INTRODUCTION

The policies and procedures governing the operation of the schools of the Harrison School District chart the course of the Harrison County schools, indicate actions to be taken by the School Board, the administration, and other staff members in carrying out their responsibilities, foster stability and continuity, and contribute to the efficiency of the Board of Education and the school staff. Policies adopted by the Board are intended to inform everyone about the Board’s intent, goals, and aspirations; procedures detailed in this manual include the directions developed by the administration to put policy into practice.

In coding the policies and procedures now in effect in the Harrison County School District, the alphabetical sequence first adopted by the National School Boards Association has been followed in most instances, together with other coding used by the Mississippi School Boards Association. In a number of cases, however, codes may differ from those used by both the NSBA and the MSBA. Such changes may reflect particular district policy requirements/titles or identifying terms or descriptors not included in the original code-finder.

A cross-reference index has been prepared and placed at the beginning of this manual. Alphabetically arranged according to title/subject, the index lists page numbers where specific policy references may be found and will assist the user in finding policy statements easily and quickly. The coding or tracking of terms is by letter rather than by number. The alphabet rules, and the coding is simply a matter of following the ABC’s. At first glance, letter codes may appear strange, compared to the more familiar decimal system. Yet it takes but a moment for a code-user to appreciate the logic and simplicity of alphabet coding.

The manual is divided into thirteen sections. A break page indicates the titles or subjects of policies in a particular section. The thirteen general sections are the following:

Section A – School District Organization
Section B – School Board Operations
Section C – General School Administration
Section D – Fiscal Management
Section E – Business Management (excludes fiscal management)
Section F – Facility Expansion Program
Section G -- Personnel
Section H – Negotiations
Section I – Instructional Program
Section J -- Students
Section K – General School-Community Relations
Section L – Interorganizational Relations (excludes educational agencies)
Section M – Education Agency Relations

Efforts will be made to continue to update materials, inserting new policy statements and procedural guidelines and removing outdated materials as necessary. Copies of the manual will be placed in every school in the district and in each principal’s office and will be available to every staff member. All staff members will be expected to be familiar with policies governing the school district and to adhere to these policies at all times.

Readers of this manual should note that individual policies shall be interpreted in conjunction with all other policies and provisions of the manual and shall not be considered in isolation. The reader should also note that a policy statement is frequently followed by references to other policies or that the index leads to other policy statements related to the policy being reviewed. Users should check all such cross-references or related policy notes.
CROSS-REFERENCE

INDEX
A - SCHOOL DISTRICT OPERATIONS

AA  District Legal Status
AAA  School District Liability Exemptions

AB  Board Legal Status
ABA  Authority
ABB  Powers and Duties (Cf. BBBA)
ABBA  General Home Rule Authority
ABC  Board Members Legal Status (Cf. BBB)
ABCA  Selection of Board – Number - Terms
ABCB  Qualifications – Board Member Training
ABCDA  Unexpired Term Fulfillment
ABCF  Removal from Office
ABD  School Superintendent Legal Status (Cf. CE)

AC  School District Organization Plan (Cf. IE)

AD  School Attendance Areas/School Boundaries
ADB  Average Daily Attendance

AE  School Year – Academic Year
AEA  School Calendar
AEAA  Vacations
AEAB  Holidays
AEBA  Summer Sessions (Cf. IDCA) – Extended Year

AF  School Day and Term
AFC  Emergency Closings (Also EBBD)
B - SCHOOL BOARD OPERATIONS

BA  Goals and Objectives
BAAB  Non-discrimination Policy

BB/BBA  Internal Organization/Officers
BBAB  Board Operations
BBABA  President
BBABBB  Vice-President
BBABBC  Secretary
BBB/BBBBA  Members (Cf. ABC) – Duties
BBBBA  New Member Orientation
BBBBC  Board Member Development Opportunities
BBBCCA  Hardship Extension for Board Members
BBBBD  Bonded Members
BBBE  Compensation and Expenses (Cf. DJD) – Travel Allowance –
BBD  Board – Roles, Responsibilities, and Relationships
BBDA  Board/Superintendent Relations
BBDB  Discipline
BBE  School Attorney
BBF  Advisory Committees
BBFA  School Board Advisory Committee
BBG  Consultants (Cf. CJ)
BBH  Awards, Recognitions, Certificates – Parent of the Year
BBI/CEB  Board-staff Relations – Superintendent Duties
BBJ  Review of Board Procedures

BC/BCA  Meetings - Minutes - Internal Organization
BCAB  Regular
BCAC  Special
BCACAA  Adjourned
BCACB  Recessed
BCAD  Teleconference or Video Board Meeting
BCAE  Public Hearings
BCBA  Time and Place
BCBB  Notification
BCBC  Board Meeting Preparation And Distribution Of Materials
BCBD  Agenda
BCBF  Rules of Order
BCBFA  Quorum
BCBFB  Suspension of the Rules - Amendment of Rules
BCBFC  Amendments to Policies/Policy Revision
BCBG  Voting Method - Procedures
BCBH  Minutes
BCBI  Public Participation (Also KCA) - Staff/Student Participation
BCBJ  Board Meeting News Coverage (Also KBCC)
BCBK  Executive Sessions

BD  Policy Development (Cf. CM)
BDA  Board Policy Implications of NCLB
BDB  Policy Drafting
BDC  Policy Adoption
BDD  Policy Dissemination – Policy Handbook
BDE  Policy Review
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BDF</td>
<td>Review of Administrative-Rules (Also CMAD)</td>
</tr>
<tr>
<td>BDG</td>
<td>Administration in Policy Absence (Also CMB)</td>
</tr>
<tr>
<td>BDH</td>
<td>Suspension of Board Policies</td>
</tr>
<tr>
<td>BE</td>
<td>School Board Records (Cf. CN)</td>
</tr>
<tr>
<td>BF/CO</td>
<td>Annual Reports (Cf. CO) - Audit</td>
</tr>
<tr>
<td>BG</td>
<td>Memberships</td>
</tr>
<tr>
<td>BH</td>
<td>Ethics</td>
</tr>
<tr>
<td>BHA</td>
<td>Board Member Conflict of Interest</td>
</tr>
</tbody>
</table>
C - GENERAL SCHOOL ADMINISTRATION

CA  Goals and Objectives

CB  Ethics

CBG  Administrative and Supervisory Positions

CC  Organization Charts

CD  Line and Staff Relations

CE/CEA  School Superintendent (Cf. ABD) – Selection/Qualifications

CEB  Duties - Board/Staff Relations

CED  Election/Vacancy in Office

CEE  Compensation and Benefits (Cf. EGA) – Contract Form and Execution – Salary

CEF  Expenses

CEG  Professional Development Opportunities

CEH  Consulting

CEI  Evaluation

CEL  Retirement

CEM  Bond

CG  Administrative Personnel (Cf. GA, GB)

CGA  Compensation Guides and Contracts (Cf. EGA)

CGB  Positions

CGBA  Qualifications and Duties of Personnel

CGC  Fair Labor Standards Act

CGD  Hiring (Also see GAAC)

CGE  Assignment (See GAMA)

CGI  Evaluation

CGJ  Promotion

CGL  Transfer/Reassignment

CGM  Separation – School Employment Procedures Act

CGN  Resignation

CGO  Retirement

CGPB  Time Schedules

CGPD  Expenses (Cf. DJD)/Travel

CGPEA  Consulting

CGPF  Professional Leaves and Absences

CI  Administrative Intern Program

CJ  Consultants (Cf. BBG)

CK  Professional Development Opportunities (Cf. GADI)

CL  Councils, Cabinets, and Committees

CM  Policy Implementation (Cf. BD)

CMA  Administrative Rules
<table>
<thead>
<tr>
<th>CN</th>
<th>Administrative Records (Cf. BE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CO</td>
<td>Administrative Reports (Cf. BF) Also see DIB.</td>
</tr>
<tr>
<td>CP</td>
<td>Administrative Conflict of Interest</td>
</tr>
</tbody>
</table>
D - FISCAL MANAGEMENT

DA  Goals and Objectives

DC  Annual Operating Budget - Preparation of Budget
DCA  Budget Preparation Procedures/Adoption
DCB  Fiscal Year/Scholastic Year
DCH  Periodic Budget Reconciliation
DCI  Line Item Transfer Authority

DE  Debt Limitation

DF  Revenues(Cf. FF) – Sixteenth Section Land
DFA  Local Tax Revenues - Ad Valorem Taxes
DFBA  Educational Enhancement Funds
DFC  Federal Aid-Federal Financial Assistance Programs
DFCA  Federal and School Census
DFCB  Cash Management of Federal Funds
DFD  Bond Sales (Also FFA)
DFE  Short Term Notes (Also FFB)
DFEA  Tax Anticipation Notes (Cf. FFAC)
DFEAB  Shortfall Borrowing
DFF  Grants-Awards-Scholarships Involving Financial Assistance
DFG  Fees, Payments and Rentals (Cf. EBH, KG)
DFK  Gifts and Bequests
DFL  Investment Earnings (Cf. DN)

DG  Depository of Funds/Receipting of Funds
DGA  Requirement of Securities

DH  Bonded Employees (Cf. EGE) - Fidelity Bond

DI  Accounting and Reporting
DIA  Accounting System – Cash Receipts
DIB  Financial Reports and Statements
DIC  Inventories
DID  Audits
DIDA  Fixed Asset Accountability

DJ  Expenditure of Funds/Federal Funds
DJAA  Checking Accounts – Authorized Signatures
DJB  Petty Cash Accounts
DJC  Procedure for Payment
DJCA  Payday Schedule
DJCB  Salary Deductions (Also GAL)/Reductions
DJCBA  Social Security
DJCBB  Retirement Benefits
DJCBB  Group Insurance
DJCBD  Credit Union
DJCBF  Tax-Sheltered Annuity Programs
DJCBF  Garnishments or Levy
DJD  Expense Reimbursements
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DJDA</td>
<td>Purchase of Food, Drinks, Food Supplies From Public Funds</td>
</tr>
<tr>
<td>DJDB</td>
<td>Use of Funds For Political Purposes</td>
</tr>
<tr>
<td>DJE</td>
<td>Purchasing</td>
</tr>
<tr>
<td>DJEAB</td>
<td>Purchase of School Equipment</td>
</tr>
<tr>
<td>DJED</td>
<td>Purchasing – Bids and Quotations</td>
</tr>
<tr>
<td>DJEG</td>
<td>Purchase Orders and Contracts</td>
</tr>
<tr>
<td>DJEIA</td>
<td>Sales Calls and Demonstrations</td>
</tr>
<tr>
<td>DJEJ</td>
<td>Payment Procedures</td>
</tr>
<tr>
<td>DJG</td>
<td>Notes and Bond Payments</td>
</tr>
<tr>
<td>DK</td>
<td>Student Activities Funds Management (Also JHB)</td>
</tr>
<tr>
<td>DKA</td>
<td>Student Activities Funds - Procedures</td>
</tr>
<tr>
<td>DKB/DJE/DK</td>
<td>Student Activities Fund Management – Items Purchased for Resale</td>
</tr>
<tr>
<td>DL</td>
<td>Cash in School Buildings - Responsibility for Loss of Funds</td>
</tr>
<tr>
<td>DN</td>
<td>Surplus Funds (Cf. DFL)</td>
</tr>
<tr>
<td>DO</td>
<td>School Properties Disposal Procedure/Obsolate or Surplus Property</td>
</tr>
<tr>
<td>DP</td>
<td>Depreciation of Fixed Assets</td>
</tr>
<tr>
<td>DPA</td>
<td>Capitalization of Fixed Assets</td>
</tr>
</tbody>
</table>
E - BUSINESS MANAGEMENT

EA  Building and Grounds Management - Goals and Objectives

EB  Buildings and Grounds Management - Community Use of School Facilities/Regulations/Application and Charges
   Public Conduct Policy/Parents/Guardians/Others
   Non-Related School Conduct
   Smoke Free Buildings – Tobacco Use on Educational Property
   Asbestos Policy
   Homeland Security - Workplace Threats and Violence
   Emergency Drills (Also JGFA, Cf. LDAL)
   Emergency Closings (Also AFC) - Emergency Operations-Civil Defense
   Traffic and Parking Controls (Cf. JGFD, JGFF)

EBC  Security
   Vandalism Protection
   Public School Grounds Maintenance

EBH  Leasing and Renting (Cf. DFG, DJF, KG)
   School Facility Rental

EBHA  Long-Range Maintenance Program

EBIA  Buildings and Grounds Records

EBJ  School Property Development Act of 2005

EBK  Faculty Mail Boxes

EC  Equipment and Supplies – Management-Protection of School Property
   Equipment and Supplies Management – Requisition – Ownership – Borrowed – Transfer
   Storage – Care – Loss or Damage
   Vandalism – Liability/Reporting

ECHB  School Equipment and Property - Operation and Authorized use

ED  Student Transportation Management (Cf. JGG) – Bus Drivers
   Student Transportation
   Insulin Dependent Bus Drivers
   Bus Drivers Medical Exam
   Use of Vehicles to Transport Students
   Use of Private Vehicles for Student Transportation
   Bus Turnaround – Authority – Public School Grounds Maintenance
   Safety – Bus Conduct
   Scheduling and Routing
   Special Use of School Buses
   Walkers and Riders (Also JGGA)
   Bus Assignment Procedure
   Transportation Records

EE  Child Nutrition Program

EG  Insurance Management (Cf. ECA, FGE)

EGAA  Worker’s Compensation
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EGB</td>
<td>Student Insurance Program (Also JGA)</td>
</tr>
<tr>
<td>EGC</td>
<td>Property</td>
</tr>
<tr>
<td>EGD</td>
<td>Liability</td>
</tr>
<tr>
<td>EI</td>
<td>Computer Software Usage</td>
</tr>
<tr>
<td>EIA</td>
<td>Data Ownership Policy</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
</tr>
<tr>
<td>FA</td>
<td>Facility Goals/Authority</td>
</tr>
<tr>
<td>FB</td>
<td>Naming or Renaming New Facilities</td>
</tr>
<tr>
<td>FD</td>
<td>Long-Range Planning - New Schools - Facilities Planning</td>
</tr>
<tr>
<td>FDB</td>
<td>Long-Range Needs Determination</td>
</tr>
<tr>
<td>FDC</td>
<td>Naming New Facilities/Renaming</td>
</tr>
<tr>
<td>FDD</td>
<td>Administration of Sixteenth Section Land (see DF)</td>
</tr>
<tr>
<td>FEAB</td>
<td>Employment of Contractors, Architects, Engineers</td>
</tr>
<tr>
<td>FEAG</td>
<td>State Government</td>
</tr>
<tr>
<td>FFA</td>
<td>Bond Sales (Also DFD)</td>
</tr>
<tr>
<td>FFF</td>
<td>State Loans and Grants</td>
</tr>
<tr>
<td>FFG</td>
<td>Federal Loans and Grants</td>
</tr>
<tr>
<td>FGB</td>
<td>Site Acquisition Procedures/Purchase of Real Property</td>
</tr>
<tr>
<td>FGD</td>
<td>Contracts for School Construction</td>
</tr>
<tr>
<td>FGDB</td>
<td>Contract Awards Procedure</td>
</tr>
</tbody>
</table>
G – PERSONNEL

GA General Section (Cf. CG) - All Employees
GAA Goals and Objectives
GAAA Equal Opportunity Employment - Affirmative Action Guidelines
(Also see GCR)
GAAC Hiring – Criminal Background Checks – Fingerprinting –
Child Abuse Registry

GAB Budget Planning Involvement (Also see DC.)
GAC Staff Involvement in Decision making (Cf.BDBB, CMAA) - Participation in
Policy Formation
GACA Orientation, Knowledge of Procedures, Responsibility
for Policy Enforcement, Precedence of District Policies

GAD Professional Development – Inservice Programs

GAE Staff Complaints and Grievances – Grievance Procedure
GAEA Staff Protection/Harassment/Abuse of School Employees
GAEAA Sexual Harassment
GAEB Grievances - Employees and Visitors, Section 504, ADA
GAEC Complaints About Teachers

GAF Staff-Student Relations
GAF A Inappropriate Relations Between Staff and Students

GAG Staff Conflict of Interest

GAHB Political Activities
GAHBA Political Activities For Federally Funded Employees
GAHD Employee Arrest
GAHDA Arrest of Teacher
GAIA Solicitations by Staff Members (Also KDCA)

GAJB Gifts to Staff Members - Gratuities

GAK Personnel Records
GAKA School Telephones

GAL Salary Deductions

GAM Staff Rights and Responsibilities
GAMA Transfers and Assignments
GAMB Transfer of Records/Assets
GAMD Identification Badges

GAN Retirement System
GANC Reemployment After Retirement-
GARA  Employment Less Than Full-Time
GARIA  Family and Medical Leave
GARID  Military Leave
GARII  Legal Leave - Jury Duty
GARIJ  Donated Leave

GAS  Personnel - Suspension

GAT  Communicable Diseases - Health Risks

GAU  Non-School Employment

GAX/JCD  Controlled Substances - Drugs -and Alcohol in the Workplace – Drug Free Workplace
GAXA  Smoking – Tobacco-Free Schools

GAZ  Possession of Weapons on School Grounds
GAZA  Staff Dress – All Employees

GB  Professional Personnel Section (Cf. CG, GA)
GBA  Teacher Salary Scale - Compensation Guides and Contracts

GBB/GCB  Job Descriptions – Personnel - Positions
GBBA  Qualifications and Duties - Certification
Job Descriptions listed and coded (GBBAA, GBBAB, etc.) job-by-job
GBBAAB  Teachers - Duties
GBBAAD  Responsibility for Discipline - Supervision
GBBAAE  Leaving Grounds or Duty Posts

GBC  Recruitment

GBD  Hiring

GBE  Assignment
GBEB  Coaching/Teaching Assignment

GBF  Orientation

GBH  Supervision and Evaluation

GBI  Evaluation of Administrators – Licensed Employees

GBJ  Promotion

GBK  Suspension/Dismissal
GBKA  Lay-Off – Reduction in Force

GBM  Transfer

GBN  Nonrenewal of Licensed Employees – Education Employment Procedures Law

GBO  Resignation

GBQ  Retirement
<table>
<thead>
<tr>
<th>GBQA</th>
<th>Strikes</th>
</tr>
</thead>
<tbody>
<tr>
<td>GBRB</td>
<td>Time Schedules – Work Load</td>
</tr>
<tr>
<td>GBRC</td>
<td>Reduction of Paperwork</td>
</tr>
<tr>
<td>GBRD</td>
<td>Staff Meetings</td>
</tr>
<tr>
<td>GBRF</td>
<td>Expenses (Cf. DJD)</td>
</tr>
<tr>
<td>GBRG</td>
<td>Nonschool Employment</td>
</tr>
<tr>
<td>GBRGA</td>
<td>In-District Extra Work</td>
</tr>
<tr>
<td>GBRGB</td>
<td>Tutoring for Pay (Cf. GAU/IEIA/IHEAA)</td>
</tr>
<tr>
<td>GBRH</td>
<td>Professional Leave</td>
</tr>
<tr>
<td>GBRI</td>
<td>Leaves and absences – Sick Leave</td>
</tr>
<tr>
<td>GBRIH</td>
<td>Unused Leave</td>
</tr>
<tr>
<td>GBRJ</td>
<td>Substitute Teachers (Cf. IKH, IKI)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GBS</th>
<th>Professional Organizations (Cf. MGA) - Meetings and Notifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>GBU</td>
<td>Ethics</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GC</th>
<th>Non-Licensed Staff - Classified Staff Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCA</td>
<td>Compensation Guides and Contracts – Salary Schedule</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCD</th>
<th>Hiring</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCDA</td>
<td>Employment Prior to Board approval</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCE</th>
<th>Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCF</td>
<td>Orientation</td>
</tr>
<tr>
<td>GCFA</td>
<td>Classified Staff-Staff Development</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCH</th>
<th>Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCI</td>
<td>Evaluation (also see GBI)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCK</th>
<th>Suspension</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCKA</td>
<td>Lay-Off</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCM</th>
<th>Transfer</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCNA</td>
<td>Termination/Separation/Resignation/Reemployment – Grievance Procedure</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCO</th>
<th>Resignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCP</td>
<td>Reemployment</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GCRA</th>
<th>Health Examinations</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCRAA</td>
<td>Working Conditions – Fair Labor Standards Policy</td>
</tr>
<tr>
<td>GCRB</td>
<td>Time Schedules</td>
</tr>
<tr>
<td>GCRD</td>
<td>Overtime Pay - Compensatory Time</td>
</tr>
<tr>
<td>GCRE</td>
<td>Expenses (Cf. DJD)</td>
</tr>
<tr>
<td>GCRF</td>
<td>Nonschool Employment</td>
</tr>
<tr>
<td>GCRG</td>
<td>Sick Leave</td>
</tr>
<tr>
<td>GCRGA</td>
<td>Non-Certified Legal Leave</td>
</tr>
<tr>
<td>GCRGJ</td>
<td>Non-Certified Personal Leave</td>
</tr>
<tr>
<td>GCRH</td>
<td>Vacations</td>
</tr>
<tr>
<td>GCRI</td>
<td>Non-Licensed – Paid Holidays</td>
</tr>
</tbody>
</table>

xiii
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCS</td>
<td>Employee Organizations</td>
</tr>
<tr>
<td>GDA</td>
<td>Paraprofessionals - Compensation Guides and Contracts</td>
</tr>
<tr>
<td>GDH</td>
<td>Teacher Assistants – Supervision</td>
</tr>
<tr>
<td>GDHA</td>
<td>Teacher Assistants – Evaluation</td>
</tr>
<tr>
<td>GDHB</td>
<td>Sick Leave</td>
</tr>
</tbody>
</table>
H - NEGOTIATIONS

HA Professional Personnel Negotiations
HAA Legal Status
HAB Goals and Objectives
HAC Scope of Professional Negotiations (Cf. HAIC)
HAD Board Rights and Duties
HAE Board Negotiating Agent
HAF Superintendent's Role
HAG Professional Staff Rights and Responsibilities
HAH Professional Staff Negotiating Organization (Cf. GBS, GDS)
HAHA Method of Determination
HAHB Privileges
HAI Bargaining Meeting Procedures
HAIA Time and Place
HALAA Time Limits
HAIB Notification
HAIC Agenda Determination (Cf. HAC)
HAID Distribution of Information
HAIDA Research Assistance (Cf. EFDB)
HAIE Quorum
HAIF Rules of Order
HAIG Minutes and Records
HAIH Progress Reporting
HAIHA To Staff and Board
HAIHB To Press and Public
HAI Payment of Costs
HAJ Preliminary Agreement Disposition
HAK Ratification and Implementation Procedures
HAL Announcement of Agreement
HAM Impasse Procedures
HAN Professional Personnel Job Actions - Strikes
HAO Amendment and Renegotiations Procedures
HB Nonprofessional Personnel Negotiations
HBA Legal Status
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HBB</td>
<td>Goals and Objectives</td>
</tr>
<tr>
<td>HBC</td>
<td>Scope of Nonprofessional Negotiations (Cf. HBIC)</td>
</tr>
<tr>
<td>HBD</td>
<td>Board Rights and Duties</td>
</tr>
<tr>
<td>HBE</td>
<td>Board Negotiating Agent</td>
</tr>
<tr>
<td>HBF</td>
<td>Superintendent's Role</td>
</tr>
<tr>
<td>HBG</td>
<td>Nonprofessional Staff Rights and Responsibilities</td>
</tr>
<tr>
<td>HBH</td>
<td>Nonprofessional Staff Negotiating Organization (Cf. GCS, GDS)</td>
</tr>
<tr>
<td>HBHA</td>
<td>Method of Determination</td>
</tr>
<tr>
<td>HBHB</td>
<td>Privileges</td>
</tr>
<tr>
<td>HBI</td>
<td>Bargaining Meeting Procedures</td>
</tr>
<tr>
<td>HBIA</td>
<td>Time and Place</td>
</tr>
<tr>
<td>HBIAA</td>
<td>Time Limits</td>
</tr>
<tr>
<td>HBIB</td>
<td>Notification</td>
</tr>
<tr>
<td>HBIC</td>
<td>Agenda Determination (Cf. HBC)</td>
</tr>
<tr>
<td>HBID</td>
<td>Distribution of Information</td>
</tr>
<tr>
<td>HBIDA</td>
<td>Research Assistance (Cf. EFDB)</td>
</tr>
<tr>
<td>HBIE</td>
<td>Quorum</td>
</tr>
<tr>
<td>HBIF</td>
<td>Rules of Order</td>
</tr>
<tr>
<td>HBIG</td>
<td>Minutes and Records</td>
</tr>
<tr>
<td>HBIIH</td>
<td>Progress Reporting</td>
</tr>
<tr>
<td>HBIHA</td>
<td>To Staff and Board</td>
</tr>
<tr>
<td>HBIHB</td>
<td>To Press and Public</td>
</tr>
<tr>
<td>HBII</td>
<td>Payment of Costs</td>
</tr>
<tr>
<td>HBJ</td>
<td>Preliminary Agreement Disposition</td>
</tr>
<tr>
<td>HBK</td>
<td>Ratification and Implementation Procedures</td>
</tr>
<tr>
<td>HBL</td>
<td>Announcement of Agreement</td>
</tr>
<tr>
<td>HBM</td>
<td>Impasse Procedures</td>
</tr>
<tr>
<td>HBN</td>
<td>Nonprofessional Personnel Job Actions</td>
</tr>
<tr>
<td>HBO</td>
<td>Amendment and Renegotiations Procedures</td>
</tr>
</tbody>
</table>
I - INSTRUCTIONAL PROGRAM

IA  Mission Statement – Educational Philosophy and Objectives

IB  Instructional Goals
IBA  Standards of Instructional Programs

IC  Curriculum Development/Instructional Management
ICA  Resources/Equipment/Supplies – Selection and Adoption
ICB  Planning
ICF  Curriculum Adoption
ICG  Sex-Related Education
ICI  Health/Physical Education Advisory Council

ID  Curriculum Design – Basic Instructional Program
IDA  District Strategic Plan
IDA A  Vocational Education
IDAC  Kindergarten
IDAD  Career Preparation Program
IDAE  Live Work Policy - Vocational Technical Program

IDBB  Drug Education (Cf. JCDAC)

IDCA  Extended School Year
IDCE  Advanced College Placement (Also MFC)
IDCF  Work-Study (Also LEGA; Cf. JJC)
IDCH  Correspondence Courses
IDCI  Mississippi Virtual School On-Line courses (MVS)

IDDC  Homebound Instruction
IDDD  Special Programs for Exceptional Children/Gifted Education Program
IDDE  Driver Training
IDDF  Special Education Programs (also see all JQ policies)
IDDFB  Alternative Education Program – Also see JCDJ
IDDG  Graduation Requirements for SPED Students
IDDGA  Title I Program
IDDHA  Section 504 – ADA – Procedures – Employees/Visitors
IDDHB  Section 504 – ADA - Procedures - Students

IDE  Cocurricular Activities (Cf. JH)
IDEB  Band

IDFA  Interscholastic Athletics (Also MDBA) - Extension of Eligibility
      Red-shirting
IDFB  Sports Waiver/Physical Examination
IDG  Adult Education Program

IEC  Class Size/Enrollment Requirements
IED  Scheduling for Instruction
IEEA  Student Schedules - In-School Transfers

IFA  Textbooks - Selection - Fines
IFAA  Selection of Materials - Media Program - Teaching of
      Controversial Subjects
IFAB  Reconsideration of Instructional Materials (also see KNBA)
IFAC  Equipment and Supplies Selection & Adoption

IFB  Instructional Services
IFBA  Assistant Teacher Program
IFBC  District Cellular Telephones
IFBD  School Libraries – Media Center Services
IFBDAB  Data Ownership

IFC  Community Instructional Resources
IFCB  Field Trips and Excursions
IFCC  Community Resources Persons – Outside Speakers

IG  Guidance Program (Also JE; Cf. 11) – Student Support Services

IH  Academic Achievement (Also JF) - Awarding of Academic Credit – Mississippi Student Achievement Improvement Act
IHA  Grading Systems - Class Rankings - Promotion
IHAA  Examinations - Exemptions
IHAB  Report Cards
IHABA  Progress Reports
IHAD  Parent Conferences - Visitors (See KM)
IHB  Homework
IHDA  Honor Graduates
IHE  Promotion and Retention - Classification
IHDA  Make-Up Opportunities
IHEB  Grade Acceleration
IHF  Graduation Requirements - Awarding of Diplomas
IHFA  Graduation Requirements for Special Education Students

II  Testing Programs (Cf. IG, JGDA)
IIA  Testing and Student Surveys
IIB  Test Administration - Student Assessment
IIC  Use and Dissemination of Test Results - Release of Test Data

IJ  Internet Access – Technology Instruction – Electronic Access Policy – Internet Resources
IJB  Children's Internet Protection Act (CIPA)
IJC  Instructional materials – Copyright Policy

IK  Teaching Methods
IKA  Limited English Proficiency Instruction
IKB  Controversial Issues (See IFAB)
IKC  Teaching About Religion - Religion In The Schools
IKCA  Prayer in the Schools
IKD  Ceremonies and Observances - Graduation
IKI  Lesson Plans (Cf. GBRJ)
IKJ  Transcripts (also see JRB)
IKL  Reflection Period
IKM  Display of U.S. Motto
IKN  Veterans Diploma Program
J-STUDENTS

JA  Student Policy Goals
JAA  Equal Educational Opportunities
JAB  Equal Access (Student Organizations)

JB  Attendance - Enrollment
JBA  Compulsory Attendance
JBAC  Truancy
JBB  Entrance Age
JBC  Admissions – Verification of Residency – Transfer - Homeless
JBCA  Resident Students – Address Change
JBCAB  Admissions - Late Entrance
JBCAC  Married Students
JBBC  Assignment to Schools
JBBCA  Assignment of Students
JBBCB  School Assignment – Attendance in Zone of Residence
JBCCC  Enrollment of Special Transfer Students
JBCD  Transfers and Withdrawals
JBCDA  Home Schooling/Transfer Student Testing

JBD  Absences and Excuses
JBDA  Tardies
JBH  Check-Out Policy
JB  Drop-Out Prevention
JBP  Student Complaints of sexual Discrimination/Harassment – Title IX
JBPA  Title IX Procedures

JC  Code of Conduct
JCAA  Due Process - Student Rights – Grievance Procedure
JCAB  Searches and Seizures (Cf. LDAJA) Also see JTB/JTG/LDA
JCB  Involvement of Students in Decision Making
JCBB  Individuals Unlawful Activity or Association/Gangs/Prohibited Organizations
JCBD  Conduct (Care of Property) – Vandalism
JBCE  Unlawful or Violent Acts
JCBF  Unlawful Acts – Reporting Procedures
JCBH  Gun-Free Schools
JCDAC  Alcohol, Drug Use (Cf. IDBB) – Athletic Drug Screening
JCDACA  Drug Use/Alcohol - Curriculum
JCDACB  Transfer of Confiscated Drugs
JCDAD  Bus Conduct (also see EDCB)
JCDAF  Fireworks
JCDB  Dress Code
JCDBB  Book Bags
JCDCB  Disability Harassment
JCDF  Possession or Use of Tobacco (Also see GAXA
JCDH  Student Behavior on Buses (See JCDAD)
JCDI  Fighting
JCEC  Demonstrations and Strikes

JD  Discipline
JDA  Corporal Punishment
JDC  Detention
JDD  Suspension
JDE  Expulsion
JDEA  Expulsion - Hearing
JDG  Readmission – Denial of Admission
JDK  Discipline Notification

JF  Academic Achievement (Also IH)

JGA  Student Welfare – Locator Card
JGC  Student Health Services
JGCA  Student Health Service – Hearing and Vision Screenings
JGCB  Inoculations - Immunizations - Vaccinations
JGCC  Communicable Diseases
JGCCA  HIV-Positive/AIDS
JGCD  Medicines/Medication
JGCE  Head Lice
JGCF  Pandemic/Epidemic Emergencies
JGE  Referral for School Social Workers
JGF  Student Safety
JGFA  Safety – Emergency Operations/Plans – Fire – Emergency Drills
JGFAA  Safety - Playground
JGFBA  Off-Campus Educational Activity
JGFBA  Video Surveillance
JGFC  Dismissal for Non-School-Sponsored Activities
JGFF  Automobile Use (Cf. EBBE)
JGFFA  Illness - Accidents - Report Forms
JGFG  Transportation of Students by Staff Members
JGGB  Child Nutrition (Cf. EE)
JGHB  Wellness Policy
JGI  School Policy and Procedures for Reporting Abuse or Neglect

JH  Student Activities (Cf. IDE)
JHC  Student Organizations
JHCA  Student Clubs
JHCAA  Secret Societies, Sororities, Fraternities
JHCB  Student Government
JHCC  Student Publications
JHCD  Free Speech
JHD  Student Social Events
JHE  Student Performances (Cf. KEAA)
JHEAB  Band
JHF  Cheerleaders

JKA  Solicitations of Students
JKB  Solicitations by Students (Also see JHBA, KEBB)

JLC  Gifts to Students (Also KHC)

JM  Contests for Students

JO  Student-Community Relations (Also KE)
JOA  Student Voter Registration

JP  Alternative Education Programs
JPA  GED Program
JQA  Title I, ECIA Program – Parental Involvement
JQB  Anomalous Students - Special Education
JQC  Free Appropriate Public Education
JQH  Dropout Prevention Program
JQL  Hearing /Vision Screening – Behavioral/Academic Screening
JQM  Pregnant Students/Married Students
JQN  Education of Homeless Children and Youth

JR  Student Records
JRA  Cumulative Records
JRAB  Family Education Rights and Privacy Act
 JRAC  MSIS Policy
JRB  Transcripts (See IKJ)

JS  Student Fees (Cf. JBCBA) – Waiver of Fees

JT  Student Handbook
JTF  School Pictures
JTG  Interviews With Students (Also see LDAJA, KEC)
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>KA</td>
<td>Goals and Objectives</td>
</tr>
<tr>
<td>KB</td>
<td>Public Information Program - School Community Relations</td>
</tr>
<tr>
<td>KBA</td>
<td>Public's Right to Know</td>
</tr>
<tr>
<td>KBB</td>
<td>Media Access</td>
</tr>
<tr>
<td>KBC</td>
<td>News Media Relations</td>
</tr>
<tr>
<td>KBCA</td>
<td>News Releases</td>
</tr>
<tr>
<td>KC</td>
<td>Board-Community Relations</td>
</tr>
<tr>
<td>KCB</td>
<td>Community Involvement in Decision Making (Cf. BDBC, CMAA, DCCC)</td>
</tr>
<tr>
<td>KCBA</td>
<td>Parental Involvement in Planning and Decision Making for Title I Programs</td>
</tr>
<tr>
<td>KD</td>
<td>Staff/Student Community Relations – School Participation in Community Drives</td>
</tr>
<tr>
<td>KF</td>
<td>Community Resources</td>
</tr>
<tr>
<td>KG</td>
<td>Use of School Facilities (Cf. DFG, DJF, EBH, ECE)</td>
</tr>
<tr>
<td>KHD</td>
<td>Gifts to Staff Members (Also GAJB)</td>
</tr>
<tr>
<td>KHE</td>
<td>Gifts to Schools</td>
</tr>
<tr>
<td>KI</td>
<td>Free Materials Distribution in Schools</td>
</tr>
<tr>
<td>KJ</td>
<td>Advertising in the Schools</td>
</tr>
<tr>
<td>KJA</td>
<td>Advertising In School Publications</td>
</tr>
<tr>
<td>KL</td>
<td>Public Use of School Records (Cf. EFDC)</td>
</tr>
<tr>
<td>KM</td>
<td>Visitors to the Schools (Cf. ML)</td>
</tr>
<tr>
<td>KN</td>
<td>Complaints – Title I</td>
</tr>
<tr>
<td>KNBA</td>
<td>Complaints About Instructional Materials (also see IFAB)</td>
</tr>
<tr>
<td>KO</td>
<td>Parent of the Year</td>
</tr>
</tbody>
</table>
### L - INTERORGANIZATIONAL RELATIONS

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA</td>
<td>Goals and Objectives</td>
</tr>
<tr>
<td>LAA</td>
<td>Title I Parent Involvement</td>
</tr>
<tr>
<td>LB</td>
<td>School Participation in Community Drives</td>
</tr>
<tr>
<td>LC</td>
<td>Community Education Program</td>
</tr>
<tr>
<td>LDA</td>
<td>Local Government</td>
</tr>
<tr>
<td>LDAJA</td>
<td>Relations With Law Enforcement Officials Interrogations and Investigations (Cf. JCAB)-also see</td>
</tr>
<tr>
<td>LDAL</td>
<td>Civil Defense Agency (Cf. EBBC, JDFA)</td>
</tr>
<tr>
<td>LDCA</td>
<td>Legislative Representatives</td>
</tr>
<tr>
<td>LDDB</td>
<td>Family Rights and Privacy Act</td>
</tr>
<tr>
<td>LDDC</td>
<td>Compliance Policies (Federal Title Programs)</td>
</tr>
<tr>
<td>LDDCA</td>
<td>Title IX</td>
</tr>
<tr>
<td>LEB</td>
<td>Parents Organizations</td>
</tr>
<tr>
<td>LEBA</td>
<td>Bonds for PTA Officers</td>
</tr>
<tr>
<td>LEC</td>
<td>Booster Clubs and Other Support Groups</td>
</tr>
</tbody>
</table>
## M - RELATIONS WITH OTHER EDUCATION AGENCIES

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>MA</td>
<td>Goals and Objectives</td>
</tr>
<tr>
<td>MC</td>
<td>Private Schools Relations</td>
</tr>
<tr>
<td>MDBA</td>
<td>Interscholastic Athletics (Also IDFA)</td>
</tr>
<tr>
<td>ME</td>
<td>Education Research and Service Centers (Cf. ICC)</td>
</tr>
<tr>
<td>MF</td>
<td>Colleges and Universities</td>
</tr>
<tr>
<td>MFB</td>
<td>Student Teaching and Internships</td>
</tr>
<tr>
<td>MGA</td>
<td>Professional Associations (Cf. GBS)</td>
</tr>
<tr>
<td>MGB</td>
<td>School Boards Associations (Also BGA)</td>
</tr>
<tr>
<td>MI</td>
<td>State Education Agency Relations (Cf. EFDA)</td>
</tr>
<tr>
<td>MK</td>
<td>Educational Accreditation Agency Relations (Cf. IJ) - Improving Staff Attendance</td>
</tr>
</tbody>
</table>
SCHOOL DISTRICT LEGAL STATUS / M.A.E.P.

Each school district in the state shall be a political subdivision with the name of the district being Harrison County School District. MS Code, Section 37-6-5 (1987)

All school districts in the state (countywide, municipal separate, consolidated or line consolidated) shall have the same prerogatives, powers, duties and privileges. MS Code, Section 37-6-3 (1987)

The school board of any school district shall have full jurisdiction, power and authority, at any regular meeting thereof or at any special meeting called for that purpose, to abolish such existing district, or to reorganize, change or alter the boundaries of any such district. In addition thereto, with the consent of the school board of the school district involved, may detach territory from such school district and annex same to an adjoining district. MS Code, Section 37-7-103 (1987)

NOTE: For legal requirements on district consolidation, please refer to MS Code 37-7-105.

HOME RULE

The school board of a school district may adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi. Except as otherwise provided in this section, the powers granted to the school boards in this section are complete without the existence of or reference to any specific authority granted in any other statute or law of the State of Mississippi. Unless such actions are specifically authorized by another statute or law of the State of Mississippi, this section shall not authorize a school board to: (a) levy taxes of any kind or increase the levy of any authorized tax; (b) issue bonds of any kind; or (c) enter into collective bargaining agreements. MS Code 37-7-301.1 (2006)

MISSISSIPPI ADEQUATE EDUCATION PROGRAM

The Mississippi Adequate Education Program (M.A.E.P) shall be used as the basis for providing State financial support to elementary and secondary schools. Specific sections of the M.A.E.P. may be cited in appropriate district policies to support board policy and decisions.

As used in Sections 37-151-2, 37-151-5, and 37-151-7, "Adequate program" or "adequate education program" or Mississippi Adequate Education Program (M.A.E.P.) shall mean the program proposed to establish adequate current operation funding levels necessary for the programs of such school district to meet at least Level III of the accreditation system as established by the State Board of Education, acting through the Mississippi Commission on School Accreditation, regardless of the school district's geographic location. MS Code 37-151-5 (2000)

There shall be maintained a uniform system of free public schools consisting of grades one through twelve, which may be divided between grammar schools, junior high schools and high schools or any combination thereof, on such basis and in such grades as the Board of Trustees of the school district involved, in its discretion, shall deem necessary and desirable. MS Code 37-13-1 (1954)
AUTHORITY TO CHARGE FEES / FINANCIAL HARDSHIP WAIVER

1. The school board of any school district shall be authorized to charge reasonable fees, but not more than the actual cost, for the following.

   a. Supplemental instructional materials and supplies, excluding textbooks;

   b. Any other fees designated by the local school board as fees related to a valid curriculum educational objective, including transportation; and

   c. Extracurricular activities and any other educational activities of the school district that are not designated by the local school board as valid curriculum educational objectives, such as band trips and athletic events.

2. a. All fees authorized to be charged under this section, except those fees authorized under subsection 1.c of this section, shall be charged only upon the condition that the school board of each school district shall adopt a financial hardship waiver policy that shall be kept in the strictest of confidence with all files and personal disclosures restricted from review by the general public. The financial hardship waiver policy must be distributed in writing to pupils at the time of enrollment. Any family who qualifies for the National School Lunch Program, as created by the Richard B. Russell National School Lunch Act (42 USCS Section 1751 et seq.), shall receive a financial hardship waiver. The board shall insure that a pupil eligible to have any such fees waived as a result of an inability to pay for those fees, shall not be discriminated against nor shall there be any overt identification of any pupil who has received a financial hardship waiver by use of special tokens or tickets, announcements, posting or publication of names, physical separation, choice of materials or by any other means. In no case shall any school district's procedures expose any pupil receiving a hardship waiver to any type of stigma or ridicule by other pupils or school district personnel.

   b. The confidentiality of the financial hardship waiver policy adopted by such school board shall apply to any students who have an inability to pay any fees authorized under (1) of this section.

3. In no case shall the inability to pay the assessment of fees authorized under the provisions of this section result in a pupil being denied or deprived of any academic awards or standards, any class selection, grade, diploma, transcript or the right to participate in any activity related to educational enhancement. MS Code 37-7-335 (2007)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies ABB - Board Powers and Duties
            BBB - School Board Members
            JS - Fee Policy

SCHOOL DISTRICT LIABILITY EXEMPTIONS

b. A school district and its employees acting within the course and scope of their employment or duties shall not be liable for any claim:
a. Arising out of a legislative or judicial action or inaction, or administrative action or inaction of a legislative or judicial nature;

b. Arising out of any act or omission of an employee of a governmental entity exercising ordinary care in reliance upon, or in the execution or performance of, or in the failure to execute or perform, a statute, ordinance or regulation, whether or not the statute, ordinance or regulation be valid;

c. Arising out of any act or omission of an employee of a governmental entity engaged in the performance or execution of duties or activities relating to police or fire protection unless the employee acted in reckless disregard of the safety and well-being of any person not engaged in criminal activity at the time of injury;

d. Based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a governmental entity or employee thereof, whether or not the discretion is abused;

e. Arising out of an injury caused by adopting or failing to adopt a statute, ordinance or regulation;

f. Which is limited or barred by the provisions of any other law;

g. Arising out of the exercise of discretion in determining whether or not to seek or provide the resources necessary for the purchase of equipment, the construction or maintenance of facilities, the hiring of personnel and, in general, the provision of adequate government services;

h. Arising out of the issuance, denial, suspension or revocation of, or the failure or refusal to issue, deny, suspend or revoke any privilege, ticket, pass, permit, license, certificate, approval, order or similar authorization where the governmental entity or its employee is authorized by law to determine whether or not such authorization should be issued, denied, suspended or revoked unless such issuance, denial suspension or revocation or refusal thereof, is of a malicious or arbitrary and capricious nature;

i. Arising out of the assessment or collection of any tax or fee;

j. Arising out of the detention of any goods or merchandise by any law enforcement officer, unless such detention is of a malicious or arbitrary and capricious nature;

k. Arising out of the imposition or establishment of a quarantine, whether such quarantine relates to persons or property;

l. Of any claimant who is an employee of a governmental entity and whose injury is covered by the Workers’ Compensation Law of this state by benefits furnished by the governmental entity by which he is employed;

m. Of any claimant who at the time the claim arises is an inmate of any detention center, jail, workhouse, penal farm, penitentiary or other such institution, regardless of whether such claimant is or is not an inmate of any detention center, jail, workhouse, penal farm, penitentiary or other such institution when the claim is filed;

n. Arising out of any work performed by a person convicted of a crime when the work is performed pursuant to any sentence or order of any court or pursuant to laws of the State of Mississippi authorizing or requiring such work;

o. Under circumstances where liability has been or is hereafter assumed by the United States, to the
extent of such assumption of liability, including but not limited to any claim based on activities of the Mississippi National Guard when such claim is cognizable under the National Guard Tort Claims Act of the United States, 32 USC 715 (32 USCS 715), or when such claim accrues as a result of active federal service or state service at the call of the Governor for quelling riots and civil disturbances;

p. Arising out of a plan or design for construction or improvements to public property, including but not limited to, public buildings, highways, roads, streets, bridges, levees, dikes, dams, impoundments, drainage channels, diversion channels, harbors, ports, wharfs or docks, where such plan or design has been approved in advance of the construction or improvement by the legislative body or governing authority of a governmental entity or by some other body or administrative agency, exercising discretion by authority to give such approval, and where such plan or design is in conformity with engineering or design standards in effect at the time of preparation of the plan or design;

q. Arising out of an injury caused solely by the effect of weather conditions on the use of streets and highways;

r. Arising out of the lack of adequate personnel or facilities at a state hospital or state corrections facility if reasonable use of available appropriations has been made to provide such personnel or facilities;

s. Arising out of loss, damage or destruction of property of a patient or inmate of a state institution;

t. Arising out of any loss of benefits or compensation due under a program of public assistance or public welfare;

u. Arising out of or resulting from riots, unlawful assemblies, unlawful public demonstrations, mob violence or civil disturbances;

v. Arising out of an injury caused by a dangerous condition on property of the governmental entity that was not caused by the negligent or other wrongful conduct of an employee of the governmental entity or of which the governmental entity did not have notice, either actual or constructive, and adequate opportunity to protect or warn against; provided, however, that a governmental entity shall not be liable for the failure to warn of a dangerous condition which is obvious to one exercising due care;

w. Arising out of absence, condition, malfunction or removal by third parties of any sign, signal, warning device, illumination device, guardrail or median barrier, unless the absence, condition, malfunction or removal is not corrected by the governmental entity responsible for its maintenance within a reasonable time after actual or constructive notice.

x. Arising out of the administration of corporal punishment or the taking of any action to maintain control and discipline of students, as defined in Section 37-11-57, by a teacher, assistant teacher, principal, or assistant principal of a public school district in the state unless the teacher, assistant teacher, principal, or assistant principal acted in bad faith or with malicious purpose or in a manner exhibiting a wanton and willful disregard of human rights or safety. §11-46-9
The Harrison County School District Board of Trustees derives its legal status from the State Legislature which is subject to the Constitution of the State of Mississippi and the Constitution of the United States. Accordingly, education is a state function. The Board of Trustees is subject to legislative action and acts as an agent for the State of Mississippi.

The Constitution of the State of Mississippi stipulates that the responsibility for establishing and maintaining the public schools rests with the Mississippi Legislature. The State Constitution further provides for a State Board of Education and provides that local public schools, under the general supervision of the State Board of Education, shall be maintained, developed, and operated by locally elected or appointed Boards. Legally, local School Boards are instruments of the Mississippi Legislature and derive their authority from the Mississippi Legislature and the regulations of the State Board of Education as set forth in the Mississippi Constitution, Mississippi Code of 1972 Annotated.

**AUTHORITY OF THE BOARD OF TRUSTEES**

As a body created in the law by the State of Mississippi, the School District's Board of Trustees has authority within the limitations and interpretations of the federal and state laws.

The Trustees in their official capacity shall hold all school property and shall be capable of purchasing and holding real and personal property, of building and repairing school structures, selling and transferring the same for school purposes, and of prosecuting and defending suits for or against the school district. Board members acting as individuals have no authority over school affairs, but have such authority when acting as a body duly called in session.

The legal authority of the Board of Trustees is set forth in the Mississippi Code of 1972 Annotated.

This School Board exercises legislative authority over this school district in accordance with the laws of the State of Mississippi. It determines policy, delegates executive, supervisory, and instructional authority to its employees, and appraises the results achieved in light of the goals of this school district.

This School Board shall concern itself primarily with broad questions of policy and with the appraisal of results, rather than with administrative details. The application of policies shall be an administrative task to be performed by the Superintendent and his/her staff who shall be held responsible for the effective administration and supervision of the entire school system.

All matters to be submitted to this School Board shall first be brought before the Superintendent for investigation. If these matters require School Board action, they shall be presented to the School Board by the Superintendent.

**BOARD POWERS AND DUTIES**

**HOME RULE**

The school board of a school district may adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi. Except as
otherwise provided in this section, the powers granted to the school boards in this section are complete without the existence of or reference to any specific authority granted in any other statute or law of the State of Mississippi. Unless such actions are specifically authorized by another statute or law of the State of Mississippi, this section shall not authorize a school board to: (a) levy taxes of any kind or increase the levy of any authorized tax; (b) issue bonds of any kind; or (c) enter into collective bargaining agreements. Section 37-7-301.1 (2006)

POWERS, AUTHORITY AND DUTIES

The school boards of all school districts shall have the following powers, authority and duties in addition to all others imposed or granted by law, to wit:

(a) To organize and operate the schools of the district and to make such division between the high school grades and elementary grades as, in their judgment, will serve the best interests of the school;

(b) To introduce public school music, art, manual training and other special subjects into either the elementary or high school grades, as the board shall deem proper;

(c) To be the custodians of real and personal school property and to manage, control and care for same, both during the school term and during vacation;

(d) To have responsibility for the erection, repairing and equipping of school facilities and the making of necessary school improvements;

(e) To suspend or to expel a pupil or to change the placement of a pupil to the school district's alternative school or home bound program for misconduct in the school or on school property, as defined in Section 37 11 29, on the road to and from school, or at any school related activity or event, or for conduct occurring on property other than school property or other than at a school related activity or event when such conduct by a pupil, in the determination of the school superintendent or principal, renders that pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, and to delegate such authority to the appropriate officials of the school district;

(f) To visit schools in the district, in their discretion, in a body for the purpose of determining what can be done for the improvement of the school in a general way;

(g) To support, within reasonable limits, the superintendent, principal and teachers where necessary for the proper discipline of the school;

(h) To exclude from the schools students with what appears to be infectious or contagious diseases; provided, however, such student may be allowed to return to school upon presenting a certificate from a public health officer, duly licensed physician or nurse practitioner that the student is free from such disease;

(i) To require those vaccinations specified by the State Health Officer as provided in Section 41 23 37, Mississippi Code of 1972;

(j) To see that all necessary utilities and services are provided in the schools at all times when same are needed;

(k) To authorize the use of the school buildings and grounds for the holding of public meetings and gatherings of the people under such regulations as may be prescribed by said board;
(l) To prescribe and enforce rules and regulations not inconsistent with law or with the regulations of the State Board of Education for their own government and for the government of the schools, and to transact their business at regular and special meetings called and held in the manner provided by law;

(m) To maintain and operate all of the schools under their control for such length of time during the year as may be required;

(n) To enforce in the schools the courses of study and the use of the textbooks prescribed by the proper authorities;

(o) To make orders directed to the superintendent of schools for the issuance of pay certificates for lawful purposes on any available funds of the district and to have full control of the receipt, distribution, allotment and disbursement of all funds provided for the support and operation of the schools of such school district whether such funds be derived from state appropriations, local ad valorem tax collections, or otherwise. The local school board shall be authorized and empowered to promulgate rules and regulations that specify the types of claims and set limits of the dollar amount for payment of claims by the superintendent of schools to be ratified by the board at the next regularly scheduled meeting after payment has been made;

(p) To select all school district personnel in the manner provided by law, and to provide for such employee fringe benefit programs, including accident reimbursement plans, as may be deemed necessary and appropriate by the board;

(q) To provide athletic programs and other school activities and to regulate the establishment and operation of such programs and activities;

(r) To join, in their discretion, any association of school boards and other public school related organizations, and to pay from local funds other than minimum foundation funds, any membership dues;

(s) To expend local school activity funds, or other available school district funds, other than minimum education program funds, for the purposes prescribed under this paragraph.

"Activity funds" shall mean all funds received by school officials in all school districts paid or collected to participate in any school activity, such activity being part of the school program and partially financed with public funds or supplemented by public funds. The term "activity funds" shall not include any funds raised and/or expended by any organization unless commingled in a bank account with existing activity funds, regardless of whether the funds were raised by school employees or received by school employees during school hours or using school facilities, and regardless of whether a school employee exercises influence over the expenditure or disposition of such funds. Organizations shall not be required to make any payment to any school for the use of any school facility if, in the discretion of the local school governing board, the organization's function shall be deemed to be beneficial to the official or extracurricular programs of the school. For the purposes of this provision, the term "organization" shall not include any organization subject to the control of the local school governing board. Activity funds may only be expended for any necessary expenses or travel costs, including advances, incurred by students and their chaperons in attending any in state or out of state school related programs, conventions or seminars and/or any commodities, equipment, travel expenses, purchased services or school supplies which the local school governing board, in its discretion, shall deem beneficial to the official or extracurricular programs of the district, including items which may subsequently become the personal property of individuals, including yearbooks, athletic apparel, book covers and trophies. Activity funds may be used to pay travel expenses of
school district personnel. The local school governing board shall be authorized and empowered to promulgate rules and regulations specifically designating for what purposes school activity funds may be expended. The local school governing board shall provide (i) that such school activity funds shall be maintained and expended by the principal of the school generating the funds in individual bank accounts, or (ii) that such school activity funds shall be maintained and expended by the superintendent of schools in a central depository approved by the board. The local school governing board shall provide that such school activity funds be audited as part of the annual audit required in Section 37 9 18. The State Auditor shall prescribe a uniform system of accounting and financial reporting for all school activity fund transactions;

(t) To contract, on a shared savings, lease or lease purchase basis, for energy efficiency services and/or equipment as provided for in Section 31 7 14, not to exceed ten (10) years;

(u) To maintain accounts and issue pay certificates on school food service bank accounts;

(v) (i) To lease a school building from an individual, partnership, nonprofit corporation or a private for profit corporation for the use of such school district, and to expend funds therefor as may be available from any nonminimum program sources. The school board of the school district desiring to lease a school building shall declare by resolution that a need exists for a school building and that the school district cannot provide the necessary funds to pay the cost or its proportionate share of the cost of a school building required to meet the present needs. The resolution so adopted by the school board shall be published once each week for three (3) consecutive weeks in a newspaper having a general circulation in the school district involved, with the first publication thereof to be made not less than thirty (30) days prior to the date upon which the school board is to act on the question of leasing a school building. If no petition requesting an election is filed prior to such meeting as hereinafter provided, then the school board may, by resolution spread upon its minutes, proceed to lease a school building. If at any time prior to said meeting a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the school district involved shall be filed with the school board requesting that an election be called on the question, then the school board shall, not later than the next regular meeting, adopt a resolution calling an election to be held within such school district upon the question of authorizing the school board to lease a school building. Such election shall be called and held, and notice thereof shall be given, in the same manner for elections upon the questions of the issuance of the bonds of school districts, and the results thereof shall be certified to the school board. If at least three fifths (3/5) of the qualified electors of the school district who voted in such election shall vote in favor of the leasing of a school building, then the school board shall proceed to lease a school building. The term of the lease contract shall not exceed twenty (20) years, and the total cost of such lease shall be either the amount of the lowest and best bid accepted by the school board after advertisement for bids or an amount not to exceed the current fair market value of the lease as determined by the averaging of at least two (2) appraisals by certified general appraisers licensed by the State of Mississippi. The term "school building" as used in this paragraph (v)(i) shall be construed to mean any building or buildings used for classroom purposes in connection with the operation of schools and shall include the site therefor, necessary support facilities, and the equipment thereof and appurtenances thereto such as heating facilities, water supply, sewage disposal, landscaping, walks, drives and playgrounds. The term "lease" as used in this paragraph (v)(i) may include a lease/purchase contract;

(ii) If two (2) or more school districts propose to enter into a lease contract jointly, then joint meetings of the school boards having control may be held but no action taken shall be binding on any such school district unless the question of leasing a school building is approved in each participating school district under the procedure hereinabove set forth in paragraph (v)(i). All of the provisions of paragraph (v)(i) regarding the term and amount of the lease contract shall apply to the school boards of school districts acting jointly. Any lease contract executed by two (2) or
more school districts as joint lessees shall set out the amount of the aggregate lease rental to be paid by each, which may be agreed upon, but there shall be no right of occupancy by any lessee unless the aggregate rental is paid as stipulated in the lease contract. All rights of joint lessees under the lease contract shall be in proportion to the amount of lease rental paid by each;

(w) To employ all noninstructional and noncertificated employees and fix the duties and compensation of such personnel deemed necessary pursuant to the recommendation of the superintendent of schools;

(x) To employ and fix the duties and compensation of such legal counsel as deemed necessary;

(y) Subject to rules and regulations of the State Board of Education, to purchase, own and operate trucks, vans and other motor vehicles, which shall bear the proper identification required by law;

(z) To expend funds for the payment of substitute teachers and to adopt reasonable regulations for the employment and compensation of such substitute teachers;

(aa) To acquire in its own name by purchase all real property which shall be necessary and desirable in connection with the construction, renovation or improvement of any public school building or structure. Whenever the purchase price for such real property is greater than Fifty Thousand Dollars ($50,000.00), the school board shall not purchase the property for an amount exceeding the fair market value of such property as determined by the average of at least two (2) independent appraisals by certified general appraisers licensed by the State of Mississippi. If the board shall be unable to agree with the owner of any such real property in connection with any such project, the board shall have the power and authority to acquire any such real property by condemnation proceedings pursuant to Section 11 27 1 et seq., Mississippi Code of 1972, and for such purpose, the right of eminent domain is hereby conferred upon and vested in said board. Provided further, that the local school board is authorized to grant an easement for ingress and egress over sixteenth section land or lieu land in exchange for a similar easement upon adjoining land where the exchange of easements affords substantial benefit to the sixteenth section land; provided, however, the exchange must be based upon values as determined by a competent appraiser, with any differential in value to be adjusted by cash payment. Any easement rights granted over sixteenth section land under such authority shall terminate when the easement ceases to be used for its stated purpose. No sixteenth section or lieu land which is subject to an existing lease shall be burdened by any such easement except by consent of the lessee or unless the school district shall acquire the unexpired leasehold interest affected by the easement;

(bb) To charge reasonable fees related to the educational programs of the district, in the manner prescribed in Section 37 7 335;

(cc) Subject to rules and regulations of the State Board of Education, to purchase relocatable classrooms for the use of such school district, in the manner prescribed in Section 37 1 13;

(dd) Enter into contracts or agreements with other school districts, political subdivisions or governmental entities to carry out one or more of the powers or duties of the school board, or to allow more efficient utilization of limited resources for providing services to the public;

(ee) To provide for in service training for employees of the district as provided under state statute and State Department of Education guidelines.

(ff) As part of their duties to prescribe the use of textbooks, to provide that parents and legal guardians shall be responsible for the textbooks and for the compensation to the school district for any books which are not returned to the proper schools upon the withdrawal of their dependent child. If a textbook is lost or not returned by any student who drops out of the public school
district, the parent or legal guardian shall also compensate the school district for the fair market value of the textbooks;

(gg) To conduct fund raising activities on behalf of the school district that the local school board, in its discretion, deems appropriate or beneficial to the official or extracurricular programs of the district; provided that:

(i) Any proceeds of the fund raising activities shall be treated as "activity funds" and shall be accounted for as are other activity funds under this section; and

(ii) Fund raising activities conducted or authorized by the board for the sale of school pictures, the rental of caps and gowns or the sale of graduation invitations for which the school board receives a commission, rebate or fee shall contain a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the student activity fund;

(hh) To allow individual lessons for music, art and other curriculum related activities for academic credit or nonacademic credit during school hours and using school equipment and facilities, subject to uniform rules and regulations adopted by the school board;

(ii) To charge reasonable fees for participating in an extracurricular activity for academic or nonacademic credit for necessary and required equipment such as safety equipment, band instruments and uniforms;

(jj) To conduct or participate in any fund raising activities on behalf of or in connection with a tax exempt charitable organization;

(kk) To exercise such powers as may be reasonably necessary to carry out the provisions of this section;

(ll) To expend funds for the services of nonprofit arts organizations or other such nonprofit organizations who provide performances or other services for the students of the school district;

(mm) To expend federal No Child Left Behind Act funds, or any other available funds that are expressly designated and authorized for that use, to pay training, educational expenses, salary incentives and salary supplements to employees of local school districts; except that incentives shall not be considered part of the local supplement as defined in Section 37 151 5(o), nor shall incentives be considered part of the local supplement paid to an individual teacher for the purposes of Section 37 19 7(1). Mississippi Adequate Education Program funds or any other state funds may not be used for salary incentives or salary supplements as provided in this paragraph (mm);

(nn) To use any available funds, not appropriated or designated for any other purpose, for reimbursement to the state licensed employees from both in state and out of state, who enter into a contract for employment in a school district, for the expense of moving when the employment necessitates the relocation of the licensed employee to a different geographical area than that in which the licensed employee resides before entering into the contract. The reimbursement shall not exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for county and municipal employees under Section 25 3 41 if the licensed employee used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation. No licensed employee may be reimbursed for moving expenses under this section on more than one (1) occasion by the same school district. Nothing in this section shall be construed to require the actual residence to which the licensed employee relocates to be within the boundaries of the school district that has executed a contract for
employment in order for the licensed employee to be eligible for reimbursement for the moving expenses. However, the licensed employee must relocate within the boundaries of the State of Mississippi. Any individual receiving relocation assistance through the Critical Teacher Shortage Act as provided in Section 37 159 5 shall not be eligible to receive additional relocation funds as authorized in this paragraph;

(o) To use any available funds, not appropriated or designated for any other purpose, to reimburse persons who interview for employment as a licensed employee with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview at the rate authorized for county and municipal employees under Section 25 3 41;

(p) Consistent with the report of the Task Force to Conduct a Best Financial Management Practices Review, to improve school district management and use of resources and identify cost savings as established in Section 8 of Chapter 610, Laws of 2002, local school boards are encouraged to conduct independent reviews of the management and efficiency of schools and school districts. Such management and efficiency reviews shall provide state and local officials and the public with the following:

(i) An assessment of a school district's governance and organizational structure;
(ii) An assessment of the school district's financial and personnel management;
(iii) An assessment of revenue levels and sources;
(iv) An assessment of facilities utilization, planning and maintenance;
(v) An assessment of food services, transportation and safety/security systems;
(vi) An assessment of instructional and administrative technology;
(vii) A review of the instructional management and the efficiency and effectiveness of existing instructional programs; and
(viii) Recommended methods for increasing efficiency and effectiveness in providing educational services to the public;

(q) To enter into agreements with other local school boards for the establishment of an educational service agency (ESA) to provide for the cooperative needs of the region in which the school district is located, as provided in Section 37 7 345. This paragraph shall repeal on July 1, 2007;

(r) To implement a financial literacy program for students in Grades 10 and 11. The board may review the national programs and obtain free literature from various nationally recognized programs. After review of the different programs, the board may certify a program that is most appropriate for the school districts' needs. If a district implements a financial literacy program, then any student in Grade 10 or 11 may participate in the program. The financial literacy program shall include, but is not limited to, instruction in the same areas of personal business and finance as required under Section 37 1 3(2)(b). The school board may coordinate with volunteer teachers from local community organizations, including, but not limited to, the following: United States Department of Agriculture Rural Development, United States Department of Housing and Urban Development, Junior Achievement, bankers and other nonprofit organizations. Nothing in this paragraph shall be construed as to require school boards to implement a financial literacy program;
(ss) To collaborate with the State Board of Education, Community Action Agencies or the Department of Human Services to develop and implement a voluntary program to provide services for a full day pre-kindergarten program that addresses the cognitive, social, and emotional needs of four year old and three year old children. The school board may utilize non-state source special funds, grants, donations or gifts to fund the voluntary program;

(tt) With respect to any lawful, written obligation of a school district, including, but not limited to, leases (excluding leases of sixteenth section public school trust land), bonds, notes, or other agreement, to agree in writing with the obligee that the State Tax Commission or any state agency, department or commission created under state law may:

(i) Withhold all or any part (as agreed by the school board) of any monies which such local school board is entitled to receive from time to time under any law and which is in the possession of the State Tax Commission, or any state agency, department or commission created under state law; and

(ii) Pay the same over to any financial institution, trustee or other obligee, as directed in writing by the school board, to satisfy all or part of such obligation of the school district.

The school board may make such written agreement to withhold and transfer funds irrevocable for the term of the written obligation and may include in the written agreement any other terms and provisions acceptable to the school board. If the school board files a copy of such written agreement with the State Tax Commission, or any state agency, department or commission created under state law then the State Tax Commission or any state agency, department or commission created under state law shall immediately make the withholdings provided in such agreement from the amounts due the local school board and shall continue to pay the same over to such financial institution, trustee or obligee for the term of the agreement.

This paragraph (tt) shall not grant any extra authority to a school board to issue debt in any amount exceeding statutory limitations on assessed value of taxable property within such school district or the statutory limitations on debt maturities, and shall not grant any extra authority to impose, levy or collect a tax which is not otherwise expressly provided for, and shall not be construed to apply to sixteenth section public school trust land;

(uu) With respect to any matter or transaction that is competitively bid by a school district, to accept from any bidder as a good faith deposit or bid bond or bid surety, the same type of good faith deposit or bid bond or bid surety that may be accepted by the state or any other political subdivision on similar competitively bid matters or transactions. This paragraph (uu) shall not be construed to apply to sixteenth section public school trust land. The school board may authorize the investment of any school district funds in the same kind and manner of investments, including pooled investments, as any other political subdivision, including community hospitals;

(vv) To utilize the alternate method for the conveyance or exchange of unused school buildings and/or land, reserving a partial or other undivided interest in the property, as specifically authorized and provided in Section 377485, Mississippi Code of 1972;

(ww) To delegate, privatize or otherwise enter into a contract with private entities for the operation of any and all functions of nonacademic school process, procedures and operations including, but not limited to, cafeteria workers, janitorial services, transportation, professional development, achievement and instructional consulting services materials and products, purchasing cooperatives, insurance, business manager services, auditing and accounting services, school safety/risk prevention, data processing and student records, and other staff services; however, the authority under this paragraph does not apply to the leasing, management or operation of sixteenth section lands. Local school districts, working through their regional education service
agency, are encouraged to enter into buying consortia with other member districts for the purposes of more efficient use of state resources as described in Section 37 7 345.

(xx) To partner with entities, organizations and corporations for the purpose of benefiting the school district; and

(yy) To borrow funds from the Rural Economic Development Authority for the maintenance of school buildings.

LEGAL REF.: MS CODE Section 37-7-301 (2006)

PROCESS STANDARDS

Additional statutory and regulatory requirements for school boards and school districts are made part of the state process for school accreditation and accountability. Please refer to the most recent edition of the Mississippi Public School Accountability Standards (MPSAS). Process Standards are as follows:

PROCESS STANDARDS - 2007

ADMINISTRATION AND PERSONNEL

c. 1. School board members complete required basic and continuing education programs in order to effectively perform their duties in the manner prescribed by law. {MS Code 25-41-1 et. al; 25-61-1 through 17; 37-3-4(5); 37-6-7, 9, 11, and 15; and 37-7-306(1-4)}

2. School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

d. 3. The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

4. The school district employs an appropriately licensed full-time principal at each school. {MS Code 37-9-7,15, and 37-19-1(c)}

5. The school district employs in each school a licensed librarian or media specialist who devotes no more than one-fourth of the workday to library/media administrative activities. {MS Code 37-17-6(3)(a-e)}

5.1 If the student enrollment is 499 or less, a half-time licensed librarian or media specialist is required.

5.2 If the student enrollment is 500 or more, a full-time licensed librarian or media specialist is required.

6. Student support services (appraisal, academic, and/or personal advisement, and educational and/or career planning and referral) are provided in each school by qualified student support personnel as follows:

6.1 Student support services are provided in each high school by at least a half-time appropriately licensed guidance counselor. {MS Code 37-9-79}
6.2 Students in elementary schools have access to the required student support services provided by qualified student support personnel (e.g., guidance counselor, social worker, nurse, psychologist, psychometrist, etc.).

Note: Student support personnel may only provide those services and activities in the area(s) that each individual is specifically qualified to provide. All student support personnel will use appropriate job titles that reflect their area of training, expertise, and license. For example, a Social Worker will be referred to as the School Social Worker and may not use the title of or be referred to as the School Guidance Counselor.

7. The school district employs a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. (SB Policy GBBA)

8. All district professional positions requiring licensed staff are filled by staff that are properly licensed and endorsed as required by state law and federal requirements of the No Child Left Behind Act of 2001 {NCLB} MS Code 37-9-7) (IDBB2, 3, NCLB, and Federal Code).

8.1 With the exception of academic core subjects, the professional staff in each school is comprised of no more than 5% of Full Time Equivalent (FTE) units working outside the area or areas of endorsement. An appropriate license is required for superintendents, principals, librarians, and guidance counselors. (Refer to process standards 3, 4, 5, and 6.)

8.2 Secondary teachers endorsed in an academic subject area may teach in their academic subject area in departmentalized elementary grades 5 and 6. (SB Policy DFB-1)

8.3 Assistant principals and administrative interns who are not properly endorsed may be included in the 5% FTE working outside their area of endorsement, provided that they do not act in the place of the principal.

9. The school district implements a formal personnel appraisal system for licensed staff that includes assessment of employee on-the-job performance. {MS Code 37-3-46(b)}

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor’s Office. {MS Code 37-9-18, 37-37-1, 37-37-3, 37-17-6(16), 37-37-7, 37-37-13, 37-61-19 and 37-61-23}

10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor’s Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37-17-6(16)}

10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. {MS Code 37-9-18, 37-37-1, and 37-61-23}

10.3 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor’s Office, indicates that the auditor has issued an unqualified opinion (as defined by generally accepted auditing standards) on the general purpose financial statement of the school district. {MS Code 37-9-18, 37-37-1, and 37-61-23}

10.4 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor’s Office, verifies the accuracy, validity, and timely reporting of all student data submitted to the MDE, including but not limited to the electronic transmission of student enrollment, attendance, transportation, absenteeism, graduation, dropouts, and any other student data and administrative functions as deemed necessary. {MS Code 37-37-7(2)(b)(c)(d) and 37-37-13}

10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor’s Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37-37-7(2)(e) and 37-37-13}
The local school board budgets and expends funds as follows:

11.1 The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) a minimum of $20.00 per student for instructional/library supplies, materials, and equipment.

11.2 Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (Fund #2440) are allotted and expended in compliance with Section 37-61-33, Mississippi Code of 1972, as amended, and State Board of Education Policy DFBI.

11.3 The local school board budgets and expends funds under the Public School Health Insurance Plan as required by state law and State Board policy. Failure to remit premiums, interest penalties and/or late charges in a timely manner may result in withholding a school district’s adequate education program funds. {MS Code 37-151-95} (SB Policy DFBG-1)

SCHOOL OPERATIONS

12. The school district complies with state law and State Board of Education policy on enrollment requirements.

12.1 Residency requirements {MS Code 37-15-29} (SB Policy JBCA)

12.2 Immunization requirements {MS Code 37-7-301(i), 37-15-1, and 41-23-37}

12.3 Age of entry requirements {MS Code 37-15-9}

13. Any transfer student from a school or program (correspondence, tutorial, or home study) not accredited regionally or by a state board of education [or its designee(s)] is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student within 30 days after filing for transfer. Notice of the administering of such test(s) shall be given to the applicant not less than five days prior to the date of the administration of such test. {MS Code 37-15-33} (SB Policy IHF-2)


15. The school district engages in planning to review the educational status of each school in the district and to address specific actions relative to accreditation and performance separately. {MS Code 37-3-49(2)(e)}

16. The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {MS Code 37-13-91} (SB Policy JBD)

17. The school district develops a dropout prevention plan and implements programs designed to keep students in school and to lower student dropout rates. {MS Code 37-3-46(c) and 37-21-9} (No Child Left Behind Act of 2001)

18. There is an organized system to encourage community involvement, parental communication, and business partnerships in school district decision-making. {MS Code 37-7-337} (Level 4 and 5 districts are exempted.)

19. The academic year provides a minimum of 180 teaching days in which both teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty percent (60%) of the normal school day. {MS Code 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-151-7(3)(d)}

19.1 DELETED
19.2 The teaching day must provide at least 330 minutes of instruction per day or 27.5 hours per five-day week. [MS Code 37-13-67]

19.3 The school district must ensure that during the academic school year a minimum of 140 hours of instruction is provided for each Carnegie unit of credit offered and 70 hours for each ½ unit offered, except for accelerated learning programs and remedial instructional programs that are proficiency based. A traditional 7-period day schedule must provide at least 48 minutes per period, and A/B and 4 x 4 block schedules must provide at least 94 minutes.

19.4 No more than two of the 180 days may be 60% days, unless the district is utilizing an Early Release schedule that provides at least 27.5 hours per five-day week provided that there are at least 198 minutes of actual instruction or testing and the remainder of each 60% day is used for professional development or other activities related to instruction. [MS Code 37-151-5(j)]

19.5 The school district schedules preparation for graduation ceremonies in such manner that graduating seniors are absent from classes for no more than three days prior to the end of the school year (177 days). (Level 4 and 5 districts are exempted.)

19.6 The summer school/extended year program meets all applicable requirements of the regular school program. [MS Code 37-3-49]

- Students from other schools enrolled in summer programs provide written approval from the principal of their home schools.
- Students enrolled in an extended year program complete all remaining course/subject requirements/objectives before credit for the course/subject is issued. [MS Code 37-3-49]
- Students enrolled in a summer program are limited to earning one Carnegie unit of credit during the summer school session, which does not apply to Extended Year programs. (Level 4 and 5 students may be exempted under MS Code 37-17-11.).

Note: If the Governor has declared a disaster emergency or the President of the United States has declared an emergency or major disaster to exist in this state, the local school board may request approval from the State Board of Education to operate the schools in its district for less than one hundred eighty (180) days. [MS Code 37-151-7(3)(d)]

20. The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education. [MS Code 37-16-7] (SB Policy IHF-1 and 2)

20.1 Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A. (See Appendix A.) (SB Policy ICFA-1)

- Entering ninth graders in 2005-2006 and thereafter (seniors of school year 2008-2009 and later) are required to have a minimum of 21 Carnegie units.

20.2 Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations. [MS Code-37-16-7](SB Policy IIB-1 and IHF-1 and 2)

20.3 Each student who has completed the secondary curriculum for special education may be issued a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." [MS Code 37-16-11(1)]

20.4 The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises.

20.5 Each student with disabilities receiving a Mississippi Occupational Diploma has successfully completed all minimum requirements established by the State Board of Education. [MS Code 37-16-11(2)] (See Appendix G.)

Note: Carnegie units will be awarded in the eighth grade for the following courses: Algebra I, Computer Discovery, Pre-algebra and Transition to Algebra.
21. The school district implements a professional development program that complies with the guidelines published in Professional Development for the New Millennium (Level 4 and 5 schools are exempted.) [MS Code 37-17-8]

22. The school district adheres to all requirements of the Mississippi Statewide Assessment System. (See Appendix F.) [MS Code 37-16-1 through 4] (SB Policy IIB-1, 3-6 and IHF-1 and 2)

INSTRUCTIONAL PRACTICES

e. 23. The school district is in compliance with state and/or federal requirements for the following programs:
23.1 Early Childhood Programs (kindergarten and teacher assistant) [MS Code 37-21-1 et. seq.] (SB Policy IDAC and FDD-4) (Refer to Mississippi Kindergarten Guidelines.) (Level 4 and 5 districts are exempted from provisions of subsection (4) of MS Code 37-21-7.)
23.2 Vocational-Technical Education [MS Code 37-31-1 et. seq.] (SB Policies CT, DCK, DFBC, ECK, FJ, GBEA, IDAA, IL, JHF and Federal Code)
23.3 Special Education [MS Code 37-23-1 through 9] (SB Policies IDDF and Federal Code) [See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.]
23.5 No Child Left Behind Act of 2001: Titles I, II, IV, and V, and any other federally funded programs and grants (IDDBB 2, 3 and Federal Code)
23.6 Technology in the Classroom [MS Code 37-151-19(3)] (SB Policy IM)
23.7 Driver Education [MS Code 37-25-1 et. seq.] (SB Policy IDDE)
23.8 Pre-Kindergarten [MS Code 37-7-301(ss)]. (Refer to the Mississippi Pre-Kindergarten Curriculum.)

24. Each school has a library-media center. [MS Code 37-17-6(3)(a-e)]
24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.
24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

25. The school district provides each student with appropriate equipment and laboratory experiences to meet the instructional requirements of the science program. (See Mississippi Science Framework, 2001.) (Level 4 and 5 schools may be exempted under MS Code 37-17-11.)

Note: Any exceptions to the above standard must be submitted to the Commission on School accreditation for review and action.

26. The school district is in compliance with state law and State Board of Education policies for state adopted textbooks. [MS Code 37-43-1, 37-43-51, 37-9-14(2)(b), and 37-7-301(ff)]
26.1 The school district provides each student in each school with current or otherwise appropriate textbooks that are in good condition. [MS Code 37-43-1, 37-9-14(2)(b), and 37-7-301(ff)]
26.2 Each school district shall keep an active and surplus inventory for each school in the district to be completed by June 15 of each year. The district shall report the inventory in the Textbook
27. The school district implements an instructional management system that meets the following requirements:
27.1 The school district implements an instructional management system that has been adopted by the school board and that includes, at a minimum, the competencies required in the curriculum frameworks approved by the State Board of Education. (Level 4 and 5 districts are exempted.) {MS Code 37-3-49(5)}
27.2 Suggested teaching strategies, resources, and assessment strategies are available to teachers in each school for selection and use in teaching the required competencies. (Level 4 and 5 schools are exempted.) {MS Code 37-3-49(2)(c) and 37-3-49(5)}

28. The district follows an established board policy that defines criteria for the academic promotion/progression/retention of students. *Such criteria prohibit the retention of students for extracurricular purposes.

*Note: This portion of the standard will be jointly monitored and enforced by the State Board of Education and the Mississippi High School Activities Association.

29. The school district provides an alternative education and/or GED program for the categories of students identified in MS Code 37-13-92, and the program meets the guidelines established by the State Board of Education. (SB Policy IDDI-1 and 2)(See Guidelines for Alternative/GED School Programs.)

30. Each classroom teacher, excluding vocational teachers whose class periods exceed 50 minutes, has an unencumbered period of time during the teaching day to be used for individual or departmental planning.
30.1 If the school utilizes a traditional six-period or seven-period day schedule, the instructional planning time provided for secondary teachers is a minimum of 225 minutes per week, exclusive of lunch period. If the school utilizes any form of a modular/block schedule, the instructional planning time provided is a minimum of either 225 minutes per week or an average of 225 minutes per week per instructional cycle, exclusive of lunch period.
30.2 Instructional planning time for the elementary school teacher is no less than 150 minutes per week, exclusive of lunch period.

31. Individual teachers (grades 9-12) are limited to three course preparations per scheduling cycle or five in the same subject/content area.

Note: Any assignment of course preparations above the standard must be submitted to the Commission on School Accreditation for review and action.

32. The basic curriculum of each high school consists of required and approved courses that generate at least 33 Carnegie units annually. (See Appendices B and C.) {MS Code 37-1-3(2)} (SB Policy ICFA-1)

Note: Any request for an exemption from teaching the courses listed in Appendix B must be approved by the Commission on School Accreditation.

33. The basic curriculum of each elementary or middle school (any configuration of grades K-8) consists of reading/language arts, mathematics, science, social studies, the arts, health education,
and physical education, which may be taught by a regular classroom teacher. {MS Code 37-1-3(2) and 37-13-134}

Note: A regular classroom teacher may provide instruction in the arts and physical education in a self-contained classroom setting.

34. Student teacher ratios do not exceed the following: {MS Code 37-151-77}
   34.1 Student teacher ratios do not exceed 22 to 1 in kindergarten, except in instances in which a full-time assistant teacher is in the classroom. If a full-time assistant teacher is employed, 27 may be enrolled. {MS Code 37-151-77} (See Mississippi Kindergarten Guidelines.)
   34.2 Student teacher ratios do not exceed 27 to 1 in classrooms serving grades 1 through 4 unless approved by the State Board of Education. (Level 4 and 5 schools are exempted.) (SB Policy IEC) {MS Code 37-151-77}
   34.3 Student teacher ratios do not exceed 30 to 1 in self-contained classes serving grades 5-8.
   34.4 Student teacher ratios do not exceed 33 to 1 in departmentalized academic core classes serving grades 5-12. {MS Code 37-151-77}
   34.5 The total number of students taught by an individual teacher in academic core subjects at any time during the school year shall not exceed 150. (Level 4 and 5 schools are exempted.)

Note: A teacher who provides instruction through intra-district or inter-district distance learning will be exempt from the 150-student limitation. A lab facilitator or principal designee will be responsible for the assignment of grades and related activities at the receiving school.

SAFE AND HEALTHY SCHOOLS

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37-41-53} (SB Policies ED-3, JGG-1, and IDDE)
   35.1 All buses are inspected on a quarterly basis and are well-maintained and clean.
   35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in-service training per semester.
   35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
   35.4 Emergency bus evacuation drills are conducted at least two times each year.

36. The school district provides facilities that meet the following criteria: {MS Code 37-7-301(c)(d)(j); 37-11-5, 49; and 45-11-101}
   36.1 The school district provides facilities that are clean.
   36.2 The school district provides facilities that are safe.
   36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
   36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37-17-6(2)}

37. The district complies with the following requirements for Safe and Healthy Schools:
   37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37-3-81 and 37-3-83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

**GENERAL HOME RULE AUTHORITY**

The school board of a school district may adopt any orders, resolutions or ordinances with respect to school district affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any other statute or law of the State of Mississippi. Except as otherwise provided in this section, the powers granted to the school boards in this section are complete without the existence of or reference to any specific authority granted in any other statute or law of the State of Mississippi. Unless such actions are specifically authorized by another statute or law of the State of Mississippi, this section shall not authorize a school board to: (a) levy taxes of any kind or increase the levy of any authorized tax; (b) issue bonds of any kind; or (c) enter into collective bargaining agreements. Section 37-7-301.1 (2006)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy ABB - Board Powers and Duties

**BOARD MEMBER LEGAL STATUS**

The individual Board member has no legal authority to act individually unless specifically delegated authority to act by this School Board at its legal meeting.

It shall be the duty of the Superintendent and the School Board to limit the expenditure of school funds during the fiscal year to amounts set forth in the respective school budgets as reflected in the Board minutes. It shall be unlawful for any school district to budget expenditures from a fund in excess of the resources available within that fund for such expenditures.

Any member of the School Board who shall knowingly enter into any contract, incur any obligation, or make any expenditure in excess of the amount available for that purpose for the fiscal year shall be liable for the amount of such excess. However, no Board member shall be personally liable (a) in the event of any reduction in minimum education payments by action of the Governor, or (b) for claims, damages, awards or judgments due to tort actions. Such immunity shall not be a defense in cases of fraud, criminal action, or intentional breach of fiduciary obligations imposed by statute.

LEGAL REF.: MS CODE 61-19

**SELECTION OF BOARD – NUMBER - TERMS**

This school district shall be governed by a School Board consisting of five (5) members, selected in the manner provided by law.

MS Code §37-6-7 (1987)

**BOARD MEMBER QUALIFICATIONS**
GENERAL ELIGIBILITY

In order for a person to be eligible to hold the office of trustee of any school district, such person must be a bona fide resident and a qualified elector of such school district, and, in the case of a school district lying in two or more counties, but not including municipal separate school districts, such person must be a bona fide resident and a qualified elector of the territory entitled to such representation on the board. MS Code 37-7-201 (1968)

No person who is a member of the appointing body, or who is an employee of the municipality, or who is a member of the county board of education, or who is a trustee of any public, private, or sectarian school or college located in the county, inclusive of the municipal separate school district, or who is a teacher in or a trustee of said school district shall be eligible for appointment to a municipal separate school district board of trustees. MS Code 37-7-203 (1985)

No person who is a resident of the territory embraced within a municipal separate school district or a special municipal separate school district shall be eligible to be a member of the county board of education. Qualified electors residing within a municipal separate school district or special municipal separate school district shall not be eligible to vote or participate in the election of members of the county board of education.

The provisions of this section shall be applicable in the case of a special municipal separate school district and a line consolidated school district of which another county is the home county which together occupy all of the territory of a supervisors district of the county. MS Code 37-5-3 (1962)

School board members should consult Title 37, Chapters 5 and 7 of the Mississippi Code for all qualifications and procedures.

BASIC AND CONTINUING EDUCATION REQUIREMENTS

(1) Every school board member selected after July 1, 2002, shall have a high school diploma or its equivalent.

(2) Every school board member selected after July 1, 1993, shall be required to complete a basic course of training and education for local school board members, in order for board members to carry out their duties more effectively and be exposed to new ideas involving school restructuring. Such basic course of training shall be conducted by the Mississippi School Boards Association. Upon completion of the basic course of training, the Mississippi School Boards Association shall file a certificate of completion for the school board member with the office of the local school board. In the event that a board member fails to complete such training within six (6) months of his selection, such board member shall no longer be qualified to serve and shall be removed from office.

(3) In addition to meeting the requirements of subsection (2) of this section, after taking office, each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association.

(4) Every school board member selected after July 1, 2002, shall spend at least one (1) full day in a school in the district they represent, without compensation.

(5) Upon the failure of any local school board member to file with the school board the certificate of completion of the basic or continuing course of training as provided in subsection (2) or (3) of this section, the school board member shall be removed from office by the Attorney General. In the event of a medical or other catastrophic hardship that prevents such school board member from obtaining the required training or filing such certificate, as may be defined by the Board of Directors of the Mississippi
School Boards Association by rule and regulation, an additional period of three (3) months may be allowed to satisfy the requirements of subsection (2) or (3). MS Code 37-7-306 (2006)

LEGAL REF.: MS CODE as cited

CROSS REF.: Policies ABB - Board Powers and Duties
ABCD - Method of Election
BBBC - Board Member Development Opportunity

UNEXPIRED TERM FULFILLMENT

Vacancies in the membership of the county Board of Education shall be filled by appointment, within sixty (60) days after the vacancy occurs, by the remaining members of the county Board of Education. Said appointee shall be selected from the qualified electors of the district in which the vacancy occurs, and shall serve until the first Monday of January next succeeding the next general election, at which general election a member shall be elected to fill the remainder of the unexpired term in the same manner and with the same qualifications applicable to the election of a member for the full term.

In the event the vacancy occurs more than five months prior to the next general election and the remaining members of the county Board of Education are unable to agree upon an individual to be appointed, any two of the remaining members may certify such disagreement to the county election commission. Upon the receipt of such a certificate by the county election commission, or any member thereof, the commission shall hold a special election to fill the vacancy, which said election, notice thereof and ballot shall be controlled by the laws concerning special elections to fill vacancies in county or county district offices. The person elected at such a special election shall serve for the remainder of the unexpired term.

MS Code §37-5-19 (1960)

BOARD MEMBER REMOVAL FROM OFFICE

A trustee as an officer of the state is subject to removal if judged mentally ill, fails to discharge the duties of his/her office, fails to qualify as provided by law, ceases to be a resident of the district in which the duties of the office are discharged, is convicted of a felony or any offense involving moral turpitude.

Any officer of the Board may be removed for cause by majority of the members under such procedures as the Board may direct for the specific occasions.

SUPERINTENDENT LEGAL STATUS
This school district shall have a Superintendent of Schools selected in the manner provided by law. No person shall be eligible to the office of Superintendent of Schools unless such person shall hold a valid administrator's license issued by the State Department of Education and shall have had not less than four (4) years of classroom or administrative experience. §37-9-13 (1997)

It shall be the duty of the Superintendent of Schools to administer the schools within his/her district and to implement the decisions of the School Board. §37-9-14 (1999)

In addition to all other powers, authority, and duties imposed or granted by law, the Superintendent of Schools shall have the powers, authority, and duties set forth in Section 37-9-14 (1995) and other such statutes.

LEGAL REF.: MS CODE 37-9-12; 37-9-13; 37-9-14; 37-7-725

### SCHOOL DISTRICT ORGANIZATION PLAN

The School Board shall organize a school so as to avoid unnecessary duplication and shall determine what grades shall be taught at each school and shall have the power to specify attendance areas and to designate the school each pupil shall attend. §37-7-311 (1987)

Note: The District should include current practice as part of this plan.

The school district shall maintain a uniform system of schools consisting of grades one (kindergarten) through twelve, which may be divided among elementary schools, middle schools, junior high schools and high schools or any combination thereof, on such bases and in such grades as the Board of Trustees of the school district, in its discretion, shall deem necessary and desirable. §37-13-1 (1954)

This School District shall implement the Mississippi Early Childhood Education Program under the provisions of the minimum education program. §37-21-6 (1996)

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<thead>
<tr>
<th>SCHOOLS</th>
<th>GRADES</th>
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<tbody>
<tr>
<td>Bel-Aire Elementary</td>
<td>K-6</td>
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<tr>
<td>d’Iberville Elementary</td>
<td>K-5</td>
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<tr>
<td>d’Iberville Middle</td>
<td>6-8</td>
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<tr>
<td>d’Iberville High</td>
<td>9-12</td>
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<tr>
<td>Harrison Central Elementary</td>
<td>K-3</td>
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<tr>
<td>Harrison Central 9th Grade</td>
<td>9</td>
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<tr>
<td>Harrison Central High/Harrison County Vo-Tech</td>
<td>10-12</td>
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<tr>
<td>Harrison County Child Development Center</td>
<td>Ungraded</td>
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<td>Harrison County Alternative School</td>
<td>7-12</td>
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<tr>
<td>School Name</td>
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<tr>
<td>Lizana Elementary</td>
<td>K-6</td>
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<tr>
<td>Lyman Elementary</td>
<td>K-6</td>
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<tr>
<td>North Gulfport 7-8</td>
<td>7-8</td>
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<tr>
<td>North Woolmarket</td>
<td>K-8</td>
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<tr>
<td>Orange Grove Elementary</td>
<td>4-6</td>
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<td>Pineville Elementary</td>
<td>K-6</td>
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<td>Saucier Elementary</td>
<td>K-6</td>
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<td>Three Rivers Elementary</td>
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<tr>
<td>West Wortham</td>
<td>K-8</td>
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<tr>
<td>Woolmarket Elementary</td>
<td>K-6</td>
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**SCHOOL ATTENDANCE AREAS/SCHOOL BOUNDARIES**

The Harrison County School District will operate in accordance with the court order of the United States District Court, which requires that schools of the district shall be zoned with certain specific assignments of students (fully detailed in the court order).

Included in the court order are procedures for permitting transfers of students for special needs, transfers to special classes or schools, and majority to minority transfers. Other than those exceptions permitted or required under the court order or at the direction of the Superintendent, all students in the Harrison County School District will attend schools in the zones to which they are assigned.

**AVERAGE DAILY ATTENDANCE**

The Board of Trustees of the Harrison County School District recognizes the importance of regular student attendance both to the student and to the school district. The superintendent and his/her staff are directed to encourage regular student attendance through a program designed to accomplish maximum ADA for the school district.

**SCHOOL YEAR (ACADEMIC YEAR)**

All public schools in the state shall be kept in session for at least one hundred eighty (180) days in each scholastic year. §37-13-63 (1992)

**DISASTER EMERGENCY**

If this school board determines that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a scholastic year as contemplated
due to an enemy attack, a manmade, technological or natural disaster in which the Governor has declared a
disaster emergency or the U.S. President has declared an emergency or major disaster to exist in this state,
the school board may notify the State Department of Education of such disaster and submit a plan for
altering the school term.

If the State Board of Education finds such disaster to be the cause of the school not operating for the
contemplated school term and that such school was in a school district covered by the Governor's or
President's disaster declaration, it may permit said school board to operate the schools in its district for less
than one hundred eighty (180) days. MS Code Section 37-13-63 (2003)

MINIMUM SCHOOL TERM

“Minimum school term” shall mean a term of at least one hundred eighty (180) days of school in which both
teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty
percent (60%) of the normal school day. It is the intent of the Legislature that any tax levies generated to
produce additional local funds required by any school district to operate school terms in excess of one
hundred seventy-five (175) days shall not be construed to constitute a new program for the purposes of
exemption from the limitation on tax revenues as allowed under Sections 27-39-321 and 37-57-107 for new
programs mandated by the Legislature. §37-19-1 (h) 1991

Standard 19 is as follows: The academic year provides a minimum of 180 teaching days in which both
teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty
percent (60%) of the normal school day. {MS Code 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-
151-7(3)(d)}

19.1 DELETED
19.2 The teaching day must provide at least 330 minutes of instruction per day or 27.5 hours per
five-day week. {MS Code 37-13-67}
19.3 The school district must ensure that during the academic school year a minimum of 140
hours of instruction is provided for each Carnegie unit of credit offered and 70 hours for
each ½ unit offered, except for accelerated learning programs and remedial instructional
programs that are proficiency based. A traditional 7-period day schedule must provide at
least 48 minutes per period, and A/B and 4 x 4 block schedules must provide at least 94
minutes.
19.4 No more than two of the 180 days may be 60% days, unless the district is utilizing an Early
Release schedule that provides at least 27.5 hours per five-day week provided that there are
at least 198 minutes of actual instruction or testing and the remainder of each 60% day is
used for professional development or other activities related to instruction. {MS Code 37-
151-5(j)}
19.5 The school district schedules preparation for graduation ceremonies in such manner that
graduating seniors are absent from classes for no more than three days prior to the end of
the school year (177 days). (Level 4 and 5 districts are exempted.)
19.6 The summer school/extended year program meets all applicable requirements of the regular
school program. {MS Code 37-3-49}
  - Students from other schools enrolled in summer programs provide written approval
    from the principal of their home schools.
  - Students enrolled in an extended year program complete all remaining
course/subject requirements/objectives before credit for the course/subject is issued.
    {MS Code 37-3-49}
  - Students enrolled in a summer program are limited to earning one Carnegie unit of
credit during the summer school session, which does not apply to Extended Year
programs. (Level 4 and 5 students may be exempted under MS Code 37-17-11.)

A - 25
Note: If the Governor has declared a disaster emergency or the President of the United States has declared an emergency or major disaster to exist in this state, the local school board may request approval from the State Board of Education to operate the schools in its district for less than one hundred eighty (180) days. {MS Code 37-151-7(3)(d)}

LEGAL REF.: MS CODE cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy CEB – Duties of Superintendent

### SCHOOL CALENDAR

<table>
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The local school board shall have the power and authority to fix the date for the opening and closing of the school term, subject to the minimum number of days which schools must be in session during a scholastic year, as prescribed under Section 37-13-63. However, local school boards are authorized to keep school in session in excess of the minimum number of days prescribed in Sections 37-13-63.; 37-13-61 (2006)

All public schools in the state shall be kept in session for at least one hundred and eighty (180) days in each scholastic year. Section 37-13-63 (2003)

### MINIMUM SCHOOL TERM

As used in Section 37-19-1 through 37-19-53 (Mississippi Minimum Program of Education):

“Minimum school term” shall mean a term of at least one hundred eighty (180) days of school in which both teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty percent (60%) of the normal school day. It is the intent of the Legislature that any tax levies generated to produce additional local funds required by any school district to operate school terms in excess of one hundred and seventy-five (175) days shall not be construed to constitute a new program for the purposes of exemption from the limitation on tax revenues as allowed under Sections 27-39-321 and 37-57-107 for new programs mandated by the Legislature. Section 37-151-5 (j) (1997)

Standard 19 is as follows:

19. The academic year provides a minimum of 180 teaching days in which both teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty percent (60%) of the normal school day. {MS Code 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-151-7(3)(d)}

19.1 DELETED

19.2 The teaching day must provide at least 330 minutes of instruction per day or 27.5 hours per five-day week. {MS Code 37-13-67}

19.3 The school district must ensure that during the academic school year a minimum of 140 hours of instruction is provided for each Carnegie unit of credit offered and 70 hours for each ½ unit offered, except for accelerated learning programs and remedial instructional programs that are proficiency based. A traditional 7-period day schedule must provide at least 48 minutes per period, and A/B and 4 x 4 block schedules must provide at least 94 minutes.

19.4 No more than two of the 180 days may be 60% days, unless the district is utilizing an Early Release schedule that provides at least 27.5 hours per five-day week provided that there are at least 198 minutes of actual instruction or testing and the remainder of each 60% day is
used for professional development or other activities related to instruction. {MS Code 37-151-5(j)}

19.5 The school district schedules preparation for graduation ceremonies in such manner that graduating seniors are absent from classes for no more than three days prior to the end of the school year (177 days). (Level 4 and 5 districts are exempted.)

19.6 The summer school/extended year program meets all applicable requirements of the regular school program. {MS Code 37-3-49}

- Students from other schools enrolled in summer programs provide written approval from the principal of their home schools.
- Students enrolled in an extended year program complete all remaining course/subject requirements/objectives before credit for the course/subject is issued. {MS Code 37-3-49}
- Students enrolled in a summer program are limited to earning one Carnegie unit of credit during the summer school session, which does not apply to Extended Year programs. (Level 4 and 5 students may be exempted under MS Code 37-17-11.)

Note: **If the Governor has declared a disaster emergency or the President of the United States has declared an emergency or major disaster to exist in this state, the local school board may request approval from the State Board of Education to operate the schools in its district for less than one hundred eighty (180) days. {MS Code 37-151-7(3)(d)}**

LEGAL REF.: MS Code as cited
*Mississippi Public School Accountability Standards (2007)*
CROSS REF.: Policy CEB - Duties of Superintendent

### HOLIDAYS

| AEAB |

| All public schools of this state may observe such legal holidays as may be designated by the local school board, and no sessions of school shall be held on holidays so designated and observed. However, all schools shall operate for the full minimum term required by the law exclusive of the holidays authorized by this section. The holidays thus observed shall not be deducted from the reports of the superintendents, principals and teachers, and such superintendents, principals and teachers shall be allowed pay for full time as though they had taught on those holidays. However, such holidays shall not be counted or included in any way in determining the average daily attendance of the school. MS Code 37 13 69 (2006) |

| LEGAL REF.: MS Code as cited |
| CROSS REF.: Policies AE- School Year (Academic Year) AEA - School Calendar CEB - Duties of Superintendent |

### EXTENDED SCHOOL YEAR/SUMMER SCHOOL

| AEBA |

| This school board shall maintain and operate all of the schools under their control for such length of time during the year as may be required. §37-7-301(m) (1994). |

Standard 19 is as follows:
19. The academic year provides a minimum of 180 teaching days in which both teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty percent (60%) of the normal school day. {MS Code 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-151-7(3)(d)}

19.1 DELETED

19.2 The teaching day must provide at least 330 minutes of instruction per day or 27.5 hours per five-day week. {MS Code 37-13-67}

19.3 The school district must ensure that during the academic school year a minimum of 140 hours of instruction is provided for each Carnegie unit of credit offered and 70 hours for each ½ unit offered, except for accelerated learning programs and remedial instructional programs that are proficiency based. A traditional 7-period day schedule must provide at least 48 minutes per period, and A/B and 4 x 4 block schedules must provide at least 94 minutes.

19.4 No more than two of the 180 days may be 60% days, unless the district is utilizing an Early Release schedule that provides at least 27.5 hours per five-day week provided that there are at least 198 minutes of actual instruction or testing and the remainder of each 60% day is used for professional development or other activities related to instruction. {MS Code 37-151-5(j)}

19.5 The school district schedules preparation for graduation ceremonies in such manner that graduating seniors are absent from classes for no more than three days prior to the end of the school year (177 days). (Level 4 and 5 districts are exempted.)

19.6 The summer school/extended year program meets all applicable requirements of the regular school program. {MS Code 37-3-49}

- Students from other schools enrolled in summer programs provide written approval from the principal of their home schools.
- Students enrolled in an extended year program complete all remaining course/subject requirements/objectives before credit for the course/subject is issued. {MS Code 37-3-49}
- Students enrolled in a summer program are limited to earning one Carnegie unit of credit during the summer school session, which does not apply to Extended Year programs. (Level 4 and 5 students may be exempted under MS Code 37-17-11.).

Note: If the Governor has declared a disaster emergency or the President of the United States has declared an emergency or major disaster to exist in this state, the local school board may request approval from the State Board of Education to operate the schools in its district for less than one hundred eighty (180) days. {MS Code 37-151-7(3)(d)}

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It shall be the policy of this school district to provide sufficient instructional time to give students the opportunity to master specific learning objectives at all instructional levels.

1. The number of hours of actual teaching which shall constitute a school day shall be determined and fixed by the school board of this school district at not less than five hours. Section 37 13 67 (2006)
2. **School Day**: That portion of the calendar day that includes the teaching day, intermissions, and any additional time included in the employee contract. School day defines the normal working day for employees. Glossary, Mississippi Public School Accountability Standards (2003)

3. **Teaching Day**: A day in which a minimum of 330 minutes of instruction and/or evaluation and/or district approved group testing is provided. Exceptions are days with fewer than 330 instructional minutes that are part of an instructional week of at least 27.5 hours. Glossary, Mississippi Public School Accountability Standards (2003)

Standards 19.2, 19.3 and 19.4 are as follows:

19.2 The teaching day must provide at least 330 minutes of instruction per day or 27.5 hours per five-day week. {MS Code 37-13-67}

19.3 The school district must ensure that during the academic school year a minimum of 140 hours of instruction is provided for each Carnegie unit of credit offered and 70 hours for each ½ unit offered, except for accelerated learning programs and remedial instructional programs that are proficiency based. A traditional 7-period day schedule must provide at least 48 minutes per period, and A/B and 4 x 4 block schedules must provide at least 94 minutes.

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LEGAL REF.: MS CODE as cited
*Mississippi Public School Accountability Standards (2007)*
CROSS REF.: Policies ABB - Board Powers and Duties
CEB - Duties of Superintendent

### EMERGENCY CLOSINGS

Upon application from the school board, the Superintendent of Schools may close any school because of an epidemic prevailing in the school district or because of the death, resignation, sickness or dismissal of a teacher or teachers or because of any other emergency necessitating the closing of the school. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year. §37-13-65 (1987)

The district superintendent may close any school because of an emergency prevailing in the school district. All such schools so closed shall operate for the required full time after being reopened during the scholastic year. {MS Code 37-13-65} **Note: Exceptions to the full school term requirement are defined in MS Code 37-19-35(e).**
This school board has the duty and authority to maintain and operate all the schools under its control for such length of time during the year as may be required. §37-7-301 (m) (1994)

The superintendent will announce school closings over local television and radio stations. Such announcements will be made by 6:00 p.m. on the day before the closing when possible; but in all cases, the announcement will be made by 6:00 a.m. on the day of the closing.

LEGAL REF.: MS Code 37-13-63 and as cited
CROSS REF.: Policies AE School Year (Academic Year)
CEB Duties of Superintendent
The Harrison County School District recognizes the value of education in developing and maintaining a democratic society. We further recognize the importance of the individual in our society and the corresponding role of education in the development of that individual. We believe, then, that the primary responsibility of our schools is to provide the individual student with the opportunities for optimum academic development within a setting which provides for varying intellectual, socio-economic, and physical differences. The intellectual development of the student is broad in scope. It must include satisfying his/her behavioral needs as they relate to democratic ideals, ethical and moral values, and aesthetic appreciation.

To this end, the School District will have in place educational activities which will meet these standards:

1) Provide sufficient amounts of time for both the instruction and learning of basic skills.

2) Develop and implement an instructional management program which includes the following components: Written instructional objectives; techniques and strategies for instruction; essential materials, supplies, and support services; and techniques for evaluation.

3) Develop and implement a performance-based program which will address the following: retention and grading guidelines and policies; requirements for graduation.

4) Insure a school climate in which there is evidence of sound discipline procedures, enthusiasm for learning, and pride in facilities.

The Harrison County School District shall not discriminate on the basis, of race, color, sex, age, handicap, religion, or national origin with regard to any policy, procedure, or program operation.

The Board of Education shall organize annually at its first regular meeting in January. The Superintendent shall preside over the election of the president.

From its membership, the Board shall elect at this annual meeting a president and vice-president and secretary, each of whom shall serve for one year, and shall be eligible for re-election.

Should a vacancy occur in the presidency of the Board due to resignation or other cause before the end of his/her term, the vice-president shall succeed to the presidency. In case there should be a vacancy in the vice-presidency at the same time, the Superintendent shall call the Board together and preside until new officers are elected to serve until the date of the next regular election.
The Board of Education functions as a committee of the whole. Committees may be appointed and function, but upon completion of tasks, they shall be discharged.

See BBABA, BBABB, BBABC.

**BOARD OPERATIONS**

The Board of Trustees of the Harrison County School District shall actively monitor the policies which require the implementation of performance-based education. The Board shall adopt performance-based educational policies and provide appropriate leadership through actions described in Board minutes.

The Board of Trustees shall meet the process standards as specified in the current State Board of Education Mississippi Public School Accountability Standards.

1. The school district is governed by a policy-making board (hereafter called the Board of Trustees or the Board) which holds regular meetings.

2. The Board maintains, in perpetuity, records of all official actions in minutes dated and signed by the Board’s chairperson and the Board’s secretary.

3. Current copies of the Board policies, which follow State Board of Education policies and state and federal laws and regulations, are published and are available for public review in the district’s central office and in the central office of each school.

4. Board policy follows state board policies and state and federal laws related to non-discriminatory practices in the operation of the school.

5. Board policy follows state and federal laws and related regulations and procedures for employment, retention, and dismissal of all personnel.

6. The Board has adopted and implemented a formal personnel appraisal system for licensed staff which includes assessment of employees’ on-the-job performance.

7. The Board assigns all executive and administrative duties to the superintendent who is properly licensed and chosen in the manner prescribed by law. The term superintendent refers to the chief administrative officer of the school district.

8. The Board has adopted a salary schedule, which provides, at a minimum, equal pay for equal preparation, experience, and responsibility for all personnel.

9. The salary schedule ensures that the superintendent is the highest monthly and annually paid Board employee.

10. The salary schedule ensures that the principal is the highest monthly and annually paid Board employee in each school.

11. The Board adopts the objectives which form the core curriculum, which is systematically delivered throughout the district and implements an instructional management system that has been adopted by the Board and that includes, at a minimum, the competencies required in the curriculum frameworks approved by the State Board of Education.
12. Board policy establishes criteria for promotion and retention decisions.

13. Board policy ensures that the district require strategic planning to meet accreditation regulations.

14. Board policy addresses the development of guidelines for: 1) programs to lower student dropout rates and 2) district-wide student disciplinary practices.

15. Board members complete required basic and continuing education programs provided through the School Executive Management Institute.

16. The Board adopts policies to limit and reduce the number and length of written reports that classroom teachers are required to prepare.

17. The Board reviews all adopted policies annually and takes appropriate action concerning their revision, maintenance, and/or repeal.

18. The Board members are bonded in accordance with state law.


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It shall be the duty of the president to make reports and perform all other duties required by law. §37-6-9 (1987)

In addition, the presiding officer shall:

1. plan the agenda for meetings of the Board of Trustees in cooperation with the Superintendent of Education;

2. call the meeting to order at the appointed time;

3. conduct the business to come before the Board in its proper order;

4. assign the floor to members who desire to speak. Once he/she has recognized the right of a member to the floor, it shall be his/her duty to protect the speaker from disturbances or interferences;

5. insofar as possible, explain what the effect of a motion would be if it is not clear to every member; he/she shall make certain that members are informed as to what business is pending;

6. restrict discussion to the question before the Board;

7. sign contracts, other official documents authorized by the Board, and all acts or orders necessary to carry out the will of the Board;

8. put motions to a vote, state definitely and clearly the vote and the result thereof;

9. appoint committees as he/she and the Board find necessary;

10. speak for the Board at all times except when this responsibility is specifically delegated to others;
11. participate as a regular voting member of the Board;
12. certify the official copy of approved minutes for each regular and special meeting of the Board;
13. transact other business authorized by the Board of Trustees.

### DUTIES OF BOARD VICE-PRESIDENT

In the absence of the board president, at any School Board meeting, the vice-president will assume all duties and responsibilities of the Board president.

