

By: Representative Owen

To: Education

HOUSE BILL NO. 327

1 AN ACT TO CODIFY NEW SECTION 37-6-17, MISSISSIPPI CODE OF  
2 1972, TO REQUIRE THE ELECTION OF ALL SCHOOL BOARD MEMBERS; TO GIVE  
3 LOCAL SCHOOL BOARDS THE OPTION TO CHOOSE WHETHER ITS ELECTION  
4 CYCLE WILL RUN CONCURRENT WITH THE STATEWIDE GENERAL ELECTION  
5 BEGINNING IN NOVEMBER 2027 OR CONCURRENT WITH THE PRESIDENTIAL  
6 ELECTION BEGINNING IN NOVEMBER 2028; TO PROVIDE THAT THE LOCAL  
7 SCHOOL BOARD SHALL HAVE THE DISCRETION TO DETERMINE WHETHER ITS  
8 MEMBERS WILL BE ELECTED FROM SINGLE MEMBER DISTRICTS OR FROM  
9 WITHIN THE DISTRICT AT LARGE; TO PROVIDE THAT THE TERMS OF OFFICE  
10 OF ALL SCHOOL BOARD MEMBERS SHALL BE FOUR YEARS; TO PROVIDE FOR  
11 NOMINATING PETITIONS TO RUN FOR THE OFFICE OF SCHOOL BOARD MEMBER  
12 AND TO REQUIRE A UNIFORM NUMBER OF SIGNATURES ON PETITIONS OF  
13 NOMINATION; TO ESTABLISH THE PROCEDURE FOR FILLING VACANCIES ON  
14 THE SCHOOL BOARD; TO AMEND SECTION 37-5-1, MISSISSIPPI CODE OF  
15 1972, TO REQUIRE SCHOOL BOARD MEMBER DISTRICTS IN COUNTY SCHOOL  
16 DISTRICTS TO BE COTERMINOUS WITH THE SUPERVISORS DISTRICTS OF THE  
17 COUNTY; TO AMEND SECTIONS 37-5-3, 37-5-7, 37-5-9, 37-5-19,  
18 37-7-203, 37-7-207, 37-7-221 AND 37-7-703, MISSISSIPPI CODE OF  
19 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL  
20 SECTION 37-5-18, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE  
21 ELECTION OF THE COUNTY BOARD OF EDUCATION MEMBERS FROM TERRITORY  
22 OUTSIDE THE FOUR MUNICIPAL SEPARATE SCHOOL DISTRICTS IN A CERTAIN  
23 COUNTY; TO REPEAL SECTIONS 37-7-204, 37-7-209, 37-7-211, 37-7-215,  
24 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 AND 37-7-229,  
25 MISSISSIPPI CODE OF 1972, WHICH PROVIDE CERTAIN METHODS FOR  
26 ELECTING TRUSTEES OF MUNICIPAL AND SPECIAL MUNICIPAL SEPARATE  
27 SCHOOL DISTRICTS AND CONSOLIDATED AND LINE CONSOLIDATED SCHOOL  
28 DISTRICTS; TO REPEAL SECTIONS 37-7-705, 37-7-707, 37-7-709,  
29 37-7-711, 37-7-713, 37-7-715 AND 37-7-717, MISSISSIPPI CODE OF  
30 1972, WHICH PROVIDE ADDITIONAL METHODS FOR SELECTING TRUSTEES OF  
31 SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS; TO BRING FORWARD  
32 SECTION 37-7-104, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE  
33 CONSOLIDATION OF CERTAIN COUNTY SCHOOL DISTRICTS UNDER  
34 CONSERVATORSHIP, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING



35 FORWARD SECTIONS 37-7-104.1, 37-7-104.2, 37-7-104.3, 37-7-104.4,  
36 37-7-104.5, 37-7-104.6, 37-7-104.7 AND 37-7-104.8, MISSISSIPPI  
37 CODE OF 1972, WHICH REQUIRE THE ADMINISTRATIVE CONSOLIDATION OF  
38 SCHOOL DISTRICTS IN CERTAIN COUNTIES, FOR PURPOSES OF POSSIBLE  
39 AMENDMENTS; AND FOR RELATED PURPOSES.

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

41 **SECTION 1.** The following shall be codified as Section  
42 37-6-17, Mississippi Code of 1972:

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

46 (2) (a) On July 1, 2027, all public school board member  
47 positions shall become elective offices, and shall be elected in  
48 accordance with the provisions of this section upon a  
49 determination by the local school board as to whether its election  
50 cycle will run concurrently with the statewide general election or  
51 with the presidential election, and every four (4) years  
52 thereafter, respectively.

53 (b) (i) In addition to the requirement to determine  
54 which election cycle its members shall be elected, each local  
55 school board, which exists as an appointed board on July 1, 2024,  
56 shall also determine whether its members are to be elected from  
57 single member election districts or elected as members at-large  
58 from the territorial boundaries that constitute the local school  
59 district.

60 (ii) In those school districts where the local  
61 school board chooses to have the members of its school board  
62 elected from single member election districts, those members of



63 the school board who are serving on the board on July 1, 2026,  
64 shall, in consultation with the Office of the Secretary of State  
65 and the State Board of Education, apportion the school district  
66 into five (5) single member election districts, inclusive of any  
67 added territory outside of the incorporated limits of the school  
68 district from which students are drawn, which are proportionately  
69 representative of the voting-age electorate of the entire school  
70 district. The local school board shall thereafter publish the  
71 same in some newspaper of general circulation within the county  
72 wherein the affected school district is located for at least three  
73 (3) consecutive weeks and after having given notice of publication  
74 and recording the same upon the minutes of the local school board,  
75 the new district lines will thereafter be effective. The  
76 apportionment, notification and official adoption of the new  
77 district lines shall be completed not less than three (3) months  
78 before the qualifying deadlines for individuals seeking the office  
79 school board trustee for the immediately subsequent 2027 statewide  
80 general election as prescribed in subsection (3), regardless of  
81 whether the district opted for an election cycle that runs  
82 concurrently with presidential election.

83 (iii) The provisions of this subsection shall not  
84 be applicable to any school board that currently elects its  
85 members as of July 1, 2024, as those districts shall continue to  
86 adhere to the election process currently in place.



87           (3)   (a)   In those school districts choosing to have the  
88 election of its school board members to run concurrently with the  
89 statewide general election, on the first Tuesday after the first  
90 Monday in November 2027, and every four (4) years thereafter,  
91 there shall be an election for all local school board members in  
92 the manner provided under this section. Except as otherwise  
93 provided in this section, the laws regulating the time and manner  
94 of conducting general elections apply to and govern elections of  
95 school board members.

96           (b)   In those school districts choosing to have the  
97 election of its school board members to run concurrently with the  
98 presidential election, on the first Tuesday after the first Monday  
99 in November 2028, and every four (4) years thereafter, there shall  
100 be an election for all local school board members in the manner  
101 provided under this section. Except as otherwise provided in this  
102 section, the laws regulating the time and manner of conducting  
103 general elections apply to and govern elections of school board  
104 members.

105           (4)   All school board members elected pursuant to this  
106 section shall serve a term of four (4) years. However, in order  
107 to provide for an orderly transition, each incumbent school board  
108 member holding office on July 1, 2027, in those districts opting  
109 to elect board members at the statewide general election, or  
110 holding office on July 1, 2028, in those districts opting to elect  
111 board members at the presidential election, shall continue holding



112 office until the first Monday of January of the year immediately  
113 following the date of the respective election. Any incumbent  
114 school board member may qualify to run for office under this  
115 section.

116 (5) In order for a person to be eligible to hold the office  
117 of school board member, the person must be a bona fide resident  
118 and a qualified elector of the territory that the person seeks to  
119 represent on the school board. In the case of a school district  
120 lying in two (2) or more counties, such person must be a resident  
121 and a qualified elector of the territory entitled to such  
122 representation on the board as provided in Section 37-7-201.

123 (6) The name of any qualified elector who is a candidate for  
124 the school board must be placed on the ballot used in the general  
125 election by the county election commissioners, provided that the  
126 candidate files with the county election commissioners, not more  
127 than ninety (90) days and not less than sixty (60) days before the  
128 date of the general election, a petition of nomination signed by  
129 not less than fifty (50) qualified electors of the county residing  
130 within the appropriate school board district, as provided in  
131 Section 37-5-9, as the case may be. The petition must contain an  
132 affidavit certifying that all signatures are the personal  
133 signatures of each person whose name appears on the petition and  
134 that each person is a qualified elector. The candidate who  
135 receives a majority of the votes cast in the election must be  
136 declared elected. If no candidate receives a majority of the



137 votes cast in the district, then the two (2) candidates who  
138 receive the highest number of votes cast in the district shall  
139 have their names submitted as candidates in a runoff election  
140 three (3) weeks after the date of the general election, and the  
141 candidate who receives a majority of the votes cast in the  
142 district in the runoff election must be declared elected. If,  
143 after the time for candidates to file the petition and affidavit  
144 required under this subsection, there is only one (1) person who  
145 has qualified for the office of school board member, then no  
146 election or notice of election is necessary and that person, if  
147 otherwise qualified, must be declared elected without opposition.

148 (7) The names of candidates seeking the office of school  
149 board member which appear on the ballot at the statewide general  
150 election or the presidential election must be grouped together on  
151 a separate portion of the ballot clearly identified as school  
152 board member elections and must be listed in alphabetical order.

153 (8) At the election for school board members, all qualified  
154 electors residing within the appropriate school board election  
155 district are qualified to vote for a candidate for the office of  
156 school board member.

157 (9) A vacancy in the membership of the school board must be  
158 filled by appointment within sixty (60) days after the vacancy  
159 occurs by the remaining members of the school board. The  
160 appointee must be selected from the qualified electors of the  
161 school board member district in which the vacancy occurs. The



162 appointee shall serve until the first Monday of January next  
163 succeeding the next state or presidential general election, at  
164 which general election a member must be elected to fill the  
165 remainder of the unexpired term in the same manner and with the  
166 same qualifications applicable to the election of a member for the  
167 full term as provided in this section. If a school district is  
168 under conservatorship and no members of the applicable school  
169 board remain in office, the Governor shall call a special election  
170 to fill the vacancies, and the election will be conducted by the  
171 county or municipal election commission, as the case may be. If  
172 the vacancy occurs more than five (5) months before the next  
173 general state or presidential election and the remaining members  
174 of the school board are unable to agree upon an individual to be  
175 appointed, any two (2) of the remaining members may certify the  
176 disagreement to the county or municipal election commission, as  
177 the case may be. Upon the receipt of such a certificate by the  
178 county or municipal election commission, or any member thereof,  
179 the commission shall hold a special election to fill the vacancy,  
180 which election, notice thereof and ballot must be controlled by  
181 the laws concerning special elections to fill vacancies in county  
182 or municipal offices. The person elected at the special election  
183 shall serve for the remainder of the unexpired term.

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

186       **[Through June 30, 2027, this section shall read as follows:]**



187           37-5-1. (1) There is hereby established a county board of  
188 education in each county of the State of Mississippi. Said county  
189 board of education shall consist of five (5) members, one (1) of  
190 which, subject to the further provisions of this chapter and  
191 except as is otherwise provided in Section 37-5-1(2), shall be  
192 elected by the qualified electors of each board of education  
193 district of the county. Except as is otherwise provided in  
194 Section 37-5-3, each member so elected shall be a resident and  
195 qualified elector of the district from which he is elected.

196           (2) The county board of education shall apportion the county  
197 school district into five (5) single member board of education  
198 districts. The county board of education shall place upon its  
199 minutes the boundaries determined for the new five (5) board of  
200 education districts. The board of education of said county shall  
201 thereafter publish the same in some newspaper of general  
202 circulation within said county for at least three (3) consecutive  
203 weeks and after having given notice of publication and recording  
204 the same upon the minutes of the board of education of said  
205 county, said new district lines will thereafter be effective. The  
206 board of education of said county shall reapportion the board of  
207 education districts in accordance with the procedure described  
208 herein for the original apportionment of districts as soon as  
209 practicable after the results of the 2000 decennial census are  
210 published and as soon as practicable after every decennial census  
211 thereafter.





212 (3) In counties where the office of "administrative  
213 superintendent" as defined in Section 37-6-3, Mississippi Code of  
214 1972, has been abolished, there shall be no county board of  
215 education.

216 **[From and after July 1, 2027, this section shall read as**  
217 **follows:]**

218 37-5-1. (1) There is \* \* \* established a county board of  
219 education in each county of the State of Mississippi. \* \* \* The  
220 county board of education shall consist of five (5) members, one  
221 (1) of \* \* \* whom shall be elected by the qualified electors of  
222 each board of education district of the county at the time and in  
223 the manner provided in Section 37-6-17. Except as is otherwise  
224 provided in Section 37-5-3, each member so elected shall be a  
225 resident and qualified elector of the district from which he is  
226 elected.

227 (2) The county board of education shall apportion the county  
228 school district into five (5) single member board of education  
229 districts, the boundaries of which must be coterminous with the  
230 boundaries of the supervisors districts of the county. The county  
231 board of education shall place upon its minutes the  
232 boundaries \* \* \* for the \* \* \* five (5) board of education  
233 districts. \* \* \*

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



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

239           **[Through June 30, 2027, this section shall read as follows:]**

240           37-5-3. No person who is a resident of the territory  
241 embraced within a municipal separate school district or a special  
242 municipal separate school district shall be eligible to be a  
243 member of the county board of education. Qualified electors  
244 residing within a municipal separate school district or special  
245 municipal separate school district shall not be eligible to vote  
246 or participate in the election of members of the county board of  
247 education.

248           The provisions of this section shall be applicable in the  
249 case of a special municipal separate school district and a line  
250 consolidated school district of which another county is the home  
251 county which together occupy all of the territory of a supervisors  
252 district of the county.

253           **[From and after July 1, 2027, this section shall read as**  
254 **follows:]**

255           37-5-3. No person who is a resident of the territory  
256 embraced within a municipal separate school district or a special  
257 municipal separate school district shall be eligible to be a  
258 member of the county board of education. Qualified electors  
259 residing within a municipal separate school district or special  
260 municipal separate school district shall not be eligible to vote



261 or participate in the election of members of the county board of  
262 education provided under Section 37-6-17.

263 The provisions of this section shall be applicable in the  
264 case of a special municipal separate school district and a line  
265 consolidated school district of which another county is the home  
266 county which together occupy all of the territory of a supervisors  
267 district of the county.

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

270 **[Through June 30, 2027, this section shall read as follows:]**

271 37-5-7. (1) On the first Tuesday after the first Monday in  
272 May \* \* \* 1954, an election shall be held in each county in this  
273 state in the same manner as general state and county elections are  
274 held and conducted, which election shall be held for the purpose  
275 of electing the county boards of education established under the  
276 provisions of this chapter. At such election, the members of the  
277 said board from Supervisors Districts \* \* \* 1 and \* \* \* 2 shall be  
278 elected for the term expiring on the first Monday of January \* \* \*  
279 1957; members of the board from Supervisors Districts \* \* \* 3  
280 and \* \* \* 4 shall be elected for a term expiring on the first  
281 Monday of January \* \* \* 1959; and the member of the board from  
282 Supervisors District \* \* \* 5 shall be elected for a term expiring  
283 on the first Monday of January \* \* \* 1955. Except as otherwise  
284 provided in subsection (2), all subsequent members of the board  
285 shall be elected for a term of six (6) years at the regular



286 general election held on the first Monday in November next  
287 preceding the expiration of the term of office of the respective  
288 member or members of such board. All members of the county board  
289 of education as herein constituted, shall take office on the first  
290 Monday of January following the date of their election.

291 (2) On the first Tuesday after the first Monday in November,  
292 in any year in which any county shall elect to utilize the  
293 authority contained in Section 37-5-1(2), an election shall be  
294 held in each such county in this state for the purpose of electing  
295 the county boards of education in such counties. At said election  
296 the members of the said county board of education from  
297 Districts \* \* \* 1 and \* \* \* 2 shall be elected for a term of four  
298 (4) years, the members from Districts \* \* \* 3 and \* \* \* 4 shall be  
299 elected for a term of six (6) years, and the member from  
300 District \* \* \* 5 shall be elected for a term of two (2) years.  
301 Thereafter, members shall be elected at general elections as  
302 vacancies occur for terms of six (6) years each. All members of  
303 the county board of education shall take office on the first  
304 Monday of January following the date of their election.

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



310 (i) The two (2) appointed board members of the  
311 Greenwood Public School District whose terms are nearest to  
312 expiration shall expire on January 1, 2019, and thereafter become  
313 permanently elected positions to be filled by persons elected as  
314 board members from Supervisors Districts 2 and 3 in a November  
315 2018 election held for that purpose, in the manner prescribed in  
316 Section 37-7-203, and the newly elected members will take office  
317 on January 1, 2019, for a term of four (4) years;

318 (ii) The final two (2) appointed board members of  
319 the Greenwood Public School District whose terms are the farthest  
320 removed from expiration shall expire on January 1, 2020, and  
321 thereafter become permanently elected positions to be filled by  
322 persons elected as board members from Supervisors Districts 4 and  
323 5 in a November 2019 election held for that purpose, in the manner  
324 prescribed in Section 37-7-203, and the newly elected members will  
325 take office on January 1, 2020, for a term of four (4) years; and

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



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

339 (4) On the first Tuesday after the first Monday in November  
340 2017, an election shall be held in Holmes County for the purpose  
341 of electing the county board of education in the new Holmes County  
342 Consolidated School District. At the election, the members of the  
343 said county board of education shall be elected from single member  
344 board of education districts, which shall be consistent with the  
345 supervisors district lines in the county, and shall be elected for  
346 an initial term of six (6) years. Subsequent elections for the  
347 Holmes County Board of Education shall be held on the first  
348 Tuesday after the first Monday in November 2023 and every four (4)  
349 years thereafter at the same time and manner as other general  
350 elections are held, and the member shall be elected for a term of  
351 four (4) years. All members of the county board of education in  
352 the new Holmes County Consolidated School District shall take  
353 office on the first Monday of January following the date of their  
354 election.

