school or school facility, unless the facility
1549 is an unneeded administrative office located within a school
1550 district which has been abolished under the provisions of this
1551 section. All administrative consolidations under this section
1552 shall be accomplished so as not to delay or in any manner
1553 negatively affect the desegregation of another school district in
1554 the county pursuant to court order.

1555 (6) The State Board of Education shall promulgate rules and
1556 regulations to facilitate the administrative consolidation of the



1557 school districts in Montgomery County pursuant to the requirements
1558 of this section. Beginning with the insurance cafeteria plan year
1559 of November 1, 2018, the consolidated districts shall fall under
1560 all insurance plans and policies elected by the Winona-Montgomery
1561 Consolidated School District, including the group term life
1562 insurance described in Section 25-15-9(7).

1563 (7) The County Board of Education and the Superintendent of
1564 Education of the former Montgomery County School District and the
1565 local school board and Superintendent of Schools of the Winona
1566 Municipal Separate School District shall cooperate with the State
1567 Department of Education, as soon as practicable after July 1,
1568 2016, for the planning and transition of programs, services and
1569 alignment of curriculum for the administratively consolidated
1570 school districts.

1571 (8) It shall be the responsibility of the Board of
1572 Supervisors of Montgomery County to provide office, furnishing and
1573 utilities for the administrative Office of the Superintendent of
1574 the Winona-Montgomery Consolidated School District.

1575 (9) One (1) year prior to the date of consolidation, a
1576 financial advisor and/or other facilitator with school district
1577 experience may be assigned by the Mississippi Department of
1578 Education to oversee the budgeting and financial matters relating
1579 to the consolidation of the districts slated for consolidation.
1580 The financial advisor and/or facilitator may, at the discretion of
1581 the Mississippi Department of Education, continue duties for one



1582 year after the consolidation to ensure that all financial matters
1583 are in place. All financial expenditures of districts that are
1584 closing must be approved by the financial advisor and/or
1585 facilitator. If the superintendent and/or school board approves
1586 expenditures outside of this approval, they shall be personally
1587 liable for the excess expenditures. The State Board of Education
1588 shall determine the compensation to be paid to the financial
1589 advisor and/or facilitator which shall be paid by the local school
1590 district.

1591 **SECTION 17.** Section 37-7-104.5, Mississippi Code of 1972, is
1592 brought forward as follows:

1593 37-7-104.5. (1) Not later than July 1, 2019, the local
1594 school boards of the Lumberton Public School District, Lamar
1595 County School District and Poplarville Separate School District
1596 shall, under the authority provided in Section 37-7-103, enter
1597 into an agreement, by which the approval of such agreement shall
1598 be spread upon each board's minutes of their regularly scheduled
1599 meetings or at special meetings called for the specific purpose of
1600 such agreement, to abolish and dissolve the Lumberton School
1601 District and its central administrative office to be effective for
1602 the start of the 2019-2020 school year. The agreement between
1603 each school board made parties thereto must consider:

1604 (a) The composition of the district boundaries of the
1605 Lumberton Public School District, as it existed on January 1,
1606 2016, to ensure that the student population to be transferred to



1607 the Lamar County School District and Poplarville Separate School
1608 District does not disparately impact the desegregation of either
1609 school district entering into agreement;

1610 (b) The territory embraced by Lumberton, Mississippi,
1611 located within the bounded territory of Lamar County, from which
1612 the school district to be abolished by agreement draws a portion
1613 of its student population, shall be absorbed into the boundary
1614 lines of the Lamar County School District, which shall spread a
1615 legal description of the district's new boundaries upon its
1616 minutes. It shall be the responsibility of the board of
1617 supervisors of such county to apportion the school district into
1618 five (5) new single-member board of education election districts,
1619 which shall be consistent with the apportioned population of the
1620 existing Lamar County School District and that portion of the
1621 former Lumberton Public School District situated within Lamar
1622 County as the former district existed on July 1, 2016. The board
1623 of supervisors of the county shall thereafter publish the same in
1624 some newspaper of general circulation in the county for at least
1625 three (3) consecutive weeks and after having given notice of
1626 publication and recording the same upon the minutes of the school
1627 boards of each appropriate school district in the county, the new
1628 district lines will thereafter be effective; and

1629 (c) The territory embraced by Lumberton, Mississippi,
1630 located within the bounded territory of Pearl River County, from
1631 which the school district to be abolished by agreement draws a