### DUTIES OF BOARD SECRETARY

This Board shall elect a secretary whose duty it shall be to make reports and to perform all other duties required by law.

All minutes of this School Board shall be attested by the secretary of the Board. §37-6-9 (1987)

### SCHOOL BOARD MEMBERS – DUTIES

This Board exercises its power only as it sits in official session and votes to action. A majority of the members of the School Board shall constitute a quorum for the transaction of business. §37-6-9 (1987)

Board members shall have authority only when acting as a Board regularly in session. Individual Board members or groups of Board members do not have independent authority to speak for this Board and should make no out-of-meeting commitments unless directed to do so on behalf of this Board. This Board shall not be bound in any way by any statement or action on the part of any individual Board member or employee except when such statement or action is in pursuit of specific instructions of this Board.

As he/she has no legal right or power unilaterally to direct the course of school affairs or the actions of school personnel, he/she may not with propriety exert the weight of his/her status as a Board member in efforts to do so extra-legally. Elected to represent the community at large, he/she may not, either legally or with propriety, act as a representative of any one segment of the community.

Board members wishing to request information from administrators which would entail a system-wide survey should have the request approved by the total Board.

In addition to those mandated by law, duties and obligations of an individual Board member are:

1. endeavor to attend all meetings, discuss items presented on the agenda, suggest other items for consideration, and vote and act upon motions and resolutions impartially for the good of the district;
2. accept the will of the majority vote in all cases and give support to the resulting policy;
3. familiarize himself/herself with the state school laws, regulations of the State Department of Education, district policies, rules, and regulations;

4. have a general knowledge of educational aims and objectives of the system;

5. work harmoniously with other Board members;

6. represent the district schools to the public in such a way as to promote both interest and support;

7. refer all suggestions and complaints to the Superintendent and/or Board and abstain from individual counsel and action;

8. exercise no administrative responsibility with respect to schools;

9. refrain from commanding the services of any school employee.

**ORIENTATION OF NEW BOARD MEMBERS**

Each new member of this Board shall be afforded every opportunity to become oriented to the functions and responsibilities entailed by appointment or election to the Board. It shall be the duty of the Superintendent and the administrative staff to assist each new member-elect to understand the Board's functions, policies, procedures, and operation of the school system before he/she takes office. The following procedures shall be employed as a minimum:

1. The appointee shall be given selected materials on the functions of the Board and of the school system.

2. The appointee shall be invited to attend Board meetings and to participate in its discussions prior to his/her actual induction.

3. The incoming member shall be invited to meet with the Superintendent, other administrative personnel whom the Superintendent shall designate to discuss the services they perform for the Board and the Board chairperson.

4. A copy of the Board's policies and by-laws and a copy of other pertinent information shall be provided each new incoming member.

5. All new Board members will attend the “Basic Course of Training” sponsored by the State Department of Education.

See also BBBC.

**BOARD MEMBER DEVELOPMENT OPPORTUNITY**

Standard 1 is as follows:
1. School board members complete required basic and continuing education programs in order to effectively perform their duties in the manner prescribed by law. {MS Code 25 41 1 et. al; 25 61 1 through 17; 37 3 4(5); 37 6 7, 9, 11, and 15; and 37 7 306(1 4)}

**BASIC EDUCATION COURSE**

The Mississippi School Boards Association shall be responsible for preparing and conducting a course of training for basic education for the local school board members of this state, in order for board members to carry out their duties more effectively and be exposed to new ideas involving school restructuring. The basic course shall be known as the "School Board Member Training Course" and shall consist of at least twelve (12) hours of training. The Mississippi School Boards Association shall issue certificates of completion to those school board members who complete the basic education course. MS Code 37-3-4 (5) (a) (2006)

**CONTINUING EDUCATION COURSE**

The Mississippi School Boards Association shall be responsible for preparing and conducting a course of training for continuing education for the local school board members of this state, in order for board members to carry out their duties more effectively and be exposed to new ideas involving school restructuring. The continuing education course shall be known as the "Continuing Education Course for School Board Members" and shall consist of at least six (6) hours of training. The Mississippi School Boards Association shall issue certificates of completion to those school board members who complete the continuing education course. MS Code 37-3-4 (5) (b) (2006)

**GENERAL REQUIREMENTS**

(1) Every school board member selected after July 1, 2002, shall have a high school diploma or its equivalent.

(2) Every school board member selected after July 1, 1993, shall be required to complete a basic course of training and education for local school board members, in order for board members to carry out their duties more effectively and be exposed to new ideas involving school restructuring. Such basic course of training shall be conducted by the Mississippi School Boards Association. Upon completion of the basic course of training, the Mississippi School Boards Association shall file a certificate of completion for the school board member with the office of the local school board. In the event that a board member fails to complete such training within six (6) months of his selection, such board member shall no longer be qualified to serve and shall be removed from office.

(3) In addition to meeting the requirements of subsection (2) of this section, after taking office, each school board member shall be required to file annually in the office of the school board a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association.

(4) Every school board member selected after July 1, 2002, shall spend at least one (1) full day in a school in the district they represent, without compensation.

(5) Upon the failure of any school board member to file with the school board the certificate of completion of the basic or continuing course of training as provided in subsection (2) or (3) of this section, the school board member shall be removed from office by the Attorney General. In the event of a medical or other catastrophic hardship that prevents such school board member from obtaining the required training or filing such certificate, as may be defined by the Board of Directors of the Mississippi School Boards Association by rule and regulation, an additional period of three (3) months may be allowed to satisfy the requirement of subsection (2) or (3). MS 37-306 (2006)
HARDSHIP EXTENSION FOR SCHOOL BOARD MEMBER

According to the authority granted in MS Code 37-7-306 (5), the Board of Directors of the Mississippi School Boards Association (MSBA) adopts the following policy and procedures applicable to any school board member who has not completed the basic or continuing course of training as required by MS Code Sections 37-7-306 (2) and (3). Such board member may apply for an extension of time according to the provisions of MS Code 37-7-306 (5) provided the individual board member's justification for an extension meets the following definitions of medical hardship and/or catastrophic hardship.

DEFINITIONS

Medical Hardship is defined as any debilitating or serious illness or medical condition of the school board member or of his/her immediate family member.

Catastrophic Hardship is defined as any natural disaster, technological emergency or civil emergency that directly affects the geographic area or property on which the school board member lives or that results in a declaration of an emergency by a county or municipality, the Governor, of the President of the United States.

APPLICATION PROCEDURE: BASIC EDUCATION COURSE

In order to apply for an extension of time for completing the basic education course, the board member shall submit a letter to the Mississippi School Boards Association (MSBA) prior to the required date for completion of the training. The letter requesting the extension shall state the hardship condition and provide information demonstrating how the hardship claimed has directly and significantly impacted the member's ability to complete the required training.

MSBA will review the request and respond in writing within two weeks of receipt of the request. Additional information may be requested of the board member in order to determine whether the extension may be granted.

If an extension is granted, the school board member may be allowed an additional period of three months to fulfill the basic course requirement. If the extension is denied, the reasons for such denial shall be stated in writing to the board member.

APPLICATION PROCEDURE CONTINUING EDUCATION COURSE

In order to apply for an extension of time for completing the continuing education course, the board member shall submit a letter to the Mississippi School Boards Association (MSBA) prior to the required date for completion of the training. The letter requesting the extension shall state the hardship condition and provide information demonstrating how the hardship claimed has directly and significantly impacted the member's ability to complete the required training.
MSBA will review the request and respond in writing within two weeks of receipt of the request. Additional information may be requested of the board member in order to determine whether the extension may be granted.

If an extension is granted, the school board member may be allowed an additional period of three months to satisfy the continuing education requirement. If the extension is denied, the reasons for such denial shall be stated in writing to the board member.

LEGAL REF.: MS Code 37-7-306 (2006)
CROSS REF.: Policy BBBC - Board Member Development Opportunity

**BONDED MEMBERS BBBD**

Before entering upon the discharge of the duties of his/her office, each member of the School Board shall give a surety bond in the penal sum of Fifty Thousand Dollars ($50,000.00), with sufficient surety, to be payable, conditioned and approved in the manner provided by law. Section 37-6-15 (1996)

School Board members are bonded in accordance with state law. MS CODE §37-6-15

**COMPENSATION OF BOARD MEMBERS BBBE**

Each school board member shall receive per diem in the amount of sixty-seven dollars ($67.00) for no more than thirty-six (36) meetings of the school board during any one (1) fiscal year, or may choose to receive as compensation for services an annual salary of two thousand, four hundred dollars ($2,400.00).

The choice made by each school board member shall be irrevocable and shall remain in effect for all successive terms or periods of service of that member. Such compensation shall not entitle any school board member to receive or be eligible for any state employee group insurance, retirement or other fringe benefits.

Each member shall be reimbursed for the necessary expenses and mileage in attending meetings of the school board. In addition, all members may be reimbursed for mileage and actual expenses incurred in the further performance of their duties, including attendance at any mandatory school board training session or at regional and national education meetings, when such mileage and other expenses are authorized by the board prior to the date on which they occur. Detailed vouchers shall be submitted for reimbursement for all expenses authorized by this section. Such reimbursement shall be in accordance with Section 25-3-41.

Such expenses shall be paid on order of the school board by pay certificate issued by the superintendent of the school district involved against the funds available for payment of the administrative expense of said district.

If a member of the school board misses twenty-percent (20%) or more of the meetings of the school board during one (1) calendar year, he/she must reimburse to the school district that portion of the total salary paid to the member that year proportionate to the number of meetings missed by the member in relation to the total number of meetings held that year (consideration shall be given only to meetings of which public notice is required). Before February 1 of each year, the president of the board shall submit a report to the
State Board of Education containing names of members who missed twenty percent (20%) of the school board meetings during the preceding year.

### BOARD OF TRUSTEES - ROLES, RESPONSIBILITIES, AND RELATIONSHIPS

The Board believes that the legislation of policies is its most important function, and that the execution of the policies should be the function of the Superintendent.

Delegation of executive powers to the Superintendent by the Board provides freedom for the Superintendent to manage the school within the Board’s policies and frees the Board to devote its time to policy making and appraisal functions.

The Board holds the Superintendent of Education responsible for carrying out its policies within the established guidelines for keeping the Board informed about school operation.

While it is impossible to cover every area of school operations, the following information endeavors to outline the functions of the Board of Trustees in various specific areas of mutual concern.

It is the duty of the Superintendent to recommend personnel for appointment, and it is the duty of the Board of Trustees either to accept or to reject the Superintendent’s nominations.

Individual members of the Board of Trustees will not consider applications to them as individuals but will refer applicants to the Superintendent, who makes recommendations to the Board.

The School Board shall be authorized to designate the Assistant Superintendent employed by the school district to accept the recommendations of principals for certificated employees and to transmit approved recommendations to the School Board; however, this authorization shall be restricted to no more than two (2) positions for each employment period for each school in the district.

### BOARD OF TRUSTEES

**GENERAL FUNCTIONS**

Establishes general policy and rules and regulations regarding:

- Employees personnel functions
- Instructional programs
- Pupil personnel functions
- School plant functions
- Public relations functions

**PERSONNEL FUNCTIONS**

- Employs all professional personnel.
Determines the number of teachers and other employees in the school system after considering recommendations of the Superintendent.

Determines all policies relating to personnel, including sick leave, leaves of absence, and special benefits.

Determines the policies of general personnel management.

INSTRUCTIONAL PROGRAM FUNCTIONS

Determines the general scope of the instructional program in accordance with state laws and regulations.

Discusses and evaluates reports presented to it by the professional staff members relative to the instructional program.

Recommends areas requiring additional evaluation for study by the staff.

FINANCIAL FUNCTIONS

Approves and adopts an annual budget which determines necessary local tax levies.

Proposes bond issues to the public for vote.

Adopts regulations for purchasing supplies and equipment.

Adopts standards and passes upon the procedures of financial accounting.

Reviews all bids.

Reviews an annual audit of the school district accounts and business procedures.

Employs auditing firm to conduct audit of school district’s financial records.

SCHOOL PLANT FUNCTIONS

Decides what construction should be undertaken after considering recommendations from the Superintendent.

Decides upon major building renovations, maintenance policies, and additions after considering recommendations from the Superintendent.

Purchases school sites.

Employs school architects as needed.

Employs consultants to advise on plant needs.

PUPIL PERSONNEL FUNCTIONS

Determines general policies affecting students, consistent with federal and state law and the federal court order under which the district operates.

Authorizes the establishment of special classes or schools for atypical children with special needs.
- Determines general requirements for graduation in accordance with the law.
- Provides for the protection of health through school lunch programs, medical examinations, employment of nurses and medical advisors.
- Makes regulations regarding corporal punishment, truancy, vandalism, attendance, etc.

PUBLIC RELATIONS FUNCTIONS

- Represents community attitudes and values in educational planning and policy development
- Supports the school administration before critical groups in the community and reserves evaluation of the Superintendent as required by contract.
- Represents the schools in various community functions
- Evaluates periodically, with the Superintendent, the work of the Superintendent
- Evaluates all other programs of the school system based upon the Superintendent’s reports and recommendations of other staff members

Also see BBDA.

BOARD-SCHOOL SUPERINTENDENT RELATIONS

Board members will refrain from acting as arbitrators of complaints. All complaints will be channeled through the Superintendent for resolution. Where needed, the Board will convene for the purpose of holding hearings on complaints which cannot be resolved by the Superintendent. Due consideration will be given to the confidential nature of certain of these matters to protect the good name of persons involved.

This Board will never convene to consider school matters without the Superintendent or his/her representative, except when considering his/her salary. The Superintendent will avoid private conferences with any particular Board member or smaller group of members concerning school policies in cases where all are concerned. The president of the Board may confer with the Superintendent or other single members of the Board about arrangements of the agenda when making plans for presenting matters for Board deliberation.

The Superintendent shall be the sole person responsible to the Board for the entire school program. However, other personnel may be given special permission to make special reports to the Board. All official Board actions and decisions will take place only when the Board convenes formally. The members will avoid expressions of prejudgment or precommitment on issues which are to be voted upon in formal Board meetings. No Board member will make commitments or voice opinions publicly on controversial issues before they are aired and resolved in a formal Board meeting. The Superintendent and Board members will refrain from hasty responses to controversial situations before consideration is duly given to both sides during a formal Board meeting. On special matters, such as controversy over selection of a new school site or organizational plans, consultants may be invited to make unbiased studies and recommendations.

This Board and the Superintendent will strive at all times to preserve institutional integrity and academic freedom and support each other, the faculty, and student body during times of unwarranted attack by outside forces. It will strive to maintain mutual respect for each other and be mindful that it is the solemn duty of
each to fulfill the hopes and aspirations of the general school community and always to act within the framework of the local, state and federal government when implementing these duly constituted Board policies.

It is the duty of the Superintendent to recommend personnel for appointment, and it is the duty of the Board of Trustees either to accept or to reject the Superintendent's nominations.

Individual members of the Board of Trustees will not consider applications to them as individuals but will refer applicants to the Superintendent, who makes recommendations to the Board.

**BOARD-SUPERINTENDENT RELATIONS – DISCIPLINE**

The Superintendent will provide the leadership necessary for the discipline of the schools, and individual Board members will not consider complaints or recommendations that have not been presented to the Superintendent or the Board for consideration.

**SCHOOL ATTORNEY**

This School Board has the power and authority to employ and fix the duties and compensation of such legal counsel as deemed necessary. §37-7-301(x) (1993)

The Harrison County Public Schools Board of Trustees shall employ an attorney to serve for a period of one year to commence on the first day of January of each year. Following the acceptance of the conditions of employment and the compensation for the services, the Board shall issue a memorandum of understanding that includes but is not limited to a detailed listing of all those services to be provided for the agreed upon retainer. The retainer language should provide for consultation with the Superintendent or designee for information needed when the Board is not in session and for attendance at all Board meetings. In addition, the Board shall agree to pay an hourly amount for other listed work to be performed by the attorney outside of the retainer agreement.

On the last day of December of each year the memorandum of understanding shall end and only upon affirmative action by the Board shall the period of employment for the attorney be extended for a period not to exceed one year following review by the Board of the services provided the preceding year and the adoption of amendments to the memorandum. All memoranda of understanding shall be spread upon the minutes of the Board at the time of adoption.

(1) Any municipality of the State of Mississippi is hereby authorized and empowered, within the discretion of its governing authorities, to investigate and provide legal counsel for the defense of any claim, demand, or action, whether civil or criminal, made or brought against any state, county, school district, or municipal officer, agent, servant, employee, or appointee as a result of his/her actions while acting in the capacity of such officer, agent, servant, employee, or appointee; and such municipality is hereby authorized to pay for all costs and expenses incident to such investigation and defense. §25-1-47 (1971)

(2) Except in the case of excessive force or cruel and unusual punishment, a teacher, principal or assistant principal shall not be civilly or criminally liable for any action carried out in conformity with state or federal law or rules or regulations of the State Board of Education or the local
School Board regarding the control, discipline, suspension and expulsion of students. The local School Board shall provide any necessary legal defense to a teacher, principal or assistant principal in any action which may be filed against such school personnel or other employees.

(3) Corporal punishment administered in a reasonable manner by a teacher, principal or assistant principal acting within the scope of his/her employment or function and in accordance with any state or federal laws or rules or regulations of the State Board of Education or the local School Board does not constitute assault, simple assault, aggravated assault, battery, negligence or child abuse. No teacher, principal or assistant principal so acting shall be named as an individual defendant or be held liable in a suit for civil damages alleged to have been suffered by a student as a result of the administration of corporal punishment, unless the court determines that the teacher, principal or assistant principal acted in bad faith or with malicious purpose or in a manner exhibiting a wanton and willful disregard of human rights or safety.

“Corporal punishment” means the reasonable use of physical contact by a teacher, principal or assistant principal as may be necessary to maintain discipline, to enforce a school rule, for self-protection or for the protection of other students from disruptive students. Corporal punishment in the form of paddling shall be witnessed at all times by at least one (1) licensed school employee, and all other acts of corporal punishment, as defined herein, shall be witnessed at all times, if possible, by a licensed school employee. §37-11-57 (1997)

(4) From and after October 1, 1993, and subject to the provisions of this chapter, every school district shall be responsible for providing a defense to its employees and for the payment of any judgment in any civil action or the settlement of any claim against an employee for money damages arising out of any act or omission within the course and scope of his/her employment; provided, however, that to the extent that a school district has a plan or policy of insurance and/or reserves which the Board has approved as providing satisfactory security for the defense and protection of the school district against all claims and suits for injury for which immunity has been waived under this chapter, the school district’s duty to indemnify and/or defend such claim on behalf of its employee shall be secondary to the obligation of any such insurer or indemnitor, whose obligation shall be primary. The provisions of this subsection shall not be construed to alter or relieve any such indemnitor or insurer of any legal obligation to such employee or to any school district vicariously liable on account of or legally responsible for damages due to the allegedly wrongful error, omissions, conduct, act or deed of such employee.

(5) The responsibility of a school district to provide a defense for its employee shall apply whether the claim is brought in a court of this or any other state or in a court of the United States.

(6) A school district shall not be entitled to contribution or indemnification, or reimbursement for legal fees and expenses from its employee unless a court shall find that the act or omission of the employee was outside the course and scope of his/her employment. Any action by a school district against its employee and any action by an employee against the school district for contribution, indemnification, or necessary legal fees and expenses shall be tried to the court in the same suit brought on the claim against the school district or its employee.

(7) The duty to defend and to pay any judgment as provided in subsection (3) of this section shall continue after employment with the school district has been terminated, if the occurrence for which liability is alleged happened within the course and scope of duty while the employee was in the employ of the school district.

(8) For the purposes of this chapter and not otherwise, it shall be a rebuttable presumption that any act or omission of an employee within the time and at the place of his/her employment is within the course and scope of his/her employment.
(9) Nothing in this chapter shall enlarge or otherwise adversely affect the personal liability of an employee of a school district. Any immunity or other bar to a civil suit under Mississippi or federal law shall remain in effect. The fact that a school district may relieve an employee from all necessary legal fees and expenses and any judgment arising from the civil lawsuit shall not under any circumstances be communicated to the trier of fact in the civil lawsuit. §11-46-7 (1993)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies AAA — School District Liability Exemptions
ABC — Board Member Legal Status

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<th>ADVISORY COMMITTEES TO THE BOARD</th>
<th>BBF</th>
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The School Board policies include guidelines addressing how students, parents, teachers, administrators, business, and professional leaders will be involved in contributing to the successful operation of the school program.

The Board encourages citizen participation in the decision-making processes. Advisory committees of either of the two following categories may be organized when appropriate.

1. Board-appointed advisory committees, both district wide and at the school level, shall function within the organizational frameworks approved by the Board. A staff member or members will be assigned to each group to help it carry out its functions. The composition of advisory committees shall be broadly representative and shall take into consideration the specific tasks assigned to the committee. Only the Board shall have the authority to dissolve advisory committees it has created.

The Board will instruct each committee as to:

- the length of time each member is being asked to serve;
- the service the Board wishes the committee to render;
- the resources the Board will provide;
- the approximate dates on which the Board wishes to receive major reports;
- board policies governing citizens’ committees and the relationship of these committees to the Board as a whole, individual Board members, the Superintendent, and other members of the professional staff;
- responsibilities for the release of information to the press.

2. School and district level advisory committees that are required under federal and state programs, shall function in accordance with the requirements pertaining to each specific federal or state program; the Board shall grant to those bodies the advisory responsibilities relevant to the planning, implementation, and evaluation of such program or project.

Since the legal powers and prerogatives of the Board cannot be delegated or surrendered to others, all recommendations of an advisory committee must be submitted to the Board for action.

There is an organized system to encourage community and business involvement in each school district decision making. MS CODE §37-7-337. (Level 4 and 5 districts are exempted.)
BY-LAWS OF THE HARRISON COUNTY BI-RACIAL ADVISORY COMMITTEE

ARTICLE I: NAME

The name of the committee is the Harrison County School District Bi-Racial Advisory Committee, whose address is c/o the Office of the Superintendent of Education, P. O. Box 1090, Gulfport, MS 39502.

ARTICLE II: PURPOSE

The Bi-Racial Advisory Committee is to serve in a viable capacity to the Harrison County School District, Board and Superintendent on matters pertaining to the education of the boys and girls of the school district and to serve as liaison between the school district and the general public.

ARTICLE III: MEMBERSHIP

SECTION 1: There shall be ten prominent citizens, five black and five white, who reside within the Harrison County School District, and represent their geographic communities to serve on the committee. Said members to be appointed by the Harrison County School Board with the Superintendent as a member.

SECTION 2: The committee members shall receive a per diem expense.

ARTICLE IV: OFFICERS AND THEIR ELECTION

SECTION 1: The officers of the Bi-Racial Advisory Committee shall consist of a chairman and a secretary.

SECTION 2: The officers shall be elected by ballot annually in the month of January.

SECTION 3: Officers shall assume the official duties following the close of the meeting in January, and shall serve a term of one year or until their successors are elected.

ARTICLE V: DUTIES OF OFFICERS

SECTION 1: The chairman shall preside at all meetings of the committee, and shall perform such other duties as may be prescribed in these by-laws. The chairman shall read and sign the minutes from previous meeting.

SECTION 2: The secretary shall record the minutes of all meetings of the committee, shall have a copy of the by-laws, and shall maintain a current list of members. Minutes shall be kept on file in the Office of the County Superintendent of Education.

ARTICLE VI: MEETINGS

SECTION 1: The regular meetings of the committee shall be held quarterly, in the months of January, April, July, and October. The regular meeting held in the month of January shall be known as the annual meeting, and shall be for the purpose of electing officers.
SECTION 2: Special meetings of the committee may be called by the Chairman or Superintendent as the need arises. At least five (5) days notice of such meeting shall be given.

SECTION 3: A quorum of five (5) members shall be necessary for conducting business.

SECTION 4: Committee members missing two (2) consecutive meetings without notifying the Office of the County Superintendent of Education will be considered inactive, and will be replaced by the School Board.

ARTICLE VII: RELATIONSHIP WITH THE BOARD AND SUPERINTENDENT

SECTION 1: The committee members serve in an advisory capacity to the Harrison County School Board. The committee shall meet annually with said Board to present reports, opinions, findings and recommendations.

SECTION 2: The committee members should have a working relationship with the Superintendent’s Office. The committee shall obtain the necessary information on education and pertinent matters from the Office of the Superintendent of Education.

ARTICLE VIII: PARLIAMENTARY AUTHORITY

Robert’s Rules of Order Newly Revised shall govern the committee meetings in all cases in which they apply, and in which they are not in conflict with the by-laws of the committee.

ARTICLE IX: AMENDMENTS

SECTION 1: These by-laws may be amended at any regular meeting of the committee by a two-thirds vote of the members present and voting, provided that written notice of the proposed amendment shall have been given to each member.

SECTION 2: A committee may be appointed to submit a revised set of by-laws as a substitute for the existing by-laws only by a majority vote.

CONSULTANTS TO THE BOARD

The Board may employ and fix the duties of non-instructional personnel deemed necessary pursuant to the recommendation of the Superintendent of Education.

AWARDS, RECOGNITIONS, CERTIFICATES

This Board, when it deems it to be appropriate, may recognize outstanding achievement and service with the award of certificates of appreciation.

The State Board of Education shall establish an awards program to reward parents for becoming involved in school improvement efforts. A process shall be established which shall include, but not be limited to, the
designation of a parent of the year in every school district in the state and the designation of one (1) “Parent of the Year” statewide. §37-3-73 (1992)

Parent of the Year

It is crucial that parents be involved in the education of our children. It is mandatory that each school in Harrison County School District nominate a Parent of the Year. Harrison County School District will select a Parent of the Year from the applications submitted by each school in the district.

The Mississippi Board of Education, mandated by Senate Bill 3120, established an awards program to reward parents for becoming involved in school improvement efforts. A process which will designate a Parent of the Year in each school district in the state and the designation of one Parent of the Year statewide has been established in the Department of Education.

As part of the program, each district is asked to select one Parent of the Year. A Mississippi Parent of the Year, along with finalists from each Congressional District, will then be selected from the pool of district recipients. A selection committee will choose state recipients.

| BOARD/STAFF RELATIONS/SUPERINTENDENT DUTIES | BBI/CEB |

Subject to review by this Board, administrative control and direction of this school district shall be vested in the Superintendent. He/She shall have the authority to take the actions necessary to secure effective and efficient operation of the school system, which shall be consistent with the policies of this Board of Trustees, provisions of the school laws and regulations of the State of Mississippi and applicable federal regulations.

As executive officer of the School Board, the Superintendent of Education shall interpret the policies of the Board of Trustees and shall establish administrative procedures and regulations necessary for implementation of said policies.

In cases where action by the Superintendent is warranted, and in the absence of policy, the Superintendent of Education is authorized to act. However, the Superintendent's decision(s) shall be subject to review and action by the Board at its regular meeting. It shall be the duty of the Superintendent of Education to inform the Board promptly of such action and of the need for policy.

Policies or policy manuals are to be housed in the central administrative office of the district, in the principal’s office of each school and in each school library. The “official district policy manual” shall be maintained in the Superintendent’s office.

It is the intent of the Board of Trustees of this district that the Superintendent and the district administrative staff take active leadership roles in the implementation of the Education Reform Act. The Board directs that the Superintendent:

A. Attend School Executive Management Institutes as required;
B. Develop a written school district long-range strategic plan to carry local and state objectives as specified by Board policy;
C. Establish standards for promotion, retention and graduation of students that incorporate the results of State and local testing programs, these approved as shown by the minutes of the
Board, and evidence that these policies have been implemented in the schools of the district;

D. Supervise and evaluate the extent to which principals lead school instructional activity;

E. Establish uniform disciplinary policies for the school district, commensurate with age/grade levels and case/statutory law;

F. Apportion budgeted funds to accomplish policy requirements;

G. Coordinate performance-based school district instructional programs;

H. Inform the Board of the extent to which these tasks (A-G) are accomplished.

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**REVIEW OF BOARD PROCEDURES**

The School Board shall periodically establish realistic objectives related to Board procedures, district goals, and the Board-Superintendent relationship, and shall, at specified intervals, measure its performance against the stated objectives.

The Superintendent and other administrative officers who work regularly with the Board and others shall be asked to participate in this review.

The School Board shall review all adopted policies annually and take appropriate action concerning their revision, maintenance, and/or appeal.

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**INTERNAL ORGANIZATION/MEETINGS/MINUTES**

The Board of Trustees of the school district is a policy-making and appraisal body of the school district. As such, the Board shall govern the district through a set of official policies which are to be reviewed and updated annually.

A. The Board will hold regular monthly meetings.

B. The Board will maintain current and complete minutes of all official actions.

1. The minutes will bear the date of the meetings and the signature of appropriate official(s). Minutes shall be approved in a timely manner as specified by state law.

2. Board minutes must include a record by individual member of any votes taken.

3. The minutes will be on file in the office of the Superintendent.
4. Board policies and minutes will be accessible to public review in compliance with statutory requirements.

Provisions will be made for involving members of the staff and community in policy formulation and review.

Special meetings shall be convened and held at such time and in such places as the president may appoint by notice given to each Board member. The call or notice of special meetings shall specify the business to be conducted. Only those items of business specified in the call or notice may be transacted.

All meetings shall begin as open meetings; however, executive sessions may be held for those purposes as permitted by law.

The Board of Trustees of the Harrison County School District shall meet regularly and at such time and at such place as shall be designated by an order entered upon the minutes thereof, and at such regular meetings the Board may transact any business within its lawful power and authority. Only when the Board is in official session may official action be taken on any matter that affects the operation of the School District. Individual members of the Board acting independently may not obligate the Board or School District in any matter. Special meetings of the Board shall be held upon the call of the president thereof, or upon the call of a majority of the Board members thereof.

Notices of all special and regular Board meetings shall be sent to the news media.

REGULAR MEETING

This School Board shall meet regularly at such time and at such place as shall be designated by an order entered upon the minutes thereof. §37-6-11 (1987)

A majority of the members of this School Board shall constitute a quorum for the transaction of business. §37-6-9 (1987)

All action taken by this School Board shall become official at the time it is taken. §37-6-9 (1987)

All meetings of this School Board shall commence in open session. §25-41-7 (1990)

This School Board may make and enforce reasonable rules and regulations for the conduct of persons attending its meetings. §25-41-9 (1976)

SPECIAL MEETINGS OF THE BOARD

Special meetings of this School Board may be held upon the call of the president thereof, or upon the call of a majority of the members thereof. §37-6-11 (1987)

A notice of the place, date, hour and subject matter of any called special meeting shall be posted within one (1) hour after such meeting is called in a prominent place available to examination and inspection by the general public in the building in which this School Board normally meets. A copy of the notice shall be made a part of the minutes or other permanent official records of this School Board. §25-41-13 (1) (1990)
A majority of the members of this School Board shall constitute a quorum for the transaction of business. §37-6-9 (1987)

All action taken by this School Board shall become effective at the time it is taken. §37-6-9 (1987)

All meetings of this School Board shall commence in open session. §25-41-7 (1990)

This School Board may make and enforce reasonable rules and regulations for the conduct of persons attending its meetings. §25-41-9 (1976)

**ADJOURNED BOARD MEETING**

The board, by majority vote, may adjourn a board meeting until the next scheduled regular meeting.

**RECESSED MEETING**

At any regular or special meeting the board may recess from time to time to reconvene on a day and at a time fixed by an order of the board. Upon reconvening the board may transact any business properly coming before it for consideration.

LEGAL REF.: 37-5-27

**TELECONFERENCE OR VIDEO BOARD MEETING**

In the event that this board finds it necessary to conduct a meeting through means of teleconference or video, the board shall adhere to the requirements of the Open Meetings Law, as specified in Section 25-41-5 of the MS Code.

DEFINITION

"Meeting" means an assemblage of members of a public body at which official acts may be taken upon a matter over which the public body has supervision, control, jurisdiction or advisory power; "meeting" also means any such assemblage through the use of video or teleconference devices. MS Code 25-41-3 (b) (2003)

ENFORCEMENT OF OPEN MEETINGS LAW

All official meetings of this board shall be declared to be public meetings and shall be open to the public at all times unless declared an executive session as provided in Section 25-41-7.

The chancery courts of this state shall have the authority to enforce the provisions of the Open Meetings Law upon application of any citizen of the state, and shall have the authority to issue injunctions or writs of mandamus to accomplish that purpose. If the court finds that a public body has willfully and knowingly violated the provisions of the Open Meetings Law, the court may impose a civil penalty upon the public body in a sum not to exceed One Hundred Dollars ($100.00), plus all reasonable expenses incurred by the person or persons in bringing suit to enforce this chapter. MS Code 25-41-15 (2003)

AUTHORITY / QUORUM
A public body may conduct any meeting through teleconference or video means. A quorum of a public body as prescribed by law may be at different locations for the purpose of conducting a meeting through teleconference or video means provided participation is available to the general public.

PUBLIC NOTICE AND PARTICIPATION

Notice of any meetings held pursuant to this section shall be provided at least five (5) days in advance of the date scheduled for the meeting. The notice shall include the date, time, place and purpose for the meeting and shall identify the locations for the meeting. All locations for the meeting shall be made accessible to the public. All persons attending the meeting at any of the meeting locations shall be afforded the same opportunity to address the public body as persons attending the primary or central location. Any interruption in the teleconference or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access restored.

AGENDA AND SUPPORT MATERIALS

An agenda and materials that will be distributed to members of the public body and that have been made available to the staff of the public body in sufficient time for duplication and forwarding to all locations where public access will be provided shall be made available to the public at the time of the meeting.

MINUTES AND RECORDING OF MEETING

Minutes of all meetings held by teleconference or video means shall be recorded as required by Section 25-41-11. Votes taken during any meeting conducted through teleconference or video means shall be recorded by name in roll-call fashion and included in the minutes. In addition, the public body shall make an audio recording of the meeting, if a teleconference medium is used, or an audio/visual recording, if the meeting is held by video means. The recording shall be preserved by the public body for a period of three (3) years following the date of the meeting and shall be available to the public.

EMERGENCY SITUATIONS

A public body may meet by teleconference or video means as often as needed if an emergency exists and the public body is unable to meet in regular session. Public bodies conducting emergency meetings through teleconference or video means shall comply with the provisions of this section requiring minutes, recordation and preservation of the audio or audio/visual recording of the meeting. The nature of the emergency shall be stated in the minutes.

Five-day notice shall not be required for teleconference or video meetings continued to address an emergency or to conclude the agenda of a teleconference or video meeting of the public body for which the proper notice has been given, when the date, time, place and purpose of the continued meeting are set during the meeting prior to adjournment. MS Code 25-41-5 (2007)

LEGAL REF.: MS CODE – MS Code 25-41-3; 25-41-5; & 25-41-15

CROSS REF.: Policy BCAB - Regular Meeting

PUBLIC HEARINGS
Except for budget hearings, all public meetings conducted by the Board of Trustees as required by law, and others as the Board deems advisable, shall provide due public notice making printed information regarding the topic of the hearing accessible to the public prior to the hearing. At the discretion of the Board, individuals may be given an opportunity to appear before the Board and be heard.

The president of the Board, or his/her designee subject to the Board's approval, shall preside at the hearing taking into consideration the following procedures:

1. The public shall be informed at the beginning of the hearing the particular procedure that will be followed in regard to the questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

2. The president of the Board shall state the position of the Board. If official action on the issue has not as yet been taken, the president may state and may summarize briefly the arguments for and against the issue to be decided. Other members of the Board may also be heard at this time.

3. The secretary of the Board shall secure the names of all those persons wishing to be heard before the Board. Those desiring to speak shall indicate whether they are for or against the issue involved. Persons not responding to the secretary's request shall not be heard.

4. Once the speakers for and against the issue have been heard, the president shall indicate that questions pertaining directly to the issue involved may be directed to the Board.

5. Upon a ruling by the president closing the public discussion, the Board may proceed with its deliberations and take whatever action it deems advisable.

The Board may, at any hearing by a majority vote, take the issue under advisement and continue the hearing from time to time but not for a period of more than sixty (60) days from the date of the next regular meeting of the Board.

Also see BCBI/KCA and DC for procedures governing public participation in Board meetings and requirements of participants.

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<th>TIME AND PLACE</th>
<th>BCBA</th>
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This School Board shall meet regularly at such time and at such place as shall be designated by an order entered upon the minutes thereof.

Special meetings of this Board shall be held upon the call of the president or upon the call of a majority of Board members. (See BCAC.)

Any public body which holds its meetings at such times and places and by such procedures as are specifically prescribed by statute shall continue to do so and no additional notice of such meetings shall be required except that a notice of the place, date, hour and subject matter of any recess meeting, adjourned meeting, interim meeting or any called special meeting shall be posted within one (1) hour after such meeting is called in a prominent place available to examination and inspection by the general public in the building in which the public body normally meets. A copy of the notice shall be made a part of the minutes or other permanent official records of the public body. §25-41-13 (1) (1990)
All regular Board meetings shall begin at 5:30 p.m. on the first Monday of each month in the office of the County Superintendent of Education unless otherwise specified. When the first Monday of any month shall fall on a legal holiday, the Board shall meet on the next succeeding day.

Also see BCACA, BCACB, BCACD

**NOTIFICATION**

Each member of the Board will be notified of all special or called Board meetings either by letter or telephone.

**BOARD MEETING PREPARATION AND DISTRIBUTION OF MATERIAL**

Board members shall be provided with data and backup information to assist them in reaching sound and objective decisions consistent with established goals prior to any Board action.

Board members shall be expected to study the information and to contact the Board president or Superintendent to request additional background information necessary to assist them in their decision-making responsibilities.

Meeting materials shall be delivered to Board members at least 72 hours in advance of meetings to allow their considered study of items on the agenda.

The materials shall include the agenda for the coming meeting and reports and proposals that will need advance study.

**BOARD MEETING AGENDA**

Meetings shall follow the printed agenda or the notice of special meetings, such as the case may be.

Agendas for meetings shall be prepared by the Superintendent in cooperation with the Board president.

Any Board member may suggest items of business. The inclusion of such items shall be at the discretion of the Superintendent and Board president.

The Board shall follow the order of business set up by the agenda unless altered by consent of the members present. Other items may be discussed except in the case of special meetings.

Agendas, together with supporting materials, shall be distributed to Board members at least 48 hours in advance of the meeting.

The agenda will be made available to the press and to others upon request.

All matters to be submitted to the Board should first be brought before the Superintendent so that he/she may determine whether the Board has already adopted a policy under which the matter may be decided without special Board action.
Any item of business which any Board member wishes to have included in the agenda shall be presented to the Superintendent in time to be added to the agenda. Items of business should be presented to the Superintendent by 12:00 noon on the Friday prior to the next meeting.

**RULES OF ORDER OF BOARD MEETINGS**

This School Board shall observe Robert's Rules of Order, Newly Revised, except as otherwise provided by Board rules and regulations or by statute. These rules may be suspended by a two-thirds (2/3) vote of the Board.

Board-adopted rules and regulations for meetings shall be consistent with the Open Meetings Act {MS Code 25-41-1 et seq.}

The Board reserves the right to "make and enforce rules and regulations for the conduct of persons attending its meetings." {MS Code 25-41-9}

CROSS REF.: Policies BCBG – Voting Method at Board Meetings
BCBH – Minutes of Board Meetings

**QUORUM**

A majority of the members of this School Board shall constitute a quorum for the transaction of business. §37-6-9 (1987)

An affirmative vote of three-fifths of all members present shall be required to declare an executive session. §25-41-7 (1990)

No business may be transacted at a meeting unless a quorum is present. §37-6-9 (1987)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies BCAB — Regular Board Meeting
BCBH — Minutes of Board Meetings
BCBK — Executive Sessions

**AMENDMENT AND SUSPENSION OF RULES OF PROCEDURE - SUSPENSION OF POLICIES**

The School Board shall observe Robert’s Rules of Order, Newly Revised, except as otherwise provided by Board rules and regulations or by statute. Rules of procedure for Board of Trustees meetings may be suspended or amended by a majority vote of the Board members present. The operation of any section or sections of Board policies and procedures not established by law or contract may be temporarily suspended by a majority vote of Board members present at a regular or special meeting.

See BCBF.

**AMENDMENTS TO POLICIES/POLICY REVISIONS**
These policies may be amended by a majority vote of the members. Proposed policy revisions should be thoroughly reviewed by staff and must be submitted to Board members prior to Board consideration.

**VOTING METHOD AT BOARD MEETINGS**  

Each member of the School Board present shall either vote or abstain on every question upon which a vote is taken at such meeting. §37-6-9 (1987)

The traditional method of voice vote, “yea” or “nay” or “abstain,” shall prevail in normal business matters in open or executive session.

A majority vote of all members of the Board at any meeting shall be necessary for the election of officers or for any other action by the Board unless otherwise specified by law on these regulations.

**MINUTES OF BOARD MEETINGS**

The minutes of the meetings of the school board are the written record of all proceedings of the board. School boards speak only through their minutes. Therefore, the minutes shall include:

1. whether it is a regular or special meeting;

2. date, time and place of meeting;

3. members and others present;

4. members absent;

5. a statement that the meeting was called to order and commenced as an open meeting;

6. approval of the minutes of the preceding meeting(s);

7. an accurate recording of any final actions taken at such meeting;

8. a record by individual member of any votes taken at such meeting;

9. any other information that the school board requests to be reflected in the minutes;

10. a record of any closed determination/executive session to include:
   a) a motion to enter into a closed determination for executive session stating an allowable reason and the vote;
   b) a motion to enter into an executive session and vote;
   c) a motion to end the executive session to return to open session and vote.

11. a record of adjournment;

12. signature of president of the board, attested by the secretary.
Minutes shall be kept on file in the office of the superintendent and open to public inspection during regular business hours.

Minutes shall be recorded within a reasonable time not to exceed thirty (30) days after adjournment.

Minutes shall become official when adopted by the board at the next regular meeting, or within thirty (30) working days, whichever occurs later.

TELECONFERENCE OR VIDEO MEETING

In the event that this board finds it necessary to conduct a meeting through means of teleconference or video, the board shall adhere to the requirements of the Open Meetings Law, as specified in Section 25-41-5 of the MS Code.

ATTORNEY GENERAL OPINION

A school board that enters into executive session to discuss a sensitive personnel issue and subsequently comes out of executive session, adjourns, and announces its decision without taking a vote on the issue, as reflected in the minutes, has not acted on the issue. Pursuant to 25-41-11, minutes must be kept of all meetings of a public body, including executive sessions. Only actions that are duly and properly reflected in the minutes may be considered as an action by the board. Once the board votes upon and approves the minutes, it is evident that only those actions specified in the minutes were taken by the board, and no other actions were taken. There is no authority that would allow a school board to take an affirmative action without a vote. (Attorney General Opinion No. 2001-0093, Mabry, March 23, 2001.)

LEGAL REF.: MS CODE Section 25-41-1 et seq., and Section 37-6-9
CROSS REF.: Policies BCAD - Teleconference or Video Board Meeting
            BCBFA - Quorum for Board Meetings
            BCBG - Voting Method at Board Meetings

PUBLIC PARTICIPATION AT BOARD MEETINGS

It being essential to the fundamental philosophy of the American constitutional form of representative government and to the maintenance of a democratic society that public business be performed in an open and public manner, and that citizens be advised of and be aware of the performance of public officials and the deliberations and decisions that go into the making of public policy, it is hereby declared to be the policy of this School District that the formation and determination of public policy is public business and shall be conducted at open meetings except as otherwise provided herein.

All meetings of this School Board are declared to be public meetings and shall be open to the public at all times unless declared an executive session as provided in section 25-41-7. §25-41-5 (1990)

Any public body may make and enforce reasonable rules and regulations for the conduct of persons attending its meetings. §25-41-9

To be placed on the agenda, notification must be given to the Superintendent by 12:00 noon on Friday preceding the Board meeting on the following Monday.
Only regular meeting sessions will permit public input. All meetings will be held at the Harrison County School Board room.

**TELECONFERENCE OR VIDEO MEETING**

In the event that this board finds it necessary to conduct a meeting through means of teleconference or video, the board shall adhere to the requirements of the Open Meetings Law, as specified in Section 25 415 of the MS Code. (See Policy BCAD.)

LEGAL REF.: MS CODE as cited  
CROSS REF.: Policies BCAD - Teleconference or Video Board Meeting  
BCAE - Public Hearings  
KL R - Public Complaints

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<tr>
<th>NEWS MEDIA COVERAGE</th>
<th>BCBJ</th>
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<tr>
<td>One of this Board's important responsibilities is to see that the public is informed of its action; therefore, the local news media representatives shall be urged to attend all meetings of the Board.</td>
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<tr>
<td>A copy of the agenda will be available in advance of all Board meetings to members of the working press who request it. In the event that representatives of the news media are unable to attend a meeting, upon request they shall be provided a summary of any action taken.</td>
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<td>All reports approved by the Board are a matter of public record and will be made available to the press or other members of the public pursuant to the district's public records access policy.</td>
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<td>Individual Board members shall refer requests from news media representatives for information about Board meetings to the Superintendent of Education, who is the public spokesman for the Board except as the Board specifically decides otherwise.</td>
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<td>All official meetings of any public body are declared to be public meetings and shall be open to the public at all times unless declared an executive session as provided in section 25-41-7. §25-41-5</td>
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<td>Any public body may make and enforce reasonable rules and regulations for the conduct of persons attending its meetings. §25-41-9</td>
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<th>EXECUTIVE SESSIONS</th>
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<td>This School Board may enter into an executive session from an open meeting only for the transaction of public business by the following procedure:</td>
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<td>1. Any Board member may request by motion a closed determination upon the issue of whether or not to declare an executive session. A second is not necessary. At this point the meeting is to be temporarily closed and the room cleared.</td>
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<td>2. If after a discussion of the reasons for going into an executive session a motion is made, seconded and approved by a majority of members present, the presiding officer is to briefly reopen the meeting and announce publicly that the Board is going into executive session and give the reasons therefor.</td>
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3. The meeting is then closed and in executive session.

An executive session shall be limited to matters allowed to be exempted from open meetings and shall be applicable to that particular meeting on that particular day. Nothing shall be construed to require that any meeting be closed to the public, nor shall any executive session be used to circumvent or defeat the purposes of the Open Meetings Law.

Executive sessions shall be limited to the following matters which are allowed to be exempted from open meetings:

a. Transaction of business and discussion of personnel matters or the character, professional competence, or physical or mental health of a person.

b. Strategy sessions or negotiations with respect to prospective litigation, litigation or issuance of a detrimental effect on the litigating position of the public body.

c. Transaction of business and discussion regarding the report, development or course of action regarding security personnel, plans or devices.

d. Investigative proceedings by any public body regarding allegations of misconduct or violation of law.

e. Any body of the Legislature which is meeting on matters within the jurisdiction of such body.

f. Cases of extraordinary emergency which would pose immediate or irrevocable harm or damage to persons and/or property within the jurisdiction of such public body.

g. Transaction of business and discussion regarding the prospective purchase, sale or leasing of lands.

h. Discussions between a School Board and individual students who attend a school within the jurisdiction of such School Board or the parents or teachers of such students regarding problems of such students or their parents or teachers.

i. Transaction of business and discussion concerning the preparation of tests for admission to practice in recognized professions.

j. Transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business or industry.

k. Transaction of business and discussions regarding employment and termination of employees. The exemption provided in this paragraph includes the rights to hold closed meetings concerning employees as such exemption relates to their deletion from any budget subject to approval of the public body. Final budgetary adoption shall not be taken in executive session.

4. Section 25-41-11 requires that minutes of all meetings (whether in open or executive session) of a public body include the following items:

a. Listing of members present and absent.

b. Date, time, and place of the meeting.

c. An accurate recording of any final actions taken at the Board meeting.
d. A record, by individual member, of any votes taken.

e. Any other information that the Board requests be included or reflected in the minutes.

**NOTE:** Minutes taken during executive session must adhere to the same requirements as for regular Board meetings. However, when the Board deems it advisable to protect the personal identity of an employee or student, a numerical reference or other coding device may be used in the minutes.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

*Mississippi Public School Accountability Standards (2007)*

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<th>BOARD POLICY DEVELOPMENT</th>
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Proposals regarding policies may originate with a member of the Board, the Superintendent, a staff member, a parent, student, civic group, or any resident of the district. An orderly process shall be used in examining such proposals prior to action by the Board. Recommendations of the Superintendent and the viewpoints of persons and groups affected by the policy shall precede final action of the Board.

It is the Board's intention that the written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all persons who are interested in, and affected by, the district schools.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of the present and future Boards. The Board welcomes suggestions for ongoing policy development.

A copy of the agenda will be available in advance of all Board meetings to members of the working press who request it. In the event that representatives of the news media are unable to attend a meeting, upon request they shall be provided as summary of any action taken.

All reports approved by the Board are a matter of public record and will be made available to the press or other members of the public pursuant to the district’s public records access policy.

Individual Board members shall refer requests from news media representatives for information about Board meetings to the Board president, who is the public spokesman for the Board except as the Board specifically decides otherwise.

This School Board shall adopt performance-based educational policies and provide appropriate leadership through actions described in School Board minutes.

1. This school district is governed by a policy making Board which holds regular monthly meetings.

2. School Board policy follows state Board policies and state and federal laws related to non-discriminatory practices in the operation of the school.
3. School Board policy follows state and federal laws and related regulations and procedures for employment, retention, and dismissal of all personnel. MS Code 37-9-1 through 75, 37-9-101 through 113 and 37-7-301 (p) (w))

4. School Board policy establishes criteria for promotion and retention decisions. These criteria shall prohibit retention of students for extracurricular purposes.

5. Board policy ensures that this district has a five-year strategic plan which serves as the basis of operation and which addresses actions to improve district performance on accreditation standards.

6. Board policy addresses the development of guidelines for: 1) programs to lower student dropout rates, and 2) district wide disciplinary practices.

7. The School Board adopts policies to limit and reduce the number and length of written reports that classroom teachers are required to prepare.

8. The School Board reviews all adopted policies annually and takes appropriate action concerning their revision, maintenance, and/or repeal.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

Mississippi Public School Accountability Standards (2007)

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<th>BOARD POLICY IMPLICATIONS OF NO CHILD LEFT BEHIND</th>
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The No Child Left Behind Act (NCLBA) of 2001 has far-reaching policy implications that all school boards will need to address. Following is a listing of requirements under the NCLBA, along with the MSBA sample policies that address those requirements. MSBA will continue to revise policies as may become necessary to ensure compliance with the NCLBA.

1. The school district will ensure that all employee manuals and personnel documents are revised immediately to reflect
   ♦ the education and experience required of all new instructional employees;
   ♦ the credentials that existing instructional employees must acquire;
   ♦ the timetable for satisfying the new requirements; and
   ♦ the consequences for employees who fail to comply.

   Policies: GBBA; GBC; GBD; GBF; IFBA

2. The district will notify all current employees of revisions to such employee manuals and personnel documents and the implications for existing personnel.

   Policies: GBBA; GBC; GBD

3. All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of the actions they may take to maintain order, discipline, and an appropriate educational environment.

   Policies: GADA; GBF; JCA; JCB; JCBF; JD; JCBH
4. The district will provide employee training that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent, or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result.

Policies: GADA; GBBA; GBC; GBD; GBF

5. The district will develop rules that prescribe the circumstances under which the administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

Policies: JCA; JCB; LC

6. The school district will provide a procedure through which students attending a school identified for improvement or as being persistently dangerous may transfer to another school in the district.

Policies: JBCD; JBCDA

7. The school districts will inform families of students in Title I schools of their right to know the professional qualifications of their child's teacher and will describe where and how they can get this information.

Policies: GAK; GBBA; IFBA; LDD; LDDB; LDDC; IDDGA

8. The district will monitor Title I schools to ensure staff provide timely notice to the families of all students who are taught for four (4) or more consecutive weeks by a teacher who is not "highly qualified" as defined under No Child Left Behind.

Policies: LDD; LDDB; LDDC; IFBA

9. The district will review staffing patterns within the district annually to ensure that poor and minority students are not taught by inexperienced, unqualified, or out-of-field teachers at a higher rate than other children.

Policies: EDA; GBE; JBCCA

10. If staffing patterns indicate that minority children are being taught by less qualified teachers, the district leadership will develop strategies to correct the problem.

Policies: EDA; GBE; JBCCA

11. The school district will inform, in writing, the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The district will comply with federal guidelines concerning age appropriate sex education.

Policies: IC; ICB; ICG

12. The district will ensure that programs for limited-English proficient students have a primary goal of main-streaming those students into regular classrooms, and that those programs emphasize English language instruction.

Policies: IC; ICB; IKA
13. The school board shall ensure that the district's Title I programs operate in accordance with federal laws and conditions. The requirements of the No Child Left Behind Act shall be followed, and rules and regulations promulgated to ensure that the district is in compliance.

Policies: EDA; IFBA

14. By October 1 of each year, the school district shall certify in writing to the Mississippi Department of Education that students in the district are not prevented by policy or rule from participating in constitutionally protected prayer.

Policy: IKN

15. The superintendent will ensure that the staff, parents/guardians, and students are made aware of the parameters of acceptable religious speech and actions. The superintendent will also distribute guidelines to each school concerning religion in the schools, after the guidelines/regulations have been approved by the board attorney and reviewed by the board.

Policy: IKN

16. The school district will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

Policies: EDD; JQP

17. The school district will comply with the provisions of the Boy Scouts of America Equal Protection Act, and will not discriminate against or deny access to any groups protected by the Act.

Policy: EB; JAB

18. The school district will be in compliance with federal law regarding student directory information, including provisions related to recruiting by armed forces representatives and service academy recruiters.

Policies: JR; JRA; JRAB

19. The district will be in compliance with federal law regarding student records, surveys, and health or physical screening.

Policies: IIA; JGC; LC

20. The district will be in compliance with the Family Educational Rights and Privacy Act (FERPA)

Policies: GAK; JRA; JRAB

21. The school district shall be in compliance with federal law that prohibits smoking in indoor school facilities.

Policy: GAXA; EBAB
Any Board member or any individual or group of citizens, students, or employees may propose in writing new policies or changes to existing policies. The policy proposals shall be referred to the Superintendent for examination prior to Board discussion.

The Superintendent, or his/her designee, as the policy draft writer for the Board, shall seek the counsel of the school attorney when, in his/her opinion or the Board's opinion there may be a question on proper legal procedure in the development of a proposed policy.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review.  {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

School Board policies serve as the basis of operation for the district, and current copies of School Board polices are published and available for public review.  MS CODE 25-61-1 through 7.

The adoption of new policies or changing existing policies is solely the responsibility of the Board.

It is important that sufficient time be given to permit further study and to give interested parties an opportunity to react; therefore, no new policies nor policy revisions introduced for the first time shall be adopted until a subsequent meeting.

During discussion of a policy proposal, the views of the public and staff will be considered.  Amendments may be proposed by Board members.

The Board may temporarily approve a policy to meet emergency conditions.  However, discussion and a final vote must be taken before the policy shall be formally adopted.

Policies introduced and recommended to the Board of Education shall not be adopted until a subsequent meeting.  Thus, time shall be given to permit further study and also to give opportunity for interested parties to react.  However, temporary approval may be granted by the Board of Education, in lieu of formal policy, to meet emergency conditions or special events which will take place before formal action can be taken.

The formal adoption of policies shall be in official meetings of the board and shall be no less than thirty (30) calendar days after submission. The board's action shall be recorded in the minutes of the Board of Education. Only those written statements so adopted and so recorded shall be regarded as official board policies.

All board action relating to policy recommendation or adoption must take place in official meetings.
Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}
Formulation of Administrative Regulations:

This Board shall delegate to the Superintendent the function of specifying requested actions and designing the detailed arrangements under which the schools will be operated. Such rules and detailed arrangements shall constitute the administrative regulations governing the schools.

The administrative regulations must be in every respect consistent with the policies adopted by this Board. The Board itself will formulate and adopt administrative regulations only when specific state laws require Board adoption, and may do so when the Superintendent recommends Board adoption in light of strong community attitudes, or probable staff reaction.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

**ADMINISTRATION IN POLICY ABSENCE**  
**BDG**

Administrative Leeway in Absence of Board Policy:

In cases where action must be taken within the school system where the School Board has provided no guides for administrative action, the Superintendent shall have power to act, but his/her decisions shall be subject to review by action of the Board at its regular meeting. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-19-1(d); and 37-61-9}

LEGAL REF.: MS CODE, as cited

*Mississippi Public School Accountability Standards (2007)*

**SUSPENSION OF BOARD POLICIES**  
**BDH**

Any section or sections of School Board policies not required by law or contract may be temporarily suspended by a two-thirds majority vote of Board members present at a regular or special meeting.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

Also see BCBFC, BDC.

**BOARD RECORDS**  
**BE/JR**
Minutes shall be kept of all meetings of this School Board, whether in open or executive session.

It shall be the duty of the Superintendent of Schools to keep in his/her office and carefully preserve the public school record provided, to enter therein the proceedings of the School Board; to keep on file and preserve in his/her office all appropriate information concerning the affairs of the school district; and to keep all records and make reports as required by law.

The Board of this school district, as created and empowered by law, shall keep and preserve permanently a copy of all district-wide reports required by the State Board of Education to be filed on an annual basis.

Copies of those district-wide reports required by the State Board of Education on less than an annual basis may be destroyed after five (5) years upon approval of the School Board of the school district.

See BCBH.

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**ANNUAL REPORT/ANNUAL AUDIT**

All records, invoices, checks, and receipts must be kept in such a manner that they may be audited by the central office accounting staff or certified public accountants approved by the Board. Upon the resignation or retirement of the Superintendent of Education, Chief Fiscal Officer, or a school principal, an audit of the school funds for which the terminating person or persons are responsible may be carried out by a certified public accountant. The Board of Trustees shall approve the audit firm and report or annual audit of preceding fiscal year in all years when a state audit is not required.

This School Board, as created and empowered by law, shall keep and preserve permanently a copy of all district-wide reports required by the State Board of Education to be filed on an annual basis.

Copies of those district-wide reports required by the State Board of Education on less than an annual basis may be destroyed after five (5) years upon approval of the School Board of the school district.

All supporting documents necessary to compile such district-wide reports, except as delineated in state law, may be destroyed after three (3) years following the academic year for which the report was made upon approval of this School Board. §37-15-4 (1987)

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**SCHOOL BOARD MEMBERSHIPS**

This Board may join, in its discretion, any association of School Boards and other public school related organizations, and pay from local funds any membership dues. §37-7-301 (r) (1993)

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**CODE OF ETHICS**
It shall be unlawful for any member of the Board to have or own any direct or indirect interest, individually or as an agent or employee of any person, partnership, firm, or corporation, in any contract let by the Board for construction, repair, or improvement of any school facility; to furnish any supplies, materials, and other articles; the doing of any public work for the transportation of children; or any subcontract indirectly connected with the above stated activities. Said policy is set forth in Mississippi Code of 1972 Annotated. (See BHA.)

As a member of the Board of Trustees of the Harrison County School District, a member should strive to improve public education, and to that end he/she will:

Attend all regular scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at those meetings;

Recognize that he/she should endeavor to make policy decisions only after full discussions at official Board meetings;

Render all decisions based on the available facts and his/her independent judgment and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all Board members and seek systematic communications between the Board and students, staff, and all elements of the community;

Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent of Education;

Communicate to other Board members and the Superintendent of Education expressions of public reaction to Board policies and school programs;

Inform himself/herself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national School Board associations;

Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff;

Avoid being placed in a position of conflict of interest and refrain from using his/her Board position for personal or partisan gain;

Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law; and

Remember always that his/her first and greatest concern must be the educational welfare of the students attending the public schools.

In the employment of personnel in the Harrison County School District, the Board of Trustees recognizes and complies with state law governing such employment, which prohibits employment of personnel related within the third degree by blood or marriage to a majority of the members of the Board of Trustees. Further, the code prohibits any Board member from voting for the election of such relative or for any person who is dependent upon him/her in a financial way.

Also see BHA.
It shall be unlawful for any member of the Board of Trustees of any school district to have or own any direct or indirect interest individually or an agent or employee of any person, partnership, firm or corporation in any contract made or let by the Superintendent of Education or the Board of Trustees of the school district for the construction, repair, or improvement of any school facility, the furnishing of any supplies, materials, or other articles, the doing of any public work or the transportation of children or upon any subcontract arising therefrom or connected therewith in any manner. The Board of Trustees of any school district shall be authorized to contract with a teacher or school district employee to perform extra work without being in violation of the provisions of this section. The Board of Trustees shall make a case by case determination of the possible conflicts of interest arising from any extra work contracts and such decision by the Board shall be final. Any contract entered into in violation of the provisions of this section shall be void and of no effect. Any person who shall authorize or enter into any contract in violation of the provisions hereof, or who shall knowingly or willfully pay out or receive any money upon any such contract shall be civilly liable for the amount so paid or received, and, in the case of an official who has furnished a bond, the surety upon such bond shall likewise be liable for such amount. In addition thereto, any person who shall violate the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment, in the discretion of the court. §37-11-27 (1989)

The legislature declares that elective and public office and employment is a public trust and any effort to realize personal gain through official conduct, other than as provided by law, or as a natural consequence of the employment or position, is a violation of that trust. Therefore, public servants shall endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of this trust and which will not reflect favorably upon the state and local governments. §25-4-101 (1983)

DEFINITIONS:

The following definitions apply to conflicts of interest.

(a) "Authority" means any component unit of a governmental entity.

(b) "Benefit" means any gain or advantage to the beneficiary, including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary.

(c) "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, holding company, self-employed individual, joint stock company, receivership, trust or other legal entity or undertaking organized for economic gain, a nonprofit corporation or other such entity, association or organization receiving public funds.

(d) "Business with which he/she is associated" means any business of which a Board member or his/her relative is an officer, director, owner, partner, employee or is a holder of more than ten percent (10%) of the fair market value or from which he/she or his/her relative derives more than one thousand dollars ($1,000.00) in annual income or over which such public servant or his/her relative exercises control.

(e) "Compensation" means money or thing of value received, or to be received, from any person for services rendered.

(f) "Contract" means:
(i) Any agreement to which the government is a party; or
(ii) Any agreement on behalf of the government which involves the payment of public funds.

(g) "Government" means the state and all political entities thereof, both collectively and separately, including but not limited to:
   (i) All school districts;
   (ii) Any department, agency, Board, commission, institution, instrumentality, or legislative or administrative body of the state, counties or municipalities created by statute, ordinance or executive order including all units that expend public funds.

(h) "Governmental entity" means the state, a county, a municipality or other separate political subdivision authorized by law to exercise a part of the sovereign power of the state.

(i) "Income" means money or thing of value received, or to be received, from any source derived, including but not limited to, any salary, wage, advance, payment, dividend, interest, rent, forgiveness of debt, fee, royalty, commission or any combination thereof.

(j) "Intellectual property" means any formula, pattern, compilation, program, device, method, technique or process created primarily as a result of the research effort of an employee of employees of an institution of higher learning of the State of Mississippi.

(k) "Material financial interest" means a personal and pecuniary interest, direct or indirect, accruing to a public servant or spouse, either individually or in combination with each other. Notwithstanding the foregoing, the following shall not be deemed to be a material financial interest with respect to a business with which a public servant may be associated:
   (i) Ownership of any interest of less than ten percent (10%) in a business where the aggregate annual net income to the public servant therefrom is less than One Thousand Dollars ($1,000.00);
   (ii) Ownership of any interest of less than two percent (2%) in a business where the aggregate annual net income to the public servant therefrom is less than Five Thousand Dollars ($5,000.00);
   (iii) The income as an employee of a relative if neither the public servant or relative is an officer, director or partner in the business and any ownership interest would not be deemed material pursuant to subparagraph (i) or (ii) herein; or
   (iv) The income of the spouse of a public servant when such spouse is a contractor, subcontractor or vendor with the governmental entity that employs the public servant and the public servant exercises no control, direct or indirect, over the contract between the spouse and such governmental entity.

(l) "Pecuniary benefit" means benefit in the form of money, property, commercial interests or anything else the primary significance of which is economic gain. Expenses associated with social occasions afforded public servants shall not be deemed a pecuniary benefit.

(m) "Person" means any individual, firm, business, corporation, association, partnership, union or other legal entity, and where appropriate a governmental entity.

(n) "Property" means all real or personal property.

(o) "Public funds" means money belonging to the government.
(p) "Public servant" means:

(i) Any elected or appointed official of the government;

(ii) Any officer, director, commissioner, supervisor, chief, head, agent or employee of the government or any agency thereof, or of any public entity created by or under the laws of the state of Mississippi or created by an agency or governmental entity thereof, any of which is funded by public funds or which expends, authorizes or recommends the use of public funds; or

(iii) Any individual who receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the government.

(q) "Relative" means the spouse, child or parent.

(r) "Securities" means stocks, bonds, notes, convertible debentures, warrants, evidences of debts or property or other such documents. §25-4-103 (1992)

ACTIONS, ACTIVITIES, AND BUSINESS RELATIONSHIPS

(1) No public servant shall use his/her official position to obtain pecuniary benefit for himself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he/she is associated.

(2) No public servant shall be interested, directly or indirectly, during the term for which he/she shall have been chosen, or within one (1) year after the expiration of such term, in any contract with the state, or any district, county, city or town thereof, authorized by any law passed or order made by any Board of which he/she may be or may have been a member.

(3) No public servant shall:

(a) Be a contractor, subcontractor or vendor with the governmental entity of which he/she is a member, other than in his/her contract of employment, or have a material financial interest in any business which is a contractor, subcontractor or vendor with the governmental entity of which he/she is a member, officer, employee or agent.

(b) Be a purchaser, direct or indirect at any sale made by him/her in his/her official capacity or by the governmental entity of which he/she is an officer or employee, except in respect of the sale of goods or services when provided as public utilities or offered to the general public on a uniform price schedule.

(c) Be a purchaser, direct or indirect of any claim, certificate, warrant or other security issued by or to be paid out of the treasury of the governmental entity of which he/she is an officer or employee.

(d) Perform any service for any compensation during his/her term of office or employment by which he/she attempts to influence a decision of the authority of the governmental entity of which he/she is a member.

(e) Perform any service for any compensation for any person or business after termination of his/her office or employment in relation to any case, decision, proceeding or application.
with respect to which he/she was directly concerned or in which he/she personally participated during the period of his/her service or employment.

(4) Notwithstanding the provisions of subsection (3) of this section, a public servant or his/her relative:

(a) May be an officer or stockholder of banks or savings and loan associations or other financial institutions bidding for bonds, notes or other evidences of debt or for the privilege of keeping as depositaries the public funds of a governmental entity thereof or the editor or employee of any newspaper in which legal notices are required to be published in respect to the publication of said legal notices.

(b) May be a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee, or agent or have a material financial interest in a business which is a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee, or agent where such contract is let to the lowest and best bidder after competitive bidding and three (3) or more legitimate bids are received or where the goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws.

(c) May be a subcontractor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee, or agent or have a material financial interest in a business which is a subcontractor with any authority of the governmental entity of which he/she is a member, officer, employee, or agent where the primary contract is let to the lowest and best bidder after competitive bidding or where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws.

(d) May be a contractor, subcontractor or vendor with any authority of the governmental entity of which he/she is a member, officer, employee, or agent or have a material financial interest in a business which is a contractor, subcontractor or vendor with any authority of the governmental entity of which he/she is a member, officer, employee, or agent: (1) where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases laws; or (ii) where the contractual relationship involves the further research, development, teaching, promotion or merchandising of an intellectual property created by the public servant.

(e) May purchase securities issued by the governmental entity of which he/she is an officer or employee if such securities are offered to the general public and are purchased at the same price as such securities are offered to the general public.

(f) May have an interest less than a material financial interest in a business which is a contractor, subcontractor or vendor with any governmental entity.

(g) May contract with the Mississippi Veterans Home Purchase Board, Mississippi Housing Finance Corporation, or any other state loan program, for the purpose of securing a loan; however, public servants shall not receive favored treatment.
(h) May be employed by or receive compensation from an authority of the governmental entity other than the authority of the governmental entity of which the public servant is an officer or employee.

(i) If a member of the legislature or other public servant employed on less than a full-time basis, may represent a person or organization for compensation before an authority of the governmental entity other than an authority of the governmental entity of which he/she is an officer or employee.

(5) No person may intentionally use or disclose information gained in the course of or by reason of his/her official position or employment as a public servant in any way that could result in pecuniary benefit for himself, any relative, or any other person, if the information has not been communicated to the public or is not public information.

(6) Any contract made in violation of this section may be declared void by the governing body of the contracting or selling authority of the governmental subdivision or a court of competent jurisdiction and the contractor or subcontractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or the services furnished prior to the date of receiving notice that the contract has been voided.

(7) Any person violating the provisions of this section shall be punished as provided for in sections 25-4-109 and 25-4-11-1. §25-4-105 (1994)

No Board member shall have interest, either directly or indirectly, in the proceeds or profits of the sale or rental of any book, furniture, equipment or other property to be used in the public schools. §37-11-25 (1954)

On or before May 1 of each year to cover the preceding calendar year members of local School Boards whether elected or appointed shall file a statement of economic interest with the Mississippi Ethics Commission containing such information as is required for the current calendar year as of the time of filing. §25-4-25 (1990), §25-4-29 (1990)

LEGAL REF.: Mississippi Code, as cited above
CROSS REF.: Policies  
                     CGD - Administrative Personnel Hiring  
                     DG - Depository of Funds  
                     KBE - Gifts to Schools

Important Note: In order to assure compliance with statutes related to Nepotism and to Conflict of Interest, please ensure compliance with MS Code statutes cited above and with Sections 25-425 & 25-4-27; and with Article 4, Section 109 of the MS Constitution.
The School Board assigns all executive and administrative duties to the Superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-19-1(d); and 37-61-9}.

The Superintendent and other central office administrators take active leadership roles in the implementation of educational policies and programs.

Active leadership on the part of the administration ensures successful implementation of School Board policies and continual improvement of the educational system.

The district's administrative organization shall be designed so that all divisions and departments of the central office and all schools are part of a single system guided by Board policies which are implemented through the Superintendent. Principals and central office administrators are expected to administer their units in accordance with Board policy and the Superintendent's rules and procedures. In addition, vision, initiative, resourcefulness, and wise leadership are essential for effective administration.

The School Board shall be responsible for clearly specifying requirements and expectations of the Superintendent, holding the Superintendent accountable by evaluating how well those requirements and expectations have been met. The Superintendent shall be responsible for clearly specifying requirements and expectations for all other administrators and holding each of them accountable.

**ADMINISTRATIVE OPERATIONS**

The School Board delegates to the Superintendent responsibility for the administration of the schools. His/her authority to administer stems not only from this action but also from powers conferred upon him/her by the Mississippi School Laws and the regulations of the State Board of Education.

To guide the Superintendent in determining the pattern of his/her administrative operations, the Board offers the following statements of intent:

1. The Board will devote its major effort to clarifying and establishing goals for the school system, to weighing and adopting policies to guide the professional staff, to appraising results achieved in relation to the goals, and to performing such ministerial functions as required by law and state regulations.

2. The Board does not wish unnecessary barriers erected between itself and members of the professional staff, or between and among residents and parents of the city, students of the schools, and members of the professional staff. The Board values the most free interchange of ideas as preeminently desirable in the school system. Nothing should be allowed to interrupt the free and open flow of ideas and assistance among personnel at every level.

3. The Board encourages the Superintendent to keep abreast of and to apply the best known administrative concepts and procedures designed to harness the total talents of the school system's personnel in enthusiastic pursuit of the schools' goals.
LINE OF RESPONSIBILITY

Each employee of the school district, except the Board attorney, shall be responsible to the Board of Trustees through the Superintendent.

From students, responsibility flows directly through teachers, principals, assistant superintendent, Superintendent, to the Board.

Whenever possible, each member of the staff shall be made responsible to only one immediate superior for any one function.

Each member of the staff shall be told to whom he/she is responsible, and for what functions.

All personnel shall refer matters requiring administrative action to the administrative officer immediately in charge of the area in which the problem arises. Administrative officers shall refer such matters to the next higher authority when necessary.

LINE AND STAFF RELATIONSHIPS

The central office administrative staff is responsible for over-all system-wide educational leadership and for coordinating the educational program within policy established by the Board. All system-wide services emanate from the central office. All official system-wide committees, councils, and coordinating groups shall be based in the central office.

The principal of each school is the responsible administrator in the building. All personnel, both professional and non-instructional, who work in the school either on a full or part-time basis are responsible administratively to the principal. All contacts with personnel, instructional or non-instructional, are made through the principal's office.

Major goals of administration in the district shall be to:

1. Manage the district's various departments, units, and programs effectively;
2. Provide professional advice and counsel to the Board and to advisory groups established by Board action. Preferably, where feasible, this will be done through reviewing alternatives, analyzing the advantages and disadvantages of each, and recommending a selection from among the alternatives;
3. Implement the management function so as to assure the best and most effective learning programs, through achieving such subgoals as (a) providing leadership in keeping abreast of current educational developments; (b) arranging for the staff development necessary to the establishment and operation of learning programs that better meet more learner needs; (c) coordinating cooperative efforts at improvement of learning programs, facilities, equipment, and materials; and (d) providing access to the decision making process for improvement ideas of staff, students, parents, and others.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies  ABB — Board Powers and Duties
Preamble

Public education in America rests on firm commitments to the dignity and worth of each individual; to the preeminence of enlightenment and reason over force and coercion; and to government by the consent of the governed. Public schools prosper to the extent of public confidence in the character and quality of administration of those schools. To meet these challenges, school administrators have an obligation to exercise professional leadership.

Society demands that any group that claims the rights, privileges, and status of a profession prove itself worthy through the establishment and maintenance of ethical policies governing the activities of its members. A professional society must demonstrate the capacity and willingness to regulate itself and to set appropriate guides for the ethical conduct of its members. Such obligations are met largely by practitioners through action in a professional society such as the American Association of School Administrators.

Every member of a profession carries a responsibility to act in a manner becoming a professional person. This implies that each school administrator has an inescapable obligation to abide by the ethical standards of his/her profession. The behavior of each is the concern of all. The conduct of any administrator influences the attitude of the public toward the profession and toward education in general.

These policies of ethical behavior are designed to inspire a quality behavior that reflects honor and dignity on the profession of school administration. They are not intended as inflexible rules or unchangeable laws. They serve to measure the propriety of an administrator’s behavior in his/her working relationships. They encourage and emphasize those positive attributes of professional conduct which characterize strong and effective leadership.

Policy 1. The professional school administrator constantly upholds the honor and dignity of his/her profession in all his/her actions and relations with pupils, colleagues, School Board members, and the public.

Policy 2. The professional school administrator obeys local, state, and national laws; holds himself/herself to high ethical and moral standards; and gives loyalty to his/her country and to the cause of democracy and liberty.

Policy 3. The professional school administrator accepts the responsibility throughout his/her career to master and to contribute to the growing body of specialized knowledge, concepts, and skills which characterize school administration as a profession.

Policy 4. The professional school administrator strives to provide the finest possible educational experiences and opportunities to all persons in the district.

Policy 5. The professional school administrator applying for a position or entering into contractual agreements seeks to preserve and enhance the prestige and status of his/her profession.
Policy 6  The professional school administrator carries out in good faith all policies duly adopted by
the local Board and the regulations of state authorities and renders professional service to the
best of his/her ability.

Policy 7  The professional school administrator honors the public trust of his/her position above any
economic or social rewards.

Policy 8  The professional school administrator does not permit considerations of private gain nor
personal economic interest to affect the discharge of his/her professional responsibilities.

Policy 9  The professional school administrator recognizes that the public schools are the public’s
business and seeks to keep the public fully and honestly informed about their schools.

Overview

High standards of ethical behavior for the professional school administrator are essential and are
compatible with his/her faith in the power of public education and his/her commitment to leadership in
the preservation and strengthening of the public schools. The true sense of high calling comes to the
Superintendent of Education as he/she faces squarely such widely held beliefs as the following:

1. the effectiveness of the schools and their program are inescapably the responsibility of the
   Superintendent;

2. every act, or every failure to act, of the Superintendent has consequences in the schools and in the
   lives of people;

3. in many situations and to many people in the community, the Superintendent is the living symbol of
   their schools;

4. the public entrusts both the day-by-day well-being and long-range welfare of its children and of its
   school system to the Superintendent and Board of Education;

5. the ultimate test for a Superintendent is the effort he/she makes to the improve the quality of learning
   opportunity for every child in the schools;

6. in the long run, what happens in and to the public schools of America happens to America.

Code of Ethics, American Association of School Administrators, 1966

Standard 3 is as follows: The school board assigns all executive and administrative duties to the
superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-
6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

Mississippi Public School Accountability Standards (2007)

LEGAL REF.:  MS CODE 37-7-301 (p) (1993)
All administrative and supervisory positions in this district are established initially by the Board of Trustees, or by Mississippi School Laws, or by regulations of the State Board of Education, or by a combination thereof.

It is the intent of the Board of Trustees to activate such positions sufficient to promote the attainment of our schools’ goals.

In each case, the Board will approve the purpose and function of the position in harmony with state laws and regulation, approve a statement of job requirements as recommended by the Superintendent, and delegate to the Superintendent the task of writing, or causing to be written, a job description for the position.

The Board directs the Superintendent to maintain continuously a comprehensive, coordinated set of job descriptions for all such positions so as to promote efficiency and economy in the staff’s operations.

Although positions may remain temporarily unfilled, only the Board may abolish a position.

This School Board selects all district personnel in the manner provided by law.

LEGAL REF.: MS CODE 37-7-301 (p) (1993)

The legal authority of the School Board is to be conveyed through the Superintendent by the organizational charts for the district.

Standard 3 is as follows: The School Board assigns all executive and administrative duties to the Superintendent who is properly licensed and chosen in the manner prescribed by law. The term Superintendent refers to the chief administrative officer of this school district. MS CODE 37-6-3 (3-4); 37-9-7, 13, 14; 37-19-1 (d) and 37-151-5(h).

The effective operation of schools in the district requires an organizational structure, effective administrative leadership at every level of responsibility, decision-making at the point in the structure where the decision can most effectively be made, the communication between individuals affected by decisions made. It is the function of leadership at every level to examine relevant facts and alternatives and to involve appropriate individuals in the process of reaching a decision. It is the responsibility of leadership to develop ways and measures that provide effective communication. Once a decision has been made, it is the function of administration and of persons affected by such decisions, not only to follow through to assure implementation but also to evaluate continuously these decisions and to recommend revisions they think should be made.

Mississippi Public School Accountability Standards (2007)

The School Board directs the Superintendent to inform all personnel regarding the working relationships in the school system.
Lines of direct authority shall be those approved by the Board and shown on the district organization charts.

Personnel shall refer matters requiring administrative action to the administrator to whom they are responsible. That administrator shall refer such matters to the next higher administrator when necessary. All personnel shall keep the immediate administrator informed of their activities.

Personnel shall have the right to appeal any decision made by an administrative officer through grievance procedures established through Board policy.

The established lines of authority represent direction of authority and responsibility. When the staff is working together, the lines represent avenues for a two-way flow of ideas to improve the program and operations of the school system.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

Also see CC.

### SCHOOL SUPERINTENDENT – SELECTION/QUALIFICATIONS

This school district shall have a Superintendent of Education, selected in the manner provided by law.

The School Board assigns all executive and administrative duties to the Superintendent who is properly licensed and chosen in the manner prescribed by law. The term Superintendent refers to the chief administrative officer of any participating school district.

The Superintendent shall hold a valid administrator’s license issued by the Mississippi Department of Education and shall have had not less than four (4) years of classroom or administrative experience.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}

Mississippi Public School Accountability Standards 2007

LEGAL REF.: MS CODE §37-9-13 (1997)

Also see ABD.

### SCHOOL SUPERINTENDENT DUTIES

Subject to review by this School Board, administrative control and direction of this school district shall be vested in the Superintendent. He shall have the authority to take the actions necessary to secure effective and efficient operation of the school system, consistent with the policies of the Board of Trustees, provisions of the school laws and regulations of the State of Mississippi and applicable federal regulations.
As executive officer of the School Board, the Superintendent of Education shall interpret the policies of the Board of Trustees and shall establish administrative procedures and regulations necessary for implementation of said policies.

The school Board assigns all executive and administrative duties to the Superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-19-1(d); and 37-61-9}.

The Superintendent shall be the chief executive and administrative officer of the Board of Education. He/She shall have and exercise all the powers and duties imposed upon his office by statute. He shall have, in addition, all such administrative and executive powers and duties having to do with the conduct of the schools which are not required by the statute to be exercised directly by the Board of Education or by some other officer. The Superintendent shall have discretionary powers to complete any or all administrative transactions not required by law or regulation to be brought up before the Board of Education. He shall facilitate all other administrative and executive transactions requiring Board of Education action by the preparation of suitable motions and resolutions.

(1) It shall be the duty of the Superintendent to administer the schools within this district and to implement the decisions of the School Board. The Superintendent shall include as part of his/her duties all process and performance standards found in Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

(2) In addition to all other powers, authority and duties imposed or granted by law, the Superintendent shall have the following powers, authority and duties:

(a) To enter into contracts in the manner provided by law with each assistant superintendent, principal and teacher of the public schools under his/her supervision, after such assistant superintendent, principal and teachers have been selected and approved in the manner provided by law.

(b) To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the State Board of Education, and to comply with the law with reference to the use and distribution of free textbooks.

(c) To administer oaths in all cases to persons testifying before him/her relative to disputes relating to the schools submitted to him/her for determination, and to take testimony in such cases as provided by law.

(d) To examine the monthly and annual reports submitted to him/her by principals and teachers for the purpose of determining and verifying the accuracy thereof.

(e) To preserve all reports of Superintendents, principals, teachers and other school officers, and to deliver to his/her successor or clerk of the Board of Supervisors all money, property, books, effects and papers.

(f) To prepare and keep in his/her office a map or maps showing the territory embraced in his/her school district, to furnish the county assessor with a copy of such map or maps, and to revise and correct same from time to time as changes in or alterations of school districts may necessitate.

(g) To keep an accurate record of the names of all the members of the School Board showing the districts for which each was elected or appointed, the post office address of each, and
the date of expiration of his/her term of office. All official correspondence shall be addressed to the School Board and notice to such members shall be regarded as notice to the residents of the district and it shall be the duty of the members to notify such residents.

(h) To deliver in proper time to the assistant superintendents, principals, teachers and Board members such forms, records and other supplies which will be needed during the school year as required by law or any applicable rules and regulations, and to give to such individuals such information with regard to their duties as may be required.

(i) To make to the School Board reports for each scholastic month in such form as the School Board may require.

(j) To distribute promptly all reports, letters, forms, circulars and instructions which he/she may receive for the use of school officials.

(k) To keep on file and preserve in his/her office all appropriate information concerning the affairs of the school district.

(l) To visit the schools of his/her school district in his/her discretion, and to require the assistant superintendents, principals and teachers thereof to perform their duties as prescribed by law.

(m) To observe such instructions and regulations as the School Board and other public officials may prescribe, and to make special reports to these officers whenever required.

(n) To keep his/her office open for the transaction of business upon the days and during the hours to be designated by the School Board.

(o) To make such reports as are required by the State Board of Education.

(p) To make an enumeration of educable children in the school district as prescribed by law.

(q) To keep in his/her office and carefully preserve the public school record provided, to enter therein the proceedings of the School Board and his/her decision upon cases and his/her other official acts, to record therein the data required from the monthly and term reports of principals and teachers, and from the summaries of records thus kept.

(r) To delegate student disciplinary matters to appropriate school personnel.

(s) To make assignments to the various schools in the district of all noninstructional and non-licensed employees and all licensed employees, as provided in Sections 37-9-15 and 37-9-17, and to make reassignments of such employees from time to time; however, a reassignment of a licensed employee may only be to an area in which the employee has a valid license issued by the State Department of Education. Upon request from any employee transferred, such assignment shall be subject to review by the School Board.

(t) To employ substitutes for licensed employees, regardless of whether or not such substitute holds the proper license, subject to such reasonable rules and regulations as may be adopted by the State Board of Education.

(u) To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6)
To perform such other duties as may be required of him/her by law.

To notify, in writing, the parent, guardian or custodian, the youth court and local law enforcement of any expulsion of a student for criminal activity.

To notify the youth court and local law enforcement agencies, by affidavit, of the occurrence of any crime committed by a student or students upon school property or during any school-related activity, regardless of location and the identity of the student or students committing the crime.

To employ and dismiss noninstructional and nonlicensed employees as provided by law.

All funds to the credit of a school district shall be paid out on pay certificates issued by the Superintendent upon order of the School Board of said school district properly entered upon the minutes thereof, and all such orders shall be supported by properly itemized invoices from the vendors covering the materials and supplies purchased. All such orders and the itemized invoices supporting same shall be filed as a public record in the office of the Superintendent for a period of five (5) years. The Superintendent shall be liable upon his/her official bond for the amount of any pay certificate issued in violation of the provisions of this section. The School Board shall have the power and authority to direct and cause warrants to be issued against such district funds for the purpose of refunding any amount of taxes erroneously or illegally paid into such fund when such refund has been approved in the manner provided by law.

The Superintendent of Education shall be special accounting officer and treasurer with respect to any and all district school funds for his/her school district. He/She or his/her designee shall issue all warrants without the necessity of registration thereof by the chancery clerk. Transactions with the depositories and with the various tax collecting agencies which involve school funds for such school district shall be with the Superintendent of Education, or his/her designee.

The Superintendent of Education will have no responsibility with regard to agricultural high school and junior college funds. All agricultural high school and junior college funds shall be handled and expended in the manner provided for in Sections 37-29-31 through 37-29-39.

It shall be the duty of the Superintendent of Education to keep and preserve the minutes of the proceedings of the School Board.

The Superintendent of Education shall maintain as a record in his/her office a book or a computer printout in which he/she shall enter all demands, claims, and accounts paid from any funds of the school district. The record shall be in a form to be prescribed by the State Auditor. All demands, claims and accounts filed shall be preserved by the Superintendent of Education as a public record for a period of five (5) years. All claims found by the School Board to be illegal shall be rejected and disallowed. All claims which are found to be legal and proper shall be allowed and ratified as paid by the Superintendent of Education. All claims as to which a continuance is requested by the claimant and those found to be defective but which may be perfected by amendment shall be continued. The Superintendent of Education shall issue a pay certificate against any legal and proper fund of the school district in favor of the claimant in payment of claims. The provisions of this section, however, shall not be applicable to the payment of teachers' salaries, salaries of drivers of publicly owned school buses, travel advances, amounts due private contractors, or other obligations where the amount thereof has been previously approved by a contract or by an order of the School Board entered upon its minutes, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the Superintendent of Education by pay certificates issued by him/her against the legal and proper
fund without allowance of a specific claim therefor as provided in this section, provided that the payment thereof is otherwise in conformity with law.

(8) The county Superintendent of Education shall also be special accounting officer and treasurer with respect to any and all county district school funds for (a) any consolidated school district situated within such county prior to July 1, 1987, and (b) any line consolidated school district for which such county is the home county prior to July 1, 1987. He/She or his/her designee shall issue all warrants for such consolidated school district without the necessity of registration thereof by the chancery clerk. Transactions with the depositaries and with the various tax collecting agencies which involve school funds for such consolidated school district shall be with the county Superintendent of Education, or his/her designee. The county Superintendent of Education shall maintain as a record in his/her office a book or a computer printout in which he/she shall enter all demands, claims and accounts paid from any funds of such consolidated school district. Said record shall be in a form to be prescribed by the State Auditor, and all legal claims shall be allowed and pay certificates issued for such consolidated district in the manner prescribed in this section.


The Superintendent of Education shall be authorized to act for the Harrison County Schools in acquiring federal surplus property through the Mississippi educational agency for surplus property, and in entering into agreements, certifications, and covenants of compliance concerning the use of federal surplus property, and shall be authorized to delegate this authority to employees of Harrison County Schools.

He/she shall act as Sixteenth Section land manager for the Harrison County School District.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37 6 3(3 4); 37 9 7, 13, 14; 37 61 9; and 37 151 5(h)}

Mississippi Public School Accountability Standards (2007)

LEGAL REF.: MS CODE as cited

CROSS REF.: Policies ABB - Board Powers and Duties
CA - General School Administration Goals and Objectives

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<th>ELECTION/VACANCY IN OFFICE</th>
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The Superintendent shall be elected at the same time and in the same manner as other county officers are elected and shall hold office for a term of four years. He/She shall be a qualified elector and a citizen of the state for four years and of the county for two years immediately preceding his election. If a vacancy shall occur in such office, such vacancy shall be filled by appointment by the County Board of Education; but if the unexpired term shall exceed six (6) months, it shall be the duty of the Board of Supervisors of the county to call a special election to fill such vacancy for such unexpired term, which said election shall be called and held in the manner provided by law; and in such case, the person appointed by the County Board of Education shall hold office only until such election is held and the person elected thereat shall qualify and enter upon the discharge of his duties.
In employing and contracting with Superintendents, the School Board shall in all cases determine whether the amount of salary to be paid such Superintendent, is in compliance with the provisions of Chapter 19 of title 37. No contract shall be entered into where the salary of a Superintendent, is to be paid in whole or in part from minimum education program funds except where the requirements of said chapter as to the amount of such salary are fully met. Nothing herein shall be construed, however, to prohibit any school district from increasing the salaries of appointed Superintendents, above the amount fixed by said chapter, provided that the amount of such increase is paid from funds available to such district other than minimum program funds. §37-9-33

The amount of the salary to be paid the Superintendent shall be fixed by the School Board, provided that the requirements of Chapter 19 of title 37 are met as to Superintendents paid in whole or in part from minimum education program funds. In employing such Superintendents and in fixing their salaries, the School Boards shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the Superintendent. It is the intent of the Legislature that whenever the salary of the school district Superintendent is set by a School Board, the Board shall take into consideration the amount of money that the district spends per pupil, and shall attempt to insure that the administrative cost of the district and the amount of the salary of the Superintendent are not excessive in comparison to the per pupil expenditure of the district. §37-9-37

The annual salaries so fixed shall be made payable in equal monthly or, within the discretion of the School Board, in equal semimonthly installments for the number of scholastic months for which the school is to be operated. A Superintendent who completes the entire scholastic year shall be entitled to payment for the full number of monthly payments provided by the contract without regard to his activity at the time when his services are not required by the school. Provided further, that upon written request when entering into an employment contract, a Superintendent may within the discretion of the School Board, be paid twice a month on the 15th of the month or the last working day prior to the 15th and on the last regular school day of each month except for the month of December. §37-9-39

The salaries of Superintendents shall be paid by pay certificates issued by the school district Superintendent. Such pay certificates may be issued without additional authorization of the School Board where the amount of salary has been fixed and a contract entered into as is provided in this chapter. All pay certificates shall be preserved by him as a part of the official records of his office for the same time and in the same manner as other records are preserved. Except as is herein provided, the said warrants shall be governed in all respects by the same laws regulating the issuance of other warrants for other purposes. All pay certificates and warrants issued shall show the gross amount of the salary and all authorized deductions therefrom for income taxes, social security, retirement contributions and other lawful purposes. §37-9-41

It shall be unlawful for any Superintendent to be paid for any services as such until a written contract has been executed as is provided and required by this chapter. If any school district Superintendent or assistant superintendent shall make any such payment prior to the execution of the contract he shall be civilly liable for the amount thereof, and, in addition, shall be liable upon his bond. If any appointed Superintendent shall wilfully and without just cause breach his contract and abandon his employment he shall not be entitled to any further salary payments either for services rendered prior to such breach or for services which were thereafter to have been rendered. Nothing in this section, however, shall prevent the employment and payment of substitute teachers without a written contract. §37-9-43

It shall be unlawful for the Superintendent of Education to deduct or permit to be deducted from the salary of any Superintendent any dues, fines or penalties payable or alleged to be payable because of the
membership of such Superintendent in any organization or association. However, dues or premiums in health associations or corporations and tax sheltered annuity deductions authorized by the United States Internal Revenue Code may be deducted upon written authorization from the Superintendent involved. Any Superintendent of Education who shall make any such deduction or permit any such deduction to be made, except those herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Twenty-five Dollars ($25.00) for each such deduction. §37-9-49

LEGAL REF.: MS CODE as cited

CROSS REF.: Policy DJCA — Payroll Procedures

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<td>The Superintendent and all central office administrators will be allowed out-of-district travel within the State and up to 200 miles out-of-state without prior Board approval. All travel exceeding the 200 mile out-of-state limit must receive prior Board approval.</td>
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<th>SUPERINTENDENT PROFESSIONAL DEVELOPMENT OPPORTUNITIES</th>
<th>CEG</th>
</tr>
</thead>
<tbody>
<tr>
<td>The School Board shall encourage the Superintendent to pursue his/her own professional development. To allow him/her to keep the Board and professional staff informed of new and promising educational developments, the Superintendent is urged to attend educational conferences, seminars, and workshops, and other professional meetings, visit other school systems, and use other means to be informed about modern educational thought and practices. The Superintendent shall give prior notice to the Board president of any professional meetings which will cause him/her to be absent from the district for more than three days. Expenses incurred in such service, when authorized by the Board, shall be paid from the school fund as an expense of school administration. The Superintendent and other central office administrators shall attend required sessions of the School Executive Management Institutes.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>SUPERINTENDENT CONSULTING</th>
<th>CEH</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Superintendent shall devote his/her time to the supervision of the school district. Only by prior agreement with the Board may the Superintendent undertake for remuneration consulting work, speaking engagements, or other professional obligations. CAUTION IS ADVISED: Superintendent should review ethics laws. Offers for consulting work, speaking engagements, etc., which come due to his/her position as Superintendent may violate ethics laws.</td>
<td></td>
</tr>
</tbody>
</table>

MS CODE §24-4-101 et seq.
SUPERINTENDENT EVALUATION

This School Board shall evaluate the Superintendent annually in the manner prescribed by the State Department of Education.

Standard 9 is as follows: The school district implements a formal appraisal system for licensed staff that includes assessment of employee on-the-job performance. MS CODE 37-3-46 (b)

SUPERINTENDENT RETIREMENT

The Superintendent shall be retired from public employment under such conditions and provisions established by the Public Employees Retirement System (PERS). § 25-11-101 et seq.

SUPERINTENDENT BOND

The Superintendent or Assistant Superintendent of this school district, before entering upon the duties of his/her office, shall furnish a good and sufficient surety bond in the penal sum of One Hundred Thousand Dollars ($100,000.00), with sufficient surety. Such bond shall be filed and recorded in the office of the clerk of the chancery court in which this school district is located, and shall be payable, conditioned and approved in the manner provided by law. The premium on said bond shall be paid out of the school district maintenance fund. § 37-9-27

ADMINISTRATIVE PERSONNEL

NOTE: Policies in all subcategories of this section “CG” of the Policy Manual apply only to full time administrative and supervisory personnel. Policies relating to all other professional personnel, as well as all non-licensed employees of the district, are included under “G” (personnel section) of the Policy Manual.

The superintendent and administrative personnel are responsible, within the guidelines establish by board policy, for the direction and coordination of students and staff in their efforts to reach educational goals adopted by the board. To enhance quality teaching and learning, administrative personnel are required:

- to implement the goals established by the board of education;
- to identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
- to stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
- to establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
- to procure and manage material and fiscal resources to support the schools and programs; and,
- to assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

Race, creed, color, national ancestry, age, religion, disability, marital status, or sex shall not be considered in the recruitment, appointment, assignment, transfer, promotion, demotion, or separation of administrative personnel of the School District.

Standards 3, 4, 5, 6 and 7 are as follows:

3. The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37 6 3(3 4); 37 9 7, 13, 14; 37 61 9; and 37 151 5(h)}

4. The school district employs an appropriately licensed full time principal at each school. {MS Code 37-9 7-15 and 37-19-1(c)}

5. The school district employs in each school a licensed librarian or media specialist who devotes no more than one fourth of the workday to library/media administrative activities. {MS Code 37 17 6(3)(a e)}
   5.1 If the student enrollment is 499 or less, a half time licensed librarian or media specialist is required.
   5.2 If the student enrollment is 500 or more, a full time licensed librarian or media specialist is required.

6. Student support services (appraisal, academic, and/or personal advisement, and educational and/or career planning and referral) are provided in each school by qualified student support personnel as follows:
   6.1 Student support services are provided in each high school by at least a half time appropriately licensed guidance counselor. {MS Code 37 9 79}
   6.2 Students in elementary schools have access to the required student support services provided by qualified student support personnel (e.g., guidance counselor, social worker, nurse, psychologist, psychometrist, etc.).

Note: Student support personnel may only provide those services and activities in the area(s) that each individual is specifically qualified to provide. All student support personnel will use appropriate job titles that reflect their area of training, expertise, and license. For example, a Social Worker will be referred to as the School Social Worker and may not use the title of or be referred to as the School Guidance Counselor.

7. The school district employs a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. (SB Policy GBBA)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy CC - Organization Charts
ADMINISTRATIVE PERSONNEL COMPENSATION GUIDES AND CONTRACTS

It is the policy of this board to attempt to pay its administrators at a level which will attract and hold people with administrative ability who can exercise professional leadership in the school system.

If, at the commencement of the scholastic year, any licensed employee shall present to the superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher grade license would have entitled the individual, had the license been held at the time the contract was executed. Section 37-9-17 (1997)

CONTRACT FORM AND EXECUTION

The superintendent shall enter into a contract with each assistant superintendent, principal, licensed employee and person anticipating graduation from an approved teacher education program or the issuance of a proper license before October 15 or February 15, as the case may be, who is elected and approved for employment by the school board. Such contracts shall be in such form as shall be prescribed by the State Board of Education and shall be executed in a duplicate with one (1) copy to be retained by the appropriate superintendent and one (1) copy to be retained by the principal, licensed employee or person recommended for a licensed position contracted with. The contract shall show the name of the district, the length of the school term, the position held, whether an assistant superintendent, principal or licensed employee, the scholastic years which it covers, the total amount of the annual salary and how same is payable. The amount of salary to be shown in such contract shall be the amount which shall have been fixed and determined by the school board, but as to the licensed employees paid in whole or in part with minimum education program funds, such salary shall not be less than that required under the provisions of Chapter 19 of this title. The contract entered into with any person recommended for a licensed position who is anticipating either graduation from an approved teacher education program before September 1 or December 31, as the case may be, or the issuance of a proper license before October 15 or February 15, as the case may be, shall be a conditional contract and shall include a provision stating that the contract will be null and void, if as specified in the contract, the contingency upon which the contract is conditioned has not occurred. If any principal, licensed employee or other person recommended for a licensed position who has been elected and approved shall not execute and return the contract within ten (10) days after same has been tendered to him for execution, then, at the option of the school board, the election of the licensed employee and the contract tendered to him shall be null and void and of no effect. Section 37-9-23 (1998)

LENGTH OF CONTRACT

No school district shall contract with any licensed personnel for less than one hundred eighty-seven (187) days. Licensed personnel may be employed for less than a full school year if the contract states the exact period of time for which the licensed person is to be employed. Section 37-9-24 (1997)

The school board shall have the power and authority, in its discretion to employ principals or licensed employees for not exceeding three (3) scholastic years. In such case, contracts shall be entered into with such principals and licensed employees for the number of years for which they have been employed. All such contracts with licensed employees shall for the years after the first year thereof be subject to the contingency that the licensed employee may be released if, during the life of the contract, the average daily attendance should decrease from that existing during the previous year and thus necessitate a
reduction in the number of licensed employees during any year after the first year of the contract. However, in all such cases the licensed employee must be released before July 1 or at least thirty (30) days prior to the beginning of the school term, whichever date should occur earlier. The salary to be paid for the years after the first year of such contract shall be subject to revision, either upward or downward, in the event of an increase or decrease in the funds available for payment thereof, but, unless such salary is revised prior to the beginning of a school year, it shall remain for such school year at the amount fixed in such contract. However, where school district funds, other than minimum education program funds, are available during the school year in excess of the amount anticipated at the beginning of the school year the salary to be paid for such year may be increased to the extent, that such additional funds are available and nothing herein shall be construed to prohibit same. Section 37-9-25 (1997)

In employing and contracting with principals and licensed employees, the school board shall in all cases determine whether the amount of salary to be paid such principal and licensed employee in compliance with the provisions of Chapter 19 of this title. No contract shall be entered into where the salary of a principal or licensed employee is to be paid in whole or in part from minimum education program funds except where the requirements of said chapter as to the amount of such salary are fully met. Nothing herein shall be construed, however, to prohibit any school district from increasing the salaries of principals and licensed employees above the amounts fixed by said chapter, provided that the amount of such increase is paid from funds available to such district other than minimum program funds. Section 37-9-33 (1997)

AMOUNT OF SALARY

The amount of the salary to be paid any principal or licensed employee shall be fixed by the school board, provided that the requirements of Chapter 19 of this title are met as to principals and licensed employees paid in whole or in part from minimum education program funds. In employing such principals or licensed employees and in fixing their salaries the school boards shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the licensed employee or principal. Section 37-9-37 (1997)

SALARY PAY SCHEDULE

Salary or wages paid to any employee of any school shall be paid on a basis as determined by the local school board of each school district, except for December, when salaries or wages shall be paid by the last working day. Salaries or wages shall be paid at a minimum on a monthly basis. Any school employee whose employment ends during a school term, regardless of the reason(s) the employment ended, shall be paid salary or wages only for that portion of the school term that employee actually worked. Nothing in this section shall be construed to entitle any employee to payment of salary or wages when no work has been performed. Section 37-9-39 (2003)

PAY CERTIFICATES

The salaries of principals and licensed employees shall be paid by pay certificates issued by the school district superintendent. Such pay certificates may be issued without additional authorization of the school board where the amount of salary has been fixed and a contract entered into as is provided in this chapter. All pay certificates shall be preserved by him as a part of the official records of his office for the same time and in the same manner as other records are preserved. Except as is herein provided, the said warrants shall be governed in all respects by the same laws regulating the issuance of other warrants for other purposes. All pay certificates and warrants issued shall show the gross amount of the salary and all authorized deductions therefrom for income taxes, social security, retirement contributions and other lawful purposes.
EXECUTED CONTRACT REQUIRED

It shall be unlawful for any principal or licensed employee to be paid for any services as such until a written contract has been executed as is provided and required by this chapter. If any school district superintendent shall make any such payment prior to the execution of the contract he shall be civilly liable for the amount thereof, and, in addition, shall be liable upon his bond. If any licensed employee, or principal shall willfully and without just cause breach his contract and abandon his employment he shall not be entitled to any further salary payments either for services rendered prior to such breach or for services which were thereafter to have been rendered. Nothing in this section, however, shall prevent the employment and payment of substitute teachers without a written contract. Section 37-9-43 (1997)

SALARY DEDUCTIONS

It shall be unlawful for the superintendent of schools to deduct or permit to be deducted from the salary of any principal or licensed employee any dues, fines or penalties payable or alleged to be payable because of the membership of such principal or licensed employee in any organization or association. However, dues or premiums in health associations or corporations and tax sheltered annuity deductions authorized by the United States Internal Revenue Code may be deducted upon written authorization from the licensed employee involved. Any superintendent of schools who shall make any such deduction or permit any such deduction to be made, except those herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Twenty-five Dollars ($25.00) for each such deduction. Section 37-9-49 (1997)

RELEASE FROM CONTRACT

Any principal or licensed employee in any public school who is under contract to teach or perform other duties and who desires to be released from such contract shall make application in writing to the school board of the school district for release therefrom, in which application the reasons for such release shall be clearly stated. If the board acts favorably upon such application for release, such principal or licensed employee shall be released from his contract, and said contract shall be null and void on the date specified in the school board's order. Section 37-9-55 (1997)

BREACH OF CONTRACT

If any principal or licensed employee in this school district shall arbitrarily or willfully breach his or her contract and abandon his or her employment without being released therefrom as provided in Section 37-9-55, the contract of such principal or licensed employee shall be null and void. In addition thereto the license or certificate of such principal or licensed employee may be suspended by the State Board of Education for a period of one (1) school year as provided in Section 37-3-2 (8) upon the written recommendation of the majority of the members of the school board of the school district involved. Section 37-9-57 (1997)

PROHIBITED ACTION

The school board is hereby prohibited from denying employment or reemployment to any person as principal or licensed employee, as defined in Section 37-19-1, or as a non-instructional personnel, as defined in Section 37-9-1, for the single reason that any eligible child of each person does not attend the school system in which such superintendent, principal, licensed employee or non-instructional personnel is employed. Section 37-9-59 (1997)

LEGAL REF.: MS CODE as cited
ADMINISTRATIVE AND SUPERVISORY PERSONNEL POSITIONS

All administrative and supervisory positions in this district are established initially by the Board of Trustees, or by Mississippi School laws, or by regulations of the State Board of Education, or by a combination thereof.

It is the intent of the School Board to activate such positions sufficient to promote the attainment of district goals.

In each case, the School Board will approve the purpose and function of the position in harmony with state laws and regulations, approve a statement of job requirements as recommended by the Superintendent, and delegate to the Superintendent the task of writing, or causing to be written, a job description for the position.

The School Board directs the Superintendent to maintain continuously a comprehensive, coordinated set of job descriptions for all such positions so as to promote efficiency and economy in the staff's operations.

Although positions may remain temporarily unfilled, only the School Board may abolish a position.

This School Board selects all school district personnel in the manner provided by law.

QUALIFICATIONS AND DUTIES OF PERSONNEL

Refer to Job Description Manual.

FAIR LABOR STANDARDS ACT

Each district employee responsible for the supervision of employees subject to the Fair Labor Standards Act shall, prior to permitting any overtime work, receive authorization from the Superintendent or his/her designee.

See Policies GCRAA and GCRB.

ADMINISTRATIVE – PERSONNEL HIRING
This School Board shall have the power and authority to select all school district personnel in the manner provided by law, and to provide for such employee fringe benefit programs, including accident reimbursement plans, as may be deemed necessary and appropriate by the Board. §37-7-301 (p) (1993)

Not later than February 15 of each year, the Superintendent of this school district or such other person designated or authorized by the School Board, shall recommend to this School Board the assistant superintendents and principals to be employed for each of the schools of the district except in the case of those assistant superintendents and principals who have been previously employed and who have a contract valid for the ensuing scholastic year. Unless good reason to the contrary exists, this School Board shall approve and authorize the employment of the assistant superintendents and principals so recommended. If, for any reason, this School Board shall decline to approve an assistant superintendent or principal so recommended, the Superintendent shall make additional recommendations for the place or places to be filled.

When the assistant superintendents and principals of the schools have been recommended and approved as provided in the preceding paragraph, the Superintendent of this school district shall enter into proper contracts with them. At a subsequent meeting he/she shall report same to this School Board and such shall be entered in the minutes. §37-9-15 (1993)

On or before April 1 of each year, the principal of each school or such other person designated or authorized by the School Board, shall recommend to the Superintendent of this school district or such other person designated or authorized by the School Board, the licensed employees (assistant principals) or noninstructional employees to be employed for the school involved except those licensed employees or noninstructional employees who have been previously employed and who have a contract valid for the ensuing scholastic year. If such recommendations meet with the approval of the Superintendent or the Board's designee, the Superintendent or the Board's designee shall recommend the employment of such licensed employees or noninstructional employees to this School Board, and unless good reason to the contrary exists, this Board shall elect the licensed employees or noninstructional employees so recommended. If, for any reason, this School Board shall decline to elect any licensed employee or noninstructional employee so recommended, additional recommendations for the places to be filled shall be made by the principal or such other person designated or authorized by this School Board, to the Superintendent and then by the Superintendent to this School Board as provided above.

When the licensed employees in this school district have been elected as provided in the preceding paragraph, the Superintendent of the district shall enter into a contract with such licensed employees in the manner provided in this chapter. §37-9-17 (1997)

It shall be illegal for any principal or other licensed employee to be elected by this School Board if such principal or licensed employee is related within the third degree by blood or marriage according to the common law to a majority of the members of the School Board. No member of this School Board shall vote for any person as a principal or licensed employee who is related to him/her within the third degree by blood or marriage or who is dependent upon him/her in a financial way. Any contract entered into in violation of the provisions of this section shall be null and void. §37-9-21 (1997)

The Superintendent of this school district shall have the power, authority and duty to enter into contracts in the manner provided by law for each assistant superintendent, principal and teacher of the public schools under his/her supervision, after such assistant superintendent, principal and teachers have been selected and approved in the manner provided by law. §37-9-14(2)(a)(1994)

**Important Note:** In order to assure compliance with statutes related to Nepotism and to Conflict of Interest, please ensure compliance with MS Code statutes cited above and with Sections 25-4-25 thru 25-4-29; 25-4-105; 37-11-25 & 37-11-27; and with Article 4, Section 109 of the MS Constitution.
The superintendent of this school district shall have the power and authority to make assignments to the various schools in the district of all noninstructional and nonlicensed employees and all licensed employees, as provided in Sections 37:9:15 and 37:9:17, and to make reassignments of such employees from time to time; however, a reassignment of a licensed employee may only be to an area in which the employee has a valid license issued by the State Department of Education. Upon request from any employee transferred, such assignment shall be subject to review by the school board. MS Code 37:9:14(2)(s)(1999)

Standard 3, 4, 5, and 6 are as follows:

3. The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37:6:3(3:4); 37:9:7, 13, 14; 37-6:19; and 37-151-5(h)}

4. The school district employs an appropriately licensed full time principal at each school. {MS Code 37:9:7-15 and 37:19-1(c )}

5. The school district employs in each school a licensed librarian or media specialist who devotes no more than one fourth of the workday to library/media administrative activities. {MS Code 37:17:6(3)(a e)}
   5.1 If the student enrollment is 499 or less, a half time licensed librarian or media specialist is required.
   5.2 If the student enrollment is 500 or more, a full time licensed librarian or media specialist is required.

