

By: Representative McCarty

To: Education

HOUSE BILL NO. 1143

1 AN ACT TO AMEND SECTIONS 37-17-6 AND 37-17-13, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY THE ROLE OF AN INTERIM SUPERINTENDENT OF
3 A SCHOOL DISTRICT THAT HAD BEEN UNDER THE ADMINISTRATIVE CONTROL
4 OF THE STATE BOARD OF EDUCATION; TO PROVIDE THAT UPON THE RETURN
5 OF THE LOCAL SCHOOL DISTRICT TO A NEWLY RECONSTITUTED LOCAL SCHOOL
6 BOARD, THE INTERIM SUPERINTENDENT APPOINTED BY THE STATE BOARD OF
7 EDUCATION SHALL SERVE ALONGSIDE THE NEW LOCAL SCHOOL BOARD AND
8 NEWLY APPOINTED SUPERINTENDENT IN AN ADVISORY CAPACITY FOR ONE
9 YEAR; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 37-17-6, Mississippi Code of 1972, is
12 amended as follows:

13 37-17-6. (1) The State Board of Education, acting through
14 the Commission on School Accreditation, shall establish and
15 implement a permanent performance-based accreditation system, and
16 all noncharter public elementary and secondary schools shall be
17 accredited under this system.

18 (2) School districts shall be required to provide school
19 classroom space that is air-conditioned as a minimum requirement
20 for accreditation.



(3) (a) The State Board of Education, acting through the Commission on School Accreditation, shall require that school districts employ certified school librarians according to the following formula:

Number of Students Per School Library	Number of Certified School Librarians
0 - 499 Students	1/2 Full-time Equivalent Certified Librarian
500 or More Students	1 Full-time Certified Librarian

(b) The State Board of Education, however, may increase the number of positions beyond the above requirements.

(c) The assignment of certified school librarians to the particular schools shall be at the discretion of the local school district. No individual shall be employed as a certified school librarian without appropriate training and certification as a school librarian by the State Department of Education.

(d) School librarians in the district shall spend at least fifty percent (50%) of direct work time in a school library and shall devote no more than one-fourth (1/4) of the workday to administrative activities that are library related.

(e) Nothing in this subsection shall prohibit any school district from employing more certified school librarians than are provided for in this section.



(f) Any additional millage levied to fund school librarians required for accreditation under this subsection shall be included in the tax increase limitation set forth in Sections 37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) [Deleted]

(5) (a) The State Department of Education, acting through the Mississippi Commission on School Accreditation, shall implement a single "A" through "F" school and school district accountability system complying with applicable federal and state requirements in order to reach the following educational goals:

(i) To mobilize resources and supplies to ensure that all students exit third grade reading on grade level;

(ii) To reduce the student dropout rate to ten percent (10%) by 2015; and

(iii) To have sixty percent (60%) of students scoring proficient and advanced on assessments.

(b) The State Department of Education shall combine the state school and school district accountability system with the federal system in order to have a single system.

(c) The State Department of Education shall establish five (5) performance categories ("A," "B," "C," "D" and "F") for the accountability system based on the following criteria:

(i) Student Achievement: the percent of students proficient and advanced on the current state assessments;



(ii) Individual student growth: the percent of students making one (1) year's progress in one (1) year's time on the state assessment, with an emphasis on the progress of the lowest twenty-five percent (25%) of students in the school or district;

(iii) Four-year graduation rate: the percent of students graduating with a standard high school diploma in four (4) years, as defined by federal regulations;

(iv) The system shall include the federally compliant four-year graduation rate in school and school district accountability system calculations. Graduation rate will apply to high school and school district accountability ratings as a compensatory component. The system shall discontinue the use of the High School Completer Index (HSCI);

(v) The school and school district accountability system shall incorporate a standards-based growth model, in order to support improvement of individual student learning;

(vi) The State Department of Education shall determine feeder patterns of schools that do not earn a school grade because the grades and subjects taught at the school do not have statewide standardized assessments needed to calculate a school grade. Upon determination of the feeder pattern, the department shall notify schools and school districts prior to the release of the school grades. Feeder schools will be assigned the



