

By: Representative Owen

To: Education

HOUSE BILL NO. 1292

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.

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:]

37-5-1. (1) There is * * * established a county board of education in each county of the State of Mississippi. * * * The county board of education shall consist of five (5) members, one (1) of * * * whom shall be elected by the qualified electors of each board of education district of the county at the time and in the manner provided in Section 37-6-17. Except as is otherwise provided in Section 37-5-3, each member so elected shall be a resident and qualified elector of the district from which he is 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 one hundred five (105) days
454 and not less than seventy-five (75) days prior to the date of such
455 general election, a petition of nomination signed by not less than
456 fifty (50) qualified electors of the county residing within each
457 supervisor's district. If the seventy-fifth day before the
458 election falls on a Saturday, Sunday or legal holiday, the



459 petition required under this section shall be filed by 5:00 p.m.
460 on the business day immediately following the Saturday, Sunday or
461 legal holiday. Where there are less than one hundred (100)
462 qualified electors in said supervisor's district, it shall only be
463 required that said petition of nomination be signed by at least
464 twenty percent (20%) of the qualified electors of such
465 supervisor's district. The candidate in each supervisor's
466 district who receives the majority of votes cast in the district
467 shall be declared elected. If no candidate receives a majority of
468 the votes cast at the election, a runoff shall be held between the
469 two (2) candidates receiving the highest number of votes in the
470 first election. The runoff election, in the event that such is
471 necessary, shall be held four (4) weeks after the first election.

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

483 election. The runoff election, in the event that such is
484 necessary, shall be held four (4) weeks after the first election.

485 In no case shall any qualified elector residing within a
486 municipal separate school district or special municipal separate
487 school district be eligible to sign a petition of nomination for
488 any candidate for the county board of education under any of the
489 provisions of this section.

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

492 37-5-9. As specifically provided in Section 37-6-17, the
493 name of any qualified elector who is a candidate for the county
494 board of education shall be placed on the ballot used in the
495 general elections by the county election commissioners * * *.

496 * * *

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

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

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

504 37-5-19. Vacancies in the membership of the county board of
505 education shall be filled by appointment, within sixty (60) days
506 after the vacancy occurs, by the remaining members of the county
507 board of education. Said appointee shall be selected from the

508 qualified electors of the district in which the vacancy occurs,
509 and shall serve until the first Monday of January next succeeding
510 the next general election, at which general election a member
511 shall be elected to fill the remainder of the unexpired term in
512 the same manner and with the same qualifications applicable to the
513 election of a member for the full term. In the event the school
514 district is under conservatorship and no members of the county
515 board of education remain in office, the Governor shall call a
516 special election to fill the vacancies and said election will be
517 conducted by the county election commission.

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

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

532 37-5-19. Vacancies in the membership of the county board of
533 education shall be filled * * * in the manner prescribed in
534 Section 37-6-17(9).

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

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

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



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



582 which a municipal separate school district embraces the entire
583 county in which Highways 14 and 15 intersect, one (1) trustee
584 shall be elected from each supervisors district.

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

599 In the event that a portion of a county school district is
600 reconstituted, in the manner provided by law, into a municipal
601 separate school district with added territory and in the event
602 that the trustees to be elected from the added territory are
603 requested to be elected from separate election districts within
604 the added territory, instead of elected at large, by the Attorney
605 General of the United States as a result of and pursuant to
606 preclearance under Section 5 of the Voting Rights Act of 1965, as



607 amended and extended, and in the event the added territory of a
608 municipal separate school district of a municipality furnishes
609 thirty percent (30%) or more of the pupils enrolled in the schools
610 of such district, then two (2) members of the board of trustees
611 shall be residents of the added territory outside the corporate
612 limits of such municipality and shall be elected from special
613 trustee election districts by the qualified electors thereof as
614 herein provided. The board of trustees of the school district
615 shall apportion the added territory into two (2) special trustee
616 election districts as nearly as possible according to population
617 and other factors heretofore pronounced by the courts. The board
618 of trustees of the school district shall thereafter publish the
619 same in a newspaper of general circulation within that school
620 district for at least two (2) consecutive weeks; and after having
621 given notice of publication and recording the same upon the
622 minutes of the board of trustees of the school district, the new
623 district lines shall thereafter be effective. Any person elected
624 from the new trustee election districts constituted herein shall
625 be elected in the manner provided for in Section 37-7-215 for a
626 term of five (5) years. Any vacancy in the office of a trustee
627 elected from such trustee election district, whether occasioned by
628 redistricting or by other cause, shall be filled by appointment of
629 the governing authorities of the municipality, provided that the
630 person so appointed shall serve only until the next general
631 election following his appointment, at which time a person shall



632 be elected for the remainder of the unexpired term in the manner
633 provided in Section 37-7-215.

634 In any county organizing a countywide municipal separate
635 school district after January 1, 1965, the trustees thereof to be
636 elected from outside the municipality, such trustees shall be
637 elected by the board of supervisors of such county, and the
638 superintendent of such school district shall have authority to pay
639 out and distribute the funds of the district. In the event a
640 municipal separate school district should occupy territory in a
641 county other than that in which the municipality is located and
642 fifteen percent (15%) or more of the pupils enrolled in the
643 schools of such district shall come from the territory of the
644 district in the county other than that in which the municipality
645 is located, the territory of such county in which the municipality
646 is not located shall be entitled to one (1) member on the board of
647 trustees of such school district. The trustee shall be a resident
648 of the territory of that part of the district lying in the county
649 in which the municipality is not located and shall be elected by
650 the qualified electors of the territory of such county at the same
651 time and in the same manner as is provided for the election of
652 trustees of school districts other than municipal separate school
653 districts having territory in two (2) or more counties.

654 All vacancies shall be filled for the unexpired terms by
655 appointment of the governing authorities of the municipality;
656 except that in the case of the trustees coming from the added

657 territory outside the corporate limits, the person so appointed
658 shall serve only until the next general election following his
659 appointment, at which time a person shall be elected for the
660 remainder of the unexpired term in the manner otherwise provided
661 herein.

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

669 (2) In counties of less than fifteen thousand (15,000)
670 people having a municipal separate school district with added
671 territory which embraces all the territory of a county, one or
672 more trustees of the school district shall be nominated from each
673 supervisors district upon petition of fifty (50) qualified
674 electors of that supervisors district, or twenty percent (20%) of
675 the qualified electors of such district, whichever number shall be
676 smaller. One (1) trustee must be elected from each supervisors
677 district of the county. In such counties embraced entirely by a
678 municipal separate school district, there shall be no county board
679 of education after the formation of such district, and the county
680 superintendent of education shall act as superintendent of schools
681 of the district and shall be appointed by the board of trustees of



682 that district, and the provisions of subsection (1) of this
683 section and the first paragraph of Section 37-7-211 shall not
684 apply to such districts.

685 (3) In municipalities designated as having a mayor-council
686 form of government under Chapter 8, Title 21, Mississippi Code of
687 1972, and having a population in excess of one hundred thousand
688 (100,000) according to the 2000 federal decennial census, the
689 boards of trustees of the municipal separate school district
690 located in the municipality may, if authorized by ordinance of the
691 municipal governing authority, consist of seven (7) members
692 residing in each of the seven (7) wards in the municipality, to be
693 appointed by the mayor and confirmed by the city council as
694 follows: (a) each board member shall reside in the ward from
695 which he is appointed; (b) members serving on March 31, 2010,
696 shall continue to serve until a new term commences and new members
697 shall be selected from wards not currently represented on the
698 board; (c) one (1) of the two (2) additional appointments shall
699 serve a term of five (5) years and one (1) for a term of four (4)
700 years, with all subsequent appointments for a five-year term; and
701 (d) each new appointment shall be made by the mayor and confirmed
702 by the city council of the municipality at the first meeting of
703 the governing authorities held in the month of June following
704 March 31, 2010, and thereafter each year, and the term of office
705 of each member so selected shall commence on the first Saturday of
706 July following.



707 (4) (a) Beginning in 2017, in any municipal separate school
708 district that is traversed by the Escatawpa River and in which
709 Interstate Highway 10 and Mississippi Highway 63 intersect, the
710 board of trustees of the municipal separate school district shall
711 consist of five (5) members, each to be elected for a term of four
712 (4) years in the manner provided in this subsection. Within
713 forty-five (45) days after July 1, 2017, the municipal governing
714 authority shall apportion the municipal separate school district,
715 including any added territory outside the corporate limits, into
716 five (5) special trustee election districts as nearly equal as
717 possible according to population, incumbency and other factors
718 pronounced by the courts before August 8, 2017. The municipal
719 governing authority shall place upon its minutes the boundaries
720 determined for the new five (5) trustee election districts and
721 shall publish the same in a newspaper of general circulation
722 within the school district for at least three (3) consecutive
723 weeks. After having given notice of publication and recording the
724 same upon the minutes of the municipal governing authority, the
725 new district lines shall be effective.

726 (b) On the first Tuesday after the first Monday in
727 November 2017, and every four (4) years thereafter, an election
728 shall be held in the municipal separate school district for local
729 school board members from trustee election districts 1, 3 and 5 in
730 the same manner and at the same time as the general municipal
731 election is held and conducted, for the purpose of electing the



732 board of trustees of the municipal separate school district. All
733 members of the board of trustees elected pursuant to this
734 paragraph (b) shall take office on the first Monday of January
735 immediately following the date of their election. However, in
736 order to provide for an orderly transition, the term of each
737 member of the board of trustees serving on July 1, 2017, which
738 otherwise would expire after the first Monday in July 2018, shall
739 expire on the first Monday of January 2018. If no individual
740 qualifies for the elective office of school district trustee, the
741 trustee for that specific trustee district shall be filled by
742 appointment of the municipal governing authority; however, the
743 person so appointed to fill the vacancy may serve only until the
744 first Monday in January 2019, at which time the trustee elected
745 pursuant to this subsection shall take office for the remainder of
746 the unexpired initial term.

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

756 (c) On the first Tuesday after the first Monday in
757 November 2018, and every four (4) years thereafter, an election
758 shall be held in the municipal separate school district for local
759 school board members from trustee election districts 2 and 4 in
760 the same manner and at the same time as the Congressional mid-term
761 election is held and conducted, for the purpose of electing the
762 board of trustees of the municipal separate school district. All
763 members of the board of trustees elected pursuant to this
764 paragraph (c) shall take office on the first Monday of January
765 immediately following the date of their election. However, in
766 order to provide for an orderly transition, the term of each
767 member of the board of trustees serving on July 1, 2018, which
768 otherwise would expire after the first Monday in July 2018, shall
769 expire on the first Monday of January 2019. If no individual
770 qualifies for the elective office of school district trustee, the
771 trustee for that specific trustee district shall be filled by
772 appointment of the municipal governing authority; however, the
773 person so appointed to fill the vacancy may serve only until the
774 first Monday in January 2020, at which time the trustee elected
775 pursuant to this subsection shall take office for the remainder of
776 the unexpired initial term.

777 From and after July 1, 2020, any vacancy on the board of
778 trustees shall be filled by appointment by the remaining members
779 of the board of trustees within sixty (60) days after the vacancy
780 occurs. The appointee must be selected from the qualified



781 electors of the trustee election district in which the vacancy
782 occurs. The appointee shall serve until the first Monday of July
783 succeeding the next general municipal election, at which election
784 a member from that trustee election district shall be elected for
785 a full term.

786 (5) (a) Beginning in 2024, in any municipal separate school
787 district in which Interstate Highway 20 and Mississippi Highway 15
788 intersect, the board of trustees of the municipal separate school
789 district shall consist of five (5) members, each to be elected for
790 a term of four (4) years in the manner provided in this
791 subsection. Within forty-five (45) days after July 1, 2024, the
792 municipal governing authority shall apportion the municipal
793 separate school district, including any added territory outside
794 the corporate limits, into five (5) special trustee election
795 districts as nearly equal as possible according to population,
796 incumbency and other factors pronounced by the courts before
797 January 1, 2024. The municipal governing authority shall place
798 upon its minutes the boundaries determined for the new five (5)
799 trustee election districts and shall publish the same in a
800 newspaper of general circulation within the school district for at
801 least three (3) consecutive weeks. After having given notice of
802 publication and recording the same upon the minutes of the
803 municipal governing authority, the new district lines shall be
804 effective. Candidates for such positions shall file the intent to

805 be a candidate not later than 5:00 p.m. on September 1, 2024, and
806 shall qualify as otherwise provided by law.

807 (b) On the first Tuesday after the first Monday in
808 November 2024, an election shall be held in the municipal separate
809 school district for local school board members in the same manner
810 and at the same time as the presidential election is held and
811 conducted, for the purpose of electing the board of trustees of
812 the municipal separate school district. All members of the board
813 of trustees elected pursuant to this paragraph (b) shall take
814 office on the first Monday of January immediately following the
815 date of their election, and may serve until the first Monday in
816 January 2028, at which time the trustee elected pursuant to
817 paragraph (c) of this subsection shall take office. If no
818 individual qualifies for the elective office of school district
819 trustee, the trustee for that specific trustee district shall be
820 filled by appointment of the municipal governing authority;
821 however, the person so appointed to fill the vacancy may serve
822 only until the first Monday in January 2028, at which time the
823 trustee elected pursuant to paragraph (c) of this subsection shall
824 take office.

825 From and after January 1, 2028, any vacancy on the board of
826 trustees shall be filled by appointment by the remaining members
827 of the board of trustees within sixty (60) days after the vacancy
828 occurs. The appointee must be selected from the qualified
829 electors of the trustee election district in which the vacancy

830 occurs. The appointee shall serve until the first Monday of
831 January succeeding the next general election, at which election a
832 member from that trustee election district shall be elected for
833 the remainder of the unexpired term.

834 (c) On the first Tuesday after the first Monday in
835 November 2027, and every four (4) years thereafter, an election
836 shall be held in the municipal separate school district for local
837 school board members in the same manner and at the same time as
838 the general elections are held and conducted in accordance with
839 Section 23-15-193, for the purpose of electing the board of
840 trustees of the municipal separate school district. All members
841 of the board of trustees elected pursuant to this paragraph (c)
842 shall take office on the first Monday of January immediately
843 following the date of their election.