1632 portion of its student population, shall be absorbed into the
1633 boundary lines of the Poplarville Separate School District as
1634 added territory, which shall spread a legal description of the
1635 district's new boundaries with added territory upon its minutes.
1636 It shall be the responsibility of the municipal governing
1637 authority having jurisdiction over the territory wherein the
1638 Poplarville Separate School District is located to provide
1639 residents of the added territory with representation on the school
1640 board as authorized under the provisions of Section 37-7-203(1),
1641 which shall be consistent with the apportioned population of the
1642 existing Poplarville Separate School District and the percentage
1643 of the student population from that portion of the former
1644 Lumberton Public School District situated in Pearl River County
1645 within the added territory of the Poplarville Separate School
1646 District as the former district existed on July 1, 2016. The
1647 municipal governing authority shall thereafter publish the same in
1648 some newspaper of general circulation in the county for at least
1649 three (3) consecutive weeks and after having given notice of
1650 publication and recording the same upon the minutes of the school
1651 boards of each appropriate school district in the county, the new
1652 member districts will thereafter be effective; and

1653 (2) (a) There is hereby created and established an advisory
1654 council to be known as the Commission on the Administrative
1655 Consolidation of the Lumberton Public School District. The
1656 commission shall be composed of eleven (11) members as follows:



1657 (i) The State Superintendent of Education, or his
1658 designee, who shall serve as Chairman of the Commission;
1659 (ii) The Superintendent of the Lumberton Public
1660 School District;
1661 (iii) The Superintendent of Education of the Lamar
1662 County School District;
1663 (iv) The Superintendent of the Poplarville
1664 Separate School District;
1665 (v) Two (2) members of the Lamar County Board of
1666 Education to be appointed by the Lamar County Board of Education;
1667 (vi) One (1) member of the Board of Trustees of
1668 the Poplarville Separate School District to be appointed by the
1669 Board of Trustees of the Poplarville Separate School District;
1670 (vii) One (1) member of the Board of Trustees of
1671 the Lumberton Public School District to be appointed by the Board
1672 of Trustees of the Lumberton Public School District;
1673 (viii) One (1) resident of the area which
1674 comprises the Lumberton Public School District to be appointed by
1675 the State Superintendent of Public Education;
1676 (ix) One (1) resident of the area which comprises
1677 the Lamar County School District to be appointed by the Lamar
1678 County Board of Supervisors; and
1679 (x) One (1) resident of the area which comprises
1680 the Poplarville Separate School District to be appointed by the
1681 Pearl River Board of Supervisors.



1682 (b) The Commission on the Administrative Consolidation
1683 of the Lumberton Public School District shall meet within thirty
1684 (30) days of July 1, 2016, upon the call of the State
1685 Superintendent of Education and shall hold hearings and meet as
1686 necessary and develop a report to the Legislature, the Governor
1687 and the State Board of Education on or before December 1, 2017,
1688 with the agreed-upon plan for proceeding with the abolition and
1689 dissolving of the Lumberton Public School District, which shall
1690 include a reasonable effort to maintain and operate a school in
1691 the former Lumberton Public School District by which students
1692 desiring may, in the discretion of the parents of such students,
1693 attend.

1694 (c) The plan may provide an option for students
1695 enrolled in the schools of the Lumberton Public School District on
1696 May 1, 2017, and children registered for kindergarten on that date
1697 with the Lumberton Public School District may be granted an
1698 automatic transfer by the Lamar County Board of Education or the
1699 Poplarville School Board, as determined by the agreed-upon plan.

1700 (3) Nothing in this section shall be construed to require
1701 the closing or maintenance of any school or school facility,
1702 unless the facility is an unneeded administrative office located
1703 within a school district which has been abolished under the
1704 provisions of this section.

1705 **SECTION 18.** Section 37-7-104.6, Mississippi Code of 1972, is
1706 brought forward as follows:



1707 37-7-104.6. (1) In Leflore County, Mississippi, in which
1708 are located, as of January 1, 2016, two (2) school districts,
1709 there shall be an administrative consolidation of those school
1710 districts in the county into one (1) new countywide school
1711 district to be designated as Greenwood-Leflore School District
1712 which shall consist of the territory of the former Leflore County
1713 School District and the Greenwood Municipal Separate School
1714 District, effective on July 1, 2019. At such time that the
1715 administrative consolidation becomes effective, the central
1716 administrative office of the Greenwood-Leflore School District
1717 shall be current Greenwood Public School District Central Office,
1718 located in Greenwood, Mississippi.