94 accountability designation of the school to which they provide
95 students;

96 (vii) Standards for student, school and school
97 district performance will be increased when student proficiency is
98 at a seventy-five percent (75%) and/or when sixty-five percent
99 (65%) of the schools and/or school districts are earning a grade
100 of "B" or higher, in order to raise the standard on performance
101 after targets are met; and

102 (viii) The system shall include student
103 performance on the administration of a career-readiness
104 assessment, such as, but not limited to, the ACT WorkKeys
105 Assessment, deemed appropriate by the State Department of
106 Education working in coordination with the Office of Workforce
107 Development.

108 (6) Nothing in this section shall be deemed to require a
109 nonpublic school that receives no local, state or federal funds
110 for support to become accredited by the State Board of Education.

111 (7) The State Board of Education shall create an
112 accreditation audit unit under the Commission on School
113 Accreditation to determine whether schools are complying with
114 accreditation standards.

115 (8) The State Board of Education shall be specifically
116 authorized and empowered to withhold allocations from the total
117 funding formula funds as provided in Sections 37-151-200 through
118 37-151-215 to any public school district for failure to timely



report student, school personnel and fiscal data necessary to meet state and/or federal requirements.

(9) [Deleted]

(10) The State Board of Education shall establish, for those school districts failing to meet accreditation standards, a program of development to be complied with in order to receive state funds, except as otherwise provided in subsection (15) of this section when the Governor has declared a state of emergency in a school district or as otherwise provided in Section 206, Mississippi Constitution of 1890. The state board, in establishing these standards, shall provide for notice to schools and sufficient time and aid to enable schools to attempt to meet these standards, unless procedures under subsection (15) of this section have been invoked.

(11) The State Board of Education shall be charged with the implementation of the program of development in each applicable school district as follows:

(a) Develop an impairment report for each district failing to meet accreditation standards in conjunction with school district officials;

(b) Notify any applicable school district failing to meet accreditation standards that it is on probation until corrective actions are taken or until the deficiencies have been removed. The local school district shall develop a corrective action plan to improve its deficiencies. For district academic



deficiencies, the corrective action plan for each such school district shall be based upon a complete analysis of the following: student test data, student grades, student attendance reports, student dropout data, existence and other relevant data. The corrective action plan shall describe the specific measures to be taken by the particular school district and school to improve:

- (i) instruction; (ii) curriculum; (iii) professional development;
- (iv) personnel and classroom organization; (v) student incentives for performance; (vi) process deficiencies; and (vii) reporting to the local school board, parents and the community. The corrective action plan shall describe the specific individuals responsible for implementing each component of the recommendation and how each will be evaluated. All corrective action plans shall be provided to the State Board of Education as may be required. The decision of the State Board of Education establishing the probationary period of time shall be final;

(c) Offer, during the probationary period, technical assistance to the school district in making corrective actions. Subject to appropriations, the State Department of Education shall provide technical and/or financial assistance to all such school districts in order to implement each measure identified in that district's corrective action plan through professional development and on-site assistance. Each such school district shall apply for and utilize all available federal funding in order to support its



corrective action plan in addition to state funds made available under this paragraph;

(d) Assign department personnel or contract, in its discretion, with the institutions of higher learning or other appropriate private entities with experience in the academic, finance and other operational functions of schools to assist school districts;

(e) Provide for publication of public notice at least one time during the probationary period, in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The publication shall include the following: declaration of school system's status as being on probation; all details relating to the impairment report; and other information as the State Board of Education deems appropriate. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

(12) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have



193 been determined by the policies and procedures of the State Board
194 of Education to be a basis for withdrawal of school district's
195 accreditation without a probationary period, the Commission on
196 School Accreditation shall conduct a hearing to allow the affected
197 school district to present evidence or other reasons why its
198 accreditation should not be withdrawn. After its consideration of
199 the results of the hearing, the Commission on School Accreditation
200 shall be authorized, with the approval of the State Board of
201 Education, to withdraw the accreditation of a public school
202 district, and issue a request to the Governor that a state of
203 emergency be declared in that district.