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

846 37-7-203. (1) * * * The boards of trustees of all municipal
847 separate school districts created under this chapter, either with
848 or without added territory, shall consist of five (5)
849 members * * *. On the first Tuesday after the first Monday in
850 November 2027, and every four (4) years thereafter, in those
851 districts opting to elect board members at the statewide general
852 election, or on the first Tuesday after the first Monday in
853 November 2028, and every four (4) years thereafter, in those
854 districts opting to elect board members at the presidential



855 election, an election shall be held pursuant to Section 37-6-17
856 for the purpose of electing the members of the board of trustees
857 of the municipal separate school districts and special municipal
858 separate school districts established under the provisions of this
859 chapter. The five (5) members of the board of trustees of such
860 school district shall be elected from special trustee election
861 districts by the qualified electors thereof. The board of
862 trustees of such school district shall apportion the municipal
863 separate school district, including added territory, into five (5)
864 special trustee election districts as nearly equal as possible
865 according to population, incumbency and other factors heretofore
866 pronounced by the courts. The board of trustees shall place upon
867 its minutes the boundaries determined for the new five (5) special
868 trustee election districts. The board of trustees shall
869 thereafter publish the same in a newspaper of general circulation
870 within the school district for at least three (3) consecutive
871 weeks, and after having given notice of publication and recording
872 the same upon the minutes of the board of trustees, the new
873 district lines shall be effective. The apportionment,
874 notification and official adoption of the new district lines shall
875 be completed not less than three (3) months before the qualifying
876 deadlines for individuals seeking the office of school board
877 trustee for the 2027 statewide general election as prescribed in
878 Section 2(3) of this act, regardless of whether the district opted
879 for an election cycle that runs concurrently with presidential



880 election. All incumbent trustees holding office at the time of
881 the creation of the trustee election districts shall continue
882 holding their respective offices, provided they reside within the
883 new district, for the remainder of the term of office to which
884 they have heretofore been selected, and their successors shall be
885 elected from the new trustee election districts constituted in the
886 manner provided for in this section.

887 * * *

888 (2) * * * Vacancies in the membership of the board of
889 trustees of any municipal separate school district or special
890 municipal separate school district shall be filled in the manner
891 provided in Section 37-6-17(9).

892 * * *

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

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

896 37-7-207. (1) All school districts reconstituted or created
897 under the provisions of Article 1 of this chapter, and which lie
898 wholly within one (1) county, but not including municipal separate
899 and countywide districts, shall be governed by a board of five (5)
900 trustees. The first board of trustees of such districts shall be
901 appointed by the county board of education, and the original
902 appointments shall be so made that one (1) trustee shall be
903 appointed to serve until the first Saturday of March following
904 such appointments, one (1) for one (1) year longer, one (1) for



905 two (2) years longer, one (1) for three (3) years longer, and one
906 (1) for four (4) years longer. After such original appointments,
907 the trustees of such school districts shall be elected by the
908 qualified electors of such school districts in the manner provided
909 for in Sections 37-7-223 through 37-7-229, with each trustee to be
910 elected for a term of five (5) years. The five (5) members of the
911 board of trustees of such consolidated school district shall be
912 elected from special trustee election districts by the qualified
913 electors thereof, as herein provided. The board of trustees of
914 any such consolidated school district shall apportion the
915 consolidated school district into five (5) special trustee
916 election districts. The board of trustees of such school district
917 shall place upon its minutes the boundaries determined for the new
918 five (5) trustee election districts. The board of trustees shall
919 thereafter publish the same in a newspaper of general circulation
920 within said school district for at least three (3) consecutive
921 weeks; and after having given notice of publication and recording
922 the same upon the minutes of the board of trustees, said new
923 district lines shall thereafter be effective.

924 On the first Tuesday after the first Monday in November, in
925 any year in which any consolidated school district shall elect to
926 utilize the authority to create single member election districts,
927 an election shall be held in each such district in this state for
928 the purpose of electing the board of trustees of such district.
929 At said election the member of the said board from District One

930 shall be elected for a term of one (1) year, the member from
931 District Two shall be elected for a term of two (2) years, the
932 member from District Three shall be elected for a term of three
933 (3) years, the member from District Four shall be elected for a
934 term of four (4) years, and the member from District Five shall be
935 elected for a term of five (5) years. Thereafter, members shall
936 be elected at general elections as vacancies occur for terms of
937 five (5) years each. Trustees elected from single member election
938 districts as provided above shall otherwise be elected as provided
939 for in Sections 37-7-223 through 37-7-229. All members of the
940 said board of trustees shall take office on the first Monday of
941 January following the date of their election. All vacancies which
942 may occur during a term shall be filled by appointment of the
943 consolidated school district trustees, but the person so appointed
944 shall serve only until the next general election following such
945 appointment, at which time a person shall be elected for the
946 remainder of the unexpired term at the same time and in the same
947 manner as a trustee is elected for the full term then expiring.
948 The person so elected to the unexpired term shall take office
949 immediately. Said appointee shall be selected from the qualified
950 electors of the district in which the vacancy occurs. In the
951 event the school district is under conservatorship and no members
952 of the board of trustees remain in office, the Governor shall call
953 a special election to fill the vacancies and the said election
954 will be conducted by the county election commission.



(2) All school districts reconstituted and created under the provisions of Article 1 of this chapter, which embrace territory in two (2) or more counties, but not including municipal separate school districts, shall be governed by a board of five (5) trustees. In making the original appointments, the several county boards of education shall appoint the trustee or trustees to which the territory in such county is entitled, and, by agreement between the county boards concerned, one (1) person shall be appointed to serve until the first Saturday of March following, one (1) for one (1) year longer, one (1) for two (2) years longer, one (1) for three (3) years longer and one (1) for four (4) years longer. Thereafter, such trustees shall be elected as is provided for in Sections 37-7-223 through 37-7-229, for a term of five (5) years. The five (5) members of the board of trustees of such line consolidated school district shall be elected from special trustee election districts by the qualified electors thereof, as herein provided. The existing board of trustees of such line consolidated school district shall apportion the line consolidated school district into five (5) special trustee election districts. The board of trustees shall place upon its minutes the boundaries determined for the new five (5) trustee election districts. The board of trustees shall thereafter publish the same in a newspaper of general circulation within said school district for at least three (3) consecutive weeks; and after having given notice of publication and recording the same upon the minutes of the board

980 of trustees, said new district lines shall thereafter be
981 effective. Provided, however, that in any line consolidated
982 school district encompassing two (2) or more counties created
983 pursuant to Laws, 1953, Extraordinary Session, Chapter 12, Section
984 8, in which, as a condition precedent to the creation of said
985 district, each county belonging thereto was contractually
986 guaranteed to always have at least one (1) representative on said
987 board, in order that said condition precedent may be honored and
988 guaranteed, in any year in which the board of trustees of such
989 line consolidated school district does not have at least one (1)
990 member from each county or part thereof forming such district, the
991 board of trustees in such district shall be governed by a board of
992 a sufficient number of trustees to fulfill this guarantee, five
993 (5) of whom shall be elected from the five (5) special trustee
994 election districts which shall be as nearly equal as possible and
995 one (1) member trustee appointed at large from each county not
996 having representation on the elected board. In such cases, the
997 board of supervisors of each county shall make written agreement
998 to guarantee the manner of appointment of at least one (1)
999 representative from each county in the district, placing such
1000 written agreement on the minutes of each board of supervisors in
1001 each county.

1002 On the first Tuesday after the first Monday in November, in
1003 any year in which any line consolidated school district shall
1004 elect to utilize the authority to create single member election

1005 districts, an election shall be held in each such district in this
1006 state for the purpose of electing the board of trustees of such
1007 district. At said election the member of the said board from
1008 District One shall be elected for a term of one (1) year, the
1009 member from District Two shall be elected for a term of two (2)
1010 years, the member from District Three shall be elected for a term
1011 of three (3) years, the member from District Four shall be elected
1012 for a term of four (4) years, and the member from District Five
1013 shall be elected for a term of five (5) years. Thereafter,
1014 members shall be elected at general elections as vacancies occur
1015 for terms of five (5) years each. Trustees elected from single
1016 member election districts as provided above shall otherwise be
1017 elected as provided for in Sections 37-7-223 through 37-7-229.
1018 All members of the said board of trustees shall take office on the
1019 first Monday of January following the date of their election. In
1020 all elections, the trustee elected shall be a resident and
1021 qualified elector of the district entitled to the representation
1022 upon the board, and he shall be elected only by the qualified
1023 electors of such district. All vacancies which may occur during a
1024 term of office shall be filled by appointment of the consolidated
1025 line school district trustees, but the person so appointed shall
1026 serve only until the next general election following such
1027 appointment, at which time a person shall be elected for the
1028 remainder of the unexpired term at the same time and in the same
1029 manner as the trustee is elected for the full term then expiring.



1030 The person so elected to the unexpired term shall take office
1031 immediately. In the event the school district is under
1032 conservatorship and no members of the board of trustees remain in
1033 office, the Governor shall call a special election to fill the
1034 vacancies and the said election will be conducted by the county
1035 election commission.

1036 **[From and after July 1, 2027, this section shall read as**
1037 **follows:]**

1038 37-7-207. (1) All school districts reconstituted or created
1039 under the provisions of Article 1 of this chapter, and which lie
1040 wholly within one (1) county, but not including municipal separate
1041 and countywide districts, shall be governed by a board of five (5)
1042 trustees. * * * Beginning with the election on the first Tuesday
1043 after the first Monday in November 2027, and every four (4) years
1044 thereafter, in those districts opting to elect board members at
1045 the statewide general election, or on the first Tuesday after the
1046 first Monday in November 2028, and every four (4) years
1047 thereafter, in those districts opting to elect board members at
1048 the presidential election, the members of the line consolidated
1049 school district board of trustees shall be elected at the same
1050 time and in the same manner provided in Section 37-6-17 for terms
1051 of four (4) years. The five (5) members of the board of trustees
1052 of such consolidated school district shall be elected from special
1053 trustee election districts by the qualified electors
1054 thereof * * *. The board of trustees of any such consolidated



1055 school district shall apportion the consolidated school district
1056 into five (5) special trustee election districts. The board of
1057 trustees of such school district shall place upon its minutes the
1058 boundaries determined for the new five (5) trustee election
1059 districts. The board of trustees shall thereafter publish the
1060 same in a newspaper of general circulation within * * * the school
1061 district for at least three (3) consecutive weeks * * *, and after
1062 having given notice of publication and recording the same upon the
1063 minutes of the board of trustees, * * * the new district lines
1064 shall thereafter be effective. The apportionment, notification
1065 and official adoption of the new district lines shall be completed
1066 not less than three (3) months before the qualifying deadlines for
1067 individuals seeking the office of school board trustee for the
1068 2027 statewide general election as prescribed in Section 2(3) of
1069 this act, regardless of whether the district opted for an election
1070 cycle that runs concurrently with presidential election.

1071 * * * All members of the * * * board of trustees shall take
1072 office on the first Monday of January immediately following the
1073 date of their election. All vacancies which may occur during a
1074 term shall be filled * * * in the manner provided in Section
1075 37-6-17(9).

1076 (2) All school districts reconstituted and created under the
1077 provisions of Article 1 of this chapter, which embrace territory
1078 in two (2) or more counties, but not including municipal separate
1079 school districts, shall be governed by a board of five (5)



1080 trustees. * * * Beginning with the election on the first Tuesday
1081 after the first Monday in November 2027, and every four (4) years
1082 thereafter, in those districts opting to elect board members at
1083 the statewide general election, or on the first Tuesday after the
1084 first Monday in November 2028, and every four (4) years
1085 thereafter, in those districts opting to elect board members at
1086 the presidential election, the members of such line consolidated
1087 school district board of trustees shall be elected at the same
1088 time and in the same manner provided in Section 37-6-17 for terms
1089 of four (4) years. The five (5) members of the board of trustees
1090 of such line consolidated school district shall be elected from
1091 special trustee election districts by the qualified electors
1092 thereof * * *. The existing board of trustees of such line
1093 consolidated school district shall apportion the line consolidated
1094 school district into five (5) special trustee election districts.
1095 The board of trustees shall place upon its minutes the boundaries
1096 determined for the new five (5) trustee election districts. The
1097 board of trustees shall thereafter publish the same in a newspaper
1098 of general circulation within * * * the school district for at
1099 least three (3) consecutive weeks * * *, and after having given
1100 notice of publication and recording the same upon the minutes of
1101 the board of trustees, said new district lines shall thereafter be
1102 effective. The apportionment, notification and official adoption
1103 of the new district lines shall be completed not less than three
1104 (3) months before the qualifying deadlines for individuals seeking



1105 the office school board trustee for the 2027 statewide general
1106 election as prescribed in Section 2(3) of this act, regardless of
1107 whether the district opted for an election cycle that runs
1108 concurrently with presidential election. * * * However, * * * in
1109 any line consolidated school district encompassing two (2) or more
1110 counties created pursuant to Laws, 1953, Extraordinary Session,
1111 Chapter 12, Section 8, in which, as a condition precedent to the
1112 creation of * * * the district, each county belonging thereto was
1113 contractually guaranteed to always have at least one (1)
1114 representative on said board, in order that * * * the condition
1115 precedent may be honored and guaranteed, in any year in which the
1116 board of trustees of such line consolidated school district does
1117 not have at least one (1) member from each county or part thereof
1118 forming such district, the board of trustees in such district
1119 shall be governed by a board of a sufficient number of trustees to
1120 fulfill this guarantee, five (5) of whom shall be elected from the
1121 five (5) special trustee election districts which shall be as
1122 nearly equal as possible and one (1) member trustee * * * elected
1123 at large from each county not having representation on the elected
1124 board in the same manner and at the same time as provided for the
1125 election of school board members under Section 37-6-17. In such
1126 cases, the board of supervisors of each county shall make written
1127 agreement to guarantee the * * * election of at least one (1)
1128 representative from each county in the district, placing such



1129 written agreement on the minutes of each board of supervisors in
1130 each county.

