



U.S. Department of Justice

Civil Rights Division

TCH:RSB:RPL:JMS:maj
DJ 166-012-3
2012-3941; 2012-3942
2012-3947; 2012-3949
2012-3950; 2012-4768
2012-4769; 2012-4770

*Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530*

September 10, 2012

Margarette L. Meeks, Esq.
Special Assistant Attorney General
P.O. Box 220
Jackson, Mississippi 39205

Dear Ms. Meeks:

This refers to Section 1, Chapter No. 551 (SB 2760) (2012) which:

1. Provides for the administrative consolidation of the territory of the former North Bolivar School District and the Mound Bayou Public School District, to be designated as the North Bolivar Consolidated School District;
2. Provides for the administrative consolidation of the territory of the former West Bolivar School District, the Shaw School District, and the Benoit School District, to be designated as the West Bolivar Consolidated School District;
3. Requires the State Board of Education to provide for the administrative consolidation of the referenced school districts on or before July 1, 2014;
4. Requires that in each new consolidated school district there shall be a new consolidated school district board of trustees, elected in a November, 2013 special election to be called by the Governor, to be elected and the terms of office established as provided in Section 37-7-207, Mississippi Code of 1972;
5. Requires the State Board of Education, with the assistance of the Joint Legislative Committee of Performance Evaluation and Expenditure Review (PEER) to apportion the territory of the two new consolidated school districts into five new board of trustees election districts for each new school district to be effective for the November 2013 special election;
6. Provides that any school board member of the former school district shall be eligible for election to the new board of trustees of the North Bolivar

Consolidated School District or the West Bolivar Consolidated School District;

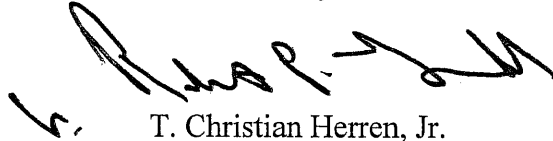
7. Requires the local school board of each new school district to reapportion the school board districts, as provided, as is necessary as soon as practicable after the 2020 decennial census are published and as soon as practicable after each decennial census thereafter;
8. Provides that any school district affected by the required administrative consolidation that does not voluntarily consolidate with the two new school districts ordered by the State Board of Education shall be administratively consolidated by the State Board of Education with the appropriate school district to be effective on July 1 following the election of the new local school boards;
9. Provides that on July 1 following the election of the new school district boards of trustees in Bolivar County, the former county board of education and the former board of trustees of the North Bolivar School District, the Mound Bayou Public School District, the West Bolivar School District, the Shaw School District, and the Benoit School District shall be abolished;
10. Requires that the new boards of trustees of the new consolidated school districts appoint the superintendent of schools for each district and that subsequent superintendents of schools shall not be elected, but appointed by successor boards of trustees; and
11. Requires the State Board of Education to promulgate rules and regulations to facilitate the administrative consolidation of the school districts, and

Section 3, Chapter No. 551 (SB 2760) (2012) which amends Section 37-27-79, Mississippi Code of 1972, to require the State Board of Education to review and develop a report relating to the need for a separate board of trustees and separate administrative offices for the Coahoma Agricultural High School, the Forrest Agricultural High School, and the Hinds Agricultural High School and any recommendations for legislation regarding consolidation, for the State of Mississippi, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on July 11, 2012; additional information was received through August 29, 2012.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

Chapter No. 551 includes provisions that are enabling in nature. Therefore, any changes affecting voting that are adopted pursuant to this legislation will be subject to Section 5 review. 28 C.F.R. 51.15.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Christian Herren, Jr.", written in a cursive style.

T. Christian Herren, Jr.
Chief, Voting Section