204 (b) (i) If the State Board of Education and the
205 Commission on School Accreditation determine that an extreme
206 emergency situation exists in a school district that jeopardizes
207 the safety, security or educational interests of the children
208 enrolled in the schools in that district and that emergency
209 situation is believed to be related to a serious violation or
210 violations of accreditation standards or state or federal law, the
211 State Board of Education may request the Governor to declare a
212 state of emergency in that school district. For purposes of this
213 paragraph, the declarations of a state of emergency district's
214 impairments are related to a lack of financial may include the
215 school district's serious failure to meet minimum academic
216 standards, as evidenced by a continued pattern of poor student



performance, or impairments related to a lack of financial resources.

(ii) If the State Board of Education determines that a public school or district in the state which, during each of two (2) consecutive school years or during two (2) of three (3) consecutive school years, receives an "F" designation by the State Board of Education under the accountability rating system or has been persistently failing as defined by the State Board of Education; or if the State Board of Education determines that a public school or district in the state which, during each of four (4) consecutive school years, receives a "D" or "F" designation by the State Board of Education under the accountability rating system or has been persistently failing as defined by the State Board of Education; or if more than fifty percent (50%) of the schools within a school district are designated as Schools-At-Risk in any one (1) year, then the board may place such school or district into a District of Transformation. The State Board of Education shall take over only the number of schools and districts for which it has the capacity to serve. The State Board of Education shall adopt rules and regulations governing any additional requirements for placement into a District of Transformation and the operation thereof. School districts or schools that are eligible to be placed into a District of Transformation due to poor academic performance but are not absorbed due to the capacity of the State Board of Education,



shall develop and implement a district improvement plan with prescriptive guidance and support from the Mississippi Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for placement into a District of Transformation.

(iii) If the State Board of Education determined that a school district is impaired with a serious lack of financial resources, the State Board of Education may place the school district into a District of Transformation. If a school district is placed into a District of Transformation for financial reasons, the school district shall be required to reimburse the state for any costs incurred by the state on behalf of the school district.

(c) Whenever the Governor declares a state of emergency in a school district in response to a request made under paragraph (a) or (b) of this subsection, or when the State Board of Education places a school district into a District of Transformation due to poor academic performance or financial reasons, the State Board of Education may take one or more of the following actions:

(i) Declare a state of emergency, under which some or all of state funds can be escrowed except as otherwise provided



in Section 206, Constitution of 1890, until the board determines corrective actions are being taken or the deficiencies have been removed, or that the needs of students warrant the release of funds. The funds may be released from escrow for any program which the board determines to have been restored to standard even though the state of emergency may not as yet be terminated for the district as a whole;

(ii) Override any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district;

(iii) Assign an interim superintendent, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school districts, who will have those powers and duties prescribed in subsection (15) of this section;

(iv) Grant transfers to students who attend this school district so that they may attend other accredited schools or districts in a manner that is not in violation of state or federal law;

(v) For states of emergency declared under paragraph (a) only, if the accreditation deficiencies are related to the fact that the school district is too small, with too few resources, to meet the required standards and if another school



district is willing to accept those students, abolish that district and assign that territory to another school district or districts. If the school district has proposed a voluntary consolidation with another school district or districts, then if the State Board of Education finds that it is in the best interest of the pupils of the district for the consolidation to proceed, the voluntary consolidation shall have priority over any such assignment of territory by the State Board of Education;

(vi) For actions taken pursuant to paragraph (b) only, reduce local supplements paid to school district employees, including, but not limited to, instructional personnel, assistant teachers and extracurricular activities personnel, if the district's impairment is related to a lack of financial resources, but only to an extent that will result in the salaries being comparable to districts similarly situated, as determined by the State Board of Education;

(vii) For actions taken pursuant to paragraph (b) only, the State Board of Education may take any action as prescribed in Section 37-17-13.

(d) At the time that satisfactory corrective action has been taken in a school district in which a state of emergency has been declared, the State Board of Education may request the Governor to declare that the state of emergency no longer exists in the district.



