

By: Representative Eubanks

To: Education

## HOUSE BILL NO. 560

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 2024; 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 2024, 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 2025. 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



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

66 (5) The name of any qualified elector who is a candidate for  
67 the school board shall be placed on the ballot used in the general  
68 election by the county election commissioners, provided that the  
69 candidate files with the county election commissioners, not more  
70 than ninety (90) days and not less than sixty (60) days before the  
71 date of the general election, a petition of nomination signed by  
72 not less than fifty (50) qualified electors of the county residing  
73 within the appropriate school board district, as provided in  
74 Section 37-5-9, as the case may be. Where there are less than one  
75 hundred (100) qualified electors in the area represented by the  
76 school board member, it is only required that the petition of  
77 nomination be signed by at least twenty percent (20%) of the  
78 qualified electors in the area. The petition must contain an  
79 affidavit certifying that all signatures are the personal  
80 signatures of each person whose name appears on the petition and  
81 that each person is a qualified elector. The candidate who  
82 receives a majority of the votes cast in the election must be  
83 declared elected. If no candidate receives a majority of the  
84 votes cast in the district, then the two (2) candidates who  
85 receive the highest number of votes cast in the district shall  
86 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



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

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

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

157 (10) This section does not apply to any school district  
158 administratively consolidated by act of the Legislature between  
159 2013 and 2023 for a period of four (4) years from the effective  
160 date of the consolidation, during which period the selection of  
161 school board members must be in the manner established by law in



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

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

173 37-5-1. (1) There is \* \* \* established a county board of  
174 education in each county of the State of Mississippi. \* \* \* The  
175 county boards of education shall consist of five (5) members, one  
176 (1) of \* \* \* whom shall be elected by the qualified electors of  
177 each board of education district of the county at the time and in  
178 the manner provided in Section 37-6-17. \* \* \*

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



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

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

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

200 37-5-3. No person who is a resident of the territory  
201 embraced within a municipal separate school district or a special  
202 municipal separate school district shall be eligible to be a  
203 member of the county board of education. Qualified electors  
204 residing within a municipal separate school district or special  
205 municipal separate school district shall not be eligible to vote  
206 or participate in the election of members of the county boards of  
207 education provided under Section 37-6-17.

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





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

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

215 37-5-7. (1) \* \* \* Except as otherwise provided, on the  
216 first Tuesday after the first Monday in November 2024, and every  
217 four (4) years thereafter, an election shall be held in each  
218 county in this state concurrently with the federal election for  
219 the President of the United States for the purpose of electing  
220 members of the county boards of education, as provided in Section  
221 37-6-17.

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

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

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



236 2018 election held for that purpose, in the manner prescribed in  
237 Section 37-7-203, and the newly elected members will take office  
238 on January 1, 2019, for a term of four (4) years;

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

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

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



260 (4) On the first Tuesday after the first Monday in November  
261 2017, an election shall be held in Holmes County for the purpose  
262 of electing the county board of education in the new Holmes County  
263 Consolidated School District. At the election, the members of  
264 the \* \* \* county board of education shall be elected from single  
265 member board of education districts, which shall be consistent  
266 with the supervisors district lines in the county, and shall be  
267 elected for an initial term of six (6) years. Subsequent  
268 elections for the Holmes County Board of Education shall be held  
269 on the first Tuesday after the first Monday in November 2023 and  
270 every four (4) years thereafter at the same time and manner as  
271 other general elections are held, and the member shall be elected  
272 for a term of four (4) years. All members of the county board of  
273 education in the new Holmes County Consolidated School District  
274 shall take office on the first Monday of January following the  
275 date of their election.

276 (5) On the first Tuesday after the first Monday in November  
277 2023, an election shall be held in Chickasaw County for the  
278 purpose of electing the county board of education in the new  
279 Chickasaw County School District. The board of supervisors shall  
280 declare and designate posts for each member of the new board. At  
281 said election, the members of the said county board of education  
282 from Posts One and Two shall be elected for a term of four (4)  
283 years, the members from Posts Three and Four shall be elected for  
284 a term of three (3) years and the member from Post Five shall be



285 elected for a term of two (2) years. Thereafter, members shall be  
286 elected at general elections as vacancies occur for terms of four  
287 (4) years each. All members of the county board of education in  
288 the new Chickasaw County School District shall take office on the  
289 first Monday of January following the date of their election.

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

292 37-5-9. As specifically provided in Section 37-6-17, the  
293 name of any qualified elector who is a candidate for the county  
294 board of education shall be placed on the ballot used in the  
295 general elections by the county election commissioners \* \* \*.

296 \* \* \*

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

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

303 37-5-19. Vacancies in the membership of the county board of  
304 education shall be filled \* \* \* in the manner provided in Section  
305 37-6-17(8).

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

308 37-7-203. (1) Except as otherwise provided in subsections  
309 (3) and (4) of this section, the boards of trustees of all



310 municipal separate school districts and special municipal separate  
311 school districts created under this chapter, either with or  
312 without added territory, shall consist of five (5) members \* \* \*.  
313 \* \* \* Unless otherwise exempted by Section 37-6-17(9) or (10), on  
314 the first Tuesday after the first Monday in November 2024, and  
315 every four (4) years thereafter, an election shall be held  
316 pursuant to Section 37-6-17 for the purpose of electing the  
317 members of the boards of trustees of the municipal separate school  
318 districts and special municipal separate school districts  
319 established under this chapter. The five (5) members of the board  
320 of trustees of the school district must be elected from special  
321 trustee election districts by the qualified electors thereof. The  
322 board of trustees of the school district shall apportion the  
323 municipal separate school district, including added territory,  
324 into five (5) special trustee election districts as nearly equal  
325 as possible according to population, incumbency and other factors  
326 heretofore pronounced by the courts. The board of trustees shall  
327 place upon its minutes the boundaries determined for the new five  
328 (5) special trustee election districts. The board of trustees  
329 shall thereafter publish the same in a newspaper of general  
330 circulation within the school district for at least three (3)  
331 consecutive weeks; and after having given notice of publication  
332 and recording the same upon the minutes of the board of trustees,  
333 the new district lines shall be effective. All incumbent trustees  
334 holding office at the time of the creation of the trustee election



335 districts shall continue holding their respective offices,  
336 provided they reside within the new district, for the remainder of  
337 the term of office to which they have heretofore been selected,  
338 and their successors shall be elected from the new trustee  
339 election districts constituted in the manner provided for in this  
340 section.

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

345 (3) (a) \* \* \* In those school districts having a  
346 classification of "A" or "B" on the effective date of this act,  
347 the school board members must be selected in the manner provided  
348 in this subsection. The boards of trustees of all municipal  
349 separate school districts either with or without added territory  
350 having a classification of "A" or "B" shall consist of five (5)  
351 members, each to be chosen for a term of five (5) years, but so  
352 chosen that the term of office of one (1) member shall expire each  
353 year. In the event the added territory of a municipal separate  
354 school district furnishes fifteen percent (15%) or more of the  
355 pupils enrolled in the schools of the district, then at least one  
356 (1) member of the board of trustees of the school district must be  
357 a resident of the added territory outside the corporate limits.  
358 In the event the added territory of a municipal separate school  
359 district furnishes thirty percent (30%) or more of the pupils



360 enrolled in the schools of the district, then not more than two  
361 (2) members of the board of trustees of the school district must  
362 be residents of the added territory outside the corporate limits.

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

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



384 for the remainder of the unexpired term in the manner otherwise  
385 provided herein.

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

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

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





409 five (5) special trustee election districts as nearly equal as  
410 possible according to population, incumbency and other factors  
411 pronounced by the courts before August 8, 2017. The municipal  
412 governing authority shall place upon its minutes the boundaries  
413 determined for the new five (5) trustee election districts and  
414 shall publish the same in a newspaper of general circulation  
415 within the school district for at least three (3) consecutive  
416 weeks. After having given notice of publication and recording the  
417 same upon the minutes of the municipal governing authority, the  
418 new district lines shall be effective.

419 (b) On the first Tuesday after the first Monday in  
420 November 2017, and every four (4) years thereafter, an election  
421 shall be held in the municipal separate school district for local  
422 school board members from trustee election Districts 1, 3 and 5 in  
423 the same manner and at the same time as the general municipal  
424 election is held and conducted, for the purpose of electing the  
425 board of trustees of the municipal separate school district. All  
426 members of the board of trustees elected pursuant to this  
427 paragraph (b) shall take office on the first Monday of January  
428 immediately following the date of their election. However, in  
429 order to provide for an orderly transition, the term of each  
430 member of the board of trustees serving on July 1, 2017, which  
431 otherwise would expire after the first Monday in July 2018, shall  
432 expire on the first Monday of January 2018. If no individual  
433 qualifies for the elective office of school district trustee, the



434 trustee for that specific trustee district shall be filled by  
435 appointment of the municipal governing authority; however, the  
436 person so appointed to fill the vacancy may serve only until the  
437 first Monday in January 2019, at which time the trustee elected  
438 pursuant to this subsection shall take office for the remainder of  
439 the unexpired initial term.