6. Student support services (appraisal, academic, and/or personal advisement, and educational and/or career planning and referral) are provided in each school by qualified student support personnel as follows:
   6.1 Student support services are provided in each high school by at least a half time appropriately licensed guidance counselor. {MS Code 37:9:79}
   6.2 Students in elementary schools have access to the required student support services provided by qualified student support personnel (e.g., guidance counselor, social worker, nurse, psychologist, psychometrist, etc.).

Note: Student support personnel may only provide those services and activities in the area(s) that each individual is specifically qualified to provide. All student support personnel will use appropriate job titles that reflect their area of training, expertise, and license. For example, a Social Worker will be referred to as the School Social Worker and may not use the title of or be referred to as the School Guidance Counselor.

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies CEB - Duties of Superintendent
            CG - Administrative Personnel
ADMINISTRATIVE PERSONNEL EVALUATION

Administrative personnel shall be evaluated annually, in the form and manner prescribed by the State Department of Education.

Standard 9 is as follows: The school district implements a formal personnel appraisal system for licensed staff that includes assessment of employee on-the-job performance. {MS Code 37-3-46(b)}

Mississippi Public School Accountability Standards (2007).

ADMINISTRATIVE PERSONNEL PROMOTIONS

Administrative personnel shall be promoted on their own merit by the Superintendent.

If, at the commencement of the scholastic year, any licensed employee, other than administrative, shall present to the Superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher license would have entitled the individual, had the license been held at the time the contract was executed. §37-9-17 (1997)

Race, creed, color, national ancestry, age, religion, handicap, marital status, or sex shall not be considered in promotion. The process of administrative promotion shall be free from pressures considered detrimental to the best conduct of the schools.

ADMINISTRATIVE PERSONNEL REASSIGNMENT

Personnel shall be reassigned on the basis of qualifications, the needs of the district, and personal desires. When it is not possible to meet all three conditions administrators shall be assigned (1) in accordance with the needs of the district, (2) where the Superintendent feels the employee is most qualified to serve, and (3) as to the expressed preference of employees.

The Superintendent shall have the power and authority to make assignments to the various schools in the district of all noninstructional and nonlicensed employees and all licensed employees, as provided in Sections 37-9-15 and 37-9-17, and to make reassignments of such employees from time to time; however, a reassignment of a licensed employee may only be to an area in which the employee has a valid license issued by the State Department of Education. Upon request from any employee transferred, such assignment shall be subject to review by the School Board. §37-9-14 (2) (s) (1999)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies CEB — Duties of Superintendent
CGE — Administrative Personnel Assignment
It shall be the policy of this school district to provide the highest possible quality of education for the students enrolled in the schools of this district. In order to achieve this goal, it is recognized that it is necessary, from time to time, to release from future employment principals and other administrative personnel where their performance fails to meet the standards established by the State Department of Education and/or this board or where their services are no longer needed.

WRITTEN NOTICE REQUIREMENT

In the event that a determination is made by this school district not to offer an employee a renewal contract for a successive year, written notice of nonrenewal shall be given a principal on or before March 1 and written notice shall be given other professional educators on or before April 15, or within ten (10) days after the date that the Governor approves the appropriation bill(s) comprising the state's education budget for funding K 12, whichever date is later. An interim conservator appointed pursuant to Section 37 17 6(14)(a) or a school board acting on the recommendation of a school district financial advisor appointed pursuant to Section 37 9 18 shall not be required to comply with the time limitations prescribed in this section for recommending the reemployment of principals, teachers, administrators or other professional educators. Section 37 9 105 (2006)

Any nonreemployment decision of this school district shall be rationally related to a legitimate educational interest and not arbitrary and capricious or based upon some constitutionally impermissible reason such as race, sex, religion, handicap or exercise of First Amendment rights.

LICENCED EMPLOYEE REQUEST FOR HEARING

An employee, by written request within ten (10) calendar days of receipt of notice of nonrenewal, is entitled to:

a. Written notice of the specific reasons for nonreemployment with a summary of the factual basis therefor, a list of witnesses and a copy of documentary evidence substantiating the reasons intended to be presented at the hearing. This notice must be provided at least fourteen (14) calendar days prior to the hearing.

b. An opportunity for a hearing at which to present matters, relevant to the reasons given for the proposed nonreemployment, including those alleged by the employee to be the reason for nonreemployment.

c. Receive a fair and impartial hearing before the board or hearing officer.

d. Be represented by legal counsel, at the employee’s own expense.

An employee requesting a hearing must provide the district, not less than five (5) days before the scheduled date of the hearing, a response to the specific reasons for nonreemployment, a list of witnesses and a copy of documentary evidence in support of the response intended to be presented at the hearing. Section 37 9 109

If the employee does not request a hearing the decision of the school board with regard to the reemployment of the employee shall be final.

It is the intent of this school district to establish procedures for providing principals and other professional educators with notice of the reasons for not offering him/her a renewal of his/her contract, to provide an
opportunity for principals and other professional educators to present matters in extenuation and exculpation to enable the board to determine whether the recommendation of nonreemployment is a proper employment decision and not contrary to law and not a violation of some statutory or constitutional right and not to establish a system of tenure expressed or implied or require that all decisions of nonreemployment be based upon cause with respect to employment with the school district.

Any and all hearings shall be conducted pursuant to the “Rules of Procedure Under the Education Employment Procedures Law of 2001,” Policy GBN-R, adopted by this board. All proceedings under this policy are and shall be governed by the Education Employment Procedures Law of 2001, where applicable. Section 37 9 101 et seq. (1977)

The school board is hereby prohibited from denying employment or reemployment to any person as a principal or licensed employee, as defined in Section 37 19 1, for the single reason that any eligible child of such person does not attend the school system in which such principal or licensed employee is employed. Section 37 9 59 (1997)

LEGAL NOTES

Failure of the school board to notify a principal of nonreemployment on or before March 1 and other professional educators on or before April 15 constitutes an automatic renewal of his/her outstanding contract for the ensuing year. [Jackson v Board of Education of Oktibbeha County (Miss. 1977) 349 So. 2d 550]

A school board is not required to justify its decision not to rehire a principal or other professional educator where the principal or other professional educator failed to show any impermissible reason for the school board's decision. [Tanner v Hazelhurst MSSD (Miss. 1983) 427 So. 2d 977]

Where a school board has acted in a manner which is arbitrary and capricious and where its actions are not supported by substantial evidence, the Chancery Court and ultimately the Supreme Court have the responsibility to intervene. [Merchant v Pearl MSSD (Miss. 1986) 492 So. 2d 959]

Standard 2 is as follows:

2. School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964} 

NOTE: Please refer to the Education Employment Procedures Law Handbook, published by MSBA.

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies CGI - Administrative Personnel Evaluation
GBK - Professional Personnel Suspension / Dismissal
GBN and GBNA - Rules of Procedure Under the Education Employment Procedures Law

ADMINISTRATIVE PERSONNEL RESIGNATION

Any principal or licensed employee in this school district who is under contract to teach or perform other duties and who desires to be released from such contract shall make application in writing to the School
Board of the school district for release therefrom, in which application the reasons for such release shall be clearly stated. If the Board acts favorably upon such application for release, such principal or licensed employee shall be released from his/her contract, and said contract shall be null and void on the date specified in the School Board's order. §37-9-55 (1997)

**ADMINISTRATIVE PERSONNEL RETIREMENT**

As a condition of employment principals and other professional educators shall become members of the retirement system (PERS). §25-11-105 (a) (1994)

Principals and other professional educators shall be retired from public employment under such conditions and provisions established by the Public Employee Retirement System (PERS). §25-11-101 et seq.

**ADMINISTRATIVE PERSONNEL TIME SCHEDULES**

Principals and other professional employees shall be on duty the number of days shown on the face of their current employment contract less and except those days granted by the Board for illness, personal business, earned vacation and emergencies.

**ADMINISTRATIVE PERSONNEL EXPENSES**

Administrative personnel who have first been authorized by the Superintendent to travel in the performance of their duties shall be advanced or reimbursed their expenses under Policy DJD – Expense Reimbursements.

**ADMINISTRATIVE PERSONNEL CONSULTING**

The Board believes that both the district and the administrator who is requested to serve a school system, governmental, or other organizations as a paid consultant profits by such assignments. The administrator is free to accept such assignments, providing they do not infringe on the duties and responsibilities to the district. If administrators are requested to serve a school system, governmental, or other organization as a paid consultant during time the administrator is under contract to the Harrison County School District, the administrator must get prior approval from the Superintendent and will be required to use appropriate leave time for this consultant work.

**ADMINISTRATIVE PERSONNEL PROFESSIONAL LEAVES AND ABSENCES**
The School Board recognizes the importance of developing, improving, and extending administrative skills. The Superintendent will assist the administration to gain opportunities as district funds allow to remain abreast of emerging information and technical knowledge.

Professional growth shall be provided through such means as:

1. Attendance at School Executive Management Institute.
2. Planned staff development within the school system from time to time.
3. Visits to other schools and attendance at conferences, workshops, and other professional meetings.
4. Leaves of absence for advanced educational training.

The Superintendent shall have authority to approve release time for conferences and invitations and reimbursements for expenses within budget limitations.

The Superintendent, all principals, and other central office administrators/supervisors shall attend all required sessions of the school Executive Management Institute. MS CODE 37-3-4.

### ADMINISTRATIVE PERSONNEL INTERN PROGRAM

An administrative intern program may be established and maintained to provide the district with a group of well trained personnel eligible for service as administrators and to provide a means through which personnel who desire to become school administrators may achieve training and experience which will prepare them to perform that function either within or outside the district.

The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License B Nonpracticing. Those educators holding administrative endorsement but have no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License B Entry Level. Those educators holding administrative endorsement and having met the Department's qualifications to be eligible for employment in a Mississippi school district. Administrator License B Entry level shall be issued for a five-year period and shall be non-renewable.

(c) Standard Administrator License B Career Level. An administrator who has met all the requirements of the Department for standard administrator licensure.

(d) Administrator License B Nontraditional Route. The State Board of Education may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful
completion of the requirements of alternate route licensure for administrators shall qualify a person for standard administrator license.

Beginning with the 1997-98 school year, individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. Applicants seeking school administrator licensure prior to June 30, 1997, and completing all requirements for provisional or standard administrator certification and who have never practiced, shall be exempt from taking the Mississippi Assessment Battery Phase I. Applicants seeking school administrator licensure during the period beginning July 1, 1997 through June 30, 1998, shall participate in the Mississippi Assessment Battery, and upon request of the applicant, the Department shall reimburse the applicant for the cost of the assessment process required. After June 30, 1998, all applicants for school administrator licensure shall meet all requirements prescribed by the Department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant. MS Code 37-3-2 (7) (2002)

RECIROCITY

The Department shall grant a standard license to any individual who possesses a valid standard license from another state. The Department shall grant a nonrenewable special license to any individual who possesses a credential which is less than a standard license from another state. Such special license shall be valid for the current school year plus one (1) additional school year to expire on June 30 or the second year, not to exceed a total period of twenty-four (24) months, during which time the applicant shall be required to complete the requirements for a standard license in Mississippi. MS Code 37-3-2 (8) (2006)

LICENSE RENEWAL AND REINSTATEMENT

The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing the master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. MS Code 37-3-2 (9) (2002)

NOTE: For information on the Beginning Principal Support Pilot Program, please contact the School Executive Management Institute at the Mississippi Department of Education.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies CBG - Administrative and Supervisory Personnel Positions
          CGD - Administrative Personnel Hiring
          CK - Administrative Personnel Professional Development Opportunities

CONSULTANTS TO THE ADMINISTRATIVE STAFF

Consultants, whether temporary, part-time, or full-time, shall exercise no administrative authority over the work of the employees of the Board, but shall act only as advisors in those fields in which they are qualified to offer expert assistance.
The school board recognizes its particular responsibility to provide the opportunity for the continual professional growth of its administrative staff. To this end, principals and other administrators may be granted leave by the superintendent, within budget considerations, to take part in such opportunities. All professional development opportunities for the administration shall be at least equal to those granted to other members of the professional staff.

The State Board of Education shall develop and implement through the School Executive Management Institute a program for the development of administrative and management skills of local school administrators under which all local school administrators shall be required to participate. Subject to the extent of appropriations available for such purpose, the School Executive Management Institute or the Mississippi School Boards Association shall be required to offer courses at least twice a year on the uses of technology to principals, superintendents and other administrative personnel. These courses shall relate to the application of technology to learning, as well as administrative problems. Section 37-3-4 (3) (2002)

Effective July 1, 2006, principals and administrators with career level certifications at schools with Level 4 or 5 accreditation standards shall be exempted from the provisions pursuant to Section 37 3 4, subject to approval of the local superintendent. Section 37 17 12 (1) (a) (2006)

LICENSE RENEWAL

The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing the master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. Section 37-3-2 (9) (2002)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies CBG - Administrative and Supervisory Personnel Positions
               CI - Administrative Personnel Intern Program
The School Board authorizes the Superintendent to establish permanent or temporary councils, cabinets, and committees as he/she deems necessary for the proper administration of Board policies, compliance with State Accreditation Standards and the improvement of the total educational program.

Functioning in an advisory capacity, such groups may take recommendations for submission to the Board through the Superintendent. However, such groups shall have no inherent authority.

The membership and responsibilities of councils, cabinets, and committees shall be defined by the Superintendent and may be changed at his/her discretion.

Expenses incurred by such groups for consultative services, materials and investigative travel shall be paid from the general operating funds of the district, but only when the expenses are within budgetary allotments and approved by the Superintendent in advance.

**BOARD POLICY IMPLEMENTATION**

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board.

The policies developed by the Board and the administrative regulations established to implement policy are designed to increase the effectiveness and efficiency of the school system.

Administrators are responsible for informing subordinates of existing policies and regulations and for seeing that they are implemented in the spirit intended. Continuous disregard for Board policy and administrative regulations may be interpreted as insubordination and/or willful neglect of duty and may result in termination of employment.

**ADMINISTRATIVE RULES**

It shall be the duty of the Superintendent to administer the schools within his/her district and to implement the decisions of the School Board. §37-9-14 (1) (1999)

This Board hereby delegates to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated except when specific state or federal laws or rules require this Board to adopt such rules or when this Board or Superintendent considers such adoptions desirable.

In the development of administrative rules, the Superintendent may involve at the planning stage those who would be affected by such rules, including staff members, students, parents, and the public when it is practical and appropriate to do so.

Standard 3 is as follows: The school board assigns all executive and administrative duties to the superintendent, who is properly licensed and chosen in the manner prescribed by law. {MS Code 37-6-3(3-4); 37-9-7, 13, 14; 37-61-9; and 37-151-5(h)}
This School Board, as created and empowered by law, shall keep and preserve permanently a copy of all district-wide reports required by the State Board of Education to be filed on an annual basis.

Copies of those district-wide reports required by the State Board of Education on less than an annual basis may be destroyed after five (5) years upon approval of the School Board of the school district.

All supporting documents necessary to compile such district-wide reports, except as delineated in Section 37-15-8 may be destroyed after three (3) years following the academic year for which the report was made upon approval of the School Board of the school district. §37-15-4 (1987)

The Superintendent or the Assistant Superintendent of the school district shall have the authority, with the approval of the School Board of the school district spread upon its minutes, to dispose of the following records:

a. After five (5) years:
   (1) Bank statements
   (2) Canceled warrants and pay certificates
   (3) School Board paid bills
   (4) Bids received, either accepted or rejected, for supplies, materials, equipment and construction
   (5) Depository receipt warrants
   (6) School Board claims dockets, where claims are recorded on the minutes of the Board
   (7) Original of School Board's orders after such orders have been recorded in the minute book
   (8) Canceled bonds and coupons
   (9) Tax collector's reports of tax collection to Superintendent of Education or the administrative Superintendent
   (10) Transportation records.
   (11) SPED records and other records as compatible with state law.

b. After three (3) years:
   (1) Teacher contracts, computed from the expiration date thereof
   (2) Bus purchase documents
   (3) Teachers’ registers, principals’ reports and other evidence necessary to prepare the reports to the State Board of Education.

c. After period to be set by the State Board of Education such other documents of a temporary or transitory nature as the State Board of Education by regulation shall designate.

Notwithstanding any of the provisions of sections 37-15-1 through 37-15-4, 37-15-8 and 37-15-10 to the contrary, no records which are in the process of being audited by the State Department of Audit, or which are the basis of litigation, shall be destroyed until at least twelve (12) months after final completion of said audits and litigation. §37-15-8 (1987)
At no time may a permanent record of a student be destroyed, but cumulative folders may be destroyed by order of the School Board in not less than five (5) years after the permanent record of the pupil has become inactive and has been left in last school of attendance. However, where a school district makes complete copies of inactive permanent records on photographic film or microfilm which may be reproduced as needed, the permanent records may be destroyed after the photographic film or microfilm copy has been stored in the central depository of the district. §37-15-3 (1995)

**ADMINISTRATIVE REPORTS**

It shall be the power, authority and duty of the Superintendent:

- To preserve all reports of Superintendents, principals, teachers and other school officers, and to deliver to his successor or clerk of the Board of Supervisors all money, property, books, effects and papers. §37-9-14 (2) (e)
- To make to the School Board reports for each scholastic month in such form as the School Board may require. §37-9-14 (2) (i)
- To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials. §37-9-14 (2) (j)
- To observe such instructions and regulations as the School Board and other public officials may prescribe, and to make special reports to these officers whenever required. §37-9-14 (2) (m)
- To make such reports as are required by the State Board of Education. §37-9-14 (2) (o)
- To comply in a timely manner with compulsory education reporting requirements prescribed in Section 37-13-91 (6). §37-9-14 (2) (u)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy CEB — Duties of Superintendent

**ADMINISTRATIVE PERSONNEL – CONFLICT OF INTEREST**

It shall be illegal for any superintendent, assistant superintendent, principal or other licensed employee to be elected by the School Board if such superintendent, assistant superintendent, principal or licensed employee is related within the third degree by blood or marriage according to the common law to a majority of the members of the School Board. No member of the School Board shall vote for any person as a superintendent, assistant superintendent, principal or licensed employee who is related to him within the third degree by blood or marriage or who is dependent upon him in a financial say. Any contract entered into in violation of the provisions of this section shall be null and void.

Also see CGD and GAG.
The financial records and statements of this school district will be kept and presented in accordance with generally accepted accounting principles and the requirements and procedures outlined in the Mississippi Public School District Financial Accounting Manual, July 1, 1992, as amended.

The State Department of Education is hereby authorized and directed to prescribe and formulate for use by all school districts of this state, including municipal separate school districts, adequate accounting systems and other essential financial records which shall be uniform for all of the school districts of this state. Such uniform system shall include a method of accounting for and keeping records of all funds received, handled and disbursed by such school district, whether derived from taxation or otherwise, including funds derived from donations, athletic events and other special activities of the school district. The uniform system of accounts so prescribed and formulated by the State Department of Education shall be distributed and disseminated to all of the school districts of this state and it shall be mandatory that the boards of trustees of all such school districts install, utilize and follow said uniform system of accounts in keeping the financial records of the school district. At the request of the Mississippi Department of Education, the Office of the State Auditor shall provide advice for implementation of this section. MS Code 37-37-1 (2006)

Standards 7 and 10 are as follows:

7. The school district employs a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. (SB Policy GBBA)

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37 9 18, 37-37-1, 37-37-3, 37-17-6(16), 37-37-7, 37-37-13, 37-61 -9 and 37-61-23}
   10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37 17 6(16)}
   10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted auditing standards) for all funds of the school district. {MS Code 37-61-9}
   10.3 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, indicates that the auditor has issued an unqualified opinion (as defined by generally accepted auditing standards) on the general purpose financial statement of the school district. {MS Code 37-9-18, 37-37-1, and 37-61-23}
   10.4 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy, validity, and timely reporting of all student data submitted to the MDE, including but not limited to the electronic transmission of student enrollment, attendance, transportation, absenteeism, graduation, dropouts, and any other student data and administrative functions as deemed necessary. {MS Code 37-37-7(2)(b)(c)(d) and 37-37-13}
10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37-37-7(2)(e) and 37-37-13}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies CEB - Duties of Superintendent
DJ - Expenditure of Funds

The financial records and statements of this school district will be kept and presented in accordance with generally accepted accounting principles and the requirements and procedures outlined in the current Mississippi Public School District Financial Accounting Manual.


ANNUAL OPERATING BUDGET

The annual operating budget is the plan of current expenditures and the proposed means of financing them. The annual operating budget is the primary means by which most of the financing acquisition, spending, and service delivery activities of this school district are controlled. The annual operating budget as required by law is essential to the sound financial management of this school district.

Standards 7, 10 and 11 are as follows:

7. The school district employs a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. (SB Policy GBBA)

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37-9-18, 37-37-1, 37-37-3, 37-17-6(16), 37-37-7, 37-37-13, 37-61-19 and 37-61-23}

10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37-17-6(16)}

10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. {MS Code 37-61-19}

10.3 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, indicates that the auditor has issued an unqualified opinion (as defined by generally accepted auditing standards) on the general purpose financial statement of the school district. {MS Code 37-9 -8, 37-37-1, and 37-61-23}

10.4 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy, validity, and timely reporting of all student data submitted to the MDE, including but not limited to the
electronic transmission of student enrollment, attendance, transportation, absenteeism, graduation, dropouts, and any other student data and administrative functions as deemed necessary. {MS Code 37-37-7(2)(b)(c)(d) and 37-37-13}

10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37-37-7(2)(e) and 37-37-13}

11. The local school board budgets and expends funds as follows:

11.1 The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) a minimum of $20.00 per student for instructional/library supplies, materials, and equipment.

11.2 Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (Fund #2440) are allotted and expended in compliance with Section 37 61 33, Mississippi Code of 1972, as amended, and State Board of Education Policy DFB1.

11.3 The local school board budgets and expends funds under the Public School Health Insurance Plan as required by state law and State Board policy. Failure to remit premiums, interest penalties and/or late charges in a timely manner may result in withholding a school district's adequate education program funds. {MS Code 37-15-95} (SB Policy DFBG 1)

The Board shall approve all transfers between individual funds except those approved as part of the budget. Transfers approved as part of the budget already have Board approval and a second approval of the actual transaction is unnecessary unless different from the budget.

Since it is impossible to change the income during the school year, expenditures must be kept within the allocations of the adopted budget. Items within the budget are determined as follows:

A. Salaries - On schedule as adopted by the Board of Trustees.

B. Equipment and Furniture - Based on individual school needs as expressed by requisition from the building principals and in accordance with the purchasing schedule each year. When these requests are approved by appropriate staff members, they are allowed insofar as funds permit.

C. Instructional Materials and Supplies - Allocations are based on teacher needs and on the projected enrollment of students for the next school year in accordance with past experiences and accreditation standards.

Classroom teachers should continuously evaluate materials and supplies to determine the most effective teaching aids. They should discuss these materials with the building principal before preparing requisitions. The principal will evaluate the requisitions submitted as to the needs of the school in keeping with available funds, or request that additional funds be appropriated. Such requests must be accompanied by justification in writing.

D. Building Repairs and Upkeep - This is based on an annual survey of needs as determined by the building principal and maintenance supervisor, within available funds.

BUDGET ALLOCATIONS
The allocation of the monies to the various departments within a school is the responsibility of the principal and/or the administrative officer of a particular division of a school and shall not exceed the total annual allocation for the school. Accreditation standards should be followed in making allocations.

**BUDGET REQUISITIONS**

Instructional supplies and equipment shall be requisitioned according to the district's purchasing cycle.

**BUDGET REVISIONS**

Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the State Board of Education for the school district to submit its financial information for that fiscal year. (MS Code, 37-61-21, as amended, 2003)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DCC - Annual Operating Budget Preparation Procedures

<table>
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<tr>
<th><strong>BUDGET PREPARATION PROCEDURES/ADOPTION</strong></th>
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<tr>
<td>1. On or before the date specified by the State Department of Education each year, the School Board, with the assistance of the Superintendent of Schools, shall prepare and file with the levying authority for the school district, as defined in Section 37-61-9, at least two (2) copies of a budget of estimated expenditures for the support, maintenance and operation of the school district for the fiscal year commencing on July 1 of such year. Such budget shall be prepared on forms prescribed and provided by the State Auditor and shall contain such information as the State Auditor may require.</td>
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<td>2. In addition, on or before the date specified by the State Department of Education, the School Board, with the assistance of the Superintendent of Schools, each year shall prepare and file with the State Department of Education such budgetary information as the State Board of Education may require. The State Board of Education shall prescribe and provide forms to each school district for this purpose.</td>
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<td>3. Prior to the adoption of a budget pursuant to this section, the school board shall hold at least one (1) public hearing to provide the general public with an opportunity to comment on the taxing and spending plan incorporated in the proposed budget. The public hearing shall be held at least one (1) week prior to the adoption of the budget with advance notice. After final adoption of the budget a synopsis of such budget in a form prescribed by the State Department of Audit shall be published in a newspaper having general circulation in the school district on a date different from the date on which the county or any municipality therein may publish its budget.</td>
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<td>4. There shall be imposed limitations on budgeted expenditures for certain administration costs, as defined hereinafter, in an amount not greater than One Hundred Fifty Thousand Dollars ($150,000.00) plus four percent (4%) of the expenditures of all school districts each year. For purposes of this subsection, &quot;administration costs&quot; shall be defined as expenditures for salaries and fringe benefits paid for central administration costs from all sources of revenue in the following expenditure functions as defined in the MISSISSIPPI PUBLIC SCHOOL DISTRICT FINANCIAL ACCOUNTING MANUAL:</td>
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Any costs classified as "administration costs" for purposes of this subsection which can be demonstrated by the local school district to be an expenditure that results in a net cost savings to the district that may otherwise require budget expenditures for functions not covered under the definition of administration costs herein may be excluded from the limitations herein. The local school board shall make a specific finding of such costs and spread such finding upon its minutes, which shall be subject to the approval of the Office of Educational Accountability of the State Department of Education. Any school district required to make expenditure cuts, as a result of application of this subsection, shall not be required to reduce such expenditures more than twenty-five percent (25%) in any year in order to comply with this mandate.

The State Auditor shall ensure that functions in all expenditure categories to which this administrative limitation applies shall be properly classified.

This section shall not apply to central administration with five (5) or less full-time employees, or to those school districts which can substantiate that comparable reductions have occurred in administrative costs for the five-year period immediately prior to school year 1993-1994. In the event the application of this section may jeopardize the fiscal integrity or operations of the school district, have an adverse impact on the ability of the district to deliver educational services, or otherwise restrict the district from achieving or maintaining a quality education program, the State Board of Education shall be authorized to exempt the application of this section to such school district pursuant to rules and regulations of the State Board of Education consistent with the intent of this section. Section 37-61-9 (2006)

Unless the increased revenue in a budget is derived solely from the expansion of a school district’s ad valorem tax base, a school district shall not budget an increase in an ad valorem tax effort in dollars for support of the school district unless it first advertises its intention to do so at the same time that it advertises its intention to fix its budget for the next fiscal year. A request for an ad valorem tax effort in dollars for the support of the school district in excess of the certified tax rate pursuant to Sections 37-57-105 and 37-57-107 shall not be levied until an order has been approved by the school board of the school district in accordance with the procedure set forth in Section 27-39-207, Mississippi Code of 1972. Section 27-39-207 (1999)

Standard 11 is as follows:

11. The local school board budgets and expends funds as follows:
   11.1 The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) a minimum of $20.00 per student for instructional/library supplies, materials, and equipment.
   11.2 Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (Fund #2440) are allotted and expended in compliance with Section 37 61 33, Mississippi Code of 1972, as amended, and State Board of Education Policy DFBI.
The local school board budgets and expends funds under the Public School Health Insurance Plan as required by state law and State Board policy. Failure to remit premiums, interest penalties and/or late charges in a timely manner may result in withholding a school district's adequate education program funds. {MS Code 37 151 95} (SB Policy DFBG 1)

LEGAL REF.: MS CODE as cited and Section 27-39-203; Section 27-39-205
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DC – Annual Operating Budget

**FISCAL YEAR/SCHOLASTIC YEAR**

The “fiscal year” of this school district shall commence on July 1 and end on June 30 of each year. The “scholastic year” of this school district shall likewise commence on July 1 and end on June 30 of each year. MS CODE §37-61-1 (1987)

However, for the purposes of determining ad valorem tax receipts for a preceding fiscal year, the term “fiscal year” means the fiscal year beginning October 1 and ending September 30. §37-57-107 (1994)

See Standard 19, Mississippi Public School Accountability Standards - 2007

**PERIODIC BUDGET RECONCILIATION**

It shall be the duty of the Superintendent of Education and the School Board of this school district to limit the expenditure of school funds during the fiscal year to the amounts set forth in the respective school budgets as reflected in the Board minutes or an addendum to Board minutes, unless such school fund budgets be revised in the manner provided in this chapter. It shall be unlawful for any school district to budget expenditures from a fund in excess of the resources available within that fund for such expenditures. Furthermore, it shall be unlawful for any contract to be entered into or any obligation incurred or expenditure made in excess of the budgeted funds available for such purposes for such fiscal year. Any member of the School Board, Superintendent of Education, or other school official who shall enter into any contract, incur any obligation, or make any expenditure in excess of the amount available for that purpose for the fiscal year shall be personally liable for the amount of such excess. However, no School Board member, Superintendent or other school official shall be personally liable (a) in the event of any reduction in minimum education program payments by action of the Governor acting through the Department of Finance and Administration; or (b) for claims, damages, awards or judgments, on account of any wrongful or tortious act or omission or breach of implied term or condition of any warranty or contract; provided, however, that the foregoing immunity provisions shall not be a defense in cases of fraud, criminal action or an intentional breach of fiduciary obligations imposed by statute. §37-61-19 (1993)

The Superintendent is hereby authorized and empowered to amend objects within major functions as may be necessary during the fiscal year.

The School Board shall approve a budget for the school district. The School Board shall approve amendments to such budget where major functions of revenues and expenditures are involved. The School Board should authorize the Superintendent to amend objects within major functions as may be necessary during the fiscal year.
The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect at least a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. (MS Code §37-61-9)

LINE ITEM TRANSFER AUTHORITY

BUDGET REVISION

If it should appear to the superintendent of schools or the school board of any school district that the amounts to be received from state appropriations, taxation or any other source will be more than the amount estimated in the budget filed and approved, or if it should appear that such amounts shall be less than the amount estimated, the school board of the school district, with assistance from the superintendent, may revise the budget at any time during the fiscal year by increasing or decreasing the fund budget, in proportion to the increase or decrease in the estimated amounts.

TRANSFER WITHIN BUDGET FUNCTIONS

If it should appear to the superintendent of schools or the school board of a school district that some function of the budget as filed is in excess of the requirement of that function and that the entire amount budgeted for such function will not be needed for expenditures therefor during the fiscal year, the school board of the school district, with assistance from the superintendent, may transfer resources to and from functions and funds within the budget when and where needed; however, no such transfer shall be made from fund to fund or from function to function which will result in the expenditure of any money for any purpose different from that for which the money was appropriated, allotted, collected or otherwise made available or for a purpose which is not authorized by law. No revision of any budget under the provisions hereof shall be made which will permit a fund expenditure in excess of the resources available for such purpose.

OFFICIAL RECORDING IN MINUTES

The revised portions of the budgets shall be incorporated in the minutes of the school board by spreading them on the minutes or by attaching them as an addendum. Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the State Board of Education for the school district to submit its financial information for that fiscal year.

YEAR END FINANCIAL STATEMENTS

On or before the fifteenth day of October of each year, the local school board of each school district, with the assistance of the school district superintendent, shall prepare and file with the State Department of Education year end financial statements and any other budgetary information that the State Board of Education may require. The State Board of Education shall prescribe and provide forms to each school district for this purpose. No additional changes may be made to the financial statements after October 15 of each year. MS Code §37-61-21 (2006)

The school board shall approve all transfers between individual funds except those approved as part of the budget. Transfers approved as part of the budget already have board approval and a second approval of the actual transaction is unnecessary unless different from the budget.
Standard 10.2 is as follows:

10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district.  {MS Code 37 61 19}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DCH - Periodic Budget Reconciliation

| DEBT LIMITATION | DE |

RESTRICTION OF INDEBTEDNESS

No school district shall, except as provided in section 37-59-7, hereafter issue bonds for the purposes authorized by law in an amount which, when added to all of its then outstanding bonded indebtedness, shall result in the imposition on any of the property in such district of an indebtedness for school purposes of more than fifteen percent of the assessed value of the taxable property within such district, according to the then last completed assessment for taxation, regardless of whether any of such indebtedness shall have been incurred by such district or by another school district or districts. §37-59-5 (1968)

EXCEEDING INDEBTEDNESS RESTRICTIONS

(1) Any school district in which the total number of students enrolled at any one time during the school year shall have increased by at least twenty percent (20%) within the preceding five (5) years shall not issue bonds for the purposes authorized by law in an amount which when added to all of its then outstanding bonded indebtedness, shall result in the imposition on any of the property in such district of an indebtedness for school purposes of more than twenty-five percent (25%) of the assessed value of the taxable property within such district according to the then last completed assessment for taxation.

The pupil increase mentioned hereinabove shall apply only to growth in pupil enrollment and shall not apply to pupil increases brought about by consolidation of school districts.

(2) Any school district may hereafter issue bonds in an amount exceeding the limit of Section 37-59-5 for the purpose of constructing, reconstructing, repairing, equipping, remodeling or enlarging school buildings and related facilities, as described in subsection (a) of Section 37-59-3, but no such district shall issue bonds in an amount which when added to all of its then outstanding bonded indebtedness, shall result in the imposition on any of the property in such district of an indebtedness for such school purposes of more than twenty percent (20%) of the assessed value of the taxable property in such district, according to the then last completed assessment for taxation, regardless of whether any of such indebtedness shall have been incurred by such district or by another school district or districts:

a. In the event of the damage to or destruction of any school building or school buildings, or related facilities of any such district by fire, windstorm, flood or other providential and unforeseeable cause; or
b. In the event such school district has lost its accreditation and the constructing, reconstructing,
repairing, equipping, remodeling or enlarging of such school buildings and related facilities is
necessary for the restoration of such accreditation.

(3) In any school district wherein more than nine percent (9%) of the total land area of the school
district is owned by the federal government and situated in a flood control reservoir or
maintained as a part of the national forest system, the said school district may issue bonds in an
amount, which when added to all of its then outstanding bonded indebtedness for school
purposes, shall result in the imposition on any of the property in such school district of an
indebtedness for school purposes of not more than twenty percent (20%) of the assessed value of
the taxable property within such district, according to the then last completed assessment for
taxation, regardless of whether any of such indebtedness shall have been incurred by such district
or by another school district or districts. If bonds in an amount in excess of fifteen percent (15%) of
the total assessed value of the property of a school district are issued under the provisions of
this subsection, not less than twenty-five percent (25%) of the total funds received by the school
district under the provisions of Section 49-19-23, Mississippi Code of 1972, shall be paid into the
bond and interest sinking fund of such district and used for the retirement of the bonds so issued.

(4) In any district where the assessed valuation per pupil is less than seventy-five percent (75%) of
(25%) of the assessed value of the taxable property in such district, according to the then last
completed assessment for taxation if: the average of all school districts, such school district may
issue bonds for the purposes authorized by Section 37-59-3 in an amount exceeding the fifteen
percent (15%) debt limitation set forth in Section 39-59-5, but not exceeding an amount which,
when added to all of the school district's then outstanding bonded indebtedness, shall result in the
imposition on any of the property in such district of an indebtedness for such school purposes of
more than twenty-five percent

a. The Board of Trustees or Board of Education of the school district adopts a resolution
finding that issuing bonds in an amount exceeding the limitation stated in Section 37-59-5 is
necessary to provide or maintain adequate educational facilities within the school district; and

b. The notice of the bond election required by Section 37-59-13 contains a provision
notifying the qualified electors in the school district:

(i) Of the fact that the proposed bonds, if issued, will exceed the fifteen percent
(15%) debt limit contained in Section 37-59-5; and

(ii) Of the reasons why the school district is proposing to exceed said limitation;

REDUCED OR INTEREST-FREE DEBT PURSUANT TO FEDERAL LAW

Notwithstanding any law or any provision of any law to the contrary, the following additional and
supplemental powers and authorizations are hereby granted to each public school district in connection with
the issuance of any debt, as defined herein.

(a) For purposes of this act, “debt” means any note, bond, lease or other evidence of indebtedness, that
a district is authorized to issue under any provision of law.
(b) Any school district issuing debt may, by resolution of its board of trustees or board of education, do all things regarding the form, payment structure, purchase price and terms of such debt which may be helpful in qualifying the debt for reduced or interest-free treatment under federal law or the regulations promulgated thereunder and to assure that such debt will be readily acceptable in the municipal bond market, provided the same is not inconsistent with the Constitution of the state. Provided, however, that nothing in this act shall be construed as allowing a school district to exceed the final maturity term or exceed any debt limitation provided in the applicable state law authorizing the debt.

(c) This act shall be construed to be supplemental and additional to any powers conferred by other laws on school districts and not in derogation of any such powers not existing. The act is remedial in nature and shall be liberally construed. Provided, however, that this act shall not grant any extra authority to a school board to issue debt in any amount exceeding statutory limitations on assessed value of taxable property within such school district or the statutory limitations on debt maturities, and shall not grant any extra authority to impose, levy or collect a tax which is not otherwise expressly provided for. §37-59-301 (2004)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy ABB — Board Powers and Duties
DFD — Bond Sales

**REVENUES: SIXTEENTH SECTION LAND MANAGEMENT**

The Superintendent of Education for the School District will manage Sixteenth Section lands in such a way to provide maximum benefits to the school district.

See FDD.

**LOCAL TAX REVENUES**

Tax levy and collection of taxes for the School District shall be in accordance with applicable state law.

**EDUCATIONAL ENHANCEMENT FUNDS**

The school district will be in compliance with state regulations and requirements and State Audit Department requirements regarding Educational Enhancement Funds.

**FEDERAL FINANCIAL ASSISTANCE PROGRAMS**
The Harrison County School District shall be in compliance with applicable laws and regulations governing the use of federal assistance funds and the operation of federal assistance programs.

Internal control systems shall be in place to provide reasonable assurances that laws and regulations are being followed.

No federal assistance programs funds shall be used in any way for partisan political activity. (Also see GAHB.)

The school district shall use all federal assistance funds designated for specific programs to supplement, not supplant, state and local funds. After federal funds are discontinued, the programs shall be maintained as needed and within district financial constraints as determined by the administration.

The district shall treat all children in an equitable manner by seeing that all regular programs are available to all students.

The directors of the various federal projects of this school district shall manage cash so that draws of federal monies are as close as administratively feasible to the related program expenditures.

It shall be unlawful for this school district to expend any public funds from any source(s) for purposes which are political. Prohibited expenditures shall include but not be limited to the purchase of partisan political materials, contributions to any candidate for public office, and use of school property, equipment or employees in support of a candidate(s).

Standard 23 is as follows:

23. The school district is in compliance with state and/or federal requirements for the following programs:
   23.1 Early Childhood Programs (kindergarten and teacher assistant) {MS Code 37-21-1 et. seq.} (SB Policy IDAC and FDD-4) (Refer to Mississippi Kindergarten Guidelines.) {Level 4 and 5 districts are exempted from provisions of subsection (4) of MS Code 37-21-7.}
   23.2 Vocational-Technical Education {MS Code 37-31-1 et. seq.} (SB Policies CT, DCK, DFBC, ECK, FJ, GBEA, IDAA, IL, JHF and Federal Code)
   23.3 Special Education {MS Code 37-23-1 through 9} (SB Policies IDDF and Federal Code) {See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.}
   23.4 Child Nutrition {MS Code 37-11-7}(SB Policies EE and EEH and Federal Code)
   23.5 No Child Left Behind Act of 2001: Titles I, II, IV, and V, and any other federally funded programs and grants (IDDBB 2, 3 and Federal Code)
   23.6 Technology in the Classroom {MS Code 37-151-19(3)} (SB Policy IM)
   23.7 Driver Education {MS Code 37-25-1 et. seq.} (SB Policy IDDE)
   23.8 Pre-Kindergarten {MS Code 37-7-301(ss)}. (Refer to the Mississippi Pre-Kindergarten Curriculum.)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DG - Depository of Funds
Also see DJ.

**FEDERAL AND SCHOOL CENSUS**

The Superintendent shall give a report to the Board as to the enrollment of students. This report shall be given in the fall after the opening of the new school year.

The Superintendent shall make application for all such state and federal programs and grants as shall be approved by the Board and to conduct such surveys as are required.

Federal programs will be used to strengthen the district's educational plan.

**CASH MANAGEMENT OF FEDERAL FUNDS**

It shall be the policy of the School Board to draw down only enough federal fund monies for payroll and/or other payable expenses each month. It shall also be the policy that the draw-down will be in the amount so as not to accumulate federal funds.

**BOND SALES**

This School Board is authorized to issue negotiable bonds of the school district to raise money for the following purposes in accordance with state law:

a. Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunch rooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles and garages for transportation vehicles, and purchasing land therefor.

b. Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor.

c. Providing necessary water, light, heating, air conditioning and sewerage facilities connected therewith, and purchasing land therefor.

d. Paying part of the costs to be incurred in erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities which are owned and operated by state-supported institutions of higher education as a demonstration or practice school attended by pupils, grades, or one or more, or parts of grades from the educable children of such school district pursuant to a contract or agreement between said institution and said school district.

The authority to issue the bonds hereinabove set forth shall include the authority for the School Board to spend the money for the purposes for which said money is raised. Section 37-59-3 (1987)
SHORT-TERM NOTES

This School Board, with the approval of the State Board of Education, may borrow money for the purchase of school transportation equipment or to establish, erect and equip school bus shops or garages, and purchase land therefor, and issue the negotiable notes or bonds of the school district as evidence of the indebtedness so incurred. §37-41-89 (1987)

All notes or bonds issued under lawful authority shall mature in approximately equal annual installments over a period of not exceeding six (6) years from the date of the issuance of such notes or bonds. Such notes or bonds may bear interest at a rate not exceeding that allowed in law, and such interest may be payable annually or semiannually.

In the event the funds borrowed under lawful authority are to be expended for the purchase of used transportation equipment, then all notes or bonds evidencing such loans shall be made to mature within two (2) years from the date of the issuance of such notes or bonds. §37-41-93 (1985)

TAX ANTICIPATION NOTES

The School Board of this school district shall have the power and authority to borrow money for the current expenses of such school district in anticipation of the collection of ad valorem taxes and other revenues of such school district for the then current fiscal year. The money so borrowed shall bear interest at a rate not greater than that allowed in Section 75-17-105 and shall be repaid within fourteen (14) months from the date of such borrowing out of the taxes and revenues in anticipation of which such money is borrowed. Such money shall be used for no other purpose than the payment of the current expenses of this school district.

Pending the expenditure of funds borrowed under the provisions of this section, such funds may be invested in any manner in which any school district, municipality, county, state agency or other public body may invest surplus funds.

The amount borrowed under the provisions of this section shall in no event exceed the estimated amount of taxes and revenues collected or to be collected during the last preceding fiscal year, unless the tax levy for the current fiscal year has been made, then the amount borrowed under the provisions of this section shall in no event exceed the estimated amount of taxes and revenues collected or to be collected during the current fiscal year. Revenue anticipation notes issued under the provisions of this section shall be issued within the same fiscal year during which the tax levy is or will be made and other revenues received which it is anticipated will produce the funds from which the said notes will be repaid.

In borrowing money under the provisions of this section, it shall not be necessary to publish notice of intention so to do or to secure the consent of the qualified electors of such school district, either by election or otherwise. Such borrowing shall be authorized by order or resolution of the School Board and may be evidenced by negotiable note or notes, signed and executed in such form as may be prescribed in such order or resolution. Money may be borrowed in anticipation of ad valorem taxes and other revenues under the provisions of this section, regardless of whether or not such borrowing shall create an indebtedness in excess of statutory limitations.
Money may likewise be borrowed by this school district, as herein provided, for the purpose of paying current interest maturities on any bonded indebtedness of such school district in anticipation of the collection of taxes for the retirement of such bonded indebtedness or the payment of any interest thereon. MS Code §37-59-37 (1993)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy DFE — Short Term Notes

**SHORTFALL BORROWING**

School districts affected by the Hurricane Katrina Disaster may borrow funds and issue promissory notes to the federal government under the Community Disaster Loan Program. Please refer to MS Code Sections 37-57-108 and 27-39-333.

**GENERAL PROVISIONS FOR ALL SCHOOL DISTRICTS**


Any school district which, during a fiscal year, estimates that the amount of the ad valorem taxes or other anticipated revenue from local sources to be collected therein is less than the amount estimated at the time of formulation of its budget for the fiscal year due to circumstances which were unanticipated at the time of formulation of the budget and which will prevent the political subdivision from meeting its financial obligations may, with the approval of the levying authority for such political subdivision, issue promissory notes in an amount equal to the estimated shortfall of ad valorem taxes and/or revenue from local sources but in no event to exceed twenty-five percent (25%) of its budget anticipated to be funded from the sources of the shortfall for the fiscal year.

The proceeds of such notes shall be used in the budget or budgets in which the shortfall occurred and shall be used solely to offset the shortfall in such budgets for the fiscal year. The rate of interest paid thereon shall not exceed that amount set forth in Section 75-17-105, Mississippi Code of 1972. The indebtedness shall be repaid in full, including interest thereon, in equal installments, during the three (3) fiscal years next succeeding the fiscal year in which the notes were issued. For the payment of such indebtedness, the levying authority for the political subdivision shall, at its next regular meeting at which ad valorem taxes are lawfully levied, levy an ad valorem tax sufficient to repay the indebtedness in full, including interest. The proceeds of the notes shall be included as proceeds of ad valorem taxes for the purposes of the limitation on increases in revenue for the next succeeding fiscal year under Section 27-39-305, 27-39-320, 27-39-321 or 37-57-107, Mississippi Code of 1972, whichever is applicable depending upon the purpose for which such proceeds are used.

For the purposes of Sections 27-39-305, 27-39-320, 27-39-321 and 37-57-107, the terms "revenue" and "receipts" when used in connection with the amount of funds generated in a preceding fiscal year shall include excess receipts collected in the next preceding fiscal year and deposited into a special account under Section 27-39-323.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies DFE - Short Term Notes
DFEA - Tax Anticipation Notes
Any employee of the School District who wishes to apply for or accept any grant or award or participate in any program involving financial assistance for the district must receive the approval of the Superintendent or his/her designee prior to writing proposals for submission to grant agencies, organizations, or individuals.

A written description shall be submitted to the Superintendent of Education for approval, including the following:

1. Purpose (goals, objectives); nature of program
2. Source
3. Project or program timelines
4. Educational justification
5. Amount requested; total amount required to implement program/project
6. Subsequent cost to the district to maintain program, if applicable
7. Reports required

The Superintendent or his/her designee, shall approve or disapprove each request to apply for a grant.

All grants must be accepted by the Board prior to implementation, and salaries identified in grants must be in conformance with the district salary schedule.

All funds received in the form of grants, awards, or program support must be turned in to the central business office to be deposited to a special account for each program or project. Requests for expenditure of funds will be made through requisitions as required in the handling of all other such requests for expenditures.

Grant recipients and/or supervisors of programs receiving financial assistance shall be required to keep a running account of grant expenses and maintain a working knowledge of budgetary considerations during implementation of the program or project. Grant recipients and/or supervisors of programs receiving financial assistance shall also be responsible for making all reports required in connection with receipt of such financial assistance, including final reports made to grant agencies or organizations.

The Superintendent or his/her designee may approve the submission of any grant proposals which do not exceed $25,000, with the stipulation that if funding is approved, the proposal will be brought to the Board for acceptance prior to obligating the district in any way. All proposals exceeding $25,000 must receive administrative and Board approval prior to submission.
This school district by resolution of the School Board is empowered, without public or competitive bidding, to sell, lease, lend, grant, or convey to a corporation, individual or partnership pursuant to Sections 37-7-351 through 37-7-359 or to permit such corporation, individual or partnership to use, maintain or operate as part of any public school facility, any real or personal property which may be necessary, useful or convenient for the purposes of the school district.

All such actions taken by the Board shall be in accordance with state laws governing sale, lease, lending, grant, rental, or conveyance of school facilities or other property.

**GIFTS AND BEQUESTS TO HARRISON COUNTY SCHOOLS**

When gifts are offered to the Harrison County School District by citizens, companies, etc., the Superintendent of Education will make a recommendation to the Board of Trustees with regard to the gift, the nature of the gift, etc. Upon the Superintendent's recommendation, the acceptance of the gift would be approved by the Board of Trustees. Such gifts will become the property of the school district. Gifts to the school district must be recorded on a form to be provided by the school district.

Gifts to individual schools, which meet the following criteria, must be considered for approval by the Superintendent of Education. A full description of the proposed gift and a statement of its educational benefits shall be submitted prior to the acceptance of the gift to any individual school.

The criteria for a gift to be acceptable shall include the following:

1. Must become the property of the Board of Trustees of the Harrison County School District.
2. Must be compatible with the district's goals, objectives, and standards.
3. Must have a legitimate school use.
4. Must not create an imbalance in educational programming for the school level involved.
5. Must not incur a district responsibility to replace when lost, stolen, or outmoded unless the loss of the item(s) results in a negative quantity of the item for that school when compared to the district standard for the school level involved.
6. Must be paid for in full by the donor with no outstanding liens.
7. Must be recommended by the administration.

Any school principal considering acceptance of a gift on behalf of the district shall follow district policies and procedures involving gifts to individual schools.

The principal shall obtain the Superintendent's approval of a gift prior to proceeding with any binding commitments or contract initiation. Any cost related to installation shall be borne by the donor. Approval of the gift by the Superintendent must be in writing and must be received by the principal before any action is taken to indicate acceptance of the gift by the district and/or the individual school.

GAAP requires fixed assets to be recorded at historical cost or estimated historical costs. Historical cost is the actual cost of assets. Assets acquired through contribution or donation must be recorded at fair market value.
value on the date donated. The School Board must acknowledge in its official minutes who will maintain title of ownership to the donated assets.


Also see DIDA; DFM.

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(1) Whenever any school district or levying authority, as defined in Section 37-57-1(1)(b), acting on behalf of a school district, shall have on hand any bond and interest funds, any funds derived from the sale of bonds, or any other funds in excess of the sums which will be required for payment of current obligations and expenses as they come due, and which are not needed or cannot by law be used for the payment of the current obligations or expenses of the school district, the school board of the district shall have the power and authority to invest such excess funds in any bonds or other direct obligations of the United States of America or the State of Mississippi, or of any county or municipality of this state, which such county or municipal bonds have been approved by a reputable bond attorney or have been validated by a decree of the chancery court; or in interest-bearing time certificates of deposit or interest-bearing accounts with or through any financial institution approved for the deposit of state funds; and such institution shall be eligible to hold school district funds to the extent that it is qualified as a depository for state funds; or in any type of investment permitted by Sections 27-105-33(d) and 27-105-33(e).

The rate of interest on such time certificates of deposit and interest-bearing accounts may be negotiated. The negotiated rate of interest shall be at the highest rate possible at the date of purchase or investment for such time certificates of deposit or interest-bearing accounts. In any event, the bonds or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for expenditure. When bonds or other obligations have been so purchased, the same may be sold or surrendered for redemption at any time, except certificates of deposit which must mature, by order or resolution of such school board, and the president of the school board, when authorized by such order or resolution, shall have the power and authority to execute all instruments and take such other action as may be necessary to effectuate the sale or redemption thereof. In addition, a school board may invest any such funds in the same manner as provided for the investment of sixteenth section principal funds under Section 29-3-113.

(2) The provisions of subsection (1) of this section shall also apply to funds of community and junior college districts, and the governing authorities of such districts are vested with all power and authority with respect to such funds and matters herein mentioned as are vested in the other boards mentioned above with respect to such matters.

(3) All earnings from funds other than bond funds or bond sinking funds in excess of One Hundred Dollars ($100.00) in any fiscal year, invested according to the provisions of subsections (1) and (2) of this section shall be deposited in the district fund from which the investment was made, or the treasury of the junior college, as the case may be. Earnings from such school district funds which are less than One Hundred Dollars ($100.00) in any fiscal year may be deposited in the school district maintenance fund, or in the district fund from which the investment was made, in the discretion of the school board. Earnings from funds invested out of bond funds or bond sinking funds, together with the principal thereof, shall be deposited in the fund from which the investment was made.
(4) Nothing contained in this section shall be construed to prevent the payment of a portion of the earnings derived from the investment of bond proceeds or any other amounts in the bond fund or related reserve or sinking funds to the federal government to the extent required by the federal laws applicable to such bonds or the interest income thereon in order to maintain their tax exempt status. {MS Code 37-59-43 (2007)}

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies DFD - Bond Sales
DFE - Short Term Notes
DFEA - Tax Anticipation Notes

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All funds will be maintained in interest-bearing accounts on a daily basis. Those funds that are inactive for a period of one month or longer may be invested in certificates of deposit at the highest available rate of interest at the time of deposit. Investments may be made without prior Board approval with the stipulation that documentation is made as to the amount of deposit, date of deposit, certificate of deposit number, and record of quoted interest rates.

Inter-fund loans may be made as needed without prior Board approval with the stipulation that documentation is made as to the fund from which and to which the loan was made, the amount of the loan, and the date the loan was made.

This School Board has full control of the receipt, distribution, allotment and disbursement of all funds which may be provided for the support and maintenance of the schools of such district whether such funds be minimum education program allotments, funds derived from supplementary tax levies as authorized by law, or funds derived from any other source whatsoever except as may otherwise be provided by law for control of the proceeds from school bonds or notes and the taxes levied to pay the principal of and interest on such bonds or notes. The tax collector of the county shall pay over all such school district taxes collected by him/her for the support of said school district directly to said Superintendent of Education.

All such allotments or funds shall be placed in the depository or depositories selected by the School Board in the same manner as provided in Section 27-105-305 for the selection of county depositories. Provided, however, the annual notice to be given by the School Board to financial institutions may be given by the School Board at any regular meeting subsequent to the Board's regular December meeting but prior to the regular May meeting. The bids of financial institutions for the privilege of keeping school funds may be received by the School at some subsequent meeting, but no later than the regular June meeting; and the selection by the School Board of the depository or depositories shall be effective on July 1 of each year. School Boards shall advertise and accept bids for depositories no less than once every three (3) years, when such Board determines that it can obtain a more favorable rate of interest and less administrative processing. Such depository shall place on deposit with the Superintendent the same securities as required in Section 27-105-315.

In the event a bank submits a bid or offer to this school district to act as a depository for the district and such bid or offer, if accepted, would result in a contract in which a member of this School Board would have direct or indirect interest, the School Board shall not open or consider any bids received. The Superintendent shall submit the matter to the State Treasurer, who shall have the authority to solicit bids,
select a depository or depositories, make all decisions and take any action within the authority of the School Board under this section relating to the selection of a depository or depositories. §37-7-333 (1997)

**REQUIREMENT OF SECURITIES**

The Harrison County School District complies with state law to ensure that the depositories selected by the district place on deposit with the superintendent adequate securities to cover one-hundred-five percent of the deposits in excess of FDIC coverage.

**BONDED EMPLOYEES**

Before entering upon the discharge of the duties of his office, each member of this School Board shall give a surety bond in the penal sum of Fifty Thousand Dollars ($50,000.00), with sufficient surety, to be payable, conditioned and approved in the manner provided by law.

This School Board may execute a blanket surety bond for each school district official and employee (who receives and/or disburses school district funds) in the penalty of Fifty Thousand Dollars ($50,000.00), unless a different penalty is prescribed by law. The premium on said bond shall be paid out of the school district maintenance fund. §37-6-15 (1996)

The Superintendent of this school district, before entering upon the duties of his office, shall furnish a good and sufficient surety bond in the penal sum of One Hundred Thousand Dollars ($100,000.00), with sufficient surety. Such bond shall be filed and recorded in the office of the clerk of the chancery court in which this school district is located, and shall be payable, conditioned and approved in the manner provided by law. The premium on said bond shall be paid out of the school district maintenance fund. §37-9-27 (1987)

The purchasing agent(s) of this School Board, before entering upon his official duties in such capacity, shall furnish a good and sufficient surety bond in the penal sum of Fifty Thousand Dollars ($50,000.00), with sufficient surety. Such bonds shall be payable, conditioned and approved in the manner provided by law, and shall be filed and recorded in the office of the clerk of the chancery court in which the school district is located. The premium on said bond shall be paid out of the school district(s) maintenance fund(s). §37-39-21 (1987)

A principal acting as purchasing agent must be bonded for total statutorily required coverage of $75,000.00. The positions of principal may be covered by blanket bond, but the position of purchasing agent requires individual bond. (Attorney General’s Opinion, Middleton, 4-26-96)

The School Board of this school district may, in its discretion, employ one or more persons as security personnel and shall be authorized to designate them as peace officers in or on any property operated for school purposes by such Board upon taking such oath and making such bond as required of a constable of said county. §37-7-321 (1987)

All school principals and attendance center principals shall furnish good and sufficient surety bonds in like manner as required of Superintendents. The amount of such bonds shall be Twenty-five Thousand Dollars ($25,000.00), with sufficient surety. The premium upon said bond shall be paid from the maintenance funds of the district served by such principal. Such bond shall be payable, conditioned and
approved in the manner provided by law. All such bonds shall be filed and recorded in the office of the clerk of the chancery court of the county in which the school district is located. §37-9-31 (1987)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies AAA — School District Liability Exemptions

DIA — Internal Control of Cash Receipts
DJE — Purchasing

ACCOUNTING AND REPORTING

The Superintendent of Education shall open and keep regular sets of books, as prescribed by the State Auditor, which shall be subject to inspection during office hours by any citizen so desiring to inspect the same. The books for each fiscal year shall be kept separately and same shall be safely preserved by the Superintendent of Education. §37-61-23 (1987)

The department of audit of the office of the state auditor of public accounts is hereby authorized and directed to prescribe and formulate for use by all school districts of this state, including municipal separate school districts, adequate accounting systems and other essential financial records which shall be uniform for all of the school districts of this state. Such uniform system shall include a method of accounting for and keeping records of all funds received, handled, and disbursed by such school district, whether derived from taxation or otherwise, including funds derived from donations, athletic events, and other special activities of the school district. The uniform system of accounts so prescribed and formulated by the department of audit shall be distributed and disseminated to all of the school districts of this state and it shall be mandatory that the Boards of Trustees of all such school districts install, utilize, and follow said uniform system of accounts in keeping the financial records of the school district. At the request of the Mississippi Department of Education, the Office of the State Auditor shall provide advice for implementation of this section. MS Code 37-37-1 (2006)

ACCOUNTING PROCEDURES

A. Teachers will be called upon to collect funds from students from time to time. All monies collected by the teacher shall be receipted, using a receipt provided by the principal. Strictest care must be taken in the handling of these funds. The following points are to be adhered to:

1. Any collection of money must receive prior approval of the principal.
2. Receipt all money collected when it is collected.
3. Keep receipted money in a secure place.
4. Turn in money as directed by the administration

B. The principal is responsible for all funds collected and disbursed in the school. For this reason, no collection of funds or purchases of any kind may be made without the prior knowledge and written approval of the principal. If approval of a purchase is given, a purchase order will be provided. When it is properly filled out, the appropriate signatures will validate it and the approved purchase may be made.

Standard 10 is as follows:
10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. (MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23)

10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. (MS Code 37 17 6(16))

10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. (MS Code 37 61 19)

10.3 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, indicates that the auditor has issued an unqualified opinion (as defined by generally accepted auditing standards) on the general purpose financial statement of the school district. (MS Code 37 9 18, 37 37 1, and 37 61 23)

10.4 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy, validity, and timely reporting of all student data submitted to the MDE, including but not limited to the electronic transmission of student enrollment, attendance, transportation, absenteeism, graduation, dropouts, and any other student data and administrative functions as deemed necessary. (MS Code 37 37 7(2)(b)(c)(d) and 37 37 13)

10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. (MS Code 37 37 7(2)(e) and 37 37 13)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DIB - Financial Reports and Statements
Also see DL.

ACCOUNTING SYSTEM – INTERNAL CONTROL OF CASH RECEIPTS

The Superintendent shall develop a plan of organization under which employees' duties are so arranged and records and procedures so designed as to make it possible to exercise effective accounting control over assets, liabilities, revenues, and expenditures. The work of employees shall be subdivided so that no single employee performs a complete cycle of operations. The procedures to be followed shall be definitely laid down and require proper authorization by designated officials for all actions to be taken.

All monies except direct deposits shall be receipted to the school district using pre-numbered receipts in a bound book or ledger. Under no circumstances shall monies be deposited to any bank account without a proper receipting of such monies. Any and all documentation necessary to support the cash receipts shall be maintained on file.

Administrative controls include, but are not limited to, the plan of organization and the procedures and records that are concerned with the decision processes leading to management's authorization of transactions. Such authorization is a management function directly associated with the responsibility of achieving the objectives of the organization and is the starting point for establishing accounting control of transactions.
Accounting controls comprise the plan of organization and the procedures and records that are concerned with the safeguarding of assets and the reliability of financial records and consequently are designed to provide reasonable assurance that:

1. Transactions are executed in accordance with management's general or specific authorization.

2. Transactions are recorded as necessary (a) to permit preparation of financial statements in conformity with generally accepted accounting principles or any other criteria applicable to such statements and (b) to maintain accountability for assets.

3. Access to assets is permitted only in accordance with management's authorization.

4. The recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any differences.

Characteristics of reliable internal control systems are:

1. Segregation of Responsibilities - This characteristic is sometimes referred to as "division of duties." There should be segregation of the three main duties associated with transactions. These are:
   a. Authorization to execute a transaction.
   b. Recording the transaction.
   c. Custody of assets involved in the transaction.

2. Authorization and Record Procedures - This characteristic refers to "a system of authorization and record procedures." Such a system means that approved procedures and methods should be employed by management's accounting function.

3. Sound Practices - This characteristic refers to "sound practices in the performance of duties and functions." Sound practices refers to the many and varied error-checking routines that may be performed in connection with recordkeeping, including periodic comparison of recorded amounts with existing assets and liabilities.

4. Quality of Personnel - This characteristic is the most important and the most difficult to evaluate. This refers to the "competence of personnel."

5. Actual System Performance - Any system may be beautifully designed, but if the personnel do not operate the system as designed, then the system exists only on paper.

FINANCIAL REPORTS AND STATEMENTS

This school district shall prepare annual financial statements, including the notes to the financial statements, in accordance with generally accepted accounting principles at June 30 of each fiscal year. The financial statements, including the notes to the financial statements, shall be prepared at June 30, 1986, and for each succeeding fiscal year.

The superintendent of schools shall furnish to the school board a financial statement of receipts and disbursements, by funds, on or before the last working day of the following month covering the prior
month. The school board shall be authorized to investigate and audit all financial records of the superintendent of schools at any and all times. MS Code 37-9-18 (1)

Standard 10 is as follows:

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23}

10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37 17 6(16)}

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10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37 37 7(2)(e) and 37 37 13}

LEGAL REF.: MS CODE as cited

<table>
<thead>
<tr>
<th>INVENTORIES</th>
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<td>In May of each year, teachers will make room inventories. This is the responsibility of the school principal. The inventories will be checked by the school principal and submitted to the inventory control clerk. The equipment from the room inventories will be listed in the inventory control ledger to be maintained by the inventory control clerk. Identification tags will be issued to school principals along with a copy of the inventory control ledger sheets for that school. The numbers will be assigned by schools and entered in the inventory control ledger sheets sent them by the inventory control clerk. These completed inventory control ledger sheets will be returned to the inventory control clerk and the assigned numbers will be entered in the master control ledger. When items are to be added (as merchandise comes in during the year) a number will be assigned by the inventory control clerk.</td>
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When items are to be deleted from the equipment inventory or moved from one location to another (one school to another), the inventory control clerk shall be notified of this information.

**AUDITS**

The State Department of Audit is hereby authorized and empowered to post audit and investigate the financial affairs and all transactions involving the school funds of the county including the minimum education program funds and supplementary district school funds, and to make separate and special audits thereof, as now provided by Sections 7 7 201 to 7 7 215, Mississippi Code of 1972. MS Code 37 61 29 (1954)

In addition to all auditors and other employees now or hereafter provided by law, the State Auditor may appoint and employ examiners in the Department of Audit. Said examiners shall make such audits as may be necessary to determine the correctness and accuracy of all reports made to the State Department of Education by any school district or school official concerning the number of educable students in any school district, the number of students enrolled in any school district, the number of students in average daily attendance in any school district, and the number of students being transported or entitled to transportation to any of the public schools of this state. MS Code 37 37 3 (2004)

**SINGLE AUDIT ACT**

Mississippi public school districts will have single audits performed by the Mississippi State Auditor's Office or by an independent accounting firm for the fiscal year ending June 30, 1986, and for each succeeding fiscal year thereafter.

Federal cost-sharing can help in part to defray the cost of single audits. Reimbursement by the federal government is generally limited to the ratio of total federal assistance expended by the recipient during the year audited to the recipient's total expenditures for that year.

The Mississippi State Department of Education shall have cognizant agency responsibilities for all Mississippi public school districts. School districts should contact the audit resolution officer with the Mississippi State Department of Education to resolve any audit findings that affect federal programs in their districts.

NOTE: Please refer to the Financial Accounting Manual for Mississippi Public School Districts

Standard 10 is as follows:

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23}

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LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DIB - Financial Reports and Statements

This School Board hereby adopts the following policies which will become part of this district’s Fixed Asset Accountability Plan:

1. Accounting Policies

   a. Definitions of all major fixed asset classifications:

      Land – this includes all land owned by the School District.

      Buildings – this includes all buildings owned by the district, such as school buildings, administration buildings, athletic field houses, gymnasiums, and portable classrooms.

      Improvements other than buildings – This includes athletic fields, lighting, bleachers, and other improvements that can not be directly associated with a particular building.

      Mobile equipment – this includes all school buses and district owned automobiles, trucks and vans. This classification also includes all lawn maintenance equipment, tractors, etc.

      Furniture and equipment – this includes all furniture and equipment contained in the buildings of the school district that meet asset capitalization requirements of the school district.

      Leased property under capital leases – this includes all fixed assets that are being acquired under a lease/purchase arrangement.

      Construction in progress – this includes all buildings and facilities that are currently under construction.
b. Valuation: All purchased assets will be valued at historical cost or estimated historical cost. All donated assets will be valued at fair market value at the time of donation.

c. Capitalization: This school district will capitalize:

   (1) All assets with a useful life of greater than one year and with a historical cost of at least $1,000.00; and

   (2) All highly walkable items. Highly walkable items will, at a minimum, include all weapons; cameras and camera equipment (greater than $250); two-way radio equipment; televisions (greater than $250); lawn maintenance equipment; cellular telephones; computer and computer equipment (greater than $250); chain saws; air compressors; welding machines; generators; motorized vehicles. The district will determine additional items to be included in the highly walkable category.

d. Depreciation: GAAP does not require depreciation of assets contained in the General Assets Accounts Group. Assets that are accounted for in the Proprietary Funds Category are subject to depreciation. Following the suggestion of the State Auditor’s Office, the straight line method of depreciation will be used.

e. Interest capitalization: Since capitalization of interest expense is not required for general fixed assets, and following the recommendation of the State Auditor’s Office, this school district does not intend to capitalize interest.

f. Infrastructure: Infrastructure consists of assets that are immovable and of value only to the school district (e.g., a street not attached to or part of a building). Governmental accounting principles presently do not require the capitalization of infrastructure.

2. Annual Physical Inventory Policy – a physical inventory will be taken at least annually once the system is established.

Also see DP, DPA, DM.

RESOLUTION

Be it hereby resolved that this School Board hereby approves and adopts the “Fixed Asset Accountability Plan for the Harrison County School District.” The policies included in the Fixed Asset Plan have been adopted by the School Board.

This district’s fixed asset accountability plan has been developed according to “Criteria for Establishing Fixed Asset Accountability Plans for Mississippi Public School Districts” issued August 1995 by the State Auditor’s Office. This Fixed Asset Plan, along with the Board’s resolution, was submitted to the State Auditor’s Office for review and approval by December 31, 1995.

This district’s fixed asset accountability plan shall be implemented beginning with the 1996-97 fiscal year (July 1, 1996). This school district obtained an unqualified audit opinion on its financial audit for the 1996-97 fiscal year.

Also see DP – Depreciation of Fixed Assets; DPA – Capitalization of Fixed Assets
This school board has the power, authority and duty to make orders directed to the superintendent of schools for the issuance of pay certificates for lawful purposes on any available funds of the district and to have full control of the receipt, distribution, allotment and disbursement of all funds provided for the support and operation of the schools of such school district whether such funds be derived from state appropriations, local ad valorem tax collections, or otherwise. The local school board shall be authorized and empowered to promulgate rules and regulations that specify the types of claims and set limits of the dollar amount for payment of claims by the superintendent of schools to be ratified by the board at the next regularly scheduled meeting after payment has been made. Section 37-7-301 (o) (2005)

PURPOSES FOR WHICH SCHOOL FUNDS MAY BE USED

The minimum education program allotments of this school district and the funds derived from the supplemental school district tax levies authorized by law shall be used exclusively for the support, maintenance and operation of the schools in the manner provided by law for the fiscal years for which such funds were appropriated, collected or otherwise made available, and no part of said funds or allotments shall be used in paying any expenses incurred during any preceding fiscal year. However, this shall not be construed to prohibit the payment of expenses incurred during the fiscal year after the close of such fiscal year from amounts remaining on hand at the end of such fiscal year, provided that such expenses were properly payable from such amounts. Moreover, this shall not be construed to prohibit the payment of the salaries of superintendents, administrative superintendents, principals and teachers and other school employees whose salaries are payable in twelve (12) monthly installments after the close of the fiscal year from amounts on hand for such purpose at the end of the fiscal year. Section 37-61-3 (1991)

PERSONAL LIABILITY

It shall be the duty of the superintendents and the school board to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for any school district to budget expenditures from a fund in excess of the resources available within that fund.

Furthermore, it shall be unlawful for any contract to be entered into or any obligation incurred or expenditure made in excess of the resources available for such fiscal year.

Any member of the school board, superintendent, or other school official, who knowingly enters into any contract, incurs any obligation, or makes any expenditure in excess of the amount available for the fiscal year shall be personally liable for the amount of such excess.

However, no school board member, superintendent or other school official shall be personally liable (a) in the event of any reduction in adequate education program payments by action of the Governor, or (b) for claims, damages, awards or judgments, on account of any wrongful or tort action or omission or breach of implied term or condition of any warranty or contract; provided, however, that the foregoing immunity provisions shall not be a defense in cases of fraud, criminal action or an intentional breach of fiduciary obligations imposed by statute. Section 37-61-19 (2003)

ACTIVITY FUNDS

This school board has the power, authority, and duty to expend local school activity funds, or other available school district funds, other than minimum education program funds, for the purposes prescribed under this paragraph. "Activity funds" shall mean all funds received by school officials in all school districts paid or collected to participate in any school activity, such activity being part of the school program and partially financed with public funds or supplemented by public funds. The term "activity
"funds" shall not include any funds raised and/or expended by any organization unless commingled in a bank account with existing activity funds, regardless of whether the funds were raised by school employees or received by school employees during school hours or using school facilities, and regardless of whether a school employee exercises influence over the expenditure or disposition of such funds. MS Code 37-7-301 (s) (1996)

MONTHLY FINANCIAL STATEMENTS

The superintendent of schools shall furnish to the school board a financial statement of receipts and disbursements, by funds, on or before the last working day of the following month covering the prior month. The school board shall be authorized to investigate and audit all financial records of the superintendent of schools at any and all times. MS Code 37-9-18 (1)

Organizations shall not be required to make any payment to any school for the use of any school facility if, in the discretion of the local school governing board, the organization's function shall be deemed to be beneficial to the official or extracurricular programs of the school. For the purposes of this provision, the term "organization" shall not include any organization subject to the control of the local school governing board. Activity funds may only be expended for any necessary expenses or travel costs, including advances, incurred by students and their chaperons in attending any in-state or out-of-state school-related programs, conventions or seminars and/or any commodities, equipment, travel expenses, purchased services or school supplies which the local school governing board, in their discretion, shall deem beneficial to the official or extracurricular programs of the district, including items which may subsequently become the personal property of individuals, including yearbooks, athletic apparel, book covers and trophies. Activity funds may be used to pay travel expenses of school district personnel. The local school governing board shall be authorized and empowered to promulgate rules and regulations specifically designating for what purposes school activity funds may be expended. The local school governing board shall provide (a) that such school activity funds shall be maintained and expended by the principal of the school generating the funds in individual bank accounts, or (b) that such school activity funds shall be maintained and expended by the Superintendent of Schools in a central depository approved by the board. The local school governing board shall provide that such school activity funds be audited as part of the annual audit required in Section 37-9-18. The State Auditor shall prescribe a uniform system of accounting and financial reporting for all school activity fund transactions. §37-7-301 (s) (1996)

EXPENDITURES OF FEDERAL FUNDS

State and local expenditures for the special education program supported by P.L. 94-142 funds will be comparable to expenditures for any similar program that may be supported from other sources. Records are maintained which show that this requirement is met.

Federal funds expended from the project will be used to pay only the excess costs directly attributable to the education of children with disabilities and will be used to supplement local and state funds; furthermore, P.L. 94-142 funds will not be used to supplant state and local funds for any particular cost. If state/local funds are available to pay for the education of nondisabled children ages birth through five, funds equal to the amount expended per nondisabled child will be made available to children with disabilities in that age range before Preschool Grant funds are used. If no state/local funds are available for a particular age group, Preschool Grant funds may be used to pay for all of the costs directly attributable to the education of these children.

The monitoring system for P.L. 94-142, Part B funds, must undergo the same Procedures as all district funds, such as Board approval for additions or deletions and signed purchase orders.

EHA Part B Project fund requests, amendments and reimbursements are submitted to the State Department of Education for approval.
Standard 11 is as follows:

11. The local school board budgets and expends funds as follows:

   11.1 The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) a minimum of $20.00 per student for instructional/library supplies, materials, and equipment.

   11.2 Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (Fund #2440) are allotted and expended in compliance with Section 37-61-33, *Mississippi Code* of 1972, as amended, and State Board of Education Policy DFBI.

   11.3 The local school board budgets and expends funds under the Public School Health Insurance Plan as required by state law and State Board policy. Failure to remit premiums, interest penalties and/or late charges in a timely manner may result in withholding a school district's adequate education program funds. {MS Code 37-151-95} (SB Policy DFBG-1)

LEGAL REF.: MS CODE as cited  
*Cities Public School Accountability Standards (2007)*

CROSS REF.:  
Policies ABA - Authority  
DI - Accounting and Reporting  
DID - Audits  
DJE – Purchasing  
DFC – Federal Aid

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**CHECKING ACCOUNTS - AUTHORIZED SIGNATURES**

All checks authorized by the Harrison County School District in the amount of $2,000.00 or more must have the signature of the Superintendent of Education. The School Board shall authorize designated district employees to sign checks on all school district accounts. If mechanical check signers are utilized, written policies and procedures shall be developed to safeguard such mechanical check signers.

Standard 10 is as follows:

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23}

   10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37 17 6(16)}

   10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. {MS Code 37 61 19}

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10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37 37 7(2)(e) and 37 37 13}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF: Policies DH - Bonded Employees
DI - Accounting and Reporting

PETTY CASH ACCOUNTS

A petty cash fund may be established to handle small payments for incidental items that occur at the local school and/or at the district administrative office(s). This would include such items as postage, express charges, small supplies and similar items. The School Board must determine the amount of the fund, designate the person responsible for the fund, determine if the person responsible shall be bonded, and provide adequate safeguards for the fund. At no time shall any type loan, personal or otherwise, be made from the petty cash fund.

The fund will be established by writing a check on the district maintenance fund for the proper amount as authorized by the School Board. The check will be made payable to the person who is responsible for the petty cash fund. At no time should a petty cash fund be established by writing a check on a fund which is under the control of the person who is responsible for the petty cash fund.

Disbursements from the petty cash fund shall be supported by invoices, statements, receipts or other documentation. This documentation shall remain with the petty cash fund until the fund is replenished. The sum of this documentation and the remaining cash shall, at all times, be equal to the original amount of the petty cash fund. This shall be periodically checked by the Superintendent's office. The petty cash fund will be replenished when the cash is nearly exhausted. Replenishment takes place by presenting an itemized listing of all disbursements with documentation to the Superintendent's office. After verification by the Superintendent's office, a check is written for the amount of the itemized listing and made payable to the person responsible. At this time the Superintendent's office will enter the accounting data for the petty cash fund disbursements into the accounting records.


Also see DIA.
PROCEDURES FOR PAYMENT

Personnel are to be paid on the last working day of the calendar month in accordance with the terms of their contract. Deductions authorized or required by law are made each month. Other deductions will be made when requested by the employee for those items approved by the Board of Trustees. All requests for deductions by employees shall be in writing to the payroll services office.

Salaries shall be paid in twelve (12) equal installments except for certain employees working less than full-time. Those employees will be paid in accordance with the terms of the salary schedule for their job descriptions.

Before the first payment is made for each contract period, all personnel shall have on file in the personnel office the following:

A. All forms needed by the payroll services office
B. Membership application to the Public Employees’ Retirement System of Mississippi
C. Must have proof of citizenship
D. Social Security card (Photostat)

In addition to the above, licensed employees must also have on file:

A. A signed contract for current school year
B. Complete application together with reference evaluations
C. Valid/appropriate teaching certificate or notification of approval from Office of Teacher Certification
D. Verification of prior teaching experience (if applicable)
E. Official college transcript(s) for all degrees earned

In accordance with state law, the first payment of said contract for teachers shall be on the last day of the month in which students first begin attendance.

The following shall be the policy of the Harrison County Board of Education in regard to the writing and release of regular, monthly salary warrants:

1. All licensed personnel shall be paid on the last working day of the calendar month.
2. All other personnel are paid bi-weekly.
3. Any adjustments that are necessary must be in the office of the County Superintendent of Education at least ten (10) days prior to the payroll date.
4. Any adjustments becoming necessary after the above deadline date must be delayed until the next succeeding payroll date (i.e., a teacher resigns prior to the ten (10) day deadline date, that pay warrant shall be issued at the regular payroll date; if the resignation occurs after the ten (10) day deadline, the warrant shall not be issued until the next succeeding pay period).

These procedures have become necessary in order to allow the accounting and bookkeeping staff adequate time to process all payrolls and to make the financial adjustments that are required by regulatory laws of the State of Mississippi.
The salaries of the Superintendent, principals and licensed employees of this school district shall be paid by pay certificates issued by the school district Superintendent. Such pay certificates may be issued without additional authorization of this School Board where the amount of salary has been fixed and a contract entered into as provided by law. All pay certificates shall be preserved by him/her as a part of the official records of his/her office for the same time and in the same manner as other records are preserved. Except as is herein provided, the said warrants shall be governed in all respects by the same laws regulating the issuance of other warrants for other purposes. All pay certificates and warrants issued shall show the gross amount of the salary and all authorized deductions therefrom for income taxes, social security, retirement contributions and other lawful purposes. §37-9-41 (1987)

**PAYROLL CLEARING FUND**

A payroll clearing fund shall be established by each school district to account for salaries and the related salary withholdings paid from governmental funds. Each pay period, the total gross amount of the payroll shall be transferred from the governmental funds to the payroll clearing fund. The gross amount transferred will be charged to the appropriate expenditure functions in the expenditure register of each governmental fund. The net payroll amounts due to school district personnel shall then be written from the payroll clearing fund. The matching portion of benefits paid by the Local Educational Agency (LEA) shall be transferred from the governmental funds to the payroll clearing fund. The LEA's portion transferred will be charged to the appropriate expenditure functions in the expenditure register of each governmental fund. The total amount due to outside entities for withholdings or benefits shall then be written from the payroll clearing fund.

The payroll clearing fund shall be classified as an Agency Fund and maintained in a separate depository (bank) account.

LEGAL REF.: Mississippi Code, as cited above

*Public School Districts Financial Accounting*

**PAYDAY SCHEDULE**

The amount of the salary to be paid any appointed Superintendent, principal or licensed employee shall be fixed by the School Board, provided that the requirements of Chapter 19 of this title are met as to Superintendents, principals and licensed employees paid in whole or in part from MAEP funds. In employing such Superintendents, principals and licensed employees and in fixing their salaries, the School Boards shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the licensed employee, Superintendent or principal. It is the intent of the Legislature that whenever the salary of the school district Superintendent is set by a School Board, the Board shall take into consideration the amount of money that the district spends per student, and shall attempt to insure that the administrative cost of the district and the amount of the salary of the Superintendent are not excessive in comparison to the per student expenditure of the district. §37-9-37 (1997)

Salary or wages paid to any employee of any school shall be paid on a basis as determined by the school board, except for December, when salaries or wages shall be paid by the last working day. Salaries or wages shall be paid at a minimum on a monthly basis. Any school employee whose employment ends during a school term, regardless of the reason(s) the employment ended, shall be paid salary or wages only for that portion of the school term that employee actually worked. Nothing in this section shall be
construed to entitle any employee to payment of salary or wages when no work has been performed. {MS Code 37-9-39 (2003)}

If the contract is based on the number of scholastic months for which the school is operated, the monthly payments shall be made on the last regular school day of each calendar month; provided, however, that the last monthly payment may, at the discretion of the School Board, be made on the last day of the scholastic term when such principal, licensed or noninstructional employee has completed his or her assigned responsibilities.

If the contract is based on a period of months in excess of the number of months for which the school is to be operated, the first such payment shall be made on the last regular school day of the calendar month in which the school opens and the remaining payments shall be made on the last regular school day of each calendar month thereafter for the number of months provided by the contract; provided, however, if the last scholastic month ends during the calendar month in months when school is not in session payments shall be made on what would have been the last regular school day of the month if school were in session.

An appointed Superintendent, principal, licensed or noninstructional employee who completes the entire scholastic year shall be entitled to payment for the full number of monthly payments provided by the contract without regard to his activity at the time when his services are not required by the school. If an appointed Superintendent, principal, licensed or noninstructional employee is released during the school term by agreement between the School Board and such Superintendent, principal, licensed or noninstructional employee, then such Superintendent, principal, licensed or noninstructional employee shall be entitled to such proportion of the annual salary as the time which he shall have taught shall bear to the total school term, and any balance which may be due him shall be paid at such time as the Board may determine, but not later than the close of the then current scholastic year.

Provided further, that upon written request when entering into an employment contract, a Superintendent, principal, teacher or any licensed or noninstructional personnel, may, within the discretion of the School Board, be paid twice a month on the 15th of the month or the last working day prior to the 15th and on the last regular school day of each month except for the month of December. §37-9-39 (1997)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy DJC — Payroll Procedure

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<thead>
<tr>
<th>SALARY DEDUCTIONS</th>
<th>DJCB</th>
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<tbody>
<tr>
<td>The Superintendent shall deduct and withhold from the wages of all employees:</td>
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<tr>
<td>1. the amount of federal income tax required by federal law; 26 USCA 3401-3402</td>
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<tr>
<td>2. the amount of social security tax required by federal law; 26 USCA 3101-3102; §25-11-3, et seq.</td>
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<tr>
<td>3. the amount of contributions to PERS. §25-11-123 (f) (1994)</td>
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<td>4. state income tax</td>
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It shall be unlawful for the Superintendent of Education to deduct or permit to be deducted from the salary of any Superintendent, principal or licensed employee any dues, fines or penalties payable or alleged to be payable because of the membership of such Superintendent, principal or licensed employee
in any organization or association. However, dues or premiums in health associations or corporations and tax sheltered annuity deductions authorized by the United States Internal Revenue Code may be deducted upon written authorization from the Superintendent, principal or licensed employee involved. Any Superintendent of Education who shall make any such deduction or permit any such deduction to be made, except those herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Twenty-five Dollars ($25.00) for each such deduction. §37-9-49 (1987)

Notwithstanding any other benefit plan offered to any eligible employee of a state agency or local governmental entity, all state agencies shall, and any local governmental entity may contract for and adopt a benefit plan which meets the requirements of a cafeteria plan as defined in Section 125 et seq. of the Internal Revenue code of 1986, and regulations thereunder, for the benefit of eligible employees and their dependents. Provided, however, that the maximum benefit available under a health flexible spending account shall be Five Thousand Dollars ($5,000.00) per participating employee per plan year, unless federal Internal Revenue Service regulations allow that the available benefit at any point in time may be limited by the premium paid as of that point in time. It is further provided that any state agency or local governmental entity may contract for insurance to cover its potential for loss under a health flexible spending account. §25-17-3 (1991)

Each payroll deduction not required by law must be approved by the Board prior to implementation.

No solicitation for sales which would necessitate salary deductions will be allowed without prior approval by the administration.

Requests for payroll deductions must be made to the Superintendent of Education or his/her designated representative.

The Superintendent of Education will recommend approval or disapproval of the company and of each payroll deduction.

**SALARY DEDUCTIONS - SOCIAL SECURITY COVERAGE**  
DJCBA

On July 1, 1954, all employees became eligible for Social Security coverage through a contract with the State Public Employees Retirement System. In accordance with this contract, employee participation is mandatory.

**SALARY DEDUCTIONS - RETIREMENT BENEFITS**  
DJCBB

On July 1, 1958, retirement benefits became available to all employees of the Harrison County Schools, in addition to teachers who were previously covered, through a contract with the Public Employees Retirement System. Employee participation is mandatory for all employees – with certain exceptions. These exceptions and the benefits available are specified in the retirement brochures which can be obtained through the principal’s office.

**GROUP INSURANCE**  
DJCBC
In accordance with state law, the Harrison County School District participates in group insurance programs. Payroll deductions for premiums or portions of premiums may be made upon request of the employee and with permission from the Superintendent of Education.

Consideration may be given to additional companies requesting permission to offer insurance to Harrison County Schools’ employees only under the following conditions: (1) the company must agree in writing to offer full insurance coverage at the same group rate regardless of previous or existing physical, mental, or emotional conditions; (2) computer software program must be able to accommodate the required deductions in order to be considered. If the above two requirements are met and written permission is granted, then the company must have a minimum of twenty-five (25) employees who wish to enroll in the company insurance program.

Annually, prior to the beginning of the school year, insurance companies will provide the school business office with a sufficient supply of brochures covering tax-sheltered annuity and voluntary insurance programs. The brochures will be distributed to school employees by the business office. The materials should contain names, addresses, and telephone numbers of agents.

Insurance companies will not be permitted to visit the schools without prior written approval of the Superintendent.

Employee participation in the credit union is voluntary and payroll deductions have been approved for employee convenience. The credit union offers employees an opportunity to earn on investments and to secure loans. Information can be obtained from the credit union office.

1. Any regular full-time employee of the Harrison County School District, working at least 17-1/2 hours per week, is eligible to participate in an approved tax-sheltered annuity, voluntary insurance program, or the district’s cafeteria plan.

2. There will be one (1) period each year for persons applying for payroll deductions for these purposes; that period will be set by the Superintendent of Education.

3. A minimum of twenty-five (25) employees must participate in tax-sheltered annuity or voluntary insurance program in order to qualify for payroll deductions, so long as computer software can accommodate the deduction.

4. A tax-sheltered annuity contract, in order to satisfy tax requirements, shall be subject to prevailing IRS requirements.

5. Employee requests for termination of tax-sheltered annuity and other non-cafeteria voluntary insurance programs must be made in writing to the payroll office at least one (1) month prior to effective date.
Tax-sheltered annuity and voluntary insurance programs have been approved for employee participation through payroll deduction. Information about these plans is available to all employees. The Board of Trustees does not endorse in any manner either the representatives of the companies or the programs themselves.

Annually, prior to the beginning of the school year, insurance companies will provide the school business office with a sufficient supply of brochures covering tax-sheltered annuity and voluntary insurance programs. The brochures will be distributed to school employees by the business office. The materials should contain names, addresses, and telephone numbers agents. Representatives of insurance companies will not be permitted to visit the schools without prior written approval of the Superintendent.

### GARNISHMENT OR LEVY

Each employee of the school system is expected to attend to his/her own personal business affairs. It shall be the responsibility of the employee to notify, in writing, the chief fiscal officer of the district immediately upon receipt of notification of garnishment or possible garnishment of the employee’s salary. When a garnishment or levy is received in the administration office, the employee, unless otherwise informed in writing, will be notified through his/her building principal or supervisor.

### EXPENSES REIMBURSEMENTS – PROFESSIONAL ACTIVITIES, MEETINGS

The Harrison County School Board recognizes that professional personnel frequently have opportunities to participate in educational meetings of value to the school district. Such meetings may be attended under the following conditions:

1. Reimbursement for travel, lodging, meals, registration, and other major items related to the meetings will be made only for those personnel who attend such meetings at the request of an administrator with the approval of an assistant superintendent. A teacher may request and be granted permission with administrative approval to attend professional meetings with reimbursement. Professional leave will be considered only for those meetings that are deemed beneficial for the school district. (Meals may be reimbursed only when an overnight stay is involved.)

2. A request to attend a professional meeting shall be submitted in writing to the principal and must be approved by the principal or immediate supervisor no later than ten (10) school days prior to the activity and is subject to approval or disapproval by an assistant superintendent.

3. Personnel who are denied use of professional leave may be permitted to do so at their own expense and with the loss of a personal day. Their request must follow procedural guidelines established under personal leave.

4. All expenses for professional leave including the cost of the substitute will be the responsibility of the approving principal or supervisor to be paid from their budgets.

5. Any teacher who feels he/she has been unfairly denied professional leave by the principal may appeal to the assistant superintendent for personnel.
6. Activity funds may be expended for any necessary expenses or travel costs including advances incurred by students and their chaperons in attending any in-state school-related programs, conventions or seminars.

7. Prior approval for all travel shall be obtained before any travel expenses are incurred.

**EXPENSE REIMBURSEMENTS**

Administrative personnel and others who have first been authorized by the superintendent to travel in the performance of their duties shall be advanced or reimbursed their expenses by the school district based on the district’s current reimbursement schedule for such travel as indicated below:

1. for each mile actually and necessarily traveled in the employee’s automobile or other private motor vehicle (employees are expected by the board to car pool where two (2) or more employees are traveling to the same destination; in such an event only one (1) travel expense allowance at the authorized rate per mile shall be allowed for any one (1) trip);

2. when such travel is done by means of a public carrier or other means not involving a private motor vehicle, the employee shall receive as travel expense the actual fare or other expenses incurred in such travel;

3. employees shall be reimbursed for other actual expenses such as meals, lodging and other necessary expenses incurred in the course of such travel, subject to limitations placed on meals for intrastate and interstate official travel by the State Department of Finance and Administration and rules and regulations adopted by the State Department of Audit.

Current reimbursements are as follows:

1. single standard room rate for accommodations

2. maximum reimbursement per day for meals for in-state and out-of-state travel based on the district’s current reimbursement schedule

3. reimbursement based on the district’s current reimbursement schedule per mile for each mile driven in a private vehicle;

4. actual registration fees

5. actual fare or other expenses incurred in travel by public carrier

6. incidental expenses – reasonable gratuities, parking, etc.

The superintendent shall comply with the rules and regulations of the State Department of Audit regarding itemized expense accounts upon return of the employee.

**REGARDING TRAVEL ADVANCES**

1. The superintendent **ONLY** is authorized to approve travel advances.

2. The superintendent shall comply with all rules and regulations of the State Department of Audit regarding travel advances.
3. The superintendent shall comply with the State Department of Finance and Administration daily limits on expenditures for meals.

4. All official travel must be pre-approved.

5. Persons receiving advances must be officers or employees of the school district.

6. Travel advances may not be used for personal expenses or for any purpose other than the actual expenses of the authorized travel.

7. Accounting for any travel advance shall be made within five (5) working days after the end of the month in which the official travel was made.
   a. Any money not used for travel related expenses shall be repaid the school district at this time.
   b. The travel reimbursement form prescribed by the State Department of Finance and Administration shall be completed and submitted at this time for all money not refunded the school district.
   c. Actual receipts for all travel expenses except meals and travel in personal vehicles are to be included.

LEGAL REF.:  MS CODE §25-3-41 (1994)
CROSS REF.:  Policy DI – Accounting and Reporting

PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS

An Attorney General’s opinion issued on July 30, 1999 outlined the guidelines that a School Board must approve as policy in order for a school district to be able to provide food, drinks, and food supplies at certain school meetings. The Harrison County School District shall adhere to the policies stated below.

All activities for which food, drinks, and food supplies are purchased must be activities related to the goals and functions of the school district. These activities are noted in the next paragraph.

Purchase of food, drinks, and food supplies will be allowable for meetings, seminars, workshops, staff meetings, or similar events of the Harrison County School District if that event will span the normal meal hour. Also, if the event extends beyond the normal working hours, and/or if breaking for a meal would be disruptive of the meeting agenda, purchase of food, drinks, and food supplies will be allowable. These events could include, but are not limited to:

1. School Board meetings,
2. Business meetings with community leaders,
3. District staff development sessions or workshops,
4. District staff meetings
5. Community Service and Parent Education Programs funded through specific grants that have been written to include funding for meals, and
6. Any other event as determined by the Superintendent of Education that meets the above stated requirements.
Purchases of food, drinks, and food supplies will be made by following the normal required purchasing procedures of the school district. All paperwork submitted for the purchase of the food items must have a meeting agenda attached.

In addition to the above, expenditures for athletic and other student recognition banquets are allowable from activity funds only.

Expenditures of public funds, including activity funds, for employee or teacher recognition banquets or meals are not allowable.

Meals produced as part of the school district’s instructional program can be provided or sold to the district staff or other individuals.

**USE OF FUNDS FOR POLITICAL PURPOSES**

The Harrison County School District prohibits the use of federal, state, or local program funds for partisan political activities of any kind by any person or organization within the school district.

**PURCHASING**

The Board of Education has selected and designated one person as its purchasing agent. The Superintendent of Education shall be the purchasing agent for the Harrison County School district. All purchases will be made under provisions of appropriate sections of the Mississippi Code, 1972, as amended.

The Board of Education has elected and designated the Superintendent of Education to determine emergency situations and to act as required by state law in carrying out all emergency purchases.

All purchases for any school activity made by school personnel, clubs, classes, or individuals will be made by following the purchasing procedures of the District.

All purchases for school purposes made by any club, individual, class, or staff member must receive prior approval through purchase order approved by the principal and superintendent.

Purchase orders for school purchases must be made by authorized staff members. Purchases made without prior approval of the principal and superintendent will be the personal obligation of the purchaser.

Provisions for purchases with principal’s approval may be made from petty cash as established under Student Activities Procedures.

The purchase of any equipment, including equipment purchased by groups or organizations, intended for school use must have approval by the Board of Education. The equipment, when purchased for school use, will become the property of the Harrison County School District.

The Harrison County School District will use the following guidelines in purchasing teaching supplies including the expenditures of EEF supply and instructional funds.
Teachers will submit a requisition list to the school principal. Principals will check the list to assure that purchasing laws are not violated. After the requisition list has been checked, a purchase order will be issued using district procedures.

Purchase orders are to be identified by an individual teachers name and no purchase may exceed five-hundred ($500.00) dollars. The purchase order must be limited to expendable teaching supplies.

Equipment purchased with district or EEF funds that included multiple units of equipment are to be quoted or bid in order to receive the best price.

No substitution or changes in quantity or quality shall be authorized by anyone other than the purchasing agent.

**PURCHASE OF SCHOOL EQUIPMENT**

The purchase of equipment costing more than $1,000.00, including equipment purchased by groups or organizations, intended for school use must have approval by the Board of Education. The equipment, when purchased for school use, will become the property of the Harrison County School District.

**BIDS AND QUOTATIONS**

The term "purchase" shall mean the total amount of money encumbered by a single purchase order. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

Each "notice to bidders" shall contain the following language:

1. the school board reserves the right to reject any and all bids.
2. the school board reserves the right to waive any irregularities.

“Competitive” shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities. {MS Code 31-7-13 (b) (2003)}

The results of all competitive bid openings shall be tabulated and presented to the school board at its next regular or special meeting.

**GENERAL AUTHORITY**

All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided. Nothing in this section shall be construed as authorizing any purchase not authorized by law. {MS Code 31-7-13 (2002)}
BIDDING PROCEDURES

A. $5,000.00 or Less

B. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less. {MS Code 31-7-13 (a) (2007)}

C. Purchases Over $5,000.00 But Not Over $25,000.00: See {MS Code 31-7-13 (b)}.

D. Purchases Over $25,000.00: See {MS Code 31-7-13 (c)}.

E. Lowest and Best Bid Decision Procedure: See {MS Code 31-7-13 (d)}.

F. Lease-Purchase Authorization: See {MS Code 31-7-13 (e)}.

G. Alternate Bid Authorization: See {MS Code 31-7-13 (f)}.

H. Construction Contract Change Authorization: See {MS Code 31-7-13 (g)}.

I. Petroleum Purchase Alternative: See {MS Code 31-7-13 (h)}.

J. Road Construction Petroleum Products Price Adjustment Clause Authorization: See {MS Code 31-7-13 (i)}.

K. Governing Authority Emergency Purchase Procedure: See {MS Code 31-7-13 (k)}.

L. Exceptions From Bidding Requirements: See {MS Code 31-7-13 (m)}.

M. Term Contract Authorization: See {MS Code 31-7-13 (n)}.

O. Purchase Law Violation Prohibition and Vendor Penalty: See {MS Code 31-7-13 (o)}.

P. Electrical Utility Petroleum-Based Equipment Purchase Procedure: See {MS Code 31-7-13 (p)}.

Q. Fuel Management System Bidding Procedure: See {MS Code 31-7-13 (q)}.

R. Solid Waste Contract Proposal Procedure: See {MS Code 31-7-13 (r)}.

S. Minority Set Aside Authorization: See {MS Code 31-7-13 (s)}.

T. Construction Punch List Restriction: See {MS Code 31-7-13 (t)}.

NOTES: For master-lease purchase program, see {MS Code 31-7-10}. For purchase of commodities, see {MS Code 31-7-12}. See also the annual Purchase Law Update available from the Office of the State Auditor, Department of Technical Assistance.

PREFERENCE
Whenever two (2) or more competitive bids are received, one or more of which relates to commodities
grown, processed or manufactured within this state, and whenever all things stated in such received bids
are equal with respect to price, quality and service, the commodities grown, processed or manufactured
within this state shall be given preference. A similar preference shall be given to commodities grown,
processed or manufactured within this state whenever purchases are made without competitive bids, and
when practical the Department of Finance and Administration may by regulation establish reasonable
preferential policies for other commodities, giving preference to resident suppliers of this state.

Any foreign manufacturing company with a factory in the state and with over fifty (50) employees
working in the state shall have preference over any other foreign company where both price and quality
are the same, regardless of where the product is manufactured. {MS Code 31-7-15 (1992)}

In the letting of public contracts, preference shall be given to resident contractors, and a nonresident
bidder domiciled in a state, city, county, parish, province, nation or political subdivision having laws
granting preference to local contractors shall be awarded Mississippi public contracts only on the same
basis as the nonresident bidder's state, city, county, parish, province, nation or political subdivision
awards contracts to Mississippi contractors bidding under similar circumstances. Resident contractors
actually domiciled in Mississippi, be they corporate, individuals or partnerships, are to be granted
preference over nonresidents in awarding of contracts in the same manner and to the same extent as
provided by the laws of the state, city, county, parish, nation or political subdivision of domicile of the
nonresident. {MS Code 31-7-47 (1995)}

EXEMPTIONS

Supplies that are perishable or foods purchased for use in connection with the school lunch and
homemaking programs shall be exempt from competitive bid requirements. However, each school board
shall adopt and place in its minutes definite policies for guidance of agents of such boards in connection
with purchases of perishable supplies or foods which are unstable or variable in price. Such policies shall
have the effect of law and any violations shall be subject to the penalties as provided by law. {MS Code

Purchases of items regularly used in connection with school operation shall not be made in small
quantities for the purpose of circumventing the law requiring competitive bids or quotations, but shall be
purchased by contract when feasible. School boards shall have the authority, however, to award such
contracts for supplies or equipment to be delivered to different points in the school district or county, to
different bidders, when the best interests of the district or county warrant such action. Reasons for
awarding such contracts to different bidders for different areas in the district shall be recorded on the
minutes of the school board. In no event shall the price paid exceed the lowest and best bid received.
{MS Code 37-39-17 (1981)}

GRATUITIES

Any rebates, refunds, coupons, merit points, gratuities or any article of value tendered or received by their
school district from any vendor of material, supplies, equipment or other articles shall inure to the benefit
of this school district. This school district may, in accordance with its best interest, either take delivery of
the article of value tendered and use the same or convert it to cash by selling it for its fair and reasonable
value, making use of the proceeds from such sale for the exclusive benefit of the school district. {MS
Code 31-7-23 (1981)}

It is hereby declared to be unlawful and a violation of public policy of the State of Mississippi for this
school board or any designated purchasing agent for this school district to make any purchases without
the full compliance with the provisions of Chapter 7, Title 31, Mississippi Code of 1972.
Except as otherwise provided in subsection (4) of {MS Code 31-7-55}, any person who intentionally, willfully and knowingly violates the provisions of Chapter 7, Title 31, Mississippi Code of 1972, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than One Hundred Dollars ($100.00) and not more than Five Hundred Dollars ($500.00) for each separate offense, or sentenced to the county jail for not more than six (6) months, or both such fine and imprisonment, and shall be removed from his office or position.

Any person who intentionally, willfully and knowingly violates the provisions of subsection (1) of {MS Code 31-7-57} shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than One Hundred Dollars ($100.00) and not more than Five Hundred Dollars ($500.00), or sentenced to the county jail for not more than six (6) months, or both such fine and imprisonment, and shall be removed from his office or position.

Any person diverting the benefits of any article of value tendered or received by this school district to his or her personal use, in violation of {MS Code 31-7-23}, if the value of such article be less than Five Hundred Dollars ($500.00), shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00), or sentenced to the county jail for not more than six (6) months, or by both such fine and imprisonment, shall be removed from his office or position, and shall be required to return the money value of the article unlawfully diverted to this school board. If the value of the article be Five Hundred Dollars ($500.00) or more, such person shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00), or sentenced to the Department of Corrections for not less than one (1) year nor more than five (5) years, or by both such fine and imprisonment, shall be removed from his office or position, and shall be required to return the money value of the article unlawfully diverted to this school board.

The provisions of this section are supplemental to any other criminal statutes of this state. {MS Code 31-7-55 (1988)}

PERSONAL LIABILITY

The superintendent, any employee or agent of this school board, who appropriates or authorizes the expenditure of any money to an object not authorized by law, shall be liable personally for up to the full amount of the appropriation or expenditure as will fully and completely compensate and repay such public funds for any actual loss caused by such appropriation or expenditure, to be recovered by suit in the name of the school board or in the name of any person who is a taxpayer suing for the use of the school board, and such taxpayer shall be liable for costs in such case. In the case of the school board, only the individual members of the board who voted for the appropriation or authorization for expenditure shall be liable under this subsection.

No individual member of this school board, or agent of this school board shall let contracts or purchase commodities or equipment except in the manner provided by law; nor shall this school board ratify any such contract or purchase made by any individual member, employee or agent thereof, or pay for the same out of public funds unless such contract or purchase was made in the manner provided by law; provided, however, that any vendor who, in good faith, delivers commodities or printing or performs any services under a contract to or for the school board shall be entitled to recover the fair market value of such commodities, printing or services, notwithstanding some error or failure by this school board to follow the law, if the contract was for an object authorized by law and the vendor had no control of, participation in, or actual knowledge of the error or failure by this school board.

The individual members, employees or agents of this school board as defined in Section 31-7-1 causing any public funds to be expended, any contract made or let, any payment made, in any manner whatsoever,
contrary to or without complying with any statute of the State of Mississippi, regulating or prescribing the manner in which such contracts shall be let, payment on any contract made, purchase made, or any other payment or expenditure made, shall be liable, individually, and upon their official bond, for compensatory damages, in such sum up to the full amount of such contract, purchase, expenditure or payment as will fully and completely compensate and repay such public funds for any actual loss caused by such unlawful expenditure.

In addition to the foregoing provision, for any violation of any statute of the State of Mississippi prescribing the manner in which contracts shall be let, purchases made, expenditure or payment made, any individual member, employee or agent of this school board who shall substantially depart from the statutory method of letting contracts, making payments thereon, making purchases or expending public funds shall be liable, individually and on his official bond, for penal damages in such amount as may be assessed by any court of competent jurisdiction, up to three (3) times the amount of the contract, purchase, expenditure or payment. The person so charged may offer mitigating circumstances to be considered by the court in the assessment of any penal damages.

Any sum recovered under the provisions hereof shall be credited to the account from which such unlawful expenditure was made.

Except as otherwise provided, any individual member of the school board as defined in Section 31-7-1 shall not be individually liable under this section if he voted against payment for contracts let or purchases made contrary to law and had his vote recorded in the official minutes of the school at the time of such vote, or was absent at the time of such vote.  {MS Code 31-7-57 (1997)}

LEGAL REF.: MS CODE 31-7-13; 31-7-15; 31-7-47; 37-39-15; 37-39-17; 31-7-23; 31-7-55; 31-7-57
CROSS REF.: Policies DJE - Purchase Law Policies
DJEA - Purchasing Authority
DJEG - Purchase Orders and Contracts

PURCHASE ORDERS AND CONTRACTS

School boards shall establish policies concerning school district purchasing. Included in these policies, the board shall identify those items, if any, it is exempting from purchase order requirements (e.g., lunchroom foods that are purchased at bid price and delivered daily, purchases of certain items from student club funds, purchases made daily for the transportation department and purchases of monthly services such as utility bills and phone bills). Purchasing policies and procedures shall be approved by the school board and recorded on its official minutes.

Mississippi public school districts must make purchases in accordance with the Mississippi Code of 1972, Annotated. Additional procedures, requirements, and regulations are to be found in the Financial Accounting Manual for Mississippi Public School Districts, prescribed by the Office of the State Auditor. The Manual includes a "Quick Reference Index of School Related Laws" that indicates the most significant code sections affecting purchasing are 31-7-1, 31-7-12, 31-7-13, and 37-39-1 et seq.

1. All orders for supplies and equipment for the Harrison County School District are authorized by the issuance of purchase orders. Each purchase order must be properly approved by the designated school officials.

2. The purchasing agent is the only person authorized to obligate school funds for the procurement of goods and/or services for all Harrison County School functions. An approved purchase order is his/her authorization to financially obligate the school district; consequently, the final processing of all purchase orders must take place within his/her office.
3. Each person preparing a purchase order will follow these directions:

(a) To ensure that the intended user obtains the exact goods and/or services ordered, the information on each purchase order must be complete and accurate.

(b) Each purchase order is prepared in three (3) copies by the originator and is submitted to the principal and/or supervisor or department chairperson for consideration. Once it is determined that the purchase order represents a valid need and the cost indicated is within budgetary limitations, the purchase order is categorized as being an instructional or supportive expenditure; and it is forwarded for review and research to the Assistant Superintendent of Secondary Instruction, the Director of Elementary Instruction, or the Assistant Superintendent of Business for approval or disapproval.

(c) If disapproved, it is returned to the originating source. If approved, it is forwarded to the accounting department.

(d) The accounting department verifies that funds are available, assigns an appropriate citation, and forwards the purchase order to the purchasing department.

(e) To comply with all legal requirements and Board of Education policies, the purchasing department must follow one of four possible courses of action when processing the purchase order:

(1) If the items listed on the purchase order are determined to have a cumulative cost of less than $5,000.00, the purchase order may be issued.