(e) The parent or legal guardian of a school-age child who is enrolled in a school district whose accreditation has been withdrawn by the Commission on School Accreditation and without approval of that school district may file a petition in writing to a school district accredited by the Commission on School Accreditation for a legal transfer. The school district accredited by the Commission on School Accreditation may grant the transfer according to the procedures of Section 37-15-31(1)(b). In the event the accreditation of the student's home district is restored after a transfer has been approved, the student may continue to attend the transferee school district. The per pupil amount of the total funding formula allotment for the student's home school district shall be transferred monthly to the school district accredited by the Commission on School Accreditation that has granted the transfer of the school-age child.

(f) Upon the declaration of a state of emergency for any school district in which the Governor has previously declared a state of emergency, the State Board of Education may either:

(i) Place the school district into district transformation, in which the school district shall remain until it has fulfilled all conditions related to district transformation. If the district was assigned an accreditation rating of "D" or "F" when placed into district transformation, the district shall be eligible to return to local control when the school district has attained a "C" rating or higher for three (3) consecutive years;



(ii) Abolish the school district and administratively consolidate the school district with one or more existing school districts;

(iii) Reduce the size of the district and administratively consolidate parts of the district, as determined by the State Board of Education. However, no school district which is not in district transformation shall be required to accept additional territory over the objection of the district; or

(iv) Require the school district to develop and implement a district improvement plan with prescriptive guidance and support from the State Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for district transformation.

(13) Upon the declaration of a state of emergency in a school district under subsection (12) of this section, or upon the State Board of Education's placement of a school district into a District of Transformation for academic or financial reasons, the Commission on School Accreditation shall be responsible for public notice at least once a week for at least three (3) consecutive weeks in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a



366 general circulation therein. The size of the notice shall be no
367 smaller than one-fourth (1/4) of a standard newspaper page and
368 shall be printed in bold print. If an interim superintendent has
369 been appointed for the school district, the notice shall begin as
370 follows: "By authority of Section 37-17-6, Mississippi Code of
371 1972, as amended, adopted by the Mississippi Legislature during
372 the 1991 Regular Session, this school district (name of school
373 district) is hereby placed under the jurisdiction of the State
374 Department of Education acting through its appointed interim
375 superintendent (name of interim superintendent)."

376 The notice also shall include, in the discretion of the State
377 Board of Education, any or all details relating to the school
378 district's emergency status, including the declaration of a state
379 of emergency in the school district and a description of the
380 district's impairment deficiencies, conditions of any district
381 transformation status and corrective actions recommended and being
382 taken. Public notices issued under this section shall be subject
383 to Section 13-3-31 and not contrary to other laws regarding
384 newspaper publication.

385 Upon termination of a school district in a District of
386 Transformation, the Commission on School Accreditation shall cause
387 notice to be published in the school district in the same manner
388 provided in this section, to include any or all details relating
389 to the corrective action taken in the school district that
390 resulted in the termination of the state of emergency.



391 (14) The State Board of Education or the Commission on
392 School Accreditation shall have the authority to require school
393 districts to produce the necessary reports, correspondence,
394 financial statements, and any other documents and information
395 necessary to fulfill the requirements of this section.

396 Nothing in this section shall be construed to grant any
397 individual, corporation, board or interim superintendent the
398 authority to levy taxes except in accordance with presently
399 existing statutory provisions.

400 (15) (a) Whenever the Governor declares a state of
401 emergency in a school district in response to a request made under
402 subsection (12) of this section, or when the State Board of
403 Education places a school district into a District of
404 Transformation for academic or financial reasons, the State Board
405 of Education, in its discretion, may assign an interim
406 superintendent to the school district, or in its discretion, may
407 contract with an appropriate private entity with experience in the
408 academic, finance and other operational functions of schools and
409 school districts, who will be responsible for the administration,
410 management and operation of the school district, including, but
411 not limited to, the following activities:

412 (i) Approving or disapproving all financial
413 obligations of the district, including, but not limited to, the
414 employment, termination, nonrenewal and reassignment of all
415 licensed and nonlicensed personnel, contractual agreements and



purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

(ii) Supervising the day-to-day activities of the district's staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the interim superintendent, will best suit the needs of the district;

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff;

(iv) Attending all meetings of the district's school board and administrative staff;

(v) Approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities;

(vi) Maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations;

(vii) Reporting periodically to the State Board of Education on the progress or lack of progress being made in the



district to improve the district's impairments during the state of emergency; and

(viii) Appointing a parent advisory committee, comprised of parents of students in the school district that may make recommendations to the interim superintendent concerning the administration, management and operation of the school district.