1131 * * * All members of the * * * board of trustees shall take
1132 office on the first Monday of January following the date of their
1133 election. In all elections, the trustee elected shall be a
1134 resident and qualified elector of the district entitled to the
1135 representation upon the board, and he or she shall be elected only
1136 by the qualified electors of such district in the manner provided
1137 in Section 37-6-17. All vacancies which may occur during a term
1138 of office shall be filled * * * in the manner prescribed in
1139 Section 37-6-17(9).

1140 **SECTION 9.** Section 37-7-221, Mississippi Code of 1972, is
1141 amended as follows:

1142 **[Through June 30, 2027, this section shall read as follows:]**
1143 37-7-221. The election of consolidated or consolidated line
1144 school district trustees shall be held in the manner provided for
1145 in Sections 37-7-223 through 37-7-229 rather than the method now
1146 provided by Sections 37-7-209 through 37-7-219.

1147 **[From and after July 1, 2027, this section shall read as**
1148 **follows:]**

1149 37-7-221. The election of consolidated or consolidated line
1150 school district trustees shall be held in the manner provided for
1151 in * * * Section 37-6-17.

1152 **SECTION 10.** Section 37-7-703, Mississippi Code of 1972, is
1153 amended as follows:

1154 **[Through June 30, 2027, this section shall read as follows:]**

1155 37-7-703. In all such special municipal separate school
1156 districts which embrace the entire county in which, according to
1157 the latest available federal census, a majority of the inhabitants
1158 of the county reside within the corporate limits of the
1159 municipality, the board of trustees of such special municipal
1160 separate school district shall be chosen and selected in the
1161 manner provided by subsection (1) of Section 37-7-203, and all of
1162 the provisions thereof shall be fully applicable in all respects
1163 to the selection and constitution of such board of trustees.

1164 **[From and after July 1, 2027, this section shall read as**
1165 **follows:]**

1166 37-7-703. In all * * * special municipal separate school
1167 districts which embrace the entire * * *, the board of trustees
1168 of * * * that special municipal separate school district shall
1169 be * * * elected in the manner provided * * * in Section 37-6-17,
1170 and all of the provisions thereof shall be fully applicable in all
1171 respects to the selection and constitution of such board of
1172 trustees. The board of trustees of each special municipal
1173 separate school district shall apportion the school district into
1174 five (5) single member trustee election districts, the boundaries
1175 of which must be coterminous with the boundaries of the
1176 supervisors districts of the county embraced by that school
1177 district.

1178 **SECTION 11.** Section 37-5-18, Mississippi Code of 1972, which
1179 requires the election of the members of the county board of
1180 education in certain counties having four (4) municipal separate
1181 school districts from board of education districts embracing
1182 territory only outside the municipal separate school districts, is
1183 repealed.

1184 **SECTION 12.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,
1185 37-7-217, 37-7-219, 37-7-223, 37-7-225, 37-7-227 and 37-7-229,
1186 Mississippi Code of 1972, which provide certain methods for
1187 electing trustees of certain municipal and special municipal
1188 separate school districts and consolidated and line consolidated
1189 school districts, are repealed.

1190 **SECTION 13.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,
1191 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which
1192 provide certain additional methods for selecting trustees of
1193 special municipal separate school districts, are repealed.

1194 **SECTION 14.** Section 37-7-104, Mississippi Code of 1972, is
1195 brought forward as follows:

1196 37-7-104. (1) In any Mississippi county in which are
1197 located, as of February 8, 2012, three (3) school districts and
1198 only three (3) school districts, all of which are under
1199 conservatorship as defined by the Mississippi Department of
1200 Education as of February 8, 2012, there shall be an administrative
1201 consolidation of all of the school districts in the county into
1202 one (1) countywide school district with one (1) county board of



1203 education. The State Board of Education shall determine the
1204 school district(s) applicable to the provisions of this section
1205 and spread this finding on the minutes of its August 2012 meeting.
1206 On or before September 1, 2012, the State Board of Education shall
1207 serve the local school boards applicable to the provisions of this
1208 section, or the Mississippi Department of Education Conservator
1209 for each of the three (3) school districts, with notice and
1210 instruction regarding the action to be taken to comply with this
1211 section. In such county, there shall be a new county board of
1212 education elected in a November 2013 special election which shall
1213 be called for that purpose and the new county board members shall
1214 be elected as provided in Section 37-5-7, Mississippi Code of
1215 1972. No previous board member shall be eligible to serve on the
1216 newly elected board. Provided, however, that it shall be the
1217 responsibility of the board of supervisors of such county to
1218 apportion the countywide school district into five (5) new single
1219 member board of education districts which shall be consistent with
1220 the supervisors district lines in said county. The board of
1221 supervisors of said county shall thereafter publish the same in
1222 some newspaper of general circulation within said county for at
1223 least three (3) consecutive weeks and after having given notice of
1224 publication and recording the same upon the minutes of the board
1225 of supervisors of said county, said new district lines will
1226 thereafter be effective for the November 2013 special election.
1227 If necessary, the county board of education of said county shall



1228 reapportion the board of education districts in accordance with
1229 applicable law as soon as practicable after the results of the
1230 2020 decennial census are published and as soon as practicable
1231 after every decennial census thereafter. The new county board of
1232 education, with the written approval of the Mississippi Department
1233 of Education Conservator and the State Board of Education, shall
1234 provide for the administrative consolidation of all school
1235 districts in the county into one (1) countywide school district on
1236 or before July 1 next following the November 2013 election. The
1237 new county board of education shall serve as the school board for
1238 the county. Any school district affected by the required
1239 administrative consolidation that does not voluntarily consolidate
1240 with the new school district ordered by the county board of
1241 education shall be administratively consolidated by the State
1242 Board of Education with the countywide school district, to be
1243 effective on July 1 following the election of the new county board
1244 of education. The State Board of Education shall promptly move on
1245 its own motion to administratively consolidate any school district
1246 which does not voluntarily consolidate in order to enable the
1247 affected school districts to reasonably accomplish the resulting
1248 administrative consolidation into one (1) countywide district by
1249 July 1 following the election of the new county board of
1250 education. All affected school districts shall comply with any
1251 consolidation order issued by the county board of education or the

1252 State Board of Education, as the case may be, on or before July 1
1253 following the election of the new county board of education.

1254 (2) On July 1 following the election of the new county board
1255 of education, the former county board of education and the former
1256 board of trustees of any municipal separate, or special municipal
1257 separate school district located in such county shall be
1258 abolished. All real and personal property which is owned or
1259 titled in the name of a school district located in such county
1260 shall be transferred to the new reorganized school district of the
1261 county in which such school district is located. The Mississippi
1262 Department of Education Conservator and the State Board of
1263 Education shall be responsible for establishing the contracts for
1264 teachers and principals for the next school year following the
1265 required administrative consolidation with the consultation of the
1266 newly elected successor county board of education. The successor
1267 county board of education shall appoint the new county
1268 superintendent of education for the reorganized school district.
1269 The county superintendent of education of said reorganized school
1270 district shall not be elected but shall thereafter be appointed by
1271 the successor county board of education in the manner provided in
1272 Section 37-9-25. The superintendents of the former
1273 under-performing school districts located in the county shall not
1274 be eligible for appointment as the new superintendent. The
1275 selection of the appointed county superintendent of education and
1276 the assistant superintendent of education in the central



1277 administration office of the successor countywide school district
1278 shall be the responsibility of the successor county board of
1279 education with the approval of the Mississippi Department of
1280 Education Conservator and the State Board of Education. No such
1281 administratively consolidated school district shall have more than
1282 one (1) assistant superintendent of education. It shall be the
1283 responsibility of the successor county board of education, with
1284 approval of the Mississippi Department of Education Conservator
1285 and the State Board of Education, to prepare and approve the
1286 budget of the new reorganized districts, and the county board of
1287 education may use staff from the former school districts to
1288 prepare the budget. Any proposed order of the successor county
1289 board of education directing the transfer of the assets, real or
1290 personal property of an affected school district in the county,
1291 shall be submitted and approved by the State Board of Education.
1292 The finding of the State Board of Education shall be final and
1293 conclusive for the purposes of the transfer of property required
1294 by such administrative consolidation. Any person or school
1295 district aggrieved by an order of the successor county school
1296 board of education pursuant to the required administrative
1297 consolidation may appeal therefrom to the State Board of Education
1298 within ten (10) days from the date of the adjournment of the
1299 meeting at which such order is entered. Such appeal shall be de
1300 novo, and the finding of the State Board of Education upon such
1301 question shall be final and conclusive for the purpose of the



1302 approval or disapproval of the action by said county board of
1303 education.

1304 (3) When any school district in such county is abolished
1305 under the provisions of this section, the abolition thereof shall
1306 not impair or release the property of such former school district
1307 from liability for the payment of the bonds or other indebtedness
1308 of such district and it shall be the duty of the board of
1309 supervisors of said county to levy taxes on the property of said
1310 district so abolished from year to year according to the terms of
1311 such indebtedness until same shall be fully paid.

1312 (4) In the administratively consolidated countywide school
1313 district created under this section, the ad valorem tax rate shall
1314 be determined as set forth under Section 37-57-1 et seq.

1315 (5) Nothing in this section shall be construed to require or
1316 restrict the closing of any school or school facility, unless such
1317 facility is an unneeded administrative office located within a
1318 school district which has been abolished under the provisions of
1319 this section. All administrative consolidations under this
1320 section shall be accomplished so as not to delay or in any manner
1321 negatively affect the desegregation of another school district in
1322 the county pursuant to court order.

1323 (6) The State Board of Education shall promulgate rules and
1324 regulations to facilitate the administrative consolidation of the
1325 school districts in a county pursuant to this section. When the
1326 orders of the successor county board of education adopting the

1327 boundaries of the successor countywide school district have been
1328 entered and are final, as approved by the State Board of
1329 Education, the new district lines shall be submitted by the State
1330 Board of Education with the assistance of the Attorney General to
1331 the Attorney General of the United States for preclearance or to
1332 the United States District Court for the District of Columbia for
1333 a declaratory judgment in accordance with the provisions of the
1334 Voting Rights Act of 1965, as amended and extended. In the event
1335 the change in the school district lines are precleared or
1336 approved, the State Board of Education shall formally declare the
1337 new lines as the new boundaries of the consolidated countywide
1338 school district.

1339 **SECTION 15.** Section 37-7-104.1, Mississippi Code of 1972, is
1340 brought forward as follows:

1341 37-7-104.1. (1) In Bolivar County, Mississippi, in which
1342 are located, as of January 1, 2012, six (6) school districts,
1343 there shall be an administrative consolidation of all of the
1344 school districts in the county into three (3) school districts as
1345 follows:

1346 (a) One (1) existing school district which shall be the
1347 Cleveland School District;

1348 (b) One (1) new consolidated school district to be
1349 designated as North Bolivar Consolidated School District which
1350 shall consist of the territory of the former North Bolivar School
1351 District and the Mound Bayou Public School District. The central



1352 administrative office of the North Bolivar Consolidated School
1353 District shall be located in Mound Bayou, Mississippi; and
1354 (c) One (1) new consolidated school district to be
1355 designated as West Bolivar Consolidated School District which
1356 shall consist of the territory of the former West Bolivar School
1357 District, Shaw School District and Benoit School District. The
1358 central administrative office of the West Bolivar Consolidated
1359 School District shall be located in Rosedale, Mississippi.

1360 (2) On or before September 1, 2012, the State Board of
1361 Education shall serve the local school boards in Bolivar County
1362 with notice and instructions regarding the timetable for action to
1363 be taken to comply with the administrative consolidation required
1364 in this section. The State Board of Education shall provide for
1365 the administrative consolidation of all school districts in the
1366 county outside of the territory of Cleveland School District into
1367 North Bolivar Consolidated School District and West Bolivar
1368 Consolidated School District on or before July 1, 2014. In each
1369 new consolidated school district there shall be a new consolidated
1370 school district board of trustees elected in a November 2013
1371 special election which shall be called by the Governor for that
1372 purpose. The new consolidated school district boards of trustees
1373 shall be elected and the terms of office established as provided
1374 in Section 37-7-207, Mississippi Code of 1972. The State Board of
1375 Education shall determine the boundary lines for the territory of
1376 the two (2) new school districts and shall spread a legal



1377 description of the new school districts on the minutes of its
1378 August 2012 meeting and shall serve the applicable school boards
1379 and the board of supervisors with an adequate legal description of
1380 these new boundaries. It shall be the responsibility of the State
1381 Board of Education with the assistance of the Joint Legislative
1382 Committee on Performance Evaluation and Expenditure Review (PEER)
1383 to apportion the territory of the two (2) new school districts
1384 into five (5) new board of trustee election districts for each new
1385 school district. The State Board of Education shall thereafter
1386 publish the same in some newspaper of general circulation in said
1387 county for at least three (3) consecutive weeks and after having
1388 given notice of publication and recording the same upon the
1389 minutes of the school boards of each school district in the
1390 county, said new district lines will thereafter be effective for
1391 the November 2013 special election. Any school board member of
1392 the former school district residing in the proper election
1393 district shall be eligible for election to the new board of
1394 trustees for North Bolivar Consolidated School District or West
1395 Bolivar Consolidated School District. The local school board of
1396 each new school district shall reapportion the school board
1397 districts in accordance with the procedure described in Section
1398 37-7-207, Mississippi Code of 1972, as is necessary as soon as
1399 practicable after the 2020 decennial census are published and as
1400 soon as practicable after every decennial census thereafter. Any
1401 school district affected by the required administrative

1402 consolidation in such county that does not voluntarily consolidate
1403 with the two (2) new school districts ordered by the State Board
1404 of Education shall be administratively consolidated by the State
1405 Board of Education with the appropriate school district in which
1406 such district is located, to be effective on July 1 following the
1407 election of the new local school boards. The State Board of
1408 Education shall promptly move on its own motion to
1409 administratively consolidate a school district which does not
1410 voluntarily consolidate in order to enable the affected school
1411 districts to reasonably accomplish the resulting administrative
1412 consolidation into two (2) school districts by July 1 following
1413 the election of the new school boards. All affected school
1414 districts shall comply with any consolidation order issued by the
1415 State Board of Education on or before July 1 following the
1416 election of the new school boards.

