

By: Representatives Owen, Foster

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.



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

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

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



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

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

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



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

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

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

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



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

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

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



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

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



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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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



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

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

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



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

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

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



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

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

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



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

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

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

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

377 \* \* \*

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

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



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

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

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

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



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

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

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

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



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

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

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

449 37-5-9. The name of any qualified elector who is a candidate  
450 for the county board of education shall be placed on the ballot  
451 used in the general elections by the county election  
452 commissioners, provided that the candidate files with the county  
453 election commissioners, not more than 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.



955 (2) All school districts reconstituted and created under the  
956 provisions of Article 1 of this chapter, which embrace territory  
957 in two (2) or more counties, but not including municipal separate  
958 school districts, shall be governed by a board of five (5)  
959 trustees. In making the original appointments, the several county  
960 boards of education shall appoint the trustee or trustees to which  
961 the territory in such county is entitled, and, by agreement  
962 between the county boards concerned, one (1) person shall be  
963 appointed to serve until the first Saturday of March following,  
964 one (1) for one (1) year longer, one (1) for two (2) years longer,  
965 one (1) for three (3) years longer and one (1) for four (4) years  
966 longer. Thereafter, such trustees shall be elected as is provided  
967 for in Sections 37-7-223 through 37-7-229, for a term of five (5)  
968 years. The five (5) members of the board of trustees of such line  
969 consolidated school district shall be elected from special trustee  
970 election districts by the qualified electors thereof, as herein  
971 provided. The existing board of trustees of such line  
972 consolidated school district shall apportion the line consolidated  
973 school district into five (5) special trustee election districts.  
974 The board of trustees shall place upon its minutes the boundaries  
975 determined for the new five (5) trustee election districts. The  
976 board of trustees shall thereafter publish the same in a newspaper  
977 of general circulation within said school district for at least  
978 three (3) consecutive weeks; and after having given notice of  
979 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.



2002           (2) As soon as practicable, a financial advisor and/or other  
2003 facilitator with school district experience may be assigned by the  
2004 Mississippi Department of Education to oversee the budgeting and  
2005 financial matters relating to the consolidation of the districts  
2006 slated for consolidation. The financial advisor and/or  
2007 facilitator may, at the discretion of the Mississippi Department  
2008 of Education, continue duties for one (1) year after the  
2009 consolidation to ensure that all financial matters are in place.  
2010 All financial expenditures of districts that are closing must be  
2011 approved by the financial advisor and/or facilitator. If the  
2012 superintendent and/or school board approves expenditures outside  
2013 of this approval, they shall be personally liable for the excess  
2014 expenditures. The State Board of Education shall determine the  
2015 compensation to be paid to the financial advisor and/or  
2016 facilitator which shall be paid by the local school district to  
2017 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.