(2) If the items listed on the purchase order are determined to have a cumulative cost of over $5,000.00 but less than $25,000.00, at least two (2) competitive price quotations in writing and Board of Education concurrence must be obtained prior to issuing a purchase order.

(3) If the items listed on the purchase order are determined to have a cumulative cost of more than $25,000.00 or the purchase of which is not covered by another provision of the law, permission to advertise for bids must be obtained from the Board of Education before any further action can be taken. If Board approval is granted, advertisement for bids must be published in the local newspaper and bids solicited from appropriate vendors.

(4) If the items listed on a purchase order are determined to be one-source items or may be procured under the state contract and/or cost is in excess of $5,000.00, this information is presented to the Board of Education. If approval is obtained to proceed with the purchase, the purchase order may be issued.

4. The final disposition of each copy of a purchase order is as follows:

(a) The original copy goes to the vendor.

(b) The second copy is provided to accounting, with an invoice for payment.

(c) The third copy is held by the department or school that placed the order.

(d) All copies are returned to the originator when the purchase order is disapproved.
SALES CALLS AND DEMONSTRATIONS  

All salesmen or agents must have written permission from the Superintendent or principal before visiting a school. Salesmen or agents may not visit a teacher in the classroom for purposes of solicitation without the principal’s consent.

PAYMENT PROCEDURES

This school board has the power, authority and duty to make orders directed to the superintendent of schools for the issuance of pay certificates for lawful purposes on any available funds of the district and to have full control of the receipt, distribution, allotment and disbursement of all funds provided for the support and operation of the schools of such school district whether such funds be derived from state appropriations, local ad valorem tax collections, or otherwise. The local school board shall be authorized and empowered to promulgate rules and regulations that specify the types of claims and set limits of the dollar amount for payment of claims by the superintendent of schools to be ratified by the board at the next regularly scheduled meeting after payment has been made. MS Code 37-7-301 (o) (2005)

A docket of claims of all bills may be presented to the Board at its regular monthly meeting for approval. Copies of all bills submitted for payment shall be available for Board review.

Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (fund #2440) are allotted and expended in compliance with Section 37-61-33, Mississippi Code of 1972, as amended, and State Board of Education policy.

Standard 7 is as follows:

7. The school district employs a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. (SB Policy GBBA)

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies  
DJC - Payroll Procedure  
DJE-E - Purchase Law Policies  
DJEA - Purchasing Authority  
DJEG - Purchase Orders and Contracts

NOTES AND BOND PAYMENTS

The principal of and interest upon all notes or bonds issued under the authority of Section 37-41-89 shall be paid out of such transportation funds of the school district as may be available for such purpose. It shall be the duty of the School Board to set aside each year out of such transportation funds a sufficient amount to pay the principal of and interest upon said notes or bonds as and when the same shall respectively mature and accrue. It shall be the duty of the Superintendent of Education or administrative Superintendent to
include in the school budget each year separate items showing the amount required for the payment of the principal of and interest upon all notes or bonds issued under the authority of said section.

NOTE: Please see School Bonds and Obligations, Section 37-59-1 et seq., MS Code of 1972, as amended.

LEGAL REF.: MS CODE as cited
CROSS REF.:   Policies DFD -- Bond Sales
             DFE -- Short Term Notes
             DFEA -- Tax Anticipation Notes

STUDENT ACTIVITIES FUNDS MANAGEMENT – CENTRALIZED STUDENT ACTIVITY FUND ACCOUNTING

Philosophy

The purpose of raising and expending activity money by student bodies is to promote the general welfare, education, and morale of all students and to finance the normal, legitimate extra-curricular activities of the student body organization. In keeping with the State Department of Education and State Department of Audit guidelines, Student Activity funds are to be divided into Agency Funds and General Funds. The following general principles and administration policies pertain to both types of funds.

General Principles

1. Student activity funds will be used to finance non-curricular school activities not provided for in the regular district school budget.

2. Projects for raising activity money shall contribute to the educational experiences of the students and shall not conflict with the normal instructional program.

3. Money derived from the student body as a whole should be expended to benefit the entire student body, (General Fund) not special groups (Agency Funds).

4. Student activity money should be expended in such a way as to benefit those students currently in school who have contributed to the accumulation of the money.

5. The management of student activity funds shall be in accordance with sound business practices including through audits.

6. As found in Section 37-7-301 of the Mississippi Code of 1972, the Board of Trustees of the school district shall have the power, authority, and responsibility to expend school activity general funds, provide for accurate bookkeeping methods, and maintain a thorough audit procedure.

7. The principal, as trustee, is responsible for replacement of student activity money improperly spent (both general and agency funds).

8. The School Board and central accounting office shall not be obligated for purchases made unless supported by a prior written purchase order signed by the Superintendent of Education.

9. Student Activity Agency Funds monies (i.e., Math Club, Beta Club, etc.) shall be maintained totally separate and apart from student Activity General Funds.
Management

1. Clearance of Money Collected:
   All collections of money for deposit in student activity general funds or agency funds must have prior approval from the principal.

2. Loans:
   Neither student activity general funds nor agency funds shall be used for any purpose which represents an accommodation, loan, or credit to school employees.

3. Budget:
   To facilitate proper accounting procedures, each school should propose an annual budget reflecting past experience and future plans and operate within its limits for student activity general funds.

4. Audits:
   As described in Section 37-7-301 of the Mississippi Code of 1972, the School Board shall provide for annual audits of activity funds.

5. Investments:
   Any surplus student activity funds shall be managed by the central office activity fund bookkeeper who shall pool all surplus activity funds from each school, make the investment, and disburse the interest earned proportionately back to the school’s activity accounts. It is the belief of the School Board that there should be a minimum of surplus money to be invested to insure that the student body who raised the funds receive the benefit of said funds.

6. Financial Statements:
   Regular monthly reports on the student activity general funds should be prepared and submitted to the schools, Superintendent, and School Board from the central office accounting department.

7. Protection of Funds:
   (a) Cash receipts must be deposited intact daily.
   (b) All bank deposit receipts shall be forwarded to the central office as deposits are made.

Expenditure of Activity Funds

1. Purchase orders shall be written for all activity general fund purchases in advance and submitted to the Superintendent’s Office for approval. Purchase orders must include vendor name, description of purchase, and amount.

2. After approval, the school’s copy of the purchase order is returned as an authorization of purchase.

3. After purchase is made, the school submits the invoice and copy of previously signed purchase order to central office for payment.

4. All activity general funds checks will be written by the central office activity fund bookkeeper. In most cases, checks will be forwarded directly to the payee.

5. The monthly bank statement will be received and reconciled by the central office activity fund bookkeeper and maintained at the central office.

6. The principal must exercise care and planning in anticipating activity general fund expenditures as the time interval between purchase order and check distribution may be a few days.
7. Expenditures which should be prohibited:
   (a) Supplies, forms and postage for student activity benefit are proper expenditures.
   (b) Repairs and maintenance of district-owned equipment, unless said equipment is used for student activity benefit.
   (c) Professional books and magazines, and memberships in professional organizations.
   (d) Custodian’s supplies and equipment.
   (e) Salaries for services which are the responsibility of the district.
   (f) Gifts, loans, or accommodation purchases for district employees.
   (g) Any other expenditure not provided for under Section 37-7-301 of the Mississippi Code of 1972.

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### STUDENT ACTIVITIES FUND MANAGEMENT – PROCEDURES

It is the desire and express intent of the school administration staff to comply with the state laws and inherent moral and public responsibility regarding purchasing, payment, and accounting for student activity and/or club funds.

Funds raised by PTAs are not public funds for which the school system is responsible.

The following is a group of policies and procedures to be employed in the utilization of any class, club, or activity fund:

**A. Petty cash purchases**

1. Principal/supervisor and club or activity sponsor’s approval before the fact is required.
   
2. An itemized cash ticket or a signed statement from the club sponsor shall be presented to the principal/supervisor for reimbursement from his/her Petty Cash Fund.

**B. Purchases for planned activities where supplies can be determined well in advance:**

A requisition should be prepared, itemizing the needed supplies and bearing the club sponsor’s and the principal’s/supervisor’s signatures.

**C. Purchases of supplies and goods for resale (these purchases shall be considered as one-source items):**

1. Club sponsor shall obtain prior approval from the principal/supervisor, and the Superintendent of Education must approve in writing the fund-raising activity prior to arrangement for the purchase of the supplies for resale.
   
2. No activity or fund-raising project shall employ any elementary student in door-to-door or off-campus solicitation.

3. A requisition for purchase of supplies for resale shall be prepared and processed. Target purchase order issuance time is 21 work days.
D. Cash collections:

Any cash collection from a student or for any club or activity will be receipted through the principal’s office daily, where in turn it will be receipted and deposited daily into the proper fund. Collections for any item which will be used in the regular classroom instruction (i.e., workbooks, SRA, etc.), will not be charged, nor will the funds be deposited into any activity fund.

E. Receiving of goods and services

When goods are received by a teacher, the following procedures should be followed:

1. Before signing the freight bill, check contents to assure that there is no damage which occurred in transit. Verify quantities received against the vendor’s packing list or delivery ticket. If there are any exceptions, write these on the face of the freight bill and have driver sign the bill on its face. Then sign as to receipt of the goods with exception noted. If contents are damaged beyond use, refuse shipment for return to vendor and notify the purchasing agent.
2. If goods are acceptable and purchase order is complete, sign receiving copy of order and attach freight bill copy and packing list and send to accounting office. If there is an exception as to condition, quantity over or short, or damage in transit, notate same on receiving copy of order before sending it to accounting office.
3. After receiving goods and sending receiving copy of purchase order to accounting, if goods are found to be defective or if there is any other exception, notify principal’s office.

F. Activity Transportation, Travel, Meals, and Lodging:

Transportation – School buses can be used for field trips where scheduling permits.

1. Any cost incurred shall be charged to the school’s activity or respective club account.
2. The central office shall invoice each club or activity for use of district-owned school buses.
3. The Superintendent of Education, at his/her discretion, may approve additional expenditures.

All sales in the schools must have prior approval from the superintendent as a fund raiser.

Each teacher will be receipted for money turned in to the office.

Once receipted, activity fund money will be handled by the principal and secretary only.

All money collected in the school will be deposited and vendors paid after an invoice is received. Payment in cash is strictly prohibited.

The amount of money that has been receipted without being deposited shall not exceed $100.00; however, all deposits shall be made in a timely manner even when the amount does not exceed the limit.

The activity account will not be used for cashing personal checks or as a petty cash fund.
In accordance with State Sales and Use Tax Laws, any item purchased for resale to students is taxable at the rate of seven (7) percent. The vendor is required to bill the individual school for this tax and pay the tax to the State Tax Commission. Sponsors of student activities involving purchase of items for resale to students must consider this charge and require the inclusion of this tax in any agreement with the vendor for such items.

CASH IN SCHOOL BUILDINGS

The principal is responsible for all funds collected and disbursed in the school. For this reason, no collection of funds or purchases of any kind may be made without the prior knowledge and written approval of the principal.

Any teacher who has collected money during the school day shall turn the money and the appropriate receipt book in to the office secretary at the close of the school day.

No principal shall leave money in a school overnight. Daily deposits are required.

SURPLUS FUNDS

Whenever this school district or levying authority, as defined in Section 37-57-1(1)(b), acting on behalf of a school district, shall have on hand any bond and interest funds, any funds derived from the sale of bonds, or any other funds in excess of the sums which will be required for payment of current obligations and expenses as they come due, and which are not needed or cannot by law be used for the payment of the current obligations or expenses of this school district, this School Board shall have the power and authority to invest such excess funds in any bonds or other direct obligations of the United States of America or the State of Mississippi, or of any county or municipality of this state, which such county or municipal bonds have been approved by a reputable bond attorney or have been validated by a decree of the chancery court; or in interest-bearing time certificates of deposit or interest-bearing accounts with any financial institution approved for the deposit of state funds; and such institution shall be eligible to hold school district funds to the extent that it is qualified as a depository for state funds. The rate of interest on such time certificates of deposit and interest-bearing accounts may be negotiated. The negotiated rate of interest shall be at the highest rate possible at the date of purchase or investment for such time certificates or deposit or interest-bearing accounts. In any event, the bonds or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for expenditure. When bonds or other obligations have been so purchased, the same may be sold or surrendered for redemption at any time, except certificates of deposit which must mature, by order or resolution of this School Board, and the president of the School Board, when authorized by such order or resolution, shall have the power and authority to execute all instruments and take such other action as may be necessary to effectuate the sale or redemption thereof.

All earnings from funds other than bond funds or bond sinking funds in excess of One Hundred Dollars ($100.00) in any fiscal year, invested according to the provisions of subsections (1) and (2) of this section shall be deposited in the district fund from which the investment was made. Earnings from such school district funds which are less than One Hundred Dollars ($100.00) in any fiscal year may be deposited in the school district maintenance fund, or in the district fund from which the investment was made, in the
discretion of this School Board. Earnings from funds invested out of bond funds or bond sinking funds, together with the principal thereof, shall be deposited in the fund from which the investment was made.

Nothing contained in this section shall be construed to prevent the payment of a portion of the earnings derived from the investment of bond proceeds or any other amounts in the bond fund or related reserve or sinking funds to the federal government to the extent required by the federal laws applicable to such bonds or the interest income thereon in order to maintain their tax exempt status. §37-59-43 (1993)
LEGAL REF.: MS CODE as cited
CROSS REF.: Policies DFD — Bond Sales
          DFL — Investment Earnings

SCHOOL PROPERTIES DISPOSAL PROCEDURE

EXCHANGE METHOD

Whenever the school board shall find and determine, by resolution duly and lawfully adopted and spread upon its minutes, (a) that it shall need other lands located within the school district for school purposes, (b) that the district owns lands of equal value to such needed lands which could be exchanged for such needed lands, (c) that the value of the two (2) tracts is equal according to qualified appraisals, and (d) that the owners of the other lands are agreeable to such exchange, the school board of such school district shall be authorized and empowered, in its discretion, to negotiate a trade of lands upon such terms and conditions as the school board may, in its discretion, deem proper in consideration of the needs of the district and of the benefits which will inure to the said school district.

Any such trade of lands shall be subject to approval by the chancery court of the county in which the school lands lie. Notice of the hearing before the chancery court shall be published in a newspaper of general circulation in the school district for three (3) consecutive weeks, the first notice to be at least thirty (30) days prior to the hearing, MS Code 37 7 431 (2000)

SALE - METHOD 1

When this school district shall own any land, buildings, or other property that is not used for school or related school purposes and not needed in the operation of the schools of the district, the school board of such school district may sell and convey such land, buildings or other property in the manner provided in Sections 37 7 453 through 37 7 457, MS Code 37 7 451 (1987)

SALE - METHOD 2

Whenever this school board shall find and determine, by resolution duly and lawfully adopted and spread upon its minutes:

(a) That any school building, land, property or other school facility is no longer needed for school or related purposes and is not to be used in the operation of the schools of the district, or that such school building, land, property or other school facility may yield a higher long-term economic value to the district, in the discretion of the local school board;

(b) That the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the school district; and
That the use of the school building, land, property or other school facility for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof, the school board of such school district shall be authorized and empowered, in its discretion, and upon the terms and conditions set forth in Section 37-7-477, to sell, convey, lease or otherwise dispose of same for any of the purposes set forth herein. Such sale, conveyance, lease or other disposition, including retention of partial interest, or undivided interest or other ownership interest, shall be made upon such terms and conditions and for such consideration, nominal or otherwise, as the school board may, in its discretion, deem proper in consideration of the benefits which will inure to the school district or the community in which the school building, property or other facility is located by the use thereof for the purpose for which it is to be sold, conveyed, leased or otherwise disposed of. The authority conferred by Sections 37-7-431 through 37-7-483 may be exercised by a school board in the sale, conveyance or lease of relocatable classrooms to the school board of another school district. Said sections without reference to another statute shall be deemed full and complete power for the exercise of the authority conferred hereby.

MS Code 37-7-471 (2005)

DISPOSAL OF PROPERTY FOR CERTAIN CIVIC, CHURCH, OR ECONOMIC USES

Upon being authorized by a resolution of the school board as is provided by Section 37-7-471, the president and secretary shall be authorized and empowered to execute, for and on behalf of the school district, a conveyance or lease of the property for the purposes, upon the terms and conditions, and for the consideration provided and specified by the school board, including retention of a partial interest, or undivided interest or other ownership interest in the property, in the discretion of the school board. It shall not be necessary or requisite that competitive bids be advertised for or received in connection with such sale, conveyance, leasing or other disposition of property. MS Code 37-7-473 (2005)

DEVELOPMENT OF SURPLUS SCHOOL PROPERTY (LAND)

For school board authorization and procedures related to development of surplus school property (land), please see MS Code Section 37-7-485. (2006)

SURPLUS TEXTBOOKS

Local school boards shall make available to the parents or legal guardians of any children of school age who reside in the school district administered by the school board, upon request, any textbooks on the state surplus inventory list. The parent or legal guardian is responsible for the return of the textbook(s) to the local school district upon completion of the textbook(s) use. Failure to return the textbook(s) to the school district will result in the parents or legal guardians being responsible for compensating the school district for the fair market value of the textbook(s). This subsection shall stand repealed from and after July 1, 2008. MS Code 37-43-1 (2006)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies ABB - Board Powers and Duties
DM -1 - Fixed Asset Accountability Plan
EBJ - School Property Development Act of 2005

DEPRECIATION OF FIXED ASSETS
Depreciation of assets will be handled in compliance with the law and AICPA requirements.

Standard 10 is as follows:

10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor's Office. {MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23}

10.1 The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37 17 6(16)}

10.2 The financial accounting data and the corresponding annual audit report as submitted to the Mississippi Department of Education reflect no less than a zero fund balance (as defined by generally accepted accounting principles) for all funds of the school district. {MS Code 37 61 19}

10.3 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, indicates that the auditor has issued an unqualified opinion (as defined by generally accepted auditing standards) on the general purpose financial statement of the school district. {MS Code 37 9 18, 37 37 1, and 37 61 23}

10.4 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy, validity, and timely reporting of all student data submitted to the MDE, including but not limited to the electronic transmission of student enrollment, attendance, transportation, absenteism, graduation, dropouts, and any other student data and administrative functions as deemed necessary. {MS Code 37 37 7(2)(b)(c)(d) and 37 37 13}

10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor's Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37 37 7(2)(e) and 37 37 13}

Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DIDA - Fixed Asset Accountability

\[CAPITALIZATION OF FIXED ASSETS\]

This school district shall maintain detailed subsidiary records documenting the valuation (cost or fair market value at the date of purchase or donation) of buildings and equipment under the General Fixed Assets Account Group for any item that costs over $1,000.00. Items under $1,000.00 shall not be capitalized. A financial accounting shall be made for all items over $500 by coding object 735 and items under $1,000.00 will be coded 740. Expenditures made for the renovation of buildings and major repairs to buildings that add square footage to the building shall also be capitalized.

Standard 10 is as follows:
10. The school district operates with a uniform system of accounts as specified in state law and as prescribed by the State Auditor’s Office. {MS Code 37 9 18, 37 37 1, 37 37 3, 37 17 6(16), 37 37 7, 37 37 13, 37 61 19 and 37 61 23}

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10.5 The most recent annual audit report of the school district, as conducted under the guidelines of the State Auditor’s Office, verifies the accuracy and timely reporting of all reports, other than student data, required for submission to the MDE in accordance with state law and/or State Board of Education policies. {MS Code 37 37 7(2)(e) and 37 37 13}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy DIDA - Fixed Asset Accountability
E - BUSINESS MANAGEMENT

BUILDING AND GROUNDS MANAGEMENT

The Board of Trustees of the Harrison County School District recognizes that the school plant serves as a vehicle in the implementation of the total educational program, providing the necessary facilities for delivering planned instructional programs and services within a safe, comfortable, physical environment.

The administrative staff is charged with keeping each school plant clean, attractive, and in good repair. Rooms and specialized areas are to be provided for scheduled activities. Appropriate furniture and storage areas are to be made available for the support of said instructional programs.

When adequate space, furniture, etc., are not available for implementation of the approved instructional and/or ancillary programs of the district, it shall be the responsibility of the Superintendent and his/her staff to report any deficiencies to the Board and to work cooperatively with the Board in remediating said deficiencies.

BUILDING AND GROUNDS MANAGEMENT/COMMUNITY USE OF SCHOOL FACILITIES/REGULATIONS/APPLICATIONS AND CHARGES

This School Board has the power, authority and duty to be the custodians of real and personal school property and to manage, control and care for same, both during the school term and during vacation. §37-7-301(c) (1993)

The School Board of this district recognizes that the school plant serves as a vehicle in the implementation of the total educational program, providing the necessary facilities for delivering planned instructional programs and services within a safe, comfortable, physical environment.

This School Board expects each school to be clean, safe and in good repair. Rooms and specialized areas shall be available and equipped to provide for scheduled instructional activities. Furniture and storage areas which support the educational program shall be provided.

When adequate space, furnishings, personnel, equipment, etc., are not available for implementation of the approved instructional and/or ancillary programs of the district, it shall be the responsibility of the Superintendent and his/her staff to report said deficiencies to the Board and to work cooperatively with the Board in remediating said deficiencies.

The buildings and grounds of Harrison County School District may be used by recognized community groups, provided such activities do not interfere with school use.

Detailed policies and procedures for community use of school facilities shall be developed by the Superintendent of Education and approved by the Board of Trustees. The use of facilities where a fee is required shall be approved by the Board of Trustees, upon recommendation of the Superintendent of Education. Appropriate charges shall be made for the community use. The superintendent shall have the
authority to approve use of school facilities prior to Board action under circumstances when the event is scheduled to take place before the next regular Board meeting.

The Board of Trustees of the Harrison County School District considers the school buildings and grounds as public property and desires to make them available for public use, but must, at the same time, protect the public’s investment against deterioration and damage through such use. In attempting to achieve these purposes, the following regulations and charges are approved:

I. Regulations

A. No school facility may be utilized by others when such would conflict with the normal schedule of school activities whether for day, night, weekend, or when such use would cause excessive custodial and janitorial overtime. The term “school facility” is interpreted to mean buildings or grounds.

B. School facilities are available to organizations or businesses at the discretion of the superintendent.

C. If animals will be involved in the proposed use, prior written approval of the Harrison County Health Officer must accompany the application for such use. No animals will be allowed on the playing field of any school.

D. The organization using school facilities shall assume full responsibility for any state or federal taxes on receipts and will assist the school in enforcing “NO SMOKING” and fire regulations.

E. The loan of chairs, bleacher seats, equipment, or other items easily damaged is disapproved. In exceptional community need, the administration will consider specific requests.

F. When kitchen facilities are needed, the Board of Trustees requires the presence of the cafeteria manager and such other helpers as needed to assure service will not be disrupted for pupils and personnel the following day.

G. Organizations using the school facilities will be expected to request of the school such services or arrangements as needed. Major alterations to stage equipment or movement of furniture cannot be accommodated. **CUSTODIAL AND JANITORIAL SERVICES CANNOT BE PROVIDED DURING REGULAR SCHOOL HOURS.** The custodian of the building or his/her representative will be responsible for opening the building, providing the heat, lights and other services, and shall close the building.

H. It will be the responsibility of the organization and/or individual using the school facility to be aware of and carry out plans for evacuation of the facility in emergency situations.

I. Adequate police and/or security personnel, service personnel, and parking supervision, as determined by the district, will be required, the cost of which is to be paid directly to the individuals by the organization renting the facility.

J. Other rules are as follows:

1. School facilities may not be used for the promotion of subversive activities.
2. School facilities may not be used to promote games of chance such as bingo, raffle sales, or lottery tickets.

3. School facilities may not be used to promote or to sell commercial products.

4. School facilities may not be used to promote sale of alcoholic beverages or tobacco. **NO USE OF TOBACCO PRODUCTS WILL BE ALLOWED AT ANY TIME ON SCHOOL PROPERTY.**

5. The use of school facilities by non-school connected organizations must never interfere with the regular school program. Programs must be sponsored by a non-profit community organization.

6. All meetings involving school children must be chaperoned by adults and the principal of said school, or a person designated by the principal must be on duty.

7. If activities involve all adults, it will be the discretion of the principal of the building being used as to the use of law enforcement officers for supervision of all areas.

8. Damage of property will be the responsibility of the organization, group, or individuals using said facilities.

9. School libraries will be used primarily for instructional purposes.

10. Permission to use a school campus during non-school hours must be obtained through the principal responsible for the property to be used with the approval of the superintendent’s office. Use of a school campus during school hours by people other than employees and students of that school engaged in the regular school program is prohibited.

11. No activity may be conducted later than 10:00 o’clock p.m.

12. All activities should be supervised by sponsoring agency and principal or his/her designee.

13. The Board has authority to cancel any activity due to availability of gas or weather conditions.

14. A deposit of the estimated cost must be paid in advance at the superintendent’s office.

15. The Board of Trustees shall have full discretion in granting use of the district’s facilities and shall have the right to deny the request of any group, organization, or individual which the Board, in its discretion, feels is not in the best interest of the district. The Board of Trustees, in its discretion, may also waive all or any part of this policy.

16. All public notices, tickets, etc., given by sponsoring organization shall include a statement that the activity is not school related.
17. The Board of Trustees has approved a schedule of fees to be charged for use of school facilities.
18. A fee of ONE HUNDRED DOLLARS ($100.00), in addition to the regular cost of operation fees, shall be assessed and charged to and collected from any entity, persons, or group of persons using school facilities for fund raising purposes.
19. The appropriate form must be completed by principal of building at which use of facilities is being requested.

II. Application

A. Application for use of school facilities shall be made directly to the principal’s office. If approval of school usage requires the superintendent’s approval, then the principal will forward request to central office.

B. The requesting organization and the principal will be notified by the superintendent’s office of approval or disapproval of the request.

PUBLIC CONDUCT POLICY

This School Board, pursuant to state law, is the custodian of all real property of the school district and has the authority, power and duty to manage, control and care for same, both during the school term and during vacations and also has the authority, power and duty to prescribe and enforce rules and regulations for the use of school buildings and grounds for the holding of public meetings and gatherings of people. §37-7-301 (c) 1993

Parents, guardians, custodians and other individuals while attending any school-sponsored activity, visiting any school or school grounds shall conform to the rules and regulations of the school district or be removed from the premises. School district officials are hereby authorized to bring any and all charges deemed appropriate against such individuals for the following misconduct.

1. Willful disobedience and/or disrespect to a teacher, principal, Superintendent, member or employee of the local School Board.
2. Using unchaste or profane language.
3. Immoral or vicious practices.
4. Conduct or habits injurious to his/her associates.
5. Possessing, using, transmitting, or being under the influence of any narcotic drugs, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant of any kind.
6. Disturbing the school and habitually violating the rules.
7. Cutting, defacing, or injuring any part of the public school buildings or public school bus.
8. Writing profane or obscene language or drawing obscene pictures in or on any school material or on any public school premises, or any fence, pole, sidewalk, or building.

9. Carrying firearms, knives, or other implements which can be used as weapons except by duly authorized law enforcement officials.

10. Throwing missiles on the school grounds.

11. Instigating or participating in fights.

12. Committing any other offense which tends to interfere with the educational process.

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<tr>
<th>NON-RELATED SCHOOL CONDUCT</th>
<th>EBAA</th>
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<td>A principal or designee may discipline a student for dangerous or violent acts or the sale of controlled substances if such acts are committed away from the school or school related activities by recommending assignment of said student to the alternative school, if there is a showing that the non-school related conduct of the student has a direct and negative effect upon the learning environment of the school and/or constitutes a threat to the safety of the student or others. Any student, parent or guardian aggrieved by the decision of the principal or principal’s designee shall be entitled to due process pursuant to the District’s existing policy on short/long term suspensions.</td>
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<tr>
<th>TOBACCO USE ON EDUCATIONAL PROPERTY – SMOKE FREE BUILDINGS</th>
<th>EBAB</th>
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<tr>
<td>Consistent with the provisions of Public Law 103-227, 20 USC 6083, the Harrison County Board of Education (Board of Trustees) bans the use of all tobacco products in all school buildings in the district and on all school vehicles by all persons at all times.</td>
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This ban extends to all employees, students, and patrons attending school-sponsored athletic events and meetings. The ban extends to school-owned or operated vehicles and facilities. The Board issues this ban in a sincere appeal to all employees, students and patrons to cooperate in helping to create within our facilities a truly healthy environment for all concerned.

Consistent with state law, the Harrison County School District prohibits use of any tobacco product on any educational property as defined in the Mississippi Adult Tobacco Use on Educational Property Act of 2000.

1. “Adult” means any natural person at least eighteen (18) years old.

2. “Minor” means any natural person under the age of eighteen (18) years.


4. “Tobacco product” means any substance that contains tobacco including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco or smokeless tobacco.
5. “Educational property” means any public school building or bus, public school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any local school board, school, or directors for the administration of any public educational institution or during a school-related activity; provided, however, that the term “educational property” shall not include any sixteenth section school land or lieu land on which is not located a public school building, public school campus, public school recreational area or public school athletic field. Educational property shall not include property owned or operated by the state institutions of higher learning, the public community and junior colleges, or vocational-technical complexes where only adult students are in attendance.

No person shall use any tobacco product on any educational property as defined in this act. Any adult who violates this section shall be subject to a fine and shall be liable as follows: (a) for a first conviction, a warning; (b) for a second conviction, a fine of seventy-five dollars ($75.00); and (c) for all subsequent convictions, a fine not to exceed one hundred fifty dollars ($150.00) shall be imposed.

Any adult found in violation of this section shall be issued a citation by a law enforcement officer, which citation shall include notice of the date, time and location for hearing before the justice court having jurisdiction where the violation is alleged to have occurred. For the purposes of this section, “subsequent convictions” are for violations committed on any educational property within the State of Mississippi.

Anyone convicted under this act shall be recorded as being fined for a civil violation of the act and not for violating a criminal statute.

It is the responsibility of all law enforcement officers and law enforcement agencies of this state to ensure that the provisions of this act are enforced.

This act shall take effect and be in force from and after July 1, 2000.

LEGAL REF.: MS CODE Sections 97-32-25, 97-32-27, 97-32-29
US Code as cited
Also see Policy EB

SAFETY/SECURITY – SCHOOL SAFETY ACT – BUILDING SAFETY  EBB

This school district shall meet requirements established under the Mississippi School Safety Act of 2001, which provides for the establishment of a School Safety Center by the Department of Education; a Safety Grant Program, available to eligible public school districts; and a School Crisis Management Program under the State Department of Education.

The School Board of this district, with the assistance of the State Department of Education School Safety Center, shall adopt a comprehensive local school district school safety plan and shall update the plan on an annual basis. (Section 37-3-83 (2), MS Code of 1972, amended)

The school district may annually apply for school safety grant funds subject to appropriations by the Legislature. In order to be eligible for such program, the School Board, if it desires to participate, shall apply to the State Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department and shall be required to establish a local School Safety Task Force to involve members of the community in the school safety effort.
This school district may use audio-visual-monitoring equipment in classrooms, hallways, buildings, grounds and buses for the purpose of monitoring school disciplinary problems. (Section 37-3-83 (6), MS Code of 1972, amended)

In order to access the services of a response team established under the School Crisis Management Program under the State Department of Education, a request must be made by the school principal or the Superintendent, who shall make the request to the State Department of Education or its contact designee. A response team shall enter a school to work with students and faculty for a period of no more than three (3) days, unless otherwise requested by the school district. The request made by the school district to access the services of a response team following a school safety incident may seek a review of the school district’s safety plan, and the results of this evaluation may be published by the School Board in a newspaper with wide circulation in the district.

The Superintendent or school principals may request and utilize the services of quick response teams provided under the School Safety Law; however school officials are not required to request the services of quick response teams.

Ref.: Sections 37-3-81, 37-3-83, 37-11-54, MS Code of 1972, amended

The objective of the Harrison County School District is to conduct all operations safely and efficiently. The District shall provide a safe and healthful workplace, free of recognized hazards which might endanger the health or safety of you and your fellow workers. A vast majority of accidents and injuries occur not because of unsafe conditions but because of unsafe acts. Be ever mindful of safety. An accident or injury not only inflicts pain and perhaps loss of wages upon an injured employee, but also cause downtime and a loss of service.

Management is responsible and accountable for a high level of safety performance and supports work practices which reflect the safest and most efficient methods available for completing required tasks.

Safety awareness and promotion is the responsibility of all Harrison County School District employees.

SAFETY SHALL BE FIRST.

The Harrison County Board of Education recognizes that the possession of pistols, firearms or other weapons on school premises or at school functions by persons other than duly authorized law enforcement official creates an unreasonable and unwarranted risk of injury or death to district employees, students, visitors and guests and further creates an unreasonable and unwarranted risk of damages to properties of district employees, students, visitors and guests. Because of such dangers, the Board hereby prohibits the possession of pistols, firearms or weapons in any form by any person other than duly authorized law enforcement officials on school premises or at school functions, regardless of whether any such person possesses a valid permit to carry such pistols, firearms or weapons.

Staff and students will be instructed to use protective safety devices during dangerous situations.

All laboratories where chemical experiments are conducted will have on hand a fully-charged, recently-inspected fire extinguisher strategically located.

All chemicals will be clearly labeled to indicate contents and possible hazards.
Carcinogens, potentially dangerous radioactive material, or pathogenic organisms are handled and/or maintained only with approval of the local health department.

The School Board directs the principal of each school to have a qualified fire safety inspector or another designated individual inspect the school plant annually. The School Board directs the principal of each school to have a safety inspector or another designated individual inspect the school facilities monthly.

Written records of the inspection and plans for correcting identified problems within specified time lines will be maintained.

Also see JGFA, JGFC, JGFG, JCDG.

STUDENT SAFETY

This School Board is aware of its duty to provide due care to its students and not expose them to any serious hazards to safety exceeding those which normally attend school operations.

Therefore, the School Board provides the following specific guidelines to be followed by its employees and directs the Superintendent of Education to insure that all reasonable steps are taken to protect its students.

The specific guidelines include but are not limited to the following:

EMERGENCY DRILLS/SCHOOL BUILDINGS & GROUNDS

The school principal shall have a current disaster plan and conduct regular safety drills.

Fully charged and recently inspected fire extinguishers of the appropriate type shall be accessible every 75 feet and also located in the cafeteria, hallways, heater/boiler room, science labs and shops.

The school principal shall develop contingency plans for the operation of his/her school. These policies and procedures for dealing with routine and emergency situations, ill or injured students or staff shall be posted in a well-known, readily accessible location in the school.

The school principal shall develop a weekly schedule of inspection to ensure that the building and grounds are safe, clean and orderly and promptly notify appropriate school personnel of any dangerous condition of the Board's property.

Any activity taking place in the school building or on the school grounds shall be adequately supervised.

Also see Policy JGFA.

TRAFFIC/PARKING/TRANSPORTATION OF STUDENTS

The private vehicles of students shall remain parked and locked while at school and until the end of the student's school day. The private vehicle of a student shall not be used by the student or by another student to run errands, transport students to school-sponsored activities, field trips or for any other purpose other than the personal transportation of the student to and from school and for doctors' appointments and bona fide emergencies approved in advance by parent/guardian and principal. The parent reassumes control over the student at the time the student leaves the school premises.
Students who are to be players, participants, or performers in school-sponsored activities shall be transported to all such activities in school district owned or leased vehicles. However, upon receipt by the principal of a written parent-guardian request, students may travel to school-sponsored activities as a guest, in the private vehicles of teachers, parents, competent chaperons and administrators. Students shall not be allowed to travel in their private vehicles, with or without other students, to said school-sponsored activities.

Students, as members of clubs, teams, groups, etc. who are to be players, participants, or performers are expected and shall travel to and from school-sponsored activities as a group.

All school buses shall meet minimum specifications approved by the State Board of Education and shall be well maintained.

Each bus driver shall have a valid bus driver's certificate and shall operate the bus according to all specified safety procedures to ensure optimal safety of passengers.

Each school bus shall be systematically inspected for maintenance problems on a quarterly basis.

Also see EBBE.

SCHOOL-SPONSORED CLUBS/EXTRACURRICULAR ACTIVITIES

For any school-sponsored activity for which there is a reasonable risk of injury or death to the student, each participant shall be required to furnish to the sponsor the required form(s) signed by parent/guardian, prior to being allowed to participate. Said form(s) shall include a notice to parent/guardian of risk of injury or death, waiver of liability in the event of injury or death and acceptance by parent/guardian of responsibility for health care due to injury or death.

This school district shall not sponsor directly or indirectly summer activities for children commonly referred to as camps, competitions, foreign and domestic travel. Such activities shall not be organized, promoted or funds solicited/collected at the school or away from the school in the name of the school. Attendance shall not be required by school personnel. Transportation to such events shall not be provided by the school district.

Attendance and participation in such activities by children and/or adults who may also be students and/or employees of this school district shall be strictly voluntary and at the sole cost and expense of said child/adult. Participants shall in no way imply that their participation is in any way sponsored by this school district.

Each coach/sponsor shall develop contingency plans for his/her sport/activity to be followed in the event of injury to a participant.

This School Board considers drill teams, pep squads and cheerleading to be a club activity and not a sport; therefore, students shall not perform gymnastics as part of a club's routines.

All practices and rehearsals for any school-sponsored activity shall take place in a school or on the school grounds under the supervision of school personnel. There shall be no practices or rehearsals for school-sponsored activities in private homes or public businesses.

The school district shall furnish and each sponsor/director shall require the use at each practice, performance or event, each and every kind of safety equipment, device, mat, pad, net and like kind of implement
generally recognized by the sport or activity as being necessary to provide adequate security and protection to the participants.

There shall be no school-sponsored performance or competition by school students in places where alcoholic beverages are being served.

The school Superintendent shall make personnel assignments for those school-sponsored activities for which there is a reasonable risk of injury or death only to those district employees specifically trained to properly instruct and supervise such activities. It shall be the duty of the Director of Personnel to review the credentials of prospective sponsors/directors to determine an individual's fitness for such an assignment.

No school principal shall offer or promote any activity not appropriate to the age and maturity of the student.

Student club members/athletes who have competed through school-sponsored activities for state or national honors and who are eligible and elect to attend a final event which takes place after the regular school term shall, should such a trip be approved by the principal, be accompanied by the appropriate competent adult to such an event which shall also be considered a school-sponsored activity.

Sponsors/directors of clubs and extracurricular activities shall not allow student participants or chaperons to smoke or otherwise use tobacco products while involved in such activities.

SUPERVISION OF STUDENTS K-12

The school principal shall provide for adequate supervision of students while in the school building or on the school grounds, before, during and after school. Students shall not be permitted to arrive more than 30 minutes prior to the beginning of the school day and are expected to leave school promptly at the end of the school day unless staying in or participating in a school-sponsored and supervised activity.

Classroom teachers, club sponsors and sponsors/directors of extracurricular activities, including sports, shall never leave those in their charge unsupervised and unattended whether at school, away from school, during school hours or after school hours. This includes field trips, club trips and sports events.

All supervision of school students shall be conducted by a competent adult regular staff member except where competent adult chaperons have been selected and assigned by the school principal. The school principal shall determine the fitness of a chaperon to supervise.

A chaperon shall not be allowed to supervise any school-sponsored activity wherein there lies a reasonable risk of injury or death to the student (some sports, labs, shops, etc.).

The Director of Transportation shall provide for adequate supervision of students using the pupil transportation system in compliance with all laws, rules and regulations of the State Board of Education which govern pupil transportation.

STUDENT MEDICAL CARE

School district employees shall not render medical care to students except for first aid. Parents/guardians shall be notified immediately by school authorities should a student become ill or injured at school or school-sponsored activity so parent/guardian may reassert control over the student. In the event of serious illness or injury and parent/guardian cannot be contacted, school authorities shall seek immediate professional medical care. Such care shall be at the expense of parent/guardian.
STUDENT MEDICATION

Medication shall be provided or administered to a student by school personnel ONLY with the written request and consent of the student’s parent/custodian/legal guardian under policy JGCD.

RELEASE OF STUDENTS

No student shall be suspended from school or school-sponsored activity prior to scheduled release time without first notifying parent/guardian.

No student shall be released to the custody of an individual other than parent/guardian unless written notice from parent/guardian is received by school authorities. Said written notice shall identify by name the person to whom student is to be released.

No student shall be allowed to withdraw from school or school-sponsored activity prior to scheduled release time unless written request from parent/guardian has been received by the school in advance.

Students shall not be allowed to leave and return to school or to a school-sponsored activity to run personal errands, purchase supplies, parts or food.

No student shall be released at the conclusion of any out-of-town school-sponsored activity to return home via alternate means without prior approval by school authorities of a written request from parent/guardian.

No student shall be abandoned by a sponsor/director/chaperon at the completion of a school-sponsored activity to wait for a ride or to walk home.

WORKPLACE THREATS AND VIOLENCE

Nothing is more important to the Harrison County School District than the safety and security of its employees. Threats, threatening behavior or acts of violence against employees, visitors, guests or other individuals by anyone on Harrison County School property will not be tolerated. Violations of this policy will lead to disciplinary action, which may include dismissal, arrest and prosecution.

Employees are responsible for reporting threats or violence regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If the principal or supervisor is not available, personnel should report the threat to the next in charge or the assistant superintendent.

All personnel who apply for or obtain a protective or restraining order which lists the Harrison County School District property as being protected areas must provide to the principal a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted and a copy of any protective or restraining order which is made permanent.

The Harrison County School District understands the sensitivity of the information requested and has developed confidentially procedures, which recognize and respect the privacy of the reporting employee.
Standards 35, 36 and 37 are as follows:

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37 41 53} (SB Policies ED 3, JGG 1, and IDDE)

35.1 All buses are inspected on a quarterly basis and are well maintained and clean.

35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in service training per semester.

35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.

35.4 Emergency bus evacuation drills are conducted at least two times each year.

36. The school district provides facilities that meet the following criteria: {MS Code 37 7 301(c)(d)(j); 37 11 5, 49; and 45 11 101}

36.1 The school district provides facilities that are clean.

36.2 The school district provides facilities that are safe.

36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.

36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37 17 6(2)}

37. The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37 3 81 and 37 3 83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)

37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - Asbestos Policy
EBBB – Workplace Threats and Violence
EBBC – Emergency Drills
EBBD – Emergency Closings
EBBE – Traffic and Parking Controls
EBC – Security of Buildings and Grounds
GAEA - Staff Safety
JGCD - Student Health Services -- Medicines
JGCD-R - Administration of Prescription Medicine
JGF - Student Safety
JGFB - Off-Campus Student Educational Activity
JGFG - Accidents / First Aid
All parents, students, and employees of the Harrison County School District. This is to inform you that all school buildings owned by the Harrison County School District have been inspected for asbestos. A Management Plan has been developed and sent to the Mississippi Department of Education for their approval.

A copy of the results of the inspection, along with a copy of the Management Plan, can be found in the office of the principal of each of the schools and the office of the county Superintendent of Education, located at 11072 Hwy. 49, Gulfport, MS. Any interested party should feel free to go to any of these sites to read these reports.

This school board considers safety of students and staff to be one of its most important obligations. The superintendent shall be responsible for developing rules and regulations for emergency preparedness in the event an alert is issued by the national Department of Homeland Security.

HOMELAND SECURITY ADVISORY SYSTEM

Our nation has created the Department of Homeland Security, which has three primary missions:

- Prevent terrorist attacks within the United States;
- Reduce America’s vulnerability to terrorism; and
- Minimize the damage from potential attacks and natural disasters.

A critical function of homeland security is to ensure that our state and local governments, police, fire departments, paramedics, and concerned citizens are able to connect with local people representing the department. The Department of Homeland Security has established assessment guidelines for five (5) levels of threat to our nation. From time to time, the Director of Homeland Security may issue or change a national threat level alert. The five levels of threat alert are:

1. Low Condition (Green). This condition is declared when there is a low risk of terrorist attack. Federal departments and agencies should consider the following general measures in addition to the agency-specific protective measures they develop and implement:

   A. Refining and exercising as appropriate preplanned protective measures;
   B. Ensuring personnel receive proper training on the Homeland Security Advisory System and specific preplanned department or agency protective measures; and
   C. Institutionalizing a process to assure that all facilities and regulated sectors are regularly assessed for vulnerabilities to terrorist attacks, and all reasonable measures are taken to mitigate these vulnerabilities.

2. Guarded Condition (Blue). This condition is declared when there is a general risk of terrorist attack. In addition to the protective measures taken in the previous threat condition, federal departments
and agencies should consider the following general measures in addition to the agency-specific protective measures they develop and implement:

A. Checking communications with designated emergency response or command locations;
B. Reviewing and updating emergency response procedures; and
C. Providing the public with any information that would strengthen its ability to act appropriately.

3. Elevated Condition (Yellow). An Elevated Condition is declared when there is a significant risk of terrorist attack. In addition to the protective measures taken in the previous threat conditions, federal departments and agencies should consider the following general measures in addition to the agency-specific protective measures they develop and implement:

A. Increasing surveillance of critical locations;
B. Coordinating emergency plans as appropriate with nearby jurisdictions;
C. Assessing whether the precise characteristics of the threat require the further refinement of preplanned protective measures; and
D. Implementing, as appropriate, contingency and emergency plans.

4. High Condition (Orange). A High Condition is declared when there is a high risk of terrorist attack. In addition to the protective measures taken in the previous threat conditions, federal departments and agencies should consider the following general measures in addition to the agency-specific protective measures they develop and implement:

A. Coordinating necessary security efforts with federal, state, and local law enforcement agencies or any National Guard or other appropriate armed forces organization;
B. Taking additional precautions at public events and possibly considering alternative venues or even cancellation;
C. Preparing to execute contingency procedures, such as moving to an alternative site or dispersing their workforce; and
D. Restricting threatened facility access to essential personnel only.

5. Severe Condition (Red). A reflects a severe risk of terrorist attack. Under most circumstances, the protective measures for a Severe Condition are not intended to be sustained for substantial periods of time. In addition to the protective measures taken in the previous threat conditions, federal departments and agencies should consider the following general measures in addition to the agency-specific protective measures they develop and implement:

A. Increasing of redirecting personnel to address the critical emergency needs;
B. Assigning emergency response personnel and pre-positioning and mobilizing specially trained teams or resources;
C. Monitoring, redirecting, or constraining transportation systems; and
D. Closing public and government facilities.

SEVERE CONDITION (RED ALERT) PLAN

Depending on the circumstances and the nature of the attack, the first and most important decision school administrators need to make is whether to stay or get away. School district personnel should understand and plan for both possibilities. Decisions should be made using common sense and available information to determine if there is immediate danger.
In any emergency, local authorities may or may not be able to provide information immediately on what is happening and what should be done; however, radio and television news reports should be monitored for information or official instructions as they become available. The superintendent shall prepare administrative procedures as to monitoring methods (e.g., use of television, radio, or Internet access), responsibilities (staff assignments), and circumstances (High Condition and/or Severe Condition alerts).

When specifically advised by local authorities, the schools will be evacuated or medical treatment will be sought for all persons on school property.

In the event the Department of Homeland Security issues a Severe Condition alert, this school district will follow the directives of local civil defense authorities. If immediate evacuation and closure of school buildings is required, appropriate transportation will be provided to established “safe areas” and parents will be notified via radio and/or television announcements. The schools in this district will remain closed until considered safe to reopen.

If directives are received that the school/s will activate “lock down” procedures, staff and students will not be allowed to leave the premises and no persons will be allowed to enter without proper identification. All staff and students will be moved to secure areas of the school buildings where appropriate safety procedures will be implemented. Emergency supply kits will be maintained in each designated secure area. The district will also maintain food and water provisions to supply all staff and students for at least three (3) days. Communications will be maintained with local authorities so that parents can be made aware that their children are being protected.

NOTE: Emergency planning resources are available online at: www.ed.gov/emergencyplan/

Standard 37 is as follows:

37. The district complies with the following requirements for Safe and Healthy Schools:

   37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37 3 81 and 37 3 83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)

   37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies EBBA - School Safety Plan
           EBBC-R - Emergency Management / Disaster Plans

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<th>EMERGENCY DRILLS</th>
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It shall be the duty of the principals and teachers in each building of this school district to instruct the pupils in the methods of fire drills and to practice fire drills until all the pupils in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such pupils well drilled. It shall be the further duty of such principals and teachers to instruct the pupils in all programs of emergency management as may be designated by the state department of education. MS Code 37-11-5 (1980)
This superintendent shall be responsible for ensuring that each school has a current crisis management plan that includes procedures for bomb threat, fire, earthquake, hurricane, tornado, and shootings. The superintendent shall also ensure that the principal and staff at each school conduct regular safety drills in event of an emergency situation related to weapons, weather, or major loss of power.

It shall also be the duty of all principals and teachers to instruct the Students in all programs of civil defense as may be designated by the State Department of Education. §37-11-5

All drills shall comply with Mississippi Code as to the designated number required.

**EMERGENCY MANAGEMENT/DISASTER PLANS**

Each school shall have an emergency management disaster plan on file in the principal's office. A warning system and appropriate procedure shall be known and provided to all personnel in the respective schools. Periodic practice drills shall be held at which time all pupils and personnel shall act in accordance with specific directions as set forth in that school plan. All such plans shall be on file at the central administration office.

Schools shall be dismissed only by the Superintendent's office. Each school principal shall use his/her judgment in putting the appropriate disaster plan into effect. The Superintendent's office shall provide all possible information and subsequent directions to the school principal. Principals should refer to adopted policies and procedures on natural and nuclear disasters. Each principal shall acquire and maintain a battery operated radio for his/her office.

The emergency management plan shall include, but not be limited to, fire, tornado, hurricane, nuclear attacks, flood and hazardous waste spills.

Each school has a current disaster plan and conducts regular safety drills (fire * tornado).

Each school in the District presently has a weather radio. §37-11-6 (1996)

Standards 35 and 37 are as follows:

35.    The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37-41-53} (SB Policies ED-3, JGG-1, and IDDE)

35.1    All buses are inspected on a quarterly basis and are well-maintained and clean.

35.2    Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in-service training per semester.

35.3    Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.

35.4    Emergency bus evacuation drills are conducted at least two times each year.

37.    The district complies with the following requirements for Safe and Healthy Schools:

37.1    Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37-3-81 and 37-3-83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

It shall also be the duty of all principals and teachers to instruct the Students in all programs of civil defense as may be designated by the State Department of Education. §37-11-5

Also see Policy JGFA.

### EMERGENCY CLOSINGS

The Superintendent of Education is hereby authorized and may close any school because of an epidemic prevailing in the school district or because of the death, resignation, sickness or dismissal of a teacher or teachers or because of any other emergency necessitating the closing of the school. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year. §37-13-65 (1987)

It is understood that the Superintendent will take such action only after consultation with transportation and weather authorities. Parents, students and staff members shall be informed early in each school year how they shall be notified in the event of emergency closings or early dismissals.

**Extreme Weather Conditions:**

This area is noted for severe unpredictable weather conditions. If a severe weather warning, such as a tornado warning, is issued by the United States Weather Bureau, local civil defense officials notify the Superintendent of Education and each principal. Children will be retained in tornado drill until it is deemed safe to dismiss them, unless they are picked up by their parents. Pupils will not be allowed to use the telephone during severe weather warnings except in cases of emergency. Parents and their children should have an arrangement worked out in advance with regard to transportation during extreme weather conditions.

### EMERGENCY CLOSINGS

In the event of bad weather (snow, tornado warnings, etc.) parents, students, and teachers should listen to one of the local radio/television stations for communication from the Superintendent of Education' office as to whether classes will be held or schools closed.

Messages will be relayed on these stations as early as possible, in most cases around 6:00 A.M. and periodically thereafter.

Standards 36 and 37 are as follows:

36. The school district provides facilities that meet the following criteria: \{MS Code 37 7
301(c)(d)(j); 37 11 5, 49; and 45 11 101\}

36.1 The school district provides facilities that are clean.
36.2 The school district provides facilities that are safe.
36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
36.4 The school district provides air conditioning in all classrooms in each school. \{MS Code 37 17 6(2)\}
37. The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. (MS Code 37 3 81 and 37 3 83(2)) (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)

37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE, 37-13-65

TRAFFIC AND PARKING CONTROLS EBBE

The Board shall work with law enforcement officials and other appropriate agencies in an effort to provide the best possible safety coverage for students leaving and entering school grounds.

This safety coverage will include the use of safety patrols when approved by the police department at crosswalks and the marking of school speed zone areas as provided by law.

The Superintendent shall develop rules and regulations relative to parking and traffic controls on all school property under control of the Board.

SECURITY OF BUILDINGS AND GROUNDS EBC

The Superintendent is directed to establish rules and regulations as may be needed for security to include, but not be limited to:

1. provisions for door locks
2. minimizing fire hazards
3. reducing the possibility of faulty equipment
4. keeping records and funds in a safe place
5. protection against vandalism and burglary
6. the prosecution of vandals
7. school visitors

This School Board is authorized and empowered, in its discretion, and subject to the approval of the Federal Communications Commission, to install and operate a non-commercial radio broadcasting and transmission station for educational and vocational educational purposes. §37-7-321 (1987)

Each building principal shall be responsible for organizing and implementing a properly planned security program for his/her building and grounds. In addition, each teacher shall be assisted by the building principal in developing an emergency operations plan for dealing with intrusions into the building or classroom or on the grounds that will provide for the quickest possible alerting of the office personnel.

All school personnel should be instructed to help the administration see that all visitors are identified and asked to report directly to the office. All personnel employed by the district whose duties require that they go from one school to another shall be properly identified.
All individual schools and all classroom doors properly equipped with release bars that open to the outside should be kept locked in a manner in which they can easily be opened from the inside in case of an emergency.

All entrances to school buildings should have signs directing all visitors to report directly to the office and pointing the way toward the office.

Building principals shall properly inform all personnel in their buildings of security precautions to be taken to provide the safest and best environment for students and employees and shall update information in a timely manner as changes are made.

All school personnel shall be familiar with policy requirements under Policy JGFA and other applicable policies in regard to handling critical situations requiring emergency action by school personnel and shall adhere to the policy as required.

A staff member who becomes aware of a situation that may later result in potentially dangerous problems at the school shall be responsible for alerting the school administration to the situation immediately.

SECURITY PERSONNEL

The school board, in its discretion, may employ one or more persons as security personnel and may designate such persons as peace officers in or on any property operated for school purposes by such board upon their taking such oath and making such bond as required of a constable of the county in which the school is situated. MS Code 37-7-321 (1) (2000) The peace officers, when duly appointed by the Board, are vested with the powers and duties of a constable for the purpose of preventing all violations of law on school property within the district and preserving decorum thereon

BASIC LAW ENFORCEMENT TRAINING

Any person employed by a school board by a security guard or school resource officer or in any other position that has the powers of a peace officer must receive a minimum level of basic law enforcement training, as jointly determined and prescribed by the Board on Law Enforcement Officer Standards and Training and the State Board of Education, within two (2) years of the person's initial employment in such position. Upon the failure of any person employed in such position to receive the required training within the designated time, the person may not exercise the powers of a peace officer in or on the property of the school district. MS Code 37-7-321 (2) (2000)

NONCOMMERCIAL RADIO

The school board is authorized and empowered, in its discretion, and subject to the approval of the Federal Communications Commission, to install and operate a noncommercial radio broadcasting and transmission station for educational and vocational educational purposes. MS Code 37 7 321 (3) (2000)

INTERLOCAL AGREEMENT

If a law enforcement officer is duly appointed to be a peace officer by a school district under this section, the local school board may enter into an interlocal agreement with other law enforcement entities for the provision of equipment or traffic control duties, however, the duty to enforce traffic regulations and to enforce the laws of the state or municipality off of school property lies with the local police or sheriff's
department which cannot withhold its services solely because of the lack of such an agreement. MS Code 37 7 321 (4) (2006)

LAW ENFORCEMENT OFFICERS HIRED BY SCHOOL DISTRICT

The governing authorities of any municipality or the board of supervisors of any county may allow off-duty municipal or county law enforcement officers who are hired individually for security purposes by the school district or districts within that municipal or county to use municipal or county law enforcement uniforms and equipment during such off-duty employment. MS Code 21 19 49 (3) (2000)

Standard 37 is as follows:

37. The district complies with the following requirements for Safe and Healthy Schools:
   37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. [MS Code 37 3 81 and 37 3 83(2)] (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
   37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies EB - Building and Grounds Management
           EBCA - Vandalism Protection
           ECBA - Vandalism

VANDALISM PROTECTION

If any pupil shall willfully destroy, cut, deface, damage, or injure any school building, equipment or other school property, he/she shall be liable to suspension or expulsion and his/her parents or person or persons in loco parentis shall be liable for all damages. §37-11-19 (1954)

This School Board has the power, authority and duty to suspend or to expel a pupil for misconduct in the school, upon school buses, on the road to and from school, during recess or upon the school playgrounds, and to delegate such authority to the appropriate officials of the school district. §37-7-301 (e) (1993)

Citizens, students and law enforcement are urged by this School Board to cooperate in reporting any incidents of vandalism in property belonging to the district and the name(s) of the person or persons believed to be responsible. Each employee of this district shall report to the principal of the school every incident of vandalism known to him/her, and, if known, the names of those responsible.

School officials are hereby authorized to sign complaints and to make charges against perpetrators of vandalism against school property, and are further authorized to delegate, as they see fit, authority to sign such complaints and to press charges.

1. A copy of the school district's discipline plan shall be distributed to each student enrolled in the district and the parents, guardian or custodian of such student shall sign a statement verifying that they have been given notice of the discipline policies of their respective school district. The School Board shall have its official discipline plan legally audited on an annual basis to insure that its
policies and procedures are currently in compliance with applicable statutes, case law and state and federal constitutional provisions.

2. All discipline plans of school districts shall include, but not be limited to, the following:

   a. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible financially for his/her minor child's destructive acts against school property or persons;

   b. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district may be requested to appear at school by an appropriate school official for a conference regarding acts of the child specified in paragraph (a) of this subsection, or for any other discipline conference regarding the acts of the child;

   c. Any parent, guardian or custodian of a compulsory-school-age child enrolled in a school district who refuses or willfully fails to attend such discipline conference specified in paragraph (b) of this section may be summoned by proper notification by the Superintendent of Education and be required to attend such discipline conference; and

   d. A parent, guardian or custodian of a compulsory-school-age child enrolled in a public school district shall be responsible for any criminal fines brought against such student for unlawful activity as defined in Section 3711-29 occurring on school grounds.

3. Any parent, guardian or custodian of a compulsory-school-age child who (a) fails to attend a discipline conference to which such parent, guardian or custodian has been summoned under the provisions of this section, or (b) refuses or willfully fails to perform any other duties imposed upon him/her under the provisions of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed Two Hundred and Fifty Dollars ($250.00).

4. Any public school district shall be entitled to recover damages in an amount not to exceed Twenty Thousand Dollars ($20,000.00), plus necessary court costs, from the parents of any minor under the age of eighteen (18) years and over the age of six (6), who maliciously and willfully damages or destroys property belonging to such school district. However, this section shall not apply to parents whose control of such child has been removed by court or decree. The action authorized in this section shall be in addition to all other actions which the school district is to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents, for damages to which such minor or other person would otherwise be liable.

PUBLIC SCHOOL GROUNDS MAINTENANCE

ROUTINE PUBLIC SCHOOL GROUNDS MAINTENANCE POLICY

1. The Board of Supervisors of any county is authorized and empowered, in its discretion, to grade, gravel or shell, repair, and/or maintain private gravel or shell roads or driveways to private residences if such roads or driveways are used for school bus turnarounds.

2. Prior to engaging in the work authorized in subsection (1) of this section, the Board of Supervisors shall spread upon the official minutes of the Board:
a) The written request of the School Board for such work;
b) The written approval of the Board of Supervisors for such work;
c) The specific location of the road or driveway to be worked; and
d) The name of the owner of the road or driveway to be worked.

3. The written request of the School Board, as required in subsection (2)(a) above, shall contain a current list of all active school bus turnarounds presently in use by the school district or contemplated for use by the school district for the present school year. The approval by the Board of Supervisors shall be valid and effective for the period of time that a turnaround is anticipated for use, but in no event for a period greater than one (1) year.

4. In addition to the authority granted in subsection (1) of this section, from and after October 1, 1989, the Board of Supervisors of any county is further authorized, in its discretion, to maintain public school grounds of the county and to grade, gravel, shell or overlay, and/or to maintain gravel, shell asphalt or concrete roads, driveways or parking lots of public schools of the county if, before engaging in such work, the Board of Supervisors shall spread upon its official minutes the written request of the School Board for such work, the written approval of the Board of Supervisors for such work and the specific location of the school grounds or road, driveway or parking lot, to be worked.

5. In addition to any other authority granted in this section, the Board of Supervisors of any county is hereby authorized, in its discretion, to repair and maintain driveways and parking lots of: (a) any nonprofit organization in the county which is tax exempt under Section 501(c) of the United States Internal Revenue Code and which has as one (1) of its primary purposes for organization to aid and assist in the rehabilitation of persons suffering from drug abuse or drug addiction; and (b) any private, nonprofit cemeteries in the county. The Board of Supervisors of any county shall not be authorized under the provisions of this subsection to repair or maintain driveways or parking lots more than one hundred fifty (150) feet from the center of any highway, road or street under the jurisdiction of the county. §19-3-42 (1990)

Standard 36 is as follows:

36. The school district provides facilities that meet the following criteria: {MS Code 37 7 301(c)(d)(j); 37 11 5, 49; and 45 11 101}

36.1 The school district provides facilities that are clean.
36.2 The school district provides facilities that are safe.
36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37 17 6(2)}

Also see Policy EDAF – School Bus Turnaround/Public School Grounds Maintenance

Mississippi Public School Accountability Standards (2007).

LEASING AND RENTING

EBH

Upon being authorized by a resolution of the Board as is provided by section 37-7-471, the president and secretary shall be authorized and empowered to execute, for and on behalf of the school district, a conveyance or lease of the property for the purposes, upon the terms and conditions, and for the consideration provided and specified by the Board. It shall not be necessary or requisite that competitive bids be advertised for or received in connection with such sale, conveyance, leasing or other disposition of property.

E - 22
I. Purpose

To establish reasonable regulations for the short-term use of certain school facilities for school related activities and by the community and to authorize the Superintendent or his/her designee to approve the use of certain school facilities only under the terms and conditions stated herein.

II. Important Notice To Prospective Facility Users, Including School-Related Users

A public liability insurance policy which insures this school district against loss due to bodily injury or property damage in the amount of $1,000,000.00 respectively shall be in effect during the full term of use of any facility. There shall be no exception other than most school related or governmental uses.

Coverage shall be evidenced by a valid written Certificate of Insurance from an insurance company licensed to do business in Mississippi by the State Insurance Commissioner which named the School Board of the Harrison County School District as insured or additionally insured during the term of use of the facility. Said certificate must state policy limits, types of coverage, date(s) of coverage and signature(s). No set-up, rehearsal or event shall commence unless and until the Superintendent or his/her designee received proof of coverage, even if rental fees have been paid.

Securing the required insurance coverage shall be the responsibility of the individual renting the facility at his/her sole cost and expense.

Individuals, businesses, governments, agencies and organizations having public liability coverage should contact their agent regarding this requirement prior to completing this application. Others should see a reputable agency to secure coverage prior to completing their application.

School related uses of facilities in which the school related class, club or organization uses the services of an individual, group or business in a joint business relationship shall meet this insurance requirement before the activity may take place.

III. General

1. School facilities are not available for purposes which may be suitably accommodated through the use of non-school facilities.

2. School facilities are not available for the promotion of games of chance.

3. School facilities are not available if the requested use would in any way conflict with or displace a school class, school activity, school event, or in any way disrupt the educational process.

4. Except for certain uses allowed by law the Superintendent or his/her designee shall have the authority to deny any request for short-term use of any school facility by any individual, group or organization if, in his/her opinion, such use would not be the best interest of the school district.
5. Any individual, group or organization receiving approval to use certain school facilities shall not exclude from such facility any person for the reasons of race, color, creed, national origin, age, sex, religion, or handicap.

6. School facility users are responsible for compliance with all regulations and laws which apply to public school building use.

7. School facility users shall not allow smoking and shall not serve food and/or drink except in those areas that may be designated by the school administrator having responsibility for a facility.

8. School facility users are responsible for any damage or theft to the facility and/or equipment due to user’s occupancy regardless of cost. The Superintendent may require a refundable cash deposit to be used in case of damage or theft.

9. School facility users shall not permit disruptive behavior or the use, possession or distribution of any pornographic material, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage or intoxicant of any kind on school property. The use of prescription drugs by the person for whom it was prescribed is permitted.

10. School facility users shall have participants enter and leave a facility by the most direct route.

11. All functions shall terminate by 12:00 midnight.

12. Any facility use granted shall not be assigned to another person, group, or organization by the grantee.

13. Any short-term use shall not exceed three (3) consecutive days or portions of three (3) consecutive days.

14. Each written request for use shall be made on the School Board Approved Application form.

IV. Making Application

1. Interested parties shall make application with the school principal or school administrator responsible for the facility they desire to use.

2. If the principal or administrator can grant such request without any detriment to the school district’s program he/she shall approve said application and forward same to the Superintendent with the total sum of all applicable fees and insurance documents attached thereto.

3. Applications must be received by the Superintendent no later than three (3) calendar days prior to the use date(s) requested or such request shall be denied.

V. Supervision Required

Unless otherwise noted, the use of any facility shall be supervised at the user’s expense during such use by at least one (1) employee of the school district. This may be the principal, the administrator having responsibility for the facility, and/or one or more employee designees. Additional supervision is required to the extent necessary to protect the interest of the school district.
VI. Rental Charges

The rental charge is fifty dollars ($50.00) per four-hour period. The School Board reserves the right to increase the rental charges because of special circumstances. The School Board reserves the right to charge a rental fee for Classes A, B, C, D, under special circumstances.

VII. Insurance

The rental charge does not provide the user with any liability or property damage insurance. It is the user’s responsibility for securing any insurance he/she may deem appropriate.

VIII. Use Classification

1. Class “A” – School Related Use (No rental charge or liability insurance required – under special circumstances a fee may be charged.)

   A. The following may use certain school facilities without charge and without application when approved in advance by the school principal or school administrator having responsibility for a facility and supervised by the school principal or administrator having responsibility for the facility or his/her designee who is an employee of the school district.

      a. Classroom teachers and coaches for classroom and athletic related activities.
      
      b. Student public performances.
      
      c. A school’s PTA unit for its meetings and activities.
      
      d. A school board approved booster club(s) for their meetings and activities.
      
      e. A school board approved student club(s) and organizations for their meetings and activities with the sponsor.
      
      f. Volunteer programs such as parent centers, mentorship, etc.
      
      g. In-service workshops and other staff development opportunities offered by or in cooperation with the school district for its employees.

   B. School clubs and organizations using school facilities for raising funds which will be considered private funds shall reimburse the District its cost for the utilities consumed in the use of the school facility. (See paragraph II above.)

   C. School related use does not include any use which would result in material gain for any employee or student.

2. Class “B” – Governmental Use (No rental charge or liability insurance required – under special circumstances a fee may be charged.)

   A. Department or agencies of local, county, state, or federal government and tax supported education institutions may apply, as indicated below, for the use of certain school
facilities without charge for public hearings or for the dissemination of non-political information to the public.

B. Voting precincts for local, state, and national elections.

C. The Recreation Department may apply as indicated below for the use of certain school facilities without charge for its programs and/or events.
   a. Each use shall be under the continuous supervision of the department director or his/her designee who is an employee of the Recreation Department.
   b. The department director shall attach to the application the schedule of activities to take place within the facility. The schedule shall identify the person supervising the activity.
   c. The department shall keep the facility clean and neat at all times.

D. The director of Civil Defense may file contingency plans with the Superintendent for the use of certain school facilities and/or transportation services without charge in the event of a declared emergency or natural disaster.
   a. Such plans shall include provisions for continuous supervision of any facility used and shall insure the proper use of any school equipment required.

3. Class “C” – Public Service (No rental charge or liability insurance required – under special circumstances a fee may be charged.)

Non-profit, non-political groups, clubs, organizations, or individuals without paid staff, unrelated to school use, whose activities are philanthropic and/or would be considered by community standards as being worthwhile to the community as a whole may apply as indicated below for the use of certain school facilities. Public service users may charge admission and/or sell or offer for sale merchandise provided the proceeds therefrom are used solely for philanthropic purposes. Public service use is included, but is not limited to civic club fundraisers, charity, private citizens meeting with governmental officials, Chamber of Commerce meetings, etc.

4. Class “D” – Youth Associations (No rental fee and liability insurance required – under special circumstances a fee may be charged.)

Non-profit organized youth groups may utilize gyms/athletic fields providing that adult officers:
   a. Are responsible for supervision of students at all times.
   b. Provide adequate police for security if needed.
   c. Clean-up of the facility, including outside area of the gymnasium, immediately after use.
   d. Pay for any damages to property and/or equipment.
   e. Periodically check with the principal to help with any problems that may arise.
f. Abide by all general rules in this agreement.

5. Class “E” – Commercial Use (Rental fee and liability insurance required.)

Groups, clubs, organizations with one or more paid staff or groups, clubs, or organizations whose members stand to profit materially as individuals, due to their membership, self-employed persons, and non-profit or for profit businesses who will not charge admission or solicit funds or sell or offer for sale merchandise or make any other authorized use of a facility which due to such use would result in financial gain to the user may apply as indicated below for the use of certain school facilities. Class “E” commercial use includes but is not limited to piano recitals, church related meetings, beauty pageants, and adult athletic teams, gospel sings, etc.

6. Class “F” Commercial Use (Rental fee and liability insurance required.)

Groups, clubs, organizations with one or more paid staff or groups, clubs, or organizations whose members stand to profit materially as individuals, due to their membership, self-employed persons, and non-profit or for profit businesses who intend to charge admission and/or solicit funds and/or sell or offer for sale merchandise or make any other authorized use of a facility which due to such use will result in financial gain to the user(s) may apply as indicated below for the use of certain facilities. Class “F” commercial use includes but is not limited to church related meetings and promotional entertainment.

IX. Special Requirements For Stadium Rental

1. The actual cost of supplies and labor shall be charged a user requesting field preparation.

2. Additional supervision shall include adequate off-duty policemen for security and traffic control at the expense of the user.

3. Should a rental follow an activity occurring the previous night, clean up costs shall be at the expense of the next day’s user.

4. Outside stadium clean up shall begin no later than 8:00 a.m. the morning following an activity. Workers shall be selected by the Athletic Director or his/her designee and paid directly by the user of the facility.

5. Use of the District’s concessions, sound reinforcement, or other equipment shall be only by personnel approved by the Director of Athletics or his/her designee.

6. Alterations to facilities are prohibited unless approved in advance by the Athletic Director and supervised by the Director of Maintenance. The costs of alterations and/or supervision shall be at the expense of the user.

7. Temporary field painting and/or decorations in addition to those provided by the District shall be approved in advance by the Athletic Director.

8. No animals shall be allowed on the field.

9. Except for the District’s maintenance vehicles the following only are allowed on the playing field when approved in advance by the Athletic Director.
a. Emergency vehicles.
b. Vehicles carrying homecoming royalty and for similar uses.

The Athletic Director may suspend all traffic in the event of a wet track. At no time are vehicles allowed on the playing field when the field is wet.

10. The use of the field house dressing room or other school facilities by visiting athletic teams is subject to the following conditions:

a. Any “shrinkage” in the district’s equipment and supply inventory shall be charged to the user.

b. Any clean up shall be at the expense of the user.

X. Special Requirements For Dining Room Use

1. Kitchen and equipment are available for use only under the supervision of authorized cafeteria personnel.

2. Meal preparation and dining room service by cafeteria personnel are not available to non-school-related users if such use would place the school district in competition with commercial establishments.

3. Should a user intend to serve any food or drinks in a dining room, cafeteria personnel shall be on duty at the user’s expense during serving time and afterward for clean up.

4. Health Department regulations require that all garbage shall be removed from the cafeteria premises by the user immediately after clean up.

5. The opening and closing of the facility shall be performed by cafeteria personnel only. No keys will be issued.

6. No ornaments, signs, decorations, etc., shall be hung from ceilings or placed on walls unless approved in advance by the Food Service Director.

7. The renter shall be charged for paper and janitorial supplies used.

LONG-RANGE MAINTENANCE OF BUILDINGS OR GROUNDS

This school district shall prepare a strategic educational plan in accordance with state requirements.

The Superintendent shall be the custodian of real and personal school property and manage, control and care for same, both during the school term and during vacation. §37-7-301(c) (1993)

The grounds shall be adequately maintained for the educational and recreational program of the students and the overall requirements for providing such grounds shall be continually reviewed.

Also see EDAF.
The District administration shall ensure that proper records are kept on all textbooks, materials, supplies and equipment owned by the District.

This shall include all equipment purchased with federal funds.

Records shall include: the issuance of such items to the various schools, issuance within each school to individual teachers, and teachers’ records of issuance to students.

Schools, staff members and students shall be held responsible for items that have been issued for their use.

This section shall be referred to as the "School Property Development Act of 2005." It is the intent of the Legislature that this section shall provide school boards with an alternative optional method of disposal of surplus school property that may generate greater returns to the district than a public disposal sale, or to promote or stimulate economic development within the school district or to promote, stabilize or enhance property and tax values within the school district.

The school board of any school district shall be authorized and empowered, in its discretion, to sell, convey or exchange a partial interest, undivided interest or any other interest in real property (other than sixteenth section public school trust land), in whole or in part, for a nonoperational interest in any proposed development of the property, including ownership of shares of a domestic corporation or a membership interest in a limited liability company or a limited partnership interest, any of which is organized for the operation of any project, development or activity that, in the discretion of the school board, will have the potential for fostering economic development activities, increasing property values, increasing student development or enhancing public safety. The school board may contract with any other governmental entity, university or community college, corporation, person or other legal entity for the development, design, construction, financing, ownership or operation of any project, development or activity and may issue notes, leases, bonds or other written obligations to finance such activities. The school board may pledge any revenues or taxes it is to receive from such sale, conveyance or exchange, including any shares of a corporation or membership interest in a limited liability company or limited partnership interest under this subsection or under Sections 37 7 471 through 37 7 483, to secure the repayment of any notes, leases (excluding leases of sixteenth section public school trust land), bonds or other written obligations of the district issued under any provision of state law. Any such pledge of revenues or other monies shall be valid and binding from the date the pledge is made; such revenues or other monies so pledged and thereafter received by the school district shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the school district irrespective of whether such parties have notice thereof. Neither the resolutions, contracts or any other instrument by which a pledge is created need be recorded. Any debt secured in whole or in part by a pledge of such revenues or other monies shall not be subject to or included in any debt limitation imposed on the issuance of such debt. This subsection (2) shall not be construed to apply to sixteenth section public school trust land. MS Code 37 7 485 (2) (2006)
LEGAL REQUIREMENTS

For specific legal requirements of the "School Property Development Act of 2005," please refer to the following sections of the MS Code: 37-471 through 37-7-487; 37-7-301(tt); 37-7-301(uu); 37-7-301(vv); and 27-65-105.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy ABB- Board Powers and Duties

FACULTY MAIL BOXES

Faculty mail boxes are intended to be used for the distribution of school mail only. Prior to the distribution of any mail by any organization, approval must be secured from the principal.

EQUIPMENT AND SUPPLIES – MANAGEMENT – PROTECTION OF SCHOOL PROPERTY

It is the duty of each school employee and student to safeguard school property. Care should be taken by teachers to see that windows and doors are properly secured at the close of the school day. Students in each class should be instructed in regard to the proper use and care of textbooks, supplies and equipment, and other school property. No piece of school equipment shall be used by a student until after he/she has been properly instructed in its use and in safety precautions.

EQUIPMENT AND SUPPLIES MANAGEMENT

Definition of School Equipment:

For the purposes of this section, equipment is defined as those instructional materials, tools, and movable furniture which have a normal life of more than one year and which are not used up in instruction or the operation of the schools. Materials which have a life of less than one year and are consumed in instruction and operation are termed "supplies."

Requisition of Equipment:

Equipment must be requisitioned on special forms supplied by the office of the superintendent.

Ownership of Equipment:

All equipment purchased automatically becomes the property of the Board of Education. Property may be transferred from a building only after consultation with the divisional principal.
Borrowed Equipment:

The board shall assume no responsibility for any equipment which is borrowed by sponsors, coaches, or teachers in the conduct of their daily work or for any special project or use in the schools or for any equipment owned by teachers left in the buildings during the summer months or during the year. Such responsibility rests definitely upon the teacher and the principal involved.

Transferred Equipment and Property:

Furniture or equipment should not be moved from one building to another without permission of the divisional principal.

In general, the principal to whom a piece of equipment has been allocated is responsible for the proper release of such responsibility. Unless the records indicate otherwise, equipment will be charged against the division to which it has been allocated. Principals should realize that articles purchased by the board are for the use of children wherever need exists. Therefore, it will be the duty of the principal to report to the superintendent any articles not in use in his school.

Summer Storage of Equipment:

Special care must be taken to store motion picture projectors, radios, typewriters, record players, transcription machines, and similar equipment during the summer months. Lock storage for these items of equipment should be provided. All equipment shall be stored in a secure area.

Care of Equipment:

Every precaution should be taken to maintain equipment at its full efficiency. Teachers and principals encourage proper attitudes toward equipment and instructional supplies furnished by the school district. Only qualified people may use such equipment as motion picture projectors, audiometers, and other items of equipment which require school operation.

Loss or Damage of Equipment:

Parents or legal guardians of minor children are responsible for all loss or damage of equipment caused by such students. Principals are authorized to make a reasonable charge for any damage to school equipment because of the negligence or carelessness of the individual student. In-kind service may be accepted in lieu of actual repair cost. Cost of repairs to the building may be obtained from the divisional principal. When money is received, a receipt should be given and such money transmitted to the central office.

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If any student shall willfully destroy, cut, deface, damage or injure any school building, equipment or other school property, he/she shall be subject to suspension or expulsion and his/her parents, legal guardians or custodians shall be liable for all damages.
I. LIABILITY FOR DAMAGES

The District may institute legal proceedings against and recover damages provided by law from parents of minor students who maliciously and willfully damage or destroy school property. The discipline plan of each school shall contain a statement of parental responsibilities in this regard as required by Policy JD.

II. REPORTING VANDALISM

Citizens, students and law enforcement are urged by the Board to cooperate in reporting any incidents of vandalism in District property and the name(s) of the person(s) believed to be responsible.

All district employees shall notify the principal of the school when they have knowledge that an act of vandalism has or may have occurred.

The principal shall notify the Superintendent or his designee of all reports of vandalism.

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property. He is further authorized to delegate authority to perform these functions.

CROSS REF.: Policies JD — Discipline Plan
JCBE — Unlawful or Violent Acts

SCHOOL EQUIPMENT AND PROPERTY – OPERATION AND AUTHORIZED USE

1. The Harrison County School District owns a variety of vehicles for transporting both passengers and/or cargo. It also owns some special-purpose motorized equipment, such as tractors, riding grass cutters, and forklifts. This policy relates to the operation of these vehicles to prevent abuse, unlawful operation, accidents, and unauthorized uses. This policy is applicable to all employees of the School District who operate district vehicles, and any violation will subject the employee to disciplinary measures.

A. General – School-owned highway vehicles will be driven only by employees possessing a commercial driver’s license for the type/class vehicle they are operating. School buses which are being operated for the transportation of students will be driven only by employees who are currently certified and licensed by the State of Mississippi.

B. It is the responsibility of the operator to become thoroughly familiar with the special-purpose motorized equipment before using it. Requests for assistance in the proper operation of such equipment should be made to the employee’s immediate supervisor.

C. Vehicle/Equipment Abuse – No employee shall abuse or damage any vehicle or equipment by negligent operation or failure to perform routine driver maintenance checks and services.

D. Unlawful Operation – All school-owned vehicles must be operated in accordance with all state, county, and municipal laws. An employee who receives a traffic citation while operating a school-owned vehicle may be subject to disciplinary action by the school system, in addition to
the fine or punishment which may result from the traffic citation. Any citation received for any traffic violation must be reported by the employee to his/her immediate supervisor (this includes traffic citations for both school-owned and private vehicles).

E. Unauthorized Use – School-owned vehicles will be operated solely for school business or approved school-related activities. Employees will not operate school-owned vehicles for personal use.

F. Accidents – Employees will operate all school-owned vehicles in a manner designed to avoid hazards. An employee who is at fault in a traffic accident will be subject to disciplinary action by the school system. Accidents will be properly reported in conformity with both state and local requirements.

2. Disciplinary action may be taken against an employee according to the severity of the infraction and may include the following consequences:

A. Counseling
B. Letter of reprimand/warning
C. Suspension from work without pay
D. Suspension from driving school-owned vehicles
E. Termination of employment
F. Restitution for damages

STUDENT TRANSPORTATION MANAGEMENT – BUS DRIVERS

The State Board of Education shall prescribe keeping and preservation of all records and the making of all reports and the description thereof as the Board may deem necessary for the efficient operation of the school transportation system of the state.

All contracts for the purchase of school transportation equipment and the employment of drivers therefor shall be subject to the approval of the State Board of Education. (37-41-87)

Police may stop a publicly-owned school bus to ascertain whether its use is authorized by law.

It shall be a misdemeanor for any person to use a publicly-owned school bus for any purpose other than one in connection with the school, and upon conviction thereof, such person shall be fined not less than fifty dollars ($50.00). When any publicly-owned school bus is being operated on the public roads or highways at a time other than the usual and customary time for the transportation of children to and from the public schools, members of the highway safety patrol, sheriffs, constables, and other peace officers shall have the power and authority to stop such bus for the purpose of ascertaining whether the trip then being made is authorized by law. If it is found that such trip is unauthorized, such highway patrolman, sheriff, constable, or other peace or police officer shall immediately report the same to the Board and to the State Department of Education.

The State Board of Education is authorized, empowered, and directed to promulgate rules and regulations for:
1. Setting standards for school bus routes;

2. Approving or disapproving plans for school routes;

3. Setting standards for school buses;

4. Setting standards for school bus drivers;

5. Formulating procedure for selecting school bus drivers;

6. Formulating courses of training for school bus drivers and mechanics, and assist in administering and financing such courses;

7. Providing operation procedures for school buses to insure safety of pupils;

8. Furnishing consultative supervision for the operation of county school bus garages, and approving plans for such garages and the proposed expenditure of transportation funds therefor;

9. Formulating specifications for use in purchasing school buses, equipment, and supplies; getting bids on school buses, equipment, and supplies; and fixing prices which counties or districts may not exceed in purchasing buses, equipment, and supplies for said buses;

10. Providing a system of records and reports for the purpose of carrying out the provisions of section 37-41-1 to 37-41-51, and providing the county Superintendent and the Superintendent of the municipal separate school districts with added territory with a sufficient supply of report forms;

11. Conduct upon said buses; and

12. The method by which and the circumstances in which any individual who is not a student scheduled to be a passenger upon that particular bus, a member of the public school administration or faculty or a law enforcement official may obtain entry upon said buses.

All rules and regulations adopted and promulgated by the State Board of Education shall be furnished to the County Board of Education not less than thirty (30) days prior to the effective date of such rules and regulations.

It is unlawful for any individual, other than a student scheduled to be a passenger upon a particular bus, a member of the public school administration or faculty, or a law enforcement official, to directly or indirectly interfere in any way with passenger ingress and egress or the operation, including unauthorized boarding thereof, of a bus used in public school student transportation unless permission has been obtained as prescribed by pertinent rules and regulations promulgated by the State Board of Education or this school authority.

**VEHICLE OPERATOR’S LICENSE – COMMERCIAL DRIVER’S LICENSE REQUIREMENTS**

Each bus driver employed by the Harrison County School District must have a commercial driver’s license as of April 1992, as required by State Law. After one year of initial employment, all commercial driver’s license expenses will be reimbursed and all renewals thereafter as long as the driver is employed by the Harrison County School District.
The employee has the responsibility to possess a valid operator’s license before operating a school-owned vehicle. It is also an employee’s responsibility to notify his/her immediate supervisor upon return to work after his/her vehicle operator’s license is expired, revoked, suspended, or voided for any reason. It is further a responsibility of the employee to report any charge or conviction (including D.U.I.) which might result in classification as a high-risk driver. Each employee must sign a statement to the effect that he/she understands that operating a school-owned vehicle while his/her license is expired, revoked, suspended, or voided could result in severe disciplinary action, including termination.

The vehicle operator’s license of each employee who operates school-owned vehicles will be verified annually by the transportation department of the district.

A record of these annual verifications will be maintained by the Director of Transportation.

**BUS DRIVERS**

Regulations and requirements governing bus drivers of the Harrison County School District are published in the *Bus Driver Handbook* as official statements of Board policy.

**DUTIES**

1. All drivers shall be responsible for the safety of each child who rides his/her bus.
2. Each driver shall be responsible for keeping his bus clean at all times. All buses will be swept at least once per day.
3. Each driver shall keep such transportation records and reports as may be required.
4. Each driver shall observe and obey all local and state school bus transportation laws.
5. Each driver shall be in charge of his/her bus and shall report in writing all misconduct on the parts of students to the principal of the school which the student attends.
6. Each driver shall cooperate with the transportation supervisor in reporting defective equipment, needed repairs, flat tires, and other irregularities.
7. All accidents are to be reported to transportation supervisor immediately after the accident and also in writing.
8. Each driver shall operate his/her bus in such a manner as to maintain his/her schedule, assure safety of pupils on the bus, and protect the bus from abuse.
9. The driver shall not use the bus for his/her own personal transportation or convenience at any time. It is a violation of state law for a driver to use a district owned bus for his/her own personal transportation.
10. Each trip other than on the regular school route shall be made on written instructions from the Superintendent as provided in the rules and regulations of the State Board of Education governing the use and operation of school buses owned by school districts for the purpose of transporting children to and from school programs as authorized by House Bill No. 6 of the Laws of Mississippi, Extraordinary Session of 1953, and such trips shall not be made unless the driver has in his/her possession on the bus the written instructions from the Superintendent for the specific trip being
made. The Superintendent shall authorize no extra trips except those specifically approved by the Board and recorded in the official minutes of the Board.

11. No child will be charged a fee to ride a bus on a school sponsored field trip.

12. The driver shall park the bus at night and on weekends at a place designated by the transportation supervisor. If their designated place is at the driver’s home, he/she shall be responsible for its safekeeping while it is parked there.

13. The driver shall permit no one except the state approved substitute driver to drive his/her bus.

14. No bus driver shall change his/her bus route or bus stops unless approved by the transportation supervisor or principal.

15. The driver shall not permit any person to ride the bus at any time who is not officially enrolled in the county public schools unless prior approval has been obtained from the School Board.

16. Each driver shall attend all transportation safety meetings upon request of the transportation supervisor.

17. All district safety meetings shall be called two weeks in advance. Anyone not present should submit a written request to be absent to the transportation supervisor. The supervisors will be solely responsible for excusing drivers.

18. The driver shall be required to faithfully perform his/her duties as driver as provided in these rules and regulations and the regulations of the State Board of Education.

19. Reverse gear is not to be used on any campus. Reverse gear is to be used in other incidents only when a flagman is present.

SUBSTITUTE BUS DRIVERS

Substitute bus drivers shall possess the same qualifications as the regular driver and shall be governed by the same rules, regulations and laws as the regular driver. All substitute drivers will be paid by the county office.

This School Board is authorized and empowered to purchase, own and operate, under such rules and regulations as may be prescribed by the State Board of Education, motor vehicles and other equipment for the transportation of children to and from the public schools of the respective counties and school districts, and to provide for the servicing, repair, care and maintenance of such county or district-owned motor vehicles and to employ drivers for the operation thereof, and to establish, erect and equip school bus shops or garages, and purchase land therefore, all under such rules and regulations as may be prescribed by the State Board of Education. §37-41-81 (1987)

This School Board is authorized and empowered to expend the necessary amounts from the available transportation funds of the school district for the purchase of such transportation equipment, the servicing, repair and maintenance thereof and for the payment of the salaries of persons employed to drive or operate such transportation equipment, and to establish, erect and equip school bus shops or garages, and purchase land therefor. §37-41-83 (1987)

This School Board shall not purchase any school bus or pupil transportation service vehicles as authorized by Section 37-41-81 except in the manner prescribed in Section 37-41-101. No school bus shall be
purchased or otherwise acquired which does not conform to the specifications provided by the State Board of Education. §37-41-85 (1987)

This School Board, with the approval of the State Board of Education, may borrow money for the purchase of school transportation equipment or to establish, erect and equip school bus shops or garages, and purchase land therefor, and issue the negotiable notes or bonds of the school district as evidence of the indebtedness so incurred. §37-41-89 (1987)

The Superintendent shall operate and manage the student transportation program of this school district according to the Pupil Transportation Guide for Superintendents.

Standard 35 is as follows:

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37-41-53} (SB Policies ED-3, JGG-1, and IDDE)
   35.1 All buses are inspected on a quarterly basis and are well-maintained and clean.
   35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in-service training per semester.
   35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
   35.4 Emergency bus evacuation drills are conducted at least two times each year.

*Mississippi Public School Accountability Standards 2007*

Also see EDC.

### STUDENT TRANSPORTATION

#### NO CHILD LEFT BEHIND

School transportation services will be provided for students to and from school and for [transporting students to and from curricular and extracurricular activities sponsored by the district] [transporting from one school or facility to another] [school-sponsored field trips that are extensions of classroom learning experiences]. Transportation will be provided for homeless students to and from the student's school of origin as required by the No Child Left Behind Act of 2001 (NCLBA). "School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled. These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

The school district shall be in compliance with one of the student transportation options presented below:

Elementary students who live more than one mile from school will be transported. Secondary students who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with board policy and administrative regulations.
Students living within specified attendance boundaries shall receive transportation services to their respective schools. In addition, students, including those receiving special education, may be eligible for transportation for health or safety reasons.

Miles from school will be determined by the [transportation supervisor] in accordance with applicable state law, Department of Transportation regulation and district policy.

TITLE I FUNDS

Transportation will be provided to a student of a school receiving Title I funds to attend a district school out of the student's attendance area because his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the district to provide for transportation will terminate at the end of the school year if the school from which the student transferred is no longer in school improvement.

In the event all other district schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring or there is no other district school to which the student may transfer, the district shall, to the extent practicable, establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided for in accordance with the agreement.

If there are no district schools to which students can transfer because: (1) all schools at a grade level are in school improvement; (2) there is only one school in the district; or (3) the rural or isolated nature of the school district prevents choice, the district must notify the parents that the student's school has been identified for school improvement but that no choices are currently available. Note: Interdistrict transportation under NCLBA does not appear to be a district responsibility. Districts should consult with their attorney.

COOPERATIVE AGREEMENTS

The district may also provide transportation using federal funds or through cooperative agreements with local victims assistance units for a student to attend a safe district school out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous. Note: Federal funds means funds available through Title IV, Part A, and Title V, Part A.

Transportation provided will, to the extent possible, be to a school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement. Note: If there is not another school in the district to which students can transfer, districts are encouraged, but not required to, explore other appropriate options, i.e., an agreement with a neighboring district.

STUDENT CONDUCT
School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus [or school activity vehicle]. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus [vehicle] driver to [the supervisor]. [The transportation supervisor] will, as soon as possible, inform the appropriate building principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the building principal [and/or] transportation supervisor.

BUS DRIVERS

The [building principal] or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Information and/or training, including confidentiality requirements, will be provided to drivers, as appropriate.

The school bus [vehicle] driver will be responsible for the school bus [vehicle] at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

The district will comply with all state and federal laws and regulations pertaining to school bus transportation.

Standard 35 is as follows:

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37-41-53} (SB Policies ED-3, JGG-1, and IDDE)
   35.5 All buses are inspected on a quarterly basis and are well-maintained and clean.
   35.6 Each bus driver has a valid bus driver certificate and a commercial driver’s license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in-service training per semester.
   35.7 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
   35.8 Emergency bus evacuation drills are conducted at least two times each year.

Mississippi Public School Accountability Standards 2007

LEGAL REF.: P. L. 107-110 (No Child Left Behind Act of 2001)
CROSS REF.: Policies EDAA - Student Transportation Management Student-Owned Buses
            EDD - Student Transportation Management Scheduling and Routing
            EDC - Bus Safety Program

| INSULIN DEPENDENT BUS DRIVERS | EDAB |
The Harrison County School Board seeks to employ and maintain qualified persons to serve as bus drivers in the district. In compliance with Senate Bill 2560 passed during the 2004 Legislative Session, bus drivers who are insulin dependent must meet the following requirements:

Notwithstanding any requirement imposed by state law or state or federal regulations restricting the issuance of a commercial driver's license to a person suffering from diabetes, a person suffering from diabetes may be issued a commercial driver's license if the person otherwise meets all qualifications for issuance provided:

(a) The driver is physically examined every year, including an examination by a board-certified/eligible endocrinologist attesting to the fact that the driver is:

(i) Free of insulin reactions (an individual is free of insulin reactions if that individual does not have severe hypoglycemia or hypoglycemia unawareness, and has less than one (1) documented, symptomatic hypoglycemic reaction per month);

(ii) Able to and has demonstrated willingness to properly monitor and manage the person's diabetes; and

(iii) Not likely to suffer any diminution in driving ability due to the person's diabetic condition.

(b) The driver agrees to and complies with the following conditions:

(i) A source of rapidly absorbable glucose shall be carried at all times while driving;

(ii) Blood glucose levels shall be self-monitored one (1) hour prior to driving and at least once every four (4) hours while driving or on duty prior to driving using a portable glucose monitoring device equipped with a computerized memory;

(iii) Submit blood glucose logs to the endocrinologist or medical examiner at the annual examination or when otherwise directed by the Department of Public Safety;

(iv) Provide a copy of the endocrinologist's report to the medical examiner at the time of the annual medical examination; and

(v) Provide a copy of the annual medical certification to the person's employer for retention in the driver's qualification file and retain a copy of the certification on his person while driving for presentation to a duly authorized federal, state or local enforcement official.

(c) The commercial license issued under this subsection will bear an endorsement restricting commercial driving on the license to driving only within the boundaries of Mississippi.

This policy hereby directs the superintendent to develop procedures to insure that insulin dependent bus drivers are in compliance with these requirements.

LEGAL REF.: MS CODE 63-1-79 (6) (2004)
CROSS REF.: ED - Bus Drivers Medical Exam
GCD - Classified Personnel Hiring

| BUS DRIVERS MEDICAL EXAM | EDAC |
The school boards of all districts operating school bus transportation are authorized and directed to establish a salary schedule for school bus drivers. No school district shall be entitled to receive the funds herein allotted for transportation unless it pays each of its nonstudent adult school bus drivers paid from such transportation allotments a minimum of One Hundred Ninety Dollars ($190.00) per month. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for actual expenses incurred when acquiring an initial commercial license or any renewal of a commercial license in order to drive a school bus. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for expenses, not to exceed One Hundred Dollars ($100.00), when acquiring an initial medical exam or any renewal of a medical exam, in order to qualify for a commercial driver's license. Section 37-151-85 (4) (2006)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy EDAB - Insulin Dependent Bus Drivers

USE OF VEHICLES TO TRANSPORT STUDENTS

It is the policy of Harrison County School District that transportation of students provided by the school district to and from school and to school related activities shall be by school bus or other vehicle or bus that meets all Federal Motor Vehicle Safety Standards.

In the event the students are being transported to and from school or to school related activities by a mode of transportation other than that furnished by the School District, then it shall be at the discretion of the parents of the students to permit the mode and type of transportation.

USE OF PRIVATE VEHICLES FOR STUDENT TRANSPORTATION

The school district discourages the use of privately owned vehicles for transporting students on behalf of the school. Should occasion arise when a privately owned vehicle must be used to transport students, the following provisions must be met. Under no circumstances should a privately owned vehicle be used when there is an NTSB approved student transportation vehicle available.

The school district employee must provide the District with proof of liability insurance to cover all risks associated with driving an automobile.

Each use of the automobile must be approved in writing by the principal and/or the Superintendent. No administrator shall approve use of the employee owned vehicle when school district owned vehicles are available.

No one shall be permitted to operate the vehicle other than the school district employee.

There shall be a check of driving record of each school employee permitted to operate a school owned vehicle or a privately owned vehicle on behalf of the school district.
Under no circumstances will the operator allow more than six (6) elementary age, or four (4) junior or senior high school students to ride in the vehicle at any one time.

SCHOOL BUS TURNAROUND/PUBLIC SCHOOL GROUNDS MAINTENANCE

1. The Board of Supervisors of any county is hereby authorized and empowered, in its discretion, to grade, gravel or shell, repair, and/or maintain private gravel or shell roads or driveways to private residences if such roads or driveways are used for school bus turnarounds.

2. Prior to engaging in the work authorized in subsection (1) of this section, the Board of Supervisors shall spread upon the official minutes of the Board:

   a. The written request of the School Board for such work;
   b. The written approval of the Board of Supervisors for such work;
   c. The specific location of the road or driveway to be worked; and
   d. The name of the owner of the road or driveway to be worked.

3. The written request of the School Board, as required in subsection (2)(a) above, shall contain a current list of all active school bus turnarounds presently in use by the school district or contemplated for use by the school district for the present school year. The approval by the Board of Supervisors shall be valid and effective for the period of time that a turnaround is anticipated for use, but in no event for a period greater than one (1) year.

4. In addition to the authority granted in subsection (1) of this section, from and after October 1, 1989, the Board of Supervisors of any county is further authorized, in its discretion, to maintain public school grounds of the county and to grade, gravel, shell or overlay, and/or to maintain gravel, shell, asphalt or concrete roads, driveways or parking lots of public schools of the county if, before engaging in such work, the Board of Supervisors shall spread upon its official minutes the written request of the School Board for such work, the written approval of the Board of Supervisors for such work and the specific location of the school grounds or road, driveway or parking lot, to be worked.

5. In addition to any other authority granted in this section, the Board of Supervisors of any county is hereby authorized, in its discretion, to repair and maintain driveways and parking lots of: (a) any nonprofit organization in the county which is tax exempt under Section 501(c) of the United States Internal Revenue Code and which has as one (1) of its primary purposes for organization to aid and assist in the rehabilitation of persons suffering from drug abuse or drug addiction; and (b) any private, nonprofit cemeteries in the county. The Board of Supervisors of any county shall not be authorized under the provisions of this subsection to repair or maintain driveways or parking lots more than one hundred fifty (150) feet from the center of any highway, road, or street under the jurisdiction of the county. §19-3-42 (1990)
The State Board of Education is authorized, empowered and directed to promulgate rules and regulations for providing operation procedures for public school buses to insure safety of pupils. §37-41-1(g) (1987)

AUTHORIZED USE

It shall be a misdemeanor for any person to use a publicly owned school bus for any purpose other than one in connection with the school, and upon conviction thereof such person shall be fined not less than Fifty Dollars ($50.00). When any publicly owned school bus is being operated on the public roads or highways at a time other than the usual and customary time for the transportation of children to and from the public schools, members of the Highway Safety Patrol, sheriffs, constables and other peace officers shall have the power and authority to stop such bus for the purpose of ascertaining whether the trip then being made is authorized by law. If it be found that such trip is unauthorized, such highway patrolman, sheriff, constable or other peace or police officer shall forthwith report the same to the School Board owning such bus and to the State Department of Education. §37-41-45 (1987)

SPEEDING PROHIBITED

It shall be unlawful for a driver of any school bus, whether a public or a contract bus, to drive said bus at a speed greater than forty-five (45) miles per hour while transporting children to and from school on regular routes. However, any such driver, while operating a school bus on other authorized trips, shall not drive said school bus at a speed greater than fifty (50) miles per hour. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each offense. In addition thereto, upon such conviction, such driver may be discharged from further employment as a school bus driver or carrier and his contract as such may be terminated. §37-41-47 (1982)

VEHICLE INSPECTION AND SAFETY

Each School Board, person, firm or corporation transporting public school children on the public roads, streets and highways of the state with motor vehicles shall have said motor vehicles inspected according to the laws of the state and according to the regulations of the State Board of Education. Each motor vehicle shall be inspected by a competent mechanic to be safe for transporting pupils on the roads, streets and highways of the state before it is released for such purpose. If such motor vehicle is found to be unsafe for transporting pupils, then it shall be properly repaired or adjusted as necessary before being used to transport pupils. The provisions of this paragraph shall not apply to vehicles owned by individuals and under private contract to the school district and used exclusively for transporting members of their immediate families.

The State Department of Education may, at its discretion, inspect any school bus used for transporting pupils to and from the public schools or for activity purposes to determine the safety of such motor vehicle for operation on the roads, streets and highways of this state. In the event a vehicle is inspected and is found to be unsafe for transporting pupils, a report shall be filed with the appropriate school official indicating its deficiencies with recommendations for correcting such deficiencies.

If it is determined that any buses are in such defective condition as to constitute an emergency safety hazard, those buses may be condemned and removed from service and shall not be returned to service until adequate repairs are completed and such buses are re-inspected by the State Department of Education. Any school official who approves the operation of any school bus that has been removed from service under the conditions listed above, prior to being re-inspected by the State Department of
Education, shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for a period not to exceed sixty (60) days, or a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by both such fine and imprisonment, in the discretion of the court. §37-41-53 (1992)

REQUIREMENTS FOR CONTRACT

The State Board of Education shall adopt and enforce regulations not inconsistent with the traffic laws and regulations of this state to govern the design and operation of all school buses used for the transportation of school children when owned and operated by any School Board or privately owned and operated under contract with any School Board in this state. Such regulations shall by reference be made a part of any such contract with a School Board. Every School Board, its officers and employees, and every person employed under contract by a School Board shall be subject to said regulations.

Any officer or employee of this School Board who violates any of said regulations or fails to include the obligation to comply with said regulations in any contract executed by them on behalf of a School Board shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under a contract with a School Board who fails to comply with any of said regulations shall be guilty of breach of contract and such contract shall be canceled after notice and hearing by the responsible officers of such School Board. §37-41-57 (1987)

Standard 35 is as follows:

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37 41 53} (SB Policies ED 3, JGG 1, and IDDE)
   35.1 All buses are inspected on a quarterly basis and are well maintained and clean.
   35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in service training per semester.
   35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
   35.4 Emergency bus evacuation drills are conducted at least two times each year.

LEGAL REF.: MS CODE as cited Mississippi Public School Accountability Standards - 2007
CROSS REF.: Policy JCDAD — Bus Conduct ED – Student Transportation Management

SAFETY - BUS CONDUCT

School transportation is furnished for eligible students who abide by regulations which have been set up to provide for the students’ safety. Violation of these regulations may result in temporary or permanent suspension of the privilege of school bus transportation.

Bus drivers may assign seats and positions on buses with approval of principal. Students should be seated in their assigned positions at all times when on the bus.
LOADING AND UNLOADING

1. Be at your assigned bus stop on time in the morning and at your assigned loading zone on time in the afternoon.

2. Exercise extreme caution in getting to and from assigned bus stop.

3. Don’t play on or near the road while waiting for the bus to arrive.

4. If you must cross the road to enter the bus, don’t cross until the bus arrives and the proper signal to cross is given. Look both ways for traffic and practice good “seeing” habits.

5. If it is necessary to cross the road after being discharged from the bus, wait until you have been given the signal to cross. Look both ways for traffic and practice good “seeing” habits.

6. When you must cross the road to enter the bus or after leaving the bus, always cross in front of the bus.

7. Wait until the bus comes to a complete stop before trying to load or unload.

8. Use the hand rail while getting on and off the bus.

9. When leaving the bus after arriving at school, move away from the unloading zone to your assigned place as quickly as possible, but do not run.

WHILE ON THE BUS

1. Do not distract the driver’s attention other than when necessary.

2. Talk to your friends in a normal tone and do not shout. Do not talk or make unnecessary noise when the bus is approaching and crossing a railroad or a highway intersection.

3. Keep head, hands, and articles inside the bus.

4. Do not bring unauthorized articles on the bus (i.e., pets, combustibles, large articles, weapons).

5. Do not smoke or use profane language.

6. Do not fight or scuffle.

7. Be courteous to and follow the instructions of your bus driver and safety patrol.

Teach pupils to be on the alert for all dangers, and explain possible consequences for not obeying the above rules.

Riding the school bus is a privilege. This privilege can be denied pupils by suspending them from school or the school bus for improper conduct.

Also see JGFG.
NO CHILD LEFT BEHIND
The school district shall be in compliance with student transportation requirements under the No Child Left Behind Act and in accordance with applicable state law, Department of Transportation regulations, and district policy.

Transportation will be provided for homeless students to and from the student's school of origin as required by the No Child Left Behind Act of 2001 (NCLBA). "School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled. These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

There shall be no duplication of bus routes except in circumstances where it is totally unavoidable. §37-41-3 (1993)

This School Board shall, not later than the date or dates established by the State Board of Education each year, submit to the State Board of Education the proposed plan or plans for routing all buses within the respective school districts for the ensuing school year. The State Board of Education shall approve only those proposed transportation routes which meet the requirements of the law, as provided in this chapter, and such rules and regulations as may be promulgated or prescribed by the State Board of Education. Any proposed transportation route plan which does not meet the requirements of the State Department of Education shall be returned to the proper School Board for correction or revision. No funds shall be distributed to or disbursed by the State Board of Education to any school district to be expended for transporting children until such school district shall have conclusively shown that it has complied with all requirements of the laws of the State of Mississippi for the operation of schools and school districts, and until such school district shall have complied with all the applicable rules and regulations of the State Board of Education. §37-41-17 (1987)

Any proposed transportation plan or plans submitted by this School Board to the State Department of Education shall include:

(a) The number of children to be transported on each bus.
(b) The type and condition of the bus to be used on each route, and whether publicly or privately owned.
(c) Any other information not inconsistent with the law which the State Department of Education may require to enable it to determine whether the proposed routes shall be approved. §37-41-19 (1987)

Only students who are entitled to transportation shall be reported in the proposed plans. It shall be unlawful for the State Board of Education to allot any state funds to any school district for the transportation of students who are not entitled to such transportation, or for the transportation of students from one district to another if their grade or grades are taught in a school within the district wherein they reside, unless the transfer of such children from the district in which they reside to such districts shall have been approved in the manner provided by law. It shall be further unlawful for this School Board to expend funds from any source whatsoever for the transportation of students from one district to another district if their grade or grades are taught in a school within the District where they reside, unless the transfer of such children from the District in which they reside to such other District shall have been approved in the manner provided by law. §37-41-21 (1987)
Any Superintendent of Schools, member of the School Board, superintendent, principal or carrier, or bus
driver, who shall knowingly make any false report, list or record, or who shall knowingly make use of any
false report, list or record concerning the number of school children being transported or entitled to be
transported in any county or school district shall be guilty of a misdemeanor and upon conviction shall be
punished by imprisonment in the county jail for a period not to exceed sixty (60) days, or by a fine of not
less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00), or by both such fine
and imprisonment, in the discretion of the court. In addition, any such person shall be civilly liable for all
amounts of public funds which are illegally, unlawfully or wrongfully expended or paid out by virtue of or
pursuant to such false report, list or record, and upon conviction or adjudication of civil liability hereunder
such person shall forfeit his license. Any suit to recover such funds illegally, unlawfully, or wrongfully
expended or paid out may be brought in the name of the State of Mississippi by the Attorney General or the
proper district attorney or county attorney. In the event such suit be brought against a person who is under
bond, the sureties upon such bond shall likewise be liable for such amount illegally, unlawfully or
wrongfully expended or paid out. §37-41-25 (1987)

Eligibility of children with disabilities for transportation is based on need and not on distance from the
school to which they are assigned. Specially equipped vehicles are provided where the needs of the pupils
are such that they cannot be transported in a conventional school bus. Transportation to special schools such
as the School for the Deaf and Blind in Jackson, MS, is provided as directed under policies and regulations
governing the education of exceptional children.

Standard 35 is as follows: The district complies with the applicable rules and regulations of the State
Board of Education in the operation of its transportation program. {MS Code 37-41-53]
35.1 All buses are inspected on a quarterly basis and are well maintained and clean.
35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and
operates the bus according to all specified safety procedures. The school district has on
file a yearly motor vehicle report on each driver and evidence that each driver has
received two hours of in-service training per semester.
35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start
of the instructional day.
35.4 Emergency bus evacuation drills are conducted at least two times each year.

Legal Ref.: MS CODE, as cited

Mississippi Public School Accountability Standards (2007)

SPECIAL USE OF SCHOOL BUSES

School buses are purchased for the specific purpose of providing safe and economical transportation for
children entitled to transportation under the law. The school’s special events (activity programs) must not
interfere with the regular program of transporting children. School buses are not to compete with
common carriers.

1. Before any school bus owned by a school district is used to transport children to or from any school
special event as authorized by the State, the local School Board of Education shall first adopt and
record in its minutes an order authorizing the use of such bus or buses. The order shall specify the
school events for which the bus or buses may be used, such as:
(a) Athletic games or contests and state band contests
(b) Local, district or state field trips
(c) Other events the Board of Trustees may consider a part of the educational program.

