

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**July 16, 2020**

**OFFICE OF SCHOOL DISTRICT CONSOLIDATION**

- H. Approval to request the Governor call a special election in November 2020 for the Interim Board of Education in Chickasaw County School District as provided in Miss. Code Ann. § 37-7-103.8(4)

In accordance with Miss.Code Ann. § 37-7-104.8(4), "In the new Chickasaw County School District, there shall be an Interim County Board of Education elected in a November 2020 special election which shall be called by the Governor for that purpose. The State Board of Education shall declare that the following territory shall be the election districts for the Interim Chickasaw County Board of Education, and members shall be qualified electors residing in that district: (a) three (3) members shall be elected at large from the territory of the former Houston School District; and (b) two (2) members shall be elected at large from the territory of the former Chickasaw County School District. Members elected in the November 2020 special education shall serve terms of three (3) years beginning on January 1, 2021."

Recommendation: Approval

Back-up material attached

West's Annotated Mississippi Code

Title 37. Education

Chapter 7. School Districts; Boards of Trustees of School Districts

Article 3. Abolition, Alteration and Creation of Districts

Miss. Code Ann. § 37-7-104.8

§ 37-7-104.8. Administrative consolidation of Chickasaw County School districts

Currentness

(1) In Chickasaw County, Mississippi, in which are located, as of January 1, 2017, three (3) school districts, there shall be an administrative consolidation of two (2) of those school districts in the county as a new school district to be designated as Chickasaw County School District which shall consist of the territory of the former Chickasaw County School District and the Houston Municipal Separate School District, effective on July 1, 2021. At such time that the administrative consolidation becomes effective, the central administrative office of the new Chickasaw County School District shall be located in Houston, Mississippi.

(2) On July 1, 2020, the Superintendent of Schools of the former Houston Municipal Separate School District shall continue to serve in like administrative capacity for the purpose of managing the transition for the consolidation of the former Chickasaw County School District and the Houston Municipal Separate School District. The said Superintendent of Schools shall be responsible for the administration, management and operation of the school district from July 1, 2020, until July 1, 2021, including, but not limited to, the following activities: (a) merging the existing budgets with the budget of the new consolidated school district; (b) nonrenewal of central office staff as necessary; (c) construction of a new salary scale for licensed and nonlicensed employees; (d) supplemental duties of school district employees; (e) assist local officials with school tax assessment; (f) appointment of assistant superintendents for the new district not to exceed three (3); and (g) veto authority over decisions of the former school boards until the new Chickasaw County Board of Education is in place. The said Superintendent of Schools shall cooperate with the State Department of Education, as soon as practicable after July 1, 2017, for the planning and transition of programs, services and alignment of curriculum for the administratively consolidated school districts.

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

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

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

(5) The State Board of Education shall declare that the territory embraced by Chickasaw County, Mississippi, excluding the territory of Okolona Separate School District, shall be the boundary lines for the territory of the new Chickasaw County School District and shall spread a legal description of the new school district on the minutes of its August 2020 meeting and shall serve the applicable school boards and the board of supervisors with an adequate legal description of these new boundaries. Any school district affected by the required administrative consolidation in the county that does not voluntarily consolidate as ordered by the State Board of Education shall be administratively consolidated by the State Board of Education, to be effective immediately upon action of the State Board of Education. The State Board of Education shall promptly move on its own motion to administratively consolidate a school district which does not voluntarily consolidate in order to enable the affected school districts to reasonably accomplish the resulting administrative consolidation into the Chickasaw School District by July 1, 2021, following the motion to consolidate. The affected school districts shall comply with any consolidation order issued by the State Board of Education.

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

(7) On January 1, 2021, following the motion of the State Board of Education to consolidate school districts in Chickasaw County and the Houston Municipal Separate School Districts, the Chickasaw County School District and the Houston Municipal Separate School District and the former school boards of those districts shall be abolished. All real and personal property which is owned or titled in the name of the school district located in such former school districts shall be transferred to the new Chickasaw County School District. The Superintendent of Schools and the County Board of Education of the new Chickasaw County School District shall be responsible for establishing the contracts for teachers, principals, clerical and administrative staff personnel for the 2020-2021 school year and thereafter. It shall be the responsibility of the Superintendent of Schools and the County Board of Education of the new Chickasaw County School District to prepare and approve the budget of the new reorganized district. Any proposed order of the State Board of Education directing the transfer of the assets, real or personal property of an affected school district in the county, shall be final and conclusive for the purposes of the transfer of property required by such administrative consolidation.

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

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“levying authority” for the new Chickasaw County School District.

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

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

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

**Credits**

Added by Laws 2017, Ch. 436 (S.B. 2463), § 1, eff. July 1, 2017.

Miss. Code Ann. § 37-7-104.8, MS ST § 37-7-104.8

The Statutes and Constitution are current with laws from the 2020 Regular Session effective upon passage as approved through March 31, 2020. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

End of Document

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