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

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



459 order to provide for an orderly transition, the term of each  
460 member of the board of trustees serving on July 1, 2018, which  
461 otherwise would expire after the first Monday in July 2018, shall  
462 expire on the first Monday of January 2019. If no individual  
463 qualifies for the elective office of school district trustee, the  
464 trustee for that specific trustee district shall be filled by  
465 appointment of the municipal governing authority; however, the  
466 person so appointed to fill the vacancy may serve only until the  
467 first Monday in January 2020, at which time the trustee elected  
468 pursuant to this subsection shall take office for the remainder of  
469 the unexpired initial term.

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

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

481 37-7-207. (1) All school districts reconstituted or created  
482 under the provisions of Article 1 of this chapter, and which lie  
483 wholly within one (1) county, but not including municipal separate



484 and countywide districts, shall be governed by a board of five (5)  
485 trustees. \* \* \* Beginning with the election on the first Tuesday  
486 after the first Monday in November 2024, and every four (4) years  
487 thereafter, the trustees of such school districts shall be elected  
488 at the same time and in the same manner provided in Section  
489 37-6-17 for terms of four (4) years. The five (5) members of the  
490 board of trustees of such consolidated school district shall be  
491 elected from special trustee election districts by the qualified  
492 electors thereof \* \* \*. The board of trustees of any such  
493 consolidated school district shall apportion the consolidated  
494 school district into five (5) special trustee election districts.  
495 The board of trustees of such school district shall place upon its  
496 minutes the boundaries determined for the new five (5) trustee  
497 election districts. The board of trustees shall thereafter  
498 publish the same in a newspaper of general circulation within said  
499 school district for at least three (3) consecutive weeks; and  
500 after having given notice of publication and recording the same  
501 upon the minutes of the board of trustees, said new district lines  
502 shall thereafter be effective.

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

507 (2) All school districts reconstituted and created under the  
508 provisions of Article 1 of this chapter, which embrace territory



509 in two (2) or more counties, but not including municipal separate  
510 school districts, shall be governed by a board of five (5)  
511 trustees. \* \* \* Beginning with the election on the first Tuesday  
512 after the first Monday in November 2024, and every four (4) years  
513 thereafter, the members of such line consolidated school district  
514 board of trustees shall be elected at the same time and in the  
515 same manner provided in Section 37-6-17 for terms of four (4)  
516 years. The five (5) members of the board of trustees of such line  
517 consolidated school district shall be elected from special trustee  
518 election districts by the qualified electors thereof \* \* \*. The  
519 existing board of trustees of such line consolidated school  
520 district shall apportion the line consolidated school district  
521 into five (5) special trustee election districts. The board of  
522 trustees shall place upon its minutes the boundaries determined  
523 for the new five (5) trustee election districts. The board of  
524 trustees shall thereafter publish the same in a newspaper of  
525 general circulation within \* \* \* the school district for at least  
526 three (3) consecutive weeks; and after having given notice of  
527 publication and recording the same upon the minutes of the board  
528 of trustees, \* \* \* the new district lines shall thereafter be  
529 effective. \* \* \* However, \* \* \* in any line consolidated school  
530 district encompassing two (2) or more counties created pursuant to  
531 Laws, 1953, Extraordinary Session, Chapter 12, Section 8, in  
532 which, as a condition precedent to the creation of \* \* \* the  
533 district, each county belonging thereto was contractually



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

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



558 office shall be filled \* \* \* in the manner provided in Section  
559 37-16-7(8).

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

562 37-7-221. The election of consolidated or consolidated line  
563 school district trustees shall be held in the manner provided for  
564 in \* \* \* Section 37-6-17.

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

567 37-7-703. (1) In all such special municipal separate school  
568 districts which embrace the entire county \* \* \*, the board of  
569 trustees of such special municipal separate school district shall  
570 be \* \* \* elected in the manner provided by \* \* \* Section 37-6-17,  
571 and all of the provisions thereof shall be fully applicable in all  
572 respects to the selection and constitution of such board of  
573 trustees unless such board is exempted under Section 37-6-17(9) or  
574 (10). The board of trustees of each special municipal separate  
575 school district shall apportion the new trustee election districts  
576 in the manner provided in Section 37-7-203(1).

577 (2) In those school districts having a classification of "A"  
578 or "B" on the effective date of this act, the school board members  
579 shall be selected in the manner provided in this subsection. In  
580 all such special municipal separate school districts which embrace  
581 the entire county, the board of trustees of such special municipal  
582 separate school district shall be chosen and selected in the



583 manner provided by Section 37-7-203(3), and all of the provisions  
584 thereof shall be fully applicable in all respects to the selection  
585 and constitution of such board of trustees. However, if at any  
586 time a school district having an accountability of "A" or "B" on  
587 the effective date of this act fails to maintain that  
588 accountability rating and subsequently receives an accountability  
589 rating of "C," "D" or "F," the office of trustee in that school  
590 district must become an elected position, as provided in Section  
591 37-6-17(9) (b), and the district must transition to electing its  
592 trustees in the manner provided in Section 37-6-17.

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

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

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





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



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



657 State Board of Education, as the case may be, on or before July 1  
658 following the election of the new county board of education.

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



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



707 approval or disapproval of the action by said county board of  
708 education.

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

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

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

728 (6) The State Board of Education shall promulgate rules and  
729 regulations to facilitate the administrative consolidation of the  
730 school districts in a county pursuant to this section. When the  
731 orders of the successor county board of education adopting the



732 boundaries of the successor countywide school district have been  
733 entered and are final, as approved by the State Board of  
734 Education, the new district lines shall be submitted by the State  
735 Board of Education with the assistance of the Attorney General to  
736 the Attorney General of the United States for preclearance or to  
737 the United States District Court for the District of Columbia for  
738 a declaratory judgment in accordance with the provisions of the  
739 Voting Rights Act of 1965, as amended and extended. In the event  
740 the change in the school district lines are precleared or  
741 approved, the State Board of Education shall formally declare the  
742 new lines as the new boundaries of the consolidated countywide  
743 school district.

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

746       37-7-104.1. (1) In Bolivar County, Mississippi, in which  
747 are located, as of January 1, 2012, six (6) school districts,  
748 there shall be an administrative consolidation of all of the  
749 school districts in the county into three (3) school districts as  
750 follows:

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

753               (b) One (1) new consolidated school district to be  
754 designated as North Bolivar Consolidated School District which  
755 shall consist of the territory of the former North Bolivar School  
756 District and the Mound Bayou Public School District. The central



757 administrative office of the North Bolivar Consolidated School  
758 District shall be located in Mound Bayou, Mississippi; and

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

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



782 description of the new school districts on the minutes of its  
783 August 2012 meeting and shall serve the applicable school boards  
784 and the board of supervisors with an adequate legal description of  
785 these new boundaries. It shall be the responsibility of the State  
786 Board of Education with the assistance of the Joint Legislative  
787 Committee on Performance Evaluation and Expenditure Review (PEER)  
788 to apportion the territory of the two (2) new school districts  
789 into five (5) new board of trustee election districts for each new  
790 school district. The State Board of Education shall thereafter  
791 publish the same in some newspaper of general circulation in said  
792 county for at least three (3) consecutive weeks and after having  
793 given notice of publication and recording the same upon the  
794 minutes of the school boards of each school district in the  
795 county, said new district lines will thereafter be effective for  
796 the November 2013 special election. Any school board member of  
797 the former school district residing in the proper election  
798 district shall be eligible for election to the new board of  
799 trustees for North Bolivar Consolidated School District or West  
800 Bolivar Consolidated School District. The local school board of  
801 each new school district shall reapportion the school board  
802 districts in accordance with the procedure described in Section  
803 37-7-207, Mississippi Code of 1972, as is necessary as soon as  
804 practicable after the 2020 decennial census are published and as  
805 soon as practicable after every decennial census thereafter. Any  
806 school district affected by the required administrative





807 consolidation in such county that does not voluntarily consolidate  
808 with the two (2) new school districts ordered by the State Board  
809 of Education shall be administratively consolidated by the State  
810 Board of Education with the appropriate school district in which  
811 such district is located, to be effective on July 1 following the  
812 election of the new local school boards. The State Board of  
813 Education shall promptly move on its own motion to  
814 administratively consolidate a school district which does not  
815 voluntarily consolidate in order to enable the affected school  
816 districts to reasonably accomplish the resulting administrative  
817 consolidation into two (2) school districts by July 1 following  
818 the election of the new school boards. All affected school  
819 districts shall comply with any consolidation order issued by the  
820 State Board of Education on or before July 1 following the  
821 election of the new school boards.

822 (3) On July 1 following the election of the new school  
823 district boards of trustees in Bolivar County, the former county  
824 board of education and the former board of trustees of North  
825 Bolivar School District, Mound Bayou Public School District, West  
826 Bolivar School District, Shaw School District and Benoit School  
827 District shall be abolished. All real and personal property which  
828 is owned or titled in the name of a school district located in  
829 such former school district shall be transferred to the new  
830 reorganized school district of Bolivar County in which such former  
831 school district is located. Each former school board shall be



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



857 by such administrative consolidation. Any person or school  
858 district aggrieved by an order of the successor newly elected  
859 board of trustees of a consolidated school district pursuant to  
860 the required administrative consolidation may appeal therefrom to  
861 the State Board of Education within ten (10) days from the date of  
862 the adjournment of the meeting at which such order is entered.  
863 Such appeal shall be de novo, and the finding of the State Board  
864 of Education upon such question shall be final and conclusive for  
865 the purpose of the approval or disapproval of the action by said  
866 county board of education.