2. Such order shall limit the use of buses to participating students, teachers, coaches, and sponsors in connection with special events which the local School Board may consider a part of the school district’s educational program. Buses shall be used for no purposes other than those specified in the order of the local School Board of Education. Pupils transported to or from events specified above must be enrolled in the public schools and be actual participants in such program or programs.

3. The Board of Trustees shall fix an amount that shall be charged for the use of a publicly owned bus, which amount shall not be less than fifty-cents ($0.50) per mile, operational cost included. The principal making application for use of the bus shall see that the bus is used only for the purposes authorized and shall be responsible for collecting and turning over to the District Business Manager the amount charged for each trip. Bus drivers shall be school employees and will be paid through the normal payroll process.

4. No pupils shall be transported as herein provided unless they are under the direction and supervision of the school Superintendent, principal, or a faculty member designated by the Superintendent or principal.

5. Before any publicly owned school bus is used for the purpose of transporting participating students to any school event, the principal shall submit written application to the Director of Transportation stating the specific purpose for which the bus is to be used and giving the name of the faculty member who will be in charge of the trip. The Director of Transportation, upon approval of the request for use of the bus, shall give the driver written instructions for making the authorized trip, specifying date, hour and place of departure, route to be followed, destination, approximate time within which the driver shall complete the trip, and name of the faculty member to be in charge of the trip.

6. Only a person holding a valid driver’s training certificate issued by the State Department of Education and only a person employed by the Harrison County School District Board of Trustees shall be allowed to drive a school bus. The school bus shall not be driven to exceed the maximum speed limit allowed by law for trips, and if the bus is to be used on night trips, it shall be equipped with the proper operating identification lights and flares.

7. It shall be unlawful for any Director of Transportation to issue a permit for the use of a bus owned by a public school district until all the above provisions have been complied with.

School buses shall be used for transportation of students and shall not be used at any time by organizations outside the school. School buses may be used to transport students on school-sponsored activity trips; however, a fee established by the school district, together with a driver’s fee, shall be required for such trips when school buses are used, and a mileage fee as established by the school district shall be charged, including athletics. A responsible adult, preferably a teacher, shall accompany students on the bus as a chaperon.

In accordance with auditing procedures, any activity requiring bus use other than for regularly scheduled student transportation to and from school shall be charged to the appropriate account or department. A fee shall be assessed for such activities as established by the school district to offset transportation costs. Fees shall be subject to change as necessary.
The Board may authorize special use of school owned buses subject to the rules and regulations promulgated by the State Board of Education. No trip, however, shall be authorized for more than two-hundred (200) miles beyond the territorial limits of the State of Mississippi. All trips made outside the State of Mississippi must be authorized by the Superintendent and School Board.

**EMERGENCIES**

1. Board of Education may permit publicly owned school buses to be used “for the transportation of citizens to evacuation shelters during natural or man-made emergencies, hurricanes, tornadoes, floods, and other acts of God.”

2. Local School Boards may permit “the use of publicly owned school buses for the transportation of citizens for grand jury and other jury functions upon order of the court.”

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Students of legal school age, who shall include kindergarten pupils, and in actual attendance in this school district who live a distance of one (1) mile or more by the nearest traveled road from the school to which they are assigned shall be entitled to transportation within the meaning of this chapter. In the development of route plans, economy shall be a prime consideration. There shall be no duplication of routes except in circumstances where it is totally unavoidable. The State Department of Education shall have authority to investigate school bus routing when there is reason to believe the provisions of this statute are being violated. The State Board of Education shall have authority to withhold transportation funds when school districts fail to correct unnecessary route duplication. Provided further, that all school districts are hereby authorized to lease or contract with any public or private individual, partnership, corporation, association, agency or other organization for the implementation of transportation of pupils as provided for in this section.

This School Board may provide transportation to such physically handicapped children as may be designated by such Board, when the failure to do so would result in undue hardship, even though the children are not otherwise entitled to transportation under the provisions of this chapter.

Where space is available, students attending junior colleges shall be allowed transportation on established routes in district-owned buses. However, no additional funds shall be allocated or expended for such purposes, and such persons shall not be included in transportation reports. §37-41-3 (1993)

In addition to public school students or pupils authorized to be transported to the public schools by virtue of Section 37-41-3, the local School Board, with the concurrence of the Board of Supervisors, in their discretion and with local tax funds or other local contributions or support exclusively and without state appropriations, may provide transportation for students or pupils to the public schools whenever the within described Boards or officers find that extraordinary circumstances and conditions are prevalent in said school district in regard to such matters as the public health and safety, school facilities, location of the school site, unusual economic growth and population expansion, newly expanded municipal corporation limits, the general welfare, and any other emergency facts and conditions which may be deemed by said authorities to be in the best interest of the political subdivision. §37-41-5 (1987)
BUS ASSIGNMENT PROCEDURE

Students transported to and from school within the Harrison County School District must ride properly assigned school buses. Buses will be assigned by the principal and the transportation supervisor at the beginning of the school year.

“Properly assigned” shall mean the school bus routes that the child comes to school on in the morning and the bus which takes the child home, or permanent designated stop, in the afternoon as established at the beginning of the school year.

Requests for permanent changes must be submitted in writing to the principal and will be approved as space is available. Telephone calls will not be accepted for bus transfers.

TRANSPORTATION RECORDS

The State Board of Education prescribes keeping and preservation of all records and the making of all reports and the description thereof as the Board deems necessary for the efficient operation of the school transportation system of this state. It shall be unlawful for any pay certificate to be issued to any school carrier or bus driver until all such reports required by the regulations of the State Board of Education shall have been filed in accordance with said regulations. Any person making a false list, report, or record required by the aforesaid rules and regulations of the State Board of Education shall be subject to the penalties provided by law. §37-41-25; 37-41-23.

CHILD NUTRITION PROGRAM

The school district shall provide a program of child nutrition consistent with state and federal guidelines and in accordance with Board policies as defined in the district child nutrition manual and student handbook.

Records shall be maintained for a period of no longer than five (5) years. Meal prices are set by the School Board.

Policies and procedures governing the Food Services Management program of the district will be included in a Food Services Handbook to be prepared by the district and approved by the Board of Education. All policies and procedures will be in compliance with applicable local, state, and federal guidelines and requirements.
Only those insurance plans or annuities that are approved by the Harrison County Insurance Committee, the Superintendent of Education, and the Harrison County School Board will be made available through payroll deduction. Cancellation of insurance must be made in writing and directed to the Payroll Department. Cancellation must not conflict with cafeteria plan enrollment.

No insurance representatives will be permitted to solicit business unless they appear on the approved list from the Business Office and are “payroll deducted.” Solicitation of annuities on campus will be limited to distribution of literature during the enrollment period. Salespeople must limit their sales presentation and/or dialogue to the product that has been approved by the Insurance Committee, Superintendent, and School Board.

Employees may submit enrollment applications at any time during the school year for payroll deducted insurance. Insurance representatives may solicit business in the schools only during the month of August.

The Cafeteria Plan year is from October 1 through September 30 of each year.

Exempt from bid requirements are purchases of contracts for fire insurance, automobile insurance, casualty insurance, health insurance and liability insurance by School Boards. §31-7-13(m) (xiii) (1994)

This School Board is authorized and empowered to pay out of the athletic fund or funds obtained from athletic activities all of the actual medical expenses evidenced by itemized bills of account, for injuries sustained by any regularly enrolled student while participating in athletic activities considered a part of any sport that said school engages in as a part of any regularly scheduled athletic contest with other schools, to include any injury sustained in any contest scheduled by the proper school authorities and any required training preparatory thereto.

In lieu of the payment set out in the paragraph above, and in the discretion of this School Board, the School Board is authorized and empowered to contract for hospitalization insurance designed to fully compensate students for actual medical expenses in such cases. The payment of such hospitalization insurance shall be made from funds available as set out in the paragraph above. §37-11-9 (1950)

All students in grades 9-12 participating in activities and athletics under the jurisdiction of the Mississippi High School Activities Association are automatically insured under a lifetime medical insurance plan for the catastrophically injured student which is paid for by the school district.

All public school boards may purchase group insurance coverage for the liability of all its active full-time instructional and noninstructional personnel. Such policy shall be paid for with local funds. §37-7-319 (1992)

School districts shall provide liability insurance consistent with the provisions of the Tort Claims Act as outlined in §11-46-1 et. seq.

School districts shall provide Workers’ Compensation insurance consistent with the provisions of the Tort Claims Act as outlined in §71-3-1.
All employees of the Harrison County School District are covered for medical expenses and loss of income due to accidental injury on the job through Workers’ Compensation. On-the-job accidents must be reported to the employee’s principal or supervisor within twenty-four (24) hours.

Absences Resulting From On-The-Job Injuries (Workers’ Compensation) – Licensed and Non-licensed

In the event that an employee is injured on the job and must be absent from work because of a job-related injury occurring on the job, the employee shall be eligible for school district benefits in accordance with Workers’ Compensation paid by the district. An employee may elect to use his/her accumulated sick leave benefit only for that portion of the daily rate of pay which is not covered by workers’ compensation. Eligible sick leave benefits will be computed after Workers’ Compensation claim(s) have been fully considered by the state agency responsible for determining the merits of the claim(s) and a final computation has been made. In the event that the employee does not elect to use his/her accumulated sick leave benefits to supplement workers’ compensation, his/her compensation for absences resulting from an on-the-job injury will be limited to benefits from Workers’ Compensation only and he/she will retain all accumulated sick leave. Any person who willfully makes any false or misleading statement or representation for the purpose of obtaining or wrongfully withholding any benefit or payment under the state law is guilty of a felony and on conviction thereof may be punished by a fine not to exceed five-thousand dollars ($5,000) or double the value of the fraud, whichever is greater, or by imprisonment not to exceed three (3) years, or by both fine and imprisonment.

If an employee files a Workers’ Compensation claim, so long as the employee is receiving direct benefits under the Workers’ Compensation program, he/she shall not be eligible for benefits paid by the Harrison County School District for sick leave or in connection with salary or for any other program providing benefits to employees under regular employment. District provision of such benefits shall be reinstated at the time the employee resumes regular employment with the Harrison County Schools and is no longer receiving direct benefits under Workers’ Compensation.

If an employee is out with an injury, a temporary replacement can be hired to fill the position up to ninety (90) days. An employee out on Workers’ Compensation will not accumulate personal or sick leave.

If an employee is out on Workers’ Compensation and unable to return to work after ninety (90) days, the school district will hire someone to fill that position. Upon obtaining a doctor’s release, the employee can bring the said release to the Personnel Department, at which time the Personnel Director will attempt to find another position within the district.

Any employee benefits paid by the District will be limited by the Attorney General’s Opinion as of Memorandum dated May 3, 2004. A copy of this memorandum is available in office of the Harrison County School Districts Workers’ Compensation Coordinator.

Also see GBRI, GCRG – Leaves and Absences

STUDENT INSURANCE PROGRAM

The district may make accident insurance available to students at a group rate. The insurance offers two types of coverage:
1. during school hours
2. twenty-four (24) hour coverage

Participation in the program is voluntary.

All students participating in the band or any sports activity are required to be covered by insurance.

All students participating in the shop programs are encouraged to be covered by insurance.

Students participating in varsity athletics shall be required to submit a statement signed by the parent indicating that the school is not to be held responsible for injuries sustained during participation in the varsity sport. The student shall purchase accident insurance and shall present a statement signed by his/her parent or guardian that the family has such coverage.

Participation in extracurricular activities is voluntary. This school district does not furnish student insurance, nor does it sell insurance or act as agent for any insurance company or local insurance agency.

Students shall not be allowed to participate in school sponsored activities where there is reasonable risk of injury or death without parent/guardian furnishing a signed statement certifying that health/accident insurance coverage exists on such student.

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The Board is authorized and empowered to insure the school buildings, furniture, equipment, library, and other school property of the district against loss by fire, cyclone, tornado, hailstorm, burglary, boiler explosion, and any and all other hazards that the Board may deem necessary to provide insurance against. Fire, cyclone, and tornado insurance shall be carried upon all buildings heretofore or hereafter constructed in whole or in part with state funds, and such buildings shall be insured in such an amount as shall be fixed, determined, and specified by the State Educational Finance Commission. In fixing, determining, and specifying the amount of insurance to be carried on such buildings constructed in whole or in part with state funds, the State Educational Finance Commission may, in its discretion, act separately and individually with respect to each building or it may, by a general rule or regulation, fix a uniform percentage of value or costs as the amount of such insurance to be carried. If the commission elects to fix such a uniform percentage of value as the amount of insurance to be carried, it may, in its discretion, authorize and provide for either upward or downward deviations therefrom, either in proper and individual cases or by reasonable classifications. The cost of such insurance shall be paid out of any local school funds of the district. The Board shall be authorized to contract for such insurance for a term of not exceeding five (5) years and to obligate the district for the payment of the premiums thereon. When necessary, the Board is authorized and empowered, in its discretion, to borrow money payable in annual installments for a period not to exceed five (5) years at a rate of interest not to exceed four percent (4%) per annum to provide funds to pay such insurance premiums. The money so borrowed and the interest thereon shall be payable from any school funds of the district other than minimum education program funds. The Board is further authorized and empowered, in all cases where same may be necessary, to bring and maintain suits and other actions in any court of competent jurisdiction for the purpose of collecting the proceeds of insurance policies issued upon the property of the district.

| LIABILITY | EGD |

E - 53
The Board may purchase liability insurance in amount it judges adequate to cover its official actions. The policy shall be paid for with School Board funds.

The Board may obtain liability insurance on any vehicle operated by the district, except that excess coverage only may be purchased under authority of this section for school buses and other vehicles covered by the provisions of Sections 37-41-37 and 37-41-41, with such coverage limits as are desired by the Board including medical benefits and uninsured motorist coverage if desired. The school district may be sued by anyone affected by the operation of the said vehicles to the extent of such insurance carried, provided, however, that immunity from suit is only waived to the extent of such liability insurance carried; and a judgment creditor shall have recourse only to the proceeds or right to proceeds of such liability insurance. No attempt shall be made in the trial of any case to suggest the existence of any insurance which covers in whole or in part any judgment or award rendered in favor of a claimant; but if the verdict rendered by the jury exceeds the limit of applicable insurance, the court on motion shall reduce the amount of said judgment, as against the Board only and not as to joint tort-feasors if any, to a sum equal to the applicable limit stated in the insurance policy.

The policy of insurance shall contain a provision to the effect that the insurance company shall make no plea of the sovereign immunity doctrine.

The costs of such insurance shall be paid out of the school district's general maintenance fund.

**LIABILITY INSURANCE - TEACHERS**

A. The effective teacher is concerned for the welfare of students and takes measures to insure their welfare. Nevertheless, it is wise to be aware of the possible consequences of negligence.

B. The teacher is legally responsible to act in a reasonable and prudent manner at all times. Specifically, the teacher must do the following:

1. Never leave students unsupervised.

2. Require students to conduct themselves in an orderly, safe manner and administer such disciplinary actions as are reasonable and proper in any situation involving student misconduct.

3. Use discretion in the administration of corporal punishment. (See section entitled "Discipline.")

4. Report any unsafe condition in the school plan or on campus to the principal so that it may be corrected.

5. Strictly adhere to all stated policies of the district and the individual school.

C. Failure by teachers to meet their responsibilities may have severe consequences, and teachers may be held legally liable for negligence in the performance of their duties.

D. Teachers are advised to secure coverage under a professional liability insurance plan.
Computer software is protected by copyright laws and international treaty. Employees and students must treat the software like any other copyrighted material, except that he/she may either make one copy of the software solely for backup or archival purposes or may place the software on a single mass storage device (media), such as a hard disk, provided that the original software is kept solely for backup or archival purposes. Copyright laws prohibit making additional copies of the software for any other reason.

The following rules and regulations apply to all school district employees.

1. Computers owned by this school district are for business use only.
2. No unlicensed software will be permitted on district owned computers.
3. All licenses shall be filed with the Technology Department.
4. All unauthorized computer usage, theft of computer resources, and/or the existence of computer anomalies are to be reported at once to the Technology Department.
5. There will be no copying of data and software without proper authorization.
6. Each user will provide for timely backup of essential data.
7. Locally developed software is to be sufficiently documented to preclude reliance on key personnel and shall be filed with the Technology Department.
8. Only authorized personnel can have off-site usage of district-provided portable PC's and software.

Authorized personnel will make periodic audits of district owned computers for compliance with rules and regulations. Any software found without proper license or that is not authorized through the Technology Department will be removed from the computer and the employee involved could be subject to reprimand.

Any and all data obtained as a product of a contract with Harrison County School District is and shall remain, in perpetuity, the property of the Harrison County School District.

There are no exceptions, unless specifically noted in writing in the body of the contract with Harrison County School District.

Harrison County School District is and shall remain the last arbiter in determining the legal and legitimate use of any and all data obtained as a product of a contract with Harrison County School District.

Harrison County School District reserves the rights to extract, transform, store, and transmit all data obtained as a product of a contract with Harrison County School District.
FACILITY GOALS/AUTHORITY

The development of a quality educational program and school buildings which facilitate the implementation of the program go hand in hand.

This School Board has the power, authority and duty to have the responsibility for the erection, repairing and equipping of school facilities and the making of necessary school improvements. §37-7-301(d) (1993)

Therefore, it is the goal of this School Board to seek funds to provide both the facilities needed for the number of students in the district and to provide the type of facilities that will best accommodate and support the educational program.

Standard 36 is as follows: The school district provides facilities that meet the following criteria: {MS Code 37-7-301(c)(d)(j); 37-11-5, 49; and 45-11-101}

36.1 The school district provides facilities that are clean.
36.2 The school district provides facilities that are safe.
36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
36.4 The school district provides air conditioning in all classrooms in each school.

(MS Code 37-17-6(2))

Mississippi Public School Accountability Standards (2007)

NAMING OR RENAMING NEW FACILITIES

The Superintendent of Education shall be directed to recommend to the Board of Trustees the process for selecting the name or renaming of any school facility. The Board of Trustees shall have final approval of both the process of selection and the naming or renaming of the facility.

LONG-RANGE PLANNING – NEW SCHOOLS FACILITIES PLANNING

The Board of Trustees shall approve a long-range school facilities plan. Developed in strict accordance with design safety and related minimum state school facilities standards, all facility plans shall be submitted to the State Department of Education.

LONG-RANGE NEEDS DETERMINATION

The board authorizes the superintendent to gather information as to long-range facility needs of the district. The superintendent may utilize the services of those consultants he/she deems necessary.
The superintendent's report should take into consideration location of student population and the population trends of the district and site available to meet the needs of the district.

Because of budget limitations, needs shall be listed as to priority.

**ADMINISTRATION OF SIXTEENTH SECTION LAND**

The Superintendent of Education shall be responsible to the Board of Trustees for the administration of law governing 16th Section Land management under their control as outlined in the Mississippi Code. The Superintendent's designee is to act for him/her in carrying out this responsibility and report to him/her for recommendations to the Board of Trustees.

**EMPLOYMENT OF CONTRACTORS, ARCHITECTS AND ENGINEERS**

The Board of Trustees, on recommendation of the Superintendent of Education, shall approve architects and engineers required to perform various professional services regarding major construction and when required by state purchasing laws.

The architects shall advise the administration and board on the phases of the program for which they have technical training and experience.

The architects perform other functions as follow:

1. They shall translate the educational program for which the facilities are needed into building design and specifications.
2. They shall advise the board on letting of contracts.
3. They shall supervise or direct construction.
4. They shall advise the board as to costs on additions.
5. They shall recommend approval and acceptance of completed facilities.

The superintendent shall act as the liaison between the board and the architect.

**PROJECT PLANNING INVOLVEMENT/ STATE GOVERNMENT**

New school building construction plans and specifications, including plans for renovation or repair of existing buildings, must be submitted to the State Education Finance Commission for approval when funds from the commission are to be used by the District.

MS CODE, Title 37, Chapters 45 and 47
This School Board is authorized to issue negotiable bonds of this school district to raise money for the following purposes in accordance with state law.

a. Erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunch rooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles and garages for transportation vehicles, and purchasing land therefor.

b. Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor.

c. Providing necessary water, light, heating, air conditioning and sewage facilities for school buildings, and purchasing land therefor.

d. Paying part of the costs to be incurred in erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities which are owned and operated by state-supported institutions of higher education as a demonstration or practice school attended by pupils, grades of one or more, or parts of grades from the educable children of such school district pursuant to a contract or agreement between said institution and said school district.

The authority to issue the bonds hereinabove set forth shall include the authority for this School Board to spend the money for the purposes for which said money is raised.

See Bonds and Obligations, §37-59-1 et seq.

This district may apply to the Public School Building Fund for funds for capital outlay and improvements.

This district shall comply with appropriate state statutes in applying for and using such funds.

The principal fund shall be a permanent township fund which shall consist of funds heretofore or hereafter derived from certain uses or for certain resources of school trust lands which shall be invested and, except as otherwise provided in this section, only the interest and income derived from such funds shall be expendable by the school district.

The principal fund shall consist of:

(a) Funds received for easements and rights-of-way pursuant to Section 29-3-91;

(b) Funds received for sales of lieu land pursuant to Sections 293-15 through 29-3-25;

(c) Funds received from any permanent damage to the school trust land;
(d) Funds received from the sale of nonrenewable resources including but not limited to the sale of sand, gravel, dirt, clays and royalties received from the sale of mineral ores, coal, oil and gas;

(e) Funds received from the sale of buildings pursuant to Section 29-3-77; and

(f) Funds received from the sale of timber.

It shall be the duty of the Board of Education to keep the principal fund invested in any direct obligation issued by or guaranteed in full as to principal and interest by the United States of America or in certificates or deposit issued by a qualified depository of the State of Mississippi as approved by the State Treasurer. The certificates of deposit may bear interest at any rate per annum which may be mutually agreed upon but in no case shall said rate be less than that paid on passbook savings.

The Board of Education is likewise authorized to invest said funds in interest bearing deposits or other obligations of the types described in Section 27-105-33, as the same now is or may hereafter be amended, or in any other type investment in which any other agency, instrumentality or subdivision of the State of Mississippi may invest, except that one hundred percent (100%) of said funds are hereby authorized to be so invested. For the purposes of investment, the principal fund of each township may be combined into one or more district accounts; however, the docket book of the county Superintendent shall at all times reflect the proper source of such funds. Provided that funds received from the sale of timber shall be placed in a separate principal fund account, and may be expended for any of the purposes authorized by law.

The Board of Education shall have authority to borrow such funds at a rate of interest not less than four percent (4%) per annum and for a term not exceeding twenty (20) years, for the erection, equipment or repair of said district schools, to provide local funds for any building project approved by the State Board of Education or to provide additional funds for forest stand improvement as set forth in Section 29-3-47. In addition, the Board may borrow such funds under the same interest restrictions for a term not exceeding ten (10) years to provide funds for the purchase, of school buses. The Board of Education of any school district in any county that has an aggregate amount of assets in its principal fund in excess of Five Million Dollars ($5,000,000.00), may deduct an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) for the purpose of covering the cost of asbestos removal from school district buildings. Such asbestos removal shall be construed to constitute the repair of school district facilities as prescribed in Section 29-3-115.

No school land trust funds may be expended after the annual payment date until the payment is made on such loan. The annual payment can be made from any funds available to the school district except minimum foundation program funds.

It shall be unlawful for the Board of Education to borrow any sixteenth section school funds in any other manner than that prescribed herein, and if any such funds shall be borrowed or invested in any other manner, any officer concerned in making such loan and investment or suffering the same to be made in violation of the provisions of this section, shall be liable personally and on his/her official bond for the safety of the funds so loaned. §2.9-3-113 (1997)

Also see DFL.
FEDERAL LOANS AND GRANTS

As appropriate, the Board may seek funds from federal sources to help defray the costs of capital outlay and improvements to school facilities of the district.

This district will have internal control systems to provide reasonable assurance that it is managing federal financial assistance programs in compliance with applicable laws and regulations as directed by the State Department of Education. Methods and procedures will be in place to minimize the time elapsed between the transfer of funds from the State and the disbursement of these funds by the district.

PURCHASE OF REAL PROPERTY – SITE ACQUISITION PROCEDURES

In strict accordance with the state law and city/county codes, the Board of Trustees may purchase property for the purpose of school construction or renovation of existing school facilities.

The superintendent shall investigate the availability of property desired by the board for future school sites. He/she shall report to the board as to the costs of the property and the necessary procedures that must be taken by the board to acquire such property.

The board attorney shall be asked to draw up proper legal documents necessary for obtaining clear title to the property.

LEGAL REF.: Chapter 27, Title 11, Mississippi Code, 1972

CONTRACTS FOR SCHOOL CONSTRUCTION

Contracts for the renovation or construction of school facilities shall be developed in strict accordance with local and state codes and shall be approved by the Board of Trustees. All construction contracts shall include materials and labor bond requirements, liability insurance requirements, and assurance of compliance with federal and state personal safety regulations.

PROJECT ADMINISTRATION CONTRACT AWARDS PROCEDURE

All contracts for capital improvements by this school district which are financed in whole or in part with funds received from the state public school building fund pursuant to an application approved by the commission shall be awarded and entered into upon receipt of sealed bids or proposals after the time and place of letting such contracts and the manner of bidding have been duly advertised. The contract shall be let and awarded to the lowest and best bidder but the School Board shall have the power to reject any and all bids. No such contract shall be finally awarded or entered into without the prior written approval of the commission. It is hereby expressly provided that in order to bid upon and be awarded contracts for the construction of school facilities under the provisions of this chapter if such contract, subcontract or
undertaking is less than Fifty Thousand Dollars ($50,000.00), it shall not be necessary that the bidder obtain a certificate of responsibility from the board of public contractors under the provisions of Chapter 3, Title 31, of the Mississippi Code of 1972, or otherwise be qualified under said chapter, and none of the provisions of said chapter shall be applicable to such contracts for the construction of school facilities under the provisions hereof. Notwithstanding the foregoing provisions of this section or any other provision of law, the contract for construction of a secondary vocational and technical training center for exclusive use and operation by a county school district may be entered into and awarded by the Board of Trustees of a junior college district where a grant of federal funds by the Appalachian Commission has been made to the Board of Trustees of such junior college district to assist in financing construction of such secondary vocational and technical training facility for such county school district. §37-47-29 (1996)

In the letting of public contracts, preference shall be given to resident contractors, and a nonresident bidder domiciled in a state, city, county, parish, nation or political subdivision having laws granting preference to local contractors shall be awarded Mississippi public contracts only on the same basis as the nonresident bidder's state, city, county, parish, nation or political subdivision awards contracts to Mississippi contractors bidding under similar circumstances. Resident contractors actually domiciled in Mississippi, be they corporate, individuals or partnerships, are to be granted preference over nonresidents in awarding of contracts in the same manner and to the same extent as provided by the laws of the state, city, county, parish, nation or political subdivision of domicile of the nonresident. §31-7-47 (1995)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies FA — Facility Goals/Authority  
FEAG — Project Planning Involvement State Government
Written personnel policies for all licensed/non-licensed personnel are intended to be a guide for present and future employees of the Harrison County School District. These policies will establish the rules which govern the employee and the employer and are designed for the most efficient operation of the school system, covering conditions of employment, promotions, work schedules, office hours, sick leave, vacations, and retirement.

Morale and other factors that create an efficient, smooth running organization will be greatly enhanced by a thorough knowledge of these policies. The Board of Trustees of the Harrison County School District desires that each person be fully cognizant of his/her responsibilities in the overall educational program of the district and that he/she has a feeling of security and belonging.

All licensed/non-licensed employees of the Harrison County School District are expected to be thoroughly familiar with and actively to support the enforcement of all Board of Trustees’ policies and procedures, rules and regulations of the Superintendent of Education, and rules as set forth by principals and/or immediate supervisors and in school handbooks. Policies beginning with GA coding are applicable to all employees; GB, to licensed employees; and GC, to non-licensed employees.

The excellence of the entire staff determines the success of a quality educational experience for the youth of the District. The Board is interested in its personnel as individuals, and it recognizes the responsibility for promoting the general welfare of the staff.

The Board’s specific personnel goals are:

1. to employ the best available personnel for the school system;
2. to provide attractive compensation and benefits for staff welfare;
3. to develop and implement personnel evaluation processes that will contribute to the improvement of staff capabilities and the learning program;
4. to provide a staff development program for all employees that promotes the educational program and aids each staff member’s career aspirations;
5. to develop a climate that will produce the highest staff performance, morale and satisfaction.

The Harrison County School District is in compliance with Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act or other state or federal guidelines applicable to equal
opportunity employment. The Harrison County School District’s policy assures that no one shall on the grounds of race, color, age, religion, disability, national origin, or sex be subjected to discrimination in employment practices.

As provided under Title IX of the Education Amendments of 1972, no person in the U.S. shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}

HARASSMENT PROHIBITED

This school district affirms the employee rights under Title VII and therefore "shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment."

LEGAL REF.: 1964 Civil Rights Act, Title VI; 1964 Civil Rights Act, Title VII; Executive Order 11246, as amended; 1972 Education Amendments, Title IX; 45 CFR, Part 86; 1973 Rehabilitation Act, Section 503; 1973 Rehabilitation Act, Section 504; 45 CFR, Part 84; 29 U.S.C.A. 621, et seq.

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies GACN - Sexual Harassment
GBD - Professional Personnel Hiring
GBR - Employees Complaints of Sexual Discrimination / Harassment -- Procedures
GCRAA - Fair Labor Standards Policy

HIRING PROCEDURES – ALL EMPLOYEES – BACKGROUND CHECKS

This school district shall employ licensed staff on a professional basis without regard to age, race, color, gender, or national origin. Every school teacher employed in this school system must possess a valid license and shall execute a written contract with the local Board of Education.

This school board has the power and authority to select all school district personnel in the manner provided by law, and to provide for such employee fringe benefit programs including accident reimbursement plans, as may be deemed necessary and appropriate by the board. 37-7-301 (p) (1993)

The superintendent of the school district shall have the power, authority and duty to enter into contracts in the manner provided by law for each assistant superintendent, principal and teacher of the public schools under his supervision, after such assistant superintendent, principal and teachers have been selected and approved in the manner provided by law. 37-9-14 (2) (a) (1999)
NO CHILD LEFT BEHIND ACT

The superintendent will ensure that all employee manuals and handbooks are in compliance with federal law and include:

- the education and experience required of all new instructional employees;
- any credentials that current instructional employees must acquire;
- a timetable for meeting any new requirements; and,
- the consequences for employees who fail to comply;

All employees are to be advised of the revisions of the handbooks or manuals and of any implications for existing personnel.

The superintendent will ensure that parents/guardians of students of Title I schools are informed of their right to know the professional qualifications of their child's teacher and will describe where and how this information may be obtained. The superintendent will monitor Title I schools to ensure that parents/guardians of all students are notified when those students are taught for four (4) or more consecutive weeks by a teacher who is not highly qualified as defined by law.

Staffing patterns will be reviewed annually to ensure that poor and minority students are not, at rates higher than are other children in the district, taught by inexperienced, unqualified, or out-of-field teachers. If such patterns are noted, strategies to correct the problem will be developed.

In employing professional staff, the school district shall comply with applicable provisions of the No Child Left Behind Act of 2001.

Beginning in the 2002-03 school year, districts may hire only highly qualified teachers for Title I support programs.

Districts must develop a plan to have all teachers be highly qualified by the end of the 2005-06 school year.

The Mississippi Department of Education must develop a plan to have all teachers teaching in core academic subjects be highly qualified by the end of the 2005-06 school year.

EMPLOYEE RIGHTS AND RESPONSIBILITIES

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The superintendent will develop rules that prescribe the circumstances under which the district administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available and distributed to parents and students outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, as required by the No Child Left Behind Act of 2001 (NCLBA). In addition, each school may publish a student/parent handbook detailing additional rules specific to that school. [All rules applying to student conduct shall be posted in a prominent place in each school building.]
LICENSED AND NON-INSTRUCTIONAL EMPLOYEES

On or before April 1 of each year, the principal of each school shall recommend to the superintendent of the local school district the licensed employees or non-instructional employees to be employed for the school involved except those licensed employees or non-instructional employees who have been previously employed and who have a contract valid for the ensuing scholastic year. If such recommendations meet with the approval of the superintendent, the superintendent shall recommend the employment of such licensed employees or noninstructional employees to the local school board, and, unless good reason to the contrary exists, the board shall elect the employees so recommended. If, for any reason, the local school board shall decline to elect any employee so recommended, additional recommendations for the places to be filled shall be made by the principal to the superintendent and then by the superintendent to the local school board as provided above.

PERSONNEL SUPERVISOR

The school board of any local school district shall be authorized to designate a personnel supervisor or another principal employed by the school district to recommend to the superintendent licensed employees or noninstructional employees; however, this authorization shall be restricted to no more than two (2) positions for each employment period for each school in the local school district. Any noninstructional employee employed upon the recommendation of a personnel supervisor or another principal employed by the local school district must have been employed by the local school district at the time the superintendent was elected or appointed to office; a noninstructional employee employed under this authorization may not be paid compensation in excess of the statewide average compensation for such noninstructional position with comparable experience, as established by the State Department of Education.

The school board of any local school district shall be authorized to designate a personnel supervisor or another principal employed by the school district to accept the recommendations of principals or their designees for licensed employees or noninstructional employees and to transmit approved recommendations to the local school board; however, this authorization shall be restricted to no more than two (2) positions for each employment period for each school in the local school district.

When the licensed employees have been elected as provided in the preceding paragraph, the superintendent of the district shall enter into a contract with such persons in the manner provided in this chapter.

If, at the commencement of the scholastic year, any licensed employee shall present to the superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher grade license would have entitled the individual, had the license been held at the time the contract was executed. § 37-9-17 (2001)

CRIMINAL RECORDS BACKGROUND CHECK / CHILD ABUSE REGISTRY CHECK

1. All new hire licensed and non-licensed employees after the implementation date must have a state child abuse registry check and criminal records background check via fingerprint card.

2. The district may charge the applicant up to $50.00 or may pay the fee at its discretion.

3. Information obtained via these checks is for employment use only and cannot be disseminated.

4. Applicants are ineligible for employment if checks disclose a guilty plea, conviction, or nolo contendere plea to a felony conviction for:
5. If the school district has hired an applicant contingent upon a background check and derogatory information is obtained, that applicant's contract is voidable at the time of the report and the applicant's contract should so state.

6. The school board may, at its discretion, waive any convictions and hire an applicant with a criminal record based on:

- Age at commission of the crime.
- Circumstances surrounding the crime.
- Length of time and criminal history since the crime.
- Work history and current employment and character.
- Other evidence demonstrating the ability of the person to perform the job and does not pose a threat to the health or safety of the school children.

7. No school district or employee may be held liable in an employment discrimination suit involving this statute.

8. The checks are required for new hire personnel (licensed and non-licensed) after July 1, 2000. The school district may hire applicants and let them work contingent upon the successful completion of the criminal background check.

CONVICTION BASED ON ERRONEOUS INFORMATION

In the event an applicant wishes to contest a conviction based on erroneous information the applicant shall appeal the information to the Department of Public Safety. The applicant will show the school board or its designee proof of the corrected record.

NOTE: Assistance in developing rules and procedures for fingerprinting and criminal background checks may be obtained from the Office of Safe and Orderly School's Division of School Safety at the Mississippi Department of Education (601-359-1335).

NEPOTISM AND CONFLICT OF INTEREST

It shall be illegal for any superintendent, administrative superintendent, principal or other licensed employee to be elected by the school board if such superintendent, administrative superintendent, principal or licensed employee is related within the third degree by blood or marriage according to the common law to a majority of the members of the school board. No member of the school board shall vote for any person as a superintendent, administrative superintendent, principal or licensed employee who is related to him within the third degree by blood or marriage or who is dependent upon him in a financial way. Any contract entered into in violation of the provisions of this section shall be null and void. 

37-9-21 (1997)

NOTE: In order to be in agreement with statutes related to Nepotism and to Conflict of Interest, please ensure compliance with MS Codes cited above and with Sections 25-4-25 through 25-4-29; 25-4-105; 37-11-25 & 37-11-27; and with Article 4, Section 109 of the MS Constitution.

LEGAL REF.: MS CODE as cited; P. L. 107-110(No Child Left Behind Act of 2001)
BUDGET PLANNING INVOLVEMENT

Budgets will be prepared after assessments are completed at the user level. The administrative staff will be involved in assessing needs and helping to establish an organizational budget.

STAFF DECISION MAKING/STAFF-COMMUNITY RELATIONS – ALL EMPLOYEES

The superintendent shall establish mechanisms which solicit regular input of community, students, and staff regarding policies, procedures, programs, and operations of the Harrison County School District. Such input will be considered for incorporation in the district’s educational plan. The Board may request a summary of community input.

ORIENTATION, KNOWLEDGE OF POLICIES AND PROCEDURES – RESPONSIBILITY FOR POLICY ENFORCEMENT – ALL EMPLOYEES

All personnel of the Harrison County School District are expected to be thoroughly familiar with and actively support the enforcement of all district policies and procedures adopted by the Board of Trustees and/or established by the administration.

PROFESSIONAL STAFF DEVELOPMENT

NO CHILD LEFT BEHIND ACT

As required by the No Child Left Behind Act, the superintendent will ensure that all employee manuals and handbooks are in compliance with federal law and include:

- the education and experience required of all new instructional employees;
- any credentials that current instructional employees must acquire;
- a timetable for meeting any new requirements; and,
- the consequences for employees who fail to comply.

All employees are to be advised of the revisions of the handbooks or manuals and of any implications for existing personnel.
EMPLOYEE RIGHTS AND RESPONSIBILITIES

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The superintendent will develop rules that prescribe the circumstances under which the district administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available and distributed to parents and students outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, as required by the No Child Left Behind Act of 2001 (NCLBA). In addition, each school may publish a student/parent handbook detailing additional rules specific to that school.

STAFF DEVELOPMENT PLANS

The State Board of Education, through the Commission on School Accreditation, shall establish criteria for comprehensive in service staff development plans. These criteria shall: (a) include, but not be limited to, formula and guidelines for allocating available state funds for in service training to local school districts; (b) require that a portion of the plans be devoted exclusively for

the purpose of providing staff development training for beginning teachers within that local school district and for no other purpose; and (c) require that a portion of the school district's in service training for administrators and teachers be dedicated to the application and utilization of various disciplinary techniques. The board shall each year make recommendations to the Legislature concerning the amount of funds which shall be appropriated for this purpose.

School districts shall not be required to submit staff development plans to the Commission on School Accreditation for approval. However, any school district accredited at Level 1 or Level 2 shall include, as a part of any required corrective action plan, provisions to address staff development in accordance with State Board of Education requirements. All school districts, unless specifically exempt from this section, must maintain on file staff development plans as required under this section. The plan shall have been prepared by a district committee appointed by the district superintendent and consisting of teachers, administrators, school board members, and lay people, and it shall have been approved by the district superintendent.

In order to insure that teachers are not overburdened with paperwork and written reports, local school districts and the State Board of Education shall take such steps as may be necessary to further the reduction of paperwork requirements on teachers.

Districts meeting Level 4 or 5 accreditation standards, as defined by the State Board of Education, shall be exempted from the mandatory provisions of this section relating to staff development plans. MS Code 37-17-8 (2006)

STUDENT TEACHING

Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such
assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. MS Code 37-3-2 (6) (a) (2002)

LICENSE RENEWAL

The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing the master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. MS Code 37-3-2 (9) (2000)

NOTE: For information on the Beginning Principal Support Pilot Program, please contact the School Executive Management Institute at the Mississippi Department of Education.

Standards 8 and 21 are as follows:

8. All district professional positions requiring licensed staff are filled by staff that are properly licensed and endorsed as required by state law and federal requirements of the No Child Left Behind Act of 2001 {NCLB} MS Code 37-9-7} (IDDB2, 3, NCLB, and Federal Code)。

8.1 With the exception of academic core subjects, the professional staff in each school is comprised of no more than 5% of Full Time Equivalent (FTE) units working outside the area or areas of endorsement. An appropriate license is required for superintendents, principals, librarians, and guidance counselors. (Refer to process standards 3, 4, 5, and 6.)

8.2 Secondary teachers endorsed in an academic subject area may teach in their academic subject area in departmentalized elementary grades 5 and 6. (SB Policy DFB-1)

8.3 Assistant principals and administrative interns who are not properly endorsed may be included in the 5% FTE working outside their area of endorsement, provided that they do not act in the place of the principal.

21. The school district implements a professional development program that complies with the guidelines published in Professional Development for the New Millennium (Level 4 and 5 schools are exempted.) {MS Code 37-17-8}

LEGAL REF.: MS CODE as cited; P. L. 107-110 (No Child Left Behind Act of 2001)
Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies CA - General School Administration Goals and Objectives
GADD - Beginning Teacher Support Program
IB - Instructional Goals

GRIEVANCE PROCEDURE – PERSONNEL  GAE

A “grievance” under this procedure shall mean a complaint by a person who believes he/she has been treated unfairly or otherwise discriminated against in his/her employment. The following steps shall be used in processing such grievances.
STEP 1
A. The aggrieved person shall present his/her grievance in writing to his/her immediate supervisor.
B. If the grievance is sexual in nature and is directed toward the aggrieved person’s supervisor, the grievance shall be presented in writing to the immediate supervisor of the individual toward whom the grievance is directed. The grievance process will then follow the steps as outlined.
C. The aggrieved person or administrative supervisor may request a conference prior to the time a decision is rendered.
D. The administrative supervisor shall render a written decision to the aggrieved within ten (10) days after receipt of the grievance.

Step 2
A. If the aggrieved is not satisfied at Step 1, he/she may within five (5) days, notify in writing, his/her administrative supervisor of his/her intent to appeal to the appropriate authority.
B. The aggrieved person shall present his/her appeal in writing to the appropriate central office administrator and shall include copies of all correspondence from Step 1.
C. The aggrieved person or central office administrator may request a conference prior to the time a decision is made.
D. The central office administrator shall render a written decision to the aggrieved within ten (10) days after receipt of the appeal.

Step 3
A. If the aggrieved is not satisfied at Step 2, he/she may within five (5) days notify in writing the central office administrator of his/her intent to appeal to the Superintendent of Education.
B. The aggrieved person shall present his/her appeal in writing to the Superintendent and shall include copies of all correspondence from Steps 1 and 2.
C. The aggrieved person or the Superintendent may request a conference prior to the time a decision is rendered.
D. The Superintendent shall render a written decision with thirty (30) days after the receipt of the appeal.

Step 4
A. If a hearing is requested, said hearing may be handled at the regularly scheduled meeting of the Board or at a called meeting. The aggrieved may request an executive session.
B. Request for a hearing must be made ten (10) days before a regularly scheduled Board meeting in order to be included on the agenda. Such request must be made in writing.
C. In all formal hearing procedures, cross-examination shall be permitted.
D. Hearings will be recorded electronically or a written summary will be made. Requests for summaries must be made in writing, and a fee will be charged for such summaries.
E. A full record of individual staff grievances will be kept in the individual’s personnel file.

STAFF PROTECTION

This school board directs the superintendent to develop programs, procedures, and guidelines to promote a safe environment for teaching and learning.

It shall be unlawful for any person to intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce, whether by illegal force, threats of force or by the distribution of intimidating, threatening or
coercive material, any person enrolled in any school for the purpose of interfering with the right of that person to attend school classes or of causing him not to attend such classes. MS Code 37 11 20 (1972)

If any parent, guardian or other person, shall abuse any superintendent, principal, teacher or school bus driver while school is in session or at a school-related activity, in the presence of school pupils, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Ten Dollars ($10.00) nor more than Fifty Dollars ($50.00).
MS Code 37 11 21 (1992)

If any person shall willfully disturb any session of the public school or any public school meeting, such person shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than ten dollars ($10.00) nor more than fifty dollars ($50.00).
MS Code 37 11 23 (1970)

The governing authorities of the municipality may, at its discretion, investigate and provide legal counsel for the defense of any claim, demand or action, whether civil or criminal, made or brought against any school district employee as a result of his actions while acting in his official capacity. MS Code 25 1 47 (1971)

A person guilty of simple assault as defined by statute, upon a superintendent, principal, teacher or other instructional personnel, school attendance officer, school bus driver, or other individuals specified in state law while these individuals are acting within the scope of their duty, office, or employment shall be punished by a fine of not more than one-thousand dollars ($1,000) or by imprisonment for not more than five (5) years or both. §97-3-7, MS Code of 1972, amended.

A person guilty of aggravated assault, as defined by statute, upon an individual named above shall be punished by a fine of not more than five thousand dollars ($5,000) or by imprisonment for not more than thirty (30) years or both. §97-3-7, MS Code of 1972, amended.

HARASSMENT PROHIBITED

This school district affirms employee protection provided under Title VII, and therefore “shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another’s work performance or which creates an intimidating, offensive, or hostile environment.”

Further, this school district prohibits sexual harassment of or by any student. This policy applies to conduct during and relating to school and school-sponsored activities. Sexual harassment is inappropriate behavior and offensive. Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion.

CRIMINAL RECORDS BACKGROUND CHECK / CHILD ABUSE REGISTRY CHECK

Overview of Senate Bill 2658 / MS CODE 37 9 17 (2) (2000):

On May 22, 2000, the Governor signed SB 2658 into law. It provides for an implementation date of July 1, 2000, and mandates the following actions:

1. All new hire licensed and non-licensed employees after the implementation date must have a state child abuse registry check and criminal records background check via fingerprint card.

2. The district may charge the applicant up to $50.00 or may pay the fee at its discretion.
3. Information obtained via these checks is for employment use only and cannot be disseminated.

4. Applicants are ineligible for employment if checks disclose a guilty plea, conviction, or nolo contendere plea to a felony conviction for:
   A. Possession or sale of drugs.
   B. Murder, Manslaughter, or Armed Robbery.
   C. Rape, Sexual Battery, or sex offense as listed in Section 45-31-3 (1).
   D. Child Abuse, Arson, Grand Larceny, or Burglary.
   E. Gratification of Lust or Aggravated Assault.

5. If the school district has hired an applicant contingent upon a background check and derogatory information is obtained, that applicant's contract is voidable at the time of the report and the applicant's contract should so state.

6. The school board may, at its discretion, waive any convictions and hire an applicant with a criminal record based on:
   A. Age at commission of the crime.
   B. Circumstances surrounding the crime.
   C. Length of time and criminal history since the crime.
   D. Work history and current employment and character.
   E. Other evidence demonstrating the ability of the person to perform the job and does not pose a threat to the health or safety of the school children.

7. No school district or employee may be held liable in an employment discrimination suit involving this statute.

8. The checks are required for new hire personnel (licensed and non-licensed) after July 1, 2000. The school district may hire applicants and let them work contingent upon the successful completion of the criminal background check.

CONVICTION BASED ON ERRONEOUS INFORMATION

In the event an applicant wishes to contest a conviction based on erroneous information the applicant shall appeal the information to the Department of Public Safety. The applicant will show the school board or its designee proof of the corrected record.

NOTE: Assistance in developing rules and procedures for fingerprinting and criminal background checks may be obtained from the Office of Safe and Orderly Schools Division of School Safety at the Mississippi Department of Education (601-359-1335).

Standards 36 and 37 are as follows:

36. The school district provides facilities that meet the following criteria: {MS Code 37 7 301(c)(d)(j); 37 11 5, 49; and 45 11 101}
   36.1 The school district provides facilities that are clean.
   36.2 The school district provides facilities that are safe.
   36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
   36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37 17 6(2)}
37. The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. (MS Code 37 3 81 and 37 3 83(2)) (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)

37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - School Safety Plan
            GAAA - Equal Opportunity Employment
            JCD-2 - Student Conduct - Discipline Plan
            KBB - Media Access to School Campuses, Staff and Students
            GAEAA – Sexual Harassment – All Employees

SEXUAL HARASSMENT AND SEXUAL DISCRIMINATION – ALL EMPLOYEES GAEAA

PROTECTION UNDER TITLE VII

This school district affirms employee protection provided under Title VII, and therefore "shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment."

PART I

In accordance with Title VII of the 1964 Civil Rights Act, as amended in 1972, Section 703, no employee in the Harrison County School District shall be subject to sexual harassment.

It is the intent of the school board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

PART II

Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when certain criteria are met:

Criteria:

I. Submission to such conduct is made, either implicitly or explicitly, a term or condition of employment.

II. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

III. Such conduct has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.
Criteria I and II are examples of quid pro quo or conditional sexual harassment. The third criterion is an example of hostile work environment.

PART III

Complaints of violation of this policy may be made to the appropriate administrative officer or the Title IX coordinator without fear of reprisal. Should violations prove to be legitimate, the offending employee shall be subject to disciplinary action, including involuntary termination of employment.

SEXUAL MISCONDUCT PROHIBITED

If any person eighteen (18) years or older who is employed by any public or private school district in this state is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of such accusation, provided that such accusation is reported to the principal and to the school superintendent and that there is a reasonable basis to believe that such accusation is true. Section 97-5-24 (1994)

If any teacher and any pupil under eighteen (18) years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than five hundred dollars ($500.00) each, and the teacher may be imprisoned not less than three (3) months nor more than six (6) months. Section 97-29-3 (1980)

LEGAL REF.: MS CODE as cited
Title VII Civil Rights Act 1964, as amended in 1972

PROTECTION UNDER TITLE IX

Section I: SEXUAL HARASSMENT PROCEDURES UNDER TITLE IX

Employees and students in academic institutions are protected from sexual harassment by Title IX of the Education Amendment of 1972. This amendment to the 1964 Civil Rights Act prohibits sex discrimination and sexual harassment in educational institutions that receive federal assistance. It is the intent of the Board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

Complaints of violation of this policy may be made to the appropriate administrative officer or the Title IX coordinator without fear of reprisal. Should violations prove to be legitimate, the offending employee shall be subject to disciplinary action, including involuntary termination of employment.

Section II: REQUIREMENTS FOR PROCESSING COMPLAINTS

1. Since it is important that complaints be filed and processed as rapidly as possible, the number of days indicated at each step is considered as maximum and every effort will be made to expedite the process. At any step in the complaint procedure, the time limits may be extended when necessary.

2. References to days are working days and do not include holidays and/or weekends.

3. Facts elicited during step two proceedings are confidential and do not become part of the employee's official personnel file. A copy of documents, communications, and records
dealing with the processing of a complaint will be filed in a separate file in the office of personnel services.

4. The failure of a complainant to proceed from one step of the procedure to the next within the set time limits shall be deemed to be acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.

5. The failure of the reviewing officers to communicate their decision to the complainant within the time limits shall permit the complainant to proceed to the next step.

6. The complainants may withdraw their complaint at any step without prejudice. However, they shall not be permitted to re-file that same complaint once withdrawn.

7. No reprisal shall be invoked against any employee for filing a complaint or for participation in any way in this procedure.

8. If the complaint is against the person's immediate supervisor, the complainant should talk immediately with the Title IX Coordinator.

Section III: PROCEDURES FOR PROCESSING COMPLAINTS

Step One:
Within five (5) days of the time a complaint becomes known, the employee will present the complaint orally to his immediate supervisor or the district's Title IX Coordinator and complete the "Report of Violation of Title IX" form. It should be noted that the complainant does not have to report the incident to the supervisor before talking with the Title IX Coordinator.

Step Two:
Within 3-5 days the supervisor or complainant is to present the completed "Report of Violation of Title IX" form to the designated person in the office of personnel services.

Step Three:
Within five (5) days, after review of the written complaint, the Title IX coordinator shall personally question both or all parties involved in the sexual harassment complaint. A written record shall be made of the statements made by all parties involved. If the alleged harasser denies the allegation, the Title IX Coordinator must do additional fact finding before making a determination. This must be done within 5-7 days.

Step Four:
The complainant may request, in writing, within 5 days, a hearing before an unbiased panel of district employees. If such a request is made, it shall be the responsibility of the district's Title IX Coordinator to convene a panel of three to five district employees.

Step Five:
A panel of three to five district employees shall review the facts presented and question all parties involved before making a determination. The complainant and alleged harasser will be informed by registered mail of the date and time to appear before the panel. The proceedings of the hearing will be taped and kept on file in the office of personnel services. The panel shall be convened within 5-10 days of the written request. Representation of a complainant or alleged harasser by other individuals will not be permitted.

The panel will prepare a written summary of all relevant facts, being careful to state such facts fairly and objectively. The panel will then express its findings and conclusions. The summary of
facts, findings and conclusions will then provide the basis for subsequent review in the event of further appeal by the complainant.

Step Six:
Within five days of review of the response of step five, the complainant and/or alleged harasser may appeal the decision by requesting, in writing, a review of the decision by the superintendent of schools. The superintendent will review the written summary of the step five panel and shall within ten (10) days render his written decision.

Step Seven:
Within five (5) days of review of the response of step six, the complainant or alleged harasser may appeal this decision by requesting, in writing, a review of the decision by the board of trustees. The board shall review the written summary of the panel and the written decision of the superintendent within thirty (30) days of the receipt of the step six appeal. The board's decision shall be rendered no later than the conclusion of its next regularly scheduled board meeting.

LEGAL REF.: 1964 Civil Rights Act; Title IX of the Education Amendment of 1972.
CROSS REF.: Policy GAE – Grievance Procedure
GAEAA – Sexual Harassment and Sexual Discrimination – All Employees
JCDCA – Student Complaints of Sexual Discrimination/Harassment – Title IX
Procedures

GRIEVANCES – EMPLOYEES AND VISITORS – SECTION 504/AMERICANS WITH DISABILITIES ACT

Any person who believes that he/she has been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973 or the Americans With Disabilities Act may file a complaint pursuant to the procedures set forth below. A grievance may be filed to resolve any disputes arising under these laws. Filing a complaint will not subject the complainant to any form of adverse action, reprimand, retaliation or otherwise negative treatment by school district personnel.

1. Within five (5) days of when a complainant knew or should have known of discriminatory conduct, a complaint shall be given in writing to the school principal or Section 504/ADA Coordinator. The complaint shall describe specifically the time, place and nature of, and the participants in the alleged discriminatory acts. The Section 504/ADA Coordinator shall, within ten (10) days of receipt of the complaint, conduct or cause to be conducted a thorough investigation including questioning of all parties involved. After the investigation is complete, the Section 504/ADA Coordinator shall meet with the complaining party and give a full report of the findings.

2. If the grievance or complaint is not satisfactorily resolved at Step 1, the complainant shall have five (5) days to appeal the Step 1 findings to the Superintendent of Education. The complainant shall present his/her complaint in writing, describing specifically the reasons for his/her dissatisfaction with the results of Step 1. The Superintendent or his/her designee shall review all aspects of the complaint and complete an additional investigation if necessary. The Superintendent of Education and/or his/her designee shall respond to the complainant in writing within ten (10) days of receipt of the written appeal or when the investigation has been completed in its entirety.

3. If the complainant is not satisfied with the results of Step 2, the complaining party shall have five (5) days from receipt of the Superintendent’s decision to appeal the complaint to the Board of Trustees. The appeal shall be in writing, describing specifically the reasons for opportunity to present an oral statement to the Board before the Board makes its decision. The Board’s decision shall be rendered
within thirty (30) days after receipt of the appeal or when the investigation has been completed in its entirety.

4. The name and address of the 504 coordinator will be published annually.

COMPLAINT ABOUT TEACHER

If a parent has a complaint against a teacher, the following process will be followed:

1. Parent(s) should contact the teacher, counselor, or secretary at the school for an appointment that is convenient to the parent and teacher and does not disrupt the instructional day.

2. Parent(s) should state the nature and purpose of the conference at the time the appointment is made. This will insure that the teacher has appropriate documents needed to answer parent’s concerns.

3. Parent/teacher conferences are confidential and should address the individual needs of a student. Conferences with groups of parents with an individual teacher do not provide the proper forum for addressing individual needs of a student.

4. The teacher and/or parent may request a neutral third party acceptable to both parties to participate as an observer during the conference.

5. If the parent is not satisfied with the teacher conference, he/she may request a conference with the principal. The principal will meet with parent(s) to determine what action was taken by the teacher. Every effort should be made to resolve the conflict between the parent and teacher at the building level. The parent(s) may then appeal to the Superintendent of Education.

6. The Superintendent will meet with the principal and teacher involved prior to meeting parent(s) to determine what action was taken by the principal and teacher. The decision of the Superintendent will be final.

7. Parent(s) should be notified in writing of the procedures to be followed for parent/teacher conferences. This can be accomplished by publishing the procedure in the student handbook.

STAFF-STUDENT RELATIONS

Staff members shall regard each student as an individual. The staff shall aid each student in his/her learning, consistent with district goals. Students shall be treated with courtesy and consideration.

Each student is urged to regard staff members as people with specific knowledge and capabilities. No student shall have the right to interfere with the efforts of the instructional staff to implement a learning program. Nor shall a student have the right to interfere with the learning of other students.

It shall be unlawful for any person to intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce, whether by illegal force, threats of force or by the distribution of intimidating, threatening or coercive material, any person enrolled in any school for the purpose of interfering with the right of that person to attend school classes or of causing him/her not to attend such classes.
INAPPROPRIATE RELATIONSHIP BETWEEN STAFF AND STUDENTS

It is the policy of the Harrison County School District to prohibit inappropriate relationships between staff and students.

The administration, when it hears or becomes aware that a situation might exist between one of its employees and a student, must investigate. All rumors must be evaluated. If there is no evidence that any wrongdoing has occurred, then the investigation can be closed, but should be documented regarding what the investigation revealed. If the investigation leads to suspicious conduct, then the investigation must continue until the allegation is dismissed or there are sufficient facts to lend credibility to the charges.

If the investigation does not prove absolutely that sexual behavior has occurred, but that other inappropriate conduct did occur, such as personal e-mails, text messages, and telephone calls that are not school-related between a staff member and a student, such acts are not appropriate and are grounds for dismissal.

If there is a reasonable basis to believe that any type of sexual involvement has occurred between any staff and a student under the age of eighteen (18), the principal and/or the Superintendent must report this conduct to the District Attorney (mandatory). The School Board must be informed.

If any teacher and any pupil under eighteen (18) years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than five hundred dollars ($500.00) each, and the teacher may be imprisoned not less than three (3) months nor more than six (6) months. (MS Code, Section 97-29-3 (1980)

In summary, the administration must thoroughly investigate all accusations of misconduct in an expeditious manner. Documentation of the investigation is a must regardless of the conclusion reached. Once evidence is found, the information must be turned over to the District Attorney and dismissal of the staff members should take place.

LEGAL REF.: MS CODE as cited

STAFF CONFLICT OF INTEREST

It shall be illegal for any Superintendent, principal or other licensed employee to be elected by the School Board if such Superintendent, principal or licensed employee is related within the third degree by blood or marriage according to the common law to a majority of the members of the School Board. No member of the School Board shall vote for any person as a Superintendent, principal or licensed employee who is related to him/her within the third degree by blood or marriage or who is dependent upon him/her in a financial way. Any contract entered into in violation of the provisions of this section shall be null and void. §37-9-21 (1987)

It shall be unlawful for any member of the Board of Trustees of any school district, any member of the county board of education, the county Superintendent of Education or any Superintendent, principal, teacher, or employee of a county board of education or any school district to have or own any direct or indirect interest individually or as agent or employee of any person, partnership, firm or corporation in any contract made or let by the county board of education, the county Superintendent of Education or the Board...
of Trustees of the school district for the construction, repair, or improvement of any school facility, the furnishing of any supplies, materials, or other articles, the doing of any public work or the transportation of children or upon any subcontract arising therefrom or connected therewith in any manner. The Board of Trustees of any school district shall be authorized to contract with a teacher or school district employee to perform extra work without being in violation of the provisions of this section. The Board of Trustees shall make a case by case determination of the possible conflicts of interest arising from any extra work contracts and such decision by the board shall be final. Any contract entered into in violation of the provisions of this section shall be void and of no effect. Any person who shall authorize or enter into any contract in violation of the provisions hereof, or who shall knowingly or willfully pay out or receive any money upon any such contract shall be civilly liable for the amount so paid or received, and, in the case of an official who has furnished a bond, the surety upon such bond shall likewise be liable for such amount. In addition thereto, any person who shall violate the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment, in the discretion of the court. §37-11-27 (1989)

The following definitions apply in this policy unless the context otherwise requires:

a. "Authority" means any component unit of a governmental entity.

b. "Benefit" means any gain or advantage to the beneficiary, including any gain or advantage to third person pursuant to the desire or consent of the beneficiary.

c. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, holding company, self-employed individual, joint stock company, receivership, trust or other legal entity or undertaking organized for economic gain, a nonprofit corporation or other such entity, association or organization receiving public funds.

d. "Business with which he/she is associated" means any business of which a public servant or his/her relative is an officer, director, owner, partner, employee or is a holder of more than ten percent (10%) of the fair market value or from which he/she or his/her relative derives more than one thousand dollars ($1,000.00) in annual income or over which such public servant or his/her relative exercises control.

e. "Compensation" means money or thing of value received, or to be received, from any person for services rendered.

f. "Contract" means:

i. Any agreement to which the government is a party; or

ii. Any agreement on behalf of the government which involves the payment of public funds.

g. "Government" means the state and all political entities thereof, both collectively and separately, including but not limited to:

i. Counties;

ii. Municipalities;

iii. All school districts;

iv. All courts; and
v. Any department, agency, board, commission, institution, instrumentality, or legislative or administrative body of the state, counties or municipalities created by statute, ordinance or executive order including all units that expend public funds.

h. "Governmental entity" means the state, a county, a municipality or any other separate political subdivision authorized by law to exercise a part of the sovereign power of the state.

i. "Income" means money or thing of value received, or to be received, from any source derived, including but not limited to, any salary, wage, advance, payment, dividend, interest, rent, forgiveness of debt, fee, royalty, commission or any combination thereof.

j. “Intellectual property” means any formula, pattern, compilation, program, device, method, technique or process created primarily as a result of the research effort of an employee or employees of an institution of higher learning of the State of Mississippi.

k. "Material financial interest" means a personal and pecuniary interest, direct or indirect, accruing to a public servant or spouse, either individually or in combination with each other. Notwithstanding the foregoing, the following shall not be deemed to be a material financial interest with respect to a business with which a public servant may be associated:

   (i) Ownership of any interest of less than ten percent (10%) in a business where the aggregate annual net income to the public servant therefrom is less than One Thousand Dollars ($1,000.00);

   (ii) Ownership of any interest of less than two percent (2%) in a business where the aggregate annual net income to the public servant therefrom is less than Five Thousand Dollars ($5,000.00);

   (iii) The income as an employee of a relative if neither the public servant or relative is an officer, director or partner in the business and any ownership interest would not be deemed material pursuant to subparagraph (i) or (ii) herein; or

   (iv) The income of the spouse of a public servant when such spouse is a contractor, subcontractor or vendor with the governmental entity that employs the public servant and the public servant exercises no control, direct or indirect, over the contract between the spouse and such governmental entity.

l. "Pecuniary benefit" means benefit in the form of money, property, commercial interests or anything else the primary significance of which is economic gain. Expenses associated with social occasions afforded public servants shall not be deemed a pecuniary benefit.

m. "Person" means any individual, firm, business, corporation, association, partnership, union or other legal entity, and where appropriate a governmental entity.

n. "Property" means all real or personal property.

o. "Public funds" means money belonging to the government.

p. "Public servant" means:

   i. Any elected or appointed official of the government;

   ii. Any officer, director, commissioner, supervisor, chief, head, agent or employee of the government or any agency thereof, or of any public entity created by or under the laws of the state of Mississippi or created by an agency or governmental entity thereof, any of which is
funded by public funds or which expends, authorizes or recommends the use of public funds; or

iii. Any individual who receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the government.

q. "Relative" means the spouse, child or parent.

r. "Securities" means stocks, bonds, notes, convertible debentures, warrants, evidences of debts or property or other such documents. §25-4-103 (1992)

1. No public servant shall use his/her official position to obtain pecuniary benefit for himself/herself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he/she is associated.

2. No public servant shall be interested, directly or indirectly, during the term for which he/she shall have been chosen, or within one (1) year after the expiration of such term, in any contract with the state, or any district, county, city or town thereof, authorized by any law passed or order made by any board of which he/she may be or may have been a member.

3. No public servant shall:

   a. Be a contractor, subcontractor or vendor with the governmental entity of which he/she is a member, other than in his/her contract of employment, or have a material financial interest in any business which is a contractor, subcontractor or vendor with the governmental entity of which he/she is a member.

   b. Be a purchaser, direct or indirect, at any sale made by him/her in his/her official capacity or by the governmental entity of which he/she is an officer or employee, except in respect of the sale of goods or services when provided as public utilities or offered to the general public on a uniform price schedule.

   c. Be a purchaser, direct or indirect, of any claim, certificate, warrant or other security issued by or to be paid out of the treasury of the governmental entity of which he/she is an officer or employee.

   d. Perform any service for any compensation during his/her term of office or employment by which he/she attempts to influence a decision of the authority of the governmental entity of which he/she is a member.

   e. Perform any service for any compensation for any person or business after termination of his/her office or employment in relation to any case, decision, proceeding or application with respect to which he/she was directly concerned or in which he/she personally participated during the period of his/her service or employment.

4. Notwithstanding the provisions of subsection (3) of this section, a public servant or his/her relative:

   a. May be an officer or stockholder of banks or savings and loan associations or other such financial institutions bidding for bonds, notes or other evidences of debt or for the privilege of keeping as depositories the public funds of a governmental entity thereof or the editor or employee of any newspaper in which legal notices are required to be published in respect to the publication of said legal notices.

   b. May be a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee or agent or have a material financial interest in a business which is a contractor or vendor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a
member, officer, employee or agent where such contract is let to the lowest and best bidder after competitive bidding and three (3) or more legitimate bids are received or where the goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases law.

c. May be a subcontractor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee or agent or have a material financial interest in a business which is a subcontractor with any authority of the governmental entity other than the authority of the governmental entity of which he/she is a member, officer, employee or agent where the primary contract is let to the lowest and best bidder after competitive bidding or where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases law.

d. May be a contractor, subcontractor or vendor with any authority of the governmental entity of which he/she is a member, officer, employee or agent or have a material financial interest in a business which is a contractor, subcontractor or vendor with any authority of the governmental entity of which he/she is a member, officer, employee or agent: (1) where such goods or services involved are reasonably available from two (2) or fewer commercial sources, provided such transactions comply with the public purchases law; or (ii) where the contractual relationship involves the further research, development, testing, promotion or merchandising of an intellectual property created by the public servant.

e. May purchase securities issued by the governmental entity of which he/she is an officer or employee if such securities are offered to the general public and are purchased at the same price as such securities are offered to the general public.

f. May have an interest less than a material financial interest in a business which is a contractor, subcontractor or vendor with any governmental entity.

g. May contract with the Mississippi Veterans Home Purchase Board, Mississippi Housing Finance Corporation, or any other state loan program for the purpose of securing a loan; however, public servants shall not receive favored treatment.

h. May be employed by or receive compensation from an authority of the governmental entity other than the authority of the governmental entity of which the public servant is an officer or employee.

i. If a member of the Legislature or other public servant employed on less than a full-time basis, may represent a person or organization for compensation before an authority of the governmental entity other than an authority of the governmental entity of which he/she is an officer or employee.

5. No person may intentionally use or disclose information gained in the course of or by reason of his/her official position or employment as a public servant in any way that could result in pecuniary benefit for himself, any relative, or any other person, if the information has not been communicated to the public or is not public information.

6. Any contract made in violation of this section may be declared void by the governing body of the contracting or selling authority of the governmental subdivision or a court of competent jurisdiction and the contractor or subcontractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or the services furnished prior to the date of receiving notice that the contract has been voided.

7. Any person violating the provisions of this section shall be punished as provided for in Sections 25-4-109 and 25-4-111. §25-4-105 (1994)
Important Note: In order to assure compliance with statutes related to Nepotism and to conflict of interest, please ensure compliance with MS Code statutes cited above and with Sections 25-4-25 through 25-4-29; 37-11-25; and with Article 4, Section 109 of the MS Constitution.

Also see CED, CGD, CP

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The Board of Education of the Harrison County School District recognizes the right and responsibilities of its employees, including the right to campaign for elective public offices and to hold elective or appointive positions as provided by State Law.

The Board insists that such activities do not interfere with the orderly processes of education, and that staff members are absent from their positions only because of illness or other matters covered under policies governing leaves and absences.

School employees will not be given permission to assist with political campaigns in any manner during the work day without loss of pay, and no encroachment on the time of the work day will be allowed for such campaigns.

Partisan Political Activities

Federal funds cannot be used for partisan political activity of any kind by any person or organization involved in the administration of federally assisted programs.

The Board of Education of the Harrison County School District recognizes the right of each employee to vote as he/she chooses and to express his/her opinions on political subjects and candidates.

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A person who is paid from federal funds should not:

1. Use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

2. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer or employee to pay, lend, or contribute anything of value to any organization, agency, or person for political purposes; or

3. Be a candidate for elective office (does not apply to an individual already holding elective office).

The Board of Education of the Harrison County School District recognizes the right of each employee to vote as he/she chooses and to express his/her opinion on political subjects and candidates.
EMPLOYEE ARREST

An employee who is arrested or charged with a felony or misdemeanor is required to notify his or her immediate supervisor and the superintendent as soon as possible but not later than within 24 hours. Failure to report such incidents may result in disciplinary action up to and including termination.

ARREST OF TEACHER

1. Except as provided in subsection (2) of this section, before an arrest warrant shall be issued against any teacher who is a licensed public school employee as defined in Section 37-9-1 for a criminal act, whether misdemeanor or felony, which is alleged to have occurred while the teacher was in the performance of the teacher’s official duties, a probable cause hearing shall be held before a circuit court judge. The purpose of the hearing shall be to determine if adequate probable cause exists for the issuance of a warrant. All parties testifying in these proceedings shall do so under oath. The accused shall have the right to enter an appearance at the hearing, represented by legal counsel at his/her own expense, to hear the accusations and evidence against him/her; he/she may present evidence or testify in his/her own behalf.

The authority receiving any such charge or complaint against a teacher shall immediately present same to the county prosecuting attorney having jurisdiction who shall immediately present the charge or complaint to a circuit judge in the judicial district where the action arose for disposition pursuant to this section.

2. Nothing in this section shall prohibit the issuance of an arrest warrant by a circuit court judge upon presentation of probable cause, without the holding of a probable cause hearing, if adequate evidence is presented to satisfy the court that there is a significant risk that the accused will flee the court’s jurisdiction or that the accused poses a threat to the safety or well-being of the public.

This act shall take effect and be in force from and after July 1, 2001.


SOLICITATIONS – STAFF MEMBERS

By Staff Members

Teachers will not sell, solicit for sale, or advertise for sale merchandise or services or organize students for such purposes without the written approval of the building principal and the office of the Superintendent.

Of Staff Members

No organization may solicit funds from employees or may distribute flyers related to fund drives through the schools without the approval of the Superintendent.
The Harrison County School District prohibits the acceptance of gratuities and/or gifts by members of the school staff from persons and/or firms or other organizations with interests, either directly or indirectly, in any contract made or let by the district or in the proceeds or profits from sale or rental of any materials of any kind used in the school district.

The school district shall keep personnel records on all employees. It shall be the responsibility of the Superintendent or his/her designated representative to keep said records updated and complete.

All information contained in an employee’s records shall be considered confidential and shall not be transmitted to other persons or agencies without written approval by said employee or as subpoenaed by competent authority.

It shall be the duty of employees to furnish the personnel office with teaching certificates, transcripts, official statements of degrees, and similar data. It shall be the duty of the personnel staff to maintain and update records on all employees.

Employee personnel records, including personnel reports submitted to the State Department of Education, shall not be available for access for the purpose of reviewing or copying.

References to personnel actions taken by the Board and recorded in the minutes shall be by reference number to the master personnel file maintained in the office of the Superintendent.

Telephone Numbers

Each staff member of the Harrison County School District must have on file with the building principal/immediate supervisor and the Superintendent of Education his/her current home telephone number, an emergency telephone number, and current home address. Any change must be reported immediately.

School telephones are to be used for school business. Any long distance calls made from school telephones shall be charged to the caller’s home telephone. Further, any long distance calls not certified as school business shall be paid for by the person responsible for the telephone call.
1. Social Security Coverage:

On July 1, 1953, all employees became eligible for Social Security coverage through a contract with the State Public Employees Retirement System. In accordance with this contract, employee participation is mandatory.

2. Retirement Benefits:

On July 1, 1958, retirement benefits became available to all employees of the Harrison County School District, in addition to teachers who were previously covered, through a contract with the Public Employees Retirement System. Employee participation is mandatory for all employees—with certain exceptions, such as substitute teachers. These exceptions, as well as benefits available, can be obtained through the Superintendent’s office.

3. Credit Union:

The Gulfport Veterans Administration Federal Credit Union is a federally chartered credit union. Employees of the Harrison County School District are eligible for membership. Employee participation is voluntary, and payroll deductions have been authorized for employee convenience. Information can be obtained from the payroll Department in the Central Office.

4. Miscellaneous Deductions:

Employees may participate in insurance programs for hospitalization, salary protection, and automobile; and payroll deductions have been authorized for employees’ convenience. More information about such programs is available through the Payroll Department.

Employees arrested for any reason shall be required to notify their supervisor within 24 hours. This notice will include a statement of the charges lodged against the employee and their disposition.

It is hereby declared to be the policy of the Harrison County Board of Education that the use, possession or sale of any narcotic drugs or substance which is falsely represented to be a controlled substance or which is falsely represented to be a counterfeit substance as defined in Section 41-29-105 and as reflected in Schedules I through V of Controlled Substances outlined in Section 41-29-113 through 41-29-121, Mississippi Code of 1972, Annotated, and their amended parts, in, on, or about the campuses of any school ground or at any function being held under the supervision of the Harrison County Board of Education or any of its schools shall be considered sufficient misconduct for the suspension of such employee from the school in which he/she is employed.

In arriving at the decision of whether or not to suspend said employee, the Board of Education may consider the prior record of said employee, his or her general aptitude for his or her particular job, prior problems and any other factors which the Board may deem, in its judgment, to bear upon punishment or decisions to be reached in the particular case.
Teachers are expected to be well groomed and to dress so as to reflect credit to themselves and the teaching profession.

The effective teacher is concerned for the welfare of students and takes measures to insure their welfare. Nevertheless, it is well to be aware of the possible consequences of negligence.

The teacher is legally responsible to act in a reasonable and prudent manner at all times. Specifically, the teacher must:

1. Never leave students unsupervised.

2. Require students to conduct themselves in an orderly, safe manner and administer such disciplinary actions as are reasonable and proper in any situation involving student misconduct.

Teachers are responsible for all school property and equipment and shall use public property with care and consideration. Any maintenance problem or malfunction of equipment should be reported to the principal promptly.

Teachers should at all times require students to exercise care in use of school property and equipment. Any damage sustained by property or equipment must be assessed and paid for, no matter how minor. These occurrences must also be reported to the principal promptly.

A principal and his or her spouse may not be employed in the same attendance center in the Harrison County School District.

Also see GAX, GAXA, GAZ, GAZA, GBBA, GBBAAB, GBBAAD, GBBAAE, JCBF.

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<tr>
<th>TRANSFERS AND ASSIGNMENTS</th>
<th>GAMA</th>
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<tbody>
<tr>
<td>A. The Superintendent has the authority to change the grade or school assignment of all teachers and other employees. All such changes are subject to the approval of the School Board.</td>
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<tr>
<td>B. Teachers who desire a transfer from their present teaching assignment must make such a request in writing to their principal and assistant superintendent between April 9th and April 30th for the following school year.</td>
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<td>C. Transfers must be approved by the receiving principal and the assistant superintendent.</td>
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<td>D. All transfers will be considered on their own merits.</td>
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<td>E. The principal has the authority to determine the assignment of any employee within the school.</td>
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<td>F. The principal has the authority to recommend to the Superintendent the transfer of any employee.</td>
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<tr>
<td>G. The principal has the authority to execute student transfers when they are deemed age or academically appropriate.</td>
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TRANSFER OF RECORDS AND ASSETS – ALL EMPLOYEES

Upon the resignation, retirement or termination of school personnel, final salary payment shall be withheld until all records and assets in custody of that staff member are satisfactorily transferred to his/her successor or other designated person.

EMPLOYEE IDENTIFICATION BADGES

All school employees are required to wear official school district employee identification badges when entering any school campus in the district. Official identification badges will bear the employee’s name, department/school, and picture. Any individual identified on a school campus in the Harrison County School District not wearing an employee identification badge shall be reported to the school office and to security. The badge is to be worn during working hours in an easily observed location on the upper left part of the blouse, coat, shirt, or uniform. Stickers or decals are not allowed to be attached to the identification badge.

COMPULSORY MEMBERSHIP IN PUBLIC EMPLOYEES’ RETIREMENT SYSTEM – ALL EMPLOYEES

All personnel employed by the Harrison County School District on regular or temporary contract shall be required to become members of the Public Employees’ Retirement System of Mississippi, Inc., as required by law, with the exception of those excluded under the law because of age at the time of employment, said individuals being ineligible for membership under the law.

Membership in the state retirement system shall be dependent upon applicable state law governing enrollment, continuation of membership, and any exceptions.

REEMPLOYMENT AFTER RETIREMENT

PERS service employees who are employed after service retirement shall be reemployed in accordance with regulations of the Board of Trustees of the Public Employees’ Retirement System.

CONTRACTS FOR PERSONNEL EMPLOYED LESS THAN FULL-TIME – ALL EMPLOYEES

The following formula will be used to compute salary for less than full-time employment (for classroom teaching):

Personnel employed on less than a full-time basis shall receive pro rata salaries based on time spent in service to the schools. Prorated salary shall be recommended to the Superintendent of Education for final approval. The amount of salary to be paid and time to be spent per day shall be specified in the contract.
Salaries shall be computed on a prorated daily basis, based upon degree, verifiable experience, and state-approved certification.

Personnel employed less than full-time must abide by all policies and procedures of the Board of Trustees of the Harrison County School District as would a full-time employee, which includes meeting all staff development requirements of the district.

**FAMILY AND MEDICAL LEAVE ACT**

The Family and Medical Leave Act (FMLA) was enacted on February 5, 1993, and became effective on August 5, 1993.

FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave each year for specified family and medical reasons. These reasons include:

1. The birth or placement of a child for adoption or foster care.
2. To care for an immediate family member (spouse, child, or parent) with a serious health condition.
3. To take medical leave when the employee is unable to work because of a serious health condition.

Spouses employed by the same employer are jointly entitled to a combined total of 12 work weeks. To be covered under FMLA the employee must:

1. Work for a covered employer. Harrison County School district is a covered employer.
2. Have worked for the employer at least 12 months.
3. Have worked at least 1,250 hours over the prior 12 months.
4. Work at a location where at least 50 employees are employed by the employer within 75 miles.

Subject to certain conditions, employees or employers may choose to use or require the use of accrued paid leave (such as sick or vacation) to cover some or all of the otherwise unpaid FMLA leave. An employee’s paid leave cannot be credited as FMLA leave AFTER the leave has been completed.

Group health insurance coverage will continue while an employee is under FMLA leave whenever the coverage was provided prior to the leave being taken. The terms remain the same as if the employee had continued to work.

Except for accrued or earned benefits, such as seniority, the employee must be restored to the same benefits upon return from FMLA leave as if the employee had continued to work the entire FMLA leave period.

Upon return from FMLA leave, an employee must be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

The employee is required to provide the employer with 30 days advance notice when the need for leave is “foreseeable.” When such an advanced notice is not possible or the need for the leave cannot be foreseen, the employee must give the employer notice as soon as practicable. Notice should be given to the employee’s principal or immediate supervisor, and must be approved by the Superintendent and the Board of Education.
MILITARY LEAVE

Mississippi law on the subject of employees called to military service is covered in Mississippi Code 1972, §33-1-21.

The law provides that state employees and employees of “any county, municipality or other political subdivision” are entitled to a leave of absence from their respective duties for periods not to exceed fifteen (15) days without loss of pay, time, annual leave or efficiency rating when ordered to military duty.

Districts do not have to pay such employees after the fifteen (15) day absence, but all other benefits are to remain intact until the employee “is relieved from duty.”

Employees released from military service have 90 days to apply for reemployment and cannot be discharged “without cause” within one (1) year after reinstatement to their school district positions. The law adds that reemployment protection is not extended to employees dishonorably discharged from military service.

If the time of call to active duty is optional for the employee, this school district expects that the employee choose a time for reporting to active duty that is least disruptive to the district.

This district shall comply with the Uniformed Services Employment And Reemployment Rights Act of 1994 (“USERRA”) which, among other things, removes the distinction between active service personnel and reserve personnel from the employer’s perspective. Further, the Act prohibits an employer from denying “initial employment, reemployment, retention in employment, promotion, or any benefit of employment” to a person who is a member of or applies to be a member of the uniformed services, or who is performing, has performed, or has applied to perform services in a uniformed service.

NOTE: Due to the breadth and complexity of USERRA, not all of its provisions can be covered here. Each board is advised to have its attorney review USERRA and assist in the development of district policy regarding specific application of USERRA requirements.

LEGAL LEAVE – JURY DUTY – ALL EMPLOYEES

Employees shall be released for jury duty and will be paid their regular salary less any compensation paid as a result of their service on said jury. Should an employee be dismissed from jury duty prior to 12:00 noon on any given day, the employee will return to his/her place of employment for the remainder of the school day.

DONATING LEAVE TO ANOTHER EMPLOYEE

- Any school district employee may donate a portion of his/her unused accumulated personal leave or sick leave to another employee of the same or another school district who is suffering from a catastrophic injury or illness or who has a member of his/her immediate family suffering from a catastrophic injury or illness.

- The law defines catastrophic injury or illness as a severe condition or combination of conditions affecting the mental or physical health of an employee or a member of an employee’s immediate
family, including pregnancy, that requires the services of a licensed physician for an extended period of time and that forces the employee to exhaust all leave time accumulated by the employee, thereby resulting in the loss of compensation from the school district for the employee.

- The law defines immediate family as spouse, parent, stepparent, sibling, child or stepchild.
- The donor employee shall notify the assistant superintendent and designate the employee who is to receive the leave and the amount of unused leave to be donated.
- The maximum amount of personal leave that may be donated can not exceed that which would leave the donor employee with fewer than seven (7) days of personal leave. The maximum amount of sick leave that may be donated can not exceed fifty (50) percent of the unused accumulated sick leave.
- An employee must have exhausted all of his/her accumulated personal and sick leave before being eligible to receive any donated leave.
- Eligibility for donated leave shall be based upon review and approval by the donor employee’s supervisor.
- Before an employee may receive any donated leave, he/she must provide the assistant superintendent with a physician’s statement that states the beginning date of the injury or illness, a description of the injury or illness and a prognosis for recovery and the anticipated date the employee will be able to return to work.
- If the amount of leave that is donated is not used by the employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis.

**PERSONNEL – SUSPENSION – ALL EMPLOYEES**

The principal or other appropriate administrative personnel shall have the power to suspend employees under their supervision, once approval has been given by the Superintendent of Education, for failure to comply with school policies and procedures or reasonable requests of the administration. The employee shall have the right to a hearing as outlined in the procedures governing staff grievances.

The Superintendent of Education shall have the power to suspend an employee for failure to comply with school policies or reasonable requests of the administration. The employee shall have the right to a hearing as outlined in the procedures governing staff grievances.

**HEALTH RISKS – ALL EMPLOYEES**

Section I

An employee with a communicable disease should remain at home until the disease is no longer a threat to others. Cases of communicable diseases which might pose a threat to the health of the school or community should be reported to the health department by the principal. When concerned with a unique individual case, the welfare of all students and employees should be the prime consideration. Each such
unique case will be resolved in consultation with the Mississippi State Department of Health and/or the individual’s physician. Principals may require a statement from the employee’s doctor or from the public health department for an employee returning to school after having a communicable or infectious disease.

Section II

Decisions regarding an employee infected with blood-borne diseases which may pose a threat to other students or faculty by virtue of a secondary infection that causes a medically recognized risk of transmission in a school setting shall be made on an individual basis with regard to the behavior, physical condition of the employee, and the expected type of interaction with others in the school setting. These decisions shall be made using the team approach, including the employee’s physician and/or public health personnel, and appropriate school personnel. In each case, risks and benefits to both the infected employee and to others shall be weighed. As conditions change, cases may be reevaluated. School personnel will closely monitor the employee’s physical condition and make ongoing evaluations in consultation with medical personnel, if deemed necessary.

Section III

All staff members shall use the following routine and standard procedures to care for or clean up after a student or employee has an accident or injury at school.

1. Blood, body fluid, or wastes emanating from ANY student or employee, including ones known to have a chronic infectious disease, shall be treated cautiously. Personnel caring for these persons and coming into contact with these fluids/wastes shall wear gloves.

2. Hand washing with alcohol or a chlorine solution of 1 part chlorine bleach and 10 parts water immediately after contact with a student is routinely recommended if physical contact has been made with the student’s blood or bodily fluids.

3. Plastic or rubber gloves shall be worn when cleaning up blood spills or vomit or any body fluids. These spills shall be disinfected with a solution of chlorine bleach and water (1 part bleach to 10 parts water) or a comparable AIDS-killing germicide, and persons coming in contact with blood spills, vomit, or any body fluids or wastes must wash their hands immediately as directed above.

4. Blood-soaked items or items which have come into contact with body fluids or wastes shall be placed in leak-proof bags for return to parents for washing or further disposition.

**NON-SCHOOL EMPLOYMENT**

Outside employment shall not be permitted to jeopardize the effective performance of an employee or make it in any way difficult to adequately perform his/her duties or carry out his/her responsibilities. Any outside employment should be of the type which is not inconsistent with the moral and ethical aspects of teaching children, as stated in school board policies and regulations.

Any teacher engaged in outside employment shall immediately furnish to the principal, superintendent, and school board a description of the outside employment on forms available at the principal’s office. If outside employment is deemed incompatible with the preceding principle, the employee will be given a choice of resigning from the outside employment or having his/her contract terminated.
The Harrison County School District is committed to protecting the safety, health and well-being of all students, employees, visitors and other individuals on District property or at school-sponsored events. Consequently, it is the policy of the Harrison County School District (HCSD) to maintain a drug and alcohol abuse-free workplace. As a condition of employment, all employees will be required to certify, in writing, that they will abide by the terms of this policy as set out below. The signed certification will be a part of the employee’s permanent personnel file.

This policy applies to all District employees, including those employee-drivers who maintain a Commercial Drivers License (CDL) as a job requirement. These employee-drivers are covered by the Omnibus Transportation Employee Act and are subject to the District’s U.S. Department of Transportation (DOT) Policy for Regulated Employees as well as the District’s Controlled Substances Policy to the extent that the Controlled Substances Policy exceeds the provisions of the DOT Policy. In all instances where provisions are similar between the two policies, the DOT Policy prevails.

In accordance with Public Law 100-690, the Drug Free Workplace Act of 1988, and Public Law 101-647, the Drug-Free Schools and Communities Act of 1986, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace of the HCSD. Pursuant to this law, all HCSD employees will notify the Superintendent of Education if convicted for violation of any criminal drug statutes, should said violation occur in the workplace, no later than five (5) days after such conviction.

Prior to instituting this revised Controlled Substances Policy and annually thereafter, the HCSD will provide all employees with a one (1) hour minimum education program on alcohol and other drug abuse, in general, and its effects on the workplace, specifically. In addition, prior to instituting this revised Controlled Substances Policy and annually thereafter, the HCSD will provide all supervisory personnel with a minimum of two (2) hours of training on recognizing employee substance abuse and the appropriate course of action.

As used in this policy, the term “drugs” includes alcohol, inhalants (chemical vapors), cannabis (marijuana), controlled substances, and similar substances which impair a person’s ability to work productively and safely.

The proper use of drugs as prescribed by a licensed physician is not subject to disciplinary action. If an employee’s ability to work safely may be affected by the use of a prescribed drug, the employee must inform his/her supervisor so that precautions can be taken.

The HCSD’s policy is that employees shall not be allowed to work or participate in any HCSD activities while using alcohol or under the influence of alcohol or any controlled substance which alters his/her ability to work safely and productively.

Reporting to work under the influence of, or when ability is impaired by, alcohol or the unlawful use of a controlled substance, is cause for termination. The unlawful manufacture, sale, distribution, solicitation, possession with intent to sell or distribute, or use of alcohol or other drugs is prohibited while on the job, on the office premises or participating in any HCSD activity and is cause for termination.

Any employee found to be in violation of this Policy who is allowed to return to work will be required to:
• provide documentation of successful completion of a substance abuse rehab/treatment/assistance program;
• submit to a return-to-duty drug and/or alcohol test with a negative result;
• comply with the provisions of a follow-up testing program;
• comply with the terms and conditions of a written last chance agreement.

The District will maintain a resource file of employee assistance service providers, alcohol and other drug abuse programs, mental health providers, and other persons, entities or organizations available to assist employees with personal or behavioral problems. In addition, the District shall provide all employees a summary of the information contained within the resource file, to include all information necessary to access the services listed in the resource file and shall post, in conspicuous places, a listing of multiple employee assistance providers in the area.

An employee who suffers from the problems of drug abuse or alcoholism must recognize that it is his/her responsibility to address these problems. Upon request by the employee for assistance with a substance abuse problem, the HCSD Personnel Office will advise the employee of leave, insurance benefits and any additional information, as needed, from the resource file. It is the employee’s obligation to seek diagnosis and/or treatment and to abide by any program of care prescribed by medical personnel. A request for assistance may not be entertained if it is made after the employee engages in misconduct which the HCSD Superintendent considers to be cause for discharge, and no request for assistance will prevent the HCSD Superintendent from taking disciplinary action based on the misconduct which may have been related to the employee’s use of alcohol or drugs.

The HCSD, however, is under no obligation to maintain the employment of anyone who constitutes a threat to the workplace or whose current use of alcohol or drugs prevents him/her from working safely or productively, or otherwise performing his/her duties.

The HCSD has the right to revise this policy. Nothing in this policy grants any property right to an employee who serves at the will and pleasure of the HCSD Superintendent of Education.

**Drug/Alcohol Testing**

Each applicant/employee, as a condition of employment, will be required to submit to the following types of drug and alcohol tests:

The HCSD will require all job applicants to submit to a drug test as a condition of the employment application. A negative non-dilute test result must be obtained prior to the applicant beginning employment for the District. Applicants who have a negative dilute test result will not be accepted for employment. However, these individuals will be given one additional opportunity to provide a negative non-dilute result prior to beginning employment. A refusal to submit to a test or positive confirmed test result is a basis for refusal to hire, as is a confirmed adulterated or substituted test result. Applicants who fail a pre-employment test may not re-apply for employment for a period of 90 days.

The HCSD will require an employee to submit to reasonable suspicion drug and/or alcohol testing if there is a belief that said employee is using or has used drugs in violation of the District’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, and may be based upon, among other things:

- Observable phenomena, such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug;
- Abnormal conduct or erratic behavior while at work, absenteeism, tardiness or deterioration in work performance;
A report of drug use provided by reliable and credible sources and which has been independently corroborated;

Evidence that an individual has tampered with a drug and alcohol test during his employment with the District;

Evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on the District’s premises or operating the District’s vehicle, machinery or equipment;

Information that an employee has caused or contributed to an accident while at work that results in off-site first aid or medical treatment. This post-incident test should be administered immediately after the employee is treated for his/her injuries but all affected employees should submit to testing within one hour of the incident or notification by Administration. In addition, every accident involving any District-owned vehicle will require testing.

In all cases of reasonable suspicion testing, the District shall provide transportation to and from the testing site except in those post-incident situations where it has been determined that the employee is not in need of assistance. In addition, in all instances where the results of an on-site initial screening test are non-negative, the employee will be temporarily suspended from duty until the final results are known, and the District shall provide or arrange for transportation to the employee’s place of residence or other mutually agreeable location. If the final results are negative, the employee will be returned to duty and made whole for any lost wages.

An employee will be subject to the same consequences as a positive test result if he/she refuses the test, adulterates or substitutes the specimen, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Testing Procedures and Methodology

All drug testing will be conducted in accordance with Mississippi Code 71-7-1 through 71-7-33. Testing for the presence of alcohol or the metabolites of drugs may be conducted by the analysis of any biological sample or specimen. A specimen means a tissue or product of the human body chemically capable of revealing the presence of drugs in the human body, such as blood, breath, hair, saliva, sweat or urine. The substances that will be tested for are amphetamines, cannabinoids (marijuana), cocaine, opiates and phencyclidine (PCP).

To ensure the accuracy and fairness of our testing program, all drug testing will include the following elements as applicable:

- a process which will ensure individual privacy during the collection process and the confidentiality of test results;
- a documented chain of custody procedure which will be used to ensure the integrity of each specimen;
- an initial screening test;
- a confirmation test using a different chemical process;
- use of a SAMHSA-certified drug testing laboratory for all confirmation tests;
- review by a Medical Review Officer (a licensed physician trained in the field of drug testing) including the opportunity for individuals who test positive or are found to have submitted an adulterated or substituted specimen to provide a legitimate medical explanation, such as a physician’s prescription, for the positive/adulterated/substituted result; and,
- the opportunity for a re-test of the original specimen (at the individual’s expense)
Confidentiality

All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by the District through this drug and alcohol testing program are confidential communications and access to this information is limited to those who have a legitimate need to know and will only be released in accordance with the provisions of the aforementioned statute. An employee may request and receive from the District a copy of his/her test result report.

SMOKING AND OTHER USES OF TOBACCO (STAFF)  

See policy EBAB.

POSSESSION OF WEAPONS ON SCHOOL GROUNDS OR AT SCHOOL ACTIVITIES – ALL EMPLOYEES  

The possession of a handgun or other weapon, including mace, pepper spray, stun gun, etc., on school premises or at any school-related activity by any employee of the district or any other individual, including those persons having permits for possession of such weapons, is prohibited. Employees in violation of this policy will be subject to disciplinary action.

It is the responsibility of every employee to report to his/her principal or immediate supervisor or the person responsible for supervising a school event any knowledge of the possession of a handgun or other weapon on school premises or at any school-related activity by any individual. Appropriate steps shall then be taken to carry out the intent of this policy, including notification of police officials, so that persons in possession of such weapons promptly leave school premises or activities and/or are refused admittance to school buildings or events.

STAFF DRESS – ALL EMPLOYEES  

Personal appearance plays a great part in an employee’s success in his/her professional position. Each faculty staff member should consider it his/her responsibility to be dressed in a manner appropriate to the profession and set a good example for the students by wearing clothing that is clean/appropriate for the types of duties assigned.

PROFESSIONAL PERSONNEL  

Note: All personnel policies and regulations in section GB pertain to licensed personnel who are required to hold certification by the State of Mississippi. Policies pertaining to licensed administrators only are coded in subcategories of the CG series, support personnel in the GC series, and para-professional personnel in the GD series.
YEAR OF TEACHING EXPERIENCE

The term "year of teaching experience" shall mean nine (9) months of actual teaching in the public or private schools. In no case shall more than one (1) year of teaching experience be given for all services in one (1) calendar or school year. In determining a teacher's experience, no deduction shall be made because of the temporary absence of the teacher because of illness or other good cause, and the teacher shall be given credit therefor.

FULL TIME EMPLOYMENT

Beginning with the 2003-2004 school year, the State Board of Education shall fix a number of days, not to exceed forty-five (45) consecutive school days, during which a teacher may not be under contract of employment during any school year and still be considered to have been in full-time employment for a regular scholastic term. If a teacher exceeds the number of days established by the State Board of Education that a teacher may not be under contract but may still be employed, that teacher shall not be credited with a year of teaching experience.

SCHOOL LIBRARIANS

In determining the experience of school librarians, each complete year of continuous, full-time employment as a professional librarian in a public library in this or some other state shall be considered a year of teaching experience.

SCHOOL ADMINISTRATORS

If a full-time school administrator returns to actual teaching in the public schools, the term "year of teaching experience" shall include the period of time he or she served as a school administrator.

MILITARY SERVICE

In determining the salaries of teachers who have experience in any branch of the military, the term "year of teaching experience" shall include each complete year of actual classroom instruction while serving in the military.

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

In determining the experience of speech-language pathologists and audiologists, each complete year of continuous full-time post master's degree employment in an educational setting in this or some other state shall be considered a year of teaching experience. {MS Code 37-151-5 (m) (1997)}

LEVEL OF PAY

No school district shall pay any teacher less than the state minimum salary. A school district may adopt or continue a program or plan whereby teachers are paid varying salaries according to the teaching ability, classroom performance and other similar standards. {MS Code 37-151-87 (1997)}

The minimum base pay for all classroom teachers may be increased by the district from any funds available to it; and those districts which have not prior to July 1, 1978, so increased said base pay, shall
increase the minimum pay for classroom teachers as fixed by this chapter and as authorized by any of the provisions of or standards set forth in this chapter. (MS Code 37-151-89 (1997))

It is the policy of this school board to attempt to pay its licensed employees at a level which will attract and hold people with ability who can exercise professionalism in the school district.

If, at the commencement of the scholastic year, any licensed employee shall present the superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher grade license would have entitled the individual, had the license been held at the time the contract was executed. (MS Code 37-9-17 (1) (1997))

**CONTRACT REQUIRED**

The superintendent shall enter into a contract with each licensed employee and person anticipating graduation from an approved teacher education program or the issuance of a proper license before October 15 or February 15, as the case may be, who is elected and approved for employment by the school board. Such contracts shall be in such form as shall be prescribed by the State Board of Education and shall be executed in a duplicate with one (1) copy to be retained by the appropriate superintendent and one (1) copy to be retained by the licensed employee or person recommended for a licensed position contracted with. The contract shall show the name of the district, the length of the school term, the position held, the scholastic years which it covers, the total amount of the annual salary and how same is payable. The amount of salary to be shown in such contract shall be in the amount which shall have been fixed and determined by the school board, but as to licensed employees paid in whole or in part with minimum education program funds, such salary shall not be less than that required under the provisions of Chapter 19 of this title.

The contract entered into with any person recommended for a licensed position who is anticipating either graduation from an approved teacher education program before September 1 or December 31, as the case may be, or the issuance of a proper license before October 15 or February 15, as the case may be, shall be a conditional contract and shall include a provision stating that the contract will be null and void, if as specified in the contract, the contingency upon which the contract is conditioned has not occurred. If any licensed employee or person recommended for a licensed position who has been elected and approved shall not execute and return the contract within ten (10) days after same has been tendered to him for execution, then, at the option of this school board, the election of the licensed employee and the contract tendered to him shall be null and void and of no effect. (MS Code 37-9-23 (1998))

**LENGTH OF CONTRACT**

This school board has the power and authority, in its discretion to employ licensed employees for not exceeding three (3) scholastic years. In such case, contracts shall be entered into with such licensed employees for the number of years for which they have been employed. All such contracts with licensed employees shall for the years after the first year thereof be subject to the contingency that the licensed employee may be released if, during the life of the contract, the average daily attendance shall decrease from that existing during the previous year and thus necessitate a reduction in the number of licensed employees during any year after the first year of the contract. However, in all such cases the licensed employee must be released before July 1 or at least thirty (30) days prior to the beginning of the school term, whichever date should occur earlier.

The salary to be paid for the years after the first year of such contract shall be subject to revision, either upward or downward, in the event of an increase or decrease in the funds available for payment thereof, but, unless such salary is revised prior to the beginning of a school year, it shall remain for such school
year at the amount fixed in such contract. However, where school district funds, other than minimum education program funds, are available during the school year the salary to be paid for such year may be increased to the extent, that such additional funds are available and nothing herein shall be construed to prohibit same. [MS Code 37-9-25 (1997)]

OTHER CONSIDERATIONS

In employing and contracting with licensed employees, this school board shall in all cases determine whether the amount of salary to be paid such licensed employee is in compliance with the provisions of Chapter 19 of this title. No contract shall be entered into where the salary of a licensed employee is to be paid in whole or in part from minimum education program funds except where the requirements of said chapter as to the amount of such salary are fully met. Nothing herein shall be construed, however to prohibit this school district from increasing the salaries of licensed employees above the amounts fixed by said chapter, provided that the amount of such increase is paid from funds available to this district other than minimum program funds. [MS Code 37-9-33 (1997)]

FIXING OF SALARY

The amount of the salary to be paid any licensed employee shall be fixed by this school board, provided that the requirements of Chapter 19 of this title are met as to licensed employees paid in whole or in part from minimum education program funds. In employing such licensed employees and in fixing their salaries this school board shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the licensed employee. [MS Code 37-9-37 (1997)]

SALARY PAY SCHEDULE

Salary or wages paid to any employee of any school shall be paid on a basis as determined by the local school board of each school district, except for December, when salaries or wages shall be paid by the last working day. Salaries or wages shall be paid at a minimum on a monthly basis. Any school employee whose employment ends during a school term, regardless of the reason(s) the employment ended, shall be paid salary or wages only for that portion of the school term that employee actually worked. Nothing in this section shall be construed to entitle any employee to payment of salary or wages when no work has been performed. [MS Code 37-9-39 (2003)]

PAY CERTIFICATES

The salaries of licensed employees shall be paid by pay certificates issued by the school district superintendent or the administrative superintendent. Such pay certificates may be issued without additional authorization of this school board where the amount of salary has been fixed and a contract entered into as is provided in this chapter. All pay certificates shall be preserved by him as a part of the official records of his office for the same time and in the same manner as other records are preserved. Except as is herein provided, the said warrants shall be governed in all respects by the same laws regulating the issuance of other warrants for other purposes. All pay certificates and warrants issued shall show the gross amount of the salary and all authorized deductions therefrom for income taxes, social security, retirement contributions and other lawful purposes. [MS Code 37-9-41 (1997)]

EXECUTION OF WRITTEN CONTRACT

It shall be unlawful for any licensed employee to be paid for any services as such until a written contract has been executed as is provided and required by this chapter. If any superintendent shall make any such payment prior to the execution of the contract he shall be civilly liable for the amount thereof, and, in addition, shall be liable upon his bond. If any licensed employee, shall willfully and without just cause breach his contract and abandon his employment he shall not be entitled to any
further salary payments either for services rendered prior to such breach or for services which were thereafter to have been rendered. Nothing in this section, however, shall prevent the employment and payment of substitute teachers without a written contract. {MS Code 37-9-43 (1997)}

SALARY DEDUCTIONS

It shall be unlawful for the superintendent of schools or administrative superintendent to deduct or permit to be deducted from the salary of any licensed employee any dues, fines or penalties payable or alleged to be payable because of the membership of such licensed employee in any organization or association. However, dues or premiums in health associations or corporations and tax sheltered annuity deductions authorized by the United State Internal Revenue Code may be deducted upon written authorization from the licensed employee involved. Any superintendent of schools or administrative superintendent who shall make such deduction or permit any such deduction to be made, except those herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Twenty-five Dollars ($25.00) for each such deduction. {MS Code 37-9-49 (1987)}

RELEASE FROM CONTRACT

Any licensed employee in this school district who is under contract to teach or perform other duties and who desires to be released from such contract shall make application in writing to this school board for release therefrom, in which application the reasons for such release shall be clearly stated. If this board acts favorably upon such application for release, such licensed employee shall be released from his contract, and said contract shall be null and void on the date specified in the school board's order. {MS Code 37-9-55 (1997)}

BREACH OF CONTRACT

If any licensed employee in any public school of this state shall arbitrarily or willfully breach his or her contract and abandon his or her employment without being released therefrom as provided in Section 37-9-55, the contract of such licensed employee shall be null and void. In addition thereto the license of such licensed employee may be suspended by the State Board of Education for a period of one (1) year as provided in Section 37-3-2(8) upon written recommendation of the majority of the members of this school board. {MS Code 37-9-57 (1997)}

PROHIBITED ACTION

This school board is prohibited from denying employment or reemployment to any person as licensed employee, as defined in Section 37-19-1, for the single reason that any eligible child of each person does not attend the school system in which such licensed employee is employed. {MS Code 37-9-59 (1997)}

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy GBA-E – Licensed Personnel – Compensation/Contracts

COMPUTING TEACHING EXPERIENCE

In accordance with State Board of Education policy governing computation of teaching experience and combination of teaching experience, under the authority granted in Section 37-19-1 (1), the policy of the School District shall be as follows:

1. Teaching or administrative experience in state accredited public or private schools, grades kindergarten through twelve (12) inclusive, will be counted in determining teaching experience. Summer months of teaching will not be accepted as credit in computing teaching experience.
2. Teachers must complete the school year as explained above in order to receive credit for a full year of teaching experience. Any staff member who performs under a contract in excess of the regular nine (9) month school year as established by the school calendar must complete the regular nine (9) month school term as noted above to qualify for a year's experience. Parts of school years may not be combined to grant a year of credit, nor may summer school teaching be used in determining a year of teaching credit.

3. Verification of all previous experience, as defined above, must be in writing on forms provided by the School District. Compensation will be based on the salary scale as adopted by the Board of Trustees of the School District for each school year.

4. The number of days shall not exceed forty-five (45) consecutive school days during which a teacher may not be under contract of employment during any school year and still be considered to have been in full-time employment for a regular scholastic term.

5. Before the first check is paid under a teacher's contract, the following must be on file in the office of the superintendent:

   A. Completed application, together with reference evaluations.

   B. Valid/appropriate teaching license or notification of approval form from Office of Teacher Certification.

   C. Verification of prior teaching experience (if applicable).

   D. Official college transcript(s) for all degrees earned.

   E. Drug testing

   F. Social Security card in current name/driver's license

   G. Criminal background check

CREDIT ON SALARY SCHEDULE FOR EXPERIENCE – LICENSED EMPLOYEES

Credit on the salary schedule for teaching in the School District shall be given on the same basis as experience is allowed by the State Board of Education. (For credit for prior service and leaves of absence, see policies following.)

CREDIT ON SALARY SCHEDULE FOR PRIOR SERVICE – LICENSED EMPLOYEES

Upon the hiring of a new teacher, experience outside of the School District will be granted for comparable experience in accordance with the rules, regulations, and minimum standards of the Mississippi State Board of Education.

Creditable teaching experience or service as approved by the State Department of Education subsequent to being employed by the School District will be included in prior service credit upon employment or re-employment.
In determining the experience of school librarians, each complete year of continuous full-time employment as a professional librarian in a public library in this or another state shall be counted as a year of teaching experience.

**TERMS OF CONTRACT FOR PERSONNEL ON LESS THAN 12 MONTHS – LICENSED EMPLOYEES**

The election of all licensed personnel shall be for a specified number of days, and personnel shall work the time indicated in their contracts.

Terms of contracts vary. Personnel will be required to work the period of time deemed necessary by the Superintendent of Schools, not to exceed the number of days approved by the Board of Trustees.

**COMPENSATION GUIDES AND CONTRACTS – FAILURE TO COMPLETE CONTRACTUAL RESPONSIBILITIES – LICENSED EMPLOYEES**

In cases where the teacher is unable to complete the school year, his/her contract pay will be computed for the number of days worked. The total number of days as stated on the contract will be divided into his/her total contract salary to obtain the daily rate. The daily rate will be multiplied times the number of days worked to arrive at the total salary earned. The product of the number of payments made times the monthly installment amount will be deducted from the total salary earned to determine any balance due the teacher. Also see CGA.

**COST REIMBURSEMENTS – SALARY REIMBURSEMENTS**

LEGAL REF.: MS CODE as cited

CROSS REF.: Policies  GBA-E – Teacher Salary Scale  
GBD - Professional Personnel Hiring  
IFBA - Assistant Teachers

**PROFESSIONAL PERSONNEL POSITIONS**

All administrative teaching and support positions in this district’s schools are established by this school board. Some positions are mandated by state law or by regulations of the State Board of Education, or by a combination thereof.

It is the intent of this board to activate mandatory positions and such other positions sufficient to promote the attainment of our schools’ goals.

In each case, this board will approve the purpose and function of the position in harmony with state laws and regulation, approve a statement of job requirements as recommended by the Superintendent, and delegate to the Superintendent the task of writing, or causing to be written, a job description for the position.

This board directs the superintendent to maintain continuously a comprehensive coordinated set of job descriptions for all such positions so as to promote efficiency and economy in the staff’s operations.

Although positions may remain temporarily unfilled, only the board may abolish a position.
PROFESSIONAL PERSONNEL QUALIFICATIONS

This school district is committed to high levels of academic achievement for all students, and thus seeks to employ highly qualified teachers in the elementary, middle, and high schools. The district shall employ teachers on a professional basis without regard to age, race, color, gender, or national origin. Every school teacher employed in this school system must possess a valid license and shall execute a written contract with the local Board of Education.