355 (5) On the first Tuesday after the first Monday in November  
356 2023, an election shall be held in Chickasaw County for the  
357 purpose of electing the county board of education in the new  
358 Chickasaw County School District. The board of supervisors shall



359 declare and designate posts for each member of the new board. At  
360 said election, the members of the said county board of education  
361 from Posts One and Two shall be elected for a term of four (4)  
362 years, the members from Posts Three and Four shall be elected for  
363 a term of three (3) years and the member from Post Five shall be  
364 elected for a term of two (2) years. Thereafter, members shall be  
365 elected at general elections as vacancies occur for terms of four  
366 (4) years each. All members of the county board of education in  
367 the new Chickasaw County School District shall take office on the  
368 first Monday of January following the date of their election.

369 **[From and after July 1, 2027, this section shall read as**  
370 **follows:]**

371 37-5-7. \* \* \*

372 ( \* \* \*1) Except as otherwise provided, on the first Tuesday  
373 after the first Monday in November \* \* \* 2027, and every four (4)  
374 years thereafter, an election shall be held in each \* \* \* county  
375 in this state for the purpose of electing the county boards of  
376 education in \* \* \* those counties as provided in Section 37-6-17.

377 \* \* \*

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

382 (3) (a) Current members of the Board of Trustees of the  
383 Greenwood Public School District serving on November 1, 2017,



384 shall continue in office as the new County Board of Education of  
385 the Greenwood-Leflore School District until their successors are  
386 elected as follows:

387 (i) The two (2) appointed board members of the  
388 Greenwood Public School District whose terms are nearest to  
389 expiration shall expire on January 1, 2019, and thereafter become  
390 permanently elected positions to be filled by persons elected as  
391 board members from Supervisors Districts 2 and 3 in a November  
392 2018 election held for that purpose, in the manner prescribed in  
393 Section 37-7-203, and the newly elected members will take office  
394 on January 1, 2019, for a term of four (4) years;

395 (ii) The final two (2) appointed board members of  
396 the Greenwood Public School District whose terms are the farthest  
397 removed from expiration shall expire on January 1, 2020, and  
398 thereafter become permanently elected positions to be filled by  
399 persons elected as board members from Supervisors Districts 4 and  
400 5 in a November 2019 election held for that purpose, in the manner  
401 prescribed in Section 37-7-203, and the newly elected members will  
402 take office on January 1, 2020, for a term of four (4) years; and

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





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

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

416 (4) On the first Tuesday after the first Monday in November  
417 2017, an election shall be held in Holmes County for the purpose  
418 of electing the county board of education in the new Holmes County  
419 Consolidated School District. At the election, the members of the  
420 said county board of education shall be elected from single member  
421 board of education districts, which shall be consistent with the  
422 supervisors district lines in the county, and shall be elected for  
423 an initial term of six (6) years. Subsequent elections for the  
424 Holmes County Board of Education shall be held on the first  
425 Tuesday after the first Monday in November 2023 and every four (4)  
426 years thereafter at the same time and manner as other general  
427 elections are held, and the member shall be elected for a term of  
428 four (4) years. All members of the county board of education in  
429 the new Holmes County Consolidated School District shall take  
430 office on the first Monday of January following the date of their  
431 election.

432 (5) On the first Tuesday after the first Monday in November  
433 2023, an election shall be held in Chickasaw County for the



434 purpose of electing the county board of education in the new  
435 Chickasaw County School District. The board of supervisors shall  
436 declare and designate posts for each member of the new board. At  
437 said election, the members of the said county board of education  
438 from Posts One and Two shall be elected for a term of four (4)  
439 years, the members from Posts Three and Four shall be elected for  
440 a term of three (3) years and the member from Post Five shall be  
441 elected for a term of two (2) years. Thereafter, members shall be  
442 elected at general elections as vacancies occur for terms of four  
443 (4) years each. All members of the county board of education in  
444 the new Chickasaw County School District shall take office on the  
445 first Monday of January following the date of their election.

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

448 **[Through June 30, 2027, this section shall read as follows:]**

449 37-5-9. The name of any qualified elector who is a candidate  
450 for the county board of education shall be placed on the ballot  
451 used in the general elections by the county election  
452 commissioners, provided that the candidate files with the county  
453 election commissioners, not more than ninety (90) days and not  
454 less than sixty (60) days prior to the date of such general  
455 election, a petition of nomination signed by not less than fifty  
456 (50) qualified electors of the county residing within each  
457 supervisors district. Where there are less than one hundred (100)  
458 qualified electors in said supervisors district, it shall only be



459 required that said petition of nomination be signed by at least  
460 twenty percent (20%) of the qualified electors of such supervisors  
461 district. The candidate in each supervisors district who receives  
462 the majority of votes cast in the district shall be declared  
463 elected. If no candidate receives a majority of the votes cast at  
464 the election, a runoff shall be held between the two (2)  
465 candidates receiving the highest number of votes in the first  
466 election. The runoff election, in the event that such is  
467 necessary, shall be held three (3) weeks after the first election.

468       When any member of the county board of education is to be  
469 elected from the county at large under the provisions of this  
470 chapter, then the petition required by the preceding paragraph  
471 hereof shall be signed by the required number of qualified  
472 electors residing in any part of the county outside of the  
473 territory embraced within a municipal separate school district or  
474 special municipal separate school district. The candidate who  
475 receives the majority of votes cast in the election shall be  
476 declared elected. If no candidate receives a majority of the  
477 votes cast at the election, a runoff shall be held between the two  
478 (2) candidates receiving the highest number of votes in the first  
479 election. The runoff election, in the event that such is  
480 necessary, shall be held three (3) weeks after the first election.

481       In no case shall any qualified elector residing within a  
482 municipal separate school district or special municipal separate  
483 school district be eligible to sign a petition of nomination for



484 any candidate for the county board of education under any of the  
485 provisions of this section.

486 **[From and after July 1, 2027, this section shall read as**  
487 **follows:]**

488 37-5-9. As specifically provided in Section 37-6-17, the  
489 name of any qualified elector who is a candidate for the county  
490 board of education shall be placed on the ballot used in the  
491 general elections by the county election commissioners \* \* \*.

492 \* \* \*

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

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

499 **[Through June 30, 2027, this section shall read as follows:]**

500 37-5-19. Vacancies in the membership of the county board of  
501 education shall be filled by appointment, within sixty (60) days  
502 after the vacancy occurs, by the remaining members of the county  
503 board of education. Said appointee shall be selected from the  
504 qualified electors of the district in which the vacancy occurs,  
505 and shall serve until the first Monday of January next succeeding  
506 the next general election, at which general election a member  
507 shall be elected to fill the remainder of the unexpired term in  
508 the same manner and with the same qualifications applicable to the



509 election of a member for the full term. In the event the school  
510 district is under conservatorship and no members of the county  
511 board of education remain in office, the Governor shall call a  
512 special election to fill the vacancies and said election will be  
513 conducted by the county election commission.

514 In the event the vacancy occurs more than five (5) months  
515 prior to the next general election and the remaining members of  
516 the county board of education are unable to agree upon an  
517 individual to be appointed, any two (2) of the remaining members  
518 may certify such disagreement to the county election commission.  
519 Upon the receipt of such a certificate by the county election  
520 commission, or any member thereof, the commission shall hold a  
521 special election to fill the vacancy, which said election, notice  
522 thereof and ballot shall be controlled by the laws concerning  
523 special elections to fill vacancies in county or county district  
524 offices. The person elected at such a special election shall  
525 serve for the remainder of the unexpired term.

526 **[From and after July 1, 2027, this section shall read as**  
527 **follows:]**

528 37-5-19. Vacancies in the membership of the county board of  
529 education shall be filled \* \* \* in the manner prescribed in  
530 Section 37-6-17(9).

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

533 **[Through June 30, 2027, this section shall read as follows:]**



534           37-7-203. (1) Except as otherwise provided in subsections  
535 (3) and (4) of this section, the boards of trustees of all  
536 municipal separate school districts created under this chapter,  
537 either with or without added territory, shall consist of five (5)  
538 members, each to be chosen for a term of five (5) years, but so  
539 chosen that the term of office of one (1) member shall expire each  
540 year. In the event the added territory of a municipal separate  
541 school district furnishes fifteen percent (15%) or more of the  
542 pupils enrolled in the schools of such district, then at least one  
543 (1) member of the board of trustees of such school district shall  
544 be a resident of the added territory outside the corporate limits.  
545 In the event the added territory of a municipal separate school  
546 district furnishes thirty percent (30%) or more of the pupils  
547 enrolled in the schools of such district, then not more than two  
548 (2) members of the board of trustees of such school district shall  
549 be residents of the added territory outside the corporate limits.  
550 In the event the added territory of a municipal separate school  
551 district in a county in which Mississippi Highways 8 and 15  
552 intersect furnishes thirty percent (30%) or more of the pupils  
553 enrolled in the schools of such district, then the five (5)  
554 members of the board of trustees of such school district shall be  
555 elected at large from such school district for a term of five (5)  
556 years each except that the two (2) elected trustees presently  
557 serving on such board shall continue to serve for their respective  
558 terms of office. The three (3) appointed trustees presently



559 serving on such board shall continue to serve until their  
560 successors are elected in March of 1975 in the manner provided for  
561 in Section 37-7-215. At such election, one (1) trustee shall be  
562 elected for a term of two (2) years, one (1) for a term of three  
563 (3) years and one (1) for a term of five (5) years. Subsequent  
564 terms for each successor trustee shall be for five (5) years. In  
565 the event one (1) of two (2) municipal separate school districts  
566 located in any county with two (2) judicial districts, District 1  
567 being comprised of Supervisors Districts 1, 2, 4 and 5, and  
568 District 2 being comprised of Supervisors District 3, with added  
569 territory embraces three (3) full supervisors districts of a  
570 county, one (1) trustee shall be elected from each of the three  
571 (3) supervisors districts outside the corporate limits of the  
572 municipality. In the further event that the territory of a  
573 municipal separate school district located in any county with two  
574 (2) judicial districts, District 1 being comprised of Supervisors  
575 Districts 1, 2, 4 and 5, and District 2 being comprised of  
576 Supervisors District 3, with added territory embraces four (4)  
577 full supervisors districts in the county, and in any county in  
578 which a municipal separate school district embraces the entire  
579 county in which Highways 14 and 15 intersect, one (1) trustee  
580 shall be elected from each supervisors district.

581 Except as otherwise provided herein, the trustees of such a  
582 municipal separate school district shall be elected by a majority  
583 of the governing authorities of the municipality at the first



584 meeting of the governing authorities held in the month of February  
585 of each year, and the term of office of the member so elected  
586 shall commence on the first Saturday of March following. In the  
587 case of a member of the board of trustees who is required to come  
588 from the added territory outside the corporate limits as is above  
589 provided, such member of the board of trustees shall be elected by  
590 the qualified electors of the school district residing in such  
591 added territory outside the corporate limits at the same time and  
592 in the same manner as is otherwise provided in this article for  
593 the election of trustees of school districts other than municipal  
594 separate school districts.

595 In the event that a portion of a county school district is  
596 reconstituted, in the manner provided by law, into a municipal  
597 separate school district with added territory and in the event  
598 that the trustees to be elected from the added territory are  
599 requested to be elected from separate election districts within  
600 the added territory, instead of elected at large, by the Attorney  
601 General of the United States as a result of and pursuant to  
602 preclearance under Section 5 of the Voting Rights Act of 1965, as  
603 amended and extended, and in the event the added territory of a  
604 municipal separate school district of a municipality furnishes  
605 thirty percent (30%) or more of the pupils enrolled in the schools  
606 of such district, then two (2) members of the board of trustees  
607 shall be residents of the added territory outside the corporate  
608 limits of such municipality and shall be elected from special





609 trustee election districts by the qualified electors thereof as  
610 herein provided. The board of trustees of the school district  
611 shall apportion the added territory into two (2) special trustee  
612 election districts as nearly as possible according to population  
613 and other factors heretofore pronounced by the courts. The board  
614 of trustees of the school district shall thereafter publish the  
615 same in a newspaper of general circulation within that school  
616 district for at least two (2) consecutive weeks; and after having  
617 given notice of publication and recording the same upon the  
618 minutes of the board of trustees of the school district, the new  
619 district lines shall thereafter be effective. Any person elected  
620 from the new trustee election districts constituted herein shall  
621 be elected in the manner provided for in Section 37-7-215 for a  
622 term of five (5) years. Any vacancy in the office of a trustee  
623 elected from such trustee election district, whether occasioned by  
624 redistricting or by other cause, shall be filled by appointment of  
625 the governing authorities of the municipality, provided that the  
626 person so appointed shall serve only until the next general  
627 election following his appointment, at which time a person shall  
628 be elected for the remainder of the unexpired term in the manner  
629 provided in Section 37-7-215.

630 In any county organizing a countywide municipal separate  
631 school district after January 1, 1965, the trustees thereof to be  
632 elected from outside the municipality, such trustees shall be  
633 elected by the board of supervisors of such county, and the



634 superintendent of such school district shall have authority to pay  
635 out and distribute the funds of the district. In the event a  
636 municipal separate school district should occupy territory in a  
637 county other than that in which the municipality is located and  
638 fifteen percent (15%) or more of the pupils enrolled in the  
639 schools of such district shall come from the territory of the  
640 district in the county other than that in which the municipality  
641 is located, the territory of such county in which the municipality  
642 is not located shall be entitled to one (1) member on the board of  
643 trustees of such school district. The trustee shall be a resident  
644 of the territory of that part of the district lying in the county  
645 in which the municipality is not located and shall be elected by  
646 the qualified electors of the territory of such county at the same  
647 time and in the same manner as is provided for the election of  
648 trustees of school districts other than municipal separate school  
649 districts having territory in two (2) or more counties.

650 All vacancies shall be filled for the unexpired terms by  
651 appointment of the governing authorities of the municipality;  
652 except that in the case of the trustees coming from the added  
653 territory outside the corporate limits, the person so appointed  
654 shall serve only until the next general election following his  
655 appointment, at which time a person shall be elected for the  
656 remainder of the unexpired term in the manner otherwise provided  
657 herein.



658           No person who is a member of such governing body, or who is  
659 an employee of the municipality, or who is a member of the county  
660 board of education, or who is a trustee of any public, private or  
661 sectarian school or college located in the county, inclusive of  
662 the municipal separate school district, or who is a teacher in or  
663 a trustee of the school district, shall be eligible for  
664 appointment to the board of trustees.

665           (2) In counties of less than fifteen thousand (15,000)  
666 people having a municipal separate school district with added  
667 territory which embraces all the territory of a county, one or  
668 more trustees of the school district shall be nominated from each  
669 supervisors district upon petition of fifty (50) qualified  
670 electors of that supervisors district, or twenty percent (20%) of  
671 the qualified electors of such district, whichever number shall be  
672 smaller. One (1) trustee must be elected from each supervisors  
673 district of the county. In such counties embraced entirely by a  
674 municipal separate school district, there shall be no county board  
675 of education after the formation of such district, and the county  
676 superintendent of education shall act as superintendent of schools  
677 of the district and shall be appointed by the board of trustees of  
678 that district, and the provisions of subsection (1) of this  
679 section and the first paragraph of Section 37-7-211 shall not  
680 apply to such districts.

681           (3) In municipalities designated as having a mayor-council  
682 form of government under Chapter 8, Title 21, Mississippi Code of



683 1972, and having a population in excess of one hundred thousand  
684 (100,000) according to the 2000 federal decennial census, the  
685 boards of trustees of the municipal separate school district  
686 located in the municipality may, if authorized by ordinance of the  
687 municipal governing authority, consist of seven (7) members  
688 residing in each of the seven (7) wards in the municipality, to be  
689 appointed by the mayor and confirmed by the city council as  
690 follows: (a) each board member shall reside in the ward from  
691 which he is appointed; (b) members serving on March 31, 2010,  
692 shall continue to serve until a new term commences and new members  
693 shall be selected from wards not currently represented on the  
694 board; (c) one (1) of the two (2) additional appointments shall  
695 serve a term of five (5) years and one (1) for a term of four (4)  
696 years, with all subsequent appointments for a five-year term; and  
697 (d) each new appointment shall be made by the mayor and confirmed  
698 by the city council of the municipality at the first meeting of  
699 the governing authorities held in the month of June following  
700 March 31, 2010, and thereafter each year, and the term of office  
701 of each member so selected shall commence on the first Saturday of  
702 July following.

703 (4) (a) Beginning in 2017, in any municipal separate school  
704 district that is traversed by the Escatawpa River and in which  
705 Interstate Highway 10 and Mississippi Highway 63 intersect, the  
706 board of trustees of the municipal separate school district shall  
707 consist of five (5) members, each to be elected for a term of four



708 (4) years in the manner provided in this subsection. Within  
709 forty-five (45) days after July 1, 2017, the municipal governing  
710 authority shall apportion the municipal separate school district,  
711 including any added territory outside the corporate limits, into  
712 five (5) special trustee election districts as nearly equal as  
713 possible according to population, incumbency and other factors  
714 pronounced by the courts before August 8, 2017. The municipal  
715 governing authority shall place upon its minutes the boundaries  
716 determined for the new five (5) trustee election districts and  
717 shall publish the same in a newspaper of general circulation  
718 within the school district for at least three (3) consecutive  
719 weeks. After having given notice of publication and recording the  
720 same upon the minutes of the municipal governing authority, the  
721 new district lines shall be effective.