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

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

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



882 school districts in Bolivar County pursuant to this section. The  
883 consolidated districts shall make an election within one (1) year  
884 of consolidation concerning the group term life insurance  
885 described in subsection (7) of Section 25-15-9. When the orders  
886 of the State Board of Education adopting the boundaries of the  
887 successor school districts and the successor board of trustees  
888 election districts have been entered and are final, as directed by  
889 the State Board of Education, the new district lines shall be  
890 submitted by the State Board of Education with the assistance of  
891 the Attorney General to the Attorney General of the United States  
892 for preclearance or to the United States District Court for the  
893 District of Columbia for a declaratory judgment in accordance with  
894 the provisions of the Voting Rights Act of 1965, as amended and  
895 extended. In the event the change in the school district lines  
896 and election districts are precleared or approved, the State Board  
897 of Education shall formally declare the new lines as the new  
898 boundaries of the successor school districts.

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

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



907 County School District and the West Point School District. The  
908 central administrative office of the West Point Consolidated  
909 School District shall be located in West Point, Mississippi.

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



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

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



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

966 (3) On July 1 following the selection of the new Board of  
967 Trustees of the West Point Consolidated School District, the  
968 former county board of education and the former Board of Trustees  
969 of the West Point School District shall be abolished. All real  
970 and personal property which is owned or titled in the name of a  
971 school district located in such former school district shall be  
972 transferred to the new reorganized school district of West Point  
973 Consolidated School District in which such former school district  
974 is located. Each former school board shall be responsible for  
975 establishing the contracts for teachers and principals for the  
976 next school year following the required administrative  
977 consolidation with the consultation of the newly elected successor  
978 school board. The new Board of Trustees for the West Point  
979 Consolidated School District shall appoint the Superintendent of  
980 Schools for the school district. The Superintendent of Schools  
981 for the West Point Consolidated School District may appoint



982 assistant superintendent(s) of schools for the district, but in no  
983 instance shall the administrative leadership of the West Point  
984 Consolidated School District exceed the number of assistant  
985 superintendents employed in the former West Point School District.  
986 The subsequent superintendent of schools of the reorganized school  
987 district shall not be elected, but shall thereafter be appointed  
988 by the successor board of trustees in the manner provided in  
989 Section 37-9-25. It shall be the responsibility of the successor  
990 board of trustees to prepare and approve the budget of the new  
991 reorganized district, and the successor board of trustees may use  
992 staff from the former school districts to prepare the budget. Any  
993 proposed order of the State Board of Education directing the  
994 transfer of the assets, real or personal property of an affected  
995 school district in the county, shall be final and conclusive for  
996 the purposes of the transfer of property required by such  
997 administrative consolidation. Any person or school district  
998 aggrieved by an order of the successor newly selected Board of  
999 Trustees of the West Point Consolidated School District pursuant  
1000 to the required administrative consolidation may appeal therefrom  
1001 within ten (10) days from the date of the adjournment of the  
1002 meeting at which such order is entered. Said appeal shall be  
1003 taken in the same manner as appeals are taken from judgments or  
1004 decisions of the board of supervisors as provided in Section  
1005 11-51-75, Mississippi Code of 1972, the provisions of which shall  
1006 be fully applicable to appeals taken hereunder. The Board of





1007 Trustees of the West Point Consolidated School District shall not  
1008 pass upon or approve or disapprove any such order until the time  
1009 for an appeal therefrom shall have expired, nor shall said board  
1010 pass upon or approve or disapprove any such order from which an  
1011 appeal is taken until said appeal shall have been finally  
1012 determined.

1013 (4) When any school district in the county is abolished  
1014 under the provisions of this section, the abolition thereof shall  
1015 not impair or release the property of that former school district  
1016 from liability for the payment of the bonds or other indebtedness  
1017 of such district.

1018 (5) Nothing in this section shall be construed to require  
1019 the closing of any school or school facility, unless the facility  
1020 is an unneeded administrative office located within a school  
1021 district which has been abolished under the provisions of this  
1022 section. All administrative consolidations under this section  
1023 shall be accomplished so as not to delay or in any manner  
1024 negatively affect the desegregation of another school district in  
1025 the county pursuant to court order.

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



1032 of the State Board of Education adopting the boundaries of the  
1033 successor board of trustees election districts have been entered  
1034 and are final, as directed by the State Board of Education, the  
1035 new district lines shall be submitted by the State Board of  
1036 Education with the assistance of the Attorney General to the  
1037 Attorney General of the United States for preclearance or to the  
1038 United States District Court for the District of Columbia for a  
1039 declaratory judgment in accordance with the provisions of the  
1040 Voting Rights Act of 1965, as amended and extended. In the event  
1041 the change in the school district lines and election districts are  
1042 precleared or approved, the State Board of Education shall  
1043 formally declare the new lines as the new boundaries of the  
1044 successor school district.

1045 (7) For the initial two (2) years following the  
1046 administrative consolidation required by this section, the State  
1047 Department of Education may grant a waiver of accountability and  
1048 state assessment requirements to the West Point Consolidated  
1049 School District for the student population enrolled therein from  
1050 the former Clay County School District when determining the new  
1051 consolidated school district accreditation level on the  
1052 performance and accountability rating model.

1053 **SECTION 15.** Section 37-7-104.3, Mississippi Code of 1972, is  
1054 amended as follows:

1055 37-7-104.3. (1) In Oktibbeha County, Mississippi, in which  
1056 are located, as of January 1, 2013, two (2) school districts,



1057 there shall be an administrative consolidation of all of those  
1058 school districts in the county into one (1) new countywide  
1059 municipal separate school district to be designated as  
1060 Starkville-Oktibbeha Consolidated School District which shall  
1061 consist of the territory of the former Oktibbeha County School  
1062 District and the Starkville School District, effective on July 1,  
1063 2015. Until June 30, 2015, preceding the effective date of the  
1064 required administrative consolidation of school districts in the  
1065 county, the Oktibbeha County School District shall remain in  
1066 conservatorship, under the authority and control of the  
1067 Mississippi Recovery School District of the State Department of  
1068 Education. At such time that the administrative consolidation  
1069 becomes effective, the central administrative office of the  
1070 Starkville-Oktibbeha Consolidated School District shall be located  
1071 in Starkville, Mississippi.

1072 (2) (a) On or before July 1, 2014, the State Board of  
1073 Education shall serve the local school board of the Starkville  
1074 School District with notice and instructions regarding the  
1075 timetable for action to be taken to comply with the administrative  
1076 consolidation required in this section.

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



1082 expired term of an appointed board member, that vacancy shall  
1083 become an elected position and shall be filled by the election of  
1084 a board member as follows: the 2016 expiring term board member  
1085 shall remain in office until January 1, 2017. In November 2016,  
1086 an election will be held for a board member who resides outside of  
1087 the incorporated municipal limits in the manner prescribed in  
1088 Section 37-7-203, and the elected board member will take office  
1089 for a five-year term beginning January 1, 2017. Subsequent board  
1090 members shall be selected in the manner prescribed in Section  
1091 37-7-203. The Board of Supervisors of Oktibbeha County shall  
1092 publish notice of the school board elections in some newspaper of  
1093 general circulation in the county for at least three (3)  
1094 consecutive weeks. However, if the consolidated school district  
1095 fails to achieve an accountability rating of "A" or "B" as  
1096 required by Section 37-6-17(10), the school district must  
1097 transition to electing the trustees of the school district in the  
1098 manner provided in Section 37-6-17.

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



1107 the affected school districts to reasonably accomplish the  
1108 resulting administrative consolidation into one (1) consolidated  
1109 school district by July 1 following the motion to consolidate.  
1110 The affected school districts shall comply with any consolidation  
1111 order issued by the State Board of Education.

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



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



1157 reorganized district, and the board of trustees may use staff from  
1158 the former school district to prepare the budget. Any transfer of  
1159 the assets, real or personal property of the Oktibbeha County  
1160 School District mandated by this section shall be final and  
1161 conclusive for the purposes of the transfer of property required  
1162 by this section to effectuate the administrative consolidation.

1163 (4) Nothing in this section shall be construed to require  
1164 the closing of any school or school facility, unless the facility  
1165 is an unneeded administrative office located within a school  
1166 district which has been abolished under the provisions of this  
1167 section. All administrative consolidations under this section  
1168 shall be accomplished so as not to delay or in any manner  
1169 negatively affect the desegregation of another school district in  
1170 the county pursuant to court order.

1171 (5) The State Board of Education shall promulgate rules and  
1172 regulations to facilitate the administrative consolidation of the  
1173 school districts in Oktibbeha County pursuant to the requirements  
1174 of this section. Beginning with the insurance cafeteria plan year  
1175 of November 1, 2014, the consolidated districts shall fall under  
1176 all insurance plans and policies elected by the Starkville Public  
1177 School District, including the group term life insurance described  
1178 in Section 25-15-9(7).

