



*Lynn Fitch*  
**ATTORNEY GENERAL**  
OPINIONS AND POLICY

August 17, 2023

Willie Griffin, Esq.  
Attorney, West Bolivar Consolidated School District Board of Trustees  
1001 Main Street  
Greenville, Mississippi 38702-0189

Re: Authority to Relocate the Central Administrative Office of the West Bolivar Consolidated School District

Dear Mr. Griffin:

The Office of the Attorney General has received your request for an official opinion.

### **Background**

The superintendent for West Bolivar Consolidated School District has requested authority to move all or part of the central office, together with staff, to the former Benoit location to accommodate the space needed for the central office and its staff.

### **Questions Presented**

1. May the Board of Trustees for the West Bolivar Consolidated School District, by majority vote, relocate the central office, together with the superintendent and staff, from Rosedale to Benoit without obtaining prior approval of the Mississippi Legislature?
2. If your answer to the first question is no, may the Board of Trustees for the West Bolivar Consolidated School District, by majority vote, relocate certain district level staff of the superintendent, such as the federal programs director, special services director, etc., from the Rosedale location to the Benoit location without obtaining prior approval of the Mississippi Legislature?

### **Brief Response**

1. No. Mississippi Code Annotated Section 37-7-104.1(1) requires that the central administrative office of the West Bolivar Consolidated School District be located in Rosedale, Mississippi.

2. We find no authority for the Board of Trustees for the West Bolivar Consolidated School District to locate any part of the central administrative office anywhere but Rosedale, Mississippi.

### **Applicable Law and Discussion**

Section 37-7-104.1(1) provides, in pertinent part:

- (1) In Bolivar County, Mississippi, in which are located, as of January 1, 2012, six (6) school districts, there shall be an administrative consolidation of all of the school districts in the county into three (3) school districts as follows:

. . .

- (c) One (1) new consolidated school district to be designated as West Bolivar Consolidated School District which shall consist of the territory of the former West Bolivar School District, Shaw School District and Benoit School District. *The central administrative office of the West Bolivar Consolidated School District shall be located in Rosedale, Mississippi.*

(emphasis added). Section 37-7-104.1 expressly requires that the West Bolivar Consolidated School District's central administrative office be located in Rosedale, Mississippi; therefore, we find no authority for the Board of Trustees to relocate the central administrative office to Benoit, Mississippi. It follows that we find no authority for any part of the central administrative office to be located anywhere but Rosedale, Mississippi. Accordingly, relocating the central administrative office would require legislative action.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: /s/ Abigail C. Overby

Abigail C. Overby  
Special Assistant Attorney General