1719 (2) As soon as practicable, a financial advisor and/or other
1720 facilitator with school district experience may be assigned by the
1721 Mississippi Department of Education to oversee the budgeting and
1722 financial matters relating to the consolidation of the districts
1723 slated for consolidation. The financial advisor and/or
1724 facilitator may, at the discretion of the Mississippi Department
1725 of Education, continue duties for one (1) year after the
1726 consolidation to ensure that all financial matters are in place.
1727 All financial expenditures of districts that are closing must be
1728 approved by the financial advisor and/or facilitator. If the
1729 superintendent and/or school board approves expenditures outside
1730 of this approval, they shall be personally liable for the excess
1731 expenditures. The State Board of Education shall determine the



1732 compensation to be paid to the financial advisor and/or
1733 facilitator which shall be paid by the local school district to
1734 which the financial advisor and/or facilitator is assigned.

1735 (3) (a) On July 1, 2018, the State Board of Education shall
1736 serve the local school boards of the Leflore County School
1737 District and the Greenwood Municipal Separate School District with
1738 notice and instructions regarding the timetable for action to be
1739 taken to comply with the administrative consolidation required in
1740 this section. The State Board of Education shall require the
1741 administrative consolidation of Leflore County School District and
1742 the Greenwood Municipal Separate School District on or before July
1743 1, 2019. In the new Greenwood-Leflore School District, there
1744 shall be a new phased-in County Board of Education comprised of
1745 five (5) members elected to staggered terms of office from single
1746 member supervisors districts in the manner prescribed in this
1747 subsection. Current members of the Board of Trustees of the
1748 Greenwood Public School District serving on November 1, 2017,
1749 shall continue in office as the new County Board of Education of
1750 the Greenwood-Leflore School District until their successors are
1751 elected as follows:

1752 (i) The two (2) appointed board members of the
1753 Greenwood Public School District whose terms are nearest to
1754 expiration shall expire on January 1, 2019, and thereafter become
1755 permanently elected positions to be filled by persons elected as
1756 board members from Supervisors Districts 2 and 3 in a November



2018 election held for that purpose, in the manner prescribed in Section 37-7-203, and the newly elected members will take office on January 1, 2019, for a term of four (4) years;

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

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

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



1781 (c) No previous school board member of the former
1782 school district that was placed under conservatorship residing in
1783 the proper territory shall be eligible for selection to the new
1784 Board of Education for the Greenwood-Leflore Consolidated School
1785 District.

1786 (d) The State Board of Education shall declare that the
1787 territory embraced by Leflore County, Mississippi, shall be the
1788 boundary lines for the territory of the new Greenwood-Leflore
1789 School District and shall spread a legal description of the new
1790 school district on the minutes of its August 2018 meeting and
1791 shall serve the applicable school boards and the board of
1792 supervisors with an adequate legal description of these new
1793 boundaries. Any school board member of the former school
1794 districts residing in the proper supervisors district shall be
1795 eligible for election to the new Board of Education for the
1796 Greenwood-Leflore School District unless such person was serving
1797 as a member of the board when either district subject to
1798 consolidation under this section was placed under conservatorship,
1799 which shall render the board member ineligible for election.

1800 (e) Any school district affected by the required
1801 administrative consolidation in the county that does not
1802 voluntarily consolidate as ordered by the State Board of Education
1803 shall be administratively consolidated by the State Board of
1804 Education, to be effective immediately upon action of the State
1805 Board of Education. The State Board of Education shall promptly



1806 move on its own motion to administratively consolidate a school
1807 district which does not voluntarily consolidate in order to enable
1808 the affected school districts to reasonably accomplish the
1809 resulting administrative consolidation into the Greenwood-Leflore
1810 School District by July 1, 2019, following the motion to
1811 consolidate. The affected school districts shall comply with any
1812 consolidation order issued by the State Board of Education.

1813 (4) The successor Greenwood-Leflore Board of Education shall
1814 appoint a new Superintendent of Schools for the Greenwood-Leflore
1815 School District to be selected no later than July 1, 2019, in the
1816 manner provided in Section 37-9-13. The position of
1817 Greenwood-Leflore Superintendent of Schools shall be an appointive
1818 position. The successor Greenwood-Leflore Board of Education
1819 shall also employ central office staff for the Greenwood-Leflore
1820 School District no later than July 1, 2019.

1821 (5) (a) On January 1, 2020, following the motion of the
1822 State Board of Education to consolidate school districts in
1823 Leflore County and the Greenwood Municipal Separate School
1824 Districts, the Leflore County and the Greenwood Municipal Separate
1825 School Districts and the former school boards of those districts
1826 shall be abolished. All real and personal property which is owned
1827 or titled in the name of the school district located in such
1828 former school districts shall be transferred to the new
1829 Greenwood-Leflore Consolidated School District.