1179 (6) For the initial three (3) years following the  
1180 administrative consolidation required by this section, the State  
1181 Department of Education shall grant a waiver of accountability and



1182 state assessment requirements to the Starkville-Oktibbeha  
1183 Consolidated School District, subject to the approval of the State  
1184 Board of Education.

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





1207 exceed the useful life of the financed project as determined  
1208 according to the upper limit of useful life and depreciation  
1209 guidelines established under the United States Internal Revenue  
1210 Code and regulations. The levying authority for the Oktibbeha  
1211 County School District, and after July 1, 2015, the levying  
1212 authority for the Starkville-Oktibbeha Consolidated School  
1213 District, shall annually levy a special tax on all taxable  
1214 property of the former Oktibbeha County School District, and after  
1215 July 1, 2015, on all taxable property of the Starkville-Oktibbeha  
1216 Consolidated School District, in an amount sufficient to pay the  
1217 principal of and interest on such negotiable notes or certificates  
1218 of indebtedness as the same shall respectively mature and accrue.  
1219 Said tax shall be levied as provided in Section 37-59-107,  
1220 Mississippi Code of 1972, except that the levy shall not exceed  
1221 three (3) mills on the dollar for the payment of all notes that  
1222 are subject to the levy under Section 37-59-107. Any notes or  
1223 certificates of indebtedness issued pursuant to this subsection  
1224 (7) shall become indebtedness of the new Starkville-Oktibbeha  
1225 Consolidated School District from and after July 1, 2015, and the  
1226 mandatory special ad valorem tax levied to pay the notes or  
1227 certificates of indebtedness by the levying authority pursuant to  
1228 Section 37-59-107, Mississippi Code of 1972, shall be levied upon  
1229 all of the taxable property within the Starkville-Oktibbeha  
1230 Consolidated School District.



1231 (8) For a period beginning July 1, 2014, and ending June 30,  
1232 2015, the Conservator of the Oktibbeha County School District  
1233 shall issue negotiable bonds of the Oktibbeha County School  
1234 District for the purpose of purchasing school buses, textbooks,  
1235 computers and software and other equipment and fixtures for school  
1236 facilities, and making repairs, alterations and additions and  
1237 utility upgrades, and for any purposes allowed by Section 37-59-3,  
1238 Mississippi Code of 1972, to school facilities in the Oktibbeha  
1239 County School District and in the Starkville School District to  
1240 accommodate students in the former Oktibbeha County School  
1241 District who will be attending school in the new  
1242 Starkville-Oktibbeha Consolidated School District and the  
1243 increased capacity needs under the consolidation. Said bonds  
1244 shall be issued under the authority of Sections 37-59-1 through  
1245 37-59-45, however, any resolutions as to the necessity for the  
1246 issuance of any bonds and execution of the documents may be made  
1247 periodically by the Conservator of the Oktibbeha County School  
1248 District. Provided further, that the conservator shall publish  
1249 each resolution of necessity and intent to issue any bonds once  
1250 each week for at least three (3) consecutive weeks in a newspaper  
1251 having general circulation in the Oktibbeha County School  
1252 District, with the first publication thereof to be made not less  
1253 than fifteen (15) days prior to the date upon which the  
1254 conservator is to take final action upon the question of  
1255 authorizing the issuance of said bonds. If no petition requesting



1256 an election is filed prior to the date and time of the meeting at  
1257 which the conservator is to take final action on the issuance of  
1258 said bonds, then the conservator shall authorize the issuance of  
1259 the bonds. If at any time prior to the date and time of the  
1260 meeting at which the conservator is to take final action upon the  
1261 question of issuing such bonds a petition signed by not less than  
1262 twenty percent (20%) of the qualified electors of the Oktibbeha  
1263 County School District shall be filed with the Conservator of the  
1264 Oktibbeha County School District requesting that an election be  
1265 called on the question of issuing the bonds, then the conservator  
1266 shall either rescind the applicable resolution of intent or adopt  
1267 a resolution calling an election to be held within the territory  
1268 of the Oktibbeha County School District upon such question. The  
1269 election shall be called and held, and notice thereof shall be  
1270 given, in the same manner for elections upon the question of bond  
1271 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,  
1272 and the results thereof shall be certified by the Oktibbeha County  
1273 Election Commission to the Conservator of the Oktibbeha County  
1274 School District. If three-fifths (3/5) of the qualified electors  
1275 of the Oktibbeha County School District who voted in such election  
1276 vote in favor of the issuance of such bonds, then the conservator  
1277 shall authorize the Oktibbeha County School District to issue such  
1278 bonds. Notwithstanding any provision to the contrary, the  
1279 Oktibbeha County School District may issue bonds pursuant to this  
1280 subsection (8) in an amount which, when added to all of the



1281 Oktibbeha County School District's then outstanding bonded  
1282 indebtedness, shall not result in the imposition on any of the  
1283 property in said district of an indebtedness for school purposes  
1284 of more than twenty percent (20%) of the assessed value of the  
1285 taxable property within said district, according to the then last  
1286 completed assessment for taxation. Any bonds issued pursuant to  
1287 this subsection (8) shall become indebtedness of the new  
1288 Starkville-Oktibbeha Consolidated School District from and after  
1289 July 1, 2015, and the mandatory special ad valorem tax to be  
1290 levied by the levying authority pursuant to Section 37-59-23,  
1291 Mississippi Code of 1972, to pay the bonds shall be levied upon  
1292 all taxable property within the Starkville-Oktibbeha Consolidated  
1293 School District.

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



1306 authority of Sections 37-59-1 through 37-59-45, including all  
1307 notice and publication requirements, however, the necessity for  
1308 the issuance of the bonds shall be made pursuant to a reverse  
1309 referendum procedure to be followed by the Starkville-Oktibbeha  
1310 Consolidated School District Board of Trustees as follows: the  
1311 board of trustees shall publish each resolution of necessity and  
1312 intent to issue bonds once each week for at least three (3)  
1313 consecutive weeks in a newspaper having general circulation in the  
1314 Starkville-Oktibbeha Consolidated School District, with the first  
1315 publication thereof to be made not less than fifteen (15) days  
1316 prior to the date on which the board of trustees is to take final  
1317 action authorizing the issuance of the bonds. If no petition  
1318 requesting an election is filed prior to the date and time of the  
1319 meeting at which the board of trustees is to take final action on  
1320 the issuance of the bonds, the board of trustees shall authorize  
1321 the issuance of the bonds. If at any time prior to the date and  
1322 time of the meeting at which the board of trustees is to take  
1323 final action authorizing the issuance of the bonds a petition  
1324 signed by not less than twenty percent (20%) of the qualified  
1325 electors of the Starkville-Oktibbeha Consolidated School District  
1326 shall be filed with the Board of Trustees of the  
1327 Starkville-Oktibbeha Consolidated School District requesting that  
1328 an election be called on the question of issuing the bonds, then  
1329 the board of trustees shall, not later than its next regular  
1330 meeting, adopt a resolution calling an election to be held within



1331 the Starkville-Oktibbeha Consolidated School District upon such  
1332 question. The election shall be called and held, and notice  
1333 thereof shall be given, in the same manner for elections upon the  
1334 question of bond issues under Sections 37-59-11, 37-59-13,  
1335 37-59-15 and 37-59-17, and the results thereof shall be certified  
1336 to the Starkville-Oktibbeha Consolidated School District Board of  
1337 Trustees, as the case may be. If three-fifths (3/5) of the  
1338 qualified electors of the Starkville-Oktibbeha Consolidated School  
1339 District who voted in such election vote in favor of the issuance  
1340 of such bonds, then the board of trustees shall issue such bonds.  
1341 Notwithstanding any provision to the contrary, the  
1342 Starkville-Oktibbeha Consolidated School District may issue bonds  
1343 pursuant to this subsection (9) in an amount which, when added to  
1344 all of the Starkville-Oktibbeha Consolidated School District's  
1345 then outstanding bonded indebtedness, shall not result in the  
1346 imposition on any of the property in said district of an  
1347 indebtedness for school purposes of more than twenty percent (20%)  
1348 of the assessed value of the taxable property within said  
1349 district, according to the then last completed assessment for  
1350 taxation. Any bonds issued pursuant to this subsection (9) shall  
1351 be indebtedness of the new Starkville-Oktibbeha Consolidated  
1352 School District. The mandatory special ad valorem tax to be  
1353 levied by the levying authority pursuant to Section 37-59-23,  
1354 Mississippi Code of 1972, shall be levied on all taxable property  
1355 of the Starkville-Oktibbeha Consolidated School District.