The cost of the salary of the interim superintendent and any other actual and necessary costs related to district transformation status paid by the State Department of Education shall be reimbursed by the local school district from funds other than total funding formula funds as provided in Sections 37-151-200 through 37-151-215. In the alternative, the local school district may pay the cost of the salary of the interim superintendent. The department shall submit an itemized statement to the superintendent of the local school district for reimbursement purposes, and any unpaid balance may be withheld from the district's total funding formula funds.

At the time that the Governor, in accordance with the request of the State Board of Education, declares that the state of emergency no longer exists in a school district, * * * during the newly reconstituted school board's first full year of administering the school district, the interim superintendent appointed by the State Board of Education shall continue to serve alongside both the local school board and the school district's newly appointed superintendent in an advisory and oversight



466 capacity, and shall make periodic reports to the State Board of
467 Education.

468 (b) In order to provide loans to school districts under
469 a state of emergency or in district transformation status that
470 have impairments related to a lack of financial resources, the
471 School District Emergency Assistance Fund is created as a special
472 fund in the State Treasury into which monies may be transferred or
473 appropriated by the Legislature from any available public
474 education funds. Funds in the School District Emergency
475 Assistance Fund up to a maximum balance of Three Million Dollars
476 (\$3,000,000.00) annually shall not lapse but shall be available
477 for expenditure in subsequent years subject to approval of the
478 State Board of Education. Any amount in the fund in excess of
479 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
480 year shall lapse into the State General Fund or the Education
481 Enhancement Fund, depending on the source of the fund.

482 The State Board of Education may loan monies from the School
483 District Emergency Assistance Fund to a school district that is
484 under a state of emergency or in district transformation status,
485 in those amounts, as determined by the board, that are necessary
486 to correct the district's impairments related to a lack of
487 financial resources. The loans shall be evidenced by an agreement
488 between the school district and the State Board of Education and
489 shall be repayable in principal, without necessity of interest, to
490 the School District Emergency Assistance Fund by the school



491 district from any allowable funds that are available. The total
492 amount loaned to the district shall be due and payable within five
493 (5) years after the impairments related to a lack of financial
494 resources are corrected. If a school district fails to make
495 payments on the loan in accordance with the terms of the agreement
496 between the district and the State Board of Education, the State
497 Department of Education, in accordance with rules and regulations
498 established by the State Board of Education, may withhold that
499 district's total funding formula funds in an amount and manner
500 that will effectuate repayment consistent with the terms of the
501 agreement; the funds withheld by the department shall be deposited
502 into the School District Emergency Assistance Fund.

503 The State Board of Education shall develop a protocol that
504 will outline the performance standards and requisite timeline
505 deemed necessary for extreme emergency measures. If the State
506 Board of Education determines that an extreme emergency exists,
507 simultaneous with the powers exercised in this subsection, it
508 shall take immediate action against all parties responsible for
509 the affected school districts having been determined to be in an
510 extreme emergency. The action shall include, but not be limited
511 to, initiating civil actions to recover funds and criminal actions
512 to account for criminal activity. Any funds recovered by the
513 State Auditor or the State Board of Education from the surety
514 bonds of school officials or from any civil action brought under



this subsection shall be applied toward the repayment of any loan made to a school district hereunder.

(16) [Deleted]

(17) [Deleted]

(18) The State Board of Education, acting through the Commission on School Accreditation, shall require each school district to comply with standards established by the State Department of Audit for the verification of fixed assets and the auditing of fixed assets records as a minimum requirement for accreditation.