The term "teacher" shall include any employee of a local school who is required by law to obtain a teacher's license from the State Board of Education and who is assigned to an instructional area of work as defined by the State Department of Education. Section 37-151-5 (f) (1997)

NO CHILD LEFT BEHIND ACT

Beginning in the 2002-03 school year, districts may hire only highly qualified teachers for Title I support programs. Districts must develop a plan to have all teachers be highly qualified by the end of the 2005-06 school year. The Mississippi Department of Education must develop a plan to have all teachers teaching in core academic subjects be highly qualified by the end of the 2005-06 school year.

Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five year license by the State Department of Education.

“HIGHLY QUALIFIED TEACHER” REQUIREMENTS

Elementary school teacher new to the profession:
- Holds at least a bachelor’s degree AND
- Has demonstrated relevant subject matter and teaching skills by passing a rigorous state test

Middle or secondary school teacher new to the profession:
- Holds at least a bachelor's degree AND
- Has demonstrated a high level of competency in each of the academic subjects in which s/he teaches by:
  - passing a rigorous state academic test in each subject in which the teacher teaches, OR
  - successful completion, in each of the academic subject in which the teacher teaches, of an academic major, a graduate degree, coursework equivalent to an academic major, or advanced certification of credentialing

Elementary, middle or secondary school teacher not new to the profession:
- Holds at least a bachelor's degree; AND
- Meets applicable standard for a teacher who is new to the profession, which includes an option for a test; OR
- Demonstrates competence in all academic subjects in which the teacher teaches based on a high, objective, uniform state standard of evaluation
STATE OF MISSISSIPPI REQUIREMENTS

(a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements.

Applicants must submit to the Mississippi Department of Education required forms, transcripts, test scores, and other documentation as specified in Section 37-3-2 (6) (a).

Standard License - Approved Program Route and a Standard License - Nontraditional Teaching Route shall be issued for a five-year period and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or a Standard License - Nontraditional Teaching Route over persons holding any other license.

(b) Standard License - Nontraditional Teaching Route. Applicants for a Standard License - Nontraditional Teaching Route must submit to the Mississippi Department of Education required forms, transcripts, test scores, and other documentation as specified in Section 37-3-2 (6) (b).

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a one year expert citizen teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The board shall adopt rules and regulations to administer the expert citizen teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in subsection (6)(a), (b) or (c) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.
Special License   Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

In the event any school district meets Level 4 or 5 accreditation standards, the State Board of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

Highly Qualified Teachers. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five year license by the State Department of Education.

RECPROCITY

The Department shall grant a standard license to any individual who possesses a valid standard license from another state.

The Department shall grant a nonrenewable special license to any individual who possesses a credential which is less than a standard license from another state. Such special license shall be valid for the current school year plus one (1) additional school year to expire on June 30 or the second year, not to exceed a total period of twenty-four (24) months, during which time the applicant shall be required to complete the requirements for a standard license in Mississippi.

LICENSE RENEWAL AND REINSTATEMENT

The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing the master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given
this extension of five (5) years plus five (5) additional years for completion of a higher degree. Section 37-3-2 (9) (2002)

Standard 8 is as follows:

8. All district professional positions requiring licensed staff are filled by staff that are properly licensed and endorsed as required by state law and federal requirements of the No Child Left Behind Act of 2001 [NCLB] MS Code 37-9-7] (IDDB2, 3, NCLB, and Federal Code)... {MS Code 37 9 7}

EXCEPTIONS:

8.1 The professional staff in each school is comprised of no more than 5% of Full Time Equivalent (FTE) units working outside the area or areas of endorsement. An appropriate license is required for superintendents, principals, librarians, and high school guidance counselors. (Refer to process standards 3, 4, 5, and 6)

8.2 Secondary teachers endorsed in an academic subject area may teach in their academic subject area in departmentalized elementary grades 5 and 6. (SB Policy DFB 1)

8.3 Assistant principals and administrative interns who are not properly endorsed may be included in the 5% FTE working outside their area of endorsement, provided that they do not act in the place of the principal.

LEGAL REF.: MS CODE as cited
P. L. 107-110 (No Child Left Behind Act of 2001)
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies GBD - Professional Personnel Hiring
IBFA - Assistant Teachers

DUTIES/RESPONSIBILITIES OF TEACHERS

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
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<tbody>
<tr>
<td>A.</td>
<td>To plan, organize and conduct a program of instruction in the subjects or grades to which assigned.</td>
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<tr>
<td>B.</td>
<td>To assume custody of the pupils assigned to their care and to take precautions that will ensure the pupil’s safety and general welfare.</td>
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<td>C.</td>
<td>To participate in all pre-school conferences and in-service training programs, unless assigned school duty conflicts.</td>
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<tr>
<td>D.</td>
<td>To perform extra-curricular duties assigned by the principal, such as room, hall, playground and similar essential duties.</td>
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<tr>
<td>E.</td>
<td>To attend all faculty meetings called by the principal, coordinators, supervisors, or superintendent, unless excused by the person calling the meeting.</td>
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<td>F.</td>
<td>To keep their classes in session each day during school hours and not dismiss them for any time without the prior consent of the principal.</td>
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<td>G.</td>
<td>To be responsible for all school property and equipment entrusted to them.</td>
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<tr>
<td>H.</td>
<td>To be responsible for the behavior of their pupils and all other pupils with whom they have contact on campus.</td>
</tr>
<tr>
<td>I.</td>
<td>To prepare all records as directed by the rules and regulations or required by the principal, supervisor, or superintendent.</td>
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<td>J.</td>
<td>To make any and all requests to the School Board through the principal and superintendent.</td>
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<td>K.</td>
<td>To be strictly accountable to the principal and superintendent for the performance of their teaching duties.</td>
</tr>
<tr>
<td>L.</td>
<td>To keep lesson plans and/or outlines of class procedures. These will aid principals in performing their duties and will serve as guidelines for substitute teachers.</td>
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M. In all cases where a teacher terminates employment during the school year, to provide lesson plans for at least two weeks in advance to the replacement teacher.

N. To practice, and to require the pupils to practice, good housekeeping by forbidding litter; by storing books, work material, supplies and equipment in a neat and orderly manner; by keeping chalkboards and erasers functional; by having window shades properly hung; and by other practices designed to reflect good housekeeping.

O. To notify the principal or his/her designee directly upon any anticipated absences, obtaining prior approval when required.

P. To strive to interpret the work of the school fairly, honestly and adequately to patrons at every opportunity.

Q. To abide by all reasonable rules and assignments set down by the principal and other administrative personnel.

R. To avoid doctrinal, sectarian, and denominational teaching.

S. To keep up-to-date in their subject area.

T. To strive at all times to maintain cordial relationships with the home and parents, keeping the parents informed of the student’s progress and holding conferences whenever necessary.

U. To perform such other duties as may be assigned by the principal or assistant principal.

Orientation, Knowledge of Policies and Procedures – Responsibility For Policy Enforcement – Licensed Employees

All licensed personnel of the District are expected to be thoroughly familiar with and actively to support the enforcement of all Board of Trustees’ policies and procedures, rules and regulations of the Superintendent of Education, and rules set forth by the principal and in the school handbook(s).

Also see EGD (liability insurance).

TEACHERS – DUTIES – SUPERVISION OF STUDENTS – RESPONSIBILITY FOR DISCIPLINE – LICENSED EMPLOYEES

Each teacher shall be responsible for maintaining satisfactory discipline on the part of each student assigned to him/her and shall contribute to the good discipline of those students whom he/she observes during the working day who, for one reason or another, are not under the immediate supervision of another teacher. Included in this responsibility is the duty to plan classroom work and other activities so that students become engaged in their studies or activities immediately after the class begins. It is expected that student traffic during class periods will be held to an absolute minimum, with students leaving the room only in the event of emergencies that cannot wait until the break between class periods. Failure of the teacher to meet disciplinary responsibilities in a consistent manner in accordance with District policies and procedures will constitute grounds for dismissal. (Also see JD.)

Supervision – Licensed Employees

Each principal shall be responsible for developing a teacher duty schedule so that every pupil will be under continuous supervision during the entire school day and at all school-sponsored activities so as to provide maximum safety and well-being for each student.

The school bell does not excuse students from the classroom. Each teacher shall give notice of dismissal and stand in the doorway of his/her classroom to supervise students as they pass in and out of the classroom and through the corridor.
Principals will assign duty to teachers to insure proper decorum during the school day. It is expected that all teachers will correct any misbehavior at any time, regardless of assignment. Students are not to be excused from class for any reason except illness or emergency without permission of the principal.

**TEACHERS – DUTIES – LEAVING SCHOOL GROUNDS OR DUTY POSTS – LICENSED EMPLOYEES**

Except in case of emergency, and with approval of the principal, teachers are expected to remain on the school grounds from check-in until check-out time and to remain in their classrooms during class sessions or on their duty posts for the entire assigned time.

**RECRUITMENT – HIRING – LICENSED EMPLOYEES**

If a position becomes vacant during or shortly after the beginning of the school year and the position must be filled immediately in order to avoid interruption of the instructional program, the administration shall be free to fill the position without delay and without formal notification of all personnel.

Notification of open positions posted in each school will be periodically updated.

Qualifications for positions will be clearly explained (including degree and experience requirements as applicable), and salaries will also be listed (scale or scale plus supplements).

Also see LDDC (Compliance Policies).

**PROFESSIONAL PERSONNEL HIRING/REEMPLOYMENT**

This School Board has the power and authority to select all school district personnel in the manner provided by law, and to provide for such employee fringe benefit programs including accident reimbursement plans, as may be deemed necessary and appropriate by the board. §37-7-301 (p) (1993)

Also see GAAC, CGD, GBN

**PROFESSIONAL PERSONNEL ASSIGNMENT**

The Superintendent of Education shall have the power and authority to make assignments of all licensed employees as provided in Sections 37-9-15 and 37-9-17 and to make reassignments of such employees from time to time to any area in which said employee has a valid license issued by the State Department of Education; provided, however, that upon request from the employee so transferred, such assignments shall be subject to review by the School Board. §37-9-14(s)
NO CHILD LEFT BEHIND ACT

As required by the No Child Left Behind Act of 2001, staffing patterns will be reviewed annually to ensure that poor and minority students are not taught by inexperienced, unqualified, or out-of-field teachers higher rates than are other children. If such patterns are noted, strategies to correct the problem will be developed.

LEGAL REF.: MS CODE as cited; P. L. 107-110 (No Child Left Behind Act of 2001)

CROSS REF.: Policies CA - General School Administration Goals and Objectives
GAAA - Equal Opportunity Employment
IB - Instructional Goals
Also see CGE.

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<th>COACHING/TEACHING ASSIGNMENTS – LICENSED EMPLOYEES</th>
<th>GBEB/GBKB</th>
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If a person is employed as a coach/teacher, he/she will not be permitted to resign from coaching assignment and retain the teaching position unless the coaching assignment can be reassigned to another teaching position.

If a staff member employed as both coach/teacher is not recommended for reemployment as a coach, the employee shall not be permitted to retain the teaching assignment unless the coaching position can be reassigned. If a staff member employed as both coach/teacher is not recommended for reemployment as a teacher, his/her employment shall be terminated.

These positions shall be considered inseparable in matters of staff reduction, recommendation for reemployment, and job termination.

The School Board of this district adopts this policy governing coaching duties, responsibilities and salaries.

All coaches, equipment managers, athletic aides/assistants and/or others who have athletic responsibilities shall be assigned duties by the principal with the approval of the Superintendent. All such persons shall be employed by the Board on an at-will basis with respect to such athletic duties.

The Superintendent, with the assistance of the principal and the approval of the Board, shall determine the duties and number of days per year to be worked by athletic personnel. Such determination shall be based on considerations of needs of the individual sports and of the time necessary to coach the activities or sports assigned.

All coaches shall work together to promote all sports. All coaches shall be present at all home games or athletic events. All coaches not directly responsible for the sport in session shall assist the responsible coach upon request and within limits established by the Superintendent.

Athletic-related duties are non-instructional and supplementary to the teaching contract. Therefore, athletic-related positions are not subject to the School Employment Procedures Act.
A program for the orientation of provisional and other teachers new to the district shall be developed and implemented by the central administration and the individual schools.

The program shall assist new teachers in becoming acquainted with the community and school district and the school, including the policies of the board, rules and regulations, and the instructional program.

All licensed personnel of the School District are expected to be thoroughly familiar with and actively support the enforcement of all Board of Trustees' policies and procedures, rules and regulations of the Superintendent of Education, and rules set forth by the principal and in the school handbook(s).

New teachers will be required to attend two additional days for orientation to become acquainted with the community and school district and the school, including the policies of the Board, rules and regulations, and the instructional program.

BEGINNING TEACHER SUPPORT PROGRAM

a. “Beginning teacher” means a teacher who:

(i) Possesses a teaching license issued by the Commission on Teacher and Administrator Education, Certification and Licensure and Development;

(ii) Is employed at least half-time, primarily as a classroom teacher, by a school district; and

(iii) Has taught fewer than ninety (90) consecutive days, or one hundred eighty (180) days total, as a licensed teacher in any public school.

b. “District” means any local school district.

c. “Formal Assistance” means a program provided by a mentor teacher to a beginning teacher that includes, but is not limited to, direct classroom observation and consultation; assistance in instructional planning and preparation; support in implementation and delivery of classroom instruction; and other assistance intended to enhance the professional performance and development of the beginning teacher.

d. “Mentor teacher” means a teacher who:

(i) Possesses a standard teaching personnel service or administrative license issued by the Commission on Teacher and Administrator Education, Certification and Licensure and Development;

(ii) Is employed at the time of selection under contract primarily as a classroom teacher by a school district in this state;

(iii) Has successfully taught for three (3) or more years as a licensed teacher in any public school;

(iv) Has been selected and trained as described in Section 37-9-211; and
(v) Has demonstrated mastery of teaching skills and subject matter knowledge.

e. “Teacher” means a licensed employee of a local school district who has direct responsibility for instruction, coordination of educational programs or supervision of teachers and who is compensated for services from public funds. §37-9-201 (1997)

The Legislature finds that:

a. The quality of teaching in the public schools is of vital importance to the future of this state;

b. This state has special interest in insuring that the induction of beginning teachers into their profession is conducive to their professional growth and development; and

c. The formal assignment of mentor teachers who have demonstrated mastery of teaching skills and subject matter knowledge should substantially improve the induction and professional growth of beginning teachers in this state, as well as provide mentor teachers with additional and valuable opportunities to enhance their own professional growth. §37-9-203 (1991)

1. The Mississippi Teacher Center of the State Department of Education shall establish a beginning teacher support program to provide eligible beginning teachers in this state with continued and sustained support from a formally assigned mentor teacher during the first full year of teaching.

2. After the 1992-1993 school year, any district is eligible to participate in the beginning teacher support program.

3. Two (2) or more districts may operate jointly a beginning teacher support program if they meet all the requirements of Sections 37-9-201 through 37-9-213.

4. Educational consortia established for approved teacher education programs pursuant to rules of the Mississippi Teacher Center are eligible to operate a beginning teacher support program to serve beginning teachers in a participating school district.

5. To the extent practicable, school districts may coordinate with institutions of higher education in the design, implementation and evaluation of mentorship programs. §37-9-205 (1991)

Each district that wishes to participate in the beginning teacher support program shall submit a formal application to the Mississippi Teacher Center no later than September 15 of each school year, according to rules of the Mississippi Teacher Center. By that date, districts shall inform the department of:

a. The names of all eligible beginning teachers employed by the district and a description of their teaching assignments and extracurricular duties;

b. The names of mentor teachers selected by a district and a description of their teaching assignments and the endorsement area in which they are licensed to teach;

c. A description of the content and calendar of the proposed beginning teacher support program. The program must provide a minimum of ninety (90) hours of direct contact between mentor teachers and beginning teachers, including observation of or assistance with classroom teaching, or both, during the school day;

d. A description of the amount and nature of each eligible beginning teacher’s classroom and extracurricular duties and assurance that these duties are not unreasonable for a beginning teacher; and
e. A certification that no eligible beginning teacher is or may be misassigned outside the teacher’s endorsements area, except as provided for by rules of the Mississippi Teacher Center. §37-9-207 (1995)

After consulting with representatives of teachers, administrators, school boards, schools of education, the institutions of higher learning and such others as it considers appropriate, the Mississippi Teacher Center shall develop or approve workshops to provide training for mentor teachers and beginning teachers. §37-9-209 (1995)

The selection, nature and extent of duties of mentor teachers shall be determined by the school district. The following guidelines shall apply:

a. No teacher shall be designated as a mentor teacher unless willing to perform in that role;

b. No mentor teacher shall participate in the evaluation of beginning teachers;

c. Each mentor teacher shall complete successfully a training workshop provided or approved by the Mississippi Teacher Center prior to participating in the beginning teacher support program;

d. If a mentor teacher receives additional release time to support a beginning teacher, it is expected that the total workload of other teachers regularly employed by the school district should not increase in any substantial manner. §37-9-211 (1995)

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<th>SUPERVISION AND EVALUATION</th>
<th>GBH/GBI</th>
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The Harrison County School Board, believing that the instructional program of the district is of primary importance and that the chief requisite for a successful educational program is in the quality of the classroom teacher, hereby directs that each principal in the district spend at least one third (1/3) of this time in the supervision of instruction. Administrative matters of a routine nature should be rescheduled to allow ample time for instructional supervision during the school day.

The Board further directs that during the first and second years of a classroom teacher’s service in the district, the principal visit in the teacher’s classroom at least three times annually and schedule follow-up conferences in order to discuss the quality of the teacher’s work and to offer suggestions for improvement. For teachers who have been in the service of the school district for two or more years, visitations and conferences may be held as deemed necessary by the principal; however, at least one annual visit and one conference per semester will be considered minimal.

Records of all classroom visitations and conferences for supervisory purposes are to be maintained. Copies of these records may be made available to the employee upon written request.

The evaluation of Principal/Assistant Principal provides a set of standards by which the building administrators are to be evaluated. This form will be used to evaluate the administrator by the Superintendent or his/her designee. Teachers may also use the form to provide an evaluation of their building administrators.

The Superintendent or his designee will use the evaluation form to evaluate the principal. The Superintendent or his designee will meet with the principal prior to January 30, to discuss the evaluation. At this time, the evaluation form will be reviewed with the principal; after the review, both parties will
sign the evaluation form. The signature does not necessarily indicate agreement with the evaluation; it only indicates that a review of the evaluation has been conducted. The principal may respond in the “Comments” section or on separate paper if he/she desires to do so. The evaluation form (and any comments) will be filed in the principal’s personnel file in the Superintendent’s office.

The principal will use the same procedure in evaluating the assistant principal. The evaluation form and related documents will be filed in the principal’s office.

SUMMARY

1. The evaluation form will serve as the basis of both the Superintendent’s evaluation of principals and the principal’s evaluation of assistant principals.

2. The evaluation conference will be held prior to January 30.

3. An evaluatee may respond in the “Comments” section or on other paper; both comments and the Evaluation Form will be filed in the evaluator’s office.

USE OF THE EVALUATION FORM

The principal/assistant principal will be judged on five standards. A standard will be given a rating of 0-5, depending upon the number of indicators checked beneath each standard. A check beside an indicator means that the administrator satisfactorily demonstrates competency for that indicator. Once the five indicators have been reviewed, the evaluation gives the standard a rating of 0-5 based on the number of indicators checked.

All five standards should be rated. A rating of 0-1, represents “unsatisfactory”; a 2, “needs improvement”; a 3, “satisfactory”; a 4, “good”; and a 5, “excellent.”

The Superintendent or his/her designee will complete such a form on each principal prior to January 30; the principal will do the same for assistant principals. A conference to review the evaluation shall also be held prior to January 30. The principal may receive a copy upon request; the original will be filed in the Superintendent’s office.

In addition, all teachers in the school will be given an evaluation form to complete on the principal and assistant principals. The following guidelines will be observed:

1. The principal will review the instrument with his/her faculty.

2. Completing the evaluation form is not required; it is the option of the teacher to do so.

3. All those who complete the form should do so within two weeks of receipt; forms should be given out during the first week of school in January.

4. A box or tray to receive the forms should be set up in the mailroom, office, or other designated area to receive the forms.

5. A teacher need not sign the form unless he/she desires to do so.

6. The principal/assistant principal should review the forms and then file them in the principal’s office.
7. The Superintendent or his/her designee may ask to see the forms; they should not be available to anyone else.

In the teacher evaluation process, each teacher is to be evaluated via the “Teacher Performance Appraisal” (TPA). In order to complete the TPA, the evaluative process must be done in two major steps:

**Step 1**

The first step consists of a series of short, impromptu visits by the administrator to the teacher’s classroom. A record of these visits is kept in the Teacher Observation Log, along with notes concerning observations made during the visit. These visits shall be referred to as “Walk-Through’s” and should average 10-20 minutes in length. They need not be announced in advance. A minimum of two walk-through’s each nine-weeks is required for teachers new to the school; a minimum of one walk-through per nine-weeks is required for all other licensed personnel. Additional walk-through’s may be conducted at the discretion of the administrator.

Summary of Use of “Walk-Through’s”

A. May be unannounced.
B. Short, 10-20 minutes duration.
C. Keep record of visits and notes in Teacher Observation Log.
D. Conferences are not necessary following a walk-through unless requested by the teacher or deemed necessary by the administrator.
E. The Teacher Observation Log will be kept in a secure place in the principal’s office.

**Step 2**

The second step in the evaluation process consists of a formal evaluation visit to the teacher’s classroom. This visit must be scheduled at least one week in advance. The visit must be a minimum of 45 minutes in duration; the principal should use the classroom checklist in recording this visit. Following the visit, a conference will be held to review the classroom checklist with the teacher. All teachers new to the school should receive one formal evaluation each semester; the first, no later than the fifteenth week of school; the second, prior to March 1. All other licensed personnel should receive one formal evaluation prior to March 1.

Summary of Use of Formal Evaluation:

A. Will be scheduled at least one week in advance of visit.
B. Observation visit will consist of a minimum of 45 minutes of observation.
C. Record of the observation and visit will be kept on a classroom checklist.
D. One formal evaluation each semester for teachers new to the school; one no later than the fifteenth week of school; the second prior to March 1. Other teachers will receive at least one formal evaluation each year, prior to March 1.
E. Other formal evaluations may be conducted at the discretion of the principal.
F. A conference will follow each formal evaluation.

G. Records of formal evaluation visits will be kept in the teacher’s personnel file in the office.

H. Any area marked unsatisfactory will dictate that the principal designate, in writing, tasks to help overcome this deficiency. The principal will monitor the teacher’s progress in correcting the deficiency.

Completing the Teacher Performance Appraisal:

The principal will complete a Teacher Performance Appraisal on every licensed employee at his/her school. For teachers new to the school, this should be done twice per year; for all others, at least once per year. For new teachers, the first TPA should be completed prior to the end of the first semester; for the second TPA and for all other teachers, no later than March 1.

All teachers should be given a TPA to complete on themselves; this they should bring to the TPA conference for comparison. The principal should complete the TPA based on his/her teacher visitation log, formal evaluation, and any other observations or documentation he/she may have. A conference should be held to review the TPA; any areas that need specific attention or explanation should receive it here. Where specific work is needed to overcome a deficiency, it should be assigned. At the conclusion of the conference, both the teacher’s self-appraisal and the principal’s appraisal should be signed by both parties and filed. The signature does not indicate agreement, only that the form has been reviewed. Space is available for comments, if desired. Both copies are to be kept on file in the principal's office in the teacher’s personnel file.

For teachers who have been in the district for more than one year, evaluation will be based on the following system:

1. One-third of the faculty other than those non-licensed as new teachers will be evaluated a minimum of two times during the school year; one visit will be scheduled, one visit will be unannounced.

2. The principal will submit a list of those teachers to be evaluated at the beginning of each school year to the Superintendent or his/her designee. This list will include all first-year teachers and one-third of teachers who have been employed for more than one year, plus any other teachers that the principal may designate for evaluation. The principal should so plan that all teachers have been formally evaluated at the end of a three-year cycle.

3. The principal may designate any teacher for evaluation as he/she deems necessary and appropriate.

EVALUATION OF ADMINISTRATORS – LICENSED EMPLOYEES

There shall be an annual written evaluation of the performance of the administrative personnel. A written evaluation of persons in administrative positions in an acting capacity shall also be made each year in accordance with State Department of Education guidelines and requirements.
PROFESSIONAL PERSONNEL PROMOTIONS  GBJ

Professional personnel shall be promoted on their own merit by the Superintendent.

If, at the commencement of the scholastic year, any licensed employee shall present to the Superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher license would have entitled the individual, had the license been held at the time the contract was executed. §37-9-13

The Board agrees to publish in each school, prior to the filling of such vacancies, the vacancies for promotion and positions which provide salary advancement. Current employment in the district shall be a factor to be considered in making promotions, assignments or transfers.

Race, creed, color, national ancestry, age, religion, handicap, marital status, or sex shall not be considered in promotion. The process of administrative promotion shall be free from pressures considered detrimental to the best conduct of the schools.

Also see GBBA, GBD.

PROFESSIONAL PERSONNEL SUSPENSION/DISMISSAL  GBK

If any licensed employee shall arbitrarily or willfully breach his/her contract and abandon his/her employment without being released therefrom as provided in Section 37-9-55, the contract of such licensed employee shall be null and void. In addition thereto the license or license of such licensed employee shall be suspended by the State Board of Education for a period of one (1) year as provided in Section 37-3-2(8) upon written recommendation of the majority of the members of this School Board. §37-9-57 (1997)

For incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil or other good cause the Superintendent of this school district may dismiss or suspend any licensed employee. Before being so removed or suspended any licensed employee shall be notified of the charges against him/her and he/she shall be advised that he/she is entitled to a public hearing upon said charges.

In the event the continued presence of said employee on school premises poses a potential threat or danger to the health, safety or general welfare of the students, or in the discretion of the Superintendent, may interfere with or cause a disruption of normal school operations, the Superintendent may immediately release said employee of all duties pending a hearing if one is requested by the employee. In the event a licensed employee is arrested, indicted or otherwise charged with a felony by a recognized law enforcement official, the continued presence of the licensed employee on school premises shall be deemed to constitute a disruption of normal school operations.

This School Board, upon a request for a hearing by the person so suspended or removed shall set a date, time and place for such hearing which shall be not sooner than five (5) days nor later than thirty (30) days from the date of the request. The procedure for such hearing shall be as prescribed for hearings before this Board or hearing officer in Section 37-9-111. From the decision made at said hearing, any licensed employee shall be allowed an appeal to the chancery court in the same manner as appeals are authorized by law.
Any party aggrieved by action of the chancery court may appeal to the Mississippi Supreme Court as provided by law. In the event that a licensed employee is immediately relieved of duties pending a hearing, as provided in this section, said employee shall be entitled to compensation for a period up to and including the date that the initial hearing is set by this School Board, in the event that there is a request for such a hearing by the employee.

In the event that an employee does not request a hearing within five (5) calendar days of the date of the notice of discharge or suspension, it shall constitute a waiver of all rights by said employee and such discharge or suspension shall be effective on the date set out in the notice to the employee. §37-9-59 (1997)

Insubordination is one of the "other good causes" for which one may be dismissed.

At a suspension or dismissal hearing before the School Board, the burden rests upon the Superintendent to prove by a preponderance of evidence that adequate grounds for dismissal exist.

The principal or other appropriate administrative personnel shall have the power to suspend employees under their supervision, once approval has been given by the Superintendent of Education, for failure to comply with school policies and procedures or reasonable requests of the administration. The employee shall have the right to a hearing as outlined in the procedures governing licensed staff grievances.

The Superintendent of Education shall have the power to suspend employees for failure to comply with school policies or reasonable requests of the administration. The employee shall have the right to a hearing as outlined in the procedures governing staff grievances.

PROGRESSIVE DISCIPLINE

I. STATEMENT - The Harrison County School Board approved the following addendum to the Harrison County School District Certified Policy GBK on June 6, 2005.

When personnel of HCSD perform unsatisfactory service, continued employment shall be subject to investigation.

If there is evidence of malfeasance, incompetence, insubordination, unauthorized absences, non-performance of duties, unsafe conduct, or other deviate behavior, due process procedures shall be followed when requested by any employee under consideration for dismissal.

While the investigation is pending, suspension may be deemed desirable. If dismissal is deemed appropriate, the individual will received timely notification. Evidence of adequate counseling with opportunity for improvement shall be documented.

II. PROCEDURES AND RESPONSIBILITIES

When persons are being considered for dismissal or suspension, progressive discipline Procedures may apply and the following steps may be taken and documented.

A. Verbal Counseling - Counseling should be given for minor first or second offenses. The employee should be told what rule or order was violated and how to correct the action. The supervisor should obtain an acknowledgement from the employee that he or she understands and a commitment that improvement will be made. The supervisor should make a written record or all verbal reprimands and retain for possible future use. These may or may not be signed by Employee/Employer Interview Form.
B. **Written Reprimand** - A verbal notice with written reprimand for the personnel file should be used for more serious offenses or when the employee has ignored prior verbal warnings and/or has repeatedly committed the same offense. The employee should be told the seriousness of the offense(s) and be shown the written report, which should contain the consequences to be imposed if the employee does not correct conduct. A written acknowledgment should be obtained from the employee that he/she understands the seriousness of the offense(s) and a commitment that the action will be corrected. If the employee refuses to sign the written document, the supervisor will write “the employee refused to sign,” with the date and time of the refusal and have another administrator witness document in the presence of the employee.

C. **Final Written Notice** - In cases of serious offenses or repeated violation of minor offenses a formal written notice is in order. A final written notice must include:
   1. The seriousness of the violation(s).
   2. If the written notice is for repeated violations, the notice should outline each prior violation and the counseling that the employee has been given after each violation.
   3. Clear instructions to the employee of the further disciplinary consequences if the improper conduct is not corrected.
   4. Copies of previous notice must be attached.
   5. There should be sufficient copies prepared so that a copy can be given the employee and a copy placed in the employee’s personnel file.
   6. A written commitment from the employee that the improper conduct will be improved.
   7. The employee should sign the warning. If the employee refuses to sign the supervisor should write on the warning, “The employee refused to sign,” with date and time of refusal having another administrator witness in presence of employee.

D. **Suspension With or Without Pay** - A suspension with or without pay may be used prior to discharge if the person has been a long-term employee with a good work record, but has committed one serious violation. Also, a suspension may be used if an employee continues to habitually violate minor rules and it is advisable to inform the employee of the seriousness of continued violation(s). The employee must receive a complete written explanation of why he or she is being suspended and the consequences if the violations reoccur. Prior to the employee’s return to work from the suspension, the supervisor and employee should have a formal discussion to obtain a commitment that the employee will correct the improper habit(s). This discussion should be documented on a Report of Employee/Employer Interview Form.

E. **Dismissal** – Employees involved in actions under paragraphs 4 A-D, above, shall be afforded the due process procedures in accordance with the Mississippi Code 37-9-59.
If it becomes necessary to reduce the number of licensed staff members within the Harrison County School District, the administration in shall reduce the staff within subject areas of certification system-wide in the secondary schools and within areas of certification (115, 151, 116, 117) system-wide in the elementary schools in the inverse order of signing of initial contracts in the district, provided that this does not conflict with other procedures contained in this policy. The Superintendent of Education or his/her designee shall notify the affected licensed staff that staff reductions may be necessary. The Superintendent shall make available all pertinent information supporting the anticipated need to reduce staff.

Only current job assignments will be considered in staff reductions. Staff members shall not cross over into other subject or certification areas and request removal of another staff member. Licensed staff members with more than one teaching area of certification shall be counted only in the area in which they are presently assigned for the major portion of the school day. A teacher in the affected area will be given consideration for transfer into a different teaching area within the Harrison County Schools in which he/she is also licensed and meets all qualifications as required in this policy, provided that a vacancy occurs in that teaching area, but there shall be no guarantee of reemployment if transfer or reassignment is not possible.

In the event that an elementary position is eliminated, the last person hired by the school district in that area of certification system-wide (115, 151, 116, 117) will not be offered a contract. In the event that a secondary position is eliminated, the last person hired by the school district in that subject of certification and job assignment in the department involved (system-wide) will not be offered a contract. Staff members who are not reemployed will be given consideration for vacancies that occur for which they are licensed and/or qualified, but there shall be no guarantee of reemployment. If a teacher in a 4-6 position is not reemployed, for example, the staff member will be considered for the next vacancy which occurs in a K-3 area if he/she is licensed – and vice versa.

Normal attrition shall be considered prior to any staff reduction.

The following criteria will serve as guidelines in staff reductions in the order listed until a final determination has been made regarding reductions:

A. Seniority

1. Years of accrued service in the Harrison County School District, provided that there are no periods of non-employment totaling three (3) full years or more (if a staff member has been previously employed by the Harrison County School district and underwent any period of non-employment for three (3) full years or more – whether consecutive or not – the staff member’s seniority will be computed from the date of beginning of his/her present reemployment by the school district).

   a. Teaching experience (a year of teaching experience will be determined by using state-approved credit as shown on the teaching contract tendered by the Harrison County School District).

   b. Determination of service (consideration will be given to the person who has served the greater percent of the initial year of the contract period in cases where contract experience is the same).
c. Partial year of service (in the event that seniority is the same, as determined under a and b above, part of a year of employment in the Harrison County Schools will be considered, although a year of teaching experience was not awarded and shown on the teaching contract.)

2. Length of service in the Harrison County School District.

3. Total number of years of teaching experience (in-district and out-of-district.)

4. Number of years of teaching experience in current areas of certification.

B. State Department of Education certification standards (all staff members must meet State Department of Education certification requirements for the subject area in which they are employed).

C. Each staff reduction will be determined on the basis of all job responsibilities of the employee.

D. The Federal Court Decree governing the operations of the Harrison County School District.

E. Educational preparation and training (certificate held).

F. Teaching assignments – K-3, 4-5, 6-8, 9-12.

G. Low pupil/teacher ratio in present assignment.

H. Other policies and procedures adopted by the Harrison County School District concerning licensed staff.

I. All other qualifications being substantially equal, inverse order of employment will be used as a criterion for staff reduction.

If further reductions are necessary after fulfilling the staff reduction provisions listed above, reductions of fulltime staff, including administrators, supervisors, coordinators, and other employees, shall be considered.

Such teachers shall be reinstated in inverse order of their being laid off if licensed to fill the vacancies, and provided that all other provisions of this policy can be met. It shall be the responsibility of the teacher who has been laid off to keep the administration informed at all times of his/her current address and telephone number.

The administration shall recall a teacher by written notification (certified mail, return receipt requested). Such teacher shall have five (5) days from receipt of the notice in which to reply. If he/she accepts the position, he/she shall immediately conform in every way with the provisions of his/her contract assignment. Teachers who refuse a recall offer shall be dropped from the list of recall candidates and forfeit all further rights to recall. Teachers shall be dropped from the list of recall candidates after one (1) year on such a list.

Separation will not affect the following benefits if the teacher is reemployed in the Harrison County School District: status in the sick leave plan; position on the salary schedule; or other benefits offered by the Harrison County School District.

By April 15 of the said school year the administration shall notify all licensed staff members affected by the required reduction. The reason for this reduction shall be stated.
A teacher notified of dismissal because of reductions in licensed staff may request a hearing as outlined in policy GBN and GBNA.

In-district seniority will not accrue during the time a staff member is unemployed by the school district because of reductions in licensed staff; but reemployment by the school district will restore in-district seniority prior to the time of dismissal.

The Harrison County School District’s obligation to recall a teacher who has been dismissed because of licensed staff reductions shall cease at the time the staff member signs a contract with another school district.

In the event that a licensed staff member is transferred to another school and a vacancy occurs in the school to which he/she requested assignment, the licensed staff member may be considered for that position, provided that the vacancy occurs before the beginning of the ensuing school year.

The administration will determine the number of licensed staff members who must be released in each area (department, grade level, teaching assignment, etc.).

When reductions are required and transfers of staff members are necessary, staff members affected by the reduction will be placed only in existing vacancies.

Requests for transfers or reassignment will be handled according to established procedures within the school district.

Personnel whose positions are discontinued for the reasons stated above will be given consideration for positions that become open because of retirement, voluntary transfer, or other causes before other applications are considered.

Nothing in this policy will be in conflict with certification and accreditation requirements, state law, or the court order under which the school system operates.

PROFESSIONAL PERSONNEL TRANSFER

Personnel transfers within the district may be effected on a voluntary or involuntary basis.

VOLUNTARY

Any licensed employee of the Harrison County School District shall have the right to request a voluntary transfer. All known full-time vacancies and new job positions shall be posted in each school building. The Superintendent of Education shall make every effort to post said vacancies in a timely manner so that each qualified staff member will have an opportunity to apply for said position.

During summer months all vacancies shall be posted in the central office as they occur.

Request for transfer shall be submitted to the Superintendent in writing. Selection for employment or transfer shall be determined by the applicant’s qualifications for a vacant position. Seniority within the school district shall be a factor when considering a transfer request provided no teacher shall be transferred outside his/her area of certification.
**INVoluntary**

The Superintendent is authorized to make such involuntary transfers as necessary when, in his/her opinion, such transfers are in the best interest of the school district.

**PROfessional PersonNel – SePAration - NonrenewaL of Licensed Employees – Education Employment Procedures Law of 2001**

**Important Notice:** This policy is applicable only to professional personnel covered under the Education Employment Procedures Law (EEPL) as defined in MS Code 37-9-103. Please refer to the Education Employment Procedures Law Handbook, published by MSBA.

It is recognized by this school district that it is necessary, from time to time, to release from future employment licensed personnel where their performance fails to meet the standards established by the State Department of Education and/or this board or where their services are no longer needed.

**Notice of Nonrenewal**

If a recommendation is made by the school district not to offer an employee a renewal contract for a successive year, written notice of the proposed nonreemployment stating the reasons for the proposed nonemployment shall be given no later than the following:

(a) If the employee is a principal, the superintendent, without further board action, shall give notice of nonreemployment on or before March 1; or

(b) If the employee is a teacher, administrator or other professional educator covered under Sections 37 9 101 through 37 9 113, the superintendent, without further board action, shall give notice of nonreemployment on or before April 15, or within ten (10) days after the date that the Governor approves the appropriation bill(s) comprising the state’s education budget for funding K 12, whichever date is later. An interim conservator appointed pursuant to Section 37 17 6(14)(a) or a school board acting on the recommendation of a school district financial advisor appointed pursuant to Section 37 9 18 shall not be required to comply with the time limitations prescribed in this section for recommending the reemployment of principals, teachers, administrators or other professional educators. MS CODE 37-9-105 (2006)

A decision not to renew licensed employees of this school district shall be based upon valid educational reasons or noncompliance with school district personnel policies.

**Licensed Employee Rights**

A principal or other professional educator receiving written notice under the provisions of this policy shall, upon written request within ten (10) calendar days of notice of proposed nonreemployment, be entitled to:

(a) written notice of the specific reasons for nonreemployment together with a summary of the factual basis therefor, a list of witnesses and a copy of documentary evidence substantiating the reasons intended to be presented at the hearing. The school district shall give this notice to the principal or other professional educator at least fourteen (14) calendar days prior to any hearing.
(b) an opportunity for a hearing at which to present matters relevant to the reasons given for the proposed nonreemployment, including any reasons alleged by the principal or other professional educator to be the reason for nonreemployment;

(c) receive a fair and impartial hearing before the school board or hearing officer selected by the school board;

(d) be represented by legal counsel, at his/her own expense.

If the employee does not request a hearing, the recommendation regarding the nonreemployment of the employee shall be final.

It is the intent of this school district to establish procedures for providing professional educators with notice of the reasons for not offering him/her a renewal of his/her contract and to provide an opportunity for principals and other professional educators to present matters relevant to the reasons given for the proposed nonreemployment determination and to the reasons the employee alleges to be the reasons for nonreemployment. The board is required to determine whether the recommendation of nonreemployment is a proper employment decision and not contrary to law and whether the nonrenewal decision is based upon valid educational reasons or noncompliance with school district personnel policies.

Any and all hearings shall be conducted pursuant to the “Rules of Procedure Under the Education Employment Procedures Law of 2001” (Policy GBN R), adopted by this board. All proceedings under this policy are and shall be governed by the “Education Employment Procedures Law of 2001,” where applicable. MS CODE 37 9 101 et seq.

Where a school board has acted in a manner which is arbitrary and capricious and where its actions are not supported by substantial evidence, the Chancery Court and ultimately the Supreme Court have the responsibility to intervene.

LEGAL REF.: MS CODE, as cited
Merchant v Pearl MSSD (Miss. 1986) 492 So. 2d 959
CROSS REF.: Policy GBN-R - Rules of Procedure Under the Education Employment Procedures Law

RULES OF PROCEDURE UNDER THE EDUCATION GBNA EMPLOYMENT PROCEDURES LAW

IMPORTANT NOTICE: This policy is applicable only to professional personnel covered under the Education Employment Procedures Law (EEPL) as defined in MS Code Section 37-9-103. Please refer to the Education Employment Procedures Law Handbook, published by MSBA.

1. APPLICATION OF POLICY
The policies and procedures as set forth herein shall be applicable only to teachers, principals, and superintendents elected by the board, or other professional instructional personnel who are required to have a valid license issued by the State Department of Education as a prerequisite of employment and are under formal contract of employment under Section 37-9-23 and Section 37-9-25 of the Mississippi Code of 1972.
2. **DETERMINATION OF SEPARATION**
   In the event that a determination that the best interests of the school district would be served by the release from future employment of the employee, the school district shall send notice of the determination to the employee on or before the applicable date as established by the policies of this district.

3. **RIGHTS OF EMPLOYEES: NOTICES**
   a. An employee who is notified of nonrenewal shall be entitled to a written statement of the specific reasons for nonreemployment, together with a summary of the factual basis therefor, a list of witnesses and a copy of the documentary evidence substantiating the reasons intended to be presented at the hearing. The employee must provide the superintendent with a written request within ten (10) calendar days of the receipt of the notice of nonreemployment. This information shall be given at least fourteen (14) calendar days prior to the hearing.

   b. If a hearing is requested by the employee within ten (10) days of receipt of the notice of nonreemployment, the board will schedule a hearing before itself or a hearing officer at its discretion. If a request is not made within this ten (10) day period, the decision of the superintendent to nonrenew the employee shall be final. For purposes of this section, notice shall be deemed to have been sent to the employee upon the date of actual receipt thereof or the date of delivery to the United States Postal Service for delivery by certified mail.

   c. If a hearing is held pursuant to these rules, the board shall set the time, place and date of such hearing to be held not sooner than five (5) days, nor later than thirty (30) days from the date of the request from the employee and notify the employee in writing of the same.

4. **BOARD HEARING**
   a. A quorum of the board may conduct the hearing or it may designate a hearing officer to conduct the hearing as hereinafter provided.

   b. The board may appoint a presiding officer for the hearing, who will make all rulings on procedure and evidence and will generally conduct the hearing, subject to being overridden by a majority vote of the members present. The presiding officer may be a member of the board, the superintendent, the board attorney, or any other impartial person chosen by the board, provided that the person was not responsible for the initial decision of nonreemployment.

   c. The presiding officer shall have full power and authority to conduct hearings in such manner as is appropriate to ascertain the facts and facilitate the hearing, which shall include but not be limited to, the authority to:

      (1) administer oaths and affirmations;
      (2) issue subpoenas, subject to the provisions of Section 7 of these rules;
      (3) examine witnesses;
      (4) receive depositions or affidavits or have them taken when the ends of justice would be served, as hereinafter provided;
      (5) regulate the course of the hearing;
      (6) hold conferences for the settlement or simplification of the issues by consent of the parties;
      (7) dispose of procedural requests or similar matters;
      (8) make or recommend decisions in accordance with Section 10 of these rules; and
(9) take other action authorized by the board consistent with the rules and policies.

d. In conducting the hearing, the presiding officer shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure except as provided in the Education Employment Procedures Law and by these rules.

5. HEARING OFFICER
a. The board may, at its discretion, appoint one or more hearing officer(s) to conduct the hearing. Nothing herein shall be construed to prohibit a member of the board or an employee of the school district from serving as the hearing officer or to require that he be legally trained, provided that such person was not responsible for the initial decision of nonreemployment.

b. The hearing officer shall have all the powers of the presiding officer of a board hearing to conduct the hearing as enumerated in Sections 4 (c) and (d) above.

c. Once a hearing officer has been appointed, then no ex parte communications may be held with any parties regarding the details or the merits of the hearing.

6. THE HEARING
a. The administration of the school district has the burden of establishing that the determination to nonrenew the employee from future employment is a proper employment decision and that is based upon valid educational reasons or noncompliance with school district personnel policies.

b. The employee shall have the burden of establishing that the determination to release him from future employment is based upon legally impermissible reasons (such as sex, race, religion, exercise of first amendment rights, etc.) or that the decision is arbitrary and capricious.

c. Any oral or documentary evidence may be received, but evidence which is irrelevant, immaterial, or unduly repetitious may be excluded.

d. An employee may present his case by oral or documentary evidence and may cross-examine witnesses against him.

e. The attorney for the school board and the staff member responsible for the determination to nonrenew the employee are also entitled to cross-examine witnesses presented at the hearing.

f. The employee shall not be required to testify in his own behalf, but upon doing so shall be subject to cross-examination.

g. A transcript of testimony and exhibits, together with all papers and requests filed in the proceeding, shall be prepared and shall constitute the exclusive record for decision. A copy of the record shall be made available to a party in interest upon payment of a charge not in excess of the reporter’s fees under 9-13-33 of the Mississippi Code of 1972. In the event of a judicial appeal of the board’s decision, the entire expense of the transcript and notes shall be assessed as court cost.
7. **SUBPOENAS**
   
a. Requests for subpoenas may be made by the employee, the staff member responsible for the decision of nonreemployment, a representative of the administration or the board not later than five (5) days prior to the hearing date.

b. The presiding officer is authorized to issue subpoenas, at his sole discretion, upon his own motion or upon request where there is a statement or showing of general relevance and reasonable scope of the evidence sought.

c. If a request for subpoena is approved, one shall be issued upon prepayment of a fee to the hearing officer in an amount sufficient to defray the cost of service of the subpoena by a lawful officer, together with the required witness fee and mileage allowance as set by the hearing officer.

d. Any person compelled to appear before the board or hearing officer is entitled to be accompanied, represented, and advised by counsel and, if the witness is a minor, by a parent or legal guardian.

e. In the event it becomes necessary to enforce or to quash a subpoena issued to compel attendance of a witness, the proponent may petition the Chancery Court of Harrison County.

8. **DEPOSITIONS**
   
a. It is the policy of the school district that depositions will be allowed only in extraordinary cases in which the personal attendance of the witness is impossible or would impose an unreasonable hardship.

b. Depositions shall be allowed only if an application by a party is approved by the hearing officer, at his sole discretion.

c. Any costs associated with the taking of depositions shall be the responsibility of the party requesting it, which shall not include attorneys’ fees.

9. **CONDUCT OF HEARING**
   
a. The first order of business after the hearing is convened is to dispose of any procedural matters.

b. Prior to receiving any testimony, evidence will be received that all notices and information was timely sent to the employee and that the employee made timely requests for information and a hearing. If a notice or a request is defective or untimely, the presiding officer may order such relief as is appropriate.

c. Witnesses and other evidence in support of the determination to release the employee from future employment will be introduced first. The presiding officer may interrogate witnesses himself or he may allow a representative of the administration or the board to examine witnesses. The employee or his attorney will also be allowed to cross-examine each witness presenting evidence against him at the hearing.

d. The hearing will be held in executive session unless the employee elects to have a public hearing and shall be considered a confidential personnel record. If the hearing is public, the board or hearing officer may order any part of the hearing to be held in executive session, if, in the opinion of the board or hearing officer, the testimony to be elicited
deals with matters involving the reputation or character of another person. Testimony by minors shall be held in executive session.

e. After the evidence in support of the determination has been submitted, the employee will be allowed an opportunity to present his witnesses and evidence. The presiding officer and a representative of the administration or the board will be allowed an opportunity to cross-examine any witnesses for the employee.

f. After the employee concludes his case, the administration will be allowed an opportunity to present rebuttal evidence, either at the time of the hearing or within a reasonable time upon recess of the hearing.

g. The presiding officer, at his discretion, may require any portion of the evidence to be submitted in the form of depositions or affidavits. If affidavits are received, counter-affidavits may be presented within such time as the hearing officer may allow.

h. At the conclusion of the hearing, each party may be allowed an opportunity for closing arguments, if requested by the presiding officer, at his discretion.

10. **RECOMMENDED DECISION OF HEARING OFFICER**
   a. If the board appoints a hearing officer, he/she shall make a report unless the board orders that the record be transmitted to it without such report.

   b. The hearing officer may, at his discretion, prior to the conclusion of the hearing and to making his report, request proposed findings from all parties.

11. **FINAL DECISION**
   a. If the board initially hears the matter, it will make its decision on the basis of the matters presented before it and will send notices of its decision to the parties within 10 days of the conclusion of the hearing.

   b. If the board does not initially hear the matter, the parties will be given a reasonable opportunity to appear before the board, in person or by counsel, to present statements in their behalf. The board will send notice of its decision to the parties within 30 days of the conclusion of the hearing.

   c. The board shall receive the hearing officer's report and the record and shall prepare its own findings and final decision.

**NOTE:** Please refer to the *Education Employment Procedures Law Handbook*, published by MSBA

### PROFESSIONAL PERSONNEL RESIGNATIONS

Any appointed Superintendent, principal or licensed employee in any public school district who is under contract to teach or perform other duties and who desires to be released from such contract shall make application in writing to the School Board of the school district for release therefrom, in which application the reasons for such release shall be clearly stated. If the Board acts favorably upon such application for release, such Superintendent, principal or licensed employee shall be released from his/her contract, and said contract shall be null and void on the date specified in this School Board's order. §37-9-55 (1997)
If any appointed Superintendent, principal or licensed employee in any public school of this state shall arbitrarily or willfully breach his or her contract and abandon his or her employment without being released therefrom as provided in Section 37-9-55, the contract of such Superintendent, principal or licensed employee shall be null and void. In addition thereto the license or certificate of such Superintendent, principal or licensed employee may be suspended by the State Board of Education for a period of one (1) school year as provided in Section 37-3-2 (8) upon written recommendation of the majority of the members of the School Board of the school district involved. §37-9-57 (1997)

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy GBN — Professional Personnel Separation

PROFESSIONAL PERSONNEL RETIREMENT

Professional educators shall be retired from public employment under such conditions and provisions established by the Public Employee Retirement System (PERS). §25-11-101 et. seq.

STRIKES

"Strike" means a concerted failure to report for duty, a willful absence from one's position, the stoppage of work, a deliberate slowing down of work, or the withholding, in whole or in part, of the full, faithful and proper performance of the duties of employment, for the purpose of inducing, influencing or coercing a change in the conditions, compensation, rights, privileges or obligations of public employment; provided, however, that nothing herein shall limit or impair the right of any licensed teacher to express or communicate a complaint or opinion on any matter related to the conditions of employment so long as the same is not designed and does not interfere with the full, faithful and proper performance of the duties of employment.

"Licensed teacher" shall mean the following employees of this school district: classroom teachers, supervisors of programs, librarians, guidance personnel, audiovisual personnel and vocational directors.

It is hereby declared that a strike, concerted work stoppage or concerted refusal to perform lawful duties in any manner by licensed teachers against public school districts within the State of Mississippi shall be illegal, unprotected and contrary to the public policy of the State of Mississippi.

No licensed teacher, group of licensed teachers or teacher organization shall promote, encourage or participate in any strike against a public school district, the State of Mississippi or any agency thereof.

No person exercising any authority, supervision or direction over any licensed teacher shall have the power to authorize, approve or consent to a strike by one or more licensed teachers, and such person shall not authorize, approve or consent to such strike. No local school governing board or any person exercising authority, supervision or direction over any public school shall attempt to close or curtail the operations of the public school, or to change or alter in any manner the schedule of operations of said school in order to circumvent the full force and effect of this statute. In the event of a strike against the public school, the local school governing board shall continue school operations as long as practicable in order to ascertain which teachers are on strike, and certify the names of such teachers to the Attorney General. Any member of a local school governing board or public school administrator who violates this
subsection shall be guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred Dollars ($100.00) nor more than Two Hundred Fifty Dollars ($250.00) for each day such violation continues.

Chancery courts having jurisdiction of the parties are vested with authority to hear and determine all actions alleging violations of subsection (3) of this section. Suits to enjoin violations of subsection (3) of this section shall have priority over all matters on the court's docket except other emergency matters.

If a licensed teacher, a group of licensed teachers, a teacher organization, or any officer, agent or representative of any teacher organization engages in a strike in violation of subsection (3) of this section, any public school district whose employees are involved or whose employees may be affected by the strike shall file suit to enjoin the strike in the Chancery Court of the First Judicial District of Hinds County, Mississippi, or in the chancery court having proper jurisdiction and proper venue of such actions. The chancery court shall conduct a hearing with notice to all interested parties, at the earliest practicable time. If the complainant makes a prima facie showing that a violation of subsection (3) of this section is in progress or that there is a clear, real and present danger that such strike is about to commence, the chancery court shall issue a temporary restraining order enjoining the strike. Upon final hearing, the chancery court shall either make the injunction permanent or dissolve it.

If an injunction to enjoin a strike issued pursuant to this section is not promptly complied with, on the application of the complainant, the chancery court shall immediately initiate contempt proceedings against those who appear to be in violation. A teacher organization found to be in contempt of court for violating an injunction against a strike shall be fined up to Twenty Thousand Dollars ($20,000.00) for each such calendar day. The fines so collected shall immediately accrue to the school district and shall be used by it to replace those services denied the public as a result of the strike. Each officer, agent or representative of a teacher organization found to be in contempt of court for violating an injunction against a teacher organization shall be liable for any damages which might be suffered by a public employer as a result of a violation of the provisions of subsection (3) of this section by the teacher organization or its representatives, officers and agents. The chancery court having jurisdiction over such actions is empowered to enforce judgment against teacher organizations by the attachment or garnishment of organization initiation fees or dues.

If the court, after a hearing or notice, determines that a licensed teacher has violated subsection (3) of this section, it shall order the termination of his or her employment by the public school district. No person knowingly violating the provision of said subsection may, subsequent to such violation, be employed or reemployed as a teacher by any public school district in the state unless the court first finds a public necessity therefor.

The provisions of this subsection (8) shall be cumulative and supplemental to any other applicable provision of law. §37-9-75 (1985)

LEGAL REF.: MS CODE as cited

<table>
<thead>
<tr>
<th>PROFESSIONAL PERSONNEL TIME SCHEDULE – WORK LOAD</th>
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<tr>
<td>It is the policy of the Harrison County School District that the workload of licensed personnel shall be in conformance with State Department of Education regulations and accreditation requirements. Every effort shall be made to provide a uniform work day for employees where this is practical and consistent with the safe and efficient administration of the school.</td>
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GBRB
Professional employees shall be on duty the number of days shown on the face of their current employment contract less and except those days granted by the Board for illness, personal business, earned vacation and emergencies.

Any teacher who finds it necessary to leave the school grounds during the school day must first secure the principal’s permission.

The school district shall meet accreditation standards established by the State Department of Education.

Twenty days of actual teaching in which both teachers and pupils are in regular attendance for scheduled work shall constitute a scholastic month. The number of hours of actual teaching which shall constitute a school day shall be not less than five nor more than eight hours. §37-13-67 (1954)

LENGTH OF SCHOOL DAY

The work day shall be set within the legal parameters with consideration of the instruction and activity schedules established by the principal.

Time is provided at the end of each school day for instructional preparation, and planning, and conferences.

Standard 20 is as follows: The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education. [MS Code 37-16-7] (SB Policy IHF-1 and 2)

20.1 Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A. (See Appendix A.) (SB Policy ICFA-1)
   • Entering ninth graders in 2005-2006 and thereafter (seniors of school year 2008-2009 and later) are required to have a minimum of 21 Carnegie units.

20.2 Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations. [MS Code-37-16-7](SB Policy IIB-1 and IHF-1 and 2)

20.3 Each student who has completed the secondary curriculum for special education may be issued a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." [MS Code 37-16-11(1)]

20.4 The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises.

20.5 Each student with disabilities receiving a Mississippi Occupational Diploma has successfully completed all minimum requirements established by the State Board of Education. [MS Code 37-16-11(2)] (See Appendix G.)

Note: Carnegie units will be awarded in the eighth grade for the following courses: Algebra I, Computer Discovery, Pre-algebra and Transition to Algebra.

Mississippi Public School Accountability Standards (2007)

Also see GBRC (August 2003)

LEGAL REF.: MS CODE as cited
The local school board shall have the power and authority to fix the date for the opening and closing of the school term, subject to the minimum number of days which schools must be in session during a scholastic year, as prescribed under Section 37 13 63. However, local school boards are authorized to keep school in session in excess of the minimum number of days prescribed in Section 37 13 63. MS CODE 37 13 61 (2006)

All public schools in the state shall be kept in session for at least one hundred eighty (180) days in each scholastic year. MS CODE 37-13-63 (1992)

TEACHING DAY

A day in which a minimum of 330 minutes of instruction and/or evaluation and/or district approved group testing is provided. Exceptions are days with fewer than 330 instructional minutes that are part of an instructional week of at least 27.5 hours.

It shall be the duty of the principals and teachers in each building of this school district to instruct the pupils in the methods of fire drills and to practice fire drills until all the pupils in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such pupils well drilled. It shall be the further duty of such principals and teachers to instruct the pupils in all programs of emergency management as may be designated by the state department of education. MS CODE 37-11-5 (1980)

NOTE: For a listing of the Process Standards that relate to professional personnel workload, please refer to Standards 12 through 34 of the Mississippi Public School Accountability Standards (2006).

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2006)
CROSS REF.: Policy CA - General School Administration Goals and Objectives

It shall be the policy of the Harrison County School District that the number and length of written reports required of the classroom teacher be limited in number and length.

Faculty meetings shall be held upon the call of the Superintendent and/or school principal.

This district shall implement a state approved staff development plan which complies with Mississippi Professional Development Model. MS CODE 37-17-8

This district shall use some staff development time to work on the instructional program.

Professional personnel who have first been authorized by the superintendent to travel in the performance of their duties shall be advanced/reimbursed as indicated in policy DJD.
This School Board considers a professional assignment in the school district to be full-time employment.

Employees shall not engage at any time in any outside employment that would interfere with their effectiveness in performing regular assigned duties; would compromise or embarrass the school system; or would in any way conflict with assigned duties. Employees shall not be employed or involved in any private or other public business during the hours necessary to fulfill their contractual responsibilities.

For incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil or other good cause the Superintendent of Education may dismiss or suspend any licensed employee in any school district. §37-9-59 (1997)

See Also: School Employment Procedures Handbook, published by MSBA

The Board of Trustees of the School District is authorized to contract with a teacher or school district employee to perform extra work.

The Board of Trustees shall make a case by case determination of the possible conflicts of interest arising from any extra work contracts and such decision by the Board shall be final.

No extra work shall be authorized or contracted for that covers normal working hours while the employee is working under a separate contract with the school district.

All contracts require Board action and shall be reflected in the official minutes of the Board.

To assure all students reasonable assistance without charge from their own teachers and to avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall receive no money for tutoring any student they have in class or whose evaluation or assignment they will be called upon to make.

Further, no tutoring for which a teacher receives a fee will be carried on in the school building.

No teacher shall use his/her official position to obtain pecuniary benefit for himself/herself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he/she is associated. §25-4-105(1) (1994)
Beginning with the school year 1992-1993, each licensed employee shall be credited with a professional leave allowance, with pay, for each day of absence caused by reason of such employee's statutorily required membership and attendance at a regular or special meeting held within the State of Mississippi of the State Board of education, the Commission on Teacher and Administrator Education, certification and Licensure and Development, the Commission on school Accreditation, the Mississippi Authority for Educational Television, the meetings of the state textbook rating committees or other meetings authorized by local school Board policy. {MS Code 37-7-307, as amended (2003)}

A. **Administrative Leave** may be approved for absence due to professional service such as educational conferences, conventions, and school evaluations if the teacher/administrator attends representing the school; such absences must be approved in advance by the Assistant Superintendent. No deduction from salary will be made and such time will not count against accrued time.

B. **Leaves of Absence Without Pay** may be granted for approved study, health reasons, or service in the armed forces. No leave of absence shall exceed one year and requests for such leave must be made as far in advance as possible.

C. **Personal Leave for Licensed Employees** - Each teacher shall be credited with a minimum personal leave allowance, with pay, of two (2) days for absences caused by personal reasons during that school year. Such personal leave shall not be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday, or on a day after a holiday.

For each multiple of eight (8) days of sick leave accrued by a teacher in prior school years, the teacher may take one day of personal leave which shall be charged against accrued sick leave. All absences for personal reasons must be approved five (5) school days in advance by the principal.

D. **Temporary Disability** – A leave of absence without pay beyond accumulated sick leave and for a maximum of one nine weeks may be granted for temporary disabilities under the following options:

Option 1 – Teachers requesting leave to begin at the end of a grading term and to expire at the beginning of a grading term will be returned to the position held at the time their leave was requested or to a mutually agreeable position.

Option 2 – Teachers requesting leave to begin at a time other than the end of a grading term will be offered a comparable position within the district when available after a request for return to duty has been made. Teachers who refuse to accept their position when offered will be considered resigned.
An extension of leave for temporary disability may be granted through an administrative hearing. All teachers, regardless of the option chosen may be required to present a doctor’s certification of their ability to return to work at the time their request is made.

E. **Sick Leave for Licensed Employees** – Sick leave with full pay for the absence because of personal illness in the immediate family will be granted as set forth below:

1. The immediate family is limited to father, mother, husband, wife, son, daughter, brother, sister, or person who is *in loco parentis* to the employee. When there is a death in the immediate family, two days of sick leave may be taken.

2. Full-time teachers under contract shall accrue sick leave as follows:
   a. During first three years of employment – 7 days per year
   b. During fourth through tenth year – 8 days per year
   c. During eleventh year and thereafter – 10 days per year

3. There is no limit to the number of sick days that can be accumulated; however, for excess sick leave taken beyond the accumulated amount, payroll deductions will be made as follows:
   a. From 1 to 10 excess days – the established substitute amount of teacher compensation.
   b. After 10th day – the full amount of pay will be withheld.

4. Any leave beyond the 10 days excess must be submitted to the superintendent for approval.

All accumulated sick leave shall terminate upon the termination of employment in the Harrison County Schools and shall not be restored if the teacher should later be re-employed in the county system. However, a teacher who transfers from one school to another within the Harrison County School District retains any accumulated leave.

5. All leave will be granted or approved only after the principal has received in writing the Harrison County Leave Approval form. Personal leave requested must be submitted five (5) working days in advance. Sick Leave Approval forms must be submitted in writing to the principal 24 hours after return to school.

F. **Annual Leave for Licensed Employees** – Twelve (12) month licensed employees shall be credited with ten (10) days annual leave per year. Employees may accumulate a maximum of ten (10) days annual leave. Days accumulated over ten (10) will be credited to sick leave.

Ref: Mississippi Code 37-7-307

Also see EGAA.

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<th>UNUSED LEAVE</th>
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The Harrison County School District will pay unused leave for licensed employees up to thirty (30) days at a rate equal to the highest rate paid for substitute teachers excluding the rate paid long term substitutes. Employees must have retired to be eligible for payment.
ARRANGEMENT FOR SUBSTITUTE

Regular attendance of the classroom teacher is imperative to a good learning atmosphere. When the teacher must be absent, it is the responsibility of the principal to obtain a substitute. The principal or assistant principal should be notified immediately upon the teacher’s anticipated absence.

Classroom teachers shall not contact a substitute teacher

Classroom teachers will maintain an up-to-date substitute file containing the lesson plan book, class roll, schedule, current duty assignment, and any other pertinent information needed to aid substitutes with their duties. This file will be placed in the teacher’s desk at the end of each school day.

MEETINGS AND NOTIFICATIONS OF PROFESSIONAL ORGANIZATIONS – LICENSED EMPLOYEES

Meetings of all professional organizations, or programs sponsored by these organizations, such as surveys, insurance presentations, recruitment of members, etc., shall be conducted at a time other than the normal working day of staff members. The meetings or surveys may be held on school premises, but only after prior approval of the Superintendent of Education. Announcements or other information regarding professional organizations may be made at general faculty meetings or sent through the inter-school mail only with prior approval of the Superintendent of Education.

ETHICS – CODE OF ETHICS

As a leader in education, the teacher constitutes the connecting link between the community and its future citizens. For this reason the teacher should:

1. Practice the highest code of ethical conduct.
2. Cultivate exemplary traits of character and behavior.
3. Face his/her task with all the force of his/her personality.
4. Have hope that leads to the highest ideals of service.
5. Have faith in his/her profession and in the youth under his/her supervision.
6. Have love that puts these ideals into practice.

The following principles will aid the teacher in maintaining high standards of honor and integrity.

I. Relationship of Teacher to Pupil: The primary obligation of the teaching profession is to guide pupils in the pursuit of knowledge and skills, to prepare them in the ways of democracy, and to help them to become happy, useful, self-supporting citizens. The ultimate strength of the nation lies in the social and civic responsibility, economic competence, and moral strength of the individual American.

1. Deal justly and impartially with students.
2. Recognize the differences among students and seek to meet their individual needs.
3. Encourage students to formulate and work for high individual goals in the development of their physical, intellectual, and creative endowments.
4. Aid students to develop an understanding and appreciation not only of the opportunities and benefits of American Democracy but also of their obligations to it.
5. Accept no remuneration for tutoring except in accordance with approved policies of the Board.

II. Relationship of Teacher to Parents: The members of the teaching profession share with parents the task of shaping each student’s purposes and acts toward socially acceptable ends. The effectiveness of many methods of teaching is dependent upon cooperative relationships with the home.

1. Respect the basic responsibility of parents for their children.
2. Seek to establish friendly and cooperative relationships with the home.
3. Help to increase the student’s confidence in his/her own home and avoid disparaging marks which might undermine that confidence.
4. Provide parents with information that will serve the best interests of their children, and be discreet with information received from parents.
5. Keep parents informed about the progress of their children as interpreted in terms of the purposes of the school.

III. Relationship of Teacher to Community: The teaching profession occupies a position of public trust involving not only the individual teacher’s personal conduct but also the interaction of the school and the community. Education is most effective when these relationships operate in a friendly, cooperative, and constructive manner.

1. Adhere to conduct that is becoming to a professional person.
2. Perform the duties of citizenship, such as voting, and the obligations to students, parents, and teachers.
3. Discuss controversial issues from an objective point of view, thereby avoiding partisan opinions.
4. Recognize that the public schools belong to the people of the community and strive to keep the public informed of the educational program which is being provided.
5. Respect the community and be loyal to the school system, community, state, and nation.
6. Work to improve education in the community and to strengthen the community’s moral, spiritual, and intellectual life.

IV. Relationship of Teacher to Administration: The members of the teaching profession have inescapable obligations with respect to employment. Employer-employee responsibilities are based upon mutual respect and good faith.

1. Conduct professional business through the proper channels.
2. Refrain from discussing confidential and official information with unauthorized persons.
3. Apply for employment in a professional manner on the basis of qualifications only, and avoid asking for a specific position known to be filled by another teacher.
4. Adhere to the conditions of a contract until service thereunder has been performed, the contract has been terminated by mutual consent, or the contract has otherwise been legally terminated.
5. Give and expect due notice before a change in position is to be made.
6. Be fair in all recommendations that are given concerning the work of other teachers.
7. Accept no compensation from producers of instructional supplies when one’s recommendations affect the local purchase or use of such teaching aids.
8. Engage in no gainful employment, outside of contract, where the employment affects professional status adversely or impairs standing with students, associates, and the community.
9. Accept obligations to the employing Board for maintaining a professional level of service.
10. Be professional by willingly accepting student teachers when asked.

V. Relationship of Teacher to Teacher: The teaching profession is distinguished from any other occupations by the uniqueness and quality of the professional relationship among all teachers. Community support and respect are influenced by the standards of teachers and their attitudes toward teaching and other teachers.

1. Deal with other members of the profession in the same manner as you wish to be treated.
2. Speak constructively of other teachers, but report honestly to responsible persons in matters involving the welfare of students, the school system, and the profession.
3. Maintain active membership in professional organizations and, through participation, strive to attain the objectives that justify such organized groups.
4. Seek to make professional growth continuous by such procedures as study, research, travel, conferences, and attendance at professional meetings.
5. Make the teaching profession so attractive in ideals and practices that sincere and able young people will want to enter it.

NON-LICENSED STAFF SECTION

Non-licensed non-instructional personnel are “at will” employees whose duties do not require a certificate (or license) issued by the State Department of Education. Non-licensed employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or the employer.

The Superintendent has the power, authority and duty to make assignments to the various schools in the district of all noninstructional and non-licensed employees, as provided in Section 37-9-17, and to make reassignments of such employees from time to time. § 37-9-14 (2) (s)

The Superintendent has the power, authority and duty to employ and dismiss non-instructional and non-licensed employees as provided by law. § 37-9-14 (2) (y)

Within the limits of the available funds, the Superintendent of Education shall recommend to this School Board all non-instructional employees to be employed and may prescribe the duties thereof. Compensation for such employees may be paid from any lawful funds. § 37-9-3

This Board has the power, authority and duty to employ all non-instructional and non-licensed employees and fix the duties and compensation of such personnel deemed necessary pursuant to the recommendation of the Superintendent of Education. § 37-7-301 (w)

The Board considers its non-licensed personnel who serve as secretaries, cafeteria workers, public relations consultants, custodians, maintenance workers, bus drivers, and other non-licensed and non-instructional positions to be vital to the smooth functioning of the school system.

Licensed and non-licensed personnel are to work together as partners to provide the best possible learning situations for the students of this school district.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies CA — General School Administration Goals and Objectives
            CC — Organization Charts
            GCD — Non-licensed Personnel Hiring
            GCRAA — Fair Labor Standards Policy
SCHOOL SERVICE EMPLOYEES

Custodians, laborers, semi-skilled, and technically trained persons shall be employed for the care, operation, and maintenance of school properties and equipment, and shall be designated as school service employees. In employing and compensating school service personnel, the Board of Trustees shall take into consideration the person’s experience, training, age, personality, skills, and ability to perform duties of the specified job to which the employee may be assigned.

Annually by May 1st and thereafter as amendments are necessary, the Superintendent shall submit for the approval of the Board of Trustees the titles of all full-time and part-time school service personnel required for employment in the ensuing fiscal year, showing classifications, term of employment and dates of compensation.

APPLICATION

Candidates for non-licensed positions shall make formal application with the appropriate supervisor, principal or Superintendent of Education. The candidate shall provide documentation required by the school district. In cases where specific training is required by a state or federal agency, the School Board will be guided by these specific requirements.

SELECTION

The school district shall select the most competent candidates available for non-licensed positions, taking into consideration the experience, training, personality, health, and attitudes of each applicant. The candidate shall possess acceptable personal traits and qualities as revealed by appraisals based on personal interviews by persons deemed competent to make such evaluations. Annual health certificates for food service employees are required, as may be obtained at the local health department without expense to the employee.

SALARY

The School Board shall fix the salary of non-licensed personnel taking into consideration the training, experience, and responsibility of the employee. The salary paid shall be not less than the federal minimum wage and shall be in compliance with the Fair Labor Standards Act.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policies CA — General School Administration Goals and Objectives
            GC — Non-licensed Staff Section
            GCRAA — Fair Labor Standards Policy

Also see GAAC, Hiring – All Employees, and GC.
EMPLOYMENT PRIOR TO BOARD APPROVAL – NON-LICENSED EMPLOYEES

Where job openings occur in positions to be filled by Non-licensed personnel, the Superintendent shall have the authority to employ supportive personnel on a temporary basis, subject to later Board approval. Employees so hired shall be informed at the time of their initial employment that permanent employment will be subject to Board approval or disapproval.

NON-LICENSED PERSONNEL ASSIGNMENT

Assignments of members of the non-licensed staff shall be made by the Superintendent or his/her designee in the best interests of the district. Such assignments may be either permanent or temporary.

The preference of employees shall be taken into consideration in making assignments. Employees may request a transfer of assignment from job to job, or one unit or division to another unit or division, which will be granted when to the advantage of the district and the individual.

Within a given school, a principal may assign members of the non-licensed personnel to tasks appropriate to their positions and qualifications.

NON-LICENSED PERSONNEL ORIENTATION

It is the responsibility of the Superintendent to ensure that each member of the non-licensed staff has the required preparation and training as outlined in his/her job description. The Superintendent shall ensure that each employee has a job description.

Orientation programs shall assist new support personnel in becoming acquainted with the school district, including policies of the Board, rules and regulations and the instructional program.

Administrators and supervisors shall be assigned specific roles in carrying out the orientation program.

School bus drivers and mechanics shall participate in the training courses established by the State Board of Education. §37-41-1 (f)

NON-LICENSED STAFF/STAFF DEVELOPMENT

All non-licensed staff members will participate annually in the staff development program approved by the District School Board.

See GADA.
NON-LICENSED PERSONNEL SUPERVISION  

Each member of the non-licensed staff shall come under the direct supervision of the administrator assigned the responsibility of that particular unit or division of the district.

CROSS REF.: CC — Organization Chart

EVALUATIONS – NON-LICENSED EMPLOYEES  

Evaluation shall be an ongoing process by the building principal, immediate supervisor, and/or administrator to whom the employee reports. All supervisors of non-licensed personnel shall use evaluation instruments and follow evaluation procedures established by the district.

SUSPENSIONS – NON-LICENSED EMPLOYEES  

The Superintendent may suspend employees from their assignments for good cause, reporting such action promptly to the Board.

LAY-OFFS – NON-LICENSED EMPLOYEES  

The Board agrees that it will not engage any new employees unless all of the employees presently employed are working the scheduled work week. In the reduction of the working force, the rule to be followed shall be the length of service with the District. The employee with the least seniority shall be laid off first, and in rehiring, the same principle shall apply; namely, the last employee laid off shall be the first to be rehired. The employee involved in such lay-off shall receive 72 hours notice in writing prior to any lay-off and a copy shall be given to his/her supervisor.

TRANSFERS - NON-LICENSED EMPLOYEES  

The Superintendent or his/her designee shall make transfers of non-licensed personnel in the best interest of the school district. Such transfers may be either permanent or temporary.

The preferences of employees shall be taken into consideration in making transfers. Employees may request a transfer of assignment from job to job, or one unit or division to another unit or division to be granted when to the advantage of the district and individual.
All non-licensed personnel are employed by the Board upon recommendation of the Superintendent. They may be terminated by the Superintendent or with his/her approval.

See: Mississippi Code. §37-9-59

There are four methods of terminating employment: 1) retirement; 2) resignation; 3) dismissal, and 4) nonrenewal of contract.

In cases of retirement the Superintendent of Education shall be notified in writing at least two (2) months in advance of retirement date.

I. Termination/Suspension

Termination or suspension of employment of non-licensed personnel shall be directed by the appropriate supervisor of personnel. Termination or suspension of employment shall be handled under conditions set forth in the policy.

Employment may be terminated or the staff member may be placed on suspension for failure to perform his/her work satisfactorily, unacceptable moral or ethical conduct, failure to abide by Board policies or administrative directives, or other just cause.

The principal, immediate supervisor, and/or administrator to whom a non-licensed staff member reports shall inform him/her of inadequate job performance and make all reasonable efforts to assist the employee in correcting problems which might result in suspension or separation.

II. Resignation/Retirement

Resignation by non-licensed personnel must be submitted in writing to the staff member’s principal or immediate supervisor and forwarded to the Superintendent of Education.

For non-licensed employees whose resignations are accepted and who do not complete the current work period, salary will be computed for the time worked. Final payment of salary will not be made until the staff member’s resignation has been approved by the Board of Trustees.

Any non-licensed employee giving notice of intent to retire shall follow the same procedures as for resignation.

A full-time employee who requests permission in writing to retire may be permitted to continue employment as outlined below.

Criteria for Employment after Retirement

In order for a person to be re-employed by the Harrison County School District after retirement, the district shall meet requirements established under PERS (Public Employees Retirement System) regulations.

III. Reduction In Force
When it becomes necessary to reduce the number of non-licensed staff positions in the School District, due to a change in the size or nature of the student population, unavoidable budgetary limitations, or other justifiable reasons, the Superintendent of Education is authorized by the Board of Trustees to reduce the number of positions as may be necessary, consistent with the policies of the Board and the laws of the State of Mississippi. Reduction in the number of non-licensed staff positions is not intended to be used as a means of terminating employment.

If and when it becomes necessary to reduce the number of positions, the following factors will be considered in the order listed below.

A. Length of service in school district by job classification district-wide (seniority).
B. Effectiveness in the accomplishment of the goals of Harrison County Schools.
C. Qualifications of staff members by training and experience for the job classification in which employed.
D. Value of staff members to continuing programs.

Any staff member who has been dismissed because of the abolition of a position for the reasons mentioned shall have his/her name placed on a preferred list for re-employment for a period of one year.

These staff members will be recalled in reverse order of the dismissal to fill vacancies for which they are qualified through experience and training. A person’s name shall remain on the preferred list for a period not to exceed one year. Thereafter, the affected staff member’s name shall be removed from the list. When a position becomes available and the affected staff member is offered the position for which he/she is qualified through experience and training and declines the position, his/her name will be removed from the preferred list.

Whenever possible, those staff members to be affected will be notified in writing by the Superintendent of Education by June 1 of the year prior to their termination.

IV. Reductions of Non-licensed Staff – Instructional Assistants
(Assistant Teachers, Tutors, Aides)

When it becomes necessary to reduce the number of non-licensed staff members in the instructional assistants program of the School District because of changes in the size of student population, budgetary limitations, or other justifiable reasons, the Superintendent of Education is authorized to reduce the number of positions as may be necessary, consistent with policies of the School Board and state law.

The administration shall first take attrition into consideration before making staff reduction. Retention of personnel shall be based on the following criteria, in the order listed (when seniority is the same, for example, current qualifying examination scores shall then be considered, and so on):

A. Length of service in the school district by job classification district-wide (seniority);
B. Current qualifying examination scores;
C. Current evaluation scores;
D. Qualifications of staff members by training and experience for the position (including experience outside the district).

Instructional assistants whose employment will be terminated will be properly informed as soon as possible of the lay-off and reasons for terminating employment. Any staff member who has
been laid off because of the discontinuance of a position shall have his/her name placed on a preferred list for reemployment. When employment opportunities for instructional assistants later occur in the district, employees on the preferred list shall be recalled based on length of previous employment by the Harrison County Schools. If the staff member is offered a position for which he/she is qualified through experience and training and declines the position, his/her name shall be removed from the preferred list. The staff member’s name shall remain on the preferred list for a period not to exceed one year; thereafter, the affected staff member’s name shall be removed from the list.

After staff reduction has been effected so that the total number of instructional assistants being retained equals the total number of instructional assistants’ positions available in the district, the administration shall make reassignments and transfers as necessary in order to meet district needs. If vacancies occur at a school or schools, the positions will be filled by instructional assistants at a school or schools where the number of staff members exceed the number of positions available. In such cases, employees shall be transferred or reassigned based on the district guidelines.

Those employees may express their preferences as to location of reassignment only to schools where vacancies exist.

PROGRESSIVE DISCIPLINE

I. STATEMENT - The Harrison County School Board approved the following addendum to the Harrison County School District Non-Certified Policy GCNA on June 6, 2005.

When personnel of HCSD perform unsatisfactory service, continued employment shall be subject to investigation.

If there is evidence of malfeasance, incompetence, insubordination, unauthorized absences, non-performance of duties, unsafe conduct, or other deviate behavior, due process procedures shall be followed when requested by any employee under consideration for dismissal.

While the investigation is pending, suspension may be deemed desirable. If dismissal is deemed appropriate, the individual will received timely notification. Evidence of adequate counseling with opportunity for improvement shall be documented.

II. PROCEDURES AND RESPONSIBILITIES

When persons are being considered for dismissal or suspension, progressive discipline procedures may apply and the following steps may be taken and documented.

A. Verbal Counseling - Counseling should be given for minor first or second offenses. The employee should be told what rule or order was violated and how to correct the action. The supervisor should obtain an acknowledgement from the employee that he or she understands and a commitment that improvement will be made. The supervisor should make a written record or all verbal reprimands and retain for possible future use. These may or may not be signed by Employee/Employer Interview Form.

B. Written Reprimand - A verbal notice with written reprimand for the personnel file should be used for more serious offenses or when the employee has ignored prior verbal warnings and/or has repeatedly committed the same offense. The employee should be told the seriousness of the offense (s) and be shown the
written report, which should contain the consequences to be imposed if the employee does not correct conduct. A written acknowledgment should be obtained from the employee that he/she understands the seriousness of the offense(s) and a commitment that the action will be corrected. If the employee refuses to sign the written document, the supervisor will write “the employee refused to sign,” with the date and time of the refusal and have another administrator witness document in the presence of the employee.

C. **Final Written Notice** - In cases of serious offenses or repeated violation of minor offenses a formal written notice is in order. A final written notice must include:
   1. The seriousness of the violation(s).
   2. If the written notice is for repeated violations, the notice should outline each prior violation and the counseling that the employee has been given after each violation.
   3. Clear instructions to the employee of the further disciplinary consequences if the improper conduct is not corrected.
   4. Copies of previous notice must be attached.
   5. There should be sufficient copies prepared so that a copy can be given the employee and a copy placed in the employee’s personnel file.
   6. A written commitment from the employee that the improper conduct will be improved.
   7. The employee should sign the warning. If the employee refuses to sign the supervisor should write on the warning, “The employee refused to sign,” with date and time of refusal having another administrator witness in presence of employee.

D. **Suspension With or Without Pay** - A suspension with or without pay may be used prior to discharge if the person has been a long-term employee with a good work record, but has committed one serious violation. Also, a suspension may be used if an employee continues to habitually violate minor rules and it is advisable to inform the employee of the seriousness of continued violation(s). The employee must receive a complete written explanation of why he or she is being suspended and the consequences if the violations reoccur. Prior to the employee’s return to work from the suspension, the supervisor and employee should have a formal discussion to obtain a commitment that the employee will correct the improper habit(s). This discussion should be documented on a Report of Employee/Employer Interview Form.

E. **Dismissal**  Employees involved in actions under paragraphs 4 A-D can be dismissed as “At Will” employees.

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**RESIGNATION – NON-LICENSED EMPLOYEES**

Any non-licensed person may resign a position and leave the employment of the district at the end of the school year without penalty, provided such employee submits a written resignation to the Board prior to the first day of June of the school year in which he/she resigns.

The employee may resign with the consent of the Board at any time mutually agreeable.
REEMPLOYMENT OF NON-LICENSED EMPLOYEES

Any former employee of the Harrison County School System who has withdrawn contributions from the Public Employees Retirement System of Mississippi will not be rehired for one (1) year after contributions have been withdrawn from the retirement system.

HEALTH EXAMINATIONS – CHILD NUTRITION EMPLOYEES ONLY

The Board grants the Superintendent authority to require any person applying for child nutrition employment to furnish a satisfactory health certificate from a licensed physician or the State Health Department, certifying that he/she has had a negative (nonspecific) reaction to any standard tuberculin skin test approved by the State Department of Health not more than ninety (90) days prior to employment and that such person is free from tuberculosis in an infectious or communicable stage. Such requirement will be mandated only for positions that involve food handling or for such times as the Superintendent has reason to believe the health and welfare of students and staff is in question.

WORKING CONDITIONS – FAIR LABOR STANDARDS POLICY

PURPOSE
To ensure compliance with the minimum wage, overtime pay and record keeping requirements and the child labor restrictions of the Fair Labor Standards Act (FLSA) of the United States.

EXEMPT EMPLOYEES
Licensed professional employees (teachers, counselors, supervisors, administrators) business manager, maintenance director, transportation director.

COVERED EMPLOYEES
All employees in the job classifications listed below:

- Secretaries
- Bookkeepers
- Mechanics
- Bus Drivers
- Delivery Personnel
- Maintenance Personnel
- Custodians
- Assistant Teachers
- Substitute Teachers (non-licensed)
- Security
- Cafeteria Personnel
- Groundskeeping Personnel

EMPLOYMENT RELATIONSHIPS
An employment relationship is not created between trainees (student teachers) or students and this school district due to the circumstances surrounding their activities.

An employment relationship is not created between this school district and individuals who volunteer or donate their services to the school district as a public service without contemplation of pay.
Hiring off-duty policemen or deputies on a part-time basis by the school district for crowd control or for security purposes does not create a joint employment relationship between the school district and the city of Gulfport or this school district and Harrison County. The school district is separated and distinct and acts entirely independent of other governmental entities.

HOURS WORKED
Each employee subject to FLSA shall be paid in accordance for all hours worked. Compensable time includes all time that an employee is required to be on duty. Coffee breaks, waiting time and meal periods which are frequently interrupted by calls to duty are hours worked and are compensable.

For employees subject to the FLSA the workweek begins on Sunday and ends at the end of the next Saturday. Each pay period is a month. Hours worked shall be accurately recorded by each employee on the monthly time sheet or weekly time card in the form which is provided by the district. Time sheets and cards are due in the payroll office on dates provided by the payroll office. Payday is the 15th and/or the last working day of each month.

Employees using monthly time sheets shall furnish all information requested and shall record the exact time of arrival and departure from work.

An employee is expected to arrive and depart at or about the time specified in the table below unless requested to work overtime by his/her immediate supervisor. All overtime shall be recorded by each employee on the time sheet, time card, or time clock.

BASIC MONETARY REQUIREMENTS
All employees subject to FLSA shall be paid not less than the current minimum wage.

OVERTIME PAY
All employees subject to FLSA shall be paid not less than one and one-half times their regular rates of pay for all hours worked over 40 in a workweek. Overtime pay due an employee shall be computed on the basis of the hours worked in each workweek and the overtime compensation earned by an employee shall be paid on the next regular payday for the workweek in which the overtime was worked.

Overtime pay may not be waived by an agreement between employer and employees nor may the hours of work of an employee be averaged over two or more workweeks. The granting of compensatory time off in lieu of paying proper overtime pay is permitted provided compensatory time is awarded on a one and one half time basis.

REGULAR RATE OF PAY
Any overtime pay will be based on the employee's regular rate which will include all remuneration for employment. For those employees paid a simple hourly rate the overtime will be based on that hourly rate. For those employees paid on a salary basis, the monthly salary will be reduced to its hourly rate equivalent. Employees shall be paid for every hour worked. For those employees holding two non-certified positions, a blended rate will be paid.

AUTHORIZATION FOR OVERTIME WORK REQUIRED
Each district employee responsible for the supervision of employees subject to the FLSA shall, prior to permitting any overtime work, receive authorization from the Superintendent or his/her designee.

The Superintendent may, in an effort to keep overtime at a minimum, establish a layoff plan, if, in his/her opinion, such a plan would not be detrimental to the mission of the school district. Under such a plan an employee would be laid off after working 40 hours in a workweek. For example, the secretary who has to work ten hours a day on Monday, Tuesday, Wednesday, and Thursday would be laid off Friday and return to work the next Monday. The layoff must occur during the same workweek the 40 hours were worked.
Recognizing that all compensation is based on the workweek, not the calendar week, will minimize problems with a layoff plan. For this school district the workweek begins at 12:01 A.M. each Sunday and ends at 12:00 midnight each Saturday.

RECORD KEEPING
The Superintendent shall require all records on wages, hours, and other items listed in the record keeping regulations (29 CFR Part 615) to be kept by the business office for the time specified by the Act.

The Superintendent or his/her designee shall secure a sufficient quantity of the minimum wage poster. One poster shall be displayed in each district work site.

ENFORCEMENT
District employees shall, at all times, cooperate with authorized representatives of the Department of Labor who may visit a work site.

1. to investigate and gather data concerning wages, hours, and other employment practices;
2. to enter and inspect any school district premises and records;
3. to question employees to determine whether any person has violated any provision of the FLSA.

Employers who have willfully violated this law may face criminal penalties, including fines and imprisonment.

District employees responsible for supervising employees subject to the FLSA who willfully violate the terms of this policy shall be subject to disciplinary action by the school district. Any disciplinary action taken by the school district will be in addition to any relief granted an employee by the U. S. Department of Labor or a court of law.

“Willful” is defined by the U. S. Department of Labor as "knew or should have known."

CHILD LABOR PROVISIONS

The FLSA contains important provisions regarding the employment of children. Management personnel shall consult with the Superintendent or his/her designee prior to the employment of any individual under 18 years of age.

If a decision is made to employ child labor, the hiring, hours worked, work performed, and rate of pay shall be in full compliance with the FLSA.

Violations of the FLSA child labor provisions or any regulation issued under them may subject the violator to a civil money penalty up to $1,000.00 for each violation.

LEGAL REF.: Fair Labor Standards Act (FLSA) of the United States.
CROSS REF.: Policy GCD — Non-licensed Personnel Hiring
GAAC - Hiring
TIME SCHEDULES – GENERAL WORK DAYS – NON-LICENSED EMPLOYEES

Work hours for non-licensed employees may vary according to job classification, but every employee must adhere to the time schedule established for the office, building, or work area. Principals and/or supervisors may regulate daily work schedules for employees under their supervision, provided that such schedules meet minimum hours per day and that job assignments or duties require such variation in daily work schedules. Such variances shall not be made for the primary purpose of meeting individual requests or preferences.

Work days shall be scheduled for clerical, secretarial, instructional support, and other support personnel as determined by the yearly calendar adopted for the district.

All time reported by non-exempt personnel shall be in accordance with the Wage and Hour Law requirements and the general policies and procedures established by the school district.

The work-week for non-licensed employees begins at 12:01 A.M. each Sunday and ends at 12:00 midnight each Saturday. The regular work-week will be limited to forty hours within this time frame.

The work load of non-licensed personnel shall be determined by the Superintendent or his/her designee commensurate with the needs of the district. Such work load will be outlined with the job description of each employee.

Also see GCRAA and GCRD.

COMPENSATORY TIME/OVERTIME PAY – NON-LICENSED
(NON-EXEMPT WAGE AND HOUR EMPLOYEES)

Compensatory time off beyond the present work-week, in lieu of overtime pay, is now permitted for non-exempt employees. Compensatory time is granted at the time of 1-1/2 hours for each hour of overtime worked (hours over 40 in any one work-week).

ALL COMPENSATORY TIME WILL BE ALLOWED ONLY WITH THE PRIOR WRITTEN APPROVAL OF THE SUPERINTENDENT OR HIS/HER DESIGNEE.

Any employee who volunteers for occasional or sporadic employment in a different work capacity will not have those hours included in his/her regular hours for overtime purposes. In addition, employees who do volunteer work will not receive overtime entitlement for such work. For example, any person, even a school employee other than a transportation employee, may volunteer to drive a bus to carry a football team or band on a trip; or any employee may volunteer to assist a handicapped child on his/her own time as an act of compassion without the Fair Labor Standards Act requiring compensation for such work.

Compensatory time reports must be attached to each payroll transmittal sheet signed by a principal or payroll administrator showing the school or department, non-exempt employee’s name, previously accrued compensatory hours (1-1/2 times the over-40 hours), current compensatory hours earned, current use of compensatory hours, and compensatory hour balance. This report must include each non-exempt employee under the administrator’s supervision who has any compensatory time balance or current activity.
Principals and payroll administrators are required to report the actual hours worked each work-week by non-exempt employee, with notations on the transmittal sheets explaining all absences, including previous compensatory time usage. Absences not covered by other Board policy or a previous compensatory time balance will require an appropriate earnings reduction.

**ACCRUED COMPENSATORY TIME IS TO BE USED BY THE EMPLOYEE WITHIN THE PAY PERIOD AFTER ITS HAVING BEEN EARNED OR UNDER EXCEPTIONS GRANTED AND WITH PRIOR WRITTEN APPROVAL BY THE SUPERINTENDENT OF EDUCATION OR HIS/HER DESIGNEE.**

Compensation for overtime work will be paid only when budgetary provision has been made and with the approval of the Superintendent. In all other cases, the compensatory time policy will apply.

The Harrison County School District will compensate any employee called in for emergency duty during any natural or man-made disaster Employees are required to man shelters during emergencies and make any required preparations for such emergencies. They are also required to assist in performing any cleanup that is necessary to get schools ready to reopen.

**EXPENSES**  
**GCRE**

Expenses in connection with school-related activities must be approved by the Superintendent in compliance with Board-approved rates.

**NON-SCHOOL EMPLOYMENT – NON-LICENSED PERSONNEL**  
**GCRF**

Employees shall not at any time engage in any employment that would interfere with their effectiveness in performing their regular assigned duties. Employees shall not engage in any other employment or in any private business during the hours necessary to fulfill appropriate assigned duties.

**SICK LEAVE – NON-LICENSED**  
**GCRG**

Full-time employees who work 180 school days for the Harrison County School District will be given five (5) days/forty (40) hours sick leave per year. Unused sick leave will have an unlimited accumulation.

Full-time employees who are employed on a 12-month basis will be given six (6) days/fourty-eight (48) hours per year sick leave. Unused sick leave will have an unlimited accumulation.

New employees who start at a time other than the normal starting date for their position will have sick days pro-rated at ½ day per month. Part-time employees who work 180 days for the Harrison County School District will be given a pro-rated amount of sick leave based on the number of hours worked per day.

Sick leave may be used in hourly increments by the employee.

Also see EGAA.
## NON-LICENSED LEGAL LEAVE

Employees shall be released for jury duty and will be paid their regular salary less any compensation paid as a result of their service on said jury. Should an employee be dismissed from jury duty prior to 12:00 noon on any given day, the employee will return to his/her place of employment for the remainder of the day.

If the jury duty check is larger than the school check, the employee shall keep the jury check and will not be paid by the school.

## NON-LICENSED PERSONAL LEAVE

Non-licensed personnel not otherwise covered by the personal leave policy may utilize one (1) day of sick leave for personal leave for each multiple of five (5) days of sick leave accumulated the previous school year. All personal leave will be deducted from sick leave.

Employees may accumulate a maximum of ten (10) days of annual leave. Days accumulated over ten (10) will be credited to sick leave.

## VACATIONS – NON-LICENSED

Non-licensed employees who are employed on a 12-month basis will be entitled to vacation time as follows:

<table>
<thead>
<tr>
<th>YEARS WORKED</th>
<th>DAYS VACATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – 2</td>
<td>5 days (40 hours)</td>
</tr>
<tr>
<td>3 and over</td>
<td>10 days (80 hours)</td>
</tr>
</tbody>
</table>

Vacation time for non-licensed employees with less than one year of employment will be prorated as noted in the addition of "Months worked" and hourly use. Additionally, this change is noted in the narrative by use of underlining.

<table>
<thead>
<tr>
<th>MONTHS WORKED</th>
<th>DAYS VACATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/1 – 7/1</td>
<td>2.5 days (20 hours)</td>
</tr>
<tr>
<td>9/1 – 7/1</td>
<td>4 days (32 hours)</td>
</tr>
</tbody>
</table>

Vacation time for non-licensed employees will be credited from July 1 to June 30. Any employee hired after July 1 will have vacation time pro-rated for the first year on July 1 for previous year worked. Non-licensed employees may accumulate a maximum of ten (10) days annual leave. Days accumulated over ten (10) will be credited to sick leave.

Hourly employees, who include secretaries, maintenance workers, and custodians, will be allowed to use vacation time by the hour in two-hour increments, as 2 hours, 4 hours, 6 hours, or 8 hours.
NON-LICENSED PAID HOLIDAYS

The following days will be considered paid holidays for all non-licensed personnel who are employed on a 12-month basis with the district:

- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day
- New Year’s Day
- Good Friday
- Martin Luther King Jr. Day

Employees (excluding bus drivers, bus aides, and teacher assistants) who work less than 12-months will be paid for the following holidays based on their regular working hours:

- Labor Day
- Thanksgiving Day
- Christmas Day
- New Year’s Day
- Good Friday
- Martin Luther King Jr. Day

EMPLOYEE ORGANIZATIONS

All cafeteria supervisors, managers and workers should be members of the State School Food Service Organization.

PARAPROFESSIONAL COMPENSATION GUIDES AND CONTRACTS

Teacher assistants’ salaries are set by the Board of Trustees.

Assistants are eligible to participate in the district insurance programs.

The assistant teacher program in the district shall be in compliance with State Department of Education requirements and state law regarding assistant teachers.

Also see IFBA.

TEACHER ASSISTANTS – SUPERVISION

Teacher assistants are paraprofessionals who work under the supervision of the classroom teacher to whom they are assigned. However, assistants are ultimately responsible to the school principal; and in no case shall the assistant discharge duties assigned by the classroom teacher which are in conflict with administrative policies, procedures, or requests.
Study hall, library, and physical education assistants work under the direct supervision of the principal.

Assistants are not to administer or prescribe punishment to students. Misbehavior should be reported to the teacher or principal.

Assistants are not responsible for planning a program of study for students.

Assistants are to conform to the standards set for teachers in the area of ethics, dress, etc.

Assistants should feel free to discuss with their principal any problem they might have in regard to their employment.

### TEACHER ASSISTANT EVALUATION

A. Duties and responsibilities are reviewed at the beginning of each year with returning assistants. Assistants new to the system are to receive inservice training concerning duties and responsibilities. After receiving the training they must sign a form indicating that duties and responsibilities were discussed and any questions were answered.

B. The criteria for Teacher Assistant Effectiveness are completed jointly by the teacher assistant and the evaluator (teacher) by September 30th. The educational objectives for improvement are completed by the assistant. Plans for improvement must be provided in areas where improvement is needed.

C. A summary evaluation for assistants is to be completed by February 28th, with an overall assessment of effectiveness.

D. The procedure for teacher assistant evaluation will be as follows:
   1. Teacher assistants will do a self-evaluation.
   2. Teacher will evaluate his/her assistant.
   3. Teacher and teacher assistants will confer regarding any differences in the evaluation.

E. Evaluation of the teacher assistants will continue even after the formal evaluation is completed.

F. Teacher assistants are asked to sign evaluation forms; however, their signature does not necessarily indicate agreement with the information on the form but that they did receive a copy of the evaluation. In case of disagreement the assistant must follow the grievance procedures of Harrison County School District.

### PARAPROFESSIONAL PERSONNEL SICK LEAVE

See policy coded GCRB, GCRG, GCRGA, GCRGJ. Paraprofessional personnel will receive the same sick leave benefits as non-licensed personnel.
MISSION STATEMENT OF THE HARRISON COUNTY SCHOOL DISTRICT

Recognizing the value of education in developing and maintaining a democratic society, the mission of the Harrison County School District is to provide its students with opportunities for optimum academic development within a setting which provides for intellectual, socioeconomic, and physical differences and satisfies behavioral needs related to democratic ideals, ethical and moral values, and aesthetic appreciation.

BELIEF STATEMENTS

1. All children can learn.
2. All children have a right to learn.
3. Children learn at different rates and in different ways.
4. High expectations contribute to higher levels of achievement.
5. The family and community share in the educational experience of the child.
6. Individuals must accept responsibility for the choices they make.
7. A safe, orderly environment must be maintained for learning to occur.
8. Self discipline and self-motivations are expected in the educational setting.
9. A democracy relies upon an educated populace, capable of critical thinking and the use of communication skills.
10. The arts enhance the quality of life.
11. Public schools are an essential tool in maintaining a democratic society.

To this end, the Harrison County School District will have in place strategies which meet the State Board of Accreditation Requirements and serve as the base standards for Process and Product Standards in the Harrison County School District.

Process Standards address accepted educational principles and practices that are believed to promote educational quality. Process Standards include active educational leadership, an instructionally focused organization, effective instruction, professional development, and a positive school climate.

Performance Standards address the district’s output or product level. Performance Standards include components of the statewide testing program and other outcome measures related to the performance of the Harrison County School District.

Failure to meet base standards will result in the implementation of compensatory measures in the appropriate area to ensure improvement such that standards are met without delay.

INSTRUCTIONAL GOALS

This board believes that all children can learn and is committed to high levels of achievement for all students in the district. The following goals apply to the district’s program of instruction:
ACADEMIC GOALS

- Mastery of basic skills and fundamental processes
- Acquisition of basic knowledge and skills needed to comprehend and express ideas through words, numbers and symbols
- Ability to utilize all available sources of information
- Ability to think rationally, use problem solving skills, and apply logic and skill of enquiry
- Acquisition of a general fund of knowledge, including information and concepts in mathematics, literature, natural and social sciences
- Development of positive attitudes towards intellectual activity including curiosity and a desire for further learning

VOCATIONAL GOALS

- Career and vocational educational
- Ability to select and prepare for an occupation that will be personally satisfying and suitable to one's skills and interests
- Ability to make decisions based on awareness and knowledge of career options
- Acquisition of skills and specialized knowledge that will help prepare one to become economically independent
- Positive attitudes towards work, including acceptance of the necessity of making a living and an appreciation of the social value and dignity of work

SOCIAL AND CIVIC GOALS

- Understanding and appreciation of cultures and beliefs different one's own
- Interpersonal understanding and self-realization
- Understanding of how members of a family function under different family patterns as well as within one's own family
- Acquisition of a knowledge of various value systems and their influence on the individual and society
- Ability to assess realistically, and live in accordance with personal potential, strengths and limitations
- Development of productive and satisfying relationships with others based on respect, trust, cooperation and caring
- Knowledge of the history and basic workings of government, economics, politics, and social systems
- Development of a commitment to be civic-minded and socially responsible in one’s endeavors

MISSISSIPPI DEPARTMENT OF EDUCATION

1. The State Department of Education shall provide an instructional program and establish guidelines and procedures for managing such program in the public schools as part of the State Program of Educational Accountability and Assessment of Performance as prescribed in Section 37-3-46. Public school districts may (a) elect to adopt the instructional program and management system provided by the State Department of Education; or (b) elect to adopt an instructional program and management system which meets or exceeds criteria established by the State Department of Education for such. This provision shall begin with the courses taught in Grades K-8 which contain skills tested through the Mississippi Basic Skills Assessment Program and shall proceed through all secondary school courses mandated for graduation and all secondary school courses in the Mississippi end-of-course testing program. Other state core objectives must be included in the district's instructional program as they are
provided by the State Department of Education along with instructional practices, resources, evaluation items and management procedures. Districts are encouraged to adapt this program and accompanying procedures to all other instructional areas. The department shall provide that such program and guidelines, or a program and guidelines developed by a local school district which incorporates the core objectives from the curriculum structure are enforced through the performance-based accreditation system. It is the intent of the Legislature that every effort be made to protect the instructional time in the classroom and reduce the amount of paperwork which must be completed by teachers. The State Department of Education shall take steps to assure that school districts properly use staff development time to work on the districts' instructional management plans.

2. The State Department of Education shall provide such instructional program and management guidelines which shall require for every public school district that:

   a. All Courses taught in Grades K-8 which contain skills which are tested through the Mississippi Basic Skills Assessment Program, all secondary school courses mandated for graduation, and all courses in the end-of-course testing program shall include the State Department of Education's written list of learning objectives.

   b. The local school board must adopt the objectives that will form the core curriculum which will be systematically delivered throughout the district.

   c. The set of objectives provided by the State Department of Education must be accompanied by suggested instructional practices and resources that would help teachers organize instruction so as to promote student learning of the objectives. Objectives added by the school district must also be accompanied by suggested instructional practices and resources that would help teachers organize instruction. The instructional practices and resources that are identified are to be used as suggestions and not as requirements that teachers must follow. The goal of the program is to have students to achieve the desired objective and not to limit teachers in the way they teach.

   d. Standards for student performance must be established for each core objective in the local program and those standards establish the district's definition of mastery for each objective.

   e. There shall be an annual review of student performance in the instructional program against locally established standards. When weaknesses exist in the local instructional program, the district shall take action to improve student performance.

3. The State Board of Education and the board of trustees of each school district shall adopt policies to limit and reduce the number and length of written reports that classroom teachers are required to prepare.

4. This section shall not be construed to limit teachers from using their own professional skills to help students master instructional objectives, nor shall it be construed as a call for more detailed or complex lesson plans or any increase in testing at the local school district level.

5. Districts meeting Level 4 or 5 accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (2) of this section. MS Code 37-3-49 (2006)
Standards 27, 32 and 33 are as follows:

27. The school district implements an instructional management system that meets the following requirements:
   27.1 The school district implements an instructional management system that has been adopted by
   the school board and that includes, at a minimum, the competencies required in the
   curriculum frameworks approved by the State Board of Education.  \textbf{\textit{(Level 4 and 5 districts
   are exempted.)}}  \{MS Code 37-3-49(5)}
   27.2 Suggested teaching strategies, resources, and assessment strategies are available to teachers in
   each school for selection and use in teaching the required competencies.  \textbf{\textit{(Level 4 and 5
   schools are exempted.)}}  \{MS Code 37-3-49(2)(c) and 37-3-49(5)}

32. The basic curriculum of each high school consists of required and approved courses that generate at
   least 33 Carnegie units annually.  \{See Appendices B and C.}  \{MS Code 37 1 3(2)}  \{SB Policy
   ICFA 1\}
   \textbf{Note:} Any request for an exemption from teaching the courses listed in Appendix B must be
   approved by the Commission on School Accreditation.

33. The basic curriculum of each elementary or middle school (any configuration of grades K-8)
   consists of reading/language arts, mathematics, science, social studies, the arts, health education,
   and physical education, which may be taught by a regular classroom teacher.  \{MS Code 37-1-3(2)
   and 37-13-134\}
   \textbf{Note:} A regular classroom teacher may provide instruction in the arts and physical
   education in a self-contained classroom setting.

\textbf{NOTE:} For Career Education, see Section 37-13-60; for Character Education Program, see Section 37-
13-181; for Reading Sufficiency Program of Instruction, see Section 37-13-10; for Sex-Related
Education, see Section 37-13-171 and 173; for Education of Exceptional Children (IDEA), see Section
37-23-1 through Section 37-23-31.  The Appendix of the Mississippi Public School Accountability
Standards includes sections on graduation requirements and course development.

\textbf{LEGAL REF.:} MS CODE as cited
\textit{Mississippi Public School Accountability Standards} (2007)
\textbf{CROSS REF.:} Policies BA - Board Operations Goals and Objectives Mission Statement
\hspace{1em}CA - General School Administration Goals and Objectives
\hspace{1em}IC - Instructional Development
\hspace{1em}ID - Instructional Program Management
\hspace{1em}IH - Student Achievement Improvement Act of 1999

\textbf{STANDARDS OF INSTRUCTIONAL PROGRAMS}  \textbf{IBA}

Standards of instructional programs shall be at the highest level feasible.  The minimum standards of
instructional programs of the Harrison County School District shall not be less than those prescribed by
the rules, regulations, and minimum standards of the Mississippi State Board of Education and the
Mississippi Accreditation Commission as established in the current Accreditation Requirements of the
State Board of Education Mississippi Public School Accountability Standards.
This school board directs the superintendent and administration to provide a curriculum of instruction that meets the academic needs of all children in the school district.

NO CHILD LEFT BEHIND ACT

To comply with the provisions of the No Child Left Behind Act, the superintendent will, in writing, inform the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The district will comply with federal guidelines concerning age appropriate sex education.

The superintendent will ensure that any programs for limited-English proficient students have a primary goal of mainstreaming those students into the regular classrooms, and that those programs emphasize English language instruction.

The school district shall provide a comprehensive curriculum which meets State Department and accreditation requirements.

This School Board shall adopt the objectives forming the core curriculum which is systematically delivered throughout the district.

The Board recognizes the necessity to constantly adapt and develop the curriculum if the district is to meet the needs of its students.

The Board shall encourage and support the professional staff in their efforts to investigate new curricular ideas, develop improved programs, and evaluate results.

The Superintendent shall set up committees for the study of curriculum improvements, including the selections of new instructional materials.

Teachers have professional obligations to the school program beyond regular classroom duties, and such obligations shall include work on curriculum committees.

INSTRUCTIONAL MANAGEMENT PROGRAM

The school district will establish an instructional management program which will be used in grades K-12. The instructional program will be defined in terms of learner objectives which include the state’s core objectives. The district will make an annual analysis of instructional program data by state core objectives and take any action necessary to improve student performance.