722 (b) On the first Tuesday after the first Monday in  
723 November 2017, and every four (4) years thereafter, an election  
724 shall be held in the municipal separate school district for local  
725 school board members from trustee election districts 1, 3 and 5 in  
726 the same manner and at the same time as the general municipal  
727 election is held and conducted, for the purpose of electing the  
728 board of trustees of the municipal separate school district. All  
729 members of the board of trustees elected pursuant to this  
730 paragraph (b) shall take office on the first Monday of January  
731 immediately following the date of their election. However, in  
732 order to provide for an orderly transition, the term of each



733 member of the board of trustees serving on July 1, 2017, which  
734 otherwise would expire after the first Monday in July 2018, shall  
735 expire on the first Monday of January 2018. If no individual  
736 qualifies for the elective office of school district trustee, the  
737 trustee for that specific trustee district shall be filled by  
738 appointment of the municipal governing authority; however, the  
739 person so appointed to fill the vacancy may serve only until the  
740 first Monday in January 2019, at which time the trustee elected  
741 pursuant to this subsection shall take office for the remainder of  
742 the unexpired initial term.

743 From and after January 1, 2018, any vacancy on the board of  
744 trustees shall be filled by appointment by the remaining members  
745 of the board of trustees within sixty (60) days after the vacancy  
746 occurs. The appointee must be selected from the qualified  
747 electors of the trustee election district in which the vacancy  
748 occurs. The appointee shall serve until the first Monday of  
749 January succeeding the next general municipal election, at which  
750 election a member from that trustee election district shall be  
751 elected for a full term.

752 (c) On the first Tuesday after the first Monday in  
753 November 2018, and every four (4) years thereafter, an election  
754 shall be held in the municipal separate school district for local  
755 school board members from trustee election districts 2 and 4 in  
756 the same manner and at the same time as the Congressional mid-term  
757 election is held and conducted, for the purpose of electing the



758 board of trustees of the municipal separate school district. All  
759 members of the board of trustees elected pursuant to this  
760 paragraph (c) shall take office on the first Monday of January  
761 immediately following the date of their election. However, in  
762 order to provide for an orderly transition, the term of each  
763 member of the board of trustees serving on July 1, 2018, which  
764 otherwise would expire after the first Monday in July 2018, shall  
765 expire on the first Monday of January 2019. If no individual  
766 qualifies for the elective office of school district trustee, the  
767 trustee for that specific trustee district shall be filled by  
768 appointment of the municipal governing authority; however, the  
769 person so appointed to fill the vacancy may serve only until the  
770 first Monday in January 2020, at which time the trustee elected  
771 pursuant to this subsection shall take office for the remainder of  
772 the unexpired initial term.

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



782           **[From and after July 1, 2027, this section shall read as**  
783 **follows:]**

784           37-7-203. (1) \* \* \* The boards of trustees of all municipal  
785 separate school districts and special municipal separate school  
786 districts created under this chapter, either with or without added  
787 territory, shall consist of five (5) members \* \* \*. On the first  
788 Tuesday after the first Monday in November 2027, and every four  
789 (4) years thereafter, in those districts opting to elect board  
790 members at the statewide general election, or on the first Tuesday  
791 after the first Monday in November 2028, and every four (4) years  
792 thereafter, in those districts opting to elect board members at  
793 the presidential election, an election shall be held pursuant to  
794 Section 37-6-17 for the purpose of electing the members of the  
795 board of trustees of the municipal separate school districts and  
796 special municipal separate school districts established under the  
797 provisions of this chapter. The five (5) members of the board of  
798 trustees of such school district shall be elected from special  
799 trustee election districts by the qualified electors thereof. The  
800 board of trustees of such school district shall apportion the  
801 municipal separate school district, including added territory,  
802 into five (5) special trustee election districts as nearly equal  
803 as possible according to population, incumbency and other factors  
804 heretofore pronounced by the courts. The board of trustees shall  
805 place upon its minutes the boundaries determined for the new five  
806 (5) special trustee election districts. The board of trustees





807 shall thereafter publish the same in a newspaper of general  
808 circulation within the school district for at least three (3)  
809 consecutive weeks, and after having given notice of publication  
810 and recording the same upon the minutes of the board of trustees,  
811 the new district lines shall be effective. The apportionment,  
812 notification and official adoption of the new district lines shall  
813 be completed not less than three (3) months before the qualifying  
814 deadlines for individuals seeking the office of school board  
815 trustee for the 2027 statewide general election as prescribed in  
816 Section 2(3) of this act, regardless of whether the district opted  
817 for an election cycle that runs concurrently with presidential  
818 election. All incumbent trustees holding office at the time of  
819 the creation of the trustee election districts shall continue  
820 holding their respective offices, provided they reside within the  
821 new district, for the remainder of the term of office to which  
822 they have heretofore been selected, and their successors shall be  
823 elected from the new trustee election districts constituted in the  
824 manner provided for in this section.

825 \* \* \*

826 (2) \* \* \* Vacancies in the membership of the board of  
827 trustees of any municipal separate school district or special  
828 municipal separate school district shall be filled in the manner  
829 provided in Section 37-6-17(9).

830 \* \* \*



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

833           **[Through June 30, 2027, this section shall read as follows:]**

834           37-7-207. (1) All school districts reconstituted or created  
835 under the provisions of Article 1 of this chapter, and which lie  
836 wholly within one (1) county, but not including municipal separate  
837 and countywide districts, shall be governed by a board of five (5)  
838 trustees. The first board of trustees of such districts shall be  
839 appointed by the county board of education, and the original  
840 appointments shall be so made that one (1) trustee shall be  
841 appointed to serve until the first Saturday of March following  
842 such appointments, one (1) for one (1) year longer, one (1) for  
843 two (2) years longer, one (1) for three (3) years longer, and one  
844 (1) for four (4) years longer. After such original appointments,  
845 the trustees of such school districts shall be elected by the  
846 qualified electors of such school districts in the manner provided  
847 for in Sections 37-7-223 through 37-7-229, with each trustee to be  
848 elected for a term of five (5) years. The five (5) members of the  
849 board of trustees of such consolidated school district shall be  
850 elected from special trustee election districts by the qualified  
851 electors thereof, as herein provided. The board of trustees of  
852 any such consolidated school district shall apportion the  
853 consolidated school district into five (5) special trustee  
854 election districts. The board of trustees of such school district  
855 shall place upon its minutes the boundaries determined for the new



856 five (5) trustee election districts. The board of trustees shall  
857 thereafter publish the same in a newspaper of general circulation  
858 within said school district for at least three (3) consecutive  
859 weeks; and after having given notice of publication and recording  
860 the same upon the minutes of the board of trustees, said new  
861 district lines shall thereafter be effective.

862 On the first Tuesday after the first Monday in November, in  
863 any year in which any consolidated school district shall elect to  
864 utilize the authority to create single member election districts,  
865 an election shall be held in each such district in this state for  
866 the purpose of electing the board of trustees of such district.  
867 At said election the member of the said board from District One  
868 shall be elected for a term of one (1) year, the member from  
869 District Two shall be elected for a term of two (2) years, the  
870 member from District Three shall be elected for a term of three  
871 (3) years, the member from District Four shall be elected for a  
872 term of four (4) years, and the member from District Five shall be  
873 elected for a term of five (5) years. Thereafter, members shall  
874 be elected at general elections as vacancies occur for terms of  
875 five (5) years each. Trustees elected from single member election  
876 districts as provided above shall otherwise be elected as provided  
877 for in Sections 37-7-223 through 37-7-229. All members of the  
878 said board of trustees shall take office on the first Monday of  
879 January following the date of their election. All vacancies which  
880 may occur during a term shall be filled by appointment of the



881 consolidated school district trustees, but the person so appointed  
882 shall serve only until the next general election following such  
883 appointment, at which time a person shall be elected for the  
884 remainder of the unexpired term at the same time and in the same  
885 manner as a trustee is elected for the full term then expiring.  
886 The person so elected to the unexpired term shall take office  
887 immediately. Said appointee shall be selected from the qualified  
888 electors of the district in which the vacancy occurs. In the  
889 event the school district is under conservatorship and no members  
890 of the board of trustees remain in office, the Governor shall call  
891 a special election to fill the vacancies and the said election  
892 will be conducted by the county election commission.

893 (2) All school districts reconstituted and created under the  
894 provisions of Article 1 of this chapter, which embrace territory  
895 in two (2) or more counties, but not including municipal separate  
896 school districts, shall be governed by a board of five (5)  
897 trustees. In making the original appointments, the several county  
898 boards of education shall appoint the trustee or trustees to which  
899 the territory in such county is entitled, and, by agreement  
900 between the county boards concerned, one (1) person shall be  
901 appointed to serve until the first Saturday of March following,  
902 one (1) for one (1) year longer, one (1) for two (2) years longer,  
903 one (1) for three (3) years longer and one (1) for four (4) years  
904 longer. Thereafter, such trustees shall be elected as is provided  
905 for in Sections 37-7-223 through 37-7-229, for a term of five (5)



906 years. The five (5) members of the board of trustees of such line  
907 consolidated school district shall be elected from special trustee  
908 election districts by the qualified electors thereof, as herein  
909 provided. The existing board of trustees of such line  
910 consolidated school district shall apportion the line consolidated  
911 school district into five (5) special trustee election districts.  
912 The board of trustees shall place upon its minutes the boundaries  
913 determined for the new five (5) trustee election districts. The  
914 board of trustees shall thereafter publish the same in a newspaper  
915 of general circulation within said school district for at least  
916 three (3) consecutive weeks; and after having given notice of  
917 publication and recording the same upon the minutes of the board  
918 of trustees, said new district lines shall thereafter be  
919 effective. Provided, however, that in any line consolidated  
920 school district encompassing two (2) or more counties created  
921 pursuant to Laws, 1953, Extraordinary Session, Chapter 12, Section  
922 8, in which, as a condition precedent to the creation of said  
923 district, each county belonging thereto was contractually  
924 guaranteed to always have at least one (1) representative on said  
925 board, in order that said condition precedent may be honored and  
926 guaranteed, in any year in which the board of trustees of such  
927 line consolidated school district does not have at least one (1)  
928 member from each county or part thereof forming such district, the  
929 board of trustees in such district shall be governed by a board of  
930 a sufficient number of trustees to fulfill this guarantee, five



931 (5) of whom shall be elected from the five (5) special trustee  
932 election districts which shall be as nearly equal as possible and  
933 one (1) member trustee appointed at large from each county not  
934 having representation on the elected board. In such cases, the  
935 board of supervisors of each county shall make written agreement  
936 to guarantee the manner of appointment of at least one (1)  
937 representative from each county in the district, placing such  
938 written agreement on the minutes of each board of supervisors in  
939 each county.

940 On the first Tuesday after the first Monday in November, in  
941 any year in which any line consolidated school district shall  
942 elect to utilize the authority to create single member election  
943 districts, an election shall be held in each such district in this  
944 state for the purpose of electing the board of trustees of such  
945 district. At said election the member of the said board from  
946 District One shall be elected for a term of one (1) year, the  
947 member from District Two shall be elected for a term of two (2)  
948 years, the member from District Three shall be elected for a term  
949 of three (3) years, the member from District Four shall be elected  
950 for a term of four (4) years, and the member from District Five  
951 shall be elected for a term of five (5) years. Thereafter,  
952 members shall be elected at general elections as vacancies occur  
953 for terms of five (5) years each. Trustees elected from single  
954 member election districts as provided above shall otherwise be  
955 elected as provided for in Sections 37-7-223 through 37-7-229.



956 All members of the said board of trustees shall take office on the  
957 first Monday of January following the date of their election. In  
958 all elections, the trustee elected shall be a resident and  
959 qualified elector of the district entitled to the representation  
960 upon the board, and he shall be elected only by the qualified  
961 electors of such district. All vacancies which may occur during a  
962 term of office shall be filled by appointment of the consolidated  
963 line school district trustees, but the person so appointed shall  
964 serve only until the next general election following such  
965 appointment, at which time a person shall be elected for the  
966 remainder of the unexpired term at the same time and in the same  
967 manner as the trustee is elected for the full term then expiring.  
968 The person so elected to the unexpired term shall take office  
969 immediately. In the event the school district is under  
970 conservatorship and no members of the board of trustees remain in  
971 office, the Governor shall call a special election to fill the  
972 vacancies and the said election will be conducted by the county  
973 election commission.

974 **[From and after July 1, 2027, this section shall read as**  
975 **follows:]**

976 37-7-207. (1) All school districts reconstituted or created  
977 under the provisions of Article 1 of this chapter, and which lie  
978 wholly within one (1) county, but not including municipal separate  
979 and countywide districts, shall be governed by a board of five (5)  
980 trustees. \* \* \* Beginning with the election on the first Tuesday



981 after the first Monday in November 2027, and every four (4) years  
982 thereafter, in those districts opting to elect board members at  
983 the statewide general election, or on the first Tuesday after the  
984 first Monday in November 2028, and every four (4) years  
985 thereafter, in those districts opting to elect board members at  
986 the presidential election, the members of the line consolidated  
987 school district board of trustees shall be elected at the same  
988 time and in the same manner provided in Section 37-6-17 for terms  
989 of four (4) years. The five (5) members of the board of trustees  
990 of such consolidated school district shall be elected from special  
991 trustee election districts by the qualified electors  
992 thereof \* \* \*. The board of trustees of any such consolidated  
993 school district shall apportion the consolidated school district  
994 into five (5) special trustee election districts. The board of  
995 trustees of such school district shall place upon its minutes the  
996 boundaries determined for the new five (5) trustee election  
997 districts. The board of trustees shall thereafter publish the  
998 same in a newspaper of general circulation within \* \* \* the school  
999 district for at least three (3) consecutive weeks \* \* \*, and after  
1000 having given notice of publication and recording the same upon the  
1001 minutes of the board of trustees, \* \* \* the new district lines  
1002 shall thereafter be effective. The apportionment, notification  
1003 and official adoption of the new district lines shall be completed  
1004 not less than three (3) months before the qualifying deadlines for  
1005 individuals seeking the office of school board trustee for the





1006 2027 statewide general election as prescribed in Section 2(3) of  
1007 this act, regardless of whether the district opted for an election  
1008 cycle that runs concurrently with presidential election.

1009 \* \* \* All members of the \* \* \* board of trustees shall take  
1010 office on the first Monday of January immediately following the  
1011 date of their election. All vacancies which may occur during a  
1012 term shall be filled \* \* \* in the manner provided in Section  
1013 37-6-17(9).

1014 (2) All school districts reconstituted and created under the  
1015 provisions of Article 1 of this chapter, which embrace territory  
1016 in two (2) or more counties, but not including municipal separate  
1017 school districts, shall be governed by a board of five (5)  
1018 trustees. \* \* \* Beginning with the election on the first Tuesday  
1019 after the first Monday in November 2027, and every four (4) years  
1020 thereafter, in those districts opting to elect board members at  
1021 the statewide general election, or on the first Tuesday after the  
1022 first Monday in November 2028, and every four (4) years  
1023 thereafter, in those districts opting to elect board members at  
1024 the presidential election, the members of such line consolidated  
1025 school district board of trustees shall be elected at the same  
1026 time and in the same manner provided in Section 37-6-17 for terms  
1027 of four (4) years. The five (5) members of the board of trustees  
1028 of such line consolidated school district shall be elected from  
1029 special trustee election districts by the qualified electors  
1030 thereof \* \* \*. The existing board of trustees of such line



1031 consolidated school district shall apportion the line consolidated  
1032 school district into five (5) special trustee election districts.  
1033 The board of trustees shall place upon its minutes the boundaries  
1034 determined for the new five (5) trustee election districts. The  
1035 board of trustees shall thereafter publish the same in a newspaper  
1036 of general circulation within \* \* \* the school district for at  
1037 least three (3) consecutive weeks \* \* \*, and after having given  
1038 notice of publication and recording the same upon the minutes of  
1039 the board of trustees, said new district lines shall thereafter be  
1040 effective. The apportionment, notification and official adoption  
1041 of the new district lines shall be completed not less than three  
1042 (3) months before the qualifying deadlines for individuals seeking  
1043 the office school board trustee for the 2027 statewide general  
1044 election as prescribed in Section 2(3) of this act, regardless of  
1045 whether the district opted for an election cycle that runs  
1046 concurrently with presidential election. \* \* \* However, \* \* \* in  
1047 any line consolidated school district encompassing two (2) or more  
1048 counties created pursuant to Laws, 1953, Extraordinary Session,  
1049 Chapter 12, Section 8, in which, as a condition precedent to the  
1050 creation of \* \* \* the district, each county belonging thereto was  
1051 contractually guaranteed to always have at least one (1)  
1052 representative on said board, in order that \* \* \* the condition  
1053 precedent may be honored and guaranteed, in any year in which the  
1054 board of trustees of such line consolidated school district does  
1055 not have at least one (1) member from each county or part thereof



1056 forming such district, the board of trustees in such district  
1057 shall be governed by a board of a sufficient number of trustees to  
1058 fulfill this guarantee, five (5) of whom shall be elected from the  
1059 five (5) special trustee election districts which shall be as  
1060 nearly equal as possible and one (1) member trustee \* \* \* elected  
1061 at large from each county not having representation on the elected  
1062 board in the same manner and at the same time as provided for the  
1063 election of school board members under Section 37-6-17. In such  
1064 cases, the board of supervisors of each county shall make written  
1065 agreement to guarantee the \* \* \* election of at least one (1)  
1066 representative from each county in the district, placing such  
1067 written agreement on the minutes of each board of supervisors in  
1068 each county.