1417 (3) On July 1 following the election of the new school
1418 district boards of trustees in Bolivar County, the former county
1419 board of education and the former board of trustees of North
1420 Bolivar School District, Mound Bayou Public School District, West
1421 Bolivar School District, Shaw School District and Benoit School
1422 District shall be abolished. All real and personal property which
1423 is owned or titled in the name of a school district located in
1424 such former school district shall be transferred to the new
1425 reorganized school district of Bolivar County in which such former
1426 school district is located. Each former school board shall be



1427 responsible for establishing the contracts for teachers and
1428 principals for the next school year following the required
1429 administrative consolidation with the consultation of the newly
1430 elected successor school boards. The new Board of Trustees for
1431 the North Bolivar Consolidated School District shall appoint the
1432 Superintendent of Schools for said school district, and the Board
1433 of Trustees for the West Bolivar Consolidated School District
1434 shall appoint the Superintendent of Schools for said school
1435 district. The subsequent superintendent of schools of said
1436 reorganized school districts shall not be elected but shall
1437 thereafter be appointed by the successor boards of trustees in the
1438 manner provided in Section 37-9-25. Any superintendent serving in
1439 the former school districts shall be eligible for appointment as a
1440 superintendent in North Bolivar Consolidated School District or
1441 West Bolivar Consolidated School District. North Bolivar
1442 Consolidated School District and West Bolivar Consolidated School
1443 District shall not have more than one (1) assistant
1444 superintendent. It shall be the responsibility of the successor
1445 boards of trustees to prepare and approve the budget of the
1446 respective new reorganized districts, and the successor boards of
1447 trustees may use staff from the former school districts to prepare
1448 the budget. Any proposed order of the State Board of Education
1449 directing the transfer of the assets, real or personal property of
1450 an affected school district in the county, shall be final and
1451 conclusive for the purposes of the transfer of property required



1452 by such administrative consolidation. Any person or school
1453 district aggrieved by an order of the successor newly elected
1454 board of trustees of a consolidated school district pursuant to
1455 the required administrative consolidation may appeal therefrom to
1456 the State Board of Education within ten (10) days from the date of
1457 the adjournment of the meeting at which such order is entered.
1458 Such appeal shall be *de novo*, and the finding of the State Board
1459 of Education upon such question shall be final and conclusive for
1460 the purpose of the approval or disapproval of the action by said
1461 county board of education.

1462 (4) When any school district in such county is abolished
1463 under the provisions of this section, the abolition thereof shall
1464 not impair or release the property of such former school district
1465 from liability for the payment of the bonds or other indebtedness
1466 of such district.

1467 (5) Nothing in this section shall be construed to require
1468 the closing of any school or school facility, unless such facility
1469 is an unneeded administrative office located within a school
1470 district which has been abolished under the provisions of this
1471 section. All administrative consolidations under this section
1472 shall be accomplished so as not to delay or in any manner
1473 negatively affect the desegregation of another school district in
1474 the county pursuant to court order.

1475 (6) The State Board of Education shall promulgate rules and
1476 regulations to facilitate the administrative consolidation of the

1477 school districts in Bolivar County pursuant to this section. The
1478 consolidated districts shall make an election within one (1) year
1479 of consolidation concerning the group term life insurance
1480 described in subsection (7) of Section 25-15-9. When the orders
1481 of the State Board of Education adopting the boundaries of the
1482 successor school districts and the successor board of trustees
1483 election districts have been entered and are final, as directed by
1484 the State Board of Education, the new district lines shall be
1485 submitted by the State Board of Education with the assistance of
1486 the Attorney General to the Attorney General of the United States
1487 for preclearance or to the United States District Court for the
1488 District of Columbia for a declaratory judgment in accordance with
1489 the provisions of the Voting Rights Act of 1965, as amended and
1490 extended. In the event the change in the school district lines
1491 and election districts are precleared or approved, the State Board
1492 of Education shall formally declare the new lines as the new
1493 boundaries of the successor school districts.

1494 **SECTION 16.** Section 37-7-104.2, Mississippi Code of 1972, is
1495 brought forward as follows:

1496 37-7-104.2. (1) In Clay County, Mississippi, in which are
1497 located, as of January 1, 2013, two (2) school districts, there
1498 shall be an administrative consolidation of all of those school
1499 districts in the county into one (1) new consolidated school
1500 district to be designated as West Point Consolidated School
1501 District which shall consist of the territory of the former Clay

1502 County School District and the West Point School District. The
1503 central administrative office of the West Point Consolidated
1504 School District shall be located in West Point, Mississippi.

1505 (2) On or before September 1, 2013, the State Board of
1506 Education shall serve the local school boards in Clay County with
1507 notice and instructions regarding the timetable for action to be
1508 taken to comply with the administrative consolidation required in
1509 this section. The State Board of Education shall provide for the
1510 administrative consolidation of the school districts in the county
1511 on or before July 1, 2015. In the new West Point Consolidated
1512 School District, there shall be a new board of trustees comprised
1513 of five (5) members selected as follows: (a) the Mayor and Board
1514 of Aldermen of the City of West Point shall appoint three (3) of
1515 the five (5) members, each to be selected for a term of four (4)
1516 years; and (b) two (2) members to be elected for a term of four
1517 (4) years by the electors of Clay County residing outside of the
1518 West Point corporate limits who shall be residents of that
1519 territory and who shall be elected in a November 2014 special
1520 election which shall be called by the Governor for that purpose.
1521 All subsequent members of the board elected from the territory
1522 outside of the West Point corporate limits shall be elected for a
1523 term of four (4) years at the regular general election held on the
1524 first Monday in November next preceding the expiration of the term
1525 of office of the respective member or members. All elected and
1526 appointed members shall take office on the first Monday of January



1527 following the date of their election or appointment. The State
1528 Board of Education, with the assistance of the Joint Legislative
1529 Committee on Performance Evaluation and Expenditure Review (PEER),
1530 shall apportion the territory of the new consolidated school
1531 district located outside the West Point corporate limits into two
1532 (2) new single member board of trustee election districts. The
1533 State Board of Education shall thereafter publish the same in some
1534 newspaper of general circulation in the county for at least three
1535 (3) consecutive weeks and after having given notice of publication
1536 and recording the same upon the minutes of the school boards of
1537 each school district in the county, the new district lines will
1538 thereafter be effective for the November 2014 special election.
1539 Any school board member of the former school districts residing in
1540 the proper territory shall be eligible for appointment or election
1541 to the new Board of Trustees for West Point Consolidated School
1542 District.

1543 Any school district affected by the required administrative
1544 consolidation in Clay County that does not voluntarily consolidate
1545 as ordered by the State Board of Education shall be
1546 administratively consolidated by the State Board of Education, to
1547 be effective on July 1 following the election of the new local
1548 school board. The State Board of Education shall promptly move on
1549 its own motion to administratively consolidate a school district
1550 which does not voluntarily consolidate in order to enable the
1551 affected school districts to reasonably accomplish the resulting

1552 administrative consolidation into one (1) consolidated school
1553 district by July 1 following the selection of the new board of
1554 trustees. The affected school districts shall comply with any
1555 consolidation order issued by the State Board of Education on or
1556 before July 1 following the selection of the new school boards.

1557 (3) On July 1 following the selection of the new Board of
1558 Trustees of the West Point Consolidated School District, the
1559 former county board of education and the former Board of Trustees
1560 of the West Point School District shall be abolished. All real
1561 and personal property which is owned or titled in the name of a
1562 school district located in such former school district shall be
1563 transferred to the new reorganized school district of West Point
1564 Consolidated School District in which such former school district
1565 is located. Each former school board shall be responsible for
1566 establishing the contracts for teachers and principals for the
1567 next school year following the required administrative
1568 consolidation with the consultation of the newly elected successor
1569 school board. The new Board of Trustees for the West Point
1570 Consolidated School District shall appoint the Superintendent of
1571 Schools for the school district. The Superintendent of Schools
1572 for the West Point Consolidated School District may appoint
1573 assistant superintendent(s) of schools for the district, but in no
1574 instance shall the administrative leadership of the West Point
1575 Consolidated School District exceed the number of assistant
1576 superintendents employed in the former West Point School District.



1577 The subsequent superintendent of schools of the reorganized school
1578 district shall not be elected, but shall thereafter be appointed
1579 by the successor board of trustees in the manner provided in
1580 Section 37-9-25. It shall be the responsibility of the successor
1581 board of trustees to prepare and approve the budget of the new
1582 reorganized district, and the successor board of trustees may use
1583 staff from the former school districts to prepare the budget. Any
1584 proposed order of the State Board of Education directing the
1585 transfer of the assets, real or personal property of an affected
1586 school district in the county, shall be final and conclusive for
1587 the purposes of the transfer of property required by such
1588 administrative consolidation. Any person or school district
1589 aggrieved by an order of the successor newly selected Board of
1590 Trustees of the West Point Consolidated School District pursuant
1591 to the required administrative consolidation may appeal therefrom
1592 within ten (10) days from the date of the adjournment of the
1593 meeting at which such order is entered. Said appeal shall be
1594 taken in the same manner as appeals are taken from judgments or
1595 decisions of the board of supervisors as provided in Section
1596 11-51-75, Mississippi Code of 1972, the provisions of which shall
1597 be fully applicable to appeals taken hereunder. The Board of
1598 Trustees of the West Point Consolidated School District shall not
1599 pass upon or approve or disapprove any such order until the time
1600 for an appeal therefrom shall have expired, nor shall said board
1601 pass upon or approve or disapprove any such order from which an



1602 appeal is taken until said appeal shall have been finally
1603 determined.

1604 (4) When any school district in the county is abolished
1605 under the provisions of this section, the abolition thereof shall
1606 not impair or release the property of that former school district
1607 from liability for the payment of the bonds or other indebtedness
1608 of such district.

1609 (5) Nothing in this section shall be construed to require
1610 the closing of any school or school facility, unless the facility
1611 is an unneeded administrative office located within a school
1612 district which has been abolished under the provisions of this
1613 section. All administrative consolidations under this section
1614 shall be accomplished so as not to delay or in any manner
1615 negatively affect the desegregation of another school district in
1616 the county pursuant to court order.

1617 (6) The State Board of Education shall promulgate rules and
1618 regulations to facilitate the administrative consolidation of the
1619 school districts in Clay County pursuant to this section. The
1620 consolidated districts shall make an election within one (1) year
1621 of consolidation concerning the group term life insurance
1622 described in subsection (7) of Section 25-15-9. When the orders
1623 of the State Board of Education adopting the boundaries of the
1624 successor board of trustees election districts have been entered
1625 and are final, as directed by the State Board of Education, the
1626 new district lines shall be submitted by the State Board of



1627 Education with the assistance of the Attorney General to the
1628 Attorney General of the United States for preclearance or to the
1629 United States District Court for the District of Columbia for a
1630 declaratory judgment in accordance with the provisions of the
1631 Voting Rights Act of 1965, as amended and extended. In the event
1632 the change in the school district lines and election districts are
1633 precleared or approved, the State Board of Education shall
1634 formally declare the new lines as the new boundaries of the
1635 successor school district.

1636 (7) For the initial two (2) years following the
1637 administrative consolidation required by this section, the State
1638 Department of Education may grant a waiver of accountability and
1639 state assessment requirements to the West Point Consolidated
1640 School District for the student population enrolled therein from
1641 the former Clay County School District when determining the new
1642 consolidated school district accreditation level on the
1643 performance and accountability rating model.

1644 **SECTION 17.** Section 37-7-104.3, Mississippi Code of 1972, is
1645 brought forward as follows:

1646 37-7-104.3. (1) In Oktibbeha County, Mississippi, in which
1647 are located, as of January 1, 2013, two (2) school districts,
1648 there shall be an administrative consolidation of all of those
1649 school districts in the county into one (1) new countywide
1650 municipal separate school district to be designated as
1651 Starkville-Oktibbeha Consolidated School District which shall

1652 consist of the territory of the former Oktibbeha County School
1653 District and the Starkville School District, effective on July 1,
1654 2015. Until June 30, 2015, preceding the effective date of the
1655 required administrative consolidation of school districts in the
1656 county, the Oktibbeha County School District shall remain in
1657 conservatorship, under the authority and control of the
1658 Mississippi Recovery School District of the State Department of
1659 Education. At such time that the administrative consolidation
1660 becomes effective, the central administrative office of the
1661 Starkville-Oktibbeha Consolidated School District shall be located
1662 in Starkville, Mississippi.

1663 (2) (a) On or before July 1, 2014, the State Board of
1664 Education shall serve the local school board of the Starkville
1665 School District with notice and instructions regarding the
1666 timetable for action to be taken to comply with the administrative
1667 consolidation required in this section.

1668 (b) In the new consolidated school district there shall
1669 be a countywide municipal separate school district board of
1670 trustees, which shall consist of the existing members of the Board
1671 of Trustees of the Starkville School District. However, upon the
1672 first occurrence of a vacancy on the board as a result of an
1673 expired term of an appointed board member, that vacancy shall
1674 become an elected position and shall be filled by the election of
1675 a board member as follows: the 2016 expiring term board member
1676 shall remain in office until January 1, 2017. In November 2016,



1677 an election will be held for a board member who resides outside of
1678 the incorporated municipal limits in the manner prescribed in
1679 Section 37-7-203, and the elected board member will take office
1680 for a five-year term beginning January 1, 2017. Subsequent board
1681 members shall be selected in the manner prescribed in Section
1682 37-7-203. The Board of Supervisors of Oktibbeha County shall
1683 publish notice of the school board elections in some newspaper of
1684 general circulation in the county for at least three (3)
1685 consecutive weeks.

