

**OFFICE OF CHIEF SCHOOL PERFORMANCE OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
March 19-20, 2015**

OFFICE OF SAFE AND ORDERLY SCHOOLS

B. Approval of a new school site for the Simpson County School District

Pursuant to Section 37-7-315, Mississippi Code of 1972, Annotated, the Simpson County School District requests approval of a site for the construction of a new Magee Elementary School (kindergarten through fourth grade with an enrollment of approximately 784 students) located on approximately 32.7 acres on Goodwater Road, Magee, Mississippi.

Recommendation: Approval

Back-up material attached

§ 37-7-315. Designation of school buildings and attendance centers.

In creating school districts under the provisions of Article 1 of this chapter, it shall not be necessary that the school board, in the order creating such districts, specify or designate the location of the school houses or attendance centers therein, and existing school buildings shall be retained as places of attendance until changed in the manner hereinafter set forth. Where any existing facilities or buildings shall not be used as attendance centers, the school board may utilize such facilities and buildings in connection with any related school activity which said school board may deem advisable.

The school board of any school district shall have the power and authority to designate the locations for school buildings and attendance centers in the school district subject to its jurisdiction and to change, alter or abolish the location of such school buildings and attendance centers from time to time as may be required by the educational needs of such school district. Where students from three (3) or more school districts are in attendance at one (1) attendance center by order of the respective school boards of the school districts, the use of the attendance center shall not be changed, altered or abolished except upon order of a majority of each of the school boards of the school districts from which pupils have been in attendance at the attendance center for the scholastic year; any acts, decisions, orders or resolutions by the school board of any such school district in conflict with this provision shall be null and void. If any change or alteration of the location of a school building or attendance center shall involve the construction of new school facilities, or the making of additions to, or the major repair, alteration or renovation of existing facilities, then such change or alteration shall not be effective until same shall have been submitted to and approved by the State Board of Education. There may be located and established in any school district as many school buildings and attendance centers as the educational needs of such district shall require. The school board of the school district shall have the power and authority to specify the attendance areas which shall be served by each school building or attendance center, and to change or alter same from time to time as necessity requires.

Sources: Codes, 1942, § 6328-05; Laws, 1953, Ex Sess, ch. 12, § 5; Laws, 1960, ch. 303; Laws, 1986, ch. 492, § 15, eff from and after July 1, 1987.

State Board Policy

DESCRIPTOR TERM: Regulations

CODE: 6007

ADOPTION DATE: June 17, 1988

REVISION: December 18, 1998

RULES AND REGULATIONS OF THE STATE PUBLIC SCHOOL BUILDING FUND

1. The "Loan Entitlement" to capital improvement funds for each school district shall be computed according to the provisions of Title 37, Chapter 47, Mississippi Code of 1972, as follows:

Total Earned Credits (Annual grants earned since 7-1-54)

- Interest Charged on Loans Outstanding

= Net Earned Credits

- Amount of Approved Projects

= Loans Outstanding

+ Maximum Permissible Loan (Annual grant X ADA X 20 yrs. X 75%)

= Loan Entitlement

2. The expenditure of State Funds for capital improvements shall be subject to the following restrictions:

a. \$40 per square foot for new construction (including A & E fees);

b. \$15 per square foot for renovation and/or repairs to existing facilities (including A & E fees);

c. No state funds for the purchase or improvement of school sites;

d. No state funds for construction, renovation, or repairs of frame or predominately frame buildings;

e. No state funds for maintenance-type repairs;

f. Each building project, including renovations and repairs, must be planned and supervised by an architect/engineer licensed in the State of Mississippi;

g. Architectural and engineering fees from state funds shall not exceed 6% of contract;

h. The architect/engineer shall furnish to the successful bidder(s), without cost, sufficient sets of drawings and specifications to satisfactorily complete the project;

i. A minimum pitch of 1/4 inch to each foot on any roof on any new building;

j. The accreditation status of the school district must be verified by the Commission on School Accreditation. In order to be eligible for state public school building funds, the district must demonstrate that all of its schools are fully accredited, the only exception being non-accreditation due to a facilities deficiency.

3. The district's Long Range Plan must address itself to the proposition of providing adequate and equal facilities for all students in the school district.

4. The "Procedures for Submission of Projects", as revised periodically, are hereby made a part of the Mississippi Board of Education Rules and Regulations of the State Public School Building Fund.

5. School sites shall be subject to the following:

a. Regardless of whether state public school building funds are involved, no new school facilities shall be constructed

on any new site until the said site shall have been submitted to and approved by the Mississippi Board of Education.

b. Fee simple title to the school site must be vested in the school board and its successors in office.

c. Elementary school sites must have at least five (5) acres of land with one (1) additional acre for each 100 students enrolled, and high school sites must have at least fifteen (15) acres of land with one (1) additional acre for each 100 students enrolled. (These minimum standards may be waived, at the discretion of the Board, when extenuating circumstances exist.)

d. School sites will be approved according to the criteria established by the Mississippi Board of Education.