1830 (b) The new board of trustees of the Greenwood-Leflore
1831 Consolidated School District shall be responsible for establishing
1832 the contracts for teachers, principals, clerical and
1833 administrative staff personnel for the 2019-2020 school year and
1834 each school year thereafter.

1835 (c) The new board of trustees for the Greenwood-Leflore
1836 Consolidated School District shall appoint the superintendent of
1837 schools for the school district. The superintendent of schools
1838 for the Greenwood-Leflore Consolidated School District may appoint
1839 three (3) assistant superintendents of schools for the district,
1840 but in no instance shall the administrative leadership of the
1841 Greenwood-Leflore Consolidated School District have more than
1842 three (3) assistant superintendents of education. The subsequent
1843 superintendent of schools of the consolidated school district
1844 shall not be elected, but shall thereafter be appointed by the
1845 successor board of trustees in the manner provided in Section
1846 37-9-25. It shall be the responsibility of the successor board of
1847 trustees to prepare and approve the budget of the new consolidated
1848 district, and the successor board of trustees may use staff from
1849 the former school districts to prepare the budget. Any proposed
1850 order of the State Board of Education directing the transfer of
1851 the assets, real or personal property of an affected school
1852 district in the county, shall be final and conclusive for the
1853 purposes of the transfer of property required by such
1854 administrative consolidation.



1855 (d) Any person or school district aggrieved by an order
1856 of the successor newly selected board of trustees of the
1857 Greenwood-Leflore Consolidated School District pursuant to the
1858 required administrative consolidation may appeal therefrom within
1859 ten (10) days from the date of the adjournment of the meeting at
1860 which such order is entered. The appeal shall be taken in the
1861 same manner as appeals are taken from judgments or decisions of
1862 the board of supervisors as provided in Section 11-51-75, the
1863 provisions of which shall be fully applicable to appeals taken
1864 hereunder. The board of trustees of the Greenwood-Leflore
1865 Consolidated School District shall not pass upon or approve or
1866 disapprove any such order until the time for an appeal therefrom
1867 has expired, nor shall the board pass upon or approve or
1868 disapprove any such order from which an appeal is taken until said
1869 appeal has been finally determined.

1870 (6) Nothing in this section shall be construed to require
1871 the closing of any school or school facility, unless the facility
1872 is an unneeded administrative office located within a school
1873 district which has been abolished under the provisions of this
1874 section. All administrative consolidations under this section
1875 shall be accomplished so as not to delay or in any manner
1876 negatively affect the desegregation of another school district in
1877 the county pursuant to court order.

1878 (7) The State Board of Education shall promulgate rules and
1879 regulations to facilitate the administrative consolidation of the



1880 school districts in Leflore County pursuant to this section. The
1881 consolidated districts shall make an election within one (1) year
1882 of consolidation concerning the group term life insurance
1883 described in subsection (6) of Section 25-15-9.

1884 (8) The County Board of Education and the Superintendent of
1885 Education of the former Leflore County School District and the
1886 local school board and Superintendent of Schools of the
1887 Greenwood-Leflore Public School District shall cooperate with the
1888 State Department of Education, as soon as practicable after July
1889 1, 2016, for the planning and transition of programs, services and
1890 alignment of curriculum for the administratively consolidated
1891 school districts.

1892 **SECTION 19.** Section 37-7-104.7, Mississippi Code of 1972, is
1893 brought forward as follows:

1894 37-7-104.7. (1) In Holmes County, Mississippi, in which are
1895 located, as of January 1, 2016, two (2) school districts, there
1896 shall be an administrative consolidation of all of those school
1897 districts in the county into one (1) new countywide school
1898 district to be designated as Holmes County Consolidated School
1899 District which shall consist of the territory of the former Holmes
1900 County School District and the Durant Public School District,
1901 effective on July 1, 2018. At such time that the administrative
1902 consolidation becomes effective, the central administrative office
1903 of the Holmes County Consolidated School District shall be located
1904 in Lexington, Mississippi.



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

(3) (a) On or before July 1, 2017, the State Board of Education shall serve the local school boards of the Holmes County School District and the Durant Public School District with notice and instructions regarding the timetable for action to be taken to comply with the administrative consolidation required in this section. The State Board of Education shall provide for the administrative consolidation of Holmes County School District and the Durant Public School District on or before July 1, 2018. In



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

(b) Any school district affected by the required administrative consolidation in Holmes County that does not



1955 voluntarily consolidate as ordered by the State Board of Education
1956 shall be administratively consolidated by the State Board of
1957 Education, to be effective on July 1 following the November 2017
1958 special election of the new school board members. The State Board
1959 of Education shall promptly move on its own motion to
1960 administratively consolidate a school district which does not
1961 voluntarily consolidate in order to enable the affected school
1962 districts to reasonably accomplish the resulting administrative
1963 consolidation into the Holmes County Consolidated School District
1964 by July 1, 2018, following the election of the new board of
1965 trustees. The affected school districts shall comply with any
1966 consolidation order issued by the State Board of Education on or
1967 before July 1 following the election of the new board of trustees.