1069 \* \* \* All members of the \* \* \* board of trustees shall take  
1070 office on the first Monday of January following the date of their  
1071 election. In all elections, the trustee elected shall be a  
1072 resident and qualified elector of the district entitled to the  
1073 representation upon the board, and he or she shall be elected only  
1074 by the qualified electors of such district in the manner provided  
1075 in Section 37-6-17. All vacancies which may occur during a term  
1076 of office shall be filled \* \* \* in the manner prescribed in  
1077 Section 37-6-17(9).

1078 **SECTION 9.** Section 37-7-221, Mississippi Code of 1972, is  
1079 amended as follows:

1080 **[Through June 30, 2027, this section shall read as follows:]**



1081 37-7-221. The election of consolidated or consolidated line  
1082 school district trustees shall be held in the manner provided for  
1083 in Sections 37-7-223 through 37-7-229 rather than the method now  
1084 provided by Sections 37-7-209 through 37-7-219.

1085 **[From and after July 1, 2027, this section shall read as**  
1086 **follows:]**

1087 37-7-221. The election of consolidated or consolidated line  
1088 school district trustees shall be held in the manner provided for  
1089 in \* \* \* Section 37-6-17.

1090 **SECTION 10.** Section 37-7-703, Mississippi Code of 1972, is  
1091 amended as follows:

1092 **[Through June 30, 2027, this section shall read as follows:]**

1093 37-7-703. In all such special municipal separate school  
1094 districts which embrace the entire county in which, according to  
1095 the latest available federal census, a majority of the inhabitants  
1096 of the county reside within the corporate limits of the  
1097 municipality, the board of trustees of such special municipal  
1098 separate school district shall be chosen and selected in the  
1099 manner provided by subsection (1) of Section 37-7-203, and all of  
1100 the provisions thereof shall be fully applicable in all respects  
1101 to the selection and constitution of such board of trustees.

1102 **[From and after July 1, 2027, this section shall read as**  
1103 **follows:]**

1104 37-7-703. In all \* \* \* special municipal separate school  
1105 districts which embrace the entire \* \* \*, the board of trustees



1106 of \* \* \* that special municipal separate school district shall  
1107 be \* \* \* elected in the manner provided \* \* \* in Section 37-6-17,  
1108 and all of the provisions thereof shall be fully applicable in all  
1109 respects to the selection and constitution of such board of  
1110 trustees. The board of trustees of each special municipal  
1111 separate school district shall apportion the school district into  
1112 five (5) single member trustee election districts, the boundaries  
1113 of which must be coterminous with the boundaries of the  
1114 supervisors districts of the county embraced by that school  
1115 district.

1116       **SECTION 11.** Section 37-5-18, Mississippi Code of 1972, which  
1117 requires the election of the members of the county board of  
1118 education in certain counties having four (4) municipal separate  
1119 school districts from board of education districts embracing  
1120 territory only outside the municipal separate school districts, is  
1121 repealed.

1122       **SECTION 12.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,  
1123 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229,  
1124 Mississippi Code of 1972, which provide certain methods for  
1125 electing trustees of certain municipal and special municipal  
1126 separate school districts and consolidated and line consolidated  
1127 school districts, are repealed.

1128       **SECTION 13.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,  
1129 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which



1130 provide certain additional methods for selecting trustees of  
1131 special municipal separate school districts, are repealed.

1132         **SECTION 14.** Section 37-7-104, Mississippi Code of 1972, is  
1133 brought forward as follows:

1134         37-7-104. (1) In any Mississippi county in which are  
1135 located, as of February 8, 2012, three (3) school districts and  
1136 only three (3) school districts, all of which are under  
1137 conservatorship as defined by the Mississippi Department of  
1138 Education as of February 8, 2012, there shall be an administrative  
1139 consolidation of all of the school districts in the county into  
1140 one (1) countywide school district with one (1) county board of  
1141 education. The State Board of Education shall determine the  
1142 school district(s) applicable to the provisions of this section  
1143 and spread this finding on the minutes of its August 2012 meeting.  
1144 On or before September 1, 2012, the State Board of Education shall  
1145 serve the local school boards applicable to the provisions of this  
1146 section, or the Mississippi Department of Education Conservator  
1147 for each of the three (3) school districts, with notice and  
1148 instruction regarding the action to be taken to comply with this  
1149 section. In such county, there shall be a new county board of  
1150 education elected in a November 2013 special election which shall  
1151 be called for that purpose and the new county board members shall  
1152 be elected as provided in Section 37-5-7, Mississippi Code of  
1153 1972. No previous board member shall be eligible to serve on the  
1154 newly elected board. Provided, however, that it shall be the



1155 responsibility of the board of supervisors of such county to  
1156 apportion the countywide school district into five (5) new single  
1157 member board of education districts which shall be consistent with  
1158 the supervisors district lines in said county. The board of  
1159 supervisors of said county shall thereafter publish the same in  
1160 some newspaper of general circulation within said county for at  
1161 least three (3) consecutive weeks and after having given notice of  
1162 publication and recording the same upon the minutes of the board  
1163 of supervisors of said county, said new district lines will  
1164 thereafter be effective for the November 2013 special election.  
1165 If necessary, the county board of education of said county shall  
1166 reapportion the board of education districts in accordance with  
1167 applicable law as soon as practicable after the results of the  
1168 2020 decennial census are published and as soon as practicable  
1169 after every decennial census thereafter. The new county board of  
1170 education, with the written approval of the Mississippi Department  
1171 of Education Conservator and the State Board of Education, shall  
1172 provide for the administrative consolidation of all school  
1173 districts in the county into one (1) countywide school district on  
1174 or before July 1 next following the November 2013 election. The  
1175 new county board of education shall serve as the school board for  
1176 the county. Any school district affected by the required  
1177 administrative consolidation that does not voluntarily consolidate  
1178 with the new school district ordered by the county board of  
1179 education shall be administratively consolidated by the State



1180 Board of Education with the countywide school district, to be  
1181 effective on July 1 following the election of the new county board  
1182 of education. The State Board of Education shall promptly move on  
1183 its own motion to administratively consolidate any school district  
1184 which does not voluntarily consolidate in order to enable the  
1185 affected school districts to reasonably accomplish the resulting  
1186 administrative consolidation into one (1) countywide district by  
1187 July 1 following the election of the new county board of  
1188 education. All affected school districts shall comply with any  
1189 consolidation order issued by the county board of education or the  
1190 State Board of Education, as the case may be, on or before July 1  
1191 following the election of the new county board of education.

1192 (2) On July 1 following the election of the new county board  
1193 of education, the former county board of education and the former  
1194 board of trustees of any municipal separate, or special municipal  
1195 separate school district located in such county shall be  
1196 abolished. All real and personal property which is owned or  
1197 titled in the name of a school district located in such county  
1198 shall be transferred to the new reorganized school district of the  
1199 county in which such school district is located. The Mississippi  
1200 Department of Education Conservator and the State Board of  
1201 Education shall be responsible for establishing the contracts for  
1202 teachers and principals for the next school year following the  
1203 required administrative consolidation with the consultation of the  
1204 newly elected successor county board of education. The successor





1205 county board of education shall appoint the new county  
1206 superintendent of education for the reorganized school district.  
1207 The county superintendent of education of said reorganized school  
1208 district shall not be elected but shall thereafter be appointed by  
1209 the successor county board of education in the manner provided in  
1210 Section 37-9-25. The superintendents of the former  
1211 under-performing school districts located in the county shall not  
1212 be eligible for appointment as the new superintendent. The  
1213 selection of the appointed county superintendent of education and  
1214 the assistant superintendent of education in the central  
1215 administration office of the successor countywide school district  
1216 shall be the responsibility of the successor county board of  
1217 education with the approval of the Mississippi Department of  
1218 Education Conservator and the State Board of Education. No such  
1219 administratively consolidated school district shall have more than  
1220 one (1) assistant superintendent of education. It shall be the  
1221 responsibility of the successor county board of education, with  
1222 approval of the Mississippi Department of Education Conservator  
1223 and the State Board of Education, to prepare and approve the  
1224 budget of the new reorganized districts, and the county board of  
1225 education may use staff from the former school districts to  
1226 prepare the budget. Any proposed order of the successor county  
1227 board of education directing the transfer of the assets, real or  
1228 personal property of an affected school district in the county,  
1229 shall be submitted and approved by the State Board of Education.



1230 The finding of the State Board of Education shall be final and  
1231 conclusive for the purposes of the transfer of property required  
1232 by such administrative consolidation. Any person or school  
1233 district aggrieved by an order of the successor county school  
1234 board of education pursuant to the required administrative  
1235 consolidation may appeal therefrom to the State Board of Education  
1236 within ten (10) days from the date of the adjournment of the  
1237 meeting at which such order is entered. Such appeal shall be de  
1238 novo, and the finding of the State Board of Education upon such  
1239 question shall be final and conclusive for the purpose of the  
1240 approval or disapproval of the action by said county board of  
1241 education.

1242 (3) When any school district in such county is abolished  
1243 under the provisions of this section, the abolition thereof shall  
1244 not impair or release the property of such former school district  
1245 from liability for the payment of the bonds or other indebtedness  
1246 of such district and it shall be the duty of the board of  
1247 supervisors of said county to levy taxes on the property of said  
1248 district so abolished from year to year according to the terms of  
1249 such indebtedness until same shall be fully paid.

1250 (4) In the administratively consolidated countywide school  
1251 district created under this section, the ad valorem tax rate shall  
1252 be determined as set forth under Section 37-57-1 et seq.

1253 (5) Nothing in this section shall be construed to require or  
1254 restrict the closing of any school or school facility, unless such



1255 facility is an unneeded administrative office located within a  
1256 school district which has been abolished under the provisions of  
1257 this section. All administrative consolidations under this  
1258 section shall be accomplished so as not to delay or in any manner  
1259 negatively affect the desegregation of another school district in  
1260 the county pursuant to court order.

1261 (6) The State Board of Education shall promulgate rules and  
1262 regulations to facilitate the administrative consolidation of the  
1263 school districts in a county pursuant to this section. When the  
1264 orders of the successor county board of education adopting the  
1265 boundaries of the successor countywide school district have been  
1266 entered and are final, as approved by the State Board of  
1267 Education, the new district lines shall be submitted by the State  
1268 Board of Education with the assistance of the Attorney General to  
1269 the Attorney General of the United States for preclearance or to  
1270 the United States District Court for the District of Columbia for  
1271 a declaratory judgment in accordance with the provisions of the  
1272 Voting Rights Act of 1965, as amended and extended. In the event  
1273 the change in the school district lines are precleared or  
1274 approved, the State Board of Education shall formally declare the  
1275 new lines as the new boundaries of the consolidated countywide  
1276 school district.

1277 **SECTION 15.** Section 37-7-104.1, Mississippi Code of 1972, is  
1278 brought forward as follows:



1279           37-7-104.1. (1) In Bolivar County, Mississippi, in which  
1280 are located, as of January 1, 2012, six (6) school districts,  
1281 there shall be an administrative consolidation of all of the  
1282 school districts in the county into three (3) school districts as  
1283 follows:

1284           (a) One (1) existing school district which shall be the  
1285 Cleveland School District;

1286           (b) One (1) new consolidated school district to be  
1287 designated as North Bolivar Consolidated School District which  
1288 shall consist of the territory of the former North Bolivar School  
1289 District and the Mound Bayou Public School District. The central  
1290 administrative office of the North Bolivar Consolidated School  
1291 District shall be located in Mound Bayou, Mississippi; and

1292           (c) One (1) new consolidated school district to be  
1293 designated as West Bolivar Consolidated School District which  
1294 shall consist of the territory of the former West Bolivar School  
1295 District, Shaw School District and Benoit School District. The  
1296 central administrative office of the West Bolivar Consolidated  
1297 School District shall be located in Rosedale, Mississippi.

1298           (2) On or before September 1, 2012, the State Board of  
1299 Education shall serve the local school boards in Bolivar County  
1300 with notice and instructions regarding the timetable for action to  
1301 be taken to comply with the administrative consolidation required  
1302 in this section. The State Board of Education shall provide for  
1303 the administrative consolidation of all school districts in the



1304 county outside of the territory of Cleveland School District into  
1305 North Bolivar Consolidated School District and West Bolivar  
1306 Consolidated School District on or before July 1, 2014. In each  
1307 new consolidated school district there shall be a new consolidated  
1308 school district board of trustees elected in a November 2013  
1309 special election which shall be called by the Governor for that  
1310 purpose. The new consolidated school district boards of trustees  
1311 shall be elected and the terms of office established as provided  
1312 in Section 37-7-207, Mississippi Code of 1972. The State Board of  
1313 Education shall determine the boundary lines for the territory of  
1314 the two (2) new school districts and shall spread a legal  
1315 description of the new school districts on the minutes of its  
1316 August 2012 meeting and shall serve the applicable school boards  
1317 and the board of supervisors with an adequate legal description of  
1318 these new boundaries. It shall be the responsibility of the State  
1319 Board of Education with the assistance of the Joint Legislative  
1320 Committee on Performance Evaluation and Expenditure Review (PEER)  
1321 to apportion the territory of the two (2) new school districts  
1322 into five (5) new board of trustee election districts for each new  
1323 school district. The State Board of Education shall thereafter  
1324 publish the same in some newspaper of general circulation in said  
1325 county for at least three (3) consecutive weeks and after having  
1326 given notice of publication and recording the same upon the  
1327 minutes of the school boards of each school district in the  
1328 county, said new district lines will thereafter be effective for



1329 the November 2013 special election. Any school board member of  
1330 the former school district residing in the proper election  
1331 district shall be eligible for election to the new board of  
1332 trustees for North Bolivar Consolidated School District or West  
1333 Bolivar Consolidated School District. The local school board of  
1334 each new school district shall reapportion the school board  
1335 districts in accordance with the procedure described in Section  
1336 37-7-207, Mississippi Code of 1972, as is necessary as soon as  
1337 practicable after the 2020 decennial census are published and as  
1338 soon as practicable after every decennial census thereafter. Any  
1339 school district affected by the required administrative  
1340 consolidation in such county that does not voluntarily consolidate  
1341 with the two (2) new school districts ordered by the State Board  
1342 of Education shall be administratively consolidated by the State  
1343 Board of Education with the appropriate school district in which  
1344 such district is located, to be effective on July 1 following the  
1345 election of the new local school boards. The State Board of  
1346 Education shall promptly move on its own motion to  
1347 administratively consolidate a school district which does not  
1348 voluntarily consolidate in order to enable the affected school  
1349 districts to reasonably accomplish the resulting administrative  
1350 consolidation into two (2) school districts by July 1 following  
1351 the election of the new school boards. All affected school  
1352 districts shall comply with any consolidation order issued by the



1353 State Board of Education on or before July 1 following the  
1354 election of the new school boards.

1355 (3) On July 1 following the election of the new school  
1356 district boards of trustees in Bolivar County, the former county  
1357 board of education and the former board of trustees of North  
1358 Bolivar School District, Mound Bayou Public School District, West  
1359 Bolivar School District, Shaw School District and Benoit School  
1360 District shall be abolished. All real and personal property which  
1361 is owned or titled in the name of a school district located in  
1362 such former school district shall be transferred to the new  
1363 reorganized school district of Bolivar County in which such former  
1364 school district is located. Each former school board shall be  
1365 responsible for establishing the contracts for teachers and  
1366 principals for the next school year following the required  
1367 administrative consolidation with the consultation of the newly  
1368 elected successor school boards. The new Board of Trustees for  
1369 the North Bolivar Consolidated School District shall appoint the  
1370 Superintendent of Schools for said school district, and the Board  
1371 of Trustees for the West Bolivar Consolidated School District  
1372 shall appoint the Superintendent of Schools for said school  
1373 district. The subsequent superintendent of schools of said  
1374 reorganized school districts shall not be elected but shall  
1375 thereafter be appointed by the successor boards of trustees in the  
1376 manner provided in Section 37-9-25. Any superintendent serving in  
1377 the former school districts shall be eligible for appointment as a



1378 superintendent in North Bolivar Consolidated School District or  
1379 West Bolivar Consolidated School District. North Bolivar  
1380 Consolidated School District and West Bolivar Consolidated School  
1381 District shall not have more than one (1) assistant  
1382 superintendent. It shall be the responsibility of the successor  
1383 boards of trustees to prepare and approve the budget of the  
1384 respective new reorganized districts, and the successor boards of  
1385 trustees may use staff from the former school districts to prepare  
1386 the budget. Any proposed order of the State Board of Education  
1387 directing the transfer of the assets, real or personal property of  
1388 an affected school district in the county, shall be final and  
1389 conclusive for the purposes of the transfer of property required  
1390 by such administrative consolidation. Any person or school  
1391 district aggrieved by an order of the successor newly elected  
1392 board of trustees of a consolidated school district pursuant to  
1393 the required administrative consolidation may appeal therefrom to  
1394 the State Board of Education within ten (10) days from the date of  
1395 the adjournment of the meeting at which such order is entered.  
1396 Such appeal shall be de novo, and the finding of the State Board  
1397 of Education upon such question shall be final and conclusive for  
1398 the purpose of the approval or disapproval of the action by said  
1399 county board of education.

1400 (4) When any school district in such county is abolished  
1401 under the provisions of this section, the abolition thereof shall  
1402 not impair or release the property of such former school district





1403 from liability for the payment of the bonds or other indebtedness  
1404 of such district.