The Board of Trustees of the Harrison County School District recognizes the need to foster a sense of community and collaboration within schools, and it recognizes the need to provide the opportunity for shared discussions among professional staff and for shared work through positive, open, cooperative relationships. The administrative staff is therefore directed to provide for informal information and planned meetings to be held regularly between teachers and administrators to discuss curriculum, selection of materials, lesson plans, etc.
Standards 23, 27, 29, 32 and 33 are as follows:

23. The school district is in compliance with state and/or federal requirements for the following programs:
   23.1 Early Childhood Programs (kindergarten and teacher assistant) (MS Code 37-21-1 et. seq.) (SB Policy IDAC and FDD-4) (Refer to Mississippi Kindergarten Guidelines.) 
   {Level 4 and 5 districts are exempted from provisions of subsection (4) of MS Code 37-21-7.}
   23.2 Vocational-Technical Education (MS Code 37-31-1 et. seq.) (SB Policies CT, DCK, DFBC, ECK, FJ, GBEA, IDAA, IL, JHF and Federal Code)
   23.3 Special Education (MS Code 37-23-1 through 9) (SB Policies IDDF and Federal Code) 
   {See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.}
   23.4 Child Nutrition (MS Code 37-11-7)(SB Policies EE and EEH and Federal Code)
   23.5 No Child Left Behind Act of 2001: Titles I, II, IV, and V, and any other federally funded programs and grants (IDDBB 2, 3 and Federal Code)
   23.6 Technology in the Classroom (MS Code 37-151-19(3)) (SB Policy IM)
   23.7 Driver Education (MS Code 37-25-1 et. seq.) (SB Policy IDDE)
   23.8 Pre-Kindergarten (MS Code 37-7-301(ss)). (Refer to the Mississippi Pre-Kindergarten Curriculum.)

27. The school district implements an instructional management system that meets the following requirements:
   27.1 The school district implements an instructional management system that has been adopted by the school board and that includes, at a minimum, the competencies required in the curriculum frameworks approved by the State Board of Education. (Level 4 and 5 districts are exempted.) (MS Code 37-3-49(2)(a-b) and 37-3-49(5).
   27.2 Suggested teaching strategies, resources, and assessment strategies are available to teachers in each school for selection and use in teaching the required competencies. (Level 4 and 5 schools are exempted.) (MS Code 37-3-49(2)(c) and 37-3-49(5))

29. The school district provides an alternative education and/or GED program for the categories of students identified in MS Code 37 13 92, and the program meets the guidelines established by the State Board of Education. (SB Policy IDDI 1 and 2)(See Guidelines for Alternative/GED School Programs.)

32. The basic curriculum of each high school consists of required and approved courses that generate at least 33 Carnegie units annually. (See Appendices B and C.) (MS Code 37 1 3(2)) (SB Policy ICFA 1)

Note: Any request for an exemption from teaching the courses listed in Appendix B must be approved by the Commission on School Accreditation.

33. The basic curriculum of each elementary or middle school (any configuration of grades K-8) consists of reading/language arts, mathematics, science, social studies, the arts, health education, and physical education, which may be taught by a regular classroom teacher. (MS Code 37-1-3(2) and 37-13-134)

Note: A regular classroom teacher may provide instruction in the arts and physical education in a self-contained classroom setting.
Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (fund #2440) are allotted and expended in compliance with Section 37-61-33, Mississippi Code of 1972, as amended, and State Board of Education policy.

Education Enhancement Funds shall not be expended for administrative purposes. The school district shall allocate supply funds equally among all classroom teachers in the district. Two (2) or more teachers may agree to pool their classroom supply funds for the benefit of a school within the district pursuant to a spending plan that supports the overall goals of the school which includes the type, quantity of such supplies, instructional materials, equipment, computer or computer software. This plan shall be submitted, in writing to the school principal for approval. Classroom supply funds allocated under this section shall supplement, not replace, other local and state funds available for the same purpose. MS Code 37-61-33 (3) (a) (2006)

The school district provides student support services that include appraisal, academic and/or personal advisement, and educational and/or occupational planning and referral.

**AUTHORITY TO CARRY FORWARD FUNDS**

Any individual teacher or group of teachers with an approved spending plan that has not been fully funded need not expend the funds allocated under this subparagraph in the year in which such funds are received. Such funds may be carried forward for expenditure in any subsequent school year in which the plan is fully funded. However, beginning July 1, 2006, any funds allocated under this subparagraph which are not reserved in an approved spending plan but remain unspent on March 31 of the fiscal year in which the funds were allotted must be utilized by the school where the teacher is employed for instructional supply and equipment purposes. MS Code 37-61-33 (3) (a) (2006)

When conducting an audit of a public school district, the Auditor shall test to insure that the school district is complying with the requirements of Section 37-61-33(3)(a)(iii) relating to classroom supply funds. The audit must include a report of all classroom supply funds carried over from previous years. Based upon the audit report, the State Auditor shall compile a report on the compliance or noncompliance by all school districts with the requirements of Section 37-61-33(3)(a)(iii), which report must be submitted to the Chairmen of the Education and Appropriations Committees of the House of Representatives and Senate. MS Code 37-9-18 (3) (2002)

Standards 11, 24, 25, and 26 are as follows:

11. The local school board budgets and expends funds as follows:

11.1 The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) a minimum of $20.00 per student for instructional/library supplies, materials, and equipment.
11.2 Funds available for classroom supplies, materials, and equipment from the Education Enhancement Fund (Fund #2440) are allotted and expended in compliance with Section 37 61 33, Mississippi Code of 1972, as amended, and State Board of Education Policy DFB1.

11.3 The local school board budgets and expends funds under the Public School Health Insurance Plan as required by state law and State Board policy. Failure to remit premiums, interest penalties and/or late charges in a timely manner may result in withholding a school district's adequate education program funds. (MS Code 37 151 95) (SB Policy DFBG 1)

24. Each school has a library-media center. (MS Code 37-17-6(3)(a-e))
   24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.
   24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

25. The school district provides each student with appropriate equipment and laboratory experiences to meet the instructional requirements of the science program. (See Mississippi Science Framework, 2001.) (Level 4 and 5 schools may be exempted under MS Code 137-17-11.)

Note: Any exceptions to the above standard must be submitted to the Commission on School Accreditation for review and action.

26. The school district is in compliance with state law and State Board of Education policies for state adopted textbooks. (MS Code 37 43 1, 37 43 51, 37 9 14(2) (b), and 37 7 301(ff)) (Refer to the current edition of Textbook Administration Handbook Rules and Regulations.)
   26.1 The school district provides each student in each school with current or otherwise appropriate textbooks that are in good condition. (MS Code 37 43 1, 37 9 14(2) (b), and 37 7 301(ff))
   26.2 Each school district shall keep an active and surplus inventory for each school in the district to be completed by June 15 of each year. The district shall report the inventory in the Textbook Inventory Management System. (MS Code 37 43 51) (Refer to page A 12 in the Textbook Administration Handbook Rules and Regulations.)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies IB - Instructional Goals
   ICB - Curriculum Development Planning

### CURRICULUM DEVELOPMENT PLANNING

It shall be the policy of this district to ascertain the extent to which students master specific learner objectives and to use such information in instructional planning and decision making. Each teacher shall use formative and summative tests which are congruent with instructional activities to evaluate the level to which specified learner objectives have been attained by students. Test results shall be accurately reported to students and parents in a timely manner.
The school board of this school district recognizes the need to foster a sense of community and collaboration within schools, and it recognizes the need to provide the opportunity for shared discussions among professional staff and for shared work through positive, open, cooperative relationships.

The State Department of Education shall provide an instructional program and establish guidelines and procedures for managing such program in the public schools as part of the State Program of Educational Accountability and Assessment of Performance as prescribed in Section 37-3-46. Public school districts may (a) elect to adopt the instructional program and management system provided by the State Department of Education; or (b) elect to adopt an instructional program and management system which meets or exceeds criteria established by the State Department of Education for such. Section 37-3-49 (1) (1998)

PRE-ADVANCED PLACEMENT COURSES

In order to ensure that each student has a sufficient education for success after high school and that all students have equal access to a substantive and rigorous curriculum that is designed to challenge their minds and enhance their knowledge skill, school districts shall offer pre advanced placement courses to prepare students for advanced placement course work.

Funding shall be made available for the 2007 2008 school year so that all sophomores in Mississippi's public schools may take an examination that measures the students' ability to succeed in an advanced placement course. The State Department of Education shall seek federal funding through the Advanced Placement Incentive Grant Program and other available funding for this purpose. Funding efforts must be focused with an intent to carry out advanced placement and pre advanced placement activities in school districts targeted as serving a high concentration of low income students.

The State Department of Education must approve all classes designated as pre advanced placement courses. The department shall develop rules necessary for the implementation of advanced placement courses. Section 37-15-39 (4) (2006)

Beginning with the 2007 2008 school year, all school districts must offer at least one (1) advanced placement course in each of the four (4) core areas of math, English, science and social studies, for a total offering of no less than four (4) advanced placement courses. The use of the state's on line Advanced Placement Instructional Program is an appropriate alternative for the delivery of advanced placement courses.

Any public high school offering the International Baccalaureate Diploma Program is exempt from the requirements of this subsection. However, the school may participate in teacher training and program funding on the same basis as any high school offering advanced placement courses. Section 37-15-39 (5) (2006)

NO CHILD LEFT BEHIND ACT

To comply with the provisions of the No Child Left Behind Act, the superintendent will, in writing, inform the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The district will comply with federal guidelines concerning age appropriate sex education.

The superintendent will ensure that any programs for limited-English proficient students have a primary goal of mainstreaming those students into the regular classrooms, and that those programs emphasize English language instruction.
Standards 15, 23 and 27 are as follows:

15.  The school district engages in planning to review the educational status of each school in the district and to address specific actions relative to accreditation and performance separately. [MS Code 37-3-49(2)(e)]

23.  The school district is in compliance with state and/or federal requirements for the following programs:

   23.1 Early Childhood Programs (kindergarten and teacher assistant) [MS Code 37-21-1 et. seq.] (SB Policy IDAC and FDD-4) (Refer to Mississippi Kindergarten Guidelines.)
   {Level 4 and 5 districts are exempted from provisions of subsection (4) of MS Code 37-21-7.}

   23.2 Vocational-Technical Education [MS Code 37-31-1 et. seq.] (SB Policies CT, DCK, DFBC, ECK, FJ, GBEA, IDAA, IL, JHF and Federal Code)

   23.3 Special Education [MS Code 37-23-1 through 9] (SB Policies IDDF and Federal Code) [See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.]


   23.5 No Child Left Behind Act of 2001: Titles I, II, IV, and V, and any other federally funded programs and grants (IDBBB 2, 3 and Federal Code)

   23.6 Technology in the Classroom [MS Code 37-151-19(3)] (SB Policy IM)

   23.7 Driver Education [MS Code 37-25-1 et. seq.] (SB Policy IDDE)

   23.8 Pre-Kindergarten [MS Code 37-7-301(ss)]. (Refer to the Mississippi Pre-Kindergarten Curriculum.)

27.  The school district implements an instructional management system that meets the following requirements:

   27.1 The school district implements an instructional management system that has been adopted by the school board and that includes, at a minimum, the competencies required in the curriculum frameworks approved by the State Board of Education. [Level 4 and 5 districts are exempted.] [MS Code 37-3-49(2)(a-b) and 37-3-49(5).]

   27.2 Suggested teaching strategies, resources, and assessment strategies are available to teachers in each school for selection and use in teaching the required competencies. [Level 4 and 5 schools are exempted.] [MS Code 37-3-49(2)(c) and 37-3-49(5)]

NOTE: For Career Education, see ’37-13-60; for Character Education Program, see Section 37-13-181; for Reading Sufficiency Program of Instruction, see Section 37-13-10; for Sex-Related Education, see Section 37-13-171 and 173; for Education of Exceptional Children (IDEA), see Section 37-23-1 through Section 37-23-31. The Appendix of the Mississippi Public School Accountability Standards (2003) includes sections on graduation requirements and course development.

LEGAL REF.: MS CODE 37-3-49; P. L. 107-110 (No Child Left Behind Act of 2001)

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policy IB - Instructional Goals
No basic course of study shall be eliminated or new courses added without approval of the Board. Neither shall any sharp alteration or reduction of a course of study occur without Board approval.

New programs and courses of study shall not be acted upon until the meeting following their presentation by the administration to the Board, thus allowing members sufficient time for careful review of the proposed program.

The subjects taught for credit toward graduation shall be those required by the state accrediting standards and from among those approved for the secondary schools or a developmental course submitted to and approved by the Commission on School Accreditation.

NO CHILD LEFT BEHIND ACT

To comply with the provisions of the No Child Left Behind Act, the Superintendent will, in writing, inform the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The district will comply with federal guidelines concerning age appropriate sex education.

Abstinence education, as defined in House Bill 1304 (1998), shall be the state standard for any sex-related education taught in the public schools.

Any course containing sex education offered in the public schools shall include instruction in abstinence education. However, the local school board may authorize, by affirmative vote of a majority of the members, the teaching of sex education without instruction on abstinence. In such event, the curriculum offered in the schools relating to sex education must be approved by a majority of the school board members.

Local school districts, in their discretion, may host programs designed to teach parents how to discuss abstinence with their children.

Each school providing instruction or any other presentation on human sexuality in the classroom, assembly or other official setting shall be required to provide no less than one (1) week’s written notice thereof to the parents of children in such programs of instruction. The written notice must inform the parents of their right to request the exclusion of their child from such instruction or presentation. The notice must also inform the parents of the right, and the appropriate process, to review the curriculum and all materials to be used in the lesson or presentation. Upon the request of any parent, the school shall excuse the parent’s child from such instruction or presentation, without detriment to the student.

Nothing in this section shall apply to any biological science course or curriculum.

LEGAL REF.: House Bill 1304 (1998 Regular Session)
This school board, acting through the superintendent and administration, seeks to provide a program of health and physical education in the schools to encourage students to make choices that promote physical health and well-being.

1) The local school board of each school district shall establish a local school health council for each school which shall ensure that local community values are reflected in the local school’s wellness plan to address school health. Such councils shall be established no later than November 1, 2006.

2) The local school health council’s duties may include the following:

   a) Recommend age appropriate curriculum and the number of hours of instruction to be provided in health and physical education;

   b) Recommend appropriate practices that may include a coordinated school health program designed to prevent obesity, cardiovascular disease, Type II diabetes and other health risks through coordination of:

      i) Health education;
      ii) Physical education;
      iii) Nutritional services;
      iv) Parental involvement;
      v) Instruction to prevent the use of tobacco, drugs and alcohol;
      vi) Health services;
      vii) Healthy environment; and
      viii) Counseling and psychological services.

   c) Provide guidance on the development and implementation of the local school wellness plan. Beginning with the 2006 2007 school year, each local school board shall adopt a school wellness plan which shall promote a healthy lifestyle for Mississippi’s school children and staff.

3) The local school board shall appoint members to the local school health council. At a minimum, the school board shall appoint one (1) person from each of the following groups:

   a) Parents who are not employed by the school district;
   b) Public schoolteachers;
   c) Public school administrators;
   d) District students;
   e) Health care professionals;
f) The business community;
g) Law enforcement;
h) Senior citizens;
i) The clergy;
j) Nonprofit health organizations; and
k) Faith based organizations.

Nothing in this section shall be construed to prohibit or limit the sale or distribution of any food or beverage item through fund raisers conducted by students, teachers, school groups, or parent groups when the items are intended for sale off the school campus.

LEGAL REF.: MS CODE 37-13-134 (8) and 37-13-134 (9) (2006)
CROSS REF.: Policy BBF - Advisory Committees to the Board

### CURRICULUM/BASIC INSTRUCTIONAL PROGRAM

District policies governing curriculum and course requirements are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

The district shall prepare and implement a strategic plan which shall be submitted to the State Department of Education for review, revision, and approval.

The district shall provide a curriculum which meets State Department of Education and Accreditation Commission requirements in compliance with standards in relation to such matters as staffing, instructional activities, length of school day/year, instructional time, etc.

Also see ICB.

### EDUCATION PLAN/PROGRAM IMPROVEMENT

PURPOSE

The purpose of the educational plan is to identify a school district's strengths, needs, and goals and then to outline the strategies for implementing changes and improvements.

PARTICIPANTS

The plan is jointly developed by school district personnel, the community, and representation from the local school board. This participation is documented.
SOURCES OF INPUT

Each school district establishes structures which solicit regular input of community citizens, students, and staff regarding the policies, procedures, programs, and operation of the school district. The school board considers such input as the plan is developed.

DATA SOURCES

The plan is based upon but not limited to:

1. A survey which reflects pupil, faculty, and community attitudes or opinions concerning the district and/or its individual school administration(s) and programs.

2. An outline of the district's instructional management system which indicates how the curriculum is aligned from subject to subject and from grade to grade.

3. An analysis of student achievement data, with emphasis on the evaluation component of the instructional management system.

4. The school district's improvement plan (where applicable) which is designed to address cited accreditation deficiencies. A copy of the approved improvement plan will be included in the educational plan, along with updated information pertaining to the district's compliance with accreditation standards.

5. Student, staff, and community demographic data.

6. A description of each school's individual program strengths, needs, and goals.

CONTENT

The content of the educational plan includes identified goals, the means of achieving these goals, and the timeliness required. The educational plan also includes but is not limited to:

1. A written mission statement which reflects the purpose of the educational program and the ways the mission will affect district operations.

2. A description specifying how student achievement will be advanced in the district over the time period of the plan.

3. The role each school will play in the district's overall educational plan.

NOTE: Supplementary documents (data sources) used to identify strengths, needs, and goals of the district are not required as a part of the plan but must be available for review.

ANNUAL APPROVAL/REVISION PROCESS

The school board evaluates, revises, and approves the plan on an annual basis. As part of the strategic planning process the plan is updated yearly. The annual revision includes a review of the district's
educational status and specific actions that will be implemented to improve the quality of educational programs.

CRITERIA FOR PUBLIC DISTRIBUTION

1. The educational plan is made available for review upon request to any citizen living within the district and to officials in the State Department of Education.
2. Once each academic year, the local school board provides and makes available to media with coverage in the general area of the school district a report to the public outlining progress in implementing the educational plan and identifying specific needs and plans to address needs.
3. Once each academic year, the school board also holds a public meeting (which may be part of a regular school board meeting) to review and discuss the progress made toward meeting the goals and timeliness of its educational plan. Such meeting is publicized for at least two weeks prior to the meeting, including publication in a newspaper with major circulation in the school district.

Standards 9 and 15 are follows:

9. The school district implements a formal personnel appraisal system for licensed staff that includes assessment of employee on-the-job performance. {MS Code 37-3-46(b)}

15. The school district engages in planning to review the educational status of each school in the district and to address specific actions relative to accreditation and performance separately. {MS Code 37-3-49(2)(e)}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies BA - Board Operations Goals and Objectives Mission Statement
CA - General School Administration Goals and Objectives
IB - Instructional Goals
IH - Student Achievement Improvement Act of 1999
II - Testing Program

VOCATIONAL EDUCATION – CAREER TECHNOLOGY

District policies governing vocational education/career technology are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

KINDERGARTEN STUDENTS

1. Mississippi law allows a child who is age-eligible to enroll in first grade even though he/she was not enrolled in kindergarten during the previous school year.

2. A child who was eligible to enroll in kindergarten in the previous school year but failed to do so can enroll in kindergarten rather than the first grade in the current school year if the parent makes such a
request and the principal and/or other support personnel, after examining the facts, agree that kindergarten grade placement is best for the child.

3. Retention may occur for a kindergarten student only after there is (1) a strong recommendation from the teacher recommending retention; (2) a discussion with and an agreement of the principal and/or other support personnel that retention is the best course of action; and (3) a conference with the parent that ends with agreement from the parent that the child may be retained in kindergarten.

4. A child who enrolls in first grade in the current school year but who performs poorly during the first few weeks may be assigned to kindergarten for the remainder of the year. The same conditions as stated above must be followed, which include strong teacher recommendation, principal approval, and parent permission. A move of this nature must be given the most serious consideration before final action is taken.

5. The attorney general has ruled that a school may enroll a student in the first grade even if he/she is not age-eligible under Mississippi law, if the student completed a five-year-old kindergarten program in another state last school year and has now moved to Mississippi. The kindergarten must be accredited in that state and sufficient evidence must be shown to prove that the child successfully completed the kindergarten program.

Also see Policy JBB and Policy JBC.

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**CAREER EDUCATION**

This School Board is authorized and empowered to adopt plans for the implementation of a career education program as the same best suits the needs thereof and thereby to orient its system to the field of work. In so doing, this board shall operate within its regular budget, without the employment of additional personnel and out of any available funds, federal, state, local or private.

Nothing in sections 37-13-58 to 37-13-60 shall be so construed as to prohibit the acceptance of contributions from the private business sector or cooperation therewith, including but not limited to seminars, tours, lectures and in-service training.

There will be cooperation between the State Department of Education, the state coordinator of career education and this board in implementing this program as it best suits the needs of the individual districts.

Provided, further, the Commission on School Accreditation shall encourage the development of plans of career education and the implementation thereof, and shall be authorized to accredit same. §37-13-60 (1976)

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**VOCATIONAL-TECHNICAL CENTER LIVE WORK POLICY**

I. The following procedures shall apply to all vocational and technical programs.

II. All live work shall be directly related to the module or unit upcoming or presently in progress unless prior approval is obtained from the vocational administrator. This type of work must be
scheduled far enough in advance to allow the instructor to incorporate the project into his/her instructional plan. All live work performed in a vocational lab must be related to the instructional program itself.

III. The recommended order of priority for having live work performed in a vocational and technical program shall be:

a. The student
b. School, faculty, and staff
c. Repair of state instructional equipment
d. Any other work will be performed according to the curriculum on a first-come, first-served basis.

IV. Any exception to the above procedure must be approved by the local vocational-technical administrator.

V. Under no circumstances shall any work performed or service rendered in a vocational/technical facility be in direct competition with the commercial market.

VI. A release form and a work order will be completed on all live work projects.

VII. All parts and materials will be furnished by the student, staff member, school, or outside person.

VIII. Recommended Procedure for Special Projects

Completed projects resulting from lab construction which utilized supplies and materials purchased with public funds, such as storage houses, trailers, portable buildings, cabinetry, etc., shall be inventoried and become the property of the state or the local school or shall be disposed of in a manner consistent with state law.

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<thead>
<tr>
<th>DRUG EDUCATION</th>
<th>IDBB</th>
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<td>All schools are encouraged through the curriculum to inform students of the effects of drug use, including but not limited to alcohol and narcotics.</td>
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<tr>
<th>EXTENDED SCHOOL YEAR</th>
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<td>This school board shall maintain and operate all of the schools under its control for such length of time during the year as may be required. §37-7-301(m) (1993)</td>
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<tr>
<td>When the Harrison County School District operates summer school or extended year programs, it shall be the policy of the School District to operate such programs which comply with State Department of Education requirements.</td>
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Summer school is a self-sustaining program. Summer school teaching assignments in areas in which there are insufficient jobs for the number of teachers who desire summer employment may be rotated from summer to summer, based on the needs of the school system. First consideration will be given to the selection of teachers whose qualifications best meet the needs of the students. All summer school personnel must be approved by the Superintendent of Education.

Personnel benefits provided in the policies of the Board of Trustees do not apply to employees during summer school. The employment of such personnel shall be treated as temporary employment and shall be under the operations of administrative rules and regulations issued for that purpose. Personnel will be paid once per month at a daily/hourly rate.

Summer school usually begins in the first week after the end of the regular school year.

A fee for each unit (course) is charged. Only one (1) unit may be earned in summer school to make up incomplete work or to retake a failed class/course. If necessary, a student may enroll for only one semester.

Standard 19.6 is as follows: The summer school/extended year program meets all applicable requirements of the regular school program. {MS Code 37-3-49}

- Students from other schools enrolled in summer programs provide written approval from the principal of their home schools.
- Students enrolled in an extended year program complete all remaining course/subject requirements/objectives before credit for the course/subject is issued. {MS Code 37-3-49}
- Students enrolled in a summer program are limited to earning one Carnegie unit of credit during the summer school session, which does not apply to Extended Year programs. (Level 4 and 5 students may be exempted under MS Code 37-17-11.).

Note: If the Governor has declared a disaster emergency or the President of the United States has declared an emergency or major disaster to exist in this state, the local school board may request approval from the State Board of Education to operate the schools in its district for less than one hundred eighty (180) days. {MS Code 37-151-7(3)(d)}

Mississippi Public School Accountability Standards 2007

ADVANCED COLLEGE PLACEMENT

The Board believes that any student who is capable of and wishes to do college-level work while in high school should be permitted to do so.

Any 11th or 12th grade student whose admission to a college-level course is recommended by his/her counselor may enroll in a course for college credit. Should the student wish to receive high school credit for the course, he/she may request permission from his/her principal, through the counselor, to apply the course toward high school graduation requirements.
Work-study programs shall be developed as an integral part of vocational education/career technology. Students in such programs may divide their time between instruction in school and specific training on the job.

The in-school schedule shall include subjects which are required for high school graduation as well as those related to the area of employment. Each program will be planned cooperatively by work-study coordinators and employers and shall be in accordance with state/federal laws and regulations governing employment of children under age 18 and shall be subject to Board approval.

The particular program designed for each student shall be placed in a written agreement approved by the student, his/her parents, or guardians, the work-study coordinator, and the employer. It shall stipulate the terms of employment and the provision for academic credit.

Students enrolled in work-study programs shall receive both pay and school credit for work experience.

The work-study coordinator shall make the necessary arrangements with employers for evaluating the student’s on-the-job performance and for keeping records of job attendance.

INDEPENDENT STUDY - CORRESPONDENCE COURSES

A high school student may take a correspondence course with the principal’s permission. He/she may earn only one unit by correspondence toward a diploma. Seniors taking correspondence courses for graduation must complete the course by April 1, and the grade must be received by the school at least four weeks before graduation. Students may take credit recovery courses with the approval of the principal.

District policies governing correspondence courses are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

MISSISSIPPI VIRTUAL SCHOOL ON-LINE COURSES (MVS)

MVS is a web-based educational service offered by the Mississippi Department of Education to provide Mississippi students and educators with access to a wider range of course work, more flexibility in scheduling, and the opportunity to develop their capacities as independent learners. Students in grades 9-12 have access to the program, but priority is given to juniors and seniors. No online courses will be offered that are tied to a Subject Area Test (Algebra I, Biology I, English II, U.S. History). Students may take non-core content courses for elective credit only. Students must complete the MVS registration form with parent/guardian signature and submit it to the school counselor for approval and processing.

In the Harrison County School District, students may take a maximum of three (3) courses outside of the regular curriculum (MVS or correspondence courses). The school counselor must approve all courses. Courses taken outside of the regular curriculum cannot count toward the student’s Quality Point Average (QPA), which is used to determine valedictorian and other graduate honors. However, the course does count toward the student’s Grade Point Average (GPA).
The Harrison County School District guidelines for enrolling in a Mississippi Virtual Public School (MVPS) Course:

1. Students must have GPA of 2.5 or higher to enroll in a regular online course.
2. Students must have a GPA of 3.0 or higher to enroll in an AP online course.
3. Students must follow all policies and guidelines as set forth for each course by MVPS.
4. Students must have a working computer and the appropriate software at home before signing up for an MVPS course; specifications for each course may be accessed online at www.mvps.mde.k12.ms.us. Students who do not have adequate technology will not be successful in an MVPS course.
5. Students are solely responsible for arranging to take supervised examinations with the director of the Career Center or the site coordinator.

**HOMEBOUND PROGRAM**

Students may be enrolled in the homebound program following the third consecutive day of absence which is a result of an illness diagnosed by a physician, provided that all requirements for homebound are met. No student may remain on the homebound program over fifteen (15) days.

Students with documented chronic illness may use the homebound program for all absences after approval by the principal.

Any extension of the fifteen (15) days of homebound must have School Board approval.

**SPECIAL PROGRAMS/PROGRAMS FOR EXCEPTIONAL CHILDREN/SPECIAL ED/GIFTED/TALENTED**

1. **Description of Need**

It is the belief of the Harrison County School District that gifted students need more from the educational program than is routinely found in the regular educational setting. The district believes gifted students have an exceptional potential for academic achievement which must be tapped and enhanced. Through identification of the gifted student’s strengths, needs, and interests it is possible to develop strategies of instruction that will serve as motivational factors in the gifted child’s academic progress. These strategies of instruction can afford the gifted student skills in higher level thinking, objective decision making, critical thinking, leadership, and a creative approach to problem solving. These teaching strategies can simultaneously broaden the student’s scope of knowledge and afford the student with independent study skills which will serve the student throughout his or her academic life. The Harrison County School District is committed to the motivation and guidance of gifted students through enriched, quality education.

Special programs for exceptional children shall be established by the Superintendent of Schools as defined by the rules, regulations, and minimum standards of the Mississippi State Department of Education, federal law, and court interpretations.
The philosophy on which programs for exceptional children are to be established is based on the concept that every child shall have an opportunity to participate in an educational program so planned, adapted, and conducted as to provide each child with training and opportunity to take his/her rightful place in society.

“Intellectually Gifted” shall mean those children and youth who are found to have an exceptionally high degree of intelligence as documented through the identification process.

The Harrison County School District will abide by the laws and regulations established by the state and the federal government pertaining to the education of intellectually gifted students.

The Harrison County School District will not conduct individual intelligence testing unless the criteria for referral are met and an eligibility ruling is being sought.

The Harrison County School District will conduct a group aptitude screening in the spring semester for 1st grade and other grades deemed necessary, which will be used in the referral process for intellectually gifted.

2. Program Development Information
   A. Designation of students by exceptionality: intellectually or academically gifted.
   B. Considerations in evaluation of students:
      1. Group and individual nationally normed standardized achievement tests;
      2. Group and individual nationally normed aptitude tests;
      3. Characteristics checklist(s);
      4. All considerations will comply with and be approved by the State Department of Education.

3. Program Goal
   The program goal is dualistic:
   A. To provide a differentiated curriculum which systematically exposes the student to many fields of learning, provides process skills for advanced levels of thinking, and allows the learner the opportunity to become a producer rather that a consumer.
   B. To incorporate the interests, strengths, and preferred learning styles of the student into the differentiated curriculum, producing motivation for learning.

4. Time and Make-Up Needs for the Elementary, Intellectually Gifted Program:
   A. The student is taken from the regular classroom a minimum of time as directed by State Department of Education Regulations.
   B. The regular classroom teacher will not test during the time the student is in the Gifted Education
Program class. If a daily grade is taken during that hour, a “G” is placed in the grade book. The student’s grades are then averaged by the total number of grades actually taken. No penalty is given for having a “G” rather than a grade.

C. The regular classroom teacher avoids the introduction of new material while the student is in the Gifted Education class. If this is unavoidable, the teacher provides the student with information in the form of a hand-out or by posting in a designated place in the classroom the page numbers covered.

D. The Gifted Education student must accept the challenge of reviewing and learning the information given to him or her. The student must be responsible for checking the designated area for posted information or hand-out information. The student must learn this information independently as he or she will be responsible for mastery when the content is tested.

E. Actual paper work handed in during the student’s Gifted Education period will not be required to be turned in.

F. Gifted Education class is a required part of the student’s academic day. Students may not be held in the regular class until work is completed. Students may not be held from the Gifted Education class as a punishment for behavior, incomplete assignments, etc.

G. Other procedures and pertinent information will be provided in the Handbook of Gifted Education.

DRIVER TRAINING

The Superintendent shall develop the driver education and training curriculum according to the rules and regulations established by the State Board of Education which will provide driver education training to eligible students of the district.

Standard 23.7 is as follows:

23. The school district is in compliance with state and/or federal requirements for the following programs: Federal Code)
   23.7 Driver Education {MS Code 37-25-1 et. seq.} (SB Policy IDDE)

LEGAL REF.: MS CODE as cited
   Mississippi Public School Accountability Standards (2007)

SPECIAL EDUCATION PROGRAMS

Special education programs shall be provided in accordance with provisions of Title 37, Chapter 23 of the Mississippi Code, and with applicable federal legislation and regulations, including the Individuals With Disabilities Education Act (1997), Americans With Disabilities Act and the State Plan for special education.
All such services shall be provided in compliance with state and/or federal requirements for Special Education.

PURPOSE

The purpose of Sections 37-23-1 through 37-23-159 is to mandate free appropriate public educational services and equipment for exceptional children in the age range three (3) through twenty (20) for whom the regular school programs are not adequate and to provide, on a permissive basis, a free appropriate public education, as part of the state's early intervention system in accordance with regulations developed in collaboration with the agency designated as "lead agency" under Part - of the Individuals with Disabilities Act.

The State Department of Education shall establish goals for the performance of children with disabilities that will promote the purpose of IDEA and are consistent, to the maximum extent appropriate, with other goals and standards for children established by the State Department of Education. Performance indicators used to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessments, drop-out rates, and graduation rates shall be developed. Every two (2) years, the progress toward meeting the established performance goals shall be reported to the public. Senate Bill 2506 (1999 Legislative Session) and Section 37-23-1 (1999)

DEFINITIONS

An exceptional child shall be defined as any child as herein defined, in the age range birth through twenty (20) years of age with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities and, by reason thereof, needs special education and related services. Such children shall be determined by competent professional persons in such disciplines as medicine, psychology, special education, speech pathology and social work. The mandate for the provision of educational programs to exceptional children shall apply only to the children in age range three (3) through twenty (20). Children who are potentially in need of special education and related services must be considered for the services on an individual basis. Section 37-23-3 (1999)

As defined in Senate Bill 2506 (1999 Legislative Session), the following definitions apply:

a. "Free appropriate public education" means special education and related services provided by local educational agencies that:

i. Have been provided at public expense, under public supervision and direction, and without charge;

ii. Meet the standards of the State Department of Education;

iii. Include an appropriate preschool, elementary, or secondary education; and

iv. Are provided in conformity with the individualized education program required under IDEA, applicable federal and state regulations and relevant court cases.
b. "Individualized education program" or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with the requirements under IDEA, applicable federal and state regulations and relevant court cases.

c. "Related services" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

d. "Supplementary aids and services" means aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with the least restrictive environment requirements under IDEA, applicable federal regulations and relevant court cases.

The educational programs and services provided for exceptional children in Sections 37-23-1 through 37-23-15, 37-23-31 through 37-23-35, 37-23-61 through 37-23-75 and 37-23-77 shall be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success. The State Board of Education shall establish an accountability system for special education programs and students with disabilities. The system shall establish accountability standards for services provided to improve the educational skills designed to prepare children for life after their years in school.

As provided under Section 2 of Senate Bill 2506 (1999 Legislative Session), AEducational services for children with disabilities who have been suspended or expelled from school shall be provided based on the requirements of IDEA, applicable federal regulations and state regulations.@

Standard 23.3 is as follows:

23.3 Special Education {MS Code 37-23-1 through 9} (SB Policies IDDF and Federal Code) [See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.]

NOTE: For information on the awarding of a special diploma or an occupational diploma, please refer to MS CODE Section 37-16-11.


CROSS REF.: Policies IB - Instructional Goals IHE - Promotion and Retention
FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

The School District has available a free appropriate public education for students with disabilities ages three through twenty-one who are residing within the jurisdiction and enrolled in the Harrison County School District, excluding those in private schools and home schooled. This FAPE policy does not apply to students enrolled by parents in private schools, including home schooled children.

FULL SERVICE GOAL POLICY – STUDENTS WITH DISABILITIES

The School District is committed to serving students with disabilities. Students with disabilities are defined as students with a disability who, by reason thereof, need special education and related services as defined by the Individuals with Disabilities Education Improvement Act Amendments of 2004, Part B (IDEIA) and State regulations. These services are provided at no cost to the parents and in conformity with an individualized education plan (IEP) that meets the requirements of state rules and regulations. Procedures for implementation of this policy are those contained in the state regulations that are relevant to local school districts.

LEAST RESTRICTIVE ENVIRONMENT

The School district shall, to the maximum extent appropriate, educate each child with a disability with children having no disabilities in his/her age range, including children in public or private institutions or other care facilities. No special classes, separate schools or other removal of children with disabilities from the regular educational environment occur unless the nature of severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Children with disabilities will be afforded an equal opportunity to participate in nonacademic and extracurricular services and activities. The IEP committee determines the placement of each child with a disability. Decisions regarding children's educational placements in their least restrictive environment will be made in conformity with this policy and the procedures contained in the State regulations.

INDIVIDUALIZED EDUCATION PLAN (IEP)

The School District will initiate and conduct meetings to develop, review and revise the Individualized Education Plan (IEP) of a child with a disability residing within its jurisdiction who is provided special education and related services (excluding students placed by parents in private schools or home schooled children.) Procedures for developing, implementing, reviewing, maintaining and revising an IEP are implemented in accordance with the procedures contained in State rules and regulations. Educational placement decisions will be determined by the IEP Committee in accordance with the procedures contained in State regulations (excluding parent placed children).

PROTECTION IN EVALUATION

Following a referral by the Teacher Support Team (TST), the Local Survey Committee (LSC) will determine if a Comprehensive Assessment will be completed at no cost to the parent(s). The School District will conduct a full and individual initial evaluation in accordance with the procedures contained
in the State regulations before the initial provision of special education and related services to a child with a disability. A reevaluation will be conducted of each child with a disability in accordance with the procedures specified in State rules regulations. All testing and evaluation materials and procedures used by district personnel for assessment and placement will be, to the maximum extent possible (with the current state of the art), selected and administered so as not to be racially or culturally discriminatory.

PLACEMENT IN PRIVATE SCHOOLS BY A PUBLIC AGENCY

Each child with a disability who is placed in or referred to a private school by the district will be provided special education and related services in conformance with an Individualized Education Plan (IEP). The parent(s) will not be responsible for costs of education services.

- Placement in private schools or facilities will occur as a means of providing special education and related services based on the district’s determination, in consultation with the child’s parent(s) when a FAPE could not be provided in the local school district and the appropriate placement, as detailed by the IEP Committee in the child’s IEP, is in a private school or facility.
- The district will not make such placements for non-educational purposes.
- Procedures for implementation of this policy are those contained in the State regulations.

PARTICIPATION OF PRIVATE SCHOOL CHILDREN NOT PLACED OR REFERRED BY A PUBLIC AGENCY

To the extent consistent with the number and location of children with disabilities who reside within the jurisdiction of the district and who are enrolled by their parent(s) in private schools, provision is made for their participation in activities assisted or carried out under Part B by providing them an opportunity to receive special education and/or related services in accordance with the procedures contained in State regulations. A Service Plan is developed and implemented for each private school child with a disability who has been designated to receive special education and related services in accordance with the procedures provided in state regulations.

PROCEDURAL SAFEGUARDS

The School District assures the provision of procedural safeguards rights and procedures contained in State rules and regulations.

CHILD FIND

Each year the School District will conduct an awareness campaign to identify, locate, and evaluate children with disabilities as defined by the Individuals with Disabilities Education Act (IDEA) and State regulations who reside within the jurisdiction of the School District. Procedures for implementation of this policy are those contained in the state regulations that are relevant to local school districts.

CONFIDENTIALITY/STUDENTS WITH DISABILITIES

The School District will protect the confidentiality of any personally identifiable data, information, and records collected or maintained relative to students with disabilities as required under the Individuals with Disabilities Education Improvement Act (IDEA 04) and the Family Educational Rights and Privacy Act (FERPA). Procedures contained in State rules and regulations will be implemented to ensure such protections.
COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

The School District makes an ongoing good faith effort to recruit and hire appropriately and adequately trained personnel to provide special education and related services to children with disabilities in accordance with the Mississippi Department of Education’s personnel standards. The district provides ongoing personnel development activities, as necessary, to ensure the provision of free appropriate public education for students with disabilities in accordance with State rules and regulations.

PERFORMANCE GOALS

The School District will utilize the established performance goals and indicators of the Mississippi Department of Education to assess progress toward achieving those established goals.

PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS

The School District ensures children with disabilities are included in general State and district-wide assessment programs, with appropriate accommodations and modifications in administration in accordance with the policies and procedures established by the Mississippi Department of Education and the local school district. Children with disabilities who cannot participate in general state and district-wide assessment programs will be provided an alternate assessment in accordance with policies and procedures established by the Mississippi Department of Education and the local school district.

INTERAGENCY AGREEMENTS

The School District will establish local interagency agreements, as appropriate, to ensure a free appropriate public education is provided to children with disabilities residing within the jurisdiction of the district as required by federal as well as state regulations.

Standard 23 is as follows:

23.1 Early Childhood Programs (kindergarten and teacher assistant) (MS Code 37-21-1 et. seq.) (SB Policy IDAC and FDD-4) (Refer to Mississippi Kindergarten Guidelines.) {Level 4 and 5 districts are exempted from provisions of subsection (4) of MS Code 37-21-7.}
23.2 Vocational-Technical Education (MS Code 37-31-1 et. seq.) (SB Policies CT, DCK, DFBC, ECK, FJ, GBEA, IDAA, IL, JHF and Federal Code)
23.3 Special Education (MS Code 37-23-1 through 9) (SB Policies IDDF and Federal Code) [See Mississippi Policies and Procedures regarding Children with Disabilities under the Individuals with Disabilities Education Act Amendments of 1997 (IDEA-97) and the Mattie T. Consent Decree.]
23.4 Child Nutrition (MS Code 37-11-7) (SB Policies EE and EEH and Federal Code)
23.5 No Child Left Behind Act of 2001: Titles I, II, IV, and V, and any other federally funded programs and grants (IDDBB 2, 3 and Federal Code)
23.6 Technology in the Classroom (MS Code 37-151-19(3)) (SB Policy IM)
23.7 Driver Education (MS Code 37-25-1 et. seq.) (SB Policy IDDE)
23.8 Pre-Kindergarten (MS Code 37-7-301(ss)). (Refer to the Mississippi Pre-Kindergarten Curriculum.)
ALTERATIVE SCHOOL PROGRAM

1. Upon approval by the Board, the Superintendent shall establish, maintain, and operate an alternative school program to serve the compulsory-school-age children who:

   a. Have been suspended for more than (10) days or expelled from school, except that such placement may be denied when the expulsion was for possession of a weapon or other felonious conduct;

   b. Are referred for placement based upon a documented need by the parent, legal guardian or custodian because of disciplinary problems; and

   c. Are referred by order of a chancellor or youth court judge, but only with the consent of the principal.

2. Before placement in the alternative school program, the principal or program administrator of the alternative school program shall obtain verification of the child’s suitability for the program from the appropriate guidance counselor. Before a student can be removed to an alternative school education program, the Superintendent shall determine that the written and distributed disciplinary policy of this district is being followed and that the policy includes standards for:

   a. The removal of a student to an alternative education program that will include a process of educational review to develop the student’s individual instruction plan and the evaluation at regular intervals of the student’s educational progress; the process shall include classroom teachers and/or other appropriate professional personnel, as defined by district policy, to ensure a continuing program for the removed student;

   b. The duration of the alternative placement; and

   c. The notification of parents or guardians, and their appropriate inclusion in the removal and evaluation process, as defined in the district policy.

3. The local School Board or the Superintendent shall provide for the continuing education of a student who has been removed to an alternative school program. The alternative school program shall be operated as part of and in accordance with the regulations applicable to the regular school program and with all requirements of the law and guidelines of the State Department of Education. Students placed in the alternative school program are subject to the policies and rules of conduct and discipline.
as well as any other rules of conduct and discipline deemed appropriate by the Superintendent and/or principal.

4. A school district may, in its discretion, provide a program of general educational development (GED) preparatory instruction in the alternative school program. However, any GED preparatory program offered in an alternative school program must be administered in compliance with MS Code Section 37-13-92 (4).

5. Any such alternative school program operated under the authority of this section shall meet all appropriate accreditation requirements of the State Department of Education; provided, however, in the event any school district meets Level 4 or 5 accreditation standards such alternative school program shall be exempt from any accreditation requirements or other regulations promulgated by the State Department of Education or the State Board of Education, subject to the procedural requirements of Section 37-17-11. This subsection (5) shall stand repealed from and after July 1, 2000.

6. The alternative school program may be held within such school district or may be operated by two (2) or more adjacent school districts, pursuant to a contract approved by the State Board of Education.

7. The State Board of Education shall promulgate minimum guidelines for alternative school programs. The guidelines shall require, at a minimum, the formulation of an individual instruction plan for each student referred to the alternative school program and, upon a determination that it is in a student’s best interest for that student to receive general educational development (GED) preparatory instruction, that the local School Board assign the student a GED preparatory program established under MS Code Section 38-13-92 (4). The minimum guidelines for alternative school programs shall also require the following components:

a. Clear guidelines and procedures for placement of students into alternative education programs which at a minimum shall prescribe due process procedures for disciplinary and general educational development (GED) placement;

b. Clear and consistent goals for students and parents;

c. Curricula addressing cultural and learning style differences;

d. Direct supervision of all activities on a closed campus;

e. Full-day attendance with a rigorous workload and minimal time off;

f. Selection of program from options provided by the local school district, Division of Youth Services or the youth court, including transfer to a community-based alternative school;

g. Continual monitoring and evaluation and formalized passage from one step or program to another;

h. A motivated and culturally diverse staff;

i. Counseling for parents and students;

j. Administrative and community support for the program; and
k. Clear procedures for annual alternative school program review and evaluation.

8. On request of a school district, the State Department of Education shall provide the district informational material on developing an alternative school program that takes into consideration size, wealth and existing facilities in determining a program best suited to a district.

9. Any student who becomes involved in any criminal or violent behavior shall be removed from the alternative school program and, if probable cause exists, a case shall be referred to the youth court. The removal of a student from the alternative school program on these grounds shall be reported in accordance with the applicable School Board policies.

Also see Policies JP and JPA.

Standard 29 is as follows: The school district provides an alternative educational program for the categories of students identified in MS Code §37-13-92 and the program meets the guidelines established by the State Board of Education. (See Guidelines for Alternative/GED School Programs.)

Mississippi Public School Accountability Standards 2007

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<th>GRADUATION REQUIREMENTS FOR SPECIAL EDUCATION IDDG (SPED) STUDENTS</th>
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The district shall be in compliance with state requirements governing graduation for special education students under the options established by the State Department of Education.

If a student is ruled eligible for a special education program in Mississippi, he/she has the option of receiving a regular diploma, a special diploma or a certificate. Prior to entering the eighth grade graduation options will be explained to parents and students. The diploma/certificate decision can only be made after a complete review of the IEP by the IEP Committee. The option selected during the IEP meeting will be documented in writing and signed by those in attendance (parents, student, teachers, principal, counselor, etc.). It is recommended that those students pursuing a regular diploma be mainstreamed in the eighth grade for core curriculum courses. The decision to change options of curriculum will remain open and shall be an IEP Committee decision.

Students receiving regular diplomas will have met requirements established by the State Board of Education and Harrison County School District. Those students receiving a Mississippi Occupational Diploma or a certificate must complete the required course of study as indicated on the IEP and satisfactorily perform at a level consistent with his/her ability. A student may be issued a diploma or a certificate which states: “This student has successfully completed an Individualized Education Program.” The minimum length of time allowed for completion of IEP requirements at the high school will be at least four years. Students must complete IEP requirements before the age of twenty-one.

For those students pursuing a Life-Skills diploma, a comprehensive curriculum of basic life skills will be utilized for instructional purposes. Transition services will be provided based on each student’s preferences and interests, his/her IEP, and the planned outcomes for post secondary activities specific to the student.
Every student who completes an approved course of study by or before age twenty-one will receive a regular High School Diploma, or an Occupational Diploma, or a Life Skills Diploma and will be permitted to participate in graduation activities.

Legal Reference: MS CODE 37-16-11
Standards 20 and 28 are as follows:

20. The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education. {MS Code 37-16-7} (SB Policy IHF-1 and 2)
   20.1 Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A. (See Appendix A.) (SB Policy ICFA-1)
       o Entering ninth graders in 2005-2006 and thereafter (seniors of school year 2008-2009 and later) are required to have a minimum of 21 Carnegie units.
   20.2 Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations. {MS Code-37-16-7}(SB Policy IIB-1 and IHF-1 and 2)
   20.3 Each student who has completed the secondary curriculum for special education may be issued a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." {MS Code 37-16-11(1)}
   20.4 The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises.
   20.5 Each student with disabilities receiving a Mississippi Occupational Diploma has successfully completed all minimum requirements established by the State Board of Education. {MS Code 37-16-11(2)} (See Appendix G.)

Note: Carnegie units will be awarded in the eighth grade for the following courses: Algebra I, Computer Discovery, Pre-algebra and Transition to Algebra.

28. The district follows an established board policy that defines criteria for the academic promotion/progression/retention of students. *Such criteria prohibit the retention of students for extracurricular purposes.

*Note: This portion of the standard will be jointly monitored and enforced by the State Board of Education and the Mississippi High School Activities Association.

Also see Policy JQB – Anomalous Students – Special Education
IHF – Graduation Requirements

Mississippi Public School Accountability Standards 2007

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<tr>
<th>TITLE I</th>
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<td>The School District will administer the Title I IASA Program in accordance with Federal Regulations of the No Child Left Behind Act of 2001.</td>
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The School District will enable schools to provide opportunities for children served to acquire the knowledge and skills contained in the challenging State content standards and to meet the challenging State performance standards developed for all children. This shall be accomplished by:

(1) ensuring high standards for all children and aligning the efforts of state, local educational agencies, and school to help children served under Title I to reach such standards;

(2) providing children an enriched and accelerated educational program, including, when appropriate, the use of the arts, through school-wide programs or through additional services that increase the amount and quality of instructional time so that children served under Title I receive at least the classroom instruction that other children receive;

(3) promoting school-wide reform and ensuring access of children (from earliest grades) to effective instructional strategies and challenging academic content that includes intensive complex thinking and problem-solving experiences;

(4) significantly upgrading the quality of instruction by providing staff in all schools with substantial opportunities for professional development;

(5) coordinating services under all parts of Title I with each other, with other educational services, and social programs funded from other sources.

(6) distributing resources, in amounts sufficient to make a difference, to areas and schools where needs are greatest;

(7) improving accountability, as well as teaching and learning by using State assessment systems designed to measure how well children served under Title I are achieving challenging State student performance standards expected of all children;

(8) providing greater decision making authority and flexibility to schools and teachers in exchange for greater responsibility for student performance.

The School District will include parents of the District's Title I program, following all requirements of the Title I regulations. The responsibility and accountability for implementing the District-Wide Title I parent involvement procedures will be shared among the District-Wide Title I Office, the local Title I schools, the parents and the community.

Activities and procedures shall be planned and implemented using meaningful consultation with parents of the Title I children.

The School District Title I Staff and the Title I Schools will work jointly to ensure effective involvement of parents. They will support partnerships among schools, parents and the communities to improve student achievement. A variety of strategies will be used. Those strategies include School/Parent Involvement Policy, an annual meeting with flexible times and locations, staff and parent training; consultation, communication in a form and language that can be understood, school/parent compacts, parent literacy opportunities, workshops on parenting skills, community and business involvement, surveys, evaluation and other ideas as stated in the School District's Title I Program Plan.

Also see Policies  KCBA – Parental Involvement in Planning and Decision Making for Title I Programs  JQA/IDDA –Title I ECIA Program – Parental Involvement – Special Programs  KN – Complaints – Title I, ECIA – Public
The school district shall be in compliance with Title I regulations requiring parental involvement in the school system’s planning and implementation of the Title I compensatory education programs which affect children enrolled in the school district.

Such parental involvement shall include, but is not limited to, conferences between parents and teachers and assisting parents in home training and direct work with their children. A public meeting of the parents involved in Title I shall be held annually and shall meet federal regulations affecting parent participation. In addition, the school shall provide proper information to parents concerning their children and shall keep these parents adequately informed of their children’s progress, needs, and individual objectives.

See KCBA.

It shall be the policy of the Harrison County School district that each Title I school site conduct an annual meeting for parents.

It shall be the policy to provide district coordination and assistance to the local site in planning and implementing a parent involvement program.

It shall be policy that parents receive information about the school’s Title I program, to the extent possible in a language and form parents can understand, and about their right to be involved in the Title I program.

It shall be policy to help parents understand the National Education Goals, state content and performance standards, assessments, and their role in helping their child to successfully progress through the curriculum.

It shall be policy that parents be involved in the development of the school’s instructional plan.

It shall be policy that each school site conduct training sessions to meet the above policies and to involve parents in planning, reviewing and improving of the policy.

It shall be policy that each school site assess the school site parent involvement each year.

It shall be the policy of the Harrison County School District to approve and record in its minutes the Consolidated Federal Program application and assurances as required by Section 14306 and to submit a consolidated application to the State Department of Education as required by Section 14305 to receive grants under consolidated parts of the Improving America’s Schools Act of 1994 (P.L. 103-382) and other applicable Federal programs. The Harrison County School District also assures that it will comply with and inform schools and parents of the itemized assurances under Section 1112 (c) of IASA, Title I Part A.
Any person who believes that he/she or any class of individuals have been subjected to discrimination as prohibited by Section 504 of the Rehabilitation Act of 1973 or the Americans With Disabilities Act may file a complaint pursuant to the procedures set forth below, on his/her own behalf, or on behalf of another person or on behalf of handicapped persons as a class. All persons are encouraged to file grievances to resolve any disputes arising under these laws. Filing a complaint will not subject one to any form of adverse action, reprimand, retaliation or otherwise negative treatment by school district personnel.

1. Within ten (10) days of when a complainant knew or should have known of discriminatory conduct, a complaint shall be given in writing to the Section 504/ADA Coordinator. The complaint shall describe specifically the time, place and nature of, and the participants in the alleged discriminatory acts. The Section 504/ADA Coordinator shall, within ten (10) days of receipt of the complaint, conduct or cause to be conducted a thorough investigation including questioning of all parties involved in the complaint. A written record shall be made of the statements by all parties involved. After the investigation is complete, the Section 504/ADA Coordinator shall meet with the complaining party and give a full report of the findings.

2. If the grievance or complaint is not satisfactorily resolved at Step 1, the complainant shall have ten (10) days to appeal the Step 1 findings to the Superintendent. The complainant shall present his/her complaint in writing, describing the reasons for his/her dissatisfaction with the results of Step 1. The Superintendent or his/her designee shall review all aspects of the complaint and complete an additional investigation if necessary. The Superintendent shall respond to the complainant in writing within ten (10) days of receipt of the written appeal.

3. If the complainant is not satisfied with the results of Step 2, the complaining party shall have fifteen (15) days from receipt of the Superintendent's decision to appeal the complaint to the School Board. The appeal shall be in writing, describing the reasons for complainant's dissatisfaction with the results of Steps 1 and 2. The complainant shall have the opportunity to present an oral statement to the Board before the Board makes its decision. The Board's decision shall be rendered within fifteen (15) days after receipt of the appeal.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a handicap in any program receiving federal financial assistance. No discrimination against any person with a disability will knowingly be permitted in any of the programs and practices of the school system. To ensure the district's compliance with Section 504 as it applies to students with handicaps, the following procedures have been adopted.

1. If a student claims that he/she has been subjected to discrimination on the basis of a handicapping condition, in violation of Section 504 of the Rehabilitation Act of 1973, or if the district has reason to believe that a student has a handicap which substantially limits the student's ability to learn (and the student is ineligible for services under IDEA), the district shall convene a team of people who are knowledgeable of the student's educational needs to review and consider all pertinent information related to the suspected handicap. This meeting shall be convened within ten (10) days after the
district receives a written statement describing the specific discriminatory conduct or the district becomes aware of the student's handicap affecting the student's ability to learn.

2. The team described in paragraph 1 above shall determine whether the student is handicapped under Section 504 and whether that handicap substantially limits the major life function of learning. If such a determination is made, the team must further determine what accommodations are required on behalf of the district to allow the student an equal opportunity to participate in school and school-related activities. If the student's parents disagree with the district's conclusion and recommendations, the parents shall be informed of their right to ask for an impartial hearing to decide the matter. Hearing requests shall be made in writing to the superintendent giving specific reasons describing the discriminatory actions by the district and why the district's accommodations are not appropriate.

3. An impartial hearing shall be held within ten (10) days of receipt of the written request. The district shall obtain as a hearing officer an individual who is not an employee of the district and who is knowledgeable of Section 504. The parent and student may take part in the hearing and have an attorney represent them at their own expense. The district also may be represented by counsel.

4. The hearing officer shall conduct the hearing so as to give the parents an opportunity to present evidence supporting their claim that their child has been subjected to discriminatory treatment in violation of Section 504. The district shall be given the opportunity to present evidence supporting its position with respect to the student. A recording of the hearing will be made by the district, a copy of which will be provided the parents.

5. The hearing officer shall make a decision within ten (10) days after the conclusion of the hearing. The decision shall be given in writing to the district's 504 coordinator and the parents.

6. If either party is aggrieved by the action of the hearing officer, an appeal may be taken to the Board of Trustees of the district at its next regularly scheduled meeting. The Board, in its discretion, may allow a statement to be made by the parents and a representative of the district. The decision of the Board shall be final.

7. The district shall publish its policy of nondiscrimination on the basis of a disability and shall inform parents of their rights under Section 504, including the right to examine records relevant to their child, the right to an impartial hearing with representation by legal counsel at their expense, and the district's review procedure.

8. The Section 504 Coordinator for the district may be contacted at phone number 228-832-9344.

Also see Policy JCDCB.

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<th>CO-CURRICULAR ACTIVITIES</th>
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The Board believes that student activities at school are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations, as well as knowledge and skills.

The following should serve as guides to the development of student activities:
1. The majority of activities should be an outgrowth of curriculum activities;
2. Groups may meet either during or outside of regular school hours;
3. All school-sponsored groups shall have a faculty advisor;
4. Student participation shall be voluntary;
5. School administration shall be responsible for the management of student funds.

LEGAL REF.: Mississippi Code, 37-7-301

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District policies governing band participation are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

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<th>INTERSCHOLASTIC ATHLETICS – ELIGIBILITY – REPORTING – RED-SHIRTING</th>
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Interscholastic athletics shall be administered as a part of the regular school program and shall be under the same administrative control as all other parts of the educational program. Only students enrolled in grades 7-12 shall engage in interscholastic athletic events. §37-7-301(q) (1996)

All interscholastic athletic events in which the School District participates shall be conducted under the rules and regulations of the Mississippi High School Activities Association.

Eligibility for competitive activities in grades 7-12 is determined according to the rules of the Mississippi High School Activities Association. Students must meet all requirements established by the MHSAA.

All students participating in athletics will be required to have on file (1) written parent consent; (2) proof of medical/health insurance; (3) liability waiver signed by parent/legal guardian; (4) medical screening by a licensed physician. It is the explicit responsibility of the head coach of the athletic activity involved to ensure that all these requirements are completed and documentation is properly on file prior to any practice or event associated with the activity.

It is the explicit responsibility of the school principal, athletic director, and the head coach supervising the activity to determine eligibility of each participant in that activity, as governed by the regulations set forth by the MHSAA.

Eligibility of Athletes - Reporting by Staff
There are multiple responsibilities connected with the eligibility of athletes. It is the responsibility of the principal, athletic director, coaches, and teachers to report the ineligibility of any student athlete, regardless of where he/she attends school within the District.

**Extension of Eligibility - Red-shirting**

It is the policy of the District that no student shall be retained at any grade level for the purpose of extending time for participation in athletics or other co-curricular programs.

**Interscholastic Athletics - K-12**

The District will not permit any student in grades K-6 to participate in any interschool competitive sports program of a varsity pattern with scheduled games and a championship.

No school in the district will allow the school name to be used by others in designating the identity of such a team.

The School District supports student involvement in interscholastic activities based on students’ interests and abilities. It is the district's intent that all students in sports programs will be treated in an equitable manner in regard to recognition and awards.

District policies governing interscholastic athletics and eligibility of athletes are adopted by the School Board and published annually in student handbooks as official policy statements of District.

Standard 28 is as follows: 28. The district follows an established board policy that defines criteria for the academic promotion/progression/retention of students. *Such criteria prohibit the retention of students for extracurricular purposes.*

*Note: This portion of the standard will be jointly monitored and enforced by the State Board of Education and the Mississippi High School Activities Association.*

**SPORTS WAIVER/PHYSICAL EXAMINATION**

Because of the possibility of injury and the need for medical attention, no student shall be allowed to engage in varsity or junior high school sports until written permission has been received by the head coach and forwarded to the Athletic Director, showing that the parent knows that his/her child is involved in sports and accepts full liability and responsibility for any injuries that might be sustained in competition with other schools or in practice session or any injury growing out of such participation. Written permission must include proof of medical insurance for the minor child. In addition, each participant in grades 8-12 either will have undergone a physical examination by a licensed medical doctor or will have a statement from his/her family doctor that he/she is medically capable of participating in any given sport.

**ADULT EDUCATION PROGRAM**

| IDG |
The board may in cooperation with the State Department of Education make facilities available for Adult Basic Education classes during the evening hours on a space available basis.

CLASS SIZE/ENROLLMENT REQUIREMENTS

The Harrison County School District shall comply with state enrollment requirements subject to review by the State Department of Education, and exceptions may be made as provided by state law and State Board of Education policy.

Standard 34 is as follows: Student teacher ratios do not exceed the following: {MS Code 37-151-77}

34.1 Student teacher ratios do not exceed 22 to 1 in kindergarten, except in instances in which a full-time assistant teacher is in the classroom. If a full-time assistant teacher is employed, 27 may be enrolled. {MS Code 37-151-77} (See Mississippi Kindergarten Guidelines.)

34.2 Student teacher ratios do not exceed 27 to 1 in classrooms serving grades 1 through 4 unless approved by the State Board of Education. (Level 4 and 5 schools are exempted.) (SB Policy IEC) {MS Code 37-151-77}

34.3 Student teacher ratios do not exceed 30 to 1 in self-contained classes serving grades 5-8.

34.4 Student teacher ratios do not exceed 33 to 1 in departmentalized academic core classes serving grades 5-12. {MS Code 37-151-77}

34.5 The total number of students taught by an individual teacher in academic core subjects at any time during the school year shall not exceed 150. (Level 4 and 5 schools are exempted.)

Note: A teacher who provides instruction through intra-district or inter-district distance learning will be exempt from the 150-student limitation. A lab facilitator or principal designee will be responsible for the assignment of grades and related activities at the receiving school.

Mississippi Public School Accountability Standards 2007

SCHEDULING FOR INSTRUCTION

District policies governing scheduling of students are adopted by the School Board and published annually in student handbooks as official policy statements of the District.

STUDENT SCHEDULES – IN-SCHOOL TRANSFERS

I - 38
District policies governing student schedules and in-school transfers are adopted by the School Board and published annually in student handbooks as official policy statements of the District.

TEXTBOOKS – SELECTION – FINES

Textbooks from state approved lists shall be furnished to all students without charge to the extent that state textbook funds are provided. The Superintendent of Education may authorize the purchase of textbooks from sources other than state adopted lists when local funds for that purpose are available.

Textbook selection procedures shall be in accordance with regulations of the State Department of Education.

Subject to review by the Board of Trustees, the Superintendent of Education shall be responsible for developing procedures for the selection of instructional media other than state adopted textbooks.

These selection procedures shall be in accordance with the rules and regulations and minimum standards of the Mississippi State Board of Education where applicable.

Selection of Textbooks

The process for selecting textbooks to be used at the school district level begins with the State Textbook Board’s approved textbook list. It is the district’s goal for as many teachers as possible to have input into the textbook selection for the various levels and courses taught. In order to accomplish this, the following procedures are followed in selecting textbooks to be used:

1. Issuance of approved textbook list by the State Textbook Commission or other textbooks selected by the local district with State Department of Education approval.

2. Establishment of local review committee at the grade level and/or departmental level for evaluating books on the State adopted list.

3. Review of textbooks by local review committee.

4. Recommendation by committee to the Superintendent of Education for books to be purchased.

5. Final recommendation by the Superintendent to the Board of Trustees.

State Owned Textbooks - Fines

The State of Mississippi furnishes textbooks for all grades and subjects. Pupils should be urged to give their books the best possible care. Fines will be assessed on the basis of damage to individual books.
Lost books must be paid for according to the price of the books and the number of years they have been used.

Parents and legal guardians are responsible for the cost of textbooks which are not returned to the proper school(s) upon withdrawal of their child. If a textbook is lost or not returned by a student who drops out of school, the parent or legal guardian shall be required to compensate the district for the fair market value of the textbook. At the end of the semester or school year, the principal will provide forms for each teacher to record fines and lost books. The fines for each book will be recorded and turned in to the principal.

The Harrison County School Board will comply with the state law in regard to textbooks.

Procedures governing textbook use and fines, workbooks, and other instructional materials will be included in student handbooks.

Each teacher is responsible for getting books, book cards, textbook inventories, completed issuance forms and assessments of fines. The life of a book is estimated to be six years. Use the following schedule for lost books and book fines: **Lost books - 20% per year.**

Standard 24 is as follows: Each school has a library media center. {MS Code 37-17-6(3)(a-e)}

24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.
24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

Standard 25 is as follows: The school district provides each student with appropriate equipment and laboratory experiences to meet the instructional requirements of the science program. (See Mississippi Science Framework, 2001.) **(Level 4 and 5 schools may be exempted under MS Code 37-17-11.)**

Note: Any exceptions to the above standard must be submitted to the Commission on School Accreditation for review and action.

Standard 26 is as follows: The school district provides each student in each school with current or otherwise appropriate textbooks that are in good condition. {MS Code 37-43-1, 37-9-14(2)(b), and 37-7-301(ff)}

Legal Ref.: MS Code, as cited
Mississippi Public School Accountability Standards (2007)

**PROCEDURES FOR THE SELECTION OF INSTRUCTIONAL MEDIA AND FOR THE TEACHING OF CONTROVERSIAL ISSUES IN THE CLASSROOM**

The Superintendent of Education, subject to review by the Board of Trustees, is responsible for developing procedures for the selection of textbooks, other instructional media, and the establishment of procedures concerning the teaching of controversial issues in the classroom. Instructional media include...
all books (hardcover and paperback), newspapers, periodicals, and other printed material and audio-visual resources used by the schools.

Selection of all instructional media must involve the professional staff, and the principal shall be responsible for the administration and supervision of the curriculum within his/her school, including the coordination and selection of textbooks, other instructional media, and making recommendations for purchase to the administration. The responsibility for evaluating and selecting media for classroom use is primarily the responsibility of the teacher, with other members of the staff becoming involved at times. It is important in making selections that the professional staff become as aware as possible of reputable, unbiased professionally prepared aids and resources.

**Selection of Instructional Media**

In developing a balanced comprehensive collection of media (print and non-print) and equipment, the Harrison County School District shall adhere to the following criteria for selection of materials:

1. Selections are made for, and in accordance with, the different maturity levels of the students, with the input of teachers, principals, and support staff being solicited and utilized when selecting or purchasing both print and non-print items and equipment.

2. Materials are selected which fill a need related to the curriculum and/or contribute to the development, recreation, and enrichment of the student.

3. In the selection of materials, reviewing tools such as standard catalogs are used. When possible, materials are previewed before purchase or ordered with return privilege guaranteed.

4. The following specific criteria are considered: (a) the overall purpose of the materials and how well it is accomplished; (b) reputation and significance of the author; (c) timeliness or permanence of the materials; (d) importance of subject matter to the collection; (e) accuracy of material; (f) reputation and standards of the publisher or producer; (g) readability and reader appeal; (h) quality of text, graphics and sound; (i) appearance of the title in selection aids; (j) price.

The following objectives shall guide the media staff in selection of instructional materials for the district:

1. To provide materials that will enrich the student as an individual and support the curriculum, taking into consideration individual needs, interests, abilities, socio-economic backgrounds and maturity levels of the students served.

2. To provide materials that will stimulate growth in knowledge and develop literacy, cultural, and aesthetic appreciation and ethical standards.

3. To provide materials on all sides of issues, beliefs, and ideas so that young citizens may develop the habit of critical thinking, reading, listening, and viewing, thereby enabling them to develop an intellectual integrity informing judgments.

4. To provide materials which accurately reflect religious, social, political, and ethnic groups, and their contributions to our American heritage as well as a knowledge and appreciation of world history and culture.
5. To provide a comprehensive collection of instructional materials which, when selected in compliance with basic selection principles, can be defended on the basis of their appropriateness for the users of the media center.

Textbook Management Plan

Each school shall develop an acceptable written system for managing its textbooks. This textbook management plan is to include a detailed description of the procedures the school will use and the form(s) that will be utilized. This textbook management plan is subject to the approval of the Superintendent or his/her designee.

Textbook Fines

Pursuant to Mississippi Code Section 37-7-301, the School Boards of all school districts, as part of their duties to prescribe the use of textbooks, may provide that parents and legal guardians shall be responsible for the textbooks and for compensation to the school district for any books which are not returned to the proper schools upon the withdrawal of their dependent child. If a textbook is lost or not returned by any student who drops out of the public school district, the parent or legal guardian shall also compensate the school district for the fair market value of the textbooks.

Process Standards 24, 25, and 26 are as follows:

24. Each school has a library-media center. [MS Code 37-17-6(3)(a-e)]

24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.

24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

25. The school district provides each student with appropriate equipment and laboratory experiences to meet the instructional requirements of the science program. (See Mississippi Science Framework, 2001.) (Level 4 and 5 schools may be exempted under MS Code 37-17-11.)

Note: Any exceptions to the above standard must be submitted to the Commission on School accreditation for review and action.

26. The school district is in compliance with state law and State Board of Education policies for state adopted textbooks. [MS Code 37-43-1, 37-43-51, 37-9-14(2)(b), and 37-7-301(ff)]

26.1 The school district provides each student in each school with current or otherwise appropriate textbooks that are in good condition. [MS Code 37-43-1, 37-9-14(2)(b), and 37-7-301(ff)]

26.2 Each school district shall keep an active and surplus inventory for each school in the district to be completed by June 15 of each year. The district shall report the inventory in the Textbook Inventory Management System. [MS Code 37-43-51] (Refer to page A-12 in the Textbook Administration Handbook Rules and Regulations.)

Mississippi Public School Accountability Standards (2007)
A student or his/her parent has the right to reject the use of library media center materials which seem incompatible with his/her values and beliefs. Classroom assignments involving library media center materials should provide for alternate choices. No parent has the right to determine the reading matter for students other than his/her own children. In addition, in elective courses taken at the student’s option, the student’s right to request alternate choices of reading material will be accommodated based on the availability of equivalent resources weighted against the academic requirements of the course.

Any parent who wishes to request reconsideration of the use of any library media center materials in the school must make his/her request in writing on forms provided through the building principal. The completed form is to be returned to the principal. The principal will consult with the District media staff member concerning the material in question. If the principal is unable to satisfy the complainant during an informal conference, he/she should refer the matter to a Review Committee. No administrator, library media specialist, or teacher should agree to withdraw an item without referring it to a Review Committee which determines whether the material should be withdrawn from any or all schools.

This Review Committee shall be appointed as needed by the Superintendent.

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**EQUIPMENT AND SUPPLIES – SELECTION AND ADOPTION**

Upon the recommendation of the Superintendent, the Board shall approve the purchase of equipment and supplies.

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**INSTRUCTIONAL SERVICES**

This school district shall provide services to support the district's program of instruction. The board directs the superintendent to develop and maintain instructional services for the benefit of students and staff.

Standards 6, 24, 25 and 26 are as follows:

6. Student support services (appraisal, academic, and/or personal advisement, and educational and/or career planning and referral) are provided in each school by qualified student support personnel as follows:

   6.1 Student support services are provided in each high school by at least a half-time appropriately licensed guidance counselor. [MS Code 37-9-79]
   6.2 Students in elementary schools have access to the required student support services provided by qualified student support personnel (e.g., guidance counselor, social worker, nurse, psychologist, psychometrist, etc.).

   Note: Student support personnel may only provide those services and activities in the area(s) that each individual is specifically qualified to provide. All student support personnel will use appropriate job titles that reflect their area of training, expertise, and license. For example, a Social Worker will be referred to as the School Social Worker and may not use the title of or be referred to as the School Guidance Counselor.
24. Each school has a library-media center. {MS Code 37-17-6(3)(a-e)}

24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.

24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

25. The school district provides each student with appropriate equipment and laboratory experiences to meet the instructional requirements of the science program. (See Mississippi Science Framework, 2001.) (Level 4 and 5 schools may be exempted under MS Code 37-17-11.)

26. The school district is in compliance with state law and State Board of Education policies for state adopted textbooks. {MS Code 37 43 1, 37-43-51, 37-9-14(2)(b), and 37-7-301(ff)} (Refer to the current edition of Textbook Administration Handbook Rules and Regulations.)

26.1 The school district provides each student in each school with current or otherwise appropriate textbooks that are in good condition. {MS Code 37-43-1, 37-9-14(2)(b), and 37-7-301(ff)}

26.2 Each school district shall keep an active and surplus inventory for each school in the district to be completed by June 15 of each year. The district shall report the inventory in the Textbook Inventory Management System. {MS Code 37-43-51} (Refer to page A-12 in the Textbook Administration Handbook Rules and Regulations.)

ALTERNATIVE SCHOOL PROGRAM

1. Beginning with the school year 1993-94, the school boards of all school districts shall establish, maintain and operate, in connection with the regular programs of said school district, an alternative school program for, but not limited to, the following categories of compulsory-school-age students:

   a. Any compulsory-school-age child who has been suspended for more than ten (10) days or expelled from school, except for any student expelled for possession of a weapon or other felonious conduct;

   b. Any compulsory-school-age child referred to such alternative school based upon a documented need for placement in the alternative school program by the parent, legal guardian or custodian of such child due to disciplinary problems;

   c. Any compulsory-school-age child referred to such alternative school program by the dispositive order of a chancellor or youth court judge, with the consent of the superintendent of the child's school district; and

   d. Any compulsory-school-age child whose presence in the classroom, in the determination of the school superintendent or principal, is a disruption to the educational environment of the school or a detriment to the best interest and welfare of the students and teacher of such class as a whole.

2. The principal or program administrator of any such alternative school program shall require verification from the appropriate guidance counselor of any such child referred to the alternative
school program regarding the suitability of such child for attendance at the alternative school program. Before a student may be removed to an alternative school education program, the superintendent of the student's school district must determine that the written and distributed disciplinary policy of the local district is being followed. The policy shall include standards for:

a. The removal of a student to an alternative education program that will include a process of educational review to develop the student's individual instruction plan and the evaluation at regular intervals of the student's educational progress; the process shall include classroom teachers and/or other appropriate professional personnel, as defined in the district policy, to ensure a continuing educational program for the removed student;

b. The duration of the alternative placement; and

c. The notification of parents or guardians, and their appropriate inclusion in the removal and evaluation process, as defined in the district policy. Nothing in this paragraph should be defined in a manner to circumvent the principal's or the superintendent's authority to remove a student to alternative education.

3. The local school board or the superintendent shall provide for the continuing education of a student who has been removed to an alternative school program.

4. A school district may, in its discretion, provide a program of general educational development (GED) preparatory instruction in the alternative school program.

5. Any such alternative school program operated under the authority of this section shall meet all appropriate accreditation requirements of the State Department of Education.


Standard 29 is as follows:

29. The school district provides an alternative education and/or GED program for the categories of students identified in MS Code 37-13-92, and the program meets the guidelines established by the State Board of Education. (SB Policy IDDI-1 and 2)(See Guidelines for Alternative/GED School Programs.)

SPECIAL EDUCATION PROGRAM

The State Department of Education shall establish goals for the performance of children with disabilities that will promote the purpose of IDEA and are consistent, to the maximum extent appropriate, with other goals and standards for children established by the State Department of Education. Performance indicators used to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessments, drop-out rates, and graduation rates shall be developed. Every two (2) years, the progress toward meeting the established performance goals shall be reported to the public. Senate Bill 2506 (1999 Legislative Session) and Section 37-23-1 (1999)

The educational programs and services provided for exceptional children in Sections 37-23-1 through 37-23-15, 37-23-31 through 37-23-35, 37-23-61 through 37-23-75 and 37-23-77 shall be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success. The State Board of Education shall establish an accountability system for special education programs and students with disabilities. The system shall
establish accountability standards for services provided to improve the educational skills designed to prepare children for life after their years in school.
Section 37-23-1 (1999)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies GBRC - Professional Personnel Work Load
            IB - Instructional Goals
            IDDF - Special Education Program

ASSISTANT TEACHERS

The district shall be in compliance with State Department of Education requirements and legislative mandates in regard to the employment and utilization of assistant teachers, including funding requirements, pre-employment assessments, selection criteria, records, due process procedures, professional development, evaluation of performance, program evaluation, and any other requirements as established by law.

The utilization of assistant teachers shall be individually determined and shall require a detailed written recommendation by the principal and approval by the superintendent. The use of assistants will permit teachers more time to devote to instruction, more effective grouping for instructional purposes, and greater individualized attention for meeting pupil needs. Assistants may not have direct responsibility for or supervision of student instruction or activities, but shall be under the supervision of a licensed staff member.

MINIMUM SALARY

Please refer to MS Code Section 37-21-7 (6) for the minimum salary of assistant teachers.

NO CHILD LEFT BEHIND ACT

Teacher assistants are paraprofessionals within the school district. All paraprofessionals must have earned a high school diploma or its equivalent. Paraprofessionals hired after January 7, 2002, to work with identified Title I students must have completed at least two years of study at an institution of higher education; obtained at least an associate's degree; or met a rigorous standard of quality and can demonstrate through a formal state or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, or mathematics or the instruction of readiness of these subjects.

Paraprofessionals working with identified Title I students who were hired before January 8, 2002, have until January 1, 2006, to meet these standards. The district will not hire Title I paraprofessionals who do not meet these standards. If the district is a school-wide Title I school district, all paraprofessionals in the district must meet these standards.

Exception to these requirements may be made with regard to paraprofessionals who act as translators or who coordinate parent involvement activities.

MISSISSIPPI ELEMENTARY SCHOOLS ASSISTANT TEACHER PROGRAM
Please refer to MS Code Section 31-21-7 for all legal requirements and local school district options for employing assistant teachers.

BASIC OBJECTIVES

Teacher assistants are employed so that the professional teachers may direct their energies to the students' education. The superintendent and/or staff development committee shall develop an appropriate in-service training program for teacher assistants. The basic objectives for the use of teacher assistants are:

1. To make it possible for teachers to use more variety in structuring classroom activities which will result in more meaningful education for children and youth.
2. To enable the teacher to do more creative teaching, and to use a greater variety of instructional media.
3. To enable the teacher to develop effective programs focusing upon the individual needs of each student.
4. To provide increased time for individualizing instruction, evaluating learning situations, student counseling and guidance for other instructional activities that will improve educational opportunities for boys and girls.
5. To relieve teachers of the numerous semi- and non-professional tasks which have become cumulative and which have come to consume a disproportionate amount of the teacher's time and energies.

DUTIES AND RESPONSIBILITIES

Teacher assistants may be assigned to: (1) provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management, such as organizing instructional and other materials; (3) provide assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as a translator; or (7) provide instructional services to students while working under the direct supervision of a teacher.

Teacher assistants may assume limited duties that are assigned to similar personnel who are not working in a program supported with Title I funds, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

The principal and supervising teacher are jointly responsible for making final decisions related to the duties and responsibilities to be assigned to an assistant. Assistants are not to discipline children. Classroom discipline shall be left to the certified teacher or building principal.

The duties of teacher assistants may be further restricted or regulated by program requirements of the funding plan under which they are employed:

1. Title I funds provide assistants for the Remedial Reading Program.
2. Title IV-A funds provide assistants for Indian students.
3. Early Childhood Intervention (ECI) funds provide assistants for mainstreamed students with certain specific handicaps that require frequent or constant attention.

LEGAL REF.: MS CODE 37-21-7; P. L. 107-110 (No Child Left Behind Act of 2001)
CROSS REF.: Policies GCD - Classified Personnel Hiring
           IB - Instructional Goals

DISTRICT CELLULAR TELEPHONES

This board recognizes that the use of cellular telephones may be appropriate to provide for the effective and efficient operation of the District and to help ensure safety and security of District property, staff and others while on District property or engaged in District-sponsored events and activities. The Board authorizes the purchase and employee use of cellular telephones, as deemed appropriate by the Superintendent.

District-owned cellular telephones will be used for authorized District business purposes, consistent with the District's mission and goals. Personal use of cellular telephones is prohibited except in emergency situations. Any expense incurred for such personal use will be reimbursed to the District. Use of cellular phones in violation of Board policies, administrative regulations, and/or state and federal laws will result in discipline up to and including dismissal and referral to law enforcement officials, as appropriate.

The Superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cellular telephone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately owned cellular phones for authorized District business.

AUTHORIZATION

Cellular telephones may be assigned or made available on a temporary basis by the Superintendent or when it is determined that:

6. The assignment of a cellular telephone to the employee is a prudent use of District resources;

7. The employee's job responsibilities require the ability to communicate frequently and access to a District or public telephone is not readily available.

3. The employee's job involves situations where immediate communication is necessary to ensure the security of District property or safety of students, staff or others while on District property or engaged in District-sponsored activities.

MEDIA SERVICES/LIBRARIES

The district will provide an organized media program that meets State Department of Education requirements and accreditation standards.
The policy of the Harrison County School District is to provide a wide range of instructional resources on all levels of difficulty, with diversity of appeal and the presentation of different points of view for all students. It is also Harrison County School District’s policy to allow the systematic review of existing media collections and to permit the reconsiderations of allegedly inappropriate instructional materials through established procedures.

Access to the Collection

The student will have access to all available materials regardless of their content, difficulty, or appeal. Furthermore, the student will retain the right to make his/her own reading and viewing choices except for assigned material or when restriction is ordered by the parent or guardian. When a parent restricts a child from reading or viewing any materials held in the collection, a letter detailing the nature of the restriction should be obtained from the parent, read, dated, and signed by the child in the presence of the library media specialist. The original letter should be retained in the library media center and the library media center staff notified. A copy of the letter should be forwarded to the principal and appropriate classroom teachers. The child thus informed has the responsibility to honor the parent’s wishes. In no case will the materials in question be removed or in any way made inaccessible.

District policies governing library services and regulations are adopted by the School Board and published annually in student handbooks as official policy statements of the District.

Standard 5 is as follows: The school district employs in each school a licensed librarian or media specialist who devotes no more than one-fourth of the workday to library/media administrative activities. {MS Code 37-17-6(3)(a-e)}

5.1 If the student enrollment is 499 or less, a half-time licensed librarian or media specialist is required.
5.2 If the student enrollment is 500 or more, a full-time licensed librarian or media specialist is required.

Standard 11.1 is as follows: The local school board of education budgets and expends from the District Maintenance Fund (Fund #1120) at least the state minimum per student for instructional/library supplies, materials, and equipment.

Standard 24 is as follows: Each school has a library-media center. {MS Code 37-17-6(3)(a-e)}

24.1 Each school has a library-media center with an organized collection of materials and equipment that represents a broad range of current learning media, including instructional technology.
24.2 The library staff offers a systematic program of service to students and staff by providing access to the materials and equipment, by providing instruction in the use of the materials and equipment, and by working with teachers and other staff members to provide learning activities for the students.

Mississippi Public School Accountability Standards 2007

DATA OWNERSHIP

Any and all data obtained as a product of a contract with the Harrison County School District is and shall remain, in perpetuity, the property of Harrison County School District.

There are no exceptions, unless specifically noted in writing in the body of the contract with Harrison County School District.
Harrison County School District is and shall remain the last arbiter in determining the legal and legitimate use of any and all data obtained as a product of a contract with the Harrison County School District.

Harrison County School District reserves the rights to extract, transform, store, and transmit all data obtained as a product of a contract with Harrison County School District.

**COMMUNITY INSTRUCTIONAL RESOURCES**

**Resource Program**

Well-planned use of resource persons makes a valuable contribution to the educational program. Teachers are encouraged to arrange for such persons to discuss appropriate topics with students.

Principals must approve all resource persons and topics prior to a teacher’s extending an invitation.

**FIELD TRIPS**

Field trips are made by students only with the permission of the parents. Permission slips will be sent home to be signed by the parent. All field trips will be supervised by regular classroom teachers. No field trips will be approved during the last twenty (20) days of the school year.

Field trips must be planned in advance and designed to augment lesson plans of the teacher. Field trips must have the approval of the principal and the office of the superintendent. It should be clearly understood that field trips are educational in nature and not recreational.

1. The principal must be notified in writing at least fifteen (15) days in advance.

2. Request for a field trip must be in writing, and the superintendent must give approval.

3. Permission blanks are to be signed by the parents of each person making the trip.

4. A field trip must be related specifically to the instructional program.

5. Overnight field trips are not permitted.

6. No field trips will be permitted during weeks of term tests.

7. Costs incurred will come from the instructional budget of the school or from the sponsoring school organization.

8. Field trips which are scheduled during the school day are frowned upon. Such field trips will require extensive justification for approval.

9. Field trips to out-of-state destinations will not be allowed for elementary students.

10. Field trip request form must be filled out completely and signed by the principal.
11. All request forms must be turned in to the transportation department five (5) days prior to the field trip.

COMMUNITY RESOURCES – OUTSIDE SPEAKERS

The use of resource persons from the community in the classroom can be an invaluable educational instrument. The Board wishes the professional staff to be concerned with locating and contacting people in various areas of interest and expertise who might serve as resource persons in particular units of study. All requests to use such resource persons shall be cleared with the principal of the school.

All outside speakers and other out-of-school personnel who are brought into the School District as resource personnel must be part of the instructional program and must not interfere with orderly instructional processes. Outside speakers and resource personnel not previously approved by the district must have district approval by the appropriate central office administrator. Requests for approval must be submitted to the administrator in writing at least five (5) school days before the activity, event, or program.

STUDENT SUPPORT SERVICES

The district will operate an organized student support program. The function of this program will be to provide support personnel to work cooperatively with teachers to promote the optimum educational development of each student. Teachers and students shall have access to a student support program which offers information, counseling, and referral services and also provides diagnostic and evaluation services which access the academic performance and level of preparedness of students with learning difficulties which cannot be remediated through the planned instructional program. Each school shall operate a comprehensive student support program which provides services to students and teachers in a planned, active, ongoing system.

Guidance services constitute an integral part of the educational program. These services should be under the professional direction and coordination of qualified school counselors and the administrative leadership of the school's principal. These services seek to help the student focus on his/her needs and goals and to use the educational processes to serve the individual student.

The guidance program seeks to assist all students to mature in self-understanding, self-responsibility, decision-making ability, development of values, and attainment of skills and attitudes required for productive citizenship.

The program consists of specialized services, including evaluative, information, inventory, placement, counseling, research, and follow-up services. These services entail participation by all members of the schools' staff. In addition, these services are an integral phase of the school system's program of student-personnel services. It is essential that the guidance program be coordinated with and make full use of the resources of the home and the community.
This act shall be known and may be cited as the “Mississippi Student Achievement Improvement Act of 1999.” (Senate Bill 2156, 1999 Legislative Session)

1. Each district school board shall establish standards for graduation from its schools which shall include as a minimum:

   (a) Mastery of minimum academic skills as measured by assessments developed and administered by the State Board of Education.

   (b) Completion of a minimum number of academic credits, and all other applicable requirements prescribed by the district school board.

2. A student who meets all requirements prescribed in subsection (1) of this section shall be awarded a standard diploma in a form prescribed by the state board.

3. The State Board of Education may establish student proficiency standards for promotion to grade levels leading to graduation. § 37-16-7 (1999)

4. On or before July 1, 2000, the State Board of Education shall implement the performance-based accreditation system for school districts and for individual schools which shall include the following:

   (a) High expectations for students and high standards for all schools, with a focus on the basic curriculum;

   (b) Strong accountability for results with appropriate local flexibility for local implementation;

   (c) A process to implement accountability at both the school district level and the school level;

   (d) Individual schools shall be held accountable for student growth and performance;

   (e) Set annual performance standards for each of the schools of the state and measure the performance of each school against itself through the standard that has been set for it;

   (f) A determination of which schools exceed their standards and a plan for providing recognition and rewards to such schools;

   (g) A determination of which schools are failing to meet their standards and a determination of the appropriate role of the State Board of Education and the State Department of Education in providing assistance and initiating possible intervention; and

   (h) Development of a comprehensive student assessment system to implement these requirements.
The State Board of Education may continue to assign school district performance levels by using a number classification and may assign individual school performance levels by using a number classification to be consistent with school district performance levels. § 37-17-6 (4) (1999)

If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district which jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and such emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, the State Board of Education may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, such declarations of a state emergency shall not be limited to those instances when a school district’s impairments are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor academic performance. § 37-17-6 (11) (b) (1999)

NOTE: Please refer to Senate Bill 2156 (1999 Legislative Session) for the complete text of the “Mississippi Student Achievement Improvement Act of 1999.”

LEGAL REF.: MS CODE as cited & Senate Bill 2156 (1999 Legislative Session)
CROSS REF.: Policies IB — Instructional Goals
IDDF — Special Education Programs
IHE — Promotion and Retention
II — Testing Program

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<th>GRADING</th>
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District policies governing grading/academic credit are adopted by the Harrison County School Board and published annually in student handbooks as official policy statements of the Harrison County School District.

Grades 1-8

1. Daily work (including homework, recitations, reports, etc.) counts 1/2 of the total nine-weeks grade.

2. Weekly or chapter tests (minimum of three (3) per nine-week period) counts 1/3 of the total nine-week grade.

3. The nine-weeks test counts 1/6 of the final grade.

4. A child must be on roll at least fifteen (15) days during a nine-week period in order to receive a report card.

5. Grade Books:
   a. Teachers are to keep accurate and up-to-date records of students’ grades and/or levels of achievement. Upon request, parents/guardians will be granted access to teachers’ grade books in the presence of the teacher or principal to review the grades entered therein for their children.
   b. A minimum of one (1) grade per subject per week must be given.

6. Progress Reports:
a. Progress reports will be issued to all students on the Wednesday following the Friday at the end of the fourth week of each nine-week period.
b. A failure notice will be issued on the Wednesday following the first two (2) weeks of each period to those students who are failing.

7. Grades shall not be lowered for disciplinary reasons.

8. Report card grades shall be letters for grades two (2) through four (4) and both number and letter grades for grades five (5) through eight (8).

Secondary 9-12

1. Daily work (including homework, recitations, reports, etc.) will represent 2/5 of the total average.
2. Weekly or chapter tests will represent 2/5 of the total average.
3. The nine-weeks test counts 1/5 of the final grade.

4. Grade Books:
   a. Teachers are to keep accurate and up-to-date records of students’ grades and/or levels of achievement. Upon request, parents/guardians, will be granted access to teachers’ grade books in the presence of the teacher or the principal to review the grades entered therein for their children.
   b. A minimum of one (1) grade per subject per week must be given.

5. Progress Reports:
   a. Progress reports will be issued to all students on the Wednesday following the Friday at the end of the fourth week of each nine-week period.
   b. A failure notice will be issued on the Wednesday following the first two (2) weeks of each period to those students who are failing.

6. Grades shall not be lowered for disciplinary reasons.

7. Report card grades shall be both number and letter.

8. Extra credit should not be given for non-instructional activities (e.g., donations for altruistic projects, attendance at sporting events, parental attendance at PTA or PPP meetings).

Quality Points

A quality-point system will be utilized to compute and determine the ranks-in-class of graduating seniors. Rank-in-class is defined as the comparison of a student’s academic performance with those of the members of his/her graduating class. Class rank computed on the basis of quality points, rather than on grade-point average, projects a more accurate profile of academic performance. It is also designed to encourage many good students to enroll in more challenging courses. Students in advanced courses earn additional quality points directly proportionate to regular courses. In this way, those students in courses of average academic difficulty set the 4.0 norm. Additional quality points assigned to advanced academic courses merely serve to achieve a more accurate class ranking. Grade-point averages are unaffected by quality points and will continue to be the report of academic achievement on the high school transcript.
1. Final grades for all subjects except athletics, chorus, aide, annual or paper staff, should be used in computing grade point average and quality point average.
2. 50/NC (no credit) will be placed on permanent records and grade sheets for those courses where a student has lost credit due to:
   a. excessive absences
   b. dropping out
   c. expulsion
3. A student’s Grade-Point Average and Quality-Point Average shall be computed at the end of the fourth nine-week grading period of his/her senior year. The Grade-Point average shall be recorded on the student’s permanent record. The Quality-Point average shall be used to determine rank in class. The student’s rank shall be recorded on the student’s permanent record. The third nine-week grades may be used in place of final grades in computing Grade-Point Average and Quality-Point Average.
4. In the event of a tie in Quality Points in the selection of Valedictorian and Salutatorian, the Grade-Point Average will be carried out to three places to determine which students are eligible to be Valedictorian or Salutatorian. The student must have been enrolled at D’Iberville High School/Harrison Central High School for his/her last three (3) semesters.
5. Grade-Point and Quality Point averages will be computed on all courses that carry Carnegie Credit Units (8-12).
6. If a course is passed, it may not be retaken in order to improve QPA.

Grades of - or higher will not be changed as a result of retaking a course.

TEST EXEMPTION POLICY – 12

District policies governing examinations and exemptions are adopted by the School Board and published annually in student handbooks as official policy statements of the Harrison County School District.

REPORT CARDS

District policies governing report cards are adopted by the Board of Trustees and published annually in student handbooks as official policy statements of the School District.

PROGRESS REPORTS

Progress reports will go out on the Wednesday following the fourth week of the nine week term and the failure notice will go out on the Wednesday following the second week of a nine week term.

PARENT CONFERENCES/STUDENT CONFERENCES
A. Conferences in the Harrison County School District are encouraged and can be divided into three major categories as listed below:

1. **Principal - Teacher**
   Principal-Teacher conferences will be held at the discretion of the principal or upon the request of the teacher. Records of all principal-teacher conferences shall be kept by the principal.

2. **Teacher - Parent**
   Since it has been proven that frequent teacher-parent communications open many doors and create a well-rounded educational atmosphere, it is the teacher’s responsibility to take the initiative in setting up a parent conference at the first sign of a student’s deviation from the norm. The procedures and time for scheduling these conferences will be determined by the principal. Prior notice to the teacher will be given when possible. Records of all teacher-parent conferences will be kept by the teacher.

3. **Teacher - Student**
   A teacher who has frequent and direct communication with his/her students will find the profits to be overwhelming in the areas of student behavior and progress. It is recommended that teachers keep records wherein severe problems exist.

B. The principal or assistant principal will be present at any teacher-parent or teacher-student conference if it is requested and if he/she is given sufficient advance notice.

### HOMEWORK

The Board of Trustees recognizes the value of purposeful, well-planned, and properly motivated homework assignments that are: (1) appropriate to the grade level, age, and abilities of the student; (2) designed to stimulate initiative and independence or to reinforce and enrich classroom instruction; (3) in complete accord with the goals established for the development of the school curriculum; (4) carefully planned so that home assignments are not so lengthy as to be self-defeating nor so complicated as to require assistance or resource materials not available to the student; and (5) an extension of classwork that has already been introduced.

Teachers should try to make homework assignments meaningful – not mere busy work or punishment. It is important to make long-range assignments when possible, to remember that outside activities often lead to cheating, to vary homework assignments, and to individualize assignments when possible. Using part of the class period to begin work which is to be continued outside the classroom (when the teacher is available to answer questions) should be considered by the teacher. Homework assignments should be reasonable in terms of the age of the child, and home study or assignments should stem from classroom experiences and be an extension of classwork previously introduced by the teacher.

As in the assignment of in-school work, homework assignments must be left to the sound professional judgment of the teacher, who will be expected to interpret the needs and assess the abilities and interests of each student.

**An Overview of Homework/Failure to Complete Homework Assignments**

I - 56
All teachers in the Harrison County School District will be expected to follow the guidelines listed below in regard to their handling of homework assignments.

Time Element of Homework

The time necessary to complete a homework assignment should vary from first grade to twelfth grade and the maximum length of time which the schools should expect an average student to devote to homework should be based on reasonable expectations of students so that combined homework assignments are not excessive.

Teachers must always consider that students in departmentalized situations have more than one (1) class and that it is possible for students to be overloaded with homework on a given night.

Teachers should not regularly assign homework over week-ends or holidays.

Checking or Grading of Homework

All written homework must be checked, although it is not necessary that all homework be graded and/or recorded. The teacher should make more than a cursory check of homework and should indicate errors or weaknesses so that the student may benefit from home activities. Evaluations and feedback should be given in a timely manner.

A student’s failure to complete assigned homework may result in the student’s being required to make-up the homework assignment either before or after school, at the discretion of the teacher and/or building administrator. A student required to make-up homework he/she failed to complete must be informed at least one day in advance. The teacher and/or the building administrator shall have the authority to set the time for make-up and the length of time required for the student to attend make-up work session.

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<th>HONOR ROLL</th>
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District policies governing student honor rolls are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

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<th>HONOR GRADUATES</th>
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District policies governing honor graduates are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

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<th>PROMOTION AND RETENTION</th>
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District policies governing promotion and retention are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

**Promotion and Retention**

*Grades 1-6*

The Harrison County School Board recognizes that retention is sometimes necessary and often beneficial. In accordance with state law, (Mississippi Code 37-3-48), a student’s performance on course objectives will be used as the principal basis for determining whether a student passes or fails the course. In order to be considered for promotion, all students must successfully master 100% of the state and local core objectives as set by the district’s instructional management plan. The mastery level will be set at minimum of 65% on all other course work; an average of 65% mastery must be maintained.

**KINDERGARTEN**

A kindergarten student can be retained if adequate progress has not been demonstrated, and the decision to retain will be based on the best interest of the student as determined by the teacher and principal.

**FIRST GRADE**

First grade students must pass reading, mathematics, and language with a minimum average of 65. All first grade students must score 65 or above on the cumulative skills test of the current reading series approved for use by the district in order to be considered for promotion to the second grade. **If a first grader does not score 65 or above on the cumulative skills test of the current reading series and has passing grades, he/she must score “on track” on a normed reading assessment in order to be promoted.**

**GRADES TWO AND THREE**

All second and third grade students must pass reading, mathematics, and language with a minimum average of 65.

**GRADES FOUR THROUGH SIX**

All fourth through sixth grade students must pass reading, mathematics, and language and in addition must pass both science and social studies with a minimum average of 65.

**GRADE SEVEN AND EIGHT**

Each course taken must be passed by a 65% average, at least. All academic courses failed must be repeated.

Students in grades 7-8 who fail one or two subjects are eligible for the extended school year program or summer school.

Standard 28 is as follows: The district follows an established board policy that defines criteria for the academic promotion/progression/retention of students. *Such criteria prohibit the retention of students for extracurricular purposes.*

*Note: This portion of the standard will be jointly monitored and enforced by the State Board of Education and the Mississippi High School Activities Association.*

*Mississippi Public School Accountability Standards (2007)*

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<th>MAKE-UP SCHEDULE FOR TESTS AND CLASSROOM ASSIGNMENTS</th>
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<td>MISSED BECAUSE OF ABSENCES</td>
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District policies governing the make-up schedule for tests and classroom assignments missed because of absences are adopted by the School Board and published annually in student handbooks as official policy statements of the Harrison County School District.

### GRADE ACCELERATION

There are students whose superior academic ability and success, advanced social skills, and exceptional psychological well-being cause them to be unchallenged, unmotivated, and unsuccessful in the on-grade level track. For these students accelerating to the next grade level is an acceptable solution to the problems created by their advanced abilities and skills.

The Harrison County School District will provide achievement and aptitude evaluations for such students when such evaluation is requested by the principal of the school where the student is enrolled and is in attendance for a minimum period of one nine-week term. In order to be considered for grade acceleration the student must earn 90 percent or higher in total reading, total mathematics, and total language on a nationally-normed test. Additionally, for such consideration the student must earn a 130 aptitude on a group-normed aptitude test and a 135 on an individual aptitude test.

For a student who has met these achievements and aptitude criteria, the parent(s) or guardian(s) of the student must provide a report of psychological evaluation conducted by a state approved psychologist. This report must reflect an opinion of the psychologist supporting the need of the student to accelerate a grade and the professional belief that the student will not suffer psychologically from such an action, but rather will benefit from it.

The principal of the school where the student is enrolled and has been in attendance for a nine-week term will consider all of the evaluation documentation described above, input from the student, the student’s parent(s) or guardian(s), teachers of the student, and district curriculum personnel. Consideration of long-term social impact upon the student is critical. The effect of accelerating a grade at grade one or grade two can be positive, yet produce negative impact when the student reaches middle or high school.

The principal will then make recommendations, in writing, regarding grade skipping the student to the Superintendent or his/her designee, who will make the final determination.

### GRADUATION REQUIREMENTS

It is the policy of the Harrison County School District that all graduating students will have met the requirements established for graduation by the Mississippi State Department of Education and the Harrison County School District.

District policies governing graduation requirements are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.
Standard 20, *Mississippi Public School Accountability Standards, 2007*, is as follows: The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education. {MS Code 37-16-7} (SB Policy IHF-1 and 2)

20.1 Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A. (See Appendix A.) (SB Policy ICFA-1)
- Entering ninth graders in 2005-2006 and thereafter (seniors of school year 2008-2009 and later) are required to have a minimum of 21 Carnegie units.

20.2 Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations. {MS Code 37-16-7} (SB Policy IIB-1 and IHF-1 and 2)

20.3 Each student who has completed the secondary curriculum for special education may be issued a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." {MS Code 37-16-11(1)}

20.4 The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises.

20.5 Each student with disabilities receiving a Mississippi Occupational Diploma has successfully completed all minimum requirements established by the State Board of Education. {MS Code 37-16-11(2)} (See Appendix G.)

Note: Carnegie units will be awarded in the eighth grade for the following courses: Algebra I, Computer Discovery, Pre-algebra and Transition to Algebra.

The Harrison County School District will comply with Graduation Requirements specified in the tables presented in Appendices made a part of Standard 20 in the *Mississippi Public School Accountability Standards, 2006*, which specify Carnegie Units and Required Subjects for seniors graduating in specific years and for entering ninth graders in specific years.

Standard 28 is as follows: The district follows an established board policy that defines criteria for the academic promotion/progression/retention of students. *Such criteria prohibit the retention of students for extracurricular purposes.

*Note: This portion of the standard will be jointly monitored and enforced by the State Board of Education and the Mississippi High School Activities Association.

Standard 32 is as follows: The basic curriculum of each high school consists of required and approved courses that generate at least 33 Carnegie units annually. (See Appendices B and C.) {MS Code 37-1-3(2)} (SB Policy ICFA-1)

Note: Any request for an exemption from teaching the courses listed in Appendix B must be approved by the Commission on School Accreditation.

Mississippi Public School Accountability Standards 2007
It shall be the policy of the Harrison County School District to be in compliance with ALL statutes, policies, requirements, and instructions governing the administration of the Statewide Testing Program at ALL times. It shall also be the policy of the Harrison County School District to assure that the security, handling, maintenance, and accountability of all test materials shall be accomplished according to the District’s Test Security Plan, from the time such materials are received by authorized district personnel until the time said materials are returned to the testing company.

This School Board shall periodically assess student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the state's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from district assessment programs shall be provided to the State Department of Education when such data are required in order to evaluate specific instructional programs or processes or when the data are needed for other research or evaluation projects. This district may provide acceptable, compatible district assessment data to substitute for any assessment data needed at the state level when the State Department of Education certifies that such data are acceptable for the purposes of section 37-16-3. § 37-16-5 (1983)

The district adheres to all requirements of the Mississippi Assessment System.

1. It is unlawful for anyone knowingly and willfully to do any of the following acts regarding mandatory uniform tests administered to students as required by the State Department of Education and the General Educational Development Test (GED):
   a. Give examinees access to test questions prior to testing;
   b. Copy or reproduce all or any portion of any secure test booklet;
   c. Coach examinees during testing or alter or interfere with examinees' responses in any way;
   d. Make answer keys available to examinees;
   e. Fail to account for all secure test materials before, during and after testing;
   f. Participate in, direct, aid, counsel, assist in, encourage or fail to report any of the acts prohibited in this section.

2. Any person violating any provisions of subsection (1) of this section is guilty of a misdemeanor and upon conviction shall be fined not more than One Thousand Dollars ($1,000.00), or be imprisoned for not more than ninety (90) days or both. Upon conviction, the State Board of Education may suspend or revoke the administrative or teaching credentials, or both, of the person convicted.
3. The district attorney shall investigate allegations of violations of this section, either on his/her own initiative following a receipt of allegations, or at the request of a school district or the State Department of Education.

4. The district attorney shall furnish to the State Superintendent of Education a report of the findings of any investigation conducted pursuant to this section.

5. The State Board of Education shall establish statistical guidelines to examine the results of state mandated tests to determine where there is evidence of testing irregularities resulting in false or misleading results in the aggregate or composite test scores of the class, grade, age group or school district. When said irregularities are identified, the State Superintendent of Education may order that any group of students identified as being required to retake the test, do so at state expense under state supervision. The school district shall be given at least thirty (30) days’ notice before the next test administration and shall comply with the order of the State Superintendent of Education. The results from the second administration of the test shall be final for all uses of that data.

6. Nothing in this section may be construed to prohibit or interfere with the responsibilities of the State Board of Education or the State Department of Education in test development or selection, test form construction, standard setting, test scoring, and reporting, or any other related activities which in the judgment of the State Superintendent of Education are necessary and appropriate. §37-16-4 (1990)

Transfer Students

All students seeking to transfer from any school, public or private, within or outside of the boundaries of the State of Mississippi, to this school district may be required to take a test to determine the grade and class to which the pupil shall be assigned at the time of pupil transfer.

The principal and/or his/her designee shall administer the test or tests to such pupil or pupils as shall apply for transfer to such public school. Such test or tests shall be administered within thirty (30) days after the filing of each such application for transfer. Notice of the giving of such test shall be given the applicant not less than five (5) days prior to the date of the administration of such test.

No transfer of a pupil shall be effected until the test has been given and the pupil is assigned according to the grade and class for which the test shows he/she is best suited. No pupil shall be assigned to a grade and class more than three (3) grades above or below the grade or class that the pupil would have been assigned to had the pupil remained in the school from which the transfer is being made. Pending the administration of the test herein provided for and its grading and an assignment based thereon the Superintendent of the school district or the attendance center principal to which the pupil seeks admission may assign the pupil temporarily to a grade and class comparable to that in which the pupil would have been had the pupil continued in the school from which the transfer was being made.

If any student is transferred or reassigned within the school district by order of the Board of Trustees of that school district as designated by law of the State of Mississippi and not at his/her own request, the requirement of that pupil's taking the standardized test shall be waived. Likewise, if a pupil shall transfer from one school district to another school district in the manner provided and required by the laws of the State of Mississippi, the requirement of such pupil taking the standardized test shall be waived. §37-15-33 (1988)
Any transfer student from a school or program (correspondence, tutorial or home study) not accredited by a regional or state agency is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student.

Note: Refer to the current edition of Mississippi Public School Accountability Standards for information on Performance Standards.

STATE AND DISTRICT TESTS

The School District shall maintain the program of standardized testing required by the State Board of Education, the Division of Accreditation, and the Mississippi Department of Education Bureau of Assessment and Compliance and shall administer other standardized tests to students in grades K-12 as the Board of Trustees, Superintendent of Education, and the staff judge to be necessary and/or desirable.

Administration, interpretation, and recording of standardized testing:

A permanent record of performance on standardized testing conducted by the state and/or the district will be maintained in the student's cumulative record to provide a profile of the student for instructional purposes.

It is the purpose of the testing program to analyze the effectiveness of the educational program in the school district when an individual student's score is compared to previous achievement, when all students in a grade are compared to comparable grades in the school district, when the school district is compared to other school districts, when the school district is compared to the state, and when the school district is compared to the national school population.

Administrators, teachers, parents, and students shall be informed of test results in accordance with procedures developed by the administration and approved by the Superintendent of Schools. Principals must review their individual school's test results with their staff to identify the strengths and weaknesses of their school and to plan programs to ensure continued student improvement. The building principal is responsible for ensuring that his/her school meets legal and accreditation requirements and goals of the district's improvement plan in accordance with the school's test results.

Standard 13 is as follows: Any transfer student from a school or program (correspondence, tutorial, or home study) not accredited regionally or by a state board of education [or its designee(s)] is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student within 30 days after filing for transfer. Notice of the administering of such test(s) shall be given to the applicant not less than five days prior to the date of the administration of such test. {MS Code 37-15-33} (SB Policy IHF-2)

Standards 20 and 22 are as follows:

20. The school district requires each student, in order to receive a high school diploma, to have met the requirements established by its local board of education and by the State Board of Education. {MS Code 37-16-7} (SB Policy IHF-1 and 2)

20.1 Each student receiving a standard high school diploma has earned the minimum number of Carnegie units as specified in Appendix A. (See Appendix A.) (SB Policy ICFA-1)

- Entering ninth graders in 2005-2006 and thereafter (seniors of school year 2008-2009 and later) are required to have a minimum of 21 Carnegie units.
20.2 Each student receiving a standard diploma has achieved a passing score on each of the required high school exit examinations. (MS Code-37-16-7) (SB Policy IIB-1 and IHF-1 and 2)

20.3 Each student who has completed the secondary curriculum for special education may be issued a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." (MS Code 37-16-11(1))

20.4 The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises.

20.5 Each student with disabilities receiving a Mississippi Occupational Diploma has successfully completed all minimum requirements established by the State Board of Education. (MS Code 37-16-11(2)) (See Appendix G.)