1356           (10) Notwithstanding any law or any provision of any law to  
1357 the contrary, from and after July 1, 2015, all outstanding debt of  
1358 the former Oktibbeha County School District and the former  
1359 Starkville School District shall be assumed by and become the debt  
1360 of the new Starkville-Oktibbeha Consolidated School District. Any  
1361 debt assumed by the Starkville-Oktibbeha Consolidated School  
1362 District secured by a special ad valorem tax shall become secured  
1363 by and payable from a mandatory, special ad valorem tax which  
1364 shall be levied on all taxable property in the  
1365 Starkville-Oktibbeha Consolidated School District by the levying  
1366 authority of the Starkville-Oktibbeha Consolidated School  
1367 District. All debt secured by a pledge by either district of its  
1368 education enhancement funds pursuant to Section 37-61-33,  
1369 Mississippi Code of 1972, or by a pledge of its Mississippi  
1370 Adequate Education Program funds will continue to be secured by  
1371 and payable from the same funds after the debt is assumed by the  
1372 Starkville-Oktibbeha Consolidated School District as of July 1,  
1373 2015. It is the intent of the Legislature that any such pledges  
1374 will remain in effect and that the pledged funds will be available  
1375 to the Starkville-Oktibbeha Consolidated School District to pay  
1376 its debt to which the funds are pledged.

1377           (11) It shall be the responsibility of the Board of  
1378 Supervisors of Oktibbeha County to provide office, furnishing and  
1379 utilities for the administrative Office of the Superintendent of  
1380 the Starkville-Oktibbeha Consolidated School District.



1381 (12) The new Starkville-Oktibbeha Consolidated School  
1382 District is authorized and encouraged to develop a partnership  
1383 with Mississippi State University to create a model rural  
1384 education school to serve all sixth- and seventh-grade students  
1385 from Oktibbeha County and a model prekindergarten program which  
1386 shall also serve as a model for the education of teachers and  
1387 administrators. The Starkville-Oktibbeha Consolidated School  
1388 District and Mississippi State University are authorized and  
1389 empowered, in each's discretion, to enter into an agreement for  
1390 the purpose of designing, constructing, maintaining and operating  
1391 a model rural education school to serve all sixth- and  
1392 seventh-grade students from Oktibbeha County. The  
1393 Starkville-Oktibbeha Consolidated School District and Mississippi  
1394 State University are further authorized and empowered, in each's  
1395 discretion, to transfer funds to the other and expend such funds  
1396 on mutually agreeable terms and conditions for the construction,  
1397 maintenance and operation of such school.

1398 (13) The Board of Supervisors of Oktibbeha County shall be  
1399 the "levying authority" for the Starkville-Oktibbeha Consolidated  
1400 School District.

1401 **SECTION 16.** Section 37-7-104.4, Mississippi Code of 1972, is  
1402 amended as follows:

1403 37-7-104.4. (1) In Montgomery County, Mississippi, in which  
1404 are located, as of January 1, 2016, two (2) school districts,  
1405 there shall be an administrative consolidation of all of those





1406 school districts in the county into one (1) new countywide  
1407 municipal separate school district to be designated as  
1408 Winona-Montgomery Consolidated School District which shall consist  
1409 of the territory of the former Montgomery County School District  
1410 and the Winona Municipal Separate School District, effective on  
1411 July 1, 2018. At such time that the administrative consolidation  
1412 becomes effective, the central administrative office of the  
1413 Winona-Montgomery Consolidated School District shall be located in  
1414 Winona, Mississippi.

1415 (2) As soon as practicable, a financial advisor and/or other  
1416 facilitator with school district experience may be assigned by the  
1417 Mississippi Department of Education to oversee the budgeting and  
1418 financial matters relating to the consolidation of the districts  
1419 slated for consolidation. The financial advisor and/or  
1420 facilitator may, at the discretion of the Mississippi Department  
1421 of Education, continue duties for one (1) year after the  
1422 consolidation to ensure that all financial matters are in place.  
1423 All financial expenditures of districts that are closing must be  
1424 approved by the financial advisor and/or facilitator. If the  
1425 superintendent and/or school board approves expenditures outside  
1426 of this approval, they shall be personally liable for the excess  
1427 expenditures. The State Board of Education shall determine the  
1428 compensation to be paid to the financial advisor and/or  
1429 facilitator which shall be paid by the local school district to  
1430 which the financial advisor and/or facilitator is assigned.



1431           (3) (a) On or before September 1, 2017, the State Board of  
1432 Education shall serve the local school board of the Winona  
1433 Municipal Separate School District and the local school board of  
1434 the Montgomery County School District with notice and instructions  
1435 regarding the timetable for action to be taken to comply with the  
1436 administrative consolidation required in this section.

1437           (b) The members of the Winona-Montgomery Consolidated  
1438 School District Board of Trustees serving on July 1, 2020, shall  
1439 continue to serve until January 1, 2021, when the membership shall  
1440 be reconstituted as follows: On the first Tuesday after the first  
1441 Monday in November 2020, a special election shall be held in  
1442 Montgomery County for the purpose of electing a new board of  
1443 trustees of such district, which shall be elected from the  
1444 Supervisors Districts of Montgomery County. At said election the  
1445 member of the said board from District One shall be elected for a  
1446 term of one (1) year, the member from District Two shall be  
1447 elected for a term of two (2) years, the member from District  
1448 Three shall be elected for a term of three (3) years, the member  
1449 from District Four shall be elected for a term of four (4) years,  
1450 and the member from District Five shall be elected for a term of  
1451 five (5) years. Thereafter, members shall be elected at special  
1452 elections as vacancies occur for terms of five (5) years each.  
1453 All members shall reside in the supervisors district which the  
1454 member represents, and shall take office on the first Monday of  
1455 January following the date of their election. All trustees of



1456 said school district shall otherwise be elected as provided for in  
1457 Sections 37-7-223 through 37-7-229, Mississippi Code of 1972. All  
1458 vacancies which may occur during a term shall be filled by  
1459 appointment of the consolidated school district trustees from the  
1460 qualified electors of the district in which the vacancy occurs.  
1461 However, the person so appointed shall serve only until the next  
1462 general election following such appointment, at which time a  
1463 person shall be elected for the remainder of the unexpired term at  
1464 the same time and in the same manner as a trustee is elected for  
1465 the full term then expiring and the person so elected to the  
1466 unexpired term shall take office immediately. Any school board  
1467 member of the former school districts residing in the proper  
1468 territory shall be eligible for appointment or election to the new  
1469 Board of Trustees for Winona-Montgomery Consolidated School  
1470 District. However, if the consolidated school district fails to  
1471 achieve an accountability rating of "A" or "B" as required by  
1472 Section 37-6-17(10), the school district must transition to  
1473 electing trustees of the school district in the manner provided in  
1474 Section 37-6-17.

1475 (c) Any school district affected by the required  
1476 administrative consolidation in the county that does not  
1477 voluntarily consolidate as ordered by the State Board of Education  
1478 shall be administratively consolidated by the State Board of  
1479 Education, to be effective immediately upon action of the State  
1480 Board of Education. The State Board of Education shall promptly



1481 move on its own motion to administratively consolidate a school  
1482 district which does not voluntarily consolidate in order to enable  
1483 the affected school districts to reasonably accomplish the  
1484 resulting administrative consolidation into one (1) consolidated  
1485 school district by July 1 following the motion to consolidate.  
1486 The affected school districts shall comply with any consolidation  
1487 order issued by the State Board of Education.

1488           (4) (a) On July 1, 2018, following the motion of the State  
1489 Board of Education to consolidate school districts in Montgomery  
1490 County, the Montgomery County School District shall be abolished.  
1491 All real and personal property which is owned or titled in the  
1492 name of the school district located in such former school district  
1493 shall be transferred to the Winona-Montgomery Consolidated School  
1494 District as of July 1, 2018.

1495           (b) The new board of trustees of the Winona-Montgomery  
1496 Consolidated School District shall be responsible for establishing  
1497 the contracts for operations, teachers, principals, clerical and  
1498 administrative staff personnel for the 2018-2019 school year and  
1499 each school year thereafter.

1500           (c) The Superintendent of the Winona-Montgomery  
1501 Consolidated School District shall be appointed by the board and  
1502 is authorized to appoint an assistant superintendent, but in no  
1503 instance shall the administrative leadership of the  
1504 Winona-Montgomery Consolidated School District exceed three (3)



1505 assistant superintendents to be appointed by the Superintendent of  
1506 the Winona-Montgomery Consolidated School District.

1507 (d) It shall be the responsibility of the board of  
1508 trustees to prepare and approve the budget of the respective new  
1509 reorganized district, and the board of trustees may use staff from  
1510 the former school district to prepare the budget. Any transfer of  
1511 the assets, real or personal property of the Montgomery County  
1512 School District mandated by this section shall be final and  
1513 conclusive for the purposes of the transfer of property required  
1514 by this section to effectuate the administrative consolidation.

1515 (e) Any person or school district aggrieved by an order  
1516 of the successor newly selected Board of Trustees of the  
1517 Winona-Montgomery Consolidated School District pursuant to the  
1518 required administrative consolidation may appeal therefrom within  
1519 ten (10) days from the date of the adjournment of the meeting at  
1520 which such order is entered. The appeal shall be taken in the  
1521 same manner as appeals are taken from judgments or decisions of  
1522 the board of supervisors as provided in Section 11-51-75, the  
1523 provisions of which shall be fully applicable to appeals taken  
1524 hereunder. The Board of Trustees of the Winona-Montgomery  
1525 Consolidated School District shall not pass upon or approve or  
1526 disapprove any such order until the time for an appeal therefrom  
1527 has expired, nor shall the board pass upon or approve or  
1528 disapprove any such order from which an appeal is taken until said  
1529 appeal has been finally determined.