1405 (5) Nothing in this section shall be construed to require  
1406 the closing of any school or school facility, unless such facility  
1407 is an unneeded administrative office located within a school  
1408 district which has been abolished under the provisions of this  
1409 section. All administrative consolidations under this section  
1410 shall be accomplished so as not to delay or in any manner  
1411 negatively affect the desegregation of another school district in  
1412 the county pursuant to court order.

1413 (6) The State Board of Education shall promulgate rules and  
1414 regulations to facilitate the administrative consolidation of the  
1415 school districts in Bolivar County pursuant to this section. The  
1416 consolidated districts shall make an election within one (1) year  
1417 of consolidation concerning the group term life insurance  
1418 described in subsection (7) of Section 25-15-9. When the orders  
1419 of the State Board of Education adopting the boundaries of the  
1420 successor school districts and the successor board of trustees  
1421 election districts have been entered and are final, as directed by  
1422 the State Board of Education, the new district lines shall be  
1423 submitted by the State Board of Education with the assistance of  
1424 the Attorney General to the Attorney General of the United States  
1425 for preclearance or to the United States District Court for the  
1426 District of Columbia for a declaratory judgment in accordance with  
1427 the provisions of the Voting Rights Act of 1965, as amended and



1428 extended. In the event the change in the school district lines  
1429 and election districts are precleared or approved, the State Board  
1430 of Education shall formally declare the new lines as the new  
1431 boundaries of the successor school districts.

1432 **SECTION 16.** Section 37-7-104.2, Mississippi Code of 1972, is  
1433 brought forward as follows:

1434 37-7-104.2. (1) In Clay County, Mississippi, in which are  
1435 located, as of January 1, 2013, two (2) school districts, there  
1436 shall be an administrative consolidation of all of those school  
1437 districts in the county into one (1) new consolidated school  
1438 district to be designated as West Point Consolidated School  
1439 District which shall consist of the territory of the former Clay  
1440 County School District and the West Point School District. The  
1441 central administrative office of the West Point Consolidated  
1442 School District shall be located in West Point, Mississippi.

1443 (2) On or before September 1, 2013, the State Board of  
1444 Education shall serve the local school boards in Clay County with  
1445 notice and instructions regarding the timetable for action to be  
1446 taken to comply with the administrative consolidation required in  
1447 this section. The State Board of Education shall provide for the  
1448 administrative consolidation of the school districts in the county  
1449 on or before July 1, 2015. In the new West Point Consolidated  
1450 School District, there shall be a new board of trustees comprised  
1451 of five (5) members selected as follows: (a) the Mayor and Board  
1452 of Aldermen of the City of West Point shall appoint three (3) of



1453 the five (5) members, each to be selected for a term of four (4)  
1454 years; and (b) two (2) members to be elected for a term of four  
1455 (4) years by the electors of Clay County residing outside of the  
1456 West Point corporate limits who shall be residents of that  
1457 territory and who shall be elected in a November 2014 special  
1458 election which shall be called by the Governor for that purpose.  
1459 All subsequent members of the board elected from the territory  
1460 outside of the West Point corporate limits shall be elected for a  
1461 term of four (4) years at the regular general election held on the  
1462 first Monday in November next preceding the expiration of the term  
1463 of office of the respective member or members. All elected and  
1464 appointed members shall take office on the first Monday of January  
1465 following the date of their election or appointment. The State  
1466 Board of Education, with the assistance of the Joint Legislative  
1467 Committee on Performance Evaluation and Expenditure Review (PEER),  
1468 shall apportion the territory of the new consolidated school  
1469 district located outside the West Point corporate limits into two  
1470 (2) new single member board of trustee election districts. The  
1471 State Board of Education shall thereafter publish the same in some  
1472 newspaper of general circulation in the county for at least three  
1473 (3) consecutive weeks and after having given notice of publication  
1474 and recording the same upon the minutes of the school boards of  
1475 each school district in the county, the new district lines will  
1476 thereafter be effective for the November 2014 special election.  
1477 Any school board member of the former school districts residing in



1478 the proper territory shall be eligible for appointment or election  
1479 to the new Board of Trustees for West Point Consolidated School  
1480 District.

1481 Any school district affected by the required administrative  
1482 consolidation in Clay County that does not voluntarily consolidate  
1483 as ordered by the State Board of Education shall be  
1484 administratively consolidated by the State Board of Education, to  
1485 be effective on July 1 following the election of the new local  
1486 school board. The State Board of Education shall promptly move on  
1487 its own motion to administratively consolidate a school district  
1488 which does not voluntarily consolidate in order to enable the  
1489 affected school districts to reasonably accomplish the resulting  
1490 administrative consolidation into one (1) consolidated school  
1491 district by July 1 following the selection of the new board of  
1492 trustees. The affected school districts shall comply with any  
1493 consolidation order issued by the State Board of Education on or  
1494 before July 1 following the selection of the new school boards.

1495 (3) On July 1 following the selection of the new Board of  
1496 Trustees of the West Point Consolidated School District, the  
1497 former county board of education and the former Board of Trustees  
1498 of the West Point School District shall be abolished. All real  
1499 and personal property which is owned or titled in the name of a  
1500 school district located in such former school district shall be  
1501 transferred to the new reorganized school district of West Point  
1502 Consolidated School District in which such former school district



1503 is located. Each former school board shall be responsible for  
1504 establishing the contracts for teachers and principals for the  
1505 next school year following the required administrative  
1506 consolidation with the consultation of the newly elected successor  
1507 school board. The new Board of Trustees for the West Point  
1508 Consolidated School District shall appoint the Superintendent of  
1509 Schools for the school district. The Superintendent of Schools  
1510 for the West Point Consolidated School District may appoint  
1511 assistant superintendent(s) of schools for the district, but in no  
1512 instance shall the administrative leadership of the West Point  
1513 Consolidated School District exceed the number of assistant  
1514 superintendents employed in the former West Point School District.  
1515 The subsequent superintendent of schools of the reorganized school  
1516 district shall not be elected, but shall thereafter be appointed  
1517 by the successor board of trustees in the manner provided in  
1518 Section 37-9-25. It shall be the responsibility of the successor  
1519 board of trustees to prepare and approve the budget of the new  
1520 reorganized district, and the successor board of trustees may use  
1521 staff from the former school districts to prepare the budget. Any  
1522 proposed order of the State Board of Education directing the  
1523 transfer of the assets, real or personal property of an affected  
1524 school district in the county, shall be final and conclusive for  
1525 the purposes of the transfer of property required by such  
1526 administrative consolidation. Any person or school district  
1527 aggrieved by an order of the successor newly selected Board of



1528 Trustees of the West Point Consolidated School District pursuant  
1529 to the required administrative consolidation may appeal therefrom  
1530 within ten (10) days from the date of the adjournment of the  
1531 meeting at which such order is entered. Said appeal shall be  
1532 taken in the same manner as appeals are taken from judgments or  
1533 decisions of the board of supervisors as provided in Section  
1534 11-51-75, Mississippi Code of 1972, the provisions of which shall  
1535 be fully applicable to appeals taken hereunder. The Board of  
1536 Trustees of the West Point Consolidated School District shall not  
1537 pass upon or approve or disapprove any such order until the time  
1538 for an appeal therefrom shall have expired, nor shall said board  
1539 pass upon or approve or disapprove any such order from which an  
1540 appeal is taken until said appeal shall have been finally  
1541 determined.

1542 (4) When any school district in the county is abolished  
1543 under the provisions of this section, the abolition thereof shall  
1544 not impair or release the property of that former school district  
1545 from liability for the payment of the bonds or other indebtedness  
1546 of such district.

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



1553 negatively affect the desegregation of another school district in  
1554 the county pursuant to court order.

1555           (6) The State Board of Education shall promulgate rules and  
1556 regulations to facilitate the administrative consolidation of the  
1557 school districts in Clay County pursuant to this section. The  
1558 consolidated districts shall make an election within one (1) year  
1559 of consolidation concerning the group term life insurance  
1560 described in subsection (7) of Section 25-15-9. When the orders  
1561 of the State Board of Education adopting the boundaries of the  
1562 successor board of trustees election districts have been entered  
1563 and are final, as directed by the State Board of Education, the  
1564 new district lines shall be submitted by the State Board of  
1565 Education with the assistance of the Attorney General to the  
1566 Attorney General of the United States for preclearance or to the  
1567 United States District Court for the District of Columbia for a  
1568 declaratory judgment in accordance with the provisions of the  
1569 Voting Rights Act of 1965, as amended and extended. In the event  
1570 the change in the school district lines and election districts are  
1571 precleared or approved, the State Board of Education shall  
1572 formally declare the new lines as the new boundaries of the  
1573 successor school district.

1574           (7) For the initial two (2) years following the  
1575 administrative consolidation required by this section, the State  
1576 Department of Education may grant a waiver of accountability and  
1577 state assessment requirements to the West Point Consolidated



1578 School District for the student population enrolled therein from  
1579 the former Clay County School District when determining the new  
1580 consolidated school district accreditation level on the  
1581 performance and accountability rating model.

1582         **SECTION 17.** Section 37-7-104.3, Mississippi Code of 1972, is  
1583 brought forward as follows:

1584         37-7-104.3. (1) In Oktibbeha County, Mississippi, in which  
1585 are located, as of January 1, 2013, two (2) school districts,  
1586 there shall be an administrative consolidation of all of those  
1587 school districts in the county into one (1) new countywide  
1588 municipal separate school district to be designated as  
1589 Starkville-Oktibbeha Consolidated School District which shall  
1590 consist of the territory of the former Oktibbeha County School  
1591 District and the Starkville School District, effective on July 1,  
1592 2015. Until June 30, 2015, preceding the effective date of the  
1593 required administrative consolidation of school districts in the  
1594 county, the Oktibbeha County School District shall remain in  
1595 conservatorship, under the authority and control of the  
1596 Mississippi Recovery School District of the State Department of  
1597 Education. At such time that the administrative consolidation  
1598 becomes effective, the central administrative office of the  
1599 Starkville-Oktibbeha Consolidated School District shall be located  
1600 in Starkville, Mississippi.

1601         (2) (a) On or before July 1, 2014, the State Board of  
1602 Education shall serve the local school board of the Starkville





1603 School District with notice and instructions regarding the  
1604 timetable for action to be taken to comply with the administrative  
1605 consolidation required in this section.

1606 (b) In the new consolidated school district there shall  
1607 be a countywide municipal separate school district board of  
1608 trustees, which shall consist of the existing members of the Board  
1609 of Trustees of the Starkville School District. However, upon the  
1610 first occurrence of a vacancy on the board as a result of an  
1611 expired term of an appointed board member, that vacancy shall  
1612 become an elected position and shall be filled by the election of  
1613 a board member as follows: the 2016 expiring term board member  
1614 shall remain in office until January 1, 2017. In November 2016,  
1615 an election will be held for a board member who resides outside of  
1616 the incorporated municipal limits in the manner prescribed in  
1617 Section 37-7-203, and the elected board member will take office  
1618 for a five-year term beginning January 1, 2017. Subsequent board  
1619 members shall be selected in the manner prescribed in Section  
1620 37-7-203. The Board of Supervisors of Oktibbeha County shall  
1621 publish notice of the school board elections in some newspaper of  
1622 general circulation in the county for at least three (3)  
1623 consecutive weeks.

1624 (c) Any school district affected by the required  
1625 administrative consolidation in the county that does not  
1626 voluntarily consolidate as ordered by the State Board of Education  
1627 shall be administratively consolidated by the State Board of



1628 Education, to be effective immediately upon action of the State  
1629 Board of Education. The State Board of Education shall promptly  
1630 move on its own motion to administratively consolidate a school  
1631 district which does not voluntarily consolidate in order to enable  
1632 the affected school districts to reasonably accomplish the  
1633 resulting administrative consolidation into one (1) consolidated  
1634 school district by July 1 following the motion to consolidate.  
1635 The affected school districts shall comply with any consolidation  
1636 order issued by the State Board of Education.

1637 (3) On July 1, 2015, following the motion of State Board of  
1638 Education to consolidate school districts in Oktibbeha County, the  
1639 Oktibbeha County School District shall be abolished. All real and  
1640 personal property which is owned or titled in the name of the  
1641 school district located in such former school district shall be  
1642 transferred to the Starkville-Oktibbeha Consolidated School  
1643 District as of July 1, 2015. The Conservator of the Oktibbeha  
1644 County School District is authorized and directed to execute and  
1645 record all documents and conveyances necessary to convey title to  
1646 all real and personal property of the Oktibbeha County School  
1647 District to the Starkville-Oktibbeha Consolidated School District.  
1648 The conservator is further authorized and directed to sign all  
1649 documents and to take all actions necessary to assign contracts  
1650 and other property, contract rights and obligations of the  
1651 Oktibbeha County School District to the Starkville-Oktibbeha  
1652 Consolidated School District. The Board of Trustees of the



1653 Starkville School District shall be responsible for establishing  
1654 the contracts for operations, teachers, principals, clerical and  
1655 administrative staff personnel for the 2015-2016 school year prior  
1656 to July 1, 2015, and shall consult with the conservator for the  
1657 establishment of contracts for teachers, principals, clerical and  
1658 administrative staff personnel located in the former Oktibbeha  
1659 County School District for the 2015-2016 school year. In order to  
1660 prepare for the efficient staffing of the Starkville-Oktibbeha  
1661 Consolidated School District, the Conservator of the Oktibbeha  
1662 County School District and the Superintendent of the Starkville  
1663 School District shall have full authority to nonrenew the  
1664 employment contract of any teacher, principal, clerical or  
1665 administrative staff located within their respective school  
1666 districts for the 2015-2016 school year. The superintendent and  
1667 assistant superintendent(s) of schools of the former Starkville  
1668 School District shall continue to serve in like administrative  
1669 capacities of the Starkville-Oktibbeha Consolidated School  
1670 District, but in no instance shall the administrative leadership  
1671 of the Starkville-Oktibbeha Consolidated School District exceed  
1672 three (3) assistant superintendents to be appointed by the  
1673 superintendent of the former Starkville School District. No  
1674 superintendent serving in the former Oktibbeha County School  
1675 District shall be eligible for appointment as a superintendent or  
1676 assistant superintendent in the Starkville-Oktibbeha Consolidated  
1677 School District. Likewise, no trustee serving in the former



1678 Oktibbeha County School District shall be eligible for election to  
1679 the new Board of Trustees of the Starkville-Oktibbeha Consolidated  
1680 School District. It shall be the responsibility of the board of  
1681 trustees to prepare and approve the budget of the respective new  
1682 reorganized district, and the board of trustees may use staff from  
1683 the former school district to prepare the budget. Any transfer of  
1684 the assets, real or personal property of the Oktibbeha County  
1685 School District mandated by this section shall be final and  
1686 conclusive for the purposes of the transfer of property required  
1687 by this section to effectuate the administrative consolidation.

1688 (4) Nothing in this section shall be construed to require  
1689 the closing of any school or school facility, unless the facility  
1690 is an unneeded administrative office located within a school  
1691 district which has been abolished under the provisions of this  
1692 section. All administrative consolidations under this section  
1693 shall be accomplished so as not to delay or in any manner  
1694 negatively affect the desegregation of another school district in  
1695 the county pursuant to court order.

1696 (5) The State Board of Education shall promulgate rules and  
1697 regulations to facilitate the administrative consolidation of the  
1698 school districts in Oktibbeha County pursuant to the requirements  
1699 of this section. Beginning with the insurance cafeteria plan year  
1700 of November 1, 2014, the consolidated districts shall fall under  
1701 all insurance plans and policies elected by the Starkville Public



1702 School District, including the group term life insurance described  
1703 in Section 25-15-9(7).

1704 (6) For the initial three (3) years following the  
1705 administrative consolidation required by this section, the State  
1706 Department of Education shall grant a waiver of accountability and  
1707 state assessment requirements to the Starkville-Oktibbeha  
1708 Consolidated School District, subject to the approval of the State  
1709 Board of Education.

1710 (7) As soon as practicable after March 31, 2015, the  
1711 Conservator of the Oktibbeha County School District shall initiate  
1712 the issuance of notes or certificates of indebtedness of the  
1713 Oktibbeha County School District for the purpose of purchasing  
1714 school buses, textbooks, computers and software and other  
1715 equipment and fixtures for school facilities, and for any purposes  
1716 enumerated in Section 37-59-3, Mississippi Code of 1972, and  
1717 making repairs, alterations, utility upgrades and additions to two  
1718 (2) elementary school buildings located in the Oktibbeha County  
1719 School District in order to meet the same physical and educational  
1720 standards as the elementary school buildings in Starkville, and to  
1721 contribute funds to the Starkville School District for capital  
1722 improvements to accommodate county school district students and  
1723 increase capacity for the consolidation. The contribution of such  
1724 funds to the Starkville School District is hereby authorized.  
1725 Said notes or certificates of indebtedness shall be issued under  
1726 the authority of Sections 37-59-101 through 37-59-115, Mississippi



1727 Code of 1972, including all notice requirements, however, the  
1728 resolution as to the necessity for the issuance of the notes and  
1729 the execution of the documents shall be made by the Conservator of  
1730 the Oktibbeha County School District. The term of any notes or  
1731 certificates of indebtedness issued under this section may not  
1732 exceed the useful life of the financed project as determined  
1733 according to the upper limit of useful life and depreciation  
1734 guidelines established under the United States Internal Revenue  
1735 Code and regulations. The levying authority for the Oktibbeha  
1736 County School District, and after July 1, 2015, the levying  
1737 authority for the Starkville-Oktibbeha Consolidated School  
1738 District, shall annually levy a special tax on all taxable  
1739 property of the former Oktibbeha County School District, and after  
1740 July 1, 2015, on all taxable property of the Starkville-Oktibbeha  
1741 Consolidated School District, in an amount sufficient to pay the  
1742 principal of and interest on such negotiable notes or certificates  
1743 of indebtedness as the same shall respectively mature and accrue.  
1744 Said tax shall be levied as provided in Section 37-59-107,  
1745 Mississippi Code of 1972, except that the levy shall not exceed  
1746 three (3) mills on the dollar for the payment of all notes that  
1747 are subject to the levy under Section 37-59-107. Any notes or  
1748 certificates of indebtedness issued pursuant to this subsection  
1749 (7) shall become indebtedness of the new Starkville-Oktibbeha  
1750 Consolidated School District from and after July 1, 2015, and the  
1751 mandatory special ad valorem tax levied to pay the notes or



1752 certificates of indebtedness by the levying authority pursuant to  
1753 Section 37-59-107, Mississippi Code of 1972, shall be levied upon  
1754 all of the taxable property within the Starkville-Oktibbeha  
1755 Consolidated School District.