1686 (c) Any school district affected by the required
1687 administrative consolidation in the county that does not
1688 voluntarily consolidate as ordered by the State Board of Education
1689 shall be administratively consolidated by the State Board of
1690 Education, to be effective immediately upon action of the State
1691 Board of Education. The State Board of Education shall promptly
1692 move on its own motion to administratively consolidate a school
1693 district which does not voluntarily consolidate in order to enable
1694 the affected school districts to reasonably accomplish the
1695 resulting administrative consolidation into one (1) consolidated
1696 school district by July 1 following the motion to consolidate.
1697 The affected school districts shall comply with any consolidation
1698 order issued by the State Board of Education.

1699 (3) On July 1, 2015, following the motion of the State Board
1700 of Education to consolidate school districts in Oktibbeha County,
1701 the Oktibbeha County School District shall be abolished. All real



1702 and personal property which is owned or titled in the name of the
1703 school district located in such former school district shall be
1704 transferred to the Starkville-Oktibbeha Consolidated School
1705 District as of July 1, 2015. The Conservator of the Oktibbeha
1706 County School District is authorized and directed to execute and
1707 record all documents and conveyances necessary to convey title to
1708 all real and personal property of the Oktibbeha County School
1709 District to the Starkville-Oktibbeha Consolidated School District.
1710 The conservator is further authorized and directed to sign all
1711 documents and to take all actions necessary to assign contracts
1712 and other property, contract rights and obligations of the
1713 Oktibbeha County School District to the Starkville-Oktibbeha
1714 Consolidated School District. The Board of Trustees of the
1715 Starkville School District shall be responsible for establishing
1716 the contracts for operations, teachers, principals, clerical and
1717 administrative staff personnel for the 2015-2016 school year prior
1718 to July 1, 2015, and shall consult with the conservator for the
1719 establishment of contracts for teachers, principals, clerical and
1720 administrative staff personnel located in the former Oktibbeha
1721 County School District for the 2015-2016 school year. In order to
1722 prepare for the efficient staffing of the Starkville-Oktibbeha
1723 Consolidated School District, the Conservator of the Oktibbeha
1724 County School District and the Superintendent of the Starkville
1725 School District shall have full authority to nonrenew the
1726 employment contract of any teacher, principal, clerical or



1727 administrative staff located within their respective school
1728 districts for the 2015-2016 school year. The superintendent and
1729 assistant superintendent(s) of schools of the former Starkville
1730 School District shall continue to serve in like administrative
1731 capacities of the Starkville-Oktibbeha Consolidated School
1732 District, but in no instance shall the administrative leadership
1733 of the Starkville-Oktibbeha Consolidated School District exceed
1734 three (3) assistant superintendents to be appointed by the
1735 superintendent of the former Starkville School District. No
1736 superintendent serving in the former Oktibbeha County School
1737 District shall be eligible for appointment as a superintendent or
1738 assistant superintendent in the Starkville-Oktibbeha Consolidated
1739 School District. Likewise, no trustee serving in the former
1740 Oktibbeha County School District shall be eligible for election to
1741 the new Board of Trustees of the Starkville-Oktibbeha Consolidated
1742 School District. It shall be the responsibility of the board of
1743 trustees to prepare and approve the budget of the respective new
1744 reorganized district, and the board of trustees may use staff from
1745 the former school district to prepare the budget. Any transfer of
1746 the assets, real or personal property of the Oktibbeha County
1747 School District mandated by this section shall be final and
1748 conclusive for the purposes of the transfer of property required
1749 by this section to effectuate the administrative consolidation.

1750 (4) Nothing in this section shall be construed to require
1751 the closing of any school or school facility, unless the facility

1752 is an unneeded administrative office located within a school
1753 district which has been abolished under the provisions of this
1754 section. All administrative consolidations under this section
1755 shall be accomplished so as not to delay or in any manner
1756 negatively affect the desegregation of another school district in
1757 the county pursuant to court order.

1758 (5) The State Board of Education shall promulgate rules and
1759 regulations to facilitate the administrative consolidation of the
1760 school districts in Oktibbeha County pursuant to the requirements
1761 of this section. Beginning with the insurance cafeteria plan year
1762 of November 1, 2014, the consolidated districts shall fall under
1763 all insurance plans and policies elected by the Starkville Public
1764 School District, including the group term life insurance described
1765 in Section 25-15-9(7).

1766 (6) For the initial three (3) years following the
1767 administrative consolidation required by this section, the State
1768 Department of Education shall grant a waiver of accountability and
1769 state assessment requirements to the Starkville-Oktibbeha
1770 Consolidated School District, subject to the approval of the State
1771 Board of Education.

1772 (7) As soon as practicable after March 31, 2015, the
1773 Conservator of the Oktibbeha County School District shall initiate
1774 the issuance of notes or certificates of indebtedness of the
1775 Oktibbeha County School District for the purpose of purchasing
1776 school buses, textbooks, computers and software and other

1777 equipment and fixtures for school facilities, and for any purposes
1778 enumerated in Section 37-59-3, Mississippi Code of 1972, and
1779 making repairs, alterations, utility upgrades and additions to two
1780 (2) elementary school buildings located in the Oktibbeha County
1781 School District in order to meet the same physical and educational
1782 standards as the elementary school buildings in Starkville, and to
1783 contribute funds to the Starkville School District for capital
1784 improvements to accommodate county school district students and
1785 increase capacity for the consolidation. The contribution of such
1786 funds to the Starkville School District is hereby authorized.
1787 Said notes or certificates of indebtedness shall be issued under
1788 the authority of Sections 37-59-101 through 37-59-115, Mississippi
1789 Code of 1972, including all notice requirements, however, the
1790 resolution as to the necessity for the issuance of the notes and
1791 the execution of the documents shall be made by the Conservator of
1792 the Oktibbeha County School District. The term of any notes or
1793 certificates of indebtedness issued under this section may not
1794 exceed the useful life of the financed project as determined
1795 according to the upper limit of useful life and depreciation
1796 guidelines established under the United States Internal Revenue
1797 Code and regulations. The levying authority for the Oktibbeha
1798 County School District, and after July 1, 2015, the levying
1799 authority for the Starkville-Oktibbeha Consolidated School
1800 District, shall annually levy a special tax on all taxable
1801 property of the former Oktibbeha County School District, and after



1802 July 1, 2015, on all taxable property of the Starkville-Oktibbeha
1803 Consolidated School District, in an amount sufficient to pay the
1804 principal of and interest on such negotiable notes or certificates
1805 of indebtedness as the same shall respectively mature and accrue.
1806 Said tax shall be levied as provided in Section 37-59-107,
1807 Mississippi Code of 1972, except that the levy shall not exceed
1808 three (3) mills on the dollar for the payment of all notes that
1809 are subject to the levy under Section 37-59-107. Any notes or
1810 certificates of indebtedness issued pursuant to this subsection
1811 (7) shall become indebtedness of the new Starkville-Oktibbeha
1812 Consolidated School District from and after July 1, 2015, and the
1813 mandatory special ad valorem tax levied to pay the notes or
1814 certificates of indebtedness by the levying authority pursuant to
1815 Section 37-59-107, Mississippi Code of 1972, shall be levied upon
1816 all of the taxable property within the Starkville-Oktibbeha
1817 Consolidated School District.

1818 (8) For a period beginning July 1, 2014, and ending June 30,
1819 2015, the Conservator of the Oktibbeha County School District
1820 shall issue negotiable bonds of the Oktibbeha County School
1821 District for the purpose of purchasing school buses, textbooks,
1822 computers and software and other equipment and fixtures for school
1823 facilities, and making repairs, alterations and additions and
1824 utility upgrades, and for any purposes allowed by Section 37-59-3,
1825 Mississippi Code of 1972, to school facilities in the Oktibbeha
1826 County School District and in the Starkville School District to

1827 accommodate students in the former Oktibbeha County School
1828 District who will be attending school in the new
1829 Starkville-Oktibbeha Consolidated School District and the
1830 increased capacity needs under the consolidation. Said bonds
1831 shall be issued under the authority of Sections 37-59-1 through
1832 37-59-45, however, any resolutions as to the necessity for the
1833 issuance of any bonds and execution of the documents may be made
1834 periodically by the Conservator of the Oktibbeha County School
1835 District. Provided further, that the conservator shall publish
1836 each resolution of necessity and intent to issue any bonds once
1837 each week for at least three (3) consecutive weeks in a newspaper
1838 having general circulation in the Oktibbeha County School
1839 District, with the first publication thereof to be made not less
1840 than fifteen (15) days prior to the date upon which the
1841 conservator is to take final action upon the question of
1842 authorizing the issuance of said bonds. If no petition requesting
1843 an election is filed prior to the date and time of the meeting at
1844 which the conservator is to take final action on the issuance of
1845 said bonds, then the conservator shall authorize the issuance of
1846 the bonds. If at any time prior to the date and time of the
1847 meeting at which the conservator is to take final action upon the
1848 question of issuing such bonds a petition signed by not less than
1849 twenty percent (20%) of the qualified electors of the Oktibbeha
1850 County School District shall be filed with the Conservator of the
1851 Oktibbeha County School District requesting that an election be



1852 called on the question of issuing the bonds, then the conservator
1853 shall either rescind the applicable resolution of intent or adopt
1854 a resolution calling an election to be held within the territory
1855 of the Oktibbeha County School District upon such question. The
1856 election shall be called and held, and notice thereof shall be
1857 given, in the same manner for elections upon the question of bond
1858 issues under Sections 37-59-11, 37-59-13, 37-59-15 and 37-59-17,
1859 and the results thereof shall be certified by the Oktibbeha County
1860 Election Commission to the Conservator of the Oktibbeha County
1861 School District. If three-fifths (3/5) of the qualified electors
1862 of the Oktibbeha County School District who voted in such election
1863 vote in favor of the issuance of such bonds, then the conservator
1864 shall authorize the Oktibbeha County School District to issue such
1865 bonds. Notwithstanding any provision to the contrary, the
1866 Oktibbeha County School District may issue bonds pursuant to this
1867 subsection (8) in an amount which, when added to all of the
1868 Oktibbeha County School District's then outstanding bonded
1869 indebtedness, shall not result in the imposition on any of the
1870 property in said district of an indebtedness for school purposes
1871 of more than twenty percent (20%) of the assessed value of the
1872 taxable property within said district, according to the then last
1873 completed assessment for taxation. Any bonds issued pursuant to
1874 this subsection (8) shall become indebtedness of the new
1875 Starkville-Oktibbeha Consolidated School District from and after
1876 July 1, 2015, and the mandatory special ad valorem tax to be



1877 levied by the levying authority pursuant to Section 37-59-23,
1878 Mississippi Code of 1972, to pay the bonds shall be levied upon
1879 all taxable property within the Starkville-Oktibbeha Consolidated
1880 School District.

1881 (9) For a period beginning July 1, 2015, and ending July 1,
1882 2027, the new Starkville-Oktibbeha Consolidated School District
1883 Board of Trustees may periodically issue negotiable bonds in one
1884 or more series of the Starkville-Oktibbeha Consolidated School
1885 District for the purpose of purchasing school buses, textbooks,
1886 computers and software and other equipment and fixtures for school
1887 facilities and for any purposes enumerated in Section 37-59-3,
1888 Mississippi Code of 1972. The term of any such bonds may not
1889 exceed the useful life of the financed project as determined
1890 according to the upper limit of useful life and depreciation
1891 guidelines established under the United States Internal Revenue
1892 Code and regulations. Said bonds shall be issued under the
1893 authority of Sections 37-59-1 through 37-59-45, including all
1894 notice and publication requirements, however, the necessity for
1895 the issuance of the bonds shall be made pursuant to a reverse
1896 referendum procedure to be followed by the Starkville-Oktibbeha
1897 Consolidated School District Board of Trustees as follows: the
1898 board of trustees shall publish each resolution of necessity and
1899 intent to issue bonds once each week for at least three (3)
1900 consecutive weeks in a newspaper having general circulation in the
1901 Starkville-Oktibbeha Consolidated School District, with the first



1902 publication thereof to be made not less than fifteen (15) days
1903 prior to the date on which the board of trustees is to take final
1904 action authorizing the issuance of the bonds. If no petition
1905 requesting an election is filed prior to the date and time of the
1906 meeting at which the board of trustees is to take final action on
1907 the issuance of the bonds, the board of trustees shall authorize
1908 the issuance of the bonds. If at any time prior to the date and
1909 time of the meeting at which the board of trustees is to take
1910 final action authorizing the issuance of the bonds a petition
1911 signed by not less than twenty percent (20%) of the qualified
1912 electors of the Starkville-Oktibbeha Consolidated School District
1913 shall be filed with the Board of Trustees of the
1914 Starkville-Oktibbeha Consolidated School District requesting that
1915 an election be called on the question of issuing the bonds, then
1916 the board of trustees shall, not later than its next regular
1917 meeting, adopt a resolution calling an election to be held within
1918 the Starkville-Oktibbeha Consolidated School District upon such
1919 question. The election shall be called and held, and notice
1920 thereof shall be given, in the same manner for elections upon the
1921 question of bond issues under Sections 37-59-11, 37-59-13,
1922 37-59-15 and 37-59-17, and the results thereof shall be certified
1923 to the Starkville-Oktibbeha Consolidated School District Board of
1924 Trustees, as the case may be. If three-fifths (3/5) of the
1925 qualified electors of the Starkville-Oktibbeha Consolidated School
1926 District who voted in such election vote in favor of the issuance



1927 of such bonds, then the board of trustees shall issue such bonds.
1928 Notwithstanding any provision to the contrary, the
1929 Starkville-Oktibbeha Consolidated School District may issue bonds
1930 pursuant to this subsection (9) in an amount which, when added to
1931 all of the Starkville-Oktibbeha Consolidated School District's
1932 then outstanding bonded indebtedness, shall not result in the
1933 imposition on any of the property in said district of an
1934 indebtedness for school purposes of more than twenty percent (20%)
1935 of the assessed value of the taxable property within said
1936 district, according to the then last completed assessment for
1937 taxation. Any bonds issued pursuant to this subsection (9) shall
1938 be indebtedness of the new Starkville-Oktibbeha Consolidated
1939 School District. The mandatory special ad valorem tax to be
1940 levied by the levying authority pursuant to Section 37-59-23,
1941 Mississippi Code of 1972, shall be levied on all taxable property
1942 of the Starkville-Oktibbeha Consolidated School District.