1530           (5) Nothing in this section shall be construed to require  
1531 the closing of any school or school facility, unless the facility  
1532 is an unneeded administrative office located within a school  
1533 district which has been abolished under the provisions of this  
1534 section. All administrative consolidations under this section  
1535 shall be accomplished so as not to delay or in any manner  
1536 negatively affect the desegregation of another school district in  
1537 the county pursuant to court order.

1538           (6) The State Board of Education shall promulgate rules and  
1539 regulations to facilitate the administrative consolidation of the  
1540 school districts in Montgomery County pursuant to the requirements  
1541 of this section. Beginning with the insurance cafeteria plan year  
1542 of November 1, 2018, the consolidated districts shall fall under  
1543 all insurance plans and policies elected by the Winona-Montgomery  
1544 Consolidated School District, including the group term life  
1545 insurance described in Section 25-15-9(7).

1546           (7) The County Board of Education and the Superintendent of  
1547 Education of the former Montgomery County School District and the  
1548 local school board and Superintendent of Schools of the Winona  
1549 Municipal Separate School District shall cooperate with the State  
1550 Department of Education, as soon as practicable after July 1,  
1551 2016, for the planning and transition of programs, services and  
1552 alignment of curriculum for the administratively consolidated  
1553 school districts.



1554 (8) It shall be the responsibility of the Board of  
1555 Supervisors of Montgomery County to provide office, furnishing and  
1556 utilities for the administrative Office of the Superintendent of  
1557 the Winona-Montgomery Consolidated School District.

1558 (9) One (1) year prior to the date of consolidation, a  
1559 financial advisor and/or other facilitator with school district  
1560 experience may be assigned by the Mississippi Department of  
1561 Education to oversee the budgeting and financial matters relating  
1562 to the consolidation of the districts slated for consolidation.  
1563 The financial advisor and/or facilitator may, at the discretion of  
1564 the Mississippi Department of Education, continue duties for one  
1565 (1) year after the consolidation to ensure that all financial  
1566 matters are in place. All financial expenditures of districts  
1567 that are closing must be approved by the financial advisor and/or  
1568 facilitator. If the superintendent and/or school board approves  
1569 expenditures outside of this approval, they shall be personally  
1570 liable for the excess expenditures. The State Board of Education  
1571 shall determine the compensation to be paid to the financial  
1572 advisor and/or facilitator which shall be paid by the local school  
1573 district.

1574 **SECTION 17.** Section 37-7-104.5, Mississippi Code of 1972, is  
1575 brought forward as follows:

1576 37-7-104.5. (1) Not later than July 1, 2019, the local  
1577 school boards of the Lumberton Public School District, Lamar  
1578 County School District and Poplarville Separate School District



1579 shall, under the authority provided in Section 37-7-103, enter  
1580 into an agreement, by which the approval of such agreement shall  
1581 be spread upon each board's minutes of their regularly scheduled  
1582 meetings or at special meetings called for the specific purpose of  
1583 such agreement, to abolish and dissolve the Lumberton School  
1584 District and its central administrative office to be effective for  
1585 the start of the 2019-2020 school year. The agreement between  
1586 each school board made parties thereto must consider:

1587           (a) The composition of the district boundaries of the  
1588 Lumberton Public School District, as it existed on January 1,  
1589 2016, to ensure that the student population to be transferred to  
1590 the Lamar County School District and Poplarville Separate School  
1591 District does not disparately impact the desegregation of either  
1592 school district entering into agreement;

1593           (b) The territory embraced by Lumberton, Mississippi,  
1594 located within the bounded territory of Lamar County, from which  
1595 the school district to be abolished by agreement draws a portion  
1596 of its student population, shall be absorbed into the boundary  
1597 lines of the Lamar County School District, which shall spread a  
1598 legal description of the district's new boundaries upon its  
1599 minutes. It shall be the responsibility of the board of  
1600 supervisors of such county to apportion the school district into  
1601 five (5) new single-member board of education election districts,  
1602 which shall be consistent with the apportioned population of the  
1603 existing Lamar County School District and that portion of the





1604 former Lumberton Public School District situated within Lamar  
1605 County as the former district existed on July 1, 2016. The board  
1606 of supervisors of the county shall thereafter publish the same in  
1607 some newspaper of general circulation in the county for at least  
1608 three (3) consecutive weeks and after having given notice of  
1609 publication and recording the same upon the minutes of the school  
1610 boards of each appropriate school district in the county, the new  
1611 district lines will thereafter be effective; and

1612 (c) The territory embraced by Lumberton, Mississippi,  
1613 located within the bounded territory of Pearl River County, from  
1614 which the school district to be abolished by agreement draws a  
1615 portion of its student population, shall be absorbed into the  
1616 boundary lines of the Poplarville Separate School District as  
1617 added territory, which shall spread a legal description of the  
1618 district's new boundaries with added territory upon its minutes.  
1619 It shall be the responsibility of the municipal governing  
1620 authority having jurisdiction over the territory wherein the  
1621 Poplarville Separate School District is located to provide  
1622 residents of the added territory with representation on the school  
1623 board as authorized under the provisions of Section 37-7-203(1),  
1624 which shall be consistent with the apportioned population of the  
1625 existing Poplarville Separate School District and the percentage  
1626 of the student population from that portion of the former  
1627 Lumberton Public School District situated in Pearl River County  
1628 within the added territory of the Poplarville Separate School



1629 District as the former district existed on July 1, 2016. The  
1630 municipal governing authority shall thereafter publish the same in  
1631 some newspaper of general circulation in the county for at least  
1632 three (3) consecutive weeks and after having given notice of  
1633 publication and recording the same upon the minutes of the school  
1634 boards of each appropriate school district in the county, the new  
1635 member districts will thereafter be effective; and

1636 (2) (a) There is hereby created and established an advisory  
1637 council to be known as the Commission on the Administrative  
1638 Consolidation of the Lumberton Public School District. The  
1639 commission shall be composed of eleven (11) members as follows:

1640 (i) The State Superintendent of Education, or his  
1641 designee, who shall serve as Chairman of the Commission;

1642 (ii) The Superintendent of the Lumberton Public  
1643 School District;

1644 (iii) The Superintendent of Education of the Lamar  
1645 County School District;

1646 (iv) The Superintendent of the Poplarville  
1647 Separate School District;

1648 (v) Two (2) members of the Lamar County Board of  
1649 Education to be appointed by the Lamar County Board of Education;

1650 (vi) One (1) member of the Board of Trustees of  
1651 the Poplarville Separate School District to be appointed by the  
1652 Board of Trustees of the Poplarville Separate School District;



1653 (vii) One (1) member of the Board of Trustees of  
1654 the Lumberton Public School District to be appointed by the Board  
1655 of Trustees of the Lumberton Public School District;

1656 (viii) One (1) resident of the area which  
1657 comprises the Lumberton Public School District to be appointed by  
1658 the State Superintendent of Public Education;

1659 (ix) One (1) resident of the area which comprises  
1660 the Lamar County School District to be appointed by the Lamar  
1661 County Board of Supervisors; and

1662 (x) One (1) resident of the area which comprises  
1663 the Poplarville Separate School District to be appointed by the  
1664 Pearl River Board of Supervisors.

1665 (b) The Commission on the Administrative Consolidation  
1666 of the Lumberton Public School District shall meet within thirty  
1667 (30) days of July 1, 2016, upon the call of the State  
1668 Superintendent of Education and shall hold hearings and meet as  
1669 necessary and develop a report to the Legislature, the Governor  
1670 and the State Board of Education on or before December 1, 2017,  
1671 with the agreed-upon plan for proceeding with the abolition and  
1672 dissolving of the Lumberton Public School District, which shall  
1673 include a reasonable effort to maintain and operate a school in  
1674 the former Lumberton Public School District by which students  
1675 desiring may, in the discretion of the parents of such students,  
1676 attend.



1677 (c) The plan may provide an option for students  
1678 enrolled in the schools of the Lumberton Public School District on  
1679 May 1, 2017, and children registered for kindergarten on that date  
1680 with the Lumberton Public School District may be granted an  
1681 automatic transfer by the Lamar County Board of Education or the  
1682 Poplarville School Board, as determined by the agreed-upon plan.

1683 (3) Nothing in this section shall be construed to require  
1684 the closing or maintenance of any school or school facility,  
1685 unless the facility is an unneeded administrative office located  
1686 within a school district which has been abolished under the  
1687 provisions of this section.