1756 (8) For a period beginning July 1, 2014, and ending June 30,  
1757 2015, the Conservator of the Oktibbeha County School District  
1758 shall issue negotiable bonds of the Oktibbeha County School  
1759 District for the purpose of purchasing school buses, textbooks,  
1760 computers and software and other equipment and fixtures for school  
1761 facilities, and making repairs, alterations and additions and  
1762 utility upgrades, and for any purposes allowed by Section 37-59-3,  
1763 Mississippi Code of 1972, to school facilities in the Oktibbeha  
1764 County School District and in the Starkville School District to  
1765 accommodate students in the former Oktibbeha County School  
1766 District who will be attending school in the new  
1767 Starkville-Oktibbeha Consolidated School District and the  
1768 increased capacity needs under the consolidation. Said bonds  
1769 shall be issued under the authority of Sections 37-59-1 through  
1770 37-59-45, however, any resolutions as to the necessity for the  
1771 issuance of any bonds and execution of the documents may be made  
1772 periodically by the Conservator of the Oktibbeha County School  
1773 District. Provided further, that the conservator shall publish  
1774 each resolution of necessity and intent to issue any bonds once  
1775 each week for at least three (3) consecutive weeks in a newspaper  
1776 having general circulation in the Oktibbeha County School



1777 District, with the first publication thereof to be made not less  
1778 than fifteen (15) days prior to the date upon which the  
1779 conservator is to take final action upon the question of  
1780 authorizing the issuance of said bonds. If no petition requesting  
1781 an election is filed prior to the date and time of the meeting at  
1782 which the conservator is to take final action on the issuance of  
1783 said bonds, then the conservator shall authorize the issuance of  
1784 the bonds. If at any time prior to the date and time of the  
1785 meeting at which the conservator is to take final action upon the  
1786 question of issuing such bonds a petition signed by not less than  
1787 twenty percent (20%) of the qualified electors of the Oktibbeha  
1788 County School District shall be filed with the Conservator of the  
1789 Oktibbeha County School District requesting that an election be  
1790 called on the question of issuing the bonds, then the conservator  
1791 shall either rescind the applicable resolution of intent or adopt  
1792 a resolution calling an election to be held within the territory  
1793 of the Oktibbeha County School District upon such question. The  
1794 election shall be called and held, and notice thereof shall be  
1795 given, in the same manner for elections upon the question of bond  
1796 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,  
1797 and the results thereof shall be certified by the Oktibbeha County  
1798 Election Commission to the Conservator of the Oktibbeha County  
1799 School District. If three-fifths (3/5) of the qualified electors  
1800 of the Oktibbeha County School District who voted in such election  
1801 vote in favor of the issuance of such bonds, then the conservator





1802 shall authorize the Oktibbeha County School District to issue such  
1803 bonds. Notwithstanding any provision to the contrary, the  
1804 Oktibbeha County School District may issue bonds pursuant to this  
1805 subsection (8) in an amount which, when added to all of the  
1806 Oktibbeha County School District's then outstanding bonded  
1807 indebtedness, shall not result in the imposition on any of the  
1808 property in said district of an indebtedness for school purposes  
1809 of more than twenty percent (20%) of the assessed value of the  
1810 taxable property within said district, according to the then last  
1811 completed assessment for taxation. Any bonds issued pursuant to  
1812 this subsection (8) shall become indebtedness of the new  
1813 Starkville-Oktibbeha Consolidated School District from and after  
1814 July 1, 2015, and the mandatory special ad valorem tax to be  
1815 levied by the levying authority pursuant to Section 37-59-23,  
1816 Mississippi Code of 1972, to pay the bonds shall be levied upon  
1817 all taxable property within the Starkville-Oktibbeha Consolidated  
1818 School District.

1819 (9) For a period beginning July 1, 2015, and ending July 1,  
1820 2024, the new Starkville-Oktibbeha Consolidated School District  
1821 Board of Trustees may periodically issue negotiable bonds in one  
1822 or more series of the Starkville-Oktibbeha Consolidated School  
1823 District for the purpose of purchasing school buses, textbooks,  
1824 computers and software and other equipment and fixtures for school  
1825 facilities and for any purposes enumerated in Section 37-59-3,  
1826 Mississippi Code of 1972. The term of any such bonds may not



1827 exceed the useful life of the financed project as determined  
1828 according to the upper limit of useful life and depreciation  
1829 guidelines established under the United States Internal Revenue  
1830 Code and regulations. Said bonds shall be issued under the  
1831 authority of Sections 37-59-1 through 37-59-45, including all  
1832 notice and publication requirements, however, the necessity for  
1833 the issuance of the bonds shall be made pursuant to a reverse  
1834 referendum procedure to be followed by the Starkville-Oktibbeha  
1835 Consolidated School District Board of Trustees as follows: the  
1836 board of trustees shall publish each resolution of necessity and  
1837 intent to issue bonds once each week for at least three (3)  
1838 consecutive weeks in a newspaper having general circulation in the  
1839 Starkville-Oktibbeha Consolidated School District, with the first  
1840 publication thereof to be made not less than fifteen (15) days  
1841 prior to the date on which the board of trustees is to take final  
1842 action authorizing the issuance of the bonds. If no petition  
1843 requesting an election is filed prior to the date and time of the  
1844 meeting at which the board of trustees is to take final action on  
1845 the issuance of the bonds, the board of trustees shall authorize  
1846 the issuance of the bonds. If at any time prior to the date and  
1847 time of the meeting at which the board of trustees is to take  
1848 final action authorizing the issuance of the bonds a petition  
1849 signed by not less than twenty percent (20%) of the qualified  
1850 electors of the Starkville-Oktibbeha Consolidated School District  
1851 shall be filed with the Board of Trustees of the



1852 Starkville-Oktibbeha Consolidated School District requesting that  
1853 an election be called on the question of issuing the bonds, then  
1854 the board of trustees shall, not later than its next regular  
1855 meeting, adopt a resolution calling an election to be held within  
1856 the Starkville-Oktibbeha Consolidated School District upon such  
1857 question. The election shall be called and held, and notice  
1858 thereof shall be given, in the same manner for elections upon the  
1859 question of bond issues under Sections 37-59-11, 37-59-13,  
1860 37-59-15 and 37-59-17, and the results thereof shall be certified  
1861 to the Starkville-Oktibbeha Consolidated School District Board of  
1862 Trustees, as the case may be. If three-fifths (3/5) of the  
1863 qualified electors of the Starkville-Oktibbeha Consolidated School  
1864 District who voted in such election vote in favor of the issuance  
1865 of such bonds, then the board of trustees shall issue such bonds.  
1866 Notwithstanding any provision to the contrary, the  
1867 Starkville-Oktibbeha Consolidated School District may issue bonds  
1868 pursuant to this subsection (9) in an amount which, when added to  
1869 all of the Starkville-Oktibbeha Consolidated School District's  
1870 then outstanding bonded indebtedness, shall not result in the  
1871 imposition on any of the property in said district of an  
1872 indebtedness for school purposes of more than twenty percent (20%)  
1873 of the assessed value of the taxable property within said  
1874 district, according to the then last completed assessment for  
1875 taxation. Any bonds issued pursuant to this subsection (9) shall  
1876 be indebtedness of the new Starkville-Oktibbeha Consolidated



1877 School District. The mandatory special ad valorem tax to be  
1878 levied by the levying authority pursuant to Section 37-59-23,  
1879 Mississippi Code of 1972, shall be levied on all taxable property  
1880 of the Starkville-Oktibbeha Consolidated School District.

1881 (10) Notwithstanding any law or any provision of any law to  
1882 the contrary, from and after July 1, 2015, all outstanding debt of  
1883 the former Oktibbeha County School District and the former  
1884 Starkville School District shall be assumed by and become the debt  
1885 of the new Starkville-Oktibbeha Consolidated School District. Any  
1886 debt assumed by the Starkville-Oktibbeha Consolidated School  
1887 District secured by a special ad valorem tax shall become secured  
1888 by and payable from a mandatory, special ad valorem tax which  
1889 shall be levied on all taxable property in the  
1890 Starkville-Oktibbeha Consolidated School District by the levying  
1891 authority of the Starkville-Oktibbeha Consolidated School  
1892 District. All debt secured by a pledge by either district of its  
1893 education enhancement funds pursuant to Section 37-61-33,  
1894 Mississippi Code of 1972, or by a pledge of its Mississippi  
1895 Adequate Education Program funds will continue to be secured by  
1896 and payable from the same funds after the debt is assumed by the  
1897 Starkville-Oktibbeha Consolidated School District as of July 1,  
1898 2015. It is the intent of the Legislature that any such pledges  
1899 will remain in effect and that the pledged funds will be available  
1900 to the Starkville-Oktibbeha Consolidated School District to pay  
1901 its debt to which the funds are pledged.



1902           (11) It shall be the responsibility of the Board of  
1903 Supervisors of Oktibbeha County to provide office, furnishing and  
1904 utilities for the administrative Office of the Superintendent of  
1905 the Starkville-Oktibbeha Consolidated School District.

1906           (12) The new Starkville-Oktibbeha Consolidated School  
1907 District is authorized and encouraged to develop a partnership  
1908 with Mississippi State University to create a model rural  
1909 education school to serve all sixth- and seventh-grade students  
1910 from Oktibbeha County and a model prekindergarten program which  
1911 shall also serve as a model for the education of teachers and  
1912 administrators. The Starkville-Oktibbeha Consolidated School  
1913 District and Mississippi State University are authorized and  
1914 empowered, in each's discretion, to enter into an agreement for  
1915 the purpose of designing, constructing, maintaining and operating  
1916 a model rural education school to serve all sixth- and  
1917 seventh-grade students from Oktibbeha County. The  
1918 Starkville-Oktibbeha Consolidated School District and Mississippi  
1919 State University are further authorized and empowered, in each's  
1920 discretion, to transfer funds to the other and expend such funds  
1921 on mutually agreeable terms and conditions for the construction,  
1922 maintenance and operation of such school.

1923           (13) The Board of Supervisors of Oktibbeha County shall be  
1924 the "levying authority" for the Starkville-Oktibbeha Consolidated  
1925 School District.



1926           **SECTION 18.** Section 37-7-104.4, Mississippi Code of 1972, is  
1927 brought forward as follows:

1928           37-7-104.4. (1) In Montgomery County, Mississippi, in which  
1929 are located, as of January 1, 2016, two (2) school districts,  
1930 there shall be an administrative consolidation of all of those  
1931 school districts in the county into one (1) new countywide  
1932 municipal separate school district to be designated as  
1933 Winona-Montgomery Consolidated School District which shall consist  
1934 of the territory of the former Montgomery County School District  
1935 and the Winona Municipal Separate School District, effective on  
1936 July 1, 2018. At such time that the administrative consolidation  
1937 becomes effective, the central administrative office of the  
1938 Winona-Montgomery Consolidated School District shall be located in  
1939 Winona, Mississippi.

1940           (2) As soon as practicable, a financial advisor and/or other  
1941 facilitator with school district experience may be assigned by the  
1942 Mississippi Department of Education to oversee the budgeting and  
1943 financial matters relating to the consolidation of the districts  
1944 slated for consolidation. The financial advisor and/or  
1945 facilitator may, at the discretion of the Mississippi Department  
1946 of Education, continue duties for one (1) year after the  
1947 consolidation to ensure that all financial matters are in place.  
1948 All financial expenditures of districts that are closing must be  
1949 approved by the financial advisor and/or facilitator. If the  
1950 superintendent and/or school board approves expenditures outside



1951 of this approval, they shall be personally liable for the excess  
1952 expenditures. The State Board of Education shall determine the  
1953 compensation to be paid to the financial advisor and/or  
1954 facilitator which shall be paid by the local school district to  
1955 which the financial advisor and/or facilitator is assigned.

1956 (3) (a) On or before September 1, 2017, the State Board of  
1957 Education shall serve the local school board of the Winona  
1958 Municipal Separate School District and the local school board of  
1959 the Montgomery County School District with notice and instructions  
1960 regarding the timetable for action to be taken to comply with the  
1961 administrative consolidation required in this section.

1962 (b) The members of the Winona-Montgomery Consolidated  
1963 School District Board of Trustees serving on July 1, 2020, shall  
1964 continue to serve until January 1, 2021, when the membership shall  
1965 be reconstituted as follows: On the first Tuesday after the first  
1966 Monday in November 2020, a special election shall be held in  
1967 Montgomery County for the purpose of electing a new board of  
1968 trustees of such district, which shall be elected from the  
1969 Supervisors Districts of Montgomery County. At said election the  
1970 member of the said board from District One shall be elected for a  
1971 term of one (1) year, the member from District Two shall be  
1972 elected for a term of two (2) years, the member from District  
1973 Three shall be elected for a term of three (3) years, the member  
1974 from District Four shall be elected for a term of four (4) years,  
1975 and the member from District Five shall be elected for a term of



1976 five (5) years. Thereafter, members shall be elected at special  
1977 elections as vacancies occur for terms of five (5) years each.  
1978 All members shall reside in the supervisors district which the  
1979 member represents, and shall take office on the first Monday of  
1980 January following the date of their election. All trustees of  
1981 said school district shall otherwise be elected as provided for in  
1982 Sections 37-7-223 through 37-7-229, Mississippi Code of 1972. All  
1983 vacancies which may occur during a term shall be filled by  
1984 appointment of the consolidated school district trustees from the  
1985 qualified electors of the district in which the vacancy occurs.  
1986 However, the person so appointed shall serve only until the next  
1987 general election following such appointment, at which time a  
1988 person shall be elected for the remainder of the unexpired term at  
1989 the same time and in the same manner as a trustee is elected for  
1990 the full term then expiring and the person so elected to the  
1991 unexpired term shall take office immediately. Any school board  
1992 member of the former school districts residing in the proper  
1993 territory shall be eligible for appointment or election to the new  
1994 Board of Trustees for Winona-Montgomery Consolidated School  
1995 District.

1996 (c) Any school district affected by the required  
1997 administrative consolidation in the county that does not  
1998 voluntarily consolidate as ordered by the State Board of Education  
1999 shall be administratively consolidated by the State Board of  
2000 Education, to be effective immediately upon action of the State





2001 Board of Education. The State Board of Education shall promptly  
2002 move on its own motion to administratively consolidate a school  
2003 district which does not voluntarily consolidate in order to enable  
2004 the affected school districts to reasonably accomplish the  
2005 resulting administrative consolidation into one (1) consolidated  
2006 school district by July 1 following the motion to consolidate.  
2007 The affected school districts shall comply with any consolidation  
2008 order issued by the State Board of Education.

2009 (4) (a) On July 1, 2018, following the motion of the State  
2010 Board of Education to consolidate school districts in Montgomery  
2011 County, the Montgomery County School District shall be abolished.  
2012 All real and personal property which is owned or titled in the  
2013 name of the school district located in such former school district  
2014 shall be transferred to the Winona-Montgomery Consolidated School  
2015 District as of July 1, 2018.

2016 (b) The new board of trustees of the Winona-Montgomery  
2017 Consolidated School District shall be responsible for establishing  
2018 the contracts for operations, teachers, principals, clerical and  
2019 administrative staff personnel for the 2018-2019 school year and  
2020 each school year thereafter.

2021 (c) The Superintendent of the Winona-Montgomery  
2022 Consolidated School District shall be appointed by the board and  
2023 is authorized to appoint an assistant superintendent, but in no  
2024 instance shall the administrative leadership of the  
2025 Winona-Montgomery Consolidated School District exceed three (3)



2026 assistant superintendents to be appointed by the Superintendent of  
2027 the Winona-Montgomery Consolidated School District.

2028 (d) It shall be the responsibility of the board of  
2029 trustees to prepare and approve the budget of the respective new  
2030 reorganized district, and the board of trustees may use staff from  
2031 the former school district to prepare the budget. Any transfer of  
2032 the assets, real or personal property of the Montgomery County  
2033 School District mandated by this section shall be final and  
2034 conclusive for the purposes of the transfer of property required  
2035 by this section to effectuate the administrative consolidation.

2036 (e) Any person or school district aggrieved by an order  
2037 of the successor newly selected Board of Trustees of the  
2038 Winona-Montgomery Consolidated School District pursuant to the  
2039 required administrative consolidation may appeal therefrom within  
2040 ten (10) days from the date of the adjournment of the meeting at  
2041 which such order is entered. The appeal shall be taken in the  
2042 same manner as appeals are taken from judgments or decisions of  
2043 the board of supervisors as provided in Section 11-51-75, the  
2044 provisions of which shall be fully applicable to appeals taken  
2045 hereunder. The Board of Trustees of the Winona-Montgomery  
2046 Consolidated School District shall not pass upon or approve or  
2047 disapprove any such order until the time for an appeal therefrom  
2048 has expired, nor shall the board pass upon or approve or  
2049 disapprove any such order from which an appeal is taken until said  
2050 appeal has been finally determined.