6. The School District must execute and deliver to the Mississippi Board of Education a No-Arbitrage Certificate simultaneous to the execution and delivery of the Loan Agreement and further agrees to comply with the requirements set forth in the No-Arbitrage Certificate, the Procedures for Submission of Project as each relates to the expenditure and investment of funds advanced, the maintenance of expenditure and investment records of advanced funds and the reporting to the Board and the Treasurer of the State of Mississippi of the records of the expenditure and investment of advanced proceeds.

EVALUATION OF PROPOSED NEW SCHOOL SITE

Regardless of the source of funds, new school facilities shall not be constructed on any new site until the site has been submitted to and approved by the Mississippi Board of Education. School sites will be approved according to the criteria established by the Mississippi Board of Education.

One of the most important steps in the new building program is the selection of an adequate site. The site should be convenient to streets and roads and should be planned so as to avoid traffic hazards. It is recommended that an elementary school should have 5 acres of land with one additional acre for each 100 students enrolled. A high school site should have at least 15 acres of land with one additional acre for each 100 students enrolled. The following minimum requirements must be met or exceptions noted and approved:

1. The site serves an area with enough children (present and future) to warrant its existence as a school center. *JS*
2. The site is located in a reasonable proximity to the present and future school population. *JS*
3. The site environment is free of the odors, dust, dirt, noise and smoke that are usually associated with factories, stockyards, railroads, mills, agricultural chemical aerial spraying, etc. The site is free of hazardous waste. *JS*
4. Public utilities such as electric power, water, sewerage, telephone, fire protection and gas service are available to the site. *JS*
5. The size of the site is sufficient to provide adequately for the educational program of both the present and the anticipated future. *JS*
6. The site grounds are at sufficient elevation to prevent flooding or standing water. *JS*
7. The sub-soil conditions are such that foundations, footings, athletic fields and lagoons can be built. *JS*
8. The site can be purchased at a fair market price. Copies of two certified appraisals of the land must be attached whenever the purchase price is greater than \$50,000.00. Please refer to MS Code 1972, Annotated, 37-7-301(aa). *JS*
9. A survey plat of the property is provided with this application. *JS*
10. The proposed new school site is plotted on the school district map and is provided with this application. *JS*
11. The site is accessible by both vehicles and pedestrians. *JS*

*An electronic version of this form is available at
http://www.healthyschoolsms.org/healthy_school_environment/buildinggrounds.htm.*

QUESTIONS POSED REGARDING THE PURCHASE OF CHRIS LANE'S PROPERTY

What is the estimated cost of both projects?

The revised estimates are as follows:

Mendenhall Cafeteria - \$1,646,424.86 (includes value engineering reductions)

Magee Elementary Campus - \$10,604,278.05 (includes cost of land and dirt work)

Total estimated cost of both projects - \$12,250,702.91

How are the projects being financed?

Proceeds from 3 mil, 15 year note - \$5,850,000

Funds from 16th Section Interest/Principal - \$6,400,702.91

Will the land's proximity to the railroad track pose an issue for a school site?

We spoke to Dr. Bill Welch from the Office of Safe and Orderly Schools at MDE. He stated that the only requirement by MDE was that the school district have a policy regarding the evacuation of students in the case of a chemical spill. The district already has this policy in place. He also said that we needed to speak to someone with the railroad company to confirm their requirements. We spoke to John Donny from Canadian International Railroad and he said that as long as we stay off of their right-of-way and did not cause any issues, such as drainage problems, trespassers or unwanted occupancy, and maintain construction grading, there are no other requirements for this site.

Will the sound of the train interrupt classes throughout the day?

According to John Donny with Canadian International Railroad, there are 8-10 current moves along the railroad in Magee. They are randomly scattered throughout the day. There are approximately 4-5 moves during the daylight hours.

Exceptions to the above minimum requirements must be noted and explained in detail.

Additional information for proposed new school site:

1. Physical location of the proposed site Goodwater Road Magee, MS 39111

2. Grades to be housed/served K-4

3. Student enrollment count 784

4. Is the proposed new site located on 16th section land owned by the school district?

Yes No

If yes, how many acres are available? _____ Acres

If no, please describe the financing of the site purchase or explain how the land was acquired and the number of acres available for the proposed school site.

(attach documentation)

The property on Goodwater Road consists of 32.7 acres. The Simpson County School District will purchase the 32.7 acres with proceeds from a 3 mil, 15 year note that closed on August 15, 2014. Two appraisals were acquired and both stated a market price of \$327,000. The land will be purchased at this price.

5. Will the school district have fee simple title?

Yes No

6. Is there organized opposition to the proposed site based on, but not limited to, the location of the school, acquisition of the land, safety issues, and/or community concerns?

Yes No

If yes, please explain.

There is a group of people that have been sharing concerns with each site that the school board has looked at. Their concerns for this site are the proximity to the railroad track and also to the highway.