1688 **SECTION 18.** Section 37-7-104.6, Mississippi Code of 1972, is  
1689 brought forward as follows:

1690 37-7-104.6. (1) In Leflore County, Mississippi, in which  
1691 are located, as of January 1, 2016, two (2) school districts,  
1692 there shall be an administrative consolidation of those school  
1693 districts in the county into one (1) new countywide school  
1694 district to be designated as Greenwood-Leflore School District  
1695 which shall consist of the territory of the former Leflore County  
1696 School District and the Greenwood Municipal Separate School  
1697 District, effective on July 1, 2019. At such time that the  
1698 administrative consolidation becomes effective, the central  
1699 administrative office of the Greenwood-Leflore School District  
1700 shall be current Greenwood Public School District Central Office,  
1701 located in Greenwood, Mississippi.



1702 (2) As soon as practicable, a financial advisor and/or other  
1703 facilitator with school district experience may be assigned by the  
1704 Mississippi Department of Education to oversee the budgeting and  
1705 financial matters relating to the consolidation of the districts  
1706 slated for consolidation. The financial advisor and/or  
1707 facilitator may, at the discretion of the Mississippi Department  
1708 of Education, continue duties for one (1) year after the  
1709 consolidation to ensure that all financial matters are in place.  
1710 All financial expenditures of districts that are closing must be  
1711 approved by the financial advisor and/or facilitator. If the  
1712 superintendent and/or school board approves expenditures outside  
1713 of this approval, they shall be personally liable for the excess  
1714 expenditures. The State Board of Education shall determine the  
1715 compensation to be paid to the financial advisor and/or  
1716 facilitator which shall be paid by the local school district to  
1717 which the financial advisor and/or facilitator is assigned.

1718 (3) (a) On July 1, 2018, the State Board of Education shall  
1719 serve the local school boards of the Leflore County School  
1720 District and the Greenwood Municipal Separate School District with  
1721 notice and instructions regarding the timetable for action to be  
1722 taken to comply with the administrative consolidation required in  
1723 this section. The State Board of Education shall require the  
1724 administrative consolidation of Leflore County School District and  
1725 the Greenwood Municipal Separate School District on or before July  
1726 1, 2019. In the new Greenwood-Leflore School District, there



1727 shall be a new phased-in County Board of Education comprised of  
1728 five (5) members elected to staggered terms of office from single  
1729 member supervisors districts in the manner prescribed in this  
1730 subsection. Current members of the Board of Trustees of the  
1731 Greenwood Public School District serving on November 1, 2017,  
1732 shall continue in office as the new County Board of Education of  
1733 the Greenwood-Leflore School District until their successors are  
1734 elected as follows:

1735                   (i) The two (2) appointed board members of the  
1736 Greenwood Public School District whose terms are nearest to  
1737 expiration shall expire on January 1, 2019, and thereafter become  
1738 permanently elected positions to be filled by persons elected as  
1739 board members from Supervisors Districts 2 and 3 in a November  
1740 2018 election held for that purpose, in the manner prescribed in  
1741 Section 37-7-203, and the newly elected members will take office  
1742 on January 1, 2019, for a term of four (4) years;

1743                   (ii) The final two (2) appointed board members of  
1744 the Greenwood Public School District whose terms are the farthest  
1745 removed from expiration shall expire on January 1, 2020, and  
1746 thereafter become permanently elected positions to be filled by  
1747 persons elected as board members from Supervisors Districts 4 and  
1748 5 in a November 2019 election held for that purpose, in the manner  
1749 prescribed in Section 37-7-203, and the newly elected members will  
1750 take office on January 1, 2020, for a term of four (4) years; and



1751 (iii) One (1) appointed board member of the  
1752 Greenwood Public School District whose term is next nearest to  
1753 expiration shall expire on January 1, 2021, and thereafter become  
1754 a permanently elected position to be filled by a person elected as  
1755 a board member from Supervisors District 1 in a November 2020  
1756 election held for that purpose, in the manner prescribed in  
1757 Section 37-7-203, and the newly elected members will take office  
1758 on January 1, 2021, for a term of four (4) years.

1759 (b) All subsequent members shall be elected for a term  
1760 of four (4) years at the regular general election held on the  
1761 first Monday in November next preceding the expiration of the term  
1762 of office of the respective members, and shall take office on  
1763 January 1 next succeeding the election.

1764 (c) No previous school board member of the former  
1765 school district that was placed under conservatorship residing in  
1766 the proper territory shall be eligible for selection to the new  
1767 Board of Education for the Greenwood-Leflore Consolidated School  
1768 District.

1769 (d) The State Board of Education shall declare that the  
1770 territory embraced by Leflore County, Mississippi, shall be the  
1771 boundary lines for the territory of the new Greenwood-Leflore  
1772 School District and shall spread a legal description of the new  
1773 school district on the minutes of its August 2018 meeting and  
1774 shall serve the applicable school boards and the board of  
1775 supervisors with an adequate legal description of these new



1776 boundaries. Any school board member of the former school  
1777 districts residing in the proper supervisors district shall be  
1778 eligible for election to the new Board of Education for the  
1779 Greenwood-Leflore School District unless such person was serving  
1780 as a member of the board when either district subject to  
1781 consolidation under this section was placed under conservatorship,  
1782 which shall render the board member ineligible for election.

1783 (e) Any school district affected by the required  
1784 administrative consolidation in the county that does not  
1785 voluntarily consolidate as ordered by the State Board of Education  
1786 shall be administratively consolidated by the State Board of  
1787 Education, to be effective immediately upon action of the State  
1788 Board of Education. The State Board of Education shall promptly  
1789 move on its own motion to administratively consolidate a school  
1790 district which does not voluntarily consolidate in order to enable  
1791 the affected school districts to reasonably accomplish the  
1792 resulting administrative consolidation into the Greenwood-Leflore  
1793 School District by July 1, 2019, following the motion to  
1794 consolidate. The affected school districts shall comply with any  
1795 consolidation order issued by the State Board of Education.

1796 (4) The successor Greenwood-Leflore Board of Education shall  
1797 appoint a new Superintendent of Schools for the Greenwood-Leflore  
1798 School District to be selected no later than July 1, 2019, in the  
1799 manner provided in Section 37-9-13. The position of  
1800 Greenwood-Leflore Superintendent of Schools shall be an appointive





1801 position. The successor Greenwood-Leflore Board of Education  
1802 shall also employ central office staff for the Greenwood-Leflore  
1803 School District no later than July 1, 2019.

1804 (5) (a) On January 1, 2020, following the motion of the  
1805 State Board of Education to consolidate school districts in  
1806 Leflore County and the Greenwood Municipal Separate School  
1807 Districts, the Leflore County and the Greenwood Municipal Separate  
1808 School Districts and the former school boards of those districts  
1809 shall be abolished. All real and personal property which is owned  
1810 or titled in the name of the school district located in such  
1811 former school districts shall be transferred to the new  
1812 Greenwood-Leflore Consolidated School District.

1813 (b) The new board of trustees of the Greenwood-Leflore  
1814 Consolidated School District shall be responsible for establishing  
1815 the contracts for teachers, principals, clerical and  
1816 administrative staff personnel for the 2019-2020 school year and  
1817 each school year thereafter.

1818 (c) The new board of trustees for the Greenwood-Leflore  
1819 Consolidated School District shall appoint the superintendent of  
1820 schools for the school district. The superintendent of schools  
1821 for the Greenwood-Leflore Consolidated School District may appoint  
1822 three (3) assistant superintendents of schools for the district,  
1823 but in no instance shall the administrative leadership of the  
1824 Greenwood-Leflore Consolidated School District have more than  
1825 three (3) assistant superintendents of education. The subsequent



1826 superintendent of schools of the consolidated school district  
1827 shall not be elected, but shall thereafter be appointed by the  
1828 successor board of trustees in the manner provided in Section  
1829 37-9-25. It shall be the responsibility of the successor board of  
1830 trustees to prepare and approve the budget of the new consolidated  
1831 district, and the successor board of trustees may use staff from  
1832 the former school districts to prepare the budget. Any proposed  
1833 order of the State Board of Education directing the transfer of  
1834 the assets, real or personal property of an affected school  
1835 district in the county, shall be final and conclusive for the  
1836 purposes of the transfer of property required by such  
1837 administrative consolidation.

1838           (d) Any person or school district aggrieved by an order  
1839 of the successor newly selected board of trustees of the  
1840 Greenwood-Leflore Consolidated School District pursuant to the  
1841 required administrative consolidation may appeal therefrom within  
1842 ten (10) days from the date of the adjournment of the meeting at  
1843 which such order is entered. The appeal shall be taken in the  
1844 same manner as appeals are taken from judgments or decisions of  
1845 the board of supervisors as provided in Section 11-51-75, the  
1846 provisions of which shall be fully applicable to appeals taken  
1847 hereunder. The board of trustees of the Greenwood-Leflore  
1848 Consolidated School District shall not pass upon or approve or  
1849 disapprove any such order until the time for an appeal therefrom  
1850 has expired, nor shall the board pass upon or approve or



1851 disapprove any such order from which an appeal is taken until said  
1852 appeal has been finally determined.

1853 (6) Nothing in this section shall be construed to require  
1854 the closing of any school or school facility, unless the facility  
1855 is an unneeded administrative office located within a school  
1856 district which has been abolished under the provisions of this  
1857 section. All administrative consolidations under this section  
1858 shall be accomplished so as not to delay or in any manner  
1859 negatively affect the desegregation of another school district in  
1860 the county pursuant to court order.