2051 (5) Nothing in this section shall be construed to require  
2052 the closing of any school or school facility, unless the facility  
2053 is an unneeded administrative office located within a school  
2054 district which has been abolished under the provisions of this  
2055 section. All administrative consolidations under this section  
2056 shall be accomplished so as not to delay or in any manner  
2057 negatively affect the desegregation of another school district in  
2058 the county pursuant to court order.

2059 (6) The State Board of Education shall promulgate rules and  
2060 regulations to facilitate the administrative consolidation of the  
2061 school districts in Montgomery County pursuant to the requirements  
2062 of this section. Beginning with the insurance cafeteria plan year  
2063 of November 1, 2018, the consolidated districts shall fall under  
2064 all insurance plans and policies elected by the Winona-Montgomery  
2065 Consolidated School District, including the group term life  
2066 insurance described in Section 25-15-9(7).

2067 (7) The County Board of Education and the Superintendent of  
2068 Education of the former Montgomery County School District and the  
2069 local school board and Superintendent of Schools of the Winona  
2070 Municipal Separate School District shall cooperate with the State  
2071 Department of Education, as soon as practicable after July 1,  
2072 2016, for the planning and transition of programs, services and  
2073 alignment of curriculum for the administratively consolidated  
2074 school districts.



2075 (8) It shall be the responsibility of the Board of  
2076 Supervisors of Montgomery County to provide office, furnishing and  
2077 utilities for the administrative Office of the Superintendent of  
2078 the Winona-Montgomery Consolidated School District.

2079 (9) One (1) year prior to the date of consolidation, a  
2080 financial advisor and/or other facilitator with school district  
2081 experience may be assigned by the Mississippi Department of  
2082 Education to oversee the budgeting and financial matters relating  
2083 to the consolidation of the districts slated for consolidation.  
2084 The financial advisor and/or facilitator may, at the discretion of  
2085 the Mississippi Department of Education, continue duties for one  
2086 (1) year after the consolidation to ensure that all financial  
2087 matters are in place. All financial expenditures of districts  
2088 that are closing must be approved by the financial advisor and/or  
2089 facilitator. If the superintendent and/or school board approves  
2090 expenditures outside of this approval, they shall be personally  
2091 liable for the excess expenditures. The State Board of Education  
2092 shall determine the compensation to be paid to the financial  
2093 advisor and/or facilitator which shall be paid by the local school  
2094 district.

2095 **SECTION 19.** Section 37-7-104.5, Mississippi Code of 1972, is  
2096 brought forward as follows:

2097 37-7-104.5. (1) Not later than July 1, 2019, the local  
2098 school boards of the Lumberton Public School District, Lamar  
2099 County School District and Poplarville Separate School District



2100 shall, under the authority provided in Section 37-7-103, enter  
2101 into an agreement, by which the approval of such agreement shall  
2102 be spread upon each board's minutes of their regularly scheduled  
2103 meetings or at special meetings called for the specific purpose of  
2104 such agreement, to abolish and dissolve the Lumberton School  
2105 District and its central administrative office to be effective for  
2106 the start of the 2019-2020 school year. The agreement between  
2107 each school board made parties thereto must consider:

2108           (a) The composition of the district boundaries of the  
2109 Lumberton Public School District, as it existed on January 1,  
2110 2016, to ensure that the student population to be transferred to  
2111 the Lamar County School District and Poplarville Separate School  
2112 District does not disparately impact the desegregation of either  
2113 school district entering into agreement;

2114           (b) The territory embraced by Lumberton, Mississippi,  
2115 located within the bounded territory of Lamar County, from which  
2116 the school district to be abolished by agreement draws a portion  
2117 of its student population, shall be absorbed into the boundary  
2118 lines of the Lamar County School District, which shall spread a  
2119 legal description of the district's new boundaries upon its  
2120 minutes. It shall be the responsibility of the board of  
2121 supervisors of such county to apportion the school district into  
2122 five (5) new single-member board of education election districts,  
2123 which shall be consistent with the apportioned population of the  
2124 existing Lamar County School District and that portion of the



2125 former Lumberton Public School District situated within Lamar  
2126 County as the former district existed on July 1, 2016. The board  
2127 of supervisors of the county shall thereafter publish the same in  
2128 some newspaper of general circulation in the county for at least  
2129 three (3) consecutive weeks and after having given notice of  
2130 publication and recording the same upon the minutes of the school  
2131 boards of each appropriate school district in the county, the new  
2132 district lines will thereafter be effective; and

2133 (c) The territory embraced by Lumberton, Mississippi,  
2134 located within the bounded territory of Pearl River County, from  
2135 which the school district to be abolished by agreement draws a  
2136 portion of its student population, shall be absorbed into the  
2137 boundary lines of the Poplarville Separate School District as  
2138 added territory, which shall spread a legal description of the  
2139 district's new boundaries with added territory upon its minutes.  
2140 It shall be the responsibility of the municipal governing  
2141 authority having jurisdiction over the territory wherein the  
2142 Poplarville Separate School District is located to provide  
2143 residents of the added territory with representation on the school  
2144 board as authorized under the provisions of Section 37-7-203(1),  
2145 which shall be consistent with the apportioned population of the  
2146 existing Poplarville Separate School District and the percentage  
2147 of the student population from that portion of the former  
2148 Lumberton Public School District situated in Pearl River County  
2149 within the added territory of the Poplarville Separate School



2150 District as the former district existed on July 1, 2016. The  
2151 municipal governing authority shall thereafter publish the same in  
2152 some newspaper of general circulation in the county for at least  
2153 three (3) consecutive weeks and after having given notice of  
2154 publication and recording the same upon the minutes of the school  
2155 boards of each appropriate school district in the county, the new  
2156 member districts will thereafter be effective; and

2157 (2) (a) There is hereby created and established an advisory  
2158 council to be known as the Commission on the Administrative  
2159 Consolidation of the Lumberton Public School District. The  
2160 commission shall be composed of eleven (11) members as follows:

2161 (i) The State Superintendent of Education, or his  
2162 designee, who shall serve as Chairman of the Commission;

2163 (ii) The Superintendent of the Lumberton Public  
2164 School District;

2165 (iii) The Superintendent of Education of the Lamar  
2166 County School District;

2167 (iv) The Superintendent of the Poplarville  
2168 Separate School District;

2169 (v) Two (2) members of the Lamar County Board of  
2170 Education to be appointed by the Lamar County Board of Education;

2171 (vi) One (1) member of the Board of Trustees of  
2172 the Poplarville Separate School District to be appointed by the  
2173 Board of Trustees of the Poplarville Separate School District;



2174 (vii) One (1) member of the Board of Trustees of  
2175 the Lumberton Public School District to be appointed by the Board  
2176 of Trustees of the Lumberton Public School District;

2177 (viii) One (1) resident of the area which  
2178 comprises the Lumberton Public School District to be appointed by  
2179 the State Superintendent of Public Education;

2180 (ix) One (1) resident of the area which comprises  
2181 the Lamar County School District to be appointed by the Lamar  
2182 County Board of Supervisors; and

2183 (x) One (1) resident of the area which comprises  
2184 the Poplarville Separate School District to be appointed by the  
2185 Pearl River Board of Supervisors.

2186 (b) The Commission on the Administrative Consolidation  
2187 of the Lumberton Public School District shall meet within thirty  
2188 (30) days of July 1, 2016, upon the call of the State  
2189 Superintendent of Education and shall hold hearings and meet as  
2190 necessary and develop a report to the Legislature, the Governor  
2191 and the State Board of Education on or before December 1, 2017,  
2192 with the agreed-upon plan for proceeding with the abolition and  
2193 dissolving of the Lumberton Public School District, which shall  
2194 include a reasonable effort to maintain and operate a school in  
2195 the former Lumberton Public School District by which students  
2196 desiring may, in the discretion of the parents of such students,  
2197 attend.





2198 (c) The plan may provide an option for students  
2199 enrolled in the schools of the Lumberton Public School District on  
2200 May 1, 2017, and children registered for kindergarten on that date  
2201 with the Lumberton Public School District may be granted an  
2202 automatic transfer by the Lamar County Board of Education or the  
2203 Poplarville School Board, as determined by the agreed-upon plan.

2204 (3) Nothing in this section shall be construed to require  
2205 the closing or maintenance of any school or school facility,  
2206 unless the facility is an unneeded administrative office located  
2207 within a school district which has been abolished under the  
2208 provisions of this section.

2209 **SECTION 20.** Section 37-7-104.6, Mississippi Code of 1972, is  
2210 brought forward as follows:

2211 37-7-104.6. (1) In Leflore County, Mississippi, in which  
2212 are located, as of January 1, 2016, two (2) school districts,  
2213 there shall be an administrative consolidation of those school  
2214 districts in the county into one (1) new countywide school  
2215 district to be designated as Greenwood-Leflore School District  
2216 which shall consist of the territory of the former Leflore County  
2217 School District and the Greenwood Municipal Separate School  
2218 District, effective on July 1, 2019. At such time that the  
2219 administrative consolidation becomes effective, the central  
2220 administrative office of the Greenwood-Leflore School District  
2221 shall be current Greenwood Public School District Central Office,  
2222 located in Greenwood, Mississippi.



2223           (2) As soon as practicable, a financial advisor and/or other  
2224 facilitator with school district experience may be assigned by the  
2225 Mississippi Department of Education to oversee the budgeting and  
2226 financial matters relating to the consolidation of the districts  
2227 slated for consolidation. The financial advisor and/or  
2228 facilitator may, at the discretion of the Mississippi Department  
2229 of Education, continue duties for one (1) year after the  
2230 consolidation to ensure that all financial matters are in place.  
2231 All financial expenditures of districts that are closing must be  
2232 approved by the financial advisor and/or facilitator. If the  
2233 superintendent and/or school board approves expenditures outside  
2234 of this approval, they shall be personally liable for the excess  
2235 expenditures. The State Board of Education shall determine the  
2236 compensation to be paid to the financial advisor and/or  
2237 facilitator which shall be paid by the local school district to  
2238 which the financial advisor and/or facilitator is assigned.

2239           (3) (a) On July 1, 2018, the State Board of Education shall  
2240 serve the local school boards of the Leflore County School  
2241 District and the Greenwood Municipal Separate School District with  
2242 notice and instructions regarding the timetable for action to be  
2243 taken to comply with the administrative consolidation required in  
2244 this section. The State Board of Education shall require the  
2245 administrative consolidation of Leflore County School District and  
2246 the Greenwood Municipal Separate School District on or before July  
2247 1, 2019. In the new Greenwood-Leflore School District, there



2248 shall be a new phased-in County Board of Education comprised of  
2249 five (5) members elected to staggered terms of office from single  
2250 member supervisors districts in the manner prescribed in this  
2251 subsection. Current members of the Board of Trustees of the  
2252 Greenwood Public School District serving on November 1, 2017,  
2253 shall continue in office as the new County Board of Education of  
2254 the Greenwood-Leflore School District until their successors are  
2255 elected as follows:

2256 (i) The two (2) appointed board members of the  
2257 Greenwood Public School District whose terms are nearest to  
2258 expiration shall expire on January 1, 2019, and thereafter become  
2259 permanently elected positions to be filled by persons elected as  
2260 board members from Supervisors Districts 2 and 3 in a November  
2261 2018 election held for that purpose, in the manner prescribed in  
2262 Section 37-7-203, and the newly elected members will take office  
2263 on January 1, 2019, for a term of four (4) years;

2264 (ii) The final two (2) appointed board members of  
2265 the Greenwood Public School District whose terms are the farthest  
2266 removed from expiration shall expire on January 1, 2020, and  
2267 thereafter become permanently elected positions to be filled by  
2268 persons elected as board members from Supervisors Districts 4 and  
2269 5 in a November 2019 election held for that purpose, in the manner  
2270 prescribed in Section 37-7-203, and the newly elected members will  
2271 take office on January 1, 2020, for a term of four (4) years; and



2272 (iii) One (1) appointed board member of the  
2273 Greenwood Public School District whose term is next nearest to  
2274 expiration shall expire on January 1, 2021, and thereafter become  
2275 a permanently elected position to be filled by a person elected as  
2276 a board member from Supervisors District 1 in a November 2020  
2277 election held for that purpose, in the manner prescribed in  
2278 Section 37-7-203, and the newly elected members will take office  
2279 on January 1, 2021, for a term of four (4) years.

2280 (b) All subsequent members shall be elected for a term  
2281 of four (4) years at the regular general election held on the  
2282 first Monday in November next preceding the expiration of the term  
2283 of office of the respective members, and shall take office on  
2284 January 1 next succeeding the election.

2285 (c) No previous school board member of the former  
2286 school district that was placed under conservatorship residing in  
2287 the proper territory shall be eligible for selection to the new  
2288 Board of Education for the Greenwood-Leflore Consolidated School  
2289 District.

2290 (d) The State Board of Education shall declare that the  
2291 territory embraced by Leflore County, Mississippi, shall be the  
2292 boundary lines for the territory of the new Greenwood-Leflore  
2293 School District and shall spread a legal description of the new  
2294 school district on the minutes of its August 2018 meeting and  
2295 shall serve the applicable school boards and the board of  
2296 supervisors with an adequate legal description of these new



2297 boundaries. Any school board member of the former school  
2298 districts residing in the proper supervisors district shall be  
2299 eligible for election to the new Board of Education for the  
2300 Greenwood-Leflore School District unless such person was serving  
2301 as a member of the board when either district subject to  
2302 consolidation under this section was placed under conservatorship,  
2303 which shall render the board member ineligible for election.

2304 (e) Any school district affected by the required  
2305 administrative consolidation in the county that does not  
2306 voluntarily consolidate as ordered by the State Board of Education  
2307 shall be administratively consolidated by the State Board of  
2308 Education, to be effective immediately upon action of the State  
2309 Board of Education. The State Board of Education shall promptly  
2310 move on its own motion to administratively consolidate a school  
2311 district which does not voluntarily consolidate in order to enable  
2312 the affected school districts to reasonably accomplish the  
2313 resulting administrative consolidation into the Greenwood-Leflore  
2314 School District by July 1, 2019, following the motion to  
2315 consolidate. The affected school districts shall comply with any  
2316 consolidation order issued by the State Board of Education.

2317 (4) The successor Greenwood-Leflore Board of Education shall  
2318 appoint a new Superintendent of Schools for the Greenwood-Leflore  
2319 School District to be selected no later than July 1, 2019, in the  
2320 manner provided in Section 37-9-13. The position of  
2321 Greenwood-Leflore Superintendent of Schools shall be an appointive



2322 position. The successor Greenwood-Leflore Board of Education  
2323 shall also employ central office staff for the Greenwood-Leflore  
2324 School District no later than July 1, 2019.

2325 (5) (a) On January 1, 2020, following the motion of the  
2326 State Board of Education to consolidate school districts in  
2327 Leflore County and the Greenwood Municipal Separate School  
2328 Districts, the Leflore County and the Greenwood Municipal Separate  
2329 School Districts and the former school boards of those districts  
2330 shall be abolished. All real and personal property which is owned  
2331 or titled in the name of the school district located in such  
2332 former school districts shall be transferred to the new  
2333 Greenwood-Leflore Consolidated School District.

2334 (b) The new board of trustees of the Greenwood-Leflore  
2335 Consolidated School District shall be responsible for establishing  
2336 the contracts for teachers, principals, clerical and  
2337 administrative staff personnel for the 2019-2020 school year and  
2338 each school year thereafter.

2339 (c) The new board of trustees for the Greenwood-Leflore  
2340 Consolidated School District shall appoint the superintendent of  
2341 schools for the school district. The superintendent of schools  
2342 for the Greenwood-Leflore Consolidated School District may appoint  
2343 three (3) assistant superintendents of schools for the district,  
2344 but in no instance shall the administrative leadership of the  
2345 Greenwood-Leflore Consolidated School District have more than  
2346 three (3) assistant superintendents of education. The subsequent



2347 superintendent of schools of the consolidated school district  
2348 shall not be elected, but shall thereafter be appointed by the  
2349 successor board of trustees in the manner provided in Section  
2350 37-9-25. It shall be the responsibility of the successor board of  
2351 trustees to prepare and approve the budget of the new consolidated  
2352 district, and the successor board of trustees may use staff from  
2353 the former school districts to prepare the budget. Any proposed  
2354 order of the State Board of Education directing the transfer of  
2355 the assets, real or personal property of an affected school  
2356 district in the county, shall be final and conclusive for the  
2357 purposes of the transfer of property required by such  
2358 administrative consolidation.

2359 (d) Any person or school district aggrieved by an order  
2360 of the successor newly selected board of trustees of the  
2361 Greenwood-Leflore Consolidated School District pursuant to the  
2362 required administrative consolidation may appeal therefrom within  
2363 ten (10) days from the date of the adjournment of the meeting at  
2364 which such order is entered. The appeal shall be taken in the  
2365 same manner as appeals are taken from judgments or decisions of  
2366 the board of supervisors as provided in Section 11-51-75, the  
2367 provisions of which shall be fully applicable to appeals taken  
2368 hereunder. The board of trustees of the Greenwood-Leflore  
2369 Consolidated School District shall not pass upon or approve or  
2370 disapprove any such order until the time for an appeal therefrom  
2371 has expired, nor shall the board pass upon or approve or



2372 disapprove any such order from which an appeal is taken until said  
2373 appeal has been finally determined.