1943 (10) Notwithstanding any law or any provision of any law to
1944 the contrary, from and after July 1, 2015, all outstanding debt of
1945 the former Oktibbeha County School District and the former
1946 Starkville School District shall be assumed by and become the debt
1947 of the new Starkville-Oktibbeha Consolidated School District. Any
1948 debt assumed by the Starkville-Oktibbeha Consolidated School
1949 District secured by a special ad valorem tax shall become secured
1950 by and payable from a mandatory, special ad valorem tax which
1951 shall be levied on all taxable property in the



1952 Starkville-Oktibbeha Consolidated School District by the levying
1953 authority of the Starkville-Oktibbeha Consolidated School
1954 District. All debt secured by a pledge by either district of its
1955 education enhancement funds pursuant to Section 37-61-33,
1956 Mississippi Code of 1972, or by a pledge of its Mississippi
1957 Adequate Education Program funds will continue to be secured by
1958 and payable from the same funds after the debt is assumed by the
1959 Starkville-Oktibbeha Consolidated School District as of July 1,
1960 2015. It is the intent of the Legislature that any such pledges
1961 will remain in effect and that the pledged funds will be available
1962 to the Starkville-Oktibbeha Consolidated School District to pay
1963 its debt to which the funds are pledged.

1964 (11) It shall be the responsibility of the Board of
1965 Supervisors of Oktibbeha County to provide office, furnishing and
1966 utilities for the administrative Office of the Superintendent of
1967 the Starkville-Oktibbeha Consolidated School District.

1968 (12) The new Starkville-Oktibbeha Consolidated School
1969 District is authorized and encouraged to develop a partnership
1970 with Mississippi State University to create a model rural
1971 education school to serve all sixth- and seventh-grade students
1972 from Oktibbeha County and a model prekindergarten program which
1973 shall also serve as a model for the education of teachers and
1974 administrators. The Starkville-Oktibbeha Consolidated School
1975 District and Mississippi State University are authorized and
1976 empowered, in each's discretion, to enter into an agreement for



1977 the purpose of designing, constructing, maintaining and operating
1978 a model rural education school to serve all sixth- and
1979 seventh-grade students from Oktibbeha County. The
1980 Starkville-Oktibbeha Consolidated School District and Mississippi
1981 State University are further authorized and empowered, in each's
1982 discretion, to transfer funds to the other and expend such funds
1983 on mutually agreeable terms and conditions for the construction,
1984 maintenance and operation of such school.

1985 (13) The Board of Supervisors of Oktibbeha County shall be
1986 the "levying authority" for the Starkville-Oktibbeha Consolidated
1987 School District.

1988 **SECTION 18.** Section 37-7-104.4, Mississippi Code of 1972, is
1989 brought forward as follows:

1990 37-7-104.4. (1) In Montgomery County, Mississippi, in which
1991 are located, as of January 1, 2016, two (2) school districts,
1992 there shall be an administrative consolidation of all of those
1993 school districts in the county into one (1) new countywide
1994 municipal separate school district to be designated as
1995 Winona-Montgomery Consolidated School District which shall consist
1996 of the territory of the former Montgomery County School District
1997 and the Winona Municipal Separate School District, effective on
1998 July 1, 2018. At such time that the administrative consolidation
1999 becomes effective, the central administrative office of the
2000 Winona-Montgomery Consolidated School District shall be located in
2001 Winona, Mississippi.



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

2018 (3) (a) On or before September 1, 2017, the State Board of
2019 Education shall serve the local school board of the Winona
2020 Municipal Separate School District and the local school board of
2021 the Montgomery County School District with notice and instructions
2022 regarding the timetable for action to be taken to comply with the
2023 administrative consolidation required in this section.

2024 (b) The members of the Winona-Montgomery Consolidated
2025 School District Board of Trustees serving on July 1, 2020, shall
2026 continue to serve until January 1, 2021, when the membership shall



2027 be reconstituted as follows: On the first Tuesday after the first
2028 Monday in November 2020, a special election shall be held in
2029 Montgomery County for the purpose of electing a new board of
2030 trustees of such district, which shall be elected from the
2031 Supervisors Districts of Montgomery County. At said election the
2032 member of the said board from District One shall be elected for a
2033 term of one (1) year, the member from District Two shall be
2034 elected for a term of two (2) years, the member from District
2035 Three shall be elected for a term of three (3) years, the member
2036 from District Four shall be elected for a term of four (4) years,
2037 and the member from District Five shall be elected for a term of
2038 five (5) years. Thereafter, members shall be elected at special
2039 elections as vacancies occur for terms of five (5) years each.
2040 All members shall reside in the supervisors district which the
2041 member represents, and shall take office on the first Monday of
2042 January following the date of their election. All trustees of
2043 said school district shall otherwise be elected as provided for in
2044 Sections 37-7-223 through 37-7-229, Mississippi Code of 1972. All
2045 vacancies which may occur during a term shall be filled by
2046 appointment of the consolidated school district trustees from the
2047 qualified electors of the district in which the vacancy occurs.
2048 However, the person so appointed shall serve only until the next
2049 general election following such appointment, at which time a
2050 person shall be elected for the remainder of the unexpired term at
2051 the same time and in the same manner as a trustee is elected for



2052 the full term then expiring and the person so elected to the
2053 unexpired term shall take office immediately. Any school board
2054 member of the former school districts residing in the proper
2055 territory shall be eligible for appointment or election to the new
2056 Board of Trustees for Winona-Montgomery Consolidated School
2057 District.

2058 (c) Any school district affected by the required
2059 administrative consolidation in the county that does not
2060 voluntarily consolidate as ordered by the State Board of Education
2061 shall be administratively consolidated by the State Board of
2062 Education, to be effective immediately upon action of the State
2063 Board of Education. The State Board of Education shall promptly
2064 move on its own motion to administratively consolidate a school
2065 district which does not voluntarily consolidate in order to enable
2066 the affected school districts to reasonably accomplish the
2067 resulting administrative consolidation into one (1) consolidated
2068 school district by July 1 following the motion to consolidate.
2069 The affected school districts shall comply with any consolidation
2070 order issued by the State Board of Education.

2071 (4) (a) On July 1, 2018, following the motion of the State
2072 Board of Education to consolidate school districts in Montgomery
2073 County, the Montgomery County School District shall be abolished.
2074 All real and personal property which is owned or titled in the
2075 name of the school district located in such former school district

2076 shall be transferred to the Winona-Montgomery Consolidated School
2077 District as of July 1, 2018.

2078 (b) The new board of trustees of the Winona-Montgomery
2079 Consolidated School District shall be responsible for establishing
2080 the contracts for operations, teachers, principals, clerical and
2081 administrative staff personnel for the 2018-2019 school year and
2082 each school year thereafter.

2083 (c) The Superintendent of the Winona-Montgomery
2084 Consolidated School District shall be appointed by the board and
2085 is authorized to appoint an assistant superintendent, but in no
2086 instance shall the administrative leadership of the
2087 Winona-Montgomery Consolidated School District exceed three (3)
2088 assistant superintendents to be appointed by the Superintendent of
2089 the Winona-Montgomery Consolidated School District.

2090 (d) It shall be the responsibility of the board of
2091 trustees to prepare and approve the budget of the respective new
2092 reorganized district, and the board of trustees may use staff from
2093 the former school district to prepare the budget. Any transfer of
2094 the assets, real or personal property of the Montgomery County
2095 School District mandated by this section shall be final and
2096 conclusive for the purposes of the transfer of property required
2097 by this section to effectuate the administrative consolidation.

2098 (e) Any person or school district aggrieved by an order
2099 of the successor newly selected Board of Trustees of the
2100 Winona-Montgomery Consolidated School District pursuant to the

2101 required administrative consolidation may appeal therefrom within
2102 ten (10) days from the date of the adjournment of the meeting at
2103 which such order is entered. The appeal shall be taken in the
2104 same manner as appeals are taken from judgments or decisions of
2105 the board of supervisors as provided in Section 11-51-75, the
2106 provisions of which shall be fully applicable to appeals taken
2107 hereunder. The Board of Trustees of the Winona-Montgomery
2108 Consolidated School District shall not pass upon or approve or
2109 disapprove any such order until the time for an appeal therefrom
2110 has expired, nor shall the board pass upon or approve or
2111 disapprove any such order from which an appeal is taken until said
2112 appeal has been finally determined.

2113 (5) Nothing in this section shall be construed to require
2114 the closing of any school or school facility, unless the facility
2115 is an unneeded administrative office located within a school
2116 district which has been abolished under the provisions of this
2117 section. All administrative consolidations under this section
2118 shall be accomplished so as not to delay or in any manner
2119 negatively affect the desegregation of another school district in
2120 the county pursuant to court order.

2121 (6) The State Board of Education shall promulgate rules and
2122 regulations to facilitate the administrative consolidation of the
2123 school districts in Montgomery County pursuant to the requirements
2124 of this section. Beginning with the insurance cafeteria plan year
2125 of November 1, 2018, the consolidated districts shall fall under

2126 all insurance plans and policies elected by the Winona-Montgomery
2127 Consolidated School District, including the group term life
2128 insurance described in Section 25-15-9(7).

2129 (7) The County Board of Education and the Superintendent of
2130 Education of the former Montgomery County School District and the
2131 local school board and Superintendent of Schools of the Winona
2132 Municipal Separate School District shall cooperate with the State
2133 Department of Education, as soon as practicable after July 1,
2134 2016, for the planning and transition of programs, services and
2135 alignment of curriculum for the administratively consolidated
2136 school districts.

2137 (8) It shall be the responsibility of the Board of
2138 Supervisors of Montgomery County to provide office, furnishing and
2139 utilities for the administrative Office of the Superintendent of
2140 the Winona-Montgomery Consolidated School District.

2141 (9) One (1) year prior to the date of consolidation, a
2142 financial advisor and/or other facilitator with school district
2143 experience may be assigned by the Mississippi Department of
2144 Education to oversee the budgeting and financial matters relating
2145 to the consolidation of the districts slated for consolidation.

2146 The financial advisor and/or facilitator may, at the discretion of
2147 the Mississippi Department of Education, continue duties for one
2148 (1) year after the consolidation to ensure that all financial
2149 matters are in place. All financial expenditures of districts
2150 that are closing must be approved by the financial advisor and/or

2151 facilitator. If the superintendent and/or school board approves
2152 expenditures outside of this approval, they shall be personally
2153 liable for the excess expenditures. The State Board of Education
2154 shall determine the compensation to be paid to the financial
2155 advisor and/or facilitator which shall be paid by the local school
2156 district.

2157 **SECTION 19.** Section 37-7-104.5, Mississippi Code of 1972, is
2158 brought forward as follows:

2159 37-7-104.5. (1) Not later than July 1, 2019, the local
2160 school boards of the Lumberton Public School District, Lamar
2161 County School District and Poplarville Separate School District
2162 shall, under the authority provided in Section 37-7-103, enter
2163 into an agreement, by which the approval of such agreement shall
2164 be spread upon each board's minutes of their regularly scheduled
2165 meetings or at special meetings called for the specific purpose of
2166 such agreement, to abolish and dissolve the Lumberton School
2167 District and its central administrative office to be effective for
2168 the start of the 2019-2020 school year. The agreement between
2169 each school board made parties thereto must consider:

2170 (a) The composition of the district boundaries of the
2171 Lumberton Public School District, as it existed on January 1,
2172 2016, to ensure that the student population to be transferred to
2173 the Lamar County School District and Poplarville Separate School
2174 District does not disparately impact the desegregation of either
2175 school district entering into agreement;

2176 (b) The territory embraced by Lumberton, Mississippi,
2177 located within the bounded territory of Lamar County, from which
2178 the school district to be abolished by agreement draws a portion
2179 of its student population, shall be absorbed into the boundary
2180 lines of the Lamar County School District, which shall spread a
2181 legal description of the district's new boundaries upon its
2182 minutes. It shall be the responsibility of the board of
2183 supervisors of such county to apportion the school district into
2184 five (5) new single-member board of education election districts,
2185 which shall be consistent with the apportioned population of the
2186 existing Lamar County School District and that portion of the
2187 former Lumberton Public School District situated within Lamar
2188 County as the former district existed on July 1, 2016. The board
2189 of supervisors of the county shall thereafter publish the same in
2190 some newspaper of general circulation in the county for at least
2191 three (3) consecutive weeks and after having given notice of
2192 publication and recording the same upon the minutes of the school
2193 boards of each appropriate school district in the county, the new
2194 district lines will thereafter be effective; and

2195 (c) The territory embraced by Lumberton, Mississippi,
2196 located within the bounded territory of Pearl River County, from
2197 which the school district to be abolished by agreement draws a
2198 portion of its student population, shall be absorbed into the
2199 boundary lines of the Poplarville Separate School District as
2200 added territory, which shall spread a legal description of the



2201 district's new boundaries with added territory upon its minutes.
2202 It shall be the responsibility of the municipal governing
2203 authority having jurisdiction over the territory wherein the
2204 Poplarville Separate School District is located to provide
2205 residents of the added territory with representation on the school
2206 board as authorized under the provisions of Section 37-7-203(1),
2207 which shall be consistent with the apportioned population of the
2208 existing Poplarville Separate School District and the percentage
2209 of the student population from that portion of the former
2210 Lumberton Public School District situated in Pearl River County
2211 within the added territory of the Poplarville Separate School
2212 District as the former district existed on July 1, 2016. The
2213 municipal governing authority shall thereafter publish the same in
2214 some newspaper of general circulation in the county for at least
2215 three (3) consecutive weeks and after having given notice of
2216 publication and recording the same upon the minutes of the school
2217 boards of each appropriate school district in the county, the new
2218 member districts will thereafter be effective; and

2219 (2) (a) There is hereby created and established an advisory
2220 council to be known as the Commission on the Administrative
2221 Consolidation of the Lumberton Public School District. The
2222 commission shall be composed of eleven (11) members as follows:
2223 (i) The State Superintendent of Education, or his
2224 designee, who shall serve as Chairman of the Commission;

2225 (ii) The Superintendent of the Lumberton Public
2226 School District;

2227 (iii) The Superintendent of Education of the Lamar
2228 County School District;

2229 (iv) The Superintendent of the Poplarville
2230 Separate School District;

2231 (v) Two (2) members of the Lamar County Board of
2232 Education to be appointed by the Lamar County Board of Education;

2233 (vi) One (1) member of the Board of Trustees of
2234 the Poplarville Separate School District to be appointed by the
2235 Board of Trustees of the Poplarville Separate School District;

2236 (vii) One (1) member of the Board of Trustees of
2237 the Lumberton Public School District to be appointed by the Board
2238 of Trustees of the Lumberton Public School District;

2239 (viii) One (1) resident of the area which
2240 comprises the Lumberton Public School District to be appointed by
2241 the State Superintendent of Public Education;

2242 (ix) One (1) resident of the area which comprises
2243 the Lamar County School District to be appointed by the Lamar
2244 County Board of Supervisors; and

2245 (x) One (1) resident of the area which comprises
2246 the Poplarville Separate School District to be appointed by the
2247 Pearl River Board of Supervisors.