1861 (7) The State Board of Education shall promulgate rules and  
1862 regulations to facilitate the administrative consolidation of the  
1863 school districts in Leflore County pursuant to this section. The  
1864 consolidated districts shall make an election within one (1) year  
1865 of consolidation concerning the group term life insurance  
1866 described in subsection (6) of Section 25-15-9.

1867 (8) The County Board of Education and the Superintendent of  
1868 Education of the former Leflore County School District and the  
1869 local school board and Superintendent of Schools of the  
1870 Greenwood-Leflore Public School District shall cooperate with the  
1871 State Department of Education, as soon as practicable after July  
1872 1, 2016, for the planning and transition of programs, services and  
1873 alignment of curriculum for the administratively consolidated  
1874 school districts.



1875           **SECTION 19.** Section 37-7-104.7, Mississippi Code of 1972, is  
1876 brought forward as follows:

1877           37-7-104.7. (1) In Holmes County, Mississippi, in which are  
1878 located, as of January 1, 2016, two (2) school districts, there  
1879 shall be an administrative consolidation of all of those school  
1880 districts in the county into one (1) new countywide school  
1881 district to be designated as Holmes County Consolidated School  
1882 District which shall consist of the territory of the former Holmes  
1883 County School District and the Durant Public School District,  
1884 effective on July 1, 2018. At such time that the administrative  
1885 consolidation becomes effective, the central administrative office  
1886 of the Holmes County Consolidated School District shall be located  
1887 in Lexington, Mississippi.

1888           (2) Within two (2) years prior to the date of consolidation,  
1889 or as soon as practicable after July 1, 2016, a financial advisor  
1890 and/or other facilitator with school district experience may be  
1891 assigned by the Mississippi Department of Education to oversee the  
1892 budgeting and financial matters relating to the consolidation of  
1893 the districts slated for consolidation. The financial advisor  
1894 and/or facilitator may, at the discretion of the Mississippi  
1895 Department of Education, continue duties for one (1) year after  
1896 the consolidation to ensure that all financial matters are in  
1897 place. All financial expenditures of districts that are closing  
1898 must be approved by the financial advisor and/or facilitator. If  
1899 the superintendent and/or school board approves expenditures



1900 outside of this approval, they shall be personally liable for the  
1901 excess expenditures. The State Board of Education shall determine  
1902 the compensation to be paid to the financial advisor and/or  
1903 facilitator which shall be paid by the local school district to  
1904 which the financial advisor and/or facilitator is assigned.

1905 (3) (a) On or before July 1, 2017, the State Board of  
1906 Education shall serve the local school boards of the Holmes County  
1907 School District and the Durant Public School District with notice  
1908 and instructions regarding the timetable for action to be taken to  
1909 comply with the administrative consolidation required in this  
1910 section. The State Board of Education shall provide for the  
1911 administrative consolidation of Holmes County School District and  
1912 the Durant Public School District on or before July 1, 2018. In  
1913 the new Holmes County Consolidated School District, there shall be  
1914 a new county board of education elected in a November 2017 special  
1915 election, which shall be called by the Governor for that purpose.  
1916 The new county board of education shall be elected and the terms  
1917 of office established as provided in Section 37-5-7(3). The State  
1918 Board of Education shall declare that the territory embraced by  
1919 Holmes County, Mississippi, shall be the boundary lines for the  
1920 territory of the new Holmes County Consolidated School District  
1921 and shall spread a legal description of the new school district on  
1922 the minutes of its August 2017 meeting and shall serve the  
1923 applicable school boards and the board of supervisors with an  
1924 adequate legal description of these new boundaries. It shall be



1925 the responsibility of the board of supervisors of such county to  
1926 apportion the newly consolidated school district into five (5) new  
1927 single member board of education election districts, which shall  
1928 be consistent with the supervisors district lines in the county.  
1929 The board of supervisors of the county shall thereafter publish  
1930 the same in some newspaper of general circulation in the county  
1931 for at least three (3) consecutive weeks and after having given  
1932 notice of publication and recording the same upon the minutes of  
1933 the school boards of each appropriate school district in the  
1934 county, the new district lines will thereafter be effective for  
1935 the November 2017 special election.

1936 (b) Any school district affected by the required  
1937 administrative consolidation in Holmes County that does not  
1938 voluntarily consolidate as ordered by the State Board of Education  
1939 shall be administratively consolidated by the State Board of  
1940 Education, to be effective on July 1 following the November 2017  
1941 special election of the new school board members. The State Board  
1942 of Education shall promptly move on its own motion to  
1943 administratively consolidate a school district which does not  
1944 voluntarily consolidate in order to enable the affected school  
1945 districts to reasonably accomplish the resulting administrative  
1946 consolidation into the Holmes County Consolidated School District  
1947 by July 1, 2018, following the election of the new board of  
1948 trustees. The affected school districts shall comply with any



1949 consolidation order issued by the State Board of Education on or  
1950 before July 1 following the election of the new board of trustees.

1951 (4) (a) On July 1, 2018, following the election of the new  
1952 board of trustees of the Holmes County Consolidated School  
1953 District, the former county board of education for Holmes County  
1954 and the former board of trustees of the Durant Public School  
1955 Districts shall be abolished. All real and personal property  
1956 which is owned or titled in the name of the school district  
1957 located in such former school districts shall be transferred to  
1958 the new Holmes County Consolidated School District.

1959 (b) The new board of trustees of the Holmes County  
1960 Consolidated School District shall be responsible for establishing  
1961 the contracts for teachers, principals, clerical and  
1962 administrative staff personnel for the 2018-2019 school year and  
1963 each school year thereafter.

1964 (c) The new board of trustees for the Holmes County  
1965 Consolidated School District shall appoint the superintendent of  
1966 schools for the school district. The superintendent of schools  
1967 for the Holmes County Consolidated School District may appoint an  
1968 assistant superintendent of schools for the district, but in no  
1969 instance shall the administrative leadership of the Holmes County  
1970 Consolidated School District have more than one (1) assistant  
1971 superintendent of education. The subsequent superintendent of  
1972 schools of the consolidated school district shall not be elected,  
1973 but shall thereafter be appointed by the successor board of



1974 trustees in the manner provided in Section 37-9-25. It shall be  
1975 the responsibility of the successor board of trustees to prepare  
1976 and approve the budget of the new consolidated district, and the  
1977 successor board of trustees may use staff from the former school  
1978 districts to prepare the budget. Any proposed order of the State  
1979 Board of Education directing the transfer of the assets, real or  
1980 personal property of an affected school district in the county,  
1981 shall be final and conclusive for the purposes of the transfer of  
1982 property required by such administrative consolidation.

1983           (d) Any person or school district aggrieved by an order  
1984 of the successor newly selected board of trustees of the Holmes  
1985 County Consolidated School District pursuant to the required  
1986 administrative consolidation may appeal therefrom within ten (10)  
1987 days from the date of the adjournment of the meeting at which such  
1988 order is entered. The appeal shall be taken in the same manner as  
1989 appeals are taken from judgments or decisions of the board of  
1990 supervisors as provided in Section 11-51-75, the provisions of  
1991 which shall be fully applicable to appeals taken hereunder. The  
1992 board of trustees of the Holmes County Consolidated School  
1993 District shall not pass upon or approve or disapprove any such  
1994 order until the time for an appeal therefrom has expired, nor  
1995 shall the board pass upon or approve or disapprove any such order  
1996 from which an appeal is taken until said appeal has been finally  
1997 determined.





1998 (5) Nothing in this section shall be construed to require  
1999 the closing of any school or school facility, unless the facility  
2000 is an unneeded administrative office located within a school  
2001 district which has been abolished under the provisions of this  
2002 section. All administrative consolidations under this section  
2003 shall be accomplished so as not to delay or in any manner  
2004 negatively affect the desegregation of another school district in  
2005 the county pursuant to court order.

2006 (6) The State Board of Education shall promulgate rules and  
2007 regulations to facilitate the administrative consolidation of the  
2008 school districts in Holmes County pursuant to this section. The  
2009 consolidated districts shall make an election within one (1) year  
2010 of consolidation concerning the group term life insurance  
2011 described in subsection (6) of Section 25-15-9.

2012 (7) The County Board of Education and the Superintendent of  
2013 Education of the former Holmes County School District and the  
2014 local school board and Superintendent of Schools of the Durant  
2015 Public School District shall cooperate with the State Department  
2016 of Education, as soon as practicable after July 1, 2016, for the  
2017 planning and transition of programs, services and alignment of  
2018 curriculum for the administratively consolidated school districts.

2019 **SECTION 20.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,  
2020 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229,  
2021 Mississippi Code of 1972, which provide certain methods for  
2022 electing trustees of certain municipal and special municipal



2023 separate school districts and consolidated and line consolidated  
2024 school districts, are repealed.

2025           **SECTION 21.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,  
2026 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which  
2027 provide certain additional methods for selecting trustees of  
2028 special municipal separate school districts, are repealed.

2029           **SECTION 22.** This act shall take effect and be in force from  
2030 and after its passage.