1968 (4) (a) On July 1, 2018, following the election of the new
1969 board of trustees of the Holmes County Consolidated School
1970 District, the former county board of education for Holmes County
1971 and the former board of trustees of the Durant Public School
1972 Districts shall be abolished. All real and personal property
1973 which is owned or titled in the name of the school district
1974 located in such former school districts shall be transferred to
1975 the new Holmes County Consolidated School District.

1976 (b) The new board of trustees of the Holmes County
1977 Consolidated School District shall be responsible for establishing
1978 the contracts for teachers, principals, clerical and



1979 administrative staff personnel for the 2018-2019 school year and
1980 each school year thereafter.

1981 (c) The new board of trustees for the Holmes County
1982 Consolidated School District shall appoint the superintendent of
1983 schools for the school district. The superintendent of schools
1984 for the Holmes County Consolidated School District may appoint an
1985 assistant superintendent of schools for the district, but in no
1986 instance shall the administrative leadership of the Holmes County
1987 Consolidated School District have more than one (1) assistant
1988 superintendent of education. The subsequent superintendent of
1989 schools of the consolidated school district shall not be elected,
1990 but shall thereafter be appointed by the successor board of
1991 trustees in the manner provided in Section 37-9-25. It shall be
1992 the responsibility of the successor board of trustees to prepare
1993 and approve the budget of the new consolidated district, and the
1994 successor board of trustees may use staff from the former school
1995 districts to prepare the budget. Any proposed order of the State
1996 Board of Education directing the transfer of the assets, real or
1997 personal property of an affected school district in the county,
1998 shall be final and conclusive for the purposes of the transfer of
1999 property required by such administrative consolidation.

2000 (d) Any person or school district aggrieved by an order
2001 of the successor newly selected board of trustees of the Holmes
2002 County Consolidated School District pursuant to the required
2003 administrative consolidation may appeal therefrom within ten (10)



2004 days from the date of the adjournment of the meeting at which such
2005 order is entered. The appeal shall be taken in the same manner as
2006 appeals are taken from judgments or decisions of the board of
2007 supervisors as provided in Section 11-51-75, the provisions of
2008 which shall be fully applicable to appeals taken hereunder. The
2009 board of trustees of the Holmes County Consolidated School
2010 District shall not pass upon or approve or disapprove any such
2011 order until the time for an appeal therefrom has expired, nor
2012 shall the board pass upon or approve or disapprove any such order
2013 from which an appeal is taken until said appeal has been finally
2014 determined.

2015 (5) Nothing in this section shall be construed to require
2016 the closing of any school or school facility, unless the facility
2017 is an unneeded administrative office located within a school
2018 district which has been abolished under the provisions of this
2019 section. All administrative consolidations under this section
2020 shall be accomplished so as not to delay or in any manner
2021 negatively affect the desegregation of another school district in
2022 the county pursuant to court order.

2023 (6) The State Board of Education shall promulgate rules and
2024 regulations to facilitate the administrative consolidation of the
2025 school districts in Holmes County pursuant to this section. The
2026 consolidated districts shall make an election within one (1) year
2027 of consolidation concerning the group term life insurance
2028 described in subsection (6) of Section 25-15-9.



2029 (7) The County Board of Education and the Superintendent of
2030 Education of the former Holmes County School District and the
2031 local school board and Superintendent of Schools of the Durant
2032 Public School District shall cooperate with the State Department
2033 of Education, as soon as practicable after July 1, 2016, for the
2034 planning and transition of programs, services and alignment of
2035 curriculum for the administratively consolidated school districts.

2036 **SECTION 20.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,
2037 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229,
2038 Mississippi Code of 1972, which provide certain methods for
2039 electing trustees of certain municipal and special municipal
2040 separate school districts and consolidated and line consolidated
2041 school districts, are repealed.

2042 **SECTION 21.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,
2043 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which
2044 provide certain additional methods for selecting trustees of
2045 special municipal separate school districts, are repealed.

2046 **SECTION 22.** This act shall take effect and be in force from
2047 and after its passage.