2248 (b) The Commission on the Administrative Consolidation
2249 of the Lumberton Public School District shall meet within thirty

2250 (30) days of July 1, 2016, upon the call of the State
2251 Superintendent of Education and shall hold hearings and meet as
2252 necessary and develop a report to the Legislature, the Governor
2253 and the State Board of Education on or before December 1, 2017,
2254 with the agreed-upon plan for proceeding with the abolition and
2255 dissolving of the Lumberton Public School District, which shall
2256 include a reasonable effort to maintain and operate a school in
2257 the former Lumberton Public School District by which students
2258 desiring may, in the discretion of the parents of such students,
2259 attend.

2260 (c) The plan may provide an option for students
2261 enrolled in the schools of the Lumberton Public School District on
2262 May 1, 2017, and children registered for kindergarten on that date
2263 with the Lumberton Public School District may be granted an
2264 automatic transfer by the Lamar County Board of Education or the
2265 Poplarville School Board, as determined by the agreed-upon plan.

2266 (3) Nothing in this section shall be construed to require
2267 the closing or maintenance of any school or school facility,
2268 unless the facility is an unneeded administrative office located
2269 within a school district which has been abolished under the
2270 provisions of this section.

2271 **SECTION 20.** Section 37-7-104.6, Mississippi Code of 1972, is
2272 brought forward as follows:

2273 37-7-104.6. (1) In Leflore County, Mississippi, in which
2274 are located, as of January 1, 2016, two (2) school districts,

2275 there shall be an administrative consolidation of those school
2276 districts in the county into one (1) new countywide school
2277 district to be designated as Greenwood-Leflore School District
2278 which shall consist of the territory of the former Leflore County
2279 School District and the Greenwood Municipal Separate School
2280 District, effective on July 1, 2019. At such time that the
2281 administrative consolidation becomes effective, the central
2282 administrative office of the Greenwood-Leflore School District
2283 shall be current Greenwood Public School District Central Office,
2284 located in Greenwood, Mississippi.

2285 (2) As soon as practicable, a financial advisor and/or other
2286 facilitator with school district experience may be assigned by the
2287 Mississippi Department of Education to oversee the budgeting and
2288 financial matters relating to the consolidation of the districts
2289 slated for consolidation. The financial advisor and/or
2290 facilitator may, at the discretion of the Mississippi Department
2291 of Education, continue duties for one (1) year after the
2292 consolidation to ensure that all financial matters are in place.
2293 All financial expenditures of districts that are closing must be
2294 approved by the financial advisor and/or facilitator. If the
2295 superintendent and/or school board approves expenditures outside
2296 of this approval, they shall be personally liable for the excess
2297 expenditures. The State Board of Education shall determine the
2298 compensation to be paid to the financial advisor and/or

2299 facilitator which shall be paid by the local school district to
2300 which the financial advisor and/or facilitator is assigned.

2301 (3) (a) On July 1, 2018, the State Board of Education shall
2302 serve the local school boards of the Leflore County School
2303 District and the Greenwood Municipal Separate School District with
2304 notice and instructions regarding the timetable for action to be
2305 taken to comply with the administrative consolidation required in
2306 this section. The State Board of Education shall require the
2307 administrative consolidation of Leflore County School District and
2308 the Greenwood Municipal Separate School District on or before July
2309 1, 2019. In the new Greenwood-Leflore School District, there
2310 shall be a new phased-in County Board of Education comprised of
2311 five (5) members elected to staggered terms of office from single
2312 member supervisors districts in the manner prescribed in this
2313 subsection. Current members of the Board of Trustees of the
2314 Greenwood Public School District serving on November 1, 2017,
2315 shall continue in office as the new County Board of Education of
2316 the Greenwood-Leflore School District until their successors are
2317 elected as follows:

2318 (i) The two (2) appointed board members of the
2319 Greenwood Public School District whose terms are nearest to
2320 expiration shall expire on January 1, 2019, and thereafter become
2321 permanently elected positions to be filled by persons elected as
2322 board members from Supervisors Districts 2 and 3 in a November
2323 2018 election held for that purpose, in the manner prescribed in

2324 Section 37-7-203, and the newly elected members will take office
2325 on January 1, 2019, for a term of four (4) years;

2326 (ii) The final two (2) appointed board members of
2327 the Greenwood Public School District whose terms are the farthest
2328 removed from expiration shall expire on January 1, 2020, and
2329 thereafter become permanently elected positions to be filled by
2330 persons elected as board members from Supervisors Districts 4 and
2331 5 in a November 2019 election held for that purpose, in the manner
2332 prescribed in Section 37-7-203, and the newly elected members will
2333 take office on January 1, 2020, for a term of four (4) years; and

2334 (iii) One (1) appointed board member of the
2335 Greenwood Public School District whose term is next nearest to
2336 expiration shall expire on January 1, 2021, and thereafter become
2337 a permanently elected position to be filled by a person elected as
2338 a board member from Supervisors District 1 in a November 2020
2339 election held for that purpose, in the manner prescribed in
2340 Section 37-7-203, and the newly elected members will take office
2341 on January 1, 2021, for a term of four (4) years.

2342 (b) All subsequent members shall be elected for a term
2343 of four (4) years at the regular general election held on the
2344 first Monday in November next preceding the expiration of the term
2345 of office of the respective members, and shall take office on
2346 January 1 next succeeding the election.

2347 (c) No previous school board member of the former
2348 school district that was placed under conservatorship residing in

2349 the proper territory shall be eligible for selection to the new
2350 Board of Education for the Greenwood-Leflore Consolidated School
2351 District.

2352 (d) The State Board of Education shall declare that the
2353 territory embraced by Leflore County, Mississippi, shall be the
2354 boundary lines for the territory of the new Greenwood-Leflore
2355 School District and shall spread a legal description of the new
2356 school district on the minutes of its August 2018 meeting and
2357 shall serve the applicable school boards and the board of
2358 supervisors with an adequate legal description of these new
2359 boundaries. Any school board member of the former school
2360 districts residing in the proper supervisors district shall be
2361 eligible for election to the new Board of Education for the
2362 Greenwood-Leflore School District unless such person was serving
2363 as a member of the board when either district subject to
2364 consolidation under this section was placed under conservatorship,
2365 which shall render the board member ineligible for election.

2366 (e) Any school district affected by the required
2367 administrative consolidation in the county that does not
2368 voluntarily consolidate as ordered by the State Board of Education
2369 shall be administratively consolidated by the State Board of
2370 Education, to be effective immediately upon action of the State
2371 Board of Education. The State Board of Education shall promptly
2372 move on its own motion to administratively consolidate a school
2373 district which does not voluntarily consolidate in order to enable

2374 the affected school districts to reasonably accomplish the
2375 resulting administrative consolidation into the Greenwood-Leflore
2376 School District by July 1, 2019, following the motion to
2377 consolidate. The affected school districts shall comply with any
2378 consolidation order issued by the State Board of Education.

2379 (4) The successor Greenwood-Leflore Board of Education shall
2380 appoint a new Superintendent of Schools for the Greenwood-Leflore
2381 School District to be selected no later than July 1, 2019, in the
2382 manner provided in Section 37-9-13. The position of
2383 Greenwood-Leflore Superintendent of Schools shall be an appointive
2384 position. The successor Greenwood-Leflore Board of Education
2385 shall also employ central office staff for the Greenwood-Leflore
2386 School District no later than July 1, 2019.

2387 (5) (a) On January 1, 2020, following the motion of the
2388 State Board of Education to consolidate school districts in
2389 Leflore County and the Greenwood Municipal Separate School
2390 Districts, the Leflore County and the Greenwood Municipal Separate
2391 School Districts and the former school boards of those districts
2392 shall be abolished. All real and personal property which is owned
2393 or titled in the name of the school district located in such
2394 former school districts shall be transferred to the new
2395 Greenwood-Leflore Consolidated School District.

2396 (b) The new board of trustees of the Greenwood-Leflore
2397 Consolidated School District shall be responsible for establishing
2398 the contracts for teachers, principals, clerical and

2399 administrative staff personnel for the 2019-2020 school year and
2400 each school year thereafter.

2401 (c) The new board of trustees for the Greenwood-Leflore
2402 Consolidated School District shall appoint the superintendent of
2403 schools for the school district. The superintendent of schools
2404 for the Greenwood-Leflore Consolidated School District may appoint
2405 three (3) assistant superintendents of schools for the district,
2406 but in no instance shall the administrative leadership of the
2407 Greenwood-Leflore Consolidated School District have more than
2408 three (3) assistant superintendents of education. The subsequent
2409 superintendent of schools of the consolidated school district
2410 shall not be elected, but shall thereafter be appointed by the
2411 successor board of trustees in the manner provided in Section
2412 37-9-25. It shall be the responsibility of the successor board of
2413 trustees to prepare and approve the budget of the new consolidated
2414 district, and the successor board of trustees may use staff from
2415 the former school districts to prepare the budget. Any proposed
2416 order of the State Board of Education directing the transfer of
2417 the assets, real or personal property of an affected school
2418 district in the county, shall be final and conclusive for the
2419 purposes of the transfer of property required by such
2420 administrative consolidation.

2421 (d) Any person or school district aggrieved by an order
2422 of the successor newly selected board of trustees of the
2423 Greenwood-Leflore Consolidated School District pursuant to the

2424 required administrative consolidation may appeal therefrom within
2425 ten (10) days from the date of the adjournment of the meeting at
2426 which such order is entered. The appeal shall be taken in the
2427 same manner as appeals are taken from judgments or decisions of
2428 the board of supervisors as provided in Section 11-51-75, the
2429 provisions of which shall be fully applicable to appeals taken
2430 hereunder. The board of trustees of the Greenwood-Leflore
2431 Consolidated School District shall not pass upon or approve or
2432 disapprove any such order until the time for an appeal therefrom
2433 has expired, nor shall the board pass upon or approve or
2434 disapprove any such order from which an appeal is taken until said
2435 appeal has been finally determined.

2436 (6) Nothing in this section shall be construed to require
2437 the closing of any school or school facility, unless the facility
2438 is an unneeded administrative office located within a school
2439 district which has been abolished under the provisions of this
2440 section. All administrative consolidations under this section
2441 shall be accomplished so as not to delay or in any manner
2442 negatively affect the desegregation of another school district in
2443 the county pursuant to court order.

2444 (7) The State Board of Education shall promulgate rules and
2445 regulations to facilitate the administrative consolidation of the
2446 school districts in Leflore County pursuant to this section. The
2447 consolidated districts shall make an election within one (1) year

2448 of consolidation concerning the group term life insurance
2449 described in subsection (6) of Section 25-15-9.

2450 (8) The County Board of Education and the Superintendent of
2451 Education of the former Leflore County School District and the
2452 local school board and Superintendent of Schools of the
2453 Greenwood-Leflore Public School District shall cooperate with the
2454 State Department of Education, as soon as practicable after July
2455 1, 2016, for the planning and transition of programs, services and
2456 alignment of curriculum for the administratively consolidated
2457 school districts.

2458 **SECTION 21.** Section 37-7-104.7, Mississippi Code of 1972, is
2459 brought forward as follows:

2460 37-7-104.7. (1) In Holmes County, Mississippi, in which are
2461 located, as of January 1, 2016, two (2) school districts, there
2462 shall be an administrative consolidation of all of those school
2463 districts in the county into one (1) new countywide school
2464 district to be designated as Holmes County Consolidated School
2465 District which shall consist of the territory of the former Holmes
2466 County School District and the Durant Public School District,
2467 effective on July 1, 2018. At such time that the administrative
2468 consolidation becomes effective, the central administrative office
2469 of the Holmes County Consolidated School District shall be located
2470 in Lexington, Mississippi.

2471 (2) Within two (2) years prior to the date of consolidation,
2472 or as soon as practicable after July 1, 2016, a financial advisor

2473 and/or other facilitator with school district experience may be
2474 assigned by the Mississippi Department of Education to oversee the
2475 budgeting and financial matters relating to the consolidation of
2476 the districts slated for consolidation. The financial advisor
2477 and/or facilitator may, at the discretion of the Mississippi
2478 Department of Education, continue duties for one (1) year after
2479 the consolidation to ensure that all financial matters are in
2480 place. All financial expenditures of districts that are closing
2481 must be approved by the financial advisor and/or facilitator. If
2482 the superintendent and/or school board approves expenditures
2483 outside of this approval, they shall be personally liable for the
2484 excess expenditures. The State Board of Education shall determine
2485 the compensation to be paid to the financial advisor and/or
2486 facilitator which shall be paid by the local school district to
2487 which the financial advisor and/or facilitator is assigned.