(19) [Deleted]

(20) [Deleted]

(21) If a local school district is determined as failing and placed into district transformation status for reasons authorized by the provisions of this section, the interim superintendent appointed to the district shall, within forty-five (45) days after being appointed, present a detailed and structured corrective action plan to move the local school district out of district transformation status to the deputy superintendent. A copy of the interim superintendent's corrective action plan shall also be filed with the State Board of Education.

SECTION 2. Section 37-17-13, Mississippi Code of 1972, is amended as follows:

37-17-13. (1) Whenever the Governor declares a state of emergency in a school district in response to a certification by



the State Board of Education and the Commission on School Accreditation made under Section 37-17-6(12)(b), or when the State Board of Education places a school district into a District of Transformation for academic or financial reasons under Section 37-17-6(12)(b), the State Board of Education, in addition to any actions taken under Section 37-17-6, shall abolish the school district and assume control and administration of the schools formerly constituting the district, and appoint an interim superintendent to carry out this purpose under the direction of the State Board of Education. In such case, the State Board of Education shall have all powers which were held by the previously existing school board, and the previously existing superintendent of schools or county superintendent of education, including, but not limited to, those enumerated in Section 37-7-301, and the authority to request tax levies from the appropriate governing authorities for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq. and Section 37-57-105 et seq.

(2) When a school district is abolished under this section, loans from the School District Emergency Assistance Fund may be made by the State Board of Education for the use and benefit of the schools formerly constituting the district in accordance with the procedures set forth in Section 37-17-6(15) for such loans to the district. The abolition of a school district under this section shall not impair or release the property of that school



565 district from liability for the payment of the loan indebtedness,
566 and it shall be the duty of the appropriate governing authorities
567 to levy taxes on the property of the district so abolished from
568 year to year according to the terms of the indebtedness until same
569 shall be fully paid.

570 (3) After a local school board is abolished by the State
571 Board of Education, at such time the State Board of Education
572 determines that the impairments are being substantially corrected
573 and the responsibility of the district transformation in such
574 district upon the conclusion of the final scholastic year in which
575 a district has maintained a "C" accountability rating for three
576 (3) consecutive years, the State Board of Education may appoint a
577 new five-member board for the administration of the school
578 district and shall notify the local county board of supervisors
579 and/or municipal governing authority of such appointment,
580 spreading the names of the new school board members on its
581 minutes. The new local school board members shall be residents of
582 the school district. The new local school board members appointed
583 by the State Board of Education may serve in an advisory capacity
584 to the interim superintendent for its first year of service and
585 thereafter shall have full responsibility to administer the school
586 district. Thirty (30) days prior to the end of the first year of
587 office as an advisory board, each member shall draw lots to
588 determine when the members shall rotate off the board as follows:
589 one (1) member shall serve a one-year term of office; one (1)



590 member shall serve a two-year term of office; one (1) member shall
591 serve a three-year term of office; one (1) member shall serve a
592 four-year term of office; and one (1) member shall serve a
593 five-year term of office. At that time, the State Board of
594 Education shall notify the appropriate board of supervisors or
595 municipal governing authority of this action and request them to
596 provide for the election or appointment of school board members at
597 the end of the terms of office in the manner provided by law, in
598 order for the local residents of the school district to select a
599 new school board on a phased-in basis. In such situations, the
600 Governor will set the date of any necessary special election which
601 shall be conducted by the county election commission. During the
602 new school board's first * * * full year of administering the
603 school district, the interim superintendent appointed by the State
604 Board of Education shall continue to serve alongside both the
605 local school board and the school district's newly appointed
606 superintendent in an advisory and oversight capacity, and shall
607 make periodic reports to the State Board of Education. * * * A
608 board member or superintendent in office at the time the Governor
609 declares a state of emergency in a school district, or when the
610 State Board of Education places a school district into a District
611 of Transformation due to academic or financial reasons, shall not
612 be eligible to serve in the office of school board member or
613 superintendent for the school district reconstituted or
614 reorganized following the district transformation period.



615 **SECTION 3.** This act shall take effect and be in force from
616 and after July 1, 2025.