2374 (6) Nothing in this section shall be construed to require  
2375 the closing of any school or school facility, unless the facility  
2376 is an unneeded administrative office located within a school  
2377 district which has been abolished under the provisions of this  
2378 section. All administrative consolidations under this section  
2379 shall be accomplished so as not to delay or in any manner  
2380 negatively affect the desegregation of another school district in  
2381 the county pursuant to court order.

2382 (7) The State Board of Education shall promulgate rules and  
2383 regulations to facilitate the administrative consolidation of the  
2384 school districts in Leflore County pursuant to this section. The  
2385 consolidated districts shall make an election within one (1) year  
2386 of consolidation concerning the group term life insurance  
2387 described in subsection (6) of Section 25-15-9.

2388 (8) The County Board of Education and the Superintendent of  
2389 Education of the former Leflore County School District and the  
2390 local school board and Superintendent of Schools of the  
2391 Greenwood-Leflore Public School District shall cooperate with the  
2392 State Department of Education, as soon as practicable after July  
2393 1, 2016, for the planning and transition of programs, services and  
2394 alignment of curriculum for the administratively consolidated  
2395 school districts.





2396           **SECTION 21.** Section 37-7-104.7, Mississippi Code of 1972, is  
2397 brought forward as follows:

2398           37-7-104.7. (1) In Holmes County, Mississippi, in which are  
2399 located, as of January 1, 2016, two (2) school districts, there  
2400 shall be an administrative consolidation of all of those school  
2401 districts in the county into one (1) new countywide school  
2402 district to be designated as Holmes County Consolidated School  
2403 District which shall consist of the territory of the former Holmes  
2404 County School District and the Durant Public School District,  
2405 effective on July 1, 2018. At such time that the administrative  
2406 consolidation becomes effective, the central administrative office  
2407 of the Holmes County Consolidated School District shall be located  
2408 in Lexington, Mississippi.

2409           (2) Within two (2) years prior to the date of consolidation,  
2410 or as soon as practicable after July 1, 2016, a financial advisor  
2411 and/or other facilitator with school district experience may be  
2412 assigned by the Mississippi Department of Education to oversee the  
2413 budgeting and financial matters relating to the consolidation of  
2414 the districts slated for consolidation. The financial advisor  
2415 and/or facilitator may, at the discretion of the Mississippi  
2416 Department of Education, continue duties for one (1) year after  
2417 the consolidation to ensure that all financial matters are in  
2418 place. All financial expenditures of districts that are closing  
2419 must be approved by the financial advisor and/or facilitator. If  
2420 the superintendent and/or school board approves expenditures



2421 outside of this approval, they shall be personally liable for the  
2422 excess expenditures. The State Board of Education shall determine  
2423 the compensation to be paid to the financial advisor and/or  
2424 facilitator which shall be paid by the local school district to  
2425 which the financial advisor and/or facilitator is assigned.

2426 (3) (a) On or before July 1, 2017, the State Board of  
2427 Education shall serve the local school boards of the Holmes County  
2428 School District and the Durant Public School District with notice  
2429 and instructions regarding the timetable for action to be taken to  
2430 comply with the administrative consolidation required in this  
2431 section. The State Board of Education shall provide for the  
2432 administrative consolidation of Holmes County School District and  
2433 the Durant Public School District on or before July 1, 2018. In  
2434 the new Holmes County Consolidated School District, there shall be  
2435 a new county board of education elected in a November 2017 special  
2436 election, which shall be called by the Governor for that purpose.  
2437 The new county board of education shall be elected and the terms  
2438 of office established as provided in Section 37-5-7(3). The State  
2439 Board of Education shall declare that the territory embraced by  
2440 Holmes County, Mississippi, shall be the boundary lines for the  
2441 territory of the new Holmes County Consolidated School District  
2442 and shall spread a legal description of the new school district on  
2443 the minutes of its August 2017 meeting and shall serve the  
2444 applicable school boards and the board of supervisors with an  
2445 adequate legal description of these new boundaries. It shall be



2446 the responsibility of the board of supervisors of such county to  
2447 apportion the newly consolidated school district into five (5) new  
2448 single member board of education election districts, which shall  
2449 be consistent with the supervisors district lines in the county.  
2450 The board of supervisors of the county shall thereafter publish  
2451 the same in some newspaper of general circulation in the county  
2452 for at least three (3) consecutive weeks and after having given  
2453 notice of publication and recording the same upon the minutes of  
2454 the school boards of each appropriate school district in the  
2455 county, the new district lines will thereafter be effective for  
2456 the November 2017 special election.

2457 (b) Any school district affected by the required  
2458 administrative consolidation in Holmes County that does not  
2459 voluntarily consolidate as ordered by the State Board of Education  
2460 shall be administratively consolidated by the State Board of  
2461 Education, to be effective on July 1 following the November 2017  
2462 special election of the new school board members. The State Board  
2463 of Education shall promptly move on its own motion to  
2464 administratively consolidate a school district which does not  
2465 voluntarily consolidate in order to enable the affected school  
2466 districts to reasonably accomplish the resulting administrative  
2467 consolidation into the Holmes County Consolidated School District  
2468 by July 1, 2018, following the election of the new board of  
2469 trustees. The affected school districts shall comply with any



2470 consolidation order issued by the State Board of Education on or  
2471 before July 1 following the election of the new board of trustees.

2472 (4) (a) On July 1, 2018, following the election of the new  
2473 board of trustees of the Holmes County Consolidated School  
2474 District, the former county board of education for Holmes County  
2475 and the former board of trustees of the Durant Public School  
2476 Districts shall be abolished. All real and personal property  
2477 which is owned or titled in the name of the school district  
2478 located in such former school districts shall be transferred to  
2479 the new Holmes County Consolidated School District.

2480 (b) The new board of trustees of the Holmes County  
2481 Consolidated School District shall be responsible for establishing  
2482 the contracts for teachers, principals, clerical and  
2483 administrative staff personnel for the 2018-2019 school year and  
2484 each school year thereafter.

2485 (c) The new board of trustees for the Holmes County  
2486 Consolidated School District shall appoint the superintendent of  
2487 schools for the school district. The superintendent of schools  
2488 for the Holmes County Consolidated School District may appoint an  
2489 assistant superintendent of schools for the district, but in no  
2490 instance shall the administrative leadership of the Holmes County  
2491 Consolidated School District have more than one (1) assistant  
2492 superintendent of education. The subsequent superintendent of  
2493 schools of the consolidated school district shall not be elected,  
2494 but shall thereafter be appointed by the successor board of



2495 trustees in the manner provided in Section 37-9-25. It shall be  
2496 the responsibility of the successor board of trustees to prepare  
2497 and approve the budget of the new consolidated district, and the  
2498 successor board of trustees may use staff from the former school  
2499 districts to prepare the budget. Any proposed order of the State  
2500 Board of Education directing the transfer of the assets, real or  
2501 personal property of an affected school district in the county,  
2502 shall be final and conclusive for the purposes of the transfer of  
2503 property required by such administrative consolidation.

2504 (d) Any person or school district aggrieved by an order  
2505 of the successor newly selected board of trustees of the Holmes  
2506 County Consolidated School District pursuant to the required  
2507 administrative consolidation may appeal therefrom within ten (10)  
2508 days from the date of the adjournment of the meeting at which such  
2509 order is entered. The appeal shall be taken in the same manner as  
2510 appeals are taken from judgments or decisions of the board of  
2511 supervisors as provided in Section 11-51-75, the provisions of  
2512 which shall be fully applicable to appeals taken hereunder. The  
2513 board of trustees of the Holmes County Consolidated School  
2514 District shall not pass upon or approve or disapprove any such  
2515 order until the time for an appeal therefrom has expired, nor  
2516 shall the board pass upon or approve or disapprove any such order  
2517 from which an appeal is taken until said appeal has been finally  
2518 determined.



2519           (5) Nothing in this section shall be construed to require  
2520 the closing of any school or school facility, unless the facility  
2521 is an unneeded administrative office located within a school  
2522 district which has been abolished under the provisions of this  
2523 section. All administrative consolidations under this section  
2524 shall be accomplished so as not to delay or in any manner  
2525 negatively affect the desegregation of another school district in  
2526 the county pursuant to court order.

2527           (6) The State Board of Education shall promulgate rules and  
2528 regulations to facilitate the administrative consolidation of the  
2529 school districts in Holmes County pursuant to this section. The  
2530 consolidated districts shall make an election within one (1) year  
2531 of consolidation concerning the group term life insurance  
2532 described in subsection (6) of Section 25-15-9.

2533           (7) The County Board of Education and the Superintendent of  
2534 Education of the former Holmes County School District and the  
2535 local school board and Superintendent of Schools of the Durant  
2536 Public School District shall cooperate with the State Department  
2537 of Education, as soon as practicable after July 1, 2016, for the  
2538 planning and transition of programs, services and alignment of  
2539 curriculum for the administratively consolidated school districts.

2540           **SECTION 22.** Section 37-7-104.8, Mississippi Code of 1972, is  
2541 brought forward as follows:

2542           37-7-104.8. (1) In Chickasaw County, Mississippi, in which  
2543 are located, as of January 1, 2017, three (3) school districts,



2544 there shall be an administrative consolidation of two (2) of those  
2545 school districts in the county as a new school district to be  
2546 designated as Chickasaw County School District which shall consist  
2547 of the territory of the former Chickasaw County School District  
2548 and the Houston Municipal Separate School District, effective on  
2549 July 1, 2021. At such time that the administrative consolidation  
2550 becomes effective, the central administrative office of the new  
2551 Chickasaw County School District shall be located in Houston,  
2552 Mississippi.

2553 (2) On July 1, 2020, the Superintendent of Schools of the  
2554 former Houston Municipal Separate School District shall continue  
2555 to serve in like administrative capacity for the purpose of  
2556 managing the transition for the consolidation of the former  
2557 Chickasaw County School District and the Houston Municipal  
2558 Separate School District. The said Superintendent of Schools  
2559 shall be responsible for the administration, management and  
2560 operation of the school district from July 1, 2020, until July 1,  
2561 2021, including, but not limited to, the following activities:  
2562 (a) merging the existing budgets with the budget of the new  
2563 consolidated school district; (b) nonrenewal of central office  
2564 staff as necessary; (c) construction of a new salary scale for  
2565 licensed and nonlicensed employees; (d) supplemental duties of  
2566 school district employees; (e) assist local officials with school  
2567 tax assessment; (f) appointment of assistant superintendents for  
2568 the new district not to exceed three (3); and (g) veto authority



2569 over decisions of the former school boards until the new Chickasaw  
2570 County Board of Education is in place. The said Superintendent of  
2571 Schools shall cooperate with the State Department of Education, as  
2572 soon as practicable after July 1, 2017, for the planning and  
2573 transition of programs, services and alignment of curriculum for  
2574 the administratively consolidated school districts.

2575 (3) On July 1, 2020, the State Board of Education shall  
2576 serve the Chickasaw County Board of Education and the Board of  
2577 Trustees of the Houston Municipal Separate School District with  
2578 notice and instructions regarding the timetable for action to be  
2579 taken to comply with the administrative consolidation required in  
2580 this section. The State Board of Education shall require the  
2581 administrative consolidation of the Chickasaw County School  
2582 District and the Houston Municipal Separate School District on or  
2583 before July 1, 2021.

2584 (4) In the new Chickasaw County School District, there shall  
2585 be an Interim County Board of Education elected in a November 2020  
2586 special election which shall be called by the Governor for that  
2587 purpose. The State Board of Education shall declare that the  
2588 following territory shall be the election districts for the  
2589 Interim Chickasaw County Board of Education, and members shall be  
2590 qualified electors residing in that district: (a) three (3)  
2591 members shall be elected at large from the territory of the former  
2592 Houston School District; and (b) two (2) members shall be elected  
2593 at large from the territory of the former Chickasaw County School





2594 District. Members elected in the November 2020 special election  
2595 shall serve terms of three (3) years beginning on January 1, 2021.  
2596 There shall be a new Chickasaw County Board of Education for the  
2597 Chickasaw County School District, elected on the first Tuesday  
2598 after the first Monday in November 2023, at the same time and in  
2599 the same manner as the statewide general election is held and  
2600 conducted, for that purpose. The new county board of education  
2601 shall be elected and the terms of office established as provided  
2602 in Section 37-5-7(5). Any school board member of the former  
2603 school districts residing in the proper territory shall be  
2604 eligible for election to the new Chickasaw County Board of  
2605 Education.

2606 (5) The State Board of Education shall declare that the  
2607 territory embraced by Chickasaw County, Mississippi, excluding the  
2608 territory of Okolona Separate School District, shall be the  
2609 boundary lines for the territory of the new Chickasaw County  
2610 School District and shall spread a legal description of the new  
2611 school district on the minutes of its August 2020 meeting and  
2612 shall serve the applicable school boards and the board of  
2613 supervisors with an adequate legal description of these new  
2614 boundaries. Any school district affected by the required  
2615 administrative consolidation in the county that does not  
2616 voluntarily consolidate as ordered by the State Board of Education  
2617 shall be administratively consolidated by the State Board of  
2618 Education, to be effective immediately upon action of the State



2619 Board of Education. The State Board of Education shall promptly  
2620 move on its own motion to administratively consolidate a school  
2621 district which does not voluntarily consolidate in order to enable  
2622 the affected school districts to reasonably accomplish the  
2623 resulting administrative consolidation into the Chickasaw School  
2624 District by July 1, 2021, following the motion to consolidate.  
2625 The affected school districts shall comply with any consolidation  
2626 order issued by the State Board of Education.

2627 (6) The Interim Chickasaw County Board of Education shall  
2628 conduct a search for a new Superintendent of Schools for the  
2629 Chickasaw County School District to be selected no later than July  
2630 1, 2021, in the manner provided in Section 37-9-13 and the  
2631 Superintendent of Schools serving on that date may be selected to  
2632 continue in office. The position of Chickasaw County  
2633 Superintendent of Schools shall be an appointive position. No  
2634 superintendent serving in a school district placed under  
2635 conservatorship shall be eligible for appointment as a  
2636 superintendent or assistant superintendent in the new Chickasaw  
2637 County School District. The Interim Chickasaw County Board of  
2638 Education shall also employ central office staff for the Chickasaw  
2639 County School District no later than July 1, 2021, or as soon  
2640 thereafter as is practicable.

2641 (7) On January 1, 2021, following the motion of the State  
2642 Board of Education to consolidate school districts in Chickasaw  
2643 County and the Houston Municipal Separate School Districts, the



2644 Chickasaw County School District and the Houston Municipal  
2645 Separate School District and the former school boards of those  
2646 districts shall be abolished. All real and personal property  
2647 which is owned or titled in the name of the school district  
2648 located in such former school districts shall be transferred to  
2649 the new Chickasaw County School District. The Superintendent of  
2650 Schools and the County Board of Education of the new Chickasaw  
2651 County School District shall be responsible for establishing the  
2652 contracts for teachers, principals, clerical and administrative  
2653 staff personnel for the 2020-2021 school year and thereafter. It  
2654 shall be the responsibility of the Superintendent of Schools and  
2655 the County Board of Education of the new Chickasaw County School  
2656 District to prepare and approve the budget of the new reorganized  
2657 district. Any proposed order of the State Board of Education  
2658 directing the transfer of the assets, real or personal property of  
2659 an affected school district in the county, shall be final and  
2660 conclusive for the purposes of the transfer of property required  
2661 by such administrative consolidation.

2662 (8) From and after July 1, 2021, all outstanding debt of the  
2663 former Chickasaw County School District and the Houston Municipal  
2664 Separate School District shall be assumed by and become the debt  
2665 of the new Chickasaw County School District. Any debt assumed by  
2666 the Chickasaw County School District secured by a special ad  
2667 valorem tax shall become secured by and payable from a mandatory,  
2668 special ad valorem tax which shall be levied on all taxable



2669 property in the territory of the former Houston Municipal Separate  
2670 School District or the former Chickasaw County School District, as  
2671 the case may be, by the levying authority of the new Chickasaw  
2672 County School District. It is the intent of the Legislature that  
2673 any such pledges of the former school districts will remain in  
2674 effect and that the pledged funds will be available to the new  
2675 Chickasaw County School District to pay its debt to which the  
2676 funds are pledged. The Board of Supervisors of Chickasaw County  
2677 shall be the "levying authority" for the new Chickasaw County  
2678 School District.

2679 (9) Nothing in this section shall be construed to require  
2680 the closing of any school or school facility, unless the facility  
2681 is an unneeded administrative office located within a school  
2682 district which has been abolished under the provisions of this  
2683 section. All administrative consolidations under this section  
2684 shall be accomplished so as not to delay or in any manner  
2685 negatively affect the desegregation of another school district in  
2686 the county pursuant to court order.

2687 (10) The State Board of Education, acting through the new  
2688 Superintendent of Schools, shall promulgate rules and regulations  
2689 to facilitate the administrative consolidation of the school  
2690 districts in Chickasaw County and Houston, Mississippi, pursuant  
2691 to this section. The consolidated district shall make an election  
2692 within one (1) year of consolidation concerning the group term  
2693 life insurance described in Section 25-15-9(7).



2694 (11) For the initial two (2) years following the  
2695 administrative consolidation required by this section, conditioned  
2696 on approval by the U.S. Department of Education, the State  
2697 Department of Education shall grant a waiver of accountability and  
2698 state assessment requirements to the new Chickasaw County School  
2699 District for the student population enrolled therein from the  
2700 former Chickasaw County School District and the Houston Municipal  
2701 Separate School District, when determining the new consolidated  
2702 school district accreditation level based on the performance and  
2703 accountability rating model.

2704 **SECTION 23.** This act shall take effect and be in force from  
2705 and after July 1, 2024.