2488 (3) (a) On or before July 1, 2017, the State Board of
2489 Education shall serve the local school boards of the Holmes County
2490 School District and the Durant Public School District with notice
2491 and instructions regarding the timetable for action to be taken to
2492 comply with the administrative consolidation required in this
2493 section. The State Board of Education shall provide for the
2494 administrative consolidation of Holmes County School District and
2495 the Durant Public School District on or before July 1, 2018. In
2496 the new Holmes County Consolidated School District, there shall be
2497 a new county board of education elected in a November 2017 special



2498 election, which shall be called by the Governor for that purpose.
2499 The new county board of education shall be elected and the terms
2500 of office established as provided in Section 37-5-7(3). The State
2501 Board of Education shall declare that the territory embraced by
2502 Holmes County, Mississippi, shall be the boundary lines for the
2503 territory of the new Holmes County Consolidated School District
2504 and shall spread a legal description of the new school district on
2505 the minutes of its August 2017 meeting and shall serve the
2506 applicable school boards and the board of supervisors with an
2507 adequate legal description of these new boundaries. It shall be
2508 the responsibility of the board of supervisors of such county to
2509 apportion the newly consolidated school district into five (5) new
2510 single member board of education election districts, which shall
2511 be consistent with the supervisors district lines in the county.
2512 The board of supervisors of the county shall thereafter publish
2513 the same in some newspaper of general circulation in the county
2514 for at least three (3) consecutive weeks and after having given
2515 notice of publication and recording the same upon the minutes of
2516 the school boards of each appropriate school district in the
2517 county, the new district lines will thereafter be effective for
2518 the November 2017 special election.

2519 (b) Any school district affected by the required
2520 administrative consolidation in Holmes County that does not
2521 voluntarily consolidate as ordered by the State Board of Education
2522 shall be administratively consolidated by the State Board of

2523 Education, to be effective on July 1 following the November 2017
2524 special election of the new school board members. The State Board
2525 of Education shall promptly move on its own motion to
2526 administratively consolidate a school district which does not
2527 voluntarily consolidate in order to enable the affected school
2528 districts to reasonably accomplish the resulting administrative
2529 consolidation into the Holmes County Consolidated School District
2530 by July 1, 2018, following the election of the new board of
2531 trustees. The affected school districts shall comply with any
2532 consolidation order issued by the State Board of Education on or
2533 before July 1 following the election of the new board of trustees.

2534 (4) (a) On July 1, 2018, following the election of the new
2535 board of trustees of the Holmes County Consolidated School
2536 District, the former county board of education for Holmes County
2537 and the former board of trustees of the Durant Public School
2538 Districts shall be abolished. All real and personal property
2539 which is owned or titled in the name of the school district
2540 located in such former school districts shall be transferred to
2541 the new Holmes County Consolidated School District.

2542 (b) The new board of trustees of the Holmes County
2543 Consolidated School District shall be responsible for establishing
2544 the contracts for teachers, principals, clerical and
2545 administrative staff personnel for the 2018-2019 school year and
2546 each school year thereafter.

2547 (c) The new board of trustees for the Holmes County
2548 Consolidated School District shall appoint the superintendent of
2549 schools for the school district. The superintendent of schools
2550 for the Holmes County Consolidated School District may appoint an
2551 assistant superintendent of schools for the district, but in no
2552 instance shall the administrative leadership of the Holmes County
2553 Consolidated School District have more than one (1) assistant
2554 superintendent of education. The subsequent superintendent of
2555 schools of the consolidated school district shall not be elected,
2556 but shall thereafter be appointed by the successor board of
2557 trustees in the manner provided in Section 37-9-25. It shall be
2558 the responsibility of the successor board of trustees to prepare
2559 and approve the budget of the new consolidated district, and the
2560 successor board of trustees may use staff from the former school
2561 districts to prepare the budget. Any proposed order of the State
2562 Board of Education directing the transfer of the assets, real or
2563 personal property of an affected school district in the county,
2564 shall be final and conclusive for the purposes of the transfer of
2565 property required by such administrative consolidation.

2566 (d) Any person or school district aggrieved by an order
2567 of the successor newly selected board of trustees of the Holmes
2568 County Consolidated School District pursuant to the required
2569 administrative consolidation may appeal therefrom within ten (10)
2570 days from the date of the adjournment of the meeting at which such
2571 order is entered. The appeal shall be taken in the same manner as



2572 appeals are taken from judgments or decisions of the board of
2573 supervisors as provided in Section 11-51-75, the provisions of
2574 which shall be fully applicable to appeals taken hereunder. The
2575 board of trustees of the Holmes County Consolidated School
2576 District shall not pass upon or approve or disapprove any such
2577 order until the time for an appeal therefrom has expired, nor
2578 shall the board pass upon or approve or disapprove any such order
2579 from which an appeal is taken until said appeal has been finally
2580 determined.

2581 (5) Nothing in this section shall be construed to require
2582 the closing of any school or school facility, unless the facility
2583 is an unneeded administrative office located within a school
2584 district which has been abolished under the provisions of this
2585 section. All administrative consolidations under this section
2586 shall be accomplished so as not to delay or in any manner
2587 negatively affect the desegregation of another school district in
2588 the county pursuant to court order.

2589 (6) The State Board of Education shall promulgate rules and
2590 regulations to facilitate the administrative consolidation of the
2591 school districts in Holmes County pursuant to this section. The
2592 consolidated districts shall make an election within one (1) year
2593 of consolidation concerning the group term life insurance
2594 described in subsection (6) of Section 25-15-9.

2595 (7) The County Board of Education and the Superintendent of
2596 Education of the former Holmes County School District and the

2597 local school board and Superintendent of Schools of the Durant
2598 Public School District shall cooperate with the State Department
2599 of Education, as soon as practicable after July 1, 2016, for the
2600 planning and transition of programs, services and alignment of
2601 curriculum for the administratively consolidated school districts.

2602 **SECTION 22.** Section 37-7-104.8, Mississippi Code of 1972, is
2603 brought forward as follows:

2604 37-7-104.8. (1) In Chickasaw County, Mississippi, in which
2605 are located, as of January 1, 2017, three (3) school districts,
2606 there shall be an administrative consolidation of two (2) of those
2607 school districts in the county as a new school district to be
2608 designated as Chickasaw County School District which shall consist
2609 of the territory of the former Chickasaw County School District
2610 and the Houston Municipal Separate School District, effective on
2611 July 1, 2021. At such time that the administrative consolidation
2612 becomes effective, the central administrative office of the new
2613 Chickasaw County School District shall be located in Houston,
2614 Mississippi.

2615 (2) On July 1, 2020, the Superintendent of Schools of the
2616 former Houston Municipal Separate School District shall continue
2617 to serve in like administrative capacity for the purpose of
2618 managing the transition for the consolidation of the former
2619 Chickasaw County School District and the Houston Municipal
2620 Separate School District. The said Superintendent of Schools
2621 shall be responsible for the administration, management and

2622 operation of the school district from July 1, 2020, until July 1,
2623 2021, including, but not limited to, the following activities:
2624 (a) merging the existing budgets with the budget of the new
2625 consolidated school district; (b) nonrenewal of central office
2626 staff as necessary; (c) construction of a new salary scale for
2627 licensed and nonlicensed employees; (d) supplemental duties of
2628 school district employees; (e) assist local officials with school
2629 tax assessment; (f) appointment of assistant superintendents for
2630 the new district not to exceed three (3); and (g) veto authority
2631 over decisions of the former school boards until the new Chickasaw
2632 County Board of Education is in place. The said Superintendent of
2633 Schools shall cooperate with the State Department of Education, as
2634 soon as practicable after July 1, 2017, for the planning and
2635 transition of programs, services and alignment of curriculum for
2636 the administratively consolidated school districts.

2637 (3) On July 1, 2020, the State Board of Education shall
2638 serve the Chickasaw County Board of Education and the Board of
2639 Trustees of the Houston Municipal Separate School District with
2640 notice and instructions regarding the timetable for action to be
2641 taken to comply with the administrative consolidation required in
2642 this section. The State Board of Education shall require the
2643 administrative consolidation of the Chickasaw County School
2644 District and the Houston Municipal Separate School District on or
2645 before July 1, 2021.



2646 (4) In the new Chickasaw County School District, there shall
2647 be an Interim County Board of Education elected in a November 2020
2648 special election which shall be called by the Governor for that
2649 purpose. The State Board of Education shall declare that the
2650 following territory shall be the election districts for the
2651 Interim Chickasaw County Board of Education, and members shall be
2652 qualified electors residing in that district: (a) three (3)
2653 members shall be elected at large from the territory of the former
2654 Houston School District; and (b) two (2) members shall be elected
2655 at large from the territory of the former Chickasaw County School
2656 District. Members elected in the November 2020 special election
2657 shall serve terms of three (3) years beginning on January 1, 2021.
2658 There shall be a new Chickasaw County Board of Education for the
2659 Chickasaw County School District, elected on the first Tuesday
2660 after the first Monday in November 2023, at the same time and in
2661 the same manner as the statewide general election is held and
2662 conducted, for that purpose. The new county board of education
2663 shall be elected and the terms of office established as provided
2664 in Section 37-5-7(5). Any school board member of the former
2665 school districts residing in the proper territory shall be
2666 eligible for election to the new Chickasaw County Board of
2667 Education.

2668 (5) The State Board of Education shall declare that the
2669 territory embraced by Chickasaw County, Mississippi, excluding the
2670 territory of Okolona Separate School District, shall be the



2671 boundary lines for the territory of the new Chickasaw County
2672 School District and shall spread a legal description of the new
2673 school district on the minutes of its August 2020 meeting and
2674 shall serve the applicable school boards and the board of
2675 supervisors with an adequate legal description of these new
2676 boundaries. Any school district affected by the required
2677 administrative consolidation in the county that does not
2678 voluntarily consolidate as ordered by the State Board of Education
2679 shall be administratively consolidated by the State Board of
2680 Education, to be effective immediately upon action of the State
2681 Board of Education. The State Board of Education shall promptly
2682 move on its own motion to administratively consolidate a school
2683 district which does not voluntarily consolidate in order to enable
2684 the affected school districts to reasonably accomplish the
2685 resulting administrative consolidation into the Chickasaw School
2686 District by July 1, 2021, following the motion to consolidate.
2687 The affected school districts shall comply with any consolidation
2688 order issued by the State Board of Education.

2689 (6) The Interim Chickasaw County Board of Education shall
2690 conduct a search for a new Superintendent of Schools for the
2691 Chickasaw County School District to be selected no later than July
2692 1, 2021, in the manner provided in Section 37-9-13 and the
2693 Superintendent of Schools serving on that date may be selected to
2694 continue in office. The position of Chickasaw County
2695 Superintendent of Schools shall be an appointive position. No



2696 superintendent serving in a school district placed under
2697 conservatorship shall be eligible for appointment as a
2698 superintendent or assistant superintendent in the new Chickasaw
2699 County School District. The Interim Chickasaw County Board of
2700 Education shall also employ central office staff for the Chickasaw
2701 County School District no later than July 1, 2021, or as soon
2702 thereafter as is practicable.

2703 (7) On January 1, 2021, following the motion of the State
2704 Board of Education to consolidate school districts in Chickasaw
2705 County and the Houston Municipal Separate School Districts, the
2706 Chickasaw County School District and the Houston Municipal
2707 Separate School District and the former school boards of those
2708 districts shall be abolished. All real and personal property
2709 which is owned or titled in the name of the school district
2710 located in such former school districts shall be transferred to
2711 the new Chickasaw County School District. The Superintendent of
2712 Schools and the County Board of Education of the new Chickasaw
2713 County School District shall be responsible for establishing the
2714 contracts for teachers, principals, clerical and administrative
2715 staff personnel for the 2020-2021 school year and thereafter. It
2716 shall be the responsibility of the Superintendent of Schools and
2717 the County Board of Education of the new Chickasaw County School
2718 District to prepare and approve the budget of the new reorganized
2719 district. Any proposed order of the State Board of Education
2720 directing the transfer of the assets, real or personal property of



2721 an affected school district in the county, shall be final and
2722 conclusive for the purposes of the transfer of property required
2723 by such administrative consolidation.

2724 (8) From and after July 1, 2021, all outstanding debt of the
2725 former Chickasaw County School District and the Houston Municipal
2726 Separate School District shall be assumed by and become the debt
2727 of the new Chickasaw County School District. Any debt assumed by
2728 the Chickasaw County School District secured by a special ad
2729 valorem tax shall become secured by and payable from a mandatory,
2730 special ad valorem tax which shall be levied on all taxable
2731 property in the territory of the former Houston Municipal Separate
2732 School District or the former Chickasaw County School District, as
2733 the case may be, by the levying authority of the new Chickasaw
2734 County School District. It is the intent of the Legislature that
2735 any such pledges of the former school districts will remain in
2736 effect and that the pledged funds will be available to the new
2737 Chickasaw County School District to pay its debt to which the
2738 funds are pledged. The Board of Supervisors of Chickasaw County
2739 shall be the "levying authority" for the new Chickasaw County
2740 School District.

2741 (9) Nothing in this section shall be construed to require
2742 the closing of any school or school facility, unless the facility
2743 is an unneeded administrative office located within a school
2744 district which has been abolished under the provisions of this
2745 section. All administrative consolidations under this section

2746 shall be accomplished so as not to delay or in any manner
2747 negatively affect the desegregation of another school district in
2748 the county pursuant to court order.

2749 (10) The State Board of Education, acting through the new
2750 Superintendent of Schools, shall promulgate rules and regulations
2751 to facilitate the administrative consolidation of the school
2752 districts in Chickasaw County and Houston, Mississippi, pursuant
2753 to this section. The consolidated district shall make an election
2754 within one (1) year of consolidation concerning the group term
2755 life insurance described in Section 25-15-9(7).

2756 (11) For the initial two (2) years following the
2757 administrative consolidation required by this section, conditioned
2758 on approval by the U.S. Department of Education, the State
2759 Department of Education shall grant a waiver of accountability and
2760 state assessment requirements to the new Chickasaw County School
2761 District for the student population enrolled therein from the
2762 former Chickasaw County School District and the Houston Municipal
2763 Separate School District, when determining the new consolidated
2764 school district accreditation level based on the performance and
2765 accountability rating model.

2766 **SECTION 23.** This act shall take effect and be in force from
2767 and after July 1, 2026.