7. Please provide justification of the need for the proposed school site.

Currently Magee Elementary School is housed on 9 acres of land and has an enrollment of 784 K-4 students. The school was built in 1965. All possible improvements have been made through the years; however, the facility is in such condition that is beyond routine maintenance and future renovations. The campus will be relocated to the site that is being submitted for MDE approval.

CERTIFICATION

We, the President of the Board of Education/Trustees and the Superintendent of the

SIMPSON COUNTY School District hereby certify to the Mississippi Board of

Education that this Evaluation of Proposed New School Site for the construction of

MAGEE ELEMENTARY School location at GOODWATER ROAD, MAGEE,
(street or rural route, city)

meets the minimum requirements previously stated or exceptions have been properly

noted. Further, this Evaluation of Proposed New School Site has been duly adopted and

approved by the Board of Education/Trustees of the SIMPSON COUNTY

School District as evidenced by action taken by the Board of Education/Trustees of the

SIMPSON COUNTY School District at an official board meeting held on the

12 Day of FEBRUARY, 2015.

President

Doris Perkins (Print)

Doris Perkins (Sign)

2-12-15 (Date)

Superintendent

Glenn D. Harris (Print)

Glenn D. Harris (Sign)

2/12/15 (Date)

School Board Attorney

LARRY E. CLARK (Print)

Larry E. Clark (Sign)

2-12-15 (Date)

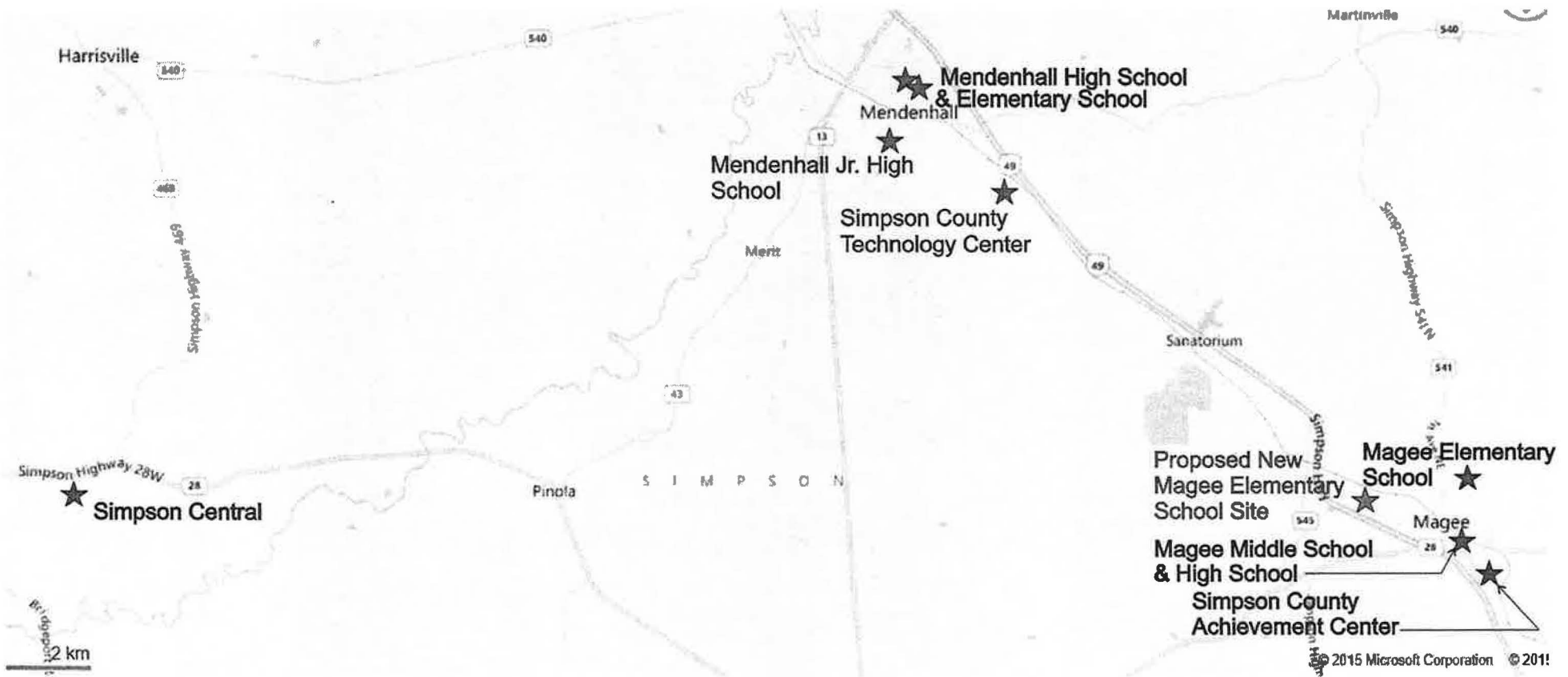
Franceson Bridges

Notary Public

Sworn to and subscribed before me on this

the 12th day of February, 2015.





Simpson County School District School Campus Locations