Note: Carnegie units will be awarded in the eighth grade for the following courses: Algebra I, Computer Discovery, Pre-algebra and Transition to Algebra.

22. The school district adheres to all requirements of the Mississippi Statewide Assessment System. (See Appendix F.) (MS Code 37-16-1 through 4) (SB Policy IIB-1, 3-6 and IHF-1 and 2)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)

TESTING AND STUDENT SURVEYS

COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

The board of education recognizes surveys can be a valuable resource for schools and communities in determining student needs for educational services. Such collection on input from students and parents may be used to assist school staff in decision-making related to curriculum and instruction and in program development and operations. To this end, the board supports the use of appropriate surveys in accordance with the guidelines contained in these regulations.

DEFINITIONS

The term "surveys" includes evaluations and other methods of gathering data for research purposes.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The term "personal information" means individually identifiable information; include a student's or parent's name, address, telephone number, or social security number.

The term "instructional material" means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

These terms do not include ordinary classroom activities or teaching techniques.

USE OF SURVEYS
Administrators, teachers, other staff members, and the board of education may use surveys for many purposes, which may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related to a specific subject or unit. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner.

BOARD APPROVAL

Prior to administering a survey, the board of education must approve all those that are received by the superintendent that include reference to any of the factors listed below. No student may, without proper parental consent, take part in a survey, analysis, or evaluation in which the primary purpose is to reveal information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental and psychological problems of the student or the student's family;
3. Sex behavior and attitudes;
4. Illegal, antisocial, self-incriminating and demeaning behavior;
5. Critical appraisals of other individuals with whom students have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
8. Religious practices, affiliation, or beliefs of the student's parents.

PARENTAL RIGHTS

Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

Prior consent to any such survey, analysis, or evaluation means the prior written consent of the student's parent or guardian or, if the student is emancipated, of the student.

Surveys conducted for other agencies, organizations, or individuals must have the recommendation of the superintendent of schools and the approval of the board of education as to content and purpose. The results of such approved surveys must be shared with the board of education.

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

Overall survey results following decisions must be shared with all parties who request such information.

PARENT/GUARDIAN NOTIFICATION

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time in district schools. This notification must explain that parent/guardians, or students 18 or older, have the right to "opt the student out of participation," in writing, in the following activities:
1. The collection, disclosure, and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students, such as:

   A. College or other post-secondary education recruitment, or military recruitment;
   B. Book clubs, magazines, and programs providing access to low-cost literary products;
   C. Curriculum and instructional materials used in schools;
   D. Test and assessments;
   E. Student recognition programs; and
   F. The sale by students of products or services to raise funds for school-related activities.

2. The administration of any survey that delves into the restricted sensitive subject areas identified and listed above; or

3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

Parents/guardians of a student shall also have the right to inspect, upon request, any instructional material used as part of the educational curriculum.

LEGAL REF.: P. L. 107-110 (No Child Left Behind Act of 2001)

CROSS REF.: Policies JKB - Solicitation by Students

   JM - Contests for Students

STUDENT TEST ADMINISTRATION – STUDENT ASSESSMENT IIB

Standardized achievement tests and criterion-referenced tests will be administered to selected students. Dates and grades for testing will be in compliance with the State Department of Education and the testing company guidelines. It is the responsibility of the student to acquaint himself/herself with deadlines and other requirements of SAT and ACT.

USE AND DISSEMINATION OF TEST RESULTS – RELEASE OF TEST DATA IIC

All requests for test data pertaining to building or district and to standardized and/or criterion referenced test results must be approved by the Superintendent of Education or his/her designated representative before such data can be released to any person(s), agencies, etc., for any purposes.

INTERNET ACCESS – TECHNOLOGY INSTRUCTION - ELECTRONIC ACCESS IJ
Acceptable use guidelines for technology resources of the Harrison County School District are published in student handbooks as official policy statements of the district.

**Purpose**

Harrison County School District, referred to as the District, is providing employees and students with access to the District’s electronic communication system, referred to as the District system, which includes Internet access. The District system has a limited educational purpose. The term “educational purpose” includes use of the system for classroom activities and professional or career development. The purpose of the District system is to assist in preparing students for responsible citizenship and success in life. The District system provides electronic access to a wide range of information and the ability to communicate with people throughout the world. In addition, the District system will enhance District intercommunication, enhance productivity, and assist personnel in upgrading their skills through greater exchange of information with their peers and the local community.

**District Responsibilities**

The Director of Technology will serve as the coordinator to oversee the District system, coordinate with other regional and state organizations as necessary, will maintain executed license agreements, provide training in the use of the system and District software, and be responsible for interpreting the District’s Acceptable Use Policy.

Each school’s principal will serve as the building level coordinator for the District system, approve school site activities, ensure that personnel receive proper training in the use of the District system and the requirements of this policy, establish a procedure to ensure adequate supervision of students using the system, and be responsible for interpreting the District’s Acceptable Use Policy at the school level.

**User Responsibilities**

The use of the District’s electronic communication system is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Users are responsible for their exploration of the District system and subject to the District Acceptable Use Policy and/or Discipline or Personnel Policy.

Users may not use the District system for commercial purposes, defined as offering or providing goods or services or purchasing goods or services for personal use. District acquisition policies will be followed for District purchase of goods or services. Users may not use the District system for political purposes.

**Parent Notification and Responsibility**

The District will notify the parents about the District system and the policies governing its use. Parents must sign an agreement to allow their child/children Internet access. Parents may request alternative activities for their child/children that do not require Internet access.

The District’s Acceptable Use Policy contains restrictions accessing inappropriate material. There is a wide range of material available on the Internet, some of which may not be aligned with the values of the families of the students. It is not practically possible for the District to monitor and enforce a wide range...
of social values in student use of the Internet. Further, the District recognizes that parents bear primary responsibility for transmitting their particular set of family values to their children. The District will encourage parents to specify to their child/children what material is and is not acceptable for their child/children to access through the District system.

Access to the System

The District’s Acceptable Use Policy, recorded in the Harrison County School District’s Policy Manual, will govern all use of the District system. The District’s Discipline Policy will also govern student use of the District system. The District’s Personnel Policy will also govern employee use.

All District personnel and students may have access to the Web/Internet through the District’s network. Parents may specifically request that their child/children not be provided such access by notifying the District in writing. The District will attempt to abide by parental request to restrict access. However, the District is not responsible for user actions that are not in accord with District policy and procedures.

Students may be granted e-mail access only through a classroom account. District employees may be provided with an individual e-mail account.

All access privileges may be restricted upon misuse of the District system and/or resources.

Technical Services

The District system will enable access to the World Wide Web, e-mail, and electronic file transfer. This equipment, curriculum software and administrative software will be supported through various means such as vendors and on-site technicians. E-mail will allow employees and students to communicate with people from throughout the world for educational purposes. Filtering software will be utilized to limit access to certain sites and to monitor access to electronic resources. However, the District recognizes that it is impossible to control all material that users may procure from the electronic resources.

District Limitations of Liability

The District makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the District system will be error-free or without defect. The District will not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system. The District will not be responsible for financial obligations arising through the unauthorized use of the system.

Due Process

The District will cooperate fully with local, state, and federal officials in any investigation concerning or relating to any illegal activities conducted through the District system.

In the event there is an allegation that a student has violated the District’s Acceptable Use Policy, the student will be warned in accordance with the District’s Discipline Policy. If there is a second violation, the student will be provided with notice and an opportunity to be heard in the manner set forth in the District’s Acceptable Use Policy and Discipline Policy.

Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately on an electronic network. If the
alleged violation also involves a violation of other provisions of the Discipline Policy, the violation will be handled in accord with applicable provision of the Discipline Policy.

Employee violations of the District’s Acceptable Use Policy will be handled in accord with the Personnel Policy.

**Search and Seizure**

District system users have a limited privacy expectation in the contents of their personal files on the District system. Routine maintenance and monitoring of the District system may lead to discovery that the user has or is violating the District’s Acceptable Use Policy or the law.

An individual search and appropriate actions, in accordance with District policies, will be conducted if there is reasonable suspicion that a user has violated the law or the Acceptable Use Policy.

**Copyright and Plagiarism**

District policies on copyright will govern the use of material accessed through the District system. Because the extent of copyright protection of certain works found on the Internet is unclear, personnel will make a standard practice of requesting permission from the holder of the work if their use of the material has the potential of being considered an infringement. Teachers will instruct students to respect copyright and to request permission when appropriate.

District policies on plagiarism will govern use of material accessed through the District system. Teachers will instruct students in appropriate research and citation practices.

Users will not plagiarize works that they find on the Web/Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.

Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If the user is unsure whether or not he/she can use that work, he/she should request permission from the copyright owner.

**Academic Freedom, Selection of Material, Students’ Rights to Free Speech**

Board policies on Academic Freedom and Free Speech will govern the use of the Internet.

When using the Internet for class activities, teachers will select materials for students that are age appropriate and relevant to the course objectives. Teachers will preview the materials and sites they require or recommend for student access to determine the appropriateness of the material contained on or accessed through the site. Teachers will provide guidelines and/or lists of resources to assist their students in channeling their research activities effectively and properly. Teachers will assist their students in developing the skills to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

**District Web Site**
The District has a Web Site that presents information about the District. A member of the Technology Department staff will be designated the Webmaster and be responsible for maintaining the District Web Site. All material must be presented in an ethical manner that reflects the mission, policies, and procedures of the District.

Schools and classes may establish Web Pages that present information about the school or class activities. Content will be monitored and approved by the District. The principal will designate an individual to be responsible for managing the school Web Site. Teachers will be responsible for maintaining their class Web Site.

With the approval of the Superintendent, extracurricular organizations may establish Web Pages. On these pages, material presented on the organization Web Page must relate specifically to organization activities and will include only student-produced material. Organization Web Pages must include the following notice:

“This is a student extracurricular organization Web Page. Opinion expressed on this page shall not be attributed to the District.”

Harrison County School District
Electronic Access Policy
Acceptable Use

These guidelines are provided so that you are aware of the responsibilities you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the electronic resource for educational purposes consistent with the educational objectives of Harrison County School District.

The following list includes, but is not limited to, the uses of the District system that are considered unacceptable:

Personal Safety (Student Restrictions)

Users will not post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, etc.

Users will not agree to meet with someone they have met online without their parents’/guardians’ approval and participation.

Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.

Illegal Activities

Users will not attempt to gain unauthorized access to the District system or to any other computer system through the District system, or go beyond their authorized access. This includes attempting to log in through another person’s account or access another person’s files.

Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. Vandalism will result in the cancellation of user
privileges, disciplinary action, and/or financial restitution paid by the user and/or parent according to MS Code 37-11-53. Vandalism also includes any malicious attempt to harm or destroy equipment or materials or the data of any other user.

Users will not use the District system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol or tobacco, engaging in gang activity or criminal activity, threatening the safety of another person, etc.

**District System Security**

Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide his/her pass word to another person.

Student users will immediately notify teachers if they have identified a possible security problem. District staff will immediately notify Technology Department staff if they have identified a possible security problem.

Users will avoid the inadvertent spread of computer viruses by following the District’s virus protection procedures.

**Inappropriate Language**

Restrictions against inappropriate language apply to public message, private messages, and material posted on Web Pages.

Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.

Users will not post information that, if acted upon, could cause disruption, damage or a danger of any kind.

Users will not engage in personal attacks, including prejudicial or discriminatory attacks.

Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending him/her messages, the user must stop.

Users will not knowingly or recklessly post false or defamatory information about a person or organization.

**Respect for Privacy**

Users will not report a message that was sent to them privately without permission of the sender.

Users will not post private information about another person.

**Respecting Resource Limits**

Users will use the District system only for educational and professional or career development activities.
Users will not download large files without permission. If necessary, users will download large files at a time when the District system is not being heavily used and immediately remove the file after use.

Users will not post chain letters or engage in “spamming.” Spamming is sending an annoying or unnecessary message to a large number of people.

Users will check their e-mail frequently and delete unwanted messages promptly.

Users will subscribe only to high quality discussion group listservs that are relevant to their education or professional/career development.

**Inappropriate Access to Material**

Users will not use the District system to access material that is profane or obscene or sexually explicit, that advocates illegal acts, or that advocates violence or discrimination towards other people (such as hate literature).

If a user inadvertently accesses such information, he/she should immediately disclose the inadvertent access. This will protect users against an allegation that they have intentionally violated the Acceptable Use Policy.

**Rules and regulations are subject to change by the administration. Users will be notified in writing if changes occur.**

**CHILDREN'S INTERNET PROTECTION ACT (CIPA)**

It is the belief of the Harrison County School District that the use of telecommunications, including the Internet, in instructional programs is an educational strategy which facilitates communication, innovation, resource sharing, and access to information. Use of the Internet must be in support of education and research and consistent with the educational mission, goals, and objectives of the school system.

It shall be the policy of the Harrison County Board of Education that the school district shall have in continuous operation, with respect to any computers belonging to the school having access to the Internet:

1. A qualifying "technology protection measure," as that term is defined in Section 1703(b)(1) of the Children's Internet Protection Act of 2000; and

2. Procedures or guidelines developed by the superintendent, administrators and/or other appropriate personnel which provide for monitoring the online activities of users and the use of the chosen technology protection measure to protect against access through such computers to visual depictions that are (i) obscene, (ii) child pornography, or (iii) harmful to minors, as those terms are defined in Section 1703(b)(1) and (2) of the Children's Internet Protection Act of 2000. Such procedures or guidelines shall be designed to:
   a. Provide for monitoring the online activities of users to prevent, to the extent practicable, access by minors to inappropriate matter on the Internet and the World Wide Web;
   b. Promote the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
Prevent unauthorized access, including so-called "hacking," and other unauthorized activities by minors online;

Prevent the unauthorized disclosure, use and dissemination of personal identification information regarding minors; and

Restrict minors' access to materials "harmful to minors," as that term is defined in Section 1703(b)(2) of the Children's Internet Protection Act of 2000.

DEFINITIONS

Technology protection measure means a specific technology that blocks or filters Internet access to visual depictions that are:

- obscene, as that term is defined in section 1460 of title 18, United States Code;
- child pornography, as that term is defined in section 2256 of title 18, United States Code;
- or
- harmful to minors.

Harmful to minors means any picture, image, graphic image file, or other visual depiction that:

- taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

School boards receiving E-Rate discounts must comply with CIPA in order to continue receiving the discount. The certification should be made by submitting a modified FCC Form 486 (Receipt of Service Confirmation Form) which can be obtained at: www.sl.universalservice.org.

NOTE: CIPA resources are available online at the following sites:
www.ifea.net/cipa
www.nsba.org

LEGAL REF.: Children's Internet Protection Act of 2000 (H.R. 4577, P.L. 106-554)
CROSS REF.: Policies IJ - Technology and Instruction / Electronic Information Resources
IJ-E (1) - Internet Network Access Agreement
IJ-E (2) - Internet Parental Consent Form
IJ-R - Internet Use By Students
IJ-A-E - Internet Etiquette
IJ-A-P - Internet Administrative Procedures

INSTRUCTIONAL MATERIALS - COPYRIGHT POLICY IJC

Television/Video Programs

Part of the 1976 Copyright Act, ratified in 1981, GUIDELINES FOR OFF-AIR RECORDING OF BROADCAST PROGRAMMING FOR EDUCATION PURPOSES, outlines fair use. Instructional Television (ITV) programs have more liberal school recording and use rights than any other source of programming. All other video programs carry special, individual restrictions.
In order to comply with copyright laws, it is necessary for all employees of Harrison County Public Schools to abide by the following regulations:

- A television program may not be recorded at home from either a broadcast or cable transmission and used at school. Home taping must be for home use only.
- A videotape rented from a video store and marked "For Home Use Only" may not be shown at school.
- A purchased videotape may be used in the school only for face-to-face instruction by an individual teacher, not for entertainment, unless a public performance license has been obtained.
- Off-air recordings within schools are permissible only at the request of an individual teacher for classroom instructional purposes. The tape cannot be used by other teachers.
- Under Fair Use Guidelines, the above recording may be shown to students no more than two times within 10 school days of the broadcast date, and the second showing may only be instructional reinforcement. Most programs can be retained for a total of 45 days, and then must be erased.
- Students are not allowed to record programs at home and bring them to school for viewing in the classroom.
- Under no circumstances will a substitute teacher be allowed to show a video of any kind to fill up time because the teacher did not leave any lesson plans. If a video is scheduled for the day the teacher is absent, it must meet all of the above restrictions.
- If there is a question about the legality of the tape, the principal will make the final decision before the video is shown.
- Teachers who currently have a bank of video tapes at home and are considering showing them should make arrangements to get permission from the copyright holder before writing them into lesson plans. This permission must be in writing.

COMPUTER SOFTWARE

- Harrison County Public Schools computer equipment must not be used to make illegal copies of software.
- The use of illegally copied software is prohibited in schools or offices.
- Multiple loading of software is prohibited in schools or offices.
- Software licensing agreements of copyright holders must be observed.
- Use of computer software on a networked computer system is prohibited unless written permission is obtained.
- All software obtained from district site licensing is for classroom/office use only.

PRINT/GRAPHICS

- The reproduction of copyrighted, consumable materials such as workbooks, activity sheets, etc. is specifically prohibited by the copyright law. (Not even one page of a purchased ditto master may be copied when ditto ink is depleted.)
- One copy may be made of a transparency for use in the classroom.
- Teachers or students may not make multiple copies of copyrighted materials from a library or other reference including out-of-print books.
- Copying from printed publication such as a poem, a chapter from a book, and a short article from a periodical is limited to a single copy for research use.
- Any syndicated comic strip or cartoon characters may not be reproduced for bulletin boards or other displays.
MUSIC

- Music recordings may not be reproduced from album to cassette.
- Music for use as background music of a slide presentation is permitted only if the presentation is required for instructional purposes and not for entertainment.
- Sheet music may not be copied unless the music is on order and has not yet been received by the teacher. A purchase order must have been issued. Any copies must be destroyed once the purchased materials are received.
- Recordings of music may not be transferred from a radio broadcast to tape.

Also see Policy EI – Computer Software Usage

TEACHING METHODS

The Board urges that the best available strategies and methods for bringing about learning be utilized in the district’s schools. The instructional staff shall keep abreast of new and more promising instructional ideas and practices developed in schools throughout the nation and apply those which apparently have the potential for improving the learning program in the district’s schools.

Methods shall be focused on individualized learning, including:

1. Appraisal of individual learning style, abilities, disabilities;
2. Assessment of individual learning needs;
3. Development, implementation, and evaluation of individual learning programs; and
4. The modification and/or renovation of individual learning programs.

LIMITED ENGLISH PROFICIENCY INSTRUCTION

COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

The Board of Education will provide a program of language instruction to students who have limited English proficiency. Student participation in any language instruction program or instruction in English as a second language is voluntary and requires written parental permission.

IDENTIFICATION

Students who meet any one or more of the following criteria shall be identified as being limited in English proficiency. A student who:

1. was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
2. is a Native American or Alaskan Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency; or

3. is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and

4. who has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

REQUIREMENTS

If this district receives federal funding for Limited English Proficient (LEP) Programs, the following will be provided:

1. Parents will be notified of their student's placement in a language program and their options associated with that placement. Notification will include the reasons for identifying the child as LEP and the reasons for placing the child in the specified program.

2. Students will participate in regular assessments in a manner that will yield an accurate assessment. Test waivers may be granted on a case-by-case basis for LEP students who demonstrate unusual and unique circumstances; however, students who have been educated in the United States for three years are required to participate in reading/language arts assessment in English.

3. Certification that teachers in the program are fluent in English as well as other languages used in instruction (if the district receives subgrants).

4. Evaluation of the program and the academic success and language achievement of the students in the program. Parents will be notified of:

   A. Their child's level of English proficiency and how such a level was assessed.
   B. The status of their child's academic achievement.
   C. The method of instruction used in the program in which the child is placed, and the methods of instruction used in other available programs.
   D. Information as to how the program will meet their child's educational strengths, assist him/her to learn English, and meet age-appropriate academic achievement standards.
   E. Exit requirements for the program.
   F. If the child has a disability, a statement as to how the LEP will meet the objectives of the child's LEP.

Consequences of inadequate yearly progress include notification of parents, development of improvement plans, and restructuring of programs or the district will lose federal funds. For non-English speaking parents, the district will arrange to provide translations of this information in their native language.
Controversial issues are defined as those problems, subjects or questions about which there are major differences of opinion, for which there are no easy answers, and discussions of which generally create strong feelings among people.

Controversial issues, however, provide stimulation to learning by creating intellectual excitement and are thus an important part of the classroom environment. Free inquiry in a democratic society requires that controversial issues arising in the classroom be handled as a regular aspect of instruction and learning in such a way as not to inhibit the dignity, the personality, or the intellectual integrity of either the teacher or the students.


Any teacher, administrator, school council or local school board in any public school district in this state may post in a public school building, classroom or at any school event or read from any historical document or writing relating to the founding of the United States of America or this state, or both, notwithstanding the fact that such materials may include religious quotations, references or illustrations. There shall be no content-based censorship of American or Mississippi History, heritage or culture based on any religious references contained in such documents, writings or records.


No religious doctrine, sectarian or denominational teaching is permitted in the Harrison County School District. The Board of Education permits secular teaching about religion and the history of religion and comparative religions. The school should promote tolerance of religious diversity, encourage a spirit of cooperation, and cultivate harmony among persons of various religious beliefs.

The study and recitation of patriotic and historic documents having religious reference embedded is permitted.

This policy is not intended, nor shall it be interpreted, to interfere with the individual rights of students otherwise protected by law and the United States Constitution.
NO CHILD LEFT BEHIND ACT

It is the policy of the Harrison County School District Board of Education not to prevent, or otherwise deny participation in, constitutionally protected prayer in the district’s schools, consistent with current guidance issued by the U.S. Department of Education under the No Child Left Behind Act of 2001, and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U. S. Constitution.

Under current federal guidelines, students have the following rights:

1. To engage in private, non-disruptive activity such as prayer or bible reading while at school;
2. To participate in before or after school events that have a religious content;
3. To study about religion when appropriate to the curriculum;
4. To produce written expressions of religious beliefs in home work, art work, and other assignments;
5. To distribute in a non-disruptive manner, subject to reasonable restrictions as to time, place, and manner, religious literature;
6. To be excused for religious reasons from participation in school programs or activities;
7. To be granted release time to attend religious events;
8. To wear clothing that includes a non-disruptive religious theme or message;
9. To be given access to school media to announce religious events in the same manner as other organizations; and,
10. To be granted access to school facilities for religious activities in the same manner as other organizations.

Students shall not coerce or intimidate other students to listen or participate in their private exercise of religious activities. Likewise, no student shall be harassed or ridiculed because of his/her participation in religious activities.

Distribution of literature and materials, including those of a religious nature, shall be done in accordance with Board policies regarding the distribution of literature and materials applicable to all groups. The school cannot endorse or sponsor the distribution of outside literature or an outside organization.

School administrators, teachers and staff shall take a neutral approach regarding the promotion of prayer or other religious activities in schools or at school-sponsored events. They cannot interfere with students exercising their religious rights as permitted by law and they cannot tell or suggest to students that they should pray or participate in religious activities. Prayer over the intercom or at school-related activities shall not be allowed except as specifically stated above.

Students may begin the school day with a brief period of quiet reflection of up to 60 seconds. This is not intended to be a religious service or exercise. Administrators, teachers and staff should not conduct
themselves in any manner that would suggest that this period of quiet reflection is a time of prayer but should remain neutral in this activity.

The school board shall be permitted to open its meetings with a brief non-sectarian, non-proselytizing invocation to solemnize the occasion. Only board members shall be permitted to present these invocations.

The Board is committed to following the law and to protecting the freedoms of all students, both those who wish to exercise their religious freedoms and those who prefer not to exercise those rights.

This policy supersedes any other Board policy that might be inconsistent with it.

LEGAL REF.: Public Law 107-110 (No Child Left Behind Act of 2001)

CROSS REF.: Policy JAB - Equal Access, Student Organizations

CEREMONIES AND OBSERVANCES – GRADUATION – PRESENTATION OF DIPLOMAS

In order to provide an atmosphere of continuity and brevity surrounding the commencement exercises, it is necessary to make adequate arrangements for planning and rehearsal of the program. The exercises shall be carried out on a date and at a time and place established by the Board of Education. The high school principal shall be responsible for arrangement of the program, conducting rehearsals, and providing for proper order commensurate with the dignity and importance of this event in the lives of Harrison County students.

Policies governing ceremonies and observances, graduation are adopted by the School Board and published annually in student handbooks as official statements of district policy.

LESSON PLANS

Each teacher will prepare lesson plans weekly, one week in advance, and in preparation for any period of absence. If a teaching assistant is assigned, the plan will include activities to be accomplished by this assistant.

At a minimum, lesson plans will include objectives, procedures, assignments, materials, and evaluation methods to be used in the teaching process for the period for which the plan is written.

In addition to the minimum components required. Effective lesson plans should reflect long-range planning. They should provide a stimulus for effective teaching and the most efficient and effective use of time.
The principal should have a planned system for supervising the planning process and for ensuring compliance with this policy.

**TRANSCRIPTS**

District policies governing transcripts are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

**REFLECTION PERIOD**

In each school classroom, the local school governing board may authorize a brief period of quiet reflection for not more than sixty (60) seconds at the opening of school upon every school day.

The moment of quiet reflection authorized by state statute is not intended to be and shall not be conducted as a religious service or exercise but is considered an opportunity for a moment of silent reflection.

**DISPLAY OF U.S. MOTTO**

Principals and teachers in each public elementary and secondary school or each school district in this state shall display on an appropriately framed background with minimum dimensions of eleven (11) inches by fourteen (14) inches, the following motto of the United States of America in each classroom, school auditorium and school cafeteria under his or her supervision: “IN GOD WE TRUST.” For purposes of this provision, “classroom” shall mean any room of a public school where instruction takes place.


**VETERANS’ DIPLOMA PROGRAM**

This school board may award an honorary high school diploma in a form prescribed and supplied to the district by the State Board of Education to veterans of World War II and the Korean Conflict who were unable to complete their education due to their military service. The honorary diploma is available to any honorably discharged veteran residing in Mississippi who was scheduled to graduate between 1941 and 1955 but was inducted into military service before completing the necessary graduation requirements. Family members of deceased veterans may apply for the diploma to be awarded posthumously. Copies of the uniform application for such diplomas are available from the State Board of Education.
STUDENT POLICY GOALS

The welfare of students of the Harrison County School District is the primary concern of the Board of Education. The students receive first consideration from the Board of Education and all staff members within the district, which should result in the establishment of an environment conducive to the best learning opportunities possible. To that end, the Board of Education and the staff of the Harrison County School District pursue the following goals:

A. To provide appropriately for each student according to specific needs, capabilities, learning styles, interests, and goals.

B. To protect and preserve the legal rights of all students in the Harrison County School District.

C. To promote the feelings of respect, self-worth, and responsibility for choices.

D. To promote the safety, health, and welfare of students.

E. To provide discipline which is fair and consistent.

F. To promote good attendance and good work habits.

G. To promote self-sufficiency, quality decision-making and effective communication.

H. To promote participation in the arts as an enhancement for the quality of life.

I. To provide opportunities for family involvement in the educational program of the student.

EQUAL EDUCATIONAL OPPORTUNITIES

Every pupil of the district will have equal educational opportunities regardless of race, color, creed, sex, disability, religion or marital status.

No student shall be excluded on such basis from participating in or having access to any course offerings, athletics, counseling, employment assistance, and extra-curricular activities.

School Board policies shall follow federal laws related to nondiscriminatory practices in the operation of the school.

Standard 2 is as follows: School board policies that comply with state and federal statutes, rules, and regulations serve as the basis of operation for the district, and current copies of school board policies are published and available for public review. {MS Code 25-41-7; 25-61-1 through 17; 37-9-1 through 75; 37-9-101 through 113; 37-7-301(p)(w); and Federal Civil Rights Act of 1964}


Mississippi Public School Accountability Standards 2007
COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

The Board of Education is aware that the Equal Access Act (Title VIII of Public Law 98-377) requires that school districts grant equal access to student groups who wish to meet for religious, political, or philosophical purposes, if the school allows other types of non-curriculum-related student groups to meet. The superintendent will establish whatever procedures are necessary to ensure equal access to student groups in this district and will approve student groups use of facilities to conduct meetings provided that:

The meeting will take place during open forum. Open forum is defined as non-instructional time during lunch hour, after school or as determined by the building principal.

1. The meeting is voluntary and student initiated. The superintendent and appropriate principal will be assured that only students are promoting such activities and that the students are participating of their own volition. Only students enrolled in the particular school may request meetings at the school.

2. School authorities or district employees do not promote, lead or participate in such meetings. The superintendent or appropriate principal may assign personnel to supervise the meetings. Such supervision will not constitute sponsorship by the district of such meetings.

3. The presence of school authorities or district employees or district personnel at student religious meeting is non-participatory in nature. Any presence of school authorities will be for the purpose of observation only.

The meeting will not in any way interfere with the conduct of regular instructional activities of the schools. The school may deny facilities to students if such activities or meetings interfere, or are likely to interfere, with the instructional program.

LEGAL REF.: Equal Access Act (Title VIII of Public Law 98-377)
P. L. 107-110 (No Child Left Behind Act of 2001)
CROSS REF.: Policy EBG - School Facility Rental

ATTENDANCE

Regular and punctual attendance on the part of all students is necessary for successful school work. Even one instance of tardiness or one absence may be detrimental to good school work. Certainly, repeated tardiness and absences frequently cause students to become discouraged and often cause failure. It is therefore important that parents have their children in school on time every day that school is in session, and only in unavoidable cases should a student be taken out of school before the close of the school day. Regular attendance will pay good dividends in the course of a school year. District policies governing attendance and tardies adopted by the School Board are published annually in the student handbook. See handbook for specific procedures. Also see Policy JBD, Absences and Excuses.

Teacher shall maintain an accurate attendance record at all times, shall submit to the divisional principal an accurate monthly attendance report, and shall encourage all students to attend all classes.

Student attendance requirements are adopted by the Board and published annually in student handbooks as official statements of Board policy.
This school district shall comply with the requirements of the Mississippi Compulsory School Attendance Law (Code, §37-13-91, as amended in the 2003 Regular Session of the Mississippi Legislature). Appropriate data shall be provided to the Office of Compulsory School Attendance Enforcement within the State Department of Education, as may be required by the state.

I. AGE/REQUIREMENTS

All children who have attained or will attain the age of 6 years and who have not attained the age of 17 years on or before September 1 of the school year and any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public kindergarten program* are “compulsory-school-age children” and must be enrolled in school unless the child is:

a. Physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation;

b. Enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children; or

c. Being educated in a home instruction program approved by the State Department of Education.

§37-13-91 (3)

*The parent or guardian of a kindergarten child as described above shall be allowed to disenroll the child from the program on a one-time basis, and such child shall not be deemed a compulsory-school-age child until the child attains the age of six (6) years. §37-13-91(2)(f)

II. EVIDENCE OF AGE

It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A certified birth certificate;

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;

(c) An insurance policy on the child's life which has been in force for at least two (2) years;

(d) A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;

(e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or

(g) If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance. § 37-15-1 (2002)

III. REPORTS

If a compulsory-school-age child has not been enrolled in school within fifteen (15) calendar days after the first day of the school year or if a child has accumulated five (5) unlawful absences during the school year, the Superintendent or his/her designee shall, within two (2) school days or within five (5) calendar days, whichever is less, report on the form provided by the State Department of Education, the absences
to the school attendance officer. The Superintendent, or his/her designee, shall report any student suspensions or student expulsions to the school attendance officer when they occur.

School districts shall maintain accurate records documenting enrollment and attendance in a manner that allows the State Department of Education to make an assessment of changes in enrollment and attendance, including dropout rates.

School districts shall produce an annual report detailing statistical information in reference to dropout rates and other attendance-related problems, and provide the report to the State Department of Education.

The State Department of Education shall compile annually a statewide report on school district effectiveness in reducing absentee problems, dropout rates, and other attendance-related problems during the previous school year, incorporate the information into the annual Mississippi Report Card required by Section 37-3-53, Mississippi Code of 1972, on school district performance and offer technical assistance and coordination services to assist districts in improving performance.

IV. DEFINITIONS

An "unlawful absence" which must be reported under this policy shall be defined by state law and includes those absences which are not due to one of the following valid excuses:

a. Attendance at an authorized school activity with the prior approval of the Superintendent of the school district or his/her designee.

b. Illness or injury which prevents the student from being physically able to attend school.

c. When isolation is ordered by the county health officer, by the State Board of Health or appropriate school official.

d. Death or serious illness of a member of the immediate family, which includes children, spouse, grandparents, parents, brothers, sisters, stepbrothers and stepsisters.

e. A medical or dental appointment with prior approval of the Superintendent or his/her designee except in the case of emergency.

f. Attendance at the proceedings of a court or an administrative tribunal if the student is a party to the action or under subpoena as a witness.

Observance of a religious event, with the prior approval of the Superintendent or his/her designee. (Approval should not be withheld unless, in the professional judgment of the Superintendent or his/her designee, the extent of the absence would adversely affect the student's education.)

h. Participation in a valid educational opportunity, such as travel including vacations or other family travel, with the prior approval of the Superintendent or his/her designee. (Approval shall be based on the professional judgment of the Superintendent or his/her designee but shall not be withheld unless the extent of the absence would adversely affect the student's education.)

Other conditions sufficient to warrant nonattendance, with prior approval of the Superintendent or his/her designee. §37-13-91 (4)

No absence shall be excused when it is due to suspension, expulsion or other disciplinary action. §37-13-91 (4) (i)

V. SCHOOL ATTENDANCE OFFICER

The Superintendent and principals shall cooperate with the school attendance officer employed by the State Department of Education, pursuant to Section 5 of House Bill 1443 (1998 Regular Session).
Standard 12 is as follows: The school district complies with state law and State Board of Education policy on enrollment requirements.

12.1 Residency requirements {MS Code 37-15-29} (SB Policy JBCA)
12.2 Immunization requirements {MS Code 37-7-301(i), 37-15-1, and 41-23-37}
12.3 Age of entry requirements {MS Code 37-15-9}

Standard 16 is as follows: The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {MS Code 37-13-91}

Standard 17 is as follows: The school district implements programs designed to keep students in school and to lower student dropout rates. {MS Code 37-3-46(c)}

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policy JBC - School Admission

<table>
<thead>
<tr>
<th>TRUANCY</th>
<th>JBAC</th>
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<tr>
<td>A &quot;truant&quot; is a student who is absent without a valid excuse as identified in Policy JBA.</td>
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<td>&quot;Truancy&quot; also includes absence without permission from any class, study hall or school-related activity for which a student is scheduled during the school day.</td>
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<td>Disciplinary action shall be taken against students who are truant. Continued truancy may lead to academic failure, placement in the alternative school program and/or suspension or expulsion from the regular and/or alternative school programs.</td>
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<tr>
<td>Reports of truancy shall be made in accordance with the Mississippi Compulsory School Attendance Law and Policy JBA.</td>
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<tr>
<td>The school district implements programs designed to keep students in school and to lower student dropout rates. MS CODE 37-3-46(c)</td>
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Standard 16 is as follows: The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {MS Code 37-13-91} (SB Policy JBD)

Standard 17 is as follows: The school district develops a dropout prevention plan and implements programs designed to keep students in school and to lower student dropout rates. {MS Code 37-3-46(c) and 37-21-9} (No Child Left Behind Act of 2001)

Mississippi Public School Accountability Standards (2007)

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<tr>
<th>ENTRANCE AGE - ADMISSIONS</th>
<th>JBB</th>
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<tr>
<td>Except as provided in subsection (2) and subject to the provision of subsection (3) of this section, no child shall be enrolled or admitted to any school which is a part of the free public school system during any school year unless such child will reach his/her sixth birthday on or before September 1 of said school year. No student shall be permanently enrolled in a school in the State of Mississippi who formerly was enrolled in another public or private school within the state until the cumulative record of the student shall have been received from the school from</td>
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which he/she transferred. Should such record have become lost or destroyed, then it shall be the duty of the Superintendent or principal of the school where the student last attended school to initiate a new record.

Entrance Age

The Harrison County School District will comply with age requirements for entry into kindergarten and grade one as follows:

Kindergarten: A child must have attained his/her fifth birthday on or before September 1 of the current year.

Grade One: A child must have attained his/her sixth birthday on or before September 1 of the current year.

Evidence of Age

It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A certified birth certificate;
(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;
(c) An insurance policy on the child's life which has been in force for at least two (2) years;
(d) A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;
(e) A passport or certificate of arrival in the United States showing the age of the child;
(f) A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or
(g) If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance.  § 37-15-1 (2002)

Any child who transfers from an out-of-state accredited public or private school in which that state’s law provides for first grade enrollment subsequent to September 1 shall be allowed to be enrolled in the Harrison County Schools if (a) the parent or legal guardian of the child was a legal resident of the state from which the child is transferring; and (b) such child was legally enrolled in a public or private school of that state for a minimum of four weeks; and (c) the Superintendent of Education of the Harrison County School district determines that the child was making satisfactory progress in the school from which he/she is transferring.

When ruled eligible according to policies and operating procedures for the Mississippi programs for exceptional children, a child may be enrolled in a program for the disabled prior to age six (6).

Following Suspension/Expulsion From Another School District

A student who is expelled or suspended by another school district and who subsequently applies for admission to the Harrison County Schools may not be eligible to enroll in any Harrison County school until he/she is eligible for readmission to and has actually attended classes in his/her previous school following suspension or expulsion.

When any child applies for admission or enrollment in any public school in the state, the parent, guardian or child, in the absence of an accompanying parent or guardian, shall indicate on the school registration form if the enrolling child has been expelled from any public or private school or is currently a party to an expulsion proceeding. If it is determined from the child's cumulative record or application for admission
or enrollment that the child has been expelled, the school district may deny the student admission and enrollment until the Superintendent of the school or his/her designee has reviewed the child's cumulative record and determined that the child has participated in successful rehabilitative efforts including, but not limited to, progress in an alternative school or similar program. If the child is a party to an expulsion proceeding, the child may be admitted to a public school pending final disposition of the expulsion proceeding. If the expulsion proceeding results in the expulsion of the child, the public school may revoke such admission to school. If the child was expelled or is a party to an expulsion proceeding for an act involving violence, weapons, alcohol, illegal drugs or other activity that may result in expulsion, the school district shall not be required to grant admission or enrollment to the child before one (1) calendar year after the date of the expulsion. §37-15-9 (1994)

Legal Guardianship – Non-Resident Students

The following procedures will be in force in regard to students who wish to attend the Harrison County School District under court-approved guardianship:

1. The court order must establish a guardianship for all purposes and not simply for the purpose of enrolling in or attending school.

2. Sufficient evidence must be provided to the Harrison County School District that the legal, full-time residence is that of the guardian.

3. Sufficient evidence must be available to show that the guardian acts on behalf of the child in other matters of importance.

4. The guardian must reside in the zone in which the student is attempting to enroll.

Students who attempt to enroll in school and who present guardianship papers must be sent to the central office for determination that the court-approved guardianship meets the above guidelines.

Should a student, parent(s), or legal guardian give false essential information on the application form or personal data form, such student shall be subject to dismissal from the Harrison County School District.

The school system shall have the right to reject the application of any non-resident student who fails to meet satisfactory scholastic standards or who does not exhibit good conduct. Students expelled or suspended from other schools shall not be accepted.

Immunizations – Birth Records

1. Certificates of Immunization and Vaccination are required upon entering school. (See policy JGCC on Immunizations and Vaccinations.)

2. A certified birth certificate must be presented upon admission. The birth certificate must be from the Bureau of Vital Statistics or from the State Department for students born overseas. Hospital records, baptismal records, etc., will not be acceptable. No other birth certificate is acceptable. The principal or his/her designee must verify the birth certificate. Telephone calls are not acceptable.

3. A new student is enrolled on a 30-day temporary basis until the certified birth certificate is received by the school. Temporary enrollment will preclude official recording or release of grades.

4. Each student must present an up-to-date immunization record.
K-12 Admission/Day of Registration

Students registering for school on the first day of school must wait until the next day of school to enter class.

Admission of Students Over Eighteen Years of Age

Students over eighteen years of age who have not graduated and have left school shall be permitted to return to school only under procedures authorized by the Superintendent of Education. Readmission of such students shall not be automatic, but shall be determined individually in each case under procedures and regulations established by the Superintendent of Education.

Special Education/Anomalous Students

Students who are identified as disabled in accordance with the mandatory Americans With Disabilities Act may be enrolled in special education programs up to the age of twenty-one (21).

Publication of Policies

District policies governing student admissions are adopted by the School Board and published annually in student handbooks as official policy statements of the Harrison County School District.

Standard 12 is as follows: The school district complies with state law and State Board of Education policy on enrollment requirements.

12.1 Residency requirements {MS Code 37-15-29} (SB Policy JBCA)
12.2 Immunization requirements {MS Code 37-7-301(i), 37-15-1, and 41-23-37}
12.3 Age of entry requirements {MS Code 37-15-9}

Mississippi Public School Accountability Standards (2007)

42 United States Code Sections 11431 - 11434
State Board of Education: Residency Verification Process

CROSS REF.: Policy JBCD — Transfers and Withdrawals of Students
Policy JBA – Compulsory School Attendance

Also see Policy IDAC/JBB.

ADMISSIONS – VERIFICATION OF RESIDENCY – TRANSFER - HOMELESS  JBC

I. General Eligibility

This school district shall admit into its free public schools all eligible resident and legally transferred minor children who are over five and not over 20 years of age on September 1 of the school year.

Each minor child shall attend school in the school district of his/her residence unless legally transferred to another school district by the School Board pursuant to MS Code Section 37-15-29 (1992).
Except for those students who have been legally transferred, each minor child seeking to enroll in this school district shall be a school district resident. All students shall register at the school they are assigned to attend.

Any new student enrolling in this school district or any continuing student whose residence has changed shall be accompanied to enrollment by a parent, legal guardian, adult custodian or adult agent of a social service agency of the district who shall register the minor child for admission, except students who have been legally transferred. The accompanying adult shall be required to verify his/her residence as herein provided as part of the registration process.

The person in charge of each school shall require any child enrolling in kindergarten or grade 1 to present a certified birth certificate or other documentation as permitted by law and valid immunization certificate upon enrollment.

Except as provided below no child shall be admitted to any school in this school district during any school year unless such child will reach his fifth birthday on or before September 1 of said school year for kindergarten enrollment; or unless such child will reach his sixth birthday on or before September 1 of said school year for first grade enrollment. No child will be allowed to enroll in or attend any school without a certified birth certificate or valid immunization certificate.

Subject to the provisions below, any child who transfers from an out-of-state public or private school in which that state’s law provides for a first grade or kindergarten enrollment date subsequent to September 1, shall be allowed to enroll in this school district at the same grade level as their prior out-of-state enrollment, if:

The parent, legal guardian or custodian of such child was a legal resident of the state from which the child is transferring;

The out-of-state school from which the child is transferring is duly accredited by that state’s appropriate accrediting authority;

Such child was legally enrolled in a public or private school for a minimum of four (4) weeks in the previous state; and

The Superintendent of Schools of this school district has determined that the child was making satisfactory educational progress in the previous state.

When any child applies for admission or enrollment in any public school in the state, the parent, guardian or child, in the absence of an accompanying parent or guardian, shall indicate on the school registration form if the enrolling child has been expelled from any public or private school or is currently a party to an expulsion proceeding. If it is determined from the child’s cumulative record or application for admission or enrollment that the child has been expelled, the school district may deny the student admission and enrollment until the Superintendent of Schools or his/her designee has reviewed the child’s cumulative record and determined that the child has participated in successful rehabilitative efforts including, but not limited to, progress in an alternative school or similar program. If the child is a party to an expulsion proceeding, the child may be admitted to a public school pending final disposition of the expulsion proceeding. If the expulsion proceeding results in the expulsion of the child, the public school may revoke such admission to school. If the child was expelled or is a party to an expulsion proceeding for an act involving violence, weapons, alcohol, illegal drugs or other activity that may result in expulsion, the school district shall not be required to grant admission or enrollment to the child before one (1) calendar year after the date of the expulsion. §37-15-9 (1994)

No child in grades K through 12 shall be allowed to enroll in or attend any school without a valid immunization certificate. Valid certificates include:
II. Residence Verification Procedure

Definition of residency for school attendance purposes:

The student physically resides full-time, weekdays/nights and weekends, at a place of abode located within the limits of the school district.

A. All school districts will require students who are seeking to enroll or continue to enroll in a school district to register at the school they are assigned to attend. The school district shall verify the residence of each student.

B. Any new student enrolling in or entering a school district or any continuing student whose residence has changed will be required to verify his/her residence address as herein provided as a part of the registration process.

C. Parents or guardians of continuing students whose residency has not changed shall sign a Declaration of Residency Form.

The Harrison County School District accepts only students who physically reside full-time, weekdays/nights and weekends, within the limits of the school district, with the following exceptions: (1) the child of an out-of-district school employee is eligible to attend school in the district, based on mutual consent of the school boards; and (2) students attending Harrison County Schools through the eleventh grade will be allowed to attend Harrison County High School during their senior year based on senior rule, even if they do not live in the district.

A. Except for those students who have been legally transferred, each student identified in paragraph 4 above must establish his or her residency in the following manner:

1. STUDENTS LIVING WITH PARENT(S) OR GUARDIAN(S)

   The parent(s) or legal guardian(s) of a student seeking to enroll must provide this school district with at least two of the items listed below as verification of their address, except that a document with a post office box as an address will not be accepted.

   (a) Filed Homestead Exemption Application form
   (b) Mortgage documents or property deed
   (c) Apartment or home lease
   (d) Utility bills
   (e) Driver’s license
   (f) Voter precinct identification
   (g) Automobile registration
   (h) Affidavit and/or personal visit by a designated school district official
   (i) Any other documentation that will objectively and unequivocally establish that the parent or guardian resides within the school district
   (j) Certified copy of filed petition for guardianship if pending and final decree when granted.
2. **HOMELESS CHILDREN**

When a child is determined to be homeless as defined by the Stewart B. McKinney Act 42 USC Section 11431 (1), 11432 (e) and 11302 (a), this school district shall consider and take enrollment action that is in the best interest of the child pursuant to 42 USC 11432 (e) (3).

3. **STUDENTS LIVING WITH ADULTS OTHER THAN PARENTS OR LEGAL GUARDIANS:**

   (a) The non-parent(s) claiming district residency must meet the criteria of subparagraph (a) (1) through (10) above, required of a parent or legal guardian.

   (b) The district resident must provide the school with an affidavit stating his or her relationship to the student, and that the student will be living at his/her abode full time, and provide documentation fully explaining the reason(s) (other than school attendance zone or district preference) for this arrangement. The Superintendent or his/her designee will make the necessary factual determinations under subsection II.1 (c) (2). Examples of situations where “in loco parentis” authority of an adult will be recognized to establish residency of the minor include but are not limited to the following:

   (1) Death or serious illness of the child’s parent(s) or guardian(s);
   (2) Abandonment of the child;
   (3) Child abuse or neglect;
   (4) Unstable family relationships or undesirable conditions in the home of the child’s parents or guardians having a detrimental effect on the child;
   (5) Students enrolled in recognized exchange programs residing with host families.

   (c) Whenever appropriate the person who has assumed responsibility for the care and custody of the child shall be encouraged to obtain legal guardianship of the child.

4. The requirements of Section II.1 (a) and (c) above are minimum requirements and this school district may require additional documentation and verification at any time.

5. At the minimum, this school district shall maintain in a file a written instrument identifying the types of documents used to verify each student’s residency and copies of any relevant guardianship petition or decree.

6. The provisions of this policy do not apply to students who reside outside the school district, but who have legally transferred into the school district.

Any court ordered procedure shall take precedent over any procedure contained herein.
RESIDENT STUDENTS – ADDRESS CHANGE  

It is a parent's responsibility to report any change of address or telephone number to the office immediately. This should be done in writing. Failure to do so could cause the student to be suspended until corrected.

ADMISSIONS – LATE ENTRANCE  

A student residing in the District who enrolls after the first day of the school year in Harrison County Schools must make up all work missed because of late enrollment. Failure to make up such work will be cause for withholding credit for the term’s work. All make-up work due to late enrollment must be completed as established under the make-up policy.

A student who transfers into the District from a school within the continental boundaries of the United States shall be allowed five (5) school days for travel which shall not be counted in his/her total absences.

A student who transfers into the District from a school outside the continental boundaries of the United States shall be allowed ten (10) school days for travel which shall not be counted in total absences.

Any child who transfers from an out-of-state accredited public or private school in which that state’s law provides for first grade enrollment date subsequent to September 1 shall be allowed to be enrolled in the Harrison County Schools if (a) the parent or legal guardian of the child was a legal resident of the state from which the child is transferring; and (b) such child was legally enrolled in a public or private school of that state for a minimum of four weeks; and (c) the Superintendent of Education of the Harrison County School District determines that the child was making satisfactory progress in the school from which he/she is transferring.

District policies governing late entrance of students are adopted by the School Board and published annually in student handbooks as official policy statements of the District.

ATTENDANCE OF MARRIED STUDENTS  

Married students shall be considered as any other students, subject to the rules and regulations of the School District. In areas where parental permission is required for field trips or excuses for absences or tardiness, married students shall make special arrangements with the administrative staff of the school.

ASSIGNMENT TO SCHOOLS  

The School Board shall determine the attendance areas and each pupil must attend the school to which he/she is assigned.

Students shall attend the schools located in the area in which they reside and subsequently attend the school assigned upon completion of the highest grade offered in that school area.

The Harrison County School District operates under all Federal Court Orders and guidelines.
District policy covering assignment to schools is published annually in student handbooks as official statements of Board policy.

### ASSIGNMENT OF STUDENTS

The term "minor" when used in any statute, shall include any person, male or female, under twenty-one years of age. MS Code § 1-3-27

**COMPLIES WITH NO CHILD LEFT BEHIND ACT 2001**

In the event a district school is identified for school improvement, corrective action or restructuring under the No Child Left Behind Act of 2001 (NCLBA), the district shall, no later than the first day of the school year following such identification, provide all students enrolled in the school the option to transfer to a safe district school meeting adequate yearly progress standards as defined by law. Transfer priority will be given to the lowest achieving students from low income families. A transferring student will be permitted to remain in the school until he/she completes the highest grade in that school.

A student who becomes a victim of a violent criminal offense, as determined by state law, while in or on the grounds of a school the student attends, or any student attending a district school that is identified by the Mississippi Department of Education (MDE) as persistently dangerous, may transfer to a safe district school that has not been identified as in need of improvement.

The district will provide transportation, as provided by Board policy EDA, Student Transportation. That obligation will end at the completion of the school year for students transferring from a school identified for improvement or as persistently dangerous, if the school from which the student has transferred is no longer identified for improvement, subject to corrective action or restructuring or persistently dangerous.

Notice to parents of their right to request the transfer of their student as provided by this policy will be provided as required by law.

### BOARD POWER AND AUTHORITY

When any child qualified under the requirements of Section 37-15-9 shall apply or present himself for enrollment in or admission to the schools of this school district, the school board of this school district shall have the power and authority to designate the particular school or attendance center of the district in which such child shall be enrolled and which he shall attend; no enrollment of a child in a school shall be final or permanent until such designation shall be made by said school board. No child shall be entitled to attend any school or attendance center except that to which he has been assigned by the school board; however, the principal of a school or superintendent of this district may, in proper cases, permit a child to attend a school temporarily until a permanent assignment is made by this school board. § 37-15-13 (1994)

### FACTORS TO BE CONSIDERED

In making assignments of children to schools or attendance centers, this school board shall take into consideration the educational needs and welfare of the child involved, the welfare and best interest of all the students attending the school or schools involved, the availability of school facilities, sanitary conditions and facilities at the school or schools involved, health and moral factors at the school or schools, and in the community involved, and all other factors which this school board may consider pertinent, relevant or material in their effect on the welfare and best interest of this school district and the particular school or schools involved. All such assignments shall be on an individual basis as to the
particular child involved and, in making such assignment, this school board shall not be limited or
circumscribed by the boundaries of any attendance areas which may have been established by this board.

PARENTAL REQUEST FOR REVIEW

If the parent, guardian or other person having custody of any child shall feel aggrieved by the assignment
of such child to a school or attendance center by this school board, then such parent, guardian or other
person may, at any time within thirty (30) days after such assignment, make application in writing to this
school board for a review or reconsideration of such assignment. Upon receiving any such application,
this school board shall set a time and place for the hearing thereof which time shall be not more than
fifteen (15) days after the regular meeting of said board next succeeding the date of the filing of said
application. At the time and place so fixed, the person filing such application shall have the right to
appear and present evidence in support of said application. After hearing said evidence, this school board
shall determine whether said application is well taken and supported by the evidence and shall enter an
order either affirming its previous action or modifying or changing same as this school board shall find

If any parent, guardian or other person having custody of any child affected by the assignment of such
child to a school or attendance center by this school board shall feel aggrieved at the order of this school
board provided for in Section 37-15-17, such person may, at any time within thirty (30) days from the
date of such order, appeal therefrom by filing a petition for appeal in the circuit court of the county in
which this school district is located. Upon the filing of such petition for an appeal, process shall be issued
for and served upon the president of this school board. Upon being served with process, it shall be the
duty of this school board to transmit promptly to the court a certified copy of the entire record of the
proceedings as shown by the file of this school board. From the judgment of the circuit court, an appeal
may be taken to the Supreme Court in the same manner as other appeals are taken from other judgments
of such court. 37-15-21 (1987)

EXCEPTIONS

(1) Except as provided in subsections (2), (3) and (4) of this section, no minor child may enroll in or
attend any school except in the school district of his residence, unless such child be lawfully transferred
from the school district of his residence to a school in another school district in accord with the statutes of
this state now in effect or which may be hereafter enacted.

(2) Those children whose parent(s) or legal guardian(s) are instructional personnel or certificated
employees of a school district may at such employee's discretion enroll and attend the school or schools
of their parent's or legal guardian's employment regardless of the residence of the child.

(3) No child shall be required to be transported in excess of thirty (30) miles on a school bus from his
or her home to school, or in excess of thirty (30) miles from school to his or her home, if there is another
school in an adjacent school district located on a shorter school bus transportation route by the nearest
traveled road. Those children residing in such geographical situations may, at the discretion of their
parent(s) or legal guardian(s), enroll and attend the nearer school, regardless of the residence of the child.
In the event the parent or legal guardian of such child and the school board are unable to agree on the
school bus mileage required to transport the child from his or her home to school, an appeal shall lie to
the State Board of Education, or its designee, whose decision shall be final.

(4) Those children lawfully transferred from the school district of his residence to a school in this
school district prior to July 1, 1992, may, at the discretion of their parent(s) or legal guardian(s), continue
to enroll and attend school in this school district. Provided further, that the brother(s) and sister(s) of said
children lawfully transferred prior to July 1, 1992, may also, at the discretion of their parent(s) or legal
guardian(s), enroll and attend school in this school district. 37-15-29 (1992)

District policy covering assignment to schools is published annually in student handbooks as official
statements of Board policy.
Standards 12 and 13 are as follows:

12. The school district complies with state law and State Board of Education policy on enrollment requirements.
   12.1 Residency requirements {MS Code 37-15-29} (SB Policy JBCA)
   12.2 Immunization requirements {MS Code 37-7-301(i), 37-15-1, and 41-23-37}
   12.3 Age of entry requirements {MS Code 37-15-9}

13. Any transfer student from a school or program (correspondence, tutorial, or home study) not accredited regionally or by a state board of education [or its designee(s)] is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student within 30 days after filing for transfer. Notice of the administering of such test(s) shall be given to the applicant not less than five days prior to the date of the administration of such test. {MS Code 37-15-33}

LEGAL REF.: MS Code as cited; P. L. 107-110 (NCLB)

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policy JBAB - Home Schooling / Transfer Student Testing

**SCHOOL ASSIGNMENT – ATTENDANCE IN ZONE OF RESIDENCE**

All students enrolled in the Harrison County School District shall attend school in the zone in which their parents or legal guardians reside. Attendance policies are adopted by the Board and published annually in student handbooks. (See policy AD.)

**ENROLLMENT OF SPECIAL/TRANSFER STUDENTS – HOME SCHOOLING**

The procedure for enrollment of transfer students who were enrolled in a non-accredited school or in a correspondence school or who were receiving home schooling will be as follows:

The student will be temporarily assigned during registration to grade level or subject indicated on report card, transfer papers, or written documentation from correspondence school or private tutor.

The administrator will arrange for administering a test to each student during the first thirty (30) days of attendance.

Principals will assign the student to grade level or subject (discipline) based on the student's achievement level on the test.

Students from non-accredited schools will not be accepted without examinations, using district tests and/or special subject area tests within thirty (30) days after transfer. Schools shall not permanently enroll a student who was formerly enrolled in the state until the Mississippi cumulative folder or official transcript of credits is received from the school from which the student transferred.

Home schooling/alternative education may not be used to advance a student beyond his/her peers.

(See JBCDA.)
STUDENT WITHDRAWALS AND TRANSFERS  

If a student is to withdraw from school or transfer to another school, the student’s legal guardian must contact the principal. All debts to the school must be cleared and textbooks returned before the student can be officially withdrawn. A clearance form will be issued when these requirements are met. The principal of the school to which the student transfers will need to see this clearance form before enrolling the student.

The student’s cumulative record will be forwarded to the next school upon receipt of a request.

Any student absent for twenty (20) consecutive days will be dropped from the roll unless the legal guardian advises the principal that the student has a legitimate reason for extended absence. The principal will determine what course will be followed concerning a student’s progress and placement following an extended absence.

If a student withdraws during the last month of school, a letter will be given to his/her parents stating the child’s academic situation and his/her probable classification for the next year had he/she remained in attendance.

Also see Policy JBC.

HOME SCHOOLING/PRIVATE SCHOOLS/TRANSFERS  

The Board of Trustees of the Harrison County School District affirms each parent's/guardian's right to educate his/her children as he/she chooses. Home schools, private schools, charter schools, and public schools are all viable educational options. The intent of this policy is not to disrupt the educational process of the home schools, private schools, charter schools, public schools, or other schools but rather to provide an environment for working in harmony for the benefit of each student.

The policies and procedures herein are applicable only to students who are eligible, by residence or under Board-approval tuition requirements, to attend Harrison County Schools.

1. **Enrollment status**

   There are several possibilities in regard to students' enrollment in school. These include students who are enrolled entirely in a home school, private school, or charter school, students who are enrolled entirely in a public schools, and students who are concurrently enrolled in any combination of the above.

2. **Placement**

   The Harrison County School District retains the absolute right of placement for all students at the appropriate grade level and in the appropriate classes. The parent, counselor, student (when relevant), and principal/assistant principal shall meet to consider appropriate placement at grade level.

3. **Out-of-District Transfers**

   Students transferring from out of Harrison County School District must obtain a release form from
the school district in which they reside. Approval must then be secured by the Harrison County School District Superintendent with final approval by the Harrison County School District School Board. Transfers are subject to tuition charge and availability of space.

4. **Transfer Students from Home Schools or Non-Accredited Schools**

Pupils from non-accredited schools will not be accepted without examinations, using district tests and/or special subject tests within thirty (30) days after transfer. Notice of giving such test shall be given to the applicant not less than five days prior to the date of the administration of such test. Schools shall not permanently enroll a student who was formerly enrolled in the state until the Mississippi cumulative folder of official transcript of credits is received from the school from which the student transferred.

5. A non-accredited school shall be defined as a school that is not recognized by any of the following accreditation processes:

   a. A state accrediting agency  
   b. Mississippi Private School Association, or  
   c. Southern Association of Colleges and Schools (SACS) or any sister affiliation of SACS.

6. **The procedure for enrollment of transfer students who were enrolled in a non-accredited school or in a correspondence school or who were receiving home schooling will be as follows:**

   a. The student will be temporarily assigned during registration to grade level or subject indicated on report card, transfer papers, or written documentation from correspondence school or private tutor.  
   b. The principal will submit in writing, upon student registration a list of names of students who register from a non-accredited school, a correspondence school, home schooling, or a private tutor; the list will be given to the appropriate central office administrator.  
   c. The administrator will arrange for testing of each student within thirty days of enrollment to the school.  
   d. Principals will assign the student to grade level or subject based on the student’s achievement level on the test(s).  
   e. The Carnegie unit will be awarded only on a “Pass” basis.

7. **Participation in Harrison County school programs/activities**

Students who request permission to participate in any activities governed by the Mississippi High School Activities Association (athletics, band, chorus, debate, drama, cheerleading, etc.) must meet all MHSAA requirements and local district requirements in order to be allowed to participate.

8. **Graduation requirements**

In order to graduate, the student must have the required number of Carnegie units for the year of graduation as specified in the Program of Studies for the Harrison County School District.

Courses in which the transfer student has been given credit on the basis of passing term examinations and/or standardized subject areas tests -- as defined under #2 above -- shall not be included in determining class ranking or class standing at the time of graduation. Class ranking or class standing at graduation shall be determined as specified in school policy, with only those courses having numerical grades to be considered.

In order to receive a diploma from D’Iberville/Harrison Central High School, the student transferring from home schools, non-accredited private schools, charter schools, or other schools not accredited by the SACS or the state accrediting agency must be enrolled for at least the full senior year and must meet all grade and graduation requirements as specified in district policy.
It is the policy of the Harrison County School District that any student enrolling in the Harrison County School District from a Home-School or Non-accredited institution will be placed in the appropriate grade as determined by district secondary subject area tests or by nationally normed tests where such tests are available.

If the enrolling elementary student from a Home-School or Non-accredited institution earns a 50% on nationally normed tests in Reading, Mathematics, and Language, grade placement at the level of the test may be made.

If the enrolling secondary student from a Home-School or Non-accredited institution earns a 70% on district secondary subject area tests or a 50% on nationally normed tests in pertinent areas of Language, Mathematics, Science or Social Studies, or any other subject area one Carnegie Unit credit and no grade will be assigned for that secondary course normally carrying one unit; one half Carnegie Unit credit and no grade will be assigned for a secondary course normally carrying one half unit credit.

Students from a Home-School or Non-accredited institution can receive Carnegie Unit credit only for courses offered at the Harrison County School District secondary school where they enroll.

No academic awards or honors will be awarded to secondary students receiving credits through this route.

**COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001**

The following procedure will govern consideration of a request by a parent for his/her student to attend a district school other than the one within the student's regular attendance boundary:

**General Parent/Student Requests for Intradistrict Transfer**

1. Resident students and their parents will be notified on an annual basis of intradistrict transfer options available;

2. Requests to transfer will be considered on a space-available basis and subject to the following criteria:
   
   a. A financial, educational, safety or health condition affecting the student would likely be improved as a result of the transfer. "Would likely be improved" means it is probable, in the judgment of the district, that the nature and effect of the benefit to be received will be real and meaningful;
   
   b. Attendance at the school is nearer to the parent's place of work or to the location of child care;
   
   c. The parent has moved and the place of residence is now located outside the attendance boundary of the student's assigned school, but remains within district boundaries and completion of the current school year in the student's school is in the student's best interest;
   
   d. There is some other special hardship or detrimental condition affecting the student or his/her immediate family which would be alleviated as a result of the transfer. "Special" means a circumstance or factor not generally applicable to other students or families. "Hardship" and "detrimental condition" apply to any circumstance or factor which has a harmful effect on the student or his/her immediate family, and is not restricted to a financial, educational, safety or health condition;
   
   e. A program/activity is offered only at the receiving school.

3. Students who apply for an intradistrict transfer and are not accepted at the time of application because of space availability or No Child Left Behind Act of 2001 (NCLBA) transfers will be placed on a waiting list in the order in which the applications are received. Such applications will be considered for approval at a later date as space becomes available. The waiting list will be maintained until [February] of each year, after which time a new waiting list will be developed.
4. Transportation will be the responsibility of the parent. In certain circumstances, district transportation may be appropriately provided, on a space-available basis. Existing bus routes and loading areas will not, however, be disrupted or altered in order to accommodate an intradistrict transfer;

Once a student transfer is approved, the district will, to the extent practicable, continue the student in the receiving school through the highest grade in that building, subject to the right of residents of the attendance area to attend their assigned school and students exercising school choice options under NCLBA.

Approved transfers will be reevaluated at the conclusion of each school year by the building principal of the receiving school. Continuation of the transfer may be denied based on such considerations as space limitations, student behavior, attendance, academic performance or failure to continue an educational program for which the transfer request was originally approved.

5. In the event building capacity is reached with attendance area residents or students from outside the attendance area who have transferred under provisions of NCLBA, transfer students may be asked to enroll in another school or return to their school of origin;

6. An approved transfer granted to a student will not obligate the district to approve subsequent requests from another student in the same family;

7. Student violations of Board policy, administrative regulation or school rules may result in revocation of the transfer at any time at the discretion of the district, in addition to discipline imposed.

**Public School choice Transfer Requests**

In the event a district school receiving Title I funds has been identified as in need of improvement, corrective action or restructuring, and there is another school in the district the student may transfer to, such transfers to meet the public school choice requirements of NCLBA will be provided, subject to the following:

1. The district will provide notification to parents of a student attending a school receiving Title I funds, of a student's right to transfer. The notification will:
   a. Be in writing, provided prior to the beginning of the school year and will be in a comprehensive, easy-to-understand format and, to the extent practicable, in a language parents can understand;
   b. Inform parents that their student is eligible to attend another public school in the district due to the less than adequate performance of his/her current school;
   c. Identify each public school in the district, including public charter schools, that the parent may select;
   d. Explain why the choices made available have been limited including, as applicable, that no choices are currently available; and
   e. Describe the performance and quality of those schools of choice. Parents may request more detailed information and may ask to see a school's academic report card.

   In addition to mailing notices directly to parents, the district will provide information about choice options through such means as newspapers, posters and the Internet.

2. The transfer will be to a safe district school that is making adequate yearly progress and has not been identified as in need of improvement, corrective action or restructuring;

3. Priority will be given to the lowest achieving, disadvantaged students, as required by law. A waiting list for all others will be established. Students may be rank ordered by achievement levels as evaluated by objective educational measures of student achievement at the school or district level. Students may not be rank ordered by parent income;
4. When intradistrict transfers are available, more than one district school of choice will be offered, as practicable. Parent preferences will be considered;

5. In implementing its public school choice responsibilities under NCLBA, the district shall not be required to:

   a. Make alterations in the structure, arrangement or function of a requested school or rooms within a requested school;

   b. Establish and offer any particular program in a requested school if such program is not currently offered in the school;

   c. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

6. Requests to transfer must be in writing (standard mail, fax or E-mail) and submitted to the school office in accordance with timelines established by the district. The district will confirm requests. Parents may decline the assigned school;

7. Approved transfers will be made by the district in a timely manner to ensure parents have ample information, time and opportunity to take advantage of the option to choose a different public school for their student while also providing the school with appropriate planning time;

8. The transfer will remain in effect until the student has completed the highest grade in the school;

9. The opportunity to transfer will end when the school is no longer identified for improvement;

10. Transportation will be provided by the district.

11. In the event there is not another school in the district for the student to transfer because all schools at a grade level are in school improvement, the district will, to the extent practicable, establish a cooperative agreement that would allow interdistrict transfers. If such an agreement is established, transfers to meet the public school choice requirements of NCLBA will be provided in accordance with established Board policy and administrative regulation.

**Safe Public School Choice Transfer Requests**

1. In the event a district school is identified by the Mississippi Department of Education (MDE) as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends, a transfer to meet the safe public school choice requirements of NCLBA will be provided, subject to the following:

2. The district will provide notification to parents of all students attending a school identified as persistently dangerous of their student's right to transfer. The notice will:

   a. Be in writing, provided within [10] school days from the time the district becomes aware that the school has been identified by MDE as persistently dangerous or from the time a parent or student has notified the district that the student has been the victim of a violent criminal offense as defined by MDE;

   b. Inform parents that their student is eligible to attend another public school in the district due to the identification of the school as persistently dangerous, or inform the parent of a student who has been the victim of a violent criminal offense, as defined by MDE, while in or on the grounds of a school the student attends, that their student is eligible to attend another public school in the district;

   c. Identify each public school in the district, including public charter schools, that the parent may select;

   d. Explain why the choices made available may have been limited including, as applicable, that no choices are currently available; and
 Describe the performance and quality of those schools of choice. Parents may request more detailed information and may ask to see a school's academic report card.

3. The transfer will be to a safe district school and to the extent possible, to a district school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring;

4. Requests to transfer must be in writing (standard mail, fax or E-mail) and submitted to the school office for consideration generally no later than [20] school days from the district notice. The district will confirm requests;

5. The district will consider the education needs and preferences of the student and parent. Parents may decline the assigned school;

6. Approved transfers will generally occur within [30] school days from the time the district learns that the school has been identified as persistently dangerous. A student who has been the victim of a violent criminal offense will be transferred as soon as practicable;

7. Transfers may be temporary or permanent but will minimally be in effect as long as the student's original school is identified as persistently dangerous. Transfers for a student who has been the victim of a violent criminal offense will remain in effect until such time as may be appropriate, based on the safety and welfare of the student. The district will consider the educational needs of all transfer students as well as other factors affecting the student's ability to succeed if returned to the transferring school;

8. The district may provide transportation using federal funds or through cooperative agreements with local victims assistance units.

9. In the event a district school is identified by MDE as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends and there is not another school in the district for the student to transfer to, the district may develop an agreement with a neighboring district to accept transfer students. The development of such agreements is at the discretion of the district. Transfer approval will be in accordance with established Board policy and administrative regulation.

**Special Education and Public School Choice**

The district will ensure that students with disabilities are provided a free appropriate public education (FAPE) in their school of choice, consistent with the Individuals with Disabilities in Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. In offering choice to students with disabilities, the district may match the abilities and needs of a student with disabilities to the possible schools that have the ability to provide the student with FAPE.

**Miscellaneous General Provisions for All Transfers**

Students who wish to return to their home school or to transfer to a different district school must reapply in accordance with established request procedures.

Students granted permission to attend a district school other than the school in their assigned attendance area will have the same curricular and extracurricular status as all other students attending the school, consistent with applicable MHSAA rules.

Students are expected to preregister and complete final registration and scheduling for the school in their assigned attendance area pending disposition of a transfer request.

Students may not sign up for or practice with athletic teams or other activity groups in the school they are requesting to transfer until the transfer is approved.
Recruitment of students by district employees is strictly prohibited.

Students whose place of residence changes within the district during the school year must notify the district. Students may be required to attend the school of their new attendance area the following year, consistent with NCLBA requirements, unless application is made for transfer.

Parents may appeal decisions to deny intradistrict transfer requests to the superintendent and Board, through established district procedures.

Record Keeping

The building principal will maintain a file of all intradistrict transfer requests. A copy will be forwarded to the district office for districtwide data collection purposes.

Mississippi Public School Accountability Standards (2007)
LEGAL REF.: MS CODE as cited
P. L. 107-110 (No Child Left Behind Act of 2001)
CROSS REF.: Policies JBCD - Transfers and Withdrawal of Students
JBCCC – Enrollment of Special Transfer Students/Home Schooling

### ABSENCES AND EXCUSES

District policies governing absences and excuses are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

**Grades 1-8**

The Board of Education of the Harrison County School District classifies all absences in grades 1-8 unexcused except for the following reasons:

1. Illness or injury which prevents the student from being physically able to attend school.
2. Isolation ordered by county health officials or State Board of Health.
3. Death or serious illness of a member of the immediate family (defined as parents, grandparents, brother, sister, including stepbrother and stepsister, child, or spouse).
4. Required appearance in court or an administrative tribunal.
5. Observance of religious events.
6. Medical or dental appointments which are approved by the administration prior to the absence, except in case of emergency.
7. Valid educational opportunities approved by the administration prior to the absence.

(“Prior to” approval forms will be available in the principal’s office of each school. These forms may be picked up by the student or the parent.)

Upon a child’s return to school after an absence, he/she will be required to present a written excuse signed by the parent or guardian. The excuse must be received by the teacher within two (2) school days after the absence or it will automatically be considered unexcused. Telephone calls regarding absences are not acceptable.
The following procedure will be used to notify the parents and attendance officer of the Harrison County Family Court:

1. Fifth (5th) unexcused absence – Notify
2. Tenth (10th) unexcused absence – Parent and attendance officer will be notified.
3. Twentieth (20th) unexcused absence – Parent and attendance officer will be notified.

Grades 9-12

Attendance policies for grades 9-12 are adopted by the School Board and published annually in student handbooks as official policy statements of the district.

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<tr>
<th>TARDIES</th>
<th>JBDA</th>
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District policies governing tardies are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

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<tr>
<th>CHECK-OUT POLICY</th>
<th>JBH/JBI</th>
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District policies governing check-outs are adopted annually by the School Board and published in student handbooks as official policy statements of the Harrison County School District.

Only the legal guardian or other person designated by the legal guardian may check a student out of school during school hours. The person checking a student out is to report to the school office. Under no circumstances is a student to be taken out of school without official clearance.

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<tr>
<th>DROPOUT PREVENTION</th>
<th>JBJ</th>
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The Board realizes the importance of every student pursuing/obtaining a high school education. If for no other reason, the marked economic benefits a diploma bestows, finishing high school should be the goal of every student who enters Harrison County schools. With this in mind, the Board adopts the following guidelines to lower student dropout rates in the Harrison County School District.

Every principal shall be responsible for:

1. Making teachers aware of how to identify at-risk students;
2. Orienting every teacher of the proper procedure to follow in working with at-risk students;
3. Making teachers knowledgeable as to the proper procedure to follow in referring an at-risk student for professional help and counseling.
4. The district implements programs designed to keep students in school and to lower student dropout rates.
Standards 16 and 17 are as follows:

16. The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {MS Code 37 13 91} (SB Policy JBD)

17. The school district develops a dropout prevention plan and implements programs designed to keep students in school and to lower student dropout rates. {MS Code 37 3 46(c) and 37 21 9} (No Child Left Behind Act of 2001)

Also see policy JQH

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies IB - Instructional Goals
JBA - Compulsory School Attendance
JCD - Alternative School Program
JQH – Dropout Prevention

STUDENT COMPLAINTS OF SEXUAL DISCRIMINATION/HARASSMENT – JBP

TITLE IX

As provided under Title IX of the Education Amendments of 1972, no person in the U.S. shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Students in the Harrison County School District are protected from sexual discrimination, including sexual harassment, by Title IX of the Education Amendment of 1972 to the Civil Rights Act. It is the intent of the Board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited. Complaints of sexual discrimination/harassment shall be handled in accordance with Policy JBPA – Students Complaints of Sexual Discrimination/Harassment – Title IX Procedures.

HARASSMENT PROHIBITED

This school district affirms employee protection provided under Title VII, and therefore "shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment."

Further, this school district prohibits sexual harassment of or by any student. This policy applies to conduct during and relating to school and school-sponsored activities. Sexual harassment is inappropriate behavior and offensive. Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion.

SEXUAL MISCONDUCT PROHIBITED

If any person eighteen (18) years or older who is employed by any public or private school district in this state is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the Superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of
such accusation, provided that such accusation is reported to the principal and to the school Superintendent and that there is a reasonable basis to believe that such accusation is true. §97-5-24 (1994)

LEGAL REF.: MS CODE as cited
1972 Education Amendments, Title VII & Title IX
CROSS REF.: Policies JAA – Equal Education Opportunities
JBP – Students Complaints of Sexual Discrimination/Harassment –
   Title IX Procedures
JC – Code of Conduct

STUDENT COMPLAINTS OF SEXUAL DISCRIMINATION/HARASSMENT – JBPA
TITLE IX PROCEDURES

Students in the Harrison County 1 School District are protected from sexual discrimination, including sexual harassment, by Title IX of the Education Amendment of 1972 to the Civil Rights Act. It is the intent of the Board to maintain an environment free from sexual harassment of any kind. Therefore, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

This complaint procedure shall provide a process for filing, processing and resolving complaints on such matters. Adherence to these procedures is mandatory. The failure of any person to follow these procedures will constitute a waiver of the right to pursue a complaint at any level, including review by the Board.

I. DEFINITIONS

A. “Sexual harassment” exists when unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature meets one of the following criteria:

   1. QUID PRO QUO HARASSMENT – Submission to such conduct is made, either implicitly or explicitly, a term or condition for a student’s assignment of grades, promotion or other school-related benefit.

   2. QUID PRO QUO HARASSMENT – Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting that individual.

   3. HOSTILE ENVIRONMENT HARASSMENT – Such conduct has the purpose or effect of unreasonably interfering with the student’s work performance or creating an intimidating, hostile or offensive teaching or learning environment.

B. A “complaint” is a report by any student, a parent, legal guardian or custodian of a student or any employee which alleges that a policy or practice of the District or a practice or act of any of its employees or students has discriminated against a student on the basis of sex, including sexual harassment.

C. The “complainant” is the student or parent, legal guardian or custodian of a student or employee who submits a complaint.

D. The “respondent” is the person alleged to be responsible for the violation alleged in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
E. The “Title IX Coordinator” is the person(s) designated by the Superintendent to coordinate the District’s efforts to comply with and carry out responsibilities under Title IX and other state and federal laws addressing equal educational opportunity.

F. A “day” means a working day and does not include holidays and/or weekends.

II. GENERAL RULES

A. Since it is important that complaints be filed and processed as rapidly as possible, the number of days indicated at each step is considered to be maximum and every effort will be made to expedite the process. At any step in the complaint procedure, the time limits may be extended only when necessary under the circumstances. In no event shall these procedures be extended for more than a 90 day period.

B. If a review is not requested at any step within the time allotted and if the decision at the prior step found a reasonable basis to believe that an employee has engaged in any sexual misconduct or involvement with any student under the age of 18, the Title IX Coordinator shall, immediately upon the expiration of the allotted time, submit such information to the Superintendent. The Superintendent shall make such information available to the appropriate District Attorney as required by District policy and Mississippi law.

C. Facts elicited during the complaint procedure are confidential and do not become part of a student’s permanent record. A copy of documents, communications and records dealing with the processing of a complaint will be filed in a separate file as designated by the Superintendent.

D. Facts elicited during the complaint procedure that result in adverse disciplinary action against an employee become part of that employee’s personnel file.

E. The failure of a complainant to proceed from one step to the next within the set time limits, without being granted an extension of time by the Title IX Coordinator, shall be deemed to be an acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.

F. The failure of the reviewing officer(s) to communicate his/her decision to the complainant or respondent within the time limits shall permit the complainant or respondent to proceed to the next step.

G. The complainant may withdraw his/her complaint at any step without reprisal. However, a complainant shall not be permitted to refile the same complaint once withdrawn unless it is within the initial time period.

H. No reprisal shall be invoked against the complainant for filing a complaint or against any person for participation in any way in this procedure.

I. If the complaint is against the student’s principal, the complainant may go directly to the Title IX Coordinator.

III. PROCEDURES FOR PROCESSING A COMPLAINT

The building level principal will immediately investigate a complaint. If the evidence is adequate for a potential problem then the following procedures will take place.

**Party/Parties Involved/Action Required**

**A. Complainant**

Within five (5) days from the time a complaint becomes known, the complainant must complete and submit to the Title IX Coordinator a written “Title IX Report” form.
The report must state the respondent’s name, the nature and date of the alleged violation, the names of any witnesses to such alleged violation and requested action. Forms shall be available from all principals’ offices and from the Title IX Coordinator.

B. Title IX Coordinator
Within two (2) days from receipt of the written complaint, the Title IX Coordinator shall notify the respondent.

C. Respondent
Within five (5) days, the respondent shall be required to respond in writing to the Title IX Coordinator, as follows:
   1. Confirm or deny the facts as alleged;
   2. Indicate acceptance or rejection of the complainant’s requested action; or
   3. Outline alternative actions.

D. Title IX Coordinator
Within five (5) days from receipt of the respondent’s response, the Title IX Coordinator shall provide an initial response to the complainant and respondent, stating initial conclusions of fact and proposed action, if any.

E. Complainant or Respondent
Within five (5) days of receiving the initial response, the complainant or respondent may request, in writing, a hearing on the matter.

F. Title IX Coordinator
Upon receipt of a written request for hearing, the Title IX Coordinator shall schedule a hearing to be held within 5-10 days before an unbiased panel of 3-5 district employees. The Title IX Coordinator shall give written notice of such hearing to the complainant, respondent, student’s principal or employee’s supervisor, Superintendent and other appropriate witnesses if applicable.

G. Title IX Coordinator, Grievant, Respondent, Title IX Hearing Panel
Within 5-10 days of the receipt of the written request for a hearing by the Title IX Coordinator, a hearing shall be scheduled before an unbiased panel of 3-5 district employees. The Title IX Coordinator shall facilitate the hearing, at which the following rules shall apply:

   1. The hearing shall be informal and the legal rules of evidence and procedure shall not apply.
   2. The complainant and respondent shall be permitted to submit written evidence and to bring witnesses before the panel.
   3. The Title IX Hearing Panel members may question any witnesses brought before them.
   4. The complainant and respondent shall be permitted to make a statement before the panel and may be permitted to examine their witnesses and to cross-examine witnesses actually presented by the other parties.
   5. Representation of the complainant or respondent by other individuals shall not be permitted.
   6. The Title IX Coordinator shall create and maintain a record of the hearing which shall include the names of all witnesses, all
investigation reports, a summary of all witness testimony and all documentary evidence.

H. Title IX Hearing Panel
Within five (5) days after the hearing, the Title IX Hearing Panel shall issue a written decision which shall include findings of fact and recommended action.

I. Title IX Coordinator
Upon receipt of the decision of the Title IX Hearing Panel, the Title IX Coordinator shall provide a copy of such decision to the complainant, respondent, principal or supervisor and Superintendent.

J. Complainant or Respondent
If the complainant or respondent is not satisfied with the decision, he/she may request a review by the Superintendent. The request for such review must be made in writing to the Title IX Coordinator within five (5) days of receipt of the Panel’s decision.

K. Title IX Coordinator
Upon receipt of a request for review by the Superintendent, the Title IX Coordinator shall notify the Superintendent of such request and submit to the Superintendent the record of the hearing, the panel decision and all related documents.

L. Superintendent
Within ten (10) days of notice of request for review, the Superintendent shall review the record and panel decision and shall issue a decision. The Superintendent may concur in the findings and recommendations of the Panel or may make alternate findings and recommendations. The Superintendent shall have his/her decision provided to the Title IX Coordinator, complainant, respondent and the principal or supervisor within the ten (10) day period.

M. Complainant or Respondent
Within five (5) days of the receipt of the Superintendent’s decision, if dissatisfied with the decision, the complainant or respondent must submit a written request for review by the School Board to the Title IX Coordinator.

N. Title IX Coordinator
Upon receipt of the request for review, the Title IX Coordinator must schedule a review before the governing School Board to be held at the Board’s next regular or special meeting, but in no event more than 30 days from such request. The Title IX Coordinator shall provide the Board members with copies of the hearing record, all investigation reports, the panel decision, the Superintendent’s decision and all related documents.

O. School Board, Title IX Coordinator, Complainant, Respondent
Within 30 days of the request for review, the Board shall review the hearing record, all investigation, all reports, the panel decision, the Superintendent’s decision and all related records. The review is not a hearing and no party has the right to present further witnesses or other evidence or to examine any witness or party. However, the Board may, in its discretion, permit statements of limited duration from the complainant or his/her representative and the respondent or his/her representative. All usual
rules of Board procedure shall apply. Furthermore, the Board may, in its discretion, require that the review be conducted in closed or executive session.

P. School Board

Within ten (10) days of the review, the Board shall issue a final written decision. The Board may concur in the findings of the Superintendent and direct that the recommended actions be taken or may make alternate findings and direct appropriate actions be taken by the Superintendent or other appropriate administrator. The decision of the Board is final.

Also see IDDHB.

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<th>CODE OF CONDUCT</th>
<th>JC</th>
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NO CHILD LEFT BEHIND ACT

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available and distributed to parents and students outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, as required by the No Child Left Behind Act of 2001 (NCLBA). In addition, each school may publish a student/parent handbook detailing additional rules specific to that school.

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

The superintendent shall establish and the board shall adopt a code of student conduct that shall be provided to all teachers, school personnel, students and parents, legal guardians or custodians at the beginning of each school year. The superintendent shall develop the code of conduct in consultation with principals, teachers, school personnel, students and parents, legal guardians or custodians.

The code of conduct and the discipline plan shall be based upon but not limited to the rules of student conduct including policies JCA, JCBD, JCBE and JCBF and the rules of discipline including policies JD, JDA, JDB, JDC, JDD, and JDE and any and all related policies adopted subsequent hereto. The code shall be made available in the student handbook or other similar publication.

In conformance with the Mississippi School Safety Act of 2001 (Section 37-11-55, MS Code of 1972, amended), this School Board shall adopt and make available to all teachers, school personnel, students and parents or guardians, at the beginning of each school year a code of student conduct developed in consultation with teachers, school personnel, students and parents or guardians. The code shall be based on the rules governing student conduct and discipline adopted by the School Board and shall be made available at the school level in the student handbook or similar publication. The code shall include, but not be limited to:

(a) Specific grounds for disciplinary action under the school district’s discipline plan; procedures to be followed for acts requiring discipline, including suspension and expulsion, which comply with due process requirements;
(b) An explanation of the responsibilities and rights of students with regard to attendance, respect for
persons and property, knowledge and observation of rules of conduct, free speech and student
publications, assembly, privacy and participation in school programs and activities;
(c) Policies and procedures recognizing the teacher as the authority in classroom matters, and
supporting that teacher in any decision in compliance with the written discipline code of conduct;
such recognition shall include the right of the teacher to remove from the classroom any student
who, in the professional judgment of the teacher, is disrupting the learning environment, to the
office of the principal or assistant principal. The principal or assistant principal shall determine
the proper placement for the student, who may not be returned to the classroom until a conference
of some kind has been held with the parent, guardian or custodian during which the disrupting
behavior is discussed and agreements are reached that no further disruption will be tolerated. If
the principal does not approve of the determination of the teacher to remove the student from the
classroom, the student may not be removed from the classroom, and the principal, upon request
from the teacher, must provide justification for his/her disapproval. (This paragraph shall be
repealed on July 1, 2002.)
(d) Policies and procedures for dealing with a student who causes a disruption in the classroom, on
school property or vehicles, or at school-related activities;
(e) Procedures for the development of behavior modification plans by the school principal, reporting
teacher and student’s parent for a student who causes a disruption in the classroom, on school
property or vehicles, or at school-related activities for a second time during the school year; and
(f) Policies and procedures specifically concerning gang-related activities in the school, on school
property or vehicles; or at school-related activities.

Ref.: Section 37-11-55, MS Code of 1972, amended

See all policies under JC and JD coding.

Student Rights and Responsibilities

Freedom of speech is a constitutional right guaranteed to all citizens. The School Board shall make every
effort to provide for the free expression of ideas by students unless this interferes with the educational
process. No student shall have the right to interfere with the educational process of other students.

All students shall be free to express their points of view in an orderly manner in keeping with democratic
ideas.

All students shall have the freedom to exercise the right of legal protest through proper channels,
providing that such protest does not interfere with the educational program of the system or result in harm
to other individuals.

All students shall have the responsibility to grant the same rights and responsibilities to each other and to
develop tolerance for the viewpoints and opinions of others and to recognize the rights of other
individuals to form and hold different points of view.

SECONDARY SCHOOLS

The administration of the Harrison County School District is based on the theory that junior and senior
high students are young ladies and young gentlemen and, as such, should be capable of conducting
themselves in accordance with accepted standards of conduct. Every student is expected at all times to
keep in mind that his/her conduct should not interfere with others, rather that it should be an example to
others.

The primary emphasis of this school system is to provide the best quality education for the boys and girls
of the district. The school system feels strongly that a basic prerequisite for any successful instructional
program is that a clear understanding of the operation is based upon the policies and resulting rules.
Therefore, it is imperative that policies and resulting rules be understood and followed without exception.
ELEMENTARY SCHOOLS

Helping children to develop self-discipline and to conduct themselves in an acceptable manner is a major behavioral objective of the school as well as of the home. Parents may assume that a student’s behavior is satisfactory or better unless they are notified by telephone or by letter. In most cases it is believed that the call or letter will suffice -- if not, the parents may be asked to come to the school for a conference in order to effect an acceptable solution to the problem.

The school will expect and demand nothing less than good conduct on the part of students. It is believed that the above described procedure will be effective in achieving a desirable learning atmosphere and in guiding students toward assuming a greater degree of responsibility for their behavior. It should be fully understood that any student whose conduct interferes with the learning process of others will be removed from the classroom and dealt with accordingly.

GENERAL RULES OF STUDENT CONDUCT

1. Students are expected to conduct themselves in all school activities in such a manner that will promote development rather than inhibit it.

2. A teaching situation which is conducive to learning must be maintained. Therefore, any student whose actions make it impossible for the teacher to devote full attention to the class will be disciplined, including but not limited to being sent to the principal’s office. The counselor and principal will review the case and try to resolve the problem. A student who has been sent from class repeatedly will be suspended from school.

3. Any student who starts a disturbance or who participates in one will be suspended from school immediately and will be able to re-enter only after satisfactory assurance has been given in writing to the principal by the student and by his parents or guardians that there will not be a recurrence of this sort of behavior.

4. Corridor courtesy requires that students walk in an orderly manner on the right side of the corridor.

5. Profanity, cheating, stealing, and gambling can never be accepted by the schools of this system. Such offenses can result in suspension or expulsion.

6. Radios, pagers, cell phones, and/or other sound reproducers shall be forbidden on campus unless specifically requested by the teacher in charge.

7. All schools in the District are tobacco-free zones. Tobacco use is prohibited on property owned or used by the school, whether during school, after school or at school-related events. See Policy EBAB.

8. A student is strictly prohibited by law from possessing a weapon, as identified in Policy JCBH, while on school property, going to school, going from school or during school-related activities. Any student violating this rule shall be subject to immediate suspension and recommendation of expulsion by the principal, his/her designee or the Superintendent and subject to all other penalties and requirements provided by law and District policies.

9. A student is strictly prohibited by law from possessing, using or selling any controlled substance, including drugs and alcohol as identified in Policy JCDAC, while on school property, going to school, going from school or during school-related activities. Any student violating this rule shall be subject to immediate suspension and recommendation of expulsion by the principal, his/her designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.
10. A student who uses or is under the influence of any alcohol or drugs shall be subject to an immediate suspension for a minimum of three (3) days or expulsion and subject to all other penalties and requirements provided by law and District policies.

11. A student who commits an unlawful or violent act, as defined by Policy JCBE, shall be subject to immediate suspension and recommendation of expulsion by the principal, his/her designee or the superintendent and subject to all other penalties and requirements provided by law and District policies.

12. A student who carries or otherwise has in his/her possession a firearm on campus, in violation of Policy JCBH, shall be subject to immediate suspension and recommendation of expulsion for a minimum of one (1) calendar year by the principal, his/her designee or the Superintendent and subject to all other penalties and requirements provided by law and District policies.

13. A student, upon his/her second suspension for a disciplinary reason, will be informed that his/her third such suspension may result in expulsion.

14. Student behavior that harasses or threatens other students or school personnel will not be tolerated. This district shall treat hazing, as defined in MS Code 97-3-105 and stalking, as defined in MS Code 97-3-107, as serious offenses subject to criminal prosecution.

15. Student-to-student sexual harassment will not be tolerated. Complaints of student-to-student sexual harassment will be handled in accordance with Policy JBP, Student Complaints of Sexual Discrimination/Harassment – Title IX Procedures.

16. Any student in any school who possesses any controlled substance in violation of the Uniform Controlled Substance Law, a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on educational property as defined in Section 97-37-17, Mississippi Code of 1972, shall be subject to automatic expulsion for a calendar year by the superintendent or principal of the school in which the student is enrolled; provided, however, that the superintendent is authorized to modify the period of time for such expulsion on a case by case basis. Such expulsion shall take effect immediately subject to the constitutional rights of due process, which shall include the student’s right to appeal to the local School Board. §37-11-18 (1995)

SPECIAL EDUCATION STUDENTS

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. All special education students are entitled to a free appropriate public education, even those who have been suspended or expelled. Whenever a special education student is removed for disciplinary reasons from his/her current education setting and placed in an interim alternative setting, the setting must be one which enables the student to continue to participate in the general curriculum, to continue to receive those services and modifications described in the student’s current IEP, and to receive services and modifications designed to address the student’s behavior. The special education director/coordinator or designee should be informed when a special education student commits a violation of the rules of conduct which may result in the removal from the classroom by long-term suspension or expulsion. All procedural safeguards described in the IDEA shall be followed whenever a special education student is disciplined.

As provided under Section 2 of Senate Bill 2506 (1999 Legislative Session), “Educational services for children with disabilities who have been suspended or expelled from school shall be provided based on the requirements of IDEA, applicable federal regulations and state regulations.”

STUDENT CONDUCT AND GRADES
Criteria used in the evaluation process to determine a student’s grade must be supported by rationale. The criteria must be in writing and must include the following:

1. Course content (goals, objectives, materials, etc.) as outlined in the curriculum guides

2. Methods of evaluation – grades will reflect some combination of the areas listed below:
   a. Class work
   b. Homework
   c. Test scores
   d. Participation
   e. Skill application
   f. Preparation for class

3. The effect of absence on grades

4. Procedures for making up assigned work and tests

5. Other criteria as may be approved by the Superintendent and School Board

NOTE: According to a 1998 Attorney General Opinion, automatic fail provision of an absences policy may not apply against legal, excused absences. Such absences policies may not be applied against absences resulting from disciplinary suspensions. If absences policies are applied to truant children who are otherwise passing, the district must afford the child procedural due process.

DISRUPTIVE BEHAVIOR

1. The School Safety Act of 2001 provides a procedure for disciplining students whose behavior, as determined by the principal or designated administrator of each school, seriously interferes with the school environment as defined by the Act. The Superintendent is authorized to more fully develop and implement the following procedures in the school district. These provisions of the School Safety Act of 2001 are cumulative and in addition to existing school district discipline procedures.

   • The teacher is the authority in the classroom and, as such, is charged with classroom management. The administration will continue to support the teacher in decisions made in compliance with the written discipline code of conduct, school policies and procedures.

   • Teachers continue to have the authority to remove students from their classrooms under existing policies and statutes for certain behaviors and/or actions, and such behavior would not necessarily constitute “disruptive behavior” as defined in the School Safety Act of 2001 (“Act”). In accordance with the Act and the Attorney General opinion dated June 25, 2001, this District designates the building principal of each school to make the determination as to whether a student’s behavior seriously interferes with the school environment. Every removal from the classroom does not constitute an instance of “disruptive behavior” as defined by the Act.

   • “Disruptive Behavior” means conduct of a student that is so unruly, disruptive or abusive that it seriously interferes with a school teacher’s or school administrator’s ability to communicate with the students in a classroom, with a student’s ability to learn, or with the operation of a school or a school-related activity, and which is not covered by other laws related to violence or possession of weapons or controlled substances on school property, school vehicles or at school-related activities. Such behaviors include, but are not limited to: foul, profane, obscene, threatening, defiant or abusive language or action toward teachers or other school employees; defiance, ridicule or verbal attack of a teacher; and willful, deliberate and overt acts of disobedience of the directions of a teacher.

   • “Habitually disruptive” refers to such actions of a student which cause disruption in a classroom, on school property or vehicles or at a school-related activity on more than two (2) occasions
during a school year, and to disruptive behavior that was initiated, willful and overt on the part of the student and which required the attention of school personnel to deal with the disruption.

- Should a student be removed from the classroom by a teacher because a teacher, in his or her professional judgment, has determined that the student is disrupting the learning environment under this Act, the teacher should describe the student’s behavior in the information provided to the principal. If the principal disagrees with the teacher’s decision to remove the student, the principal may return the student to the classroom. The teacher may request that the principal provide justification for returning the student to the classroom. A student does not have to be engaged in disruptive behavior as defined by Mississippi Code Ann. §37-11-54 (or the Act) to be removed from the classroom. A student may be removed from the classroom for other qualifying behavior under the school district’s discipline plan.

- Should the principal determine that the student’s conduct does rise to the level of “disruptive behavior” required in the Act or in accordance with existing procedures addressing the removal of the students from class, the parent/guardian will be contacted and a conference held with the parent/guardian by the most effective and/or efficient means available, including but not limited to, telephone, e-mail, written notice via mail or delivery. After the conference and application of the appropriate discipline under the school discipline plan, the student may return to class.

- After the second incident of disruptive behavior as determined by the principal, the principal, the student’s parent or guardian and the reporting teacher or teachers shall develop a behavior modification plan. The conference to develop the plan may be held in person or via telephone. If the parent/guardian does not respond or refuses to participate, the teacher(s) and the principal shall prepare the plan and mail a copy to the parent/guardian.

- Once determination has been made by the principal that the student has not complied with the behavior modification plan, the principal shall follow the procedure for disciplining the student according to the student code of conduct and discipline plan, which may include expulsion to the alternative school for applicable offenses. The Act limits the expulsion remedy to students age 13 and above. However, under board policy and other discipline procedures, expulsion may also apply to students under age 13.

- If a student under age 13 has two (2) instances of behavior that the principal classifies as “disruptive behavior,” the District will appoint trained personnel to evaluate the child’s behavior through an appropriate behavioral assessment. The assessment will not be one such that it is in conflict with federal laws requiring parental notification of certain types of evaluations.

- Any discipline, including expulsion, for “habitually disruptive” behavior under the Act, must follow existing procedures to ensure that the student is afforded his/her due process protections. (Section 37-11-55 (b))

2. The school district will more fully develop and implement procedures for devising behavior modification plans under the School Safety Act.

3. It is this school district’s policy to have procedures for dealing with a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities. These procedures will specifically address discipline measures for gang-related activity in the school, on school property or vehicles, or at school related activities.

Students must know what conduct is appropriate and what is forbidden. Therefore, the rules and regulations of the School Board governing student conduct shall be distributed to the students and posted in a conspicuous place.

Prior to any suspension the principal or his/her designee shall:

1. Advise the student in question of the particular misconduct and the basis for accusation.
2. Provide the student an opportunity to explain his/her version of the situation; and
3. Immediately remove from the school premises without benefit of the above procedures any student whose continued presence in the school poses a danger to persons or property or an ongoing threat of disruption to the academic process. The necessary procedure shall follow as soon as practicable.

If the suspension is to be ten (10) days or less, the above procedures are considered sufficient (Goss v. Lopez, 1975). If the suspension is to be more than ten (10) days in addition to the above procedures, the steps below shall be followed:

1. A notice in writing of the suspension and the reasons thereof shall be given to the parents or guardians of the student suspended if the student is under eighteen years of age. This notice shall be provided in sufficient time (minimum of three (3) days ahead) to give the student a chance to prepare his defense.
2. The student (and parents or guardians if he/she is under 18) shall be provided with a copy of the Board’s policy and administrative procedures on suspension and expulsion.
3. The student shall be provided with the names of individuals who have primary knowledge of the facts forming the basis for the suspension or expulsion. This will permit the student and his/her parents to discuss the facts with the authorities involved and will enable the student to present the case in a more meaningful manner.
4. Students shall be permitted to examine any document or record the school will use at the hearing or which will aid him/her in his/her defense.
5. The student shall be permitted to obtain legal counsel.
6. The student or his/her counsel shall be permitted to cross-examine those who have primary knowledge of the facts.

For procedural purposes, suspension exceeding ten (10) days and expulsions shall be treated alike. Unless there is an emergency, hearings shall precede the imposition of any long-term suspension or expulsion.

GRIEVANCE PROCEDURE

Student

A “grievance” under this procedure shall mean a complaint by a person who believes he/she has been treated unfairly or otherwise discriminated against in his/her educational program. The following steps shall be used in processing such grievances.

Step 1

A. The aggrieved person shall present his/her grievance in writing to the pertinent teacher or school personnel.
B. If the grievance is sexual in nature and is directed toward the aggrieved person’s teacher or school personnel, the grievance shall be presented in writing to the immediate supervisor of the individual toward whom the grievance is directed. The grievance process will then follow the steps as outlined.
C. The aggrieved person, teacher or school personnel may request a conference prior to the time a decision is rendered.
D. The teacher or school personnel shall render a written decision to the aggrieved within five (5) days after receipt of the grievance.

Step 2

A. If the aggrieved is not satisfied at Step 1, he/she may within five (5) days, notify in writing, his/her teacher or school personnel of his/her intent to appeal to the appropriate authority.
B. The aggrieved student shall appeal to the principal. The aggrieved shall include copies of all correspondence from Step 1.
C. The aggrieved person or principal may request a conference prior to the time a decision is made.
D. The principal shall render a written decision to the aggrieved within five (5) days after receipt of the appeal.

Step 3

A. If the aggrieved is not satisfied at Step 2, he/she may within five (5) days notify in writing the principal of his/her intent to appeal to the appropriate central office administrator.
B. The aggrieved person shall present his/her appeal in writing to the central office administrator and shall include copies of all correspondence from Steps 1 and 2.
C. The aggrieved person or the central office administrator may request a conference prior to the time a decision is rendered.
D. The central office administrator shall render a written decision within ten (10) days after receipt of the appeal.

Step 4

A. If the aggrieved is not satisfied at Step 3, he/she may submit his/her appeal in writing to the Superintendent of Education and shall include copies of all correspondence from Steps 1, 2, and 3.
B. The aggrieved student or Superintendent may request a conference prior to the time a decision is rendered.
C. The Superintendent shall render a decision to the aggrieved student within twenty (20) days after receipt of the appeal.

Due Process – Testing Programs

1. Parents and guardians must give written consent prior to individual educational testing and prior to educational placement of the child.

2. In the event of disagreement between parents and the school as to evaluation or placement of the child, an opportunity is provided for the parent to:
   a. obtain an impartial due process hearing:
   b. examine all relevant educational records of the child which relate to his/her classification or educational placement; and,
   c. obtain an independent educational evaluation of the child.

3. The decision rendered during the impartial due process hearing shall be binding on all parties subject only to appropriate administrative or judicial review.

4. In the event there is no parent available, a surrogate parent will be appointed to protect the rights of the child. The surrogate shall not be an employee of the school system and shall be appointed by an agency other than the school district.

5. Children with disabilities, to the extent appropriate, are educated with children who are not disabled.

6. To the extent possible, with the current state of the art, testing procedures (including evaluation material) utilized for the purpose of classification of children with disabilities will not be racially or culturally discriminatory.

Readmission and Denial of Admission

A student who has been expelled from this district must apply and be approved for readmission to the regular school program. The application for readmission shall be in a form provided by the Superintendent for such purpose.

A student who has been denied admission based upon a pending or current expulsion must be approved for readmission to the District by the Board, according to the procedures in this policy.

I. TIME FOR READMISSION APPLICATION
   (Applicable to expulsions from this District only.)
   A. If the expulsion was for a specified period of time, application for readmission should be made at least two (2) weeks before the conclusion of the expulsion period.
   B. If the expulsion was for an unspecified period of time, application for readmission may be made at any time after one year from the date of expulsion.
   C. When the student is enrolled in another regular school program or participating in an alternative school or similar program during the expulsion period and at the time of application, application may be made any time after the conclusion of specified expulsion period or after one year from the date of expulsion.

II. STANDARD FOR READMISSION/ADMISSION
The Board may grant readmission or admission upon a document showing that the student has participated in successful rehabilitative efforts including but not limited to progress in an alternative school or similar program.

The Fourth Amendment to the United States Constitution and Article 3, Section 23 of the Mississippi Constitution provides all people with the right to be secure in their persons, houses, papers, and effects against unreasonable searches. However, circumstances will arise where searches of students' persons, possessions, lockers, desks and vehicles will be necessary. Administrators have the authority and obligation to exercise discretion in the implementation of this policy, balancing the District's responsibility to maintain discipline, order, and a safe environment conducive to education with the students' legitimate expectations of privacy.

I. REQUIREMENTS

All searches must be pre-approved by the superintendent, principal, assistant principal or acting principal. No other District employee may authorize a search except where an emergency situation exists.

At least two District employees must be present while a search is conducted. If, in the discretion of the administrator or employee conducting the search, the search is particularly intrusive, the person conducting the search and the witnesses, or at least one of them, should be the same sex as the student.

No student other than the student who is the subject of the search may be present during the search. All searches must be reasonable in scope.

II. SEARCHES PERMITTED

Searches are permitted as follows:

A. PERSON, POSSESSIONS, LOCKERS: Searches of a student's person, possessions or lockers may be conducted if a District employee has prior individualized reasonable suspicion that a student has violated or is violating a District policy, school rules or regulations or the law and that the search will result in discovery of evidence of such violation.

B. DESKS, OTHER SCHOOL PROPERTY: Searches of desks and other school property (except lockers) may be conducted at any time, with or without reasonable suspicion of a violation.

C. VEHICLES: Searches of vehicles driven to school by or for students may be searched by visual inspection with or without reasonable suspicion of a violation. If a visual search results in individualized reasonable suspicion of a violation, a more intrusive search of the vehicle may be conducted at the direction of the principal.

D. CANINE SEARCHES: The District may at any time utilize canines to search vehicles, possessions not on the student's person, desks, lockers and other school property, with or
without reasonable suspicion of a violation. A canine response indicating the presence of contraband constitutes reasonable suspicion and a more intrusive search may be conducted at the direction of the principal.

E. GROUP SEARCHES: Caution shall be exercised when a search involving a number of students is conducted. In most instances, in order to justify a search, the District's reasonable suspicion must be particularized to an individual student. Exceptions to this requirement are appropriate only where the intrusiveness of the search is minimal, such as canine searches of lockers, desks or bookbags or automobile searches, etc.

F. STRIP SEARCHES: No student shall be subjected to a strip search except where an emergency situation exists and with pre-approval by the principal. No student shall be asked to remove any article of clothing in the presence of a member of the opposite sex or of other students.

III. DEFINITIONS

A. "Reasonable in scope" means that the degree of the intrusion must be consistent with the objective of the search. Factors to be considered in whether the scope of a search is reasonable include, but are not limited to, the following:

1. The student's age, maturity, and sex;
2. The nature or level of seriousness of the suspected violation; and
3. The intrusiveness of the search, e.g. a canine search is less intrusive than a locker search; a locker search is less intrusive than a "pat down;" etc.

B. "Reasonable suspicion" refers to a flexible concept requiring the application of experience and common sense. Determinations of whether reasonable suspicion to support a search exists shall be made on a case-by-case basis with due consideration of all circumstances. In all cases, "reasonable suspicion" must be supported by articulable facts.

Factors to be considered in making this determination include, but are not limited to, the following:

1. The reliability of the information indicating that evidence of a violation may be discovered;
2. The existence of reasonable suspicion that such evidence will be discovered;
3. The individualization of the suspicion toward the person to be the subject of the search;
4. The prevalence or seriousness of the problem to which the search is directed;
5. The exigency of the circumstances; and
6. In some circumstances, the student's history and record in school.

C. An "emergency situation" exists if the destruction of evidence or use of contraband is an immediate possibility. In such a case, an administrator must be notified immediately. However, if an emergency situation does not exist, employees should take steps to prevent the possible destruction of evidence or use of contraband while securing approval for a search.
IV. DISCIPLINARY ACTION

If a search reveals grounds for a reasonable belief that a violation of a district policy, school rules or regulations or the law, the student will be subject to disciplinary action as provided by District policy.

V. POLICE SEARCHES

School officials are obligated to cooperate with law enforcement authorities who are validly carrying out their official duties. In such cases involving a student, the District shall make an immediate attempt to notify the student's parent, guardian, or custodian. The principal or principal's designee shall attend the search if conducted on or about the school premises and shall take any disciplinary action necessary as a result of the search.

When a principal or his/her designee has probable cause or reasonable suspicion, that school official has a legal right and responsibility to search lockers, desks, persons, and/or vehicles for any item specifically prohibited by School Board policy. A witness should be present during any search. It is not necessary to give prior warning of a locker search.

The school official should seek cooperation from the student if a search is to be made of his/her person, requesting, for instance, that the contents of a purse or pocket be placed on a table for inspection.

Students are permitted to park on school premises as a matter of privilege, not of right. The interior of a vehicle driven by a student on the school premises may be searched if the school authority has reasonable suspicion to believe that illegal, unauthorized contraband items are contained inside.

Searches

The Superintendent or his/her designee shall inspect lockers belonging to this school system for reasonable causes, i.e., if it is believed that prohibited articles are kept therein. The Board respects the civil rights of each person in the school system, and will uphold those rights. At the same time, school property is not to be regarded as a sanctuary from enforcement of the law.

In accordance with School Board policy, the following procedures shall be complied with when inspecting or searching lockers:

1. The School Board policy concerning search of lockers shall be made known to all personnel within this school system.

2. Lockers shall be opened in the presence of the student or employee when administratively feasible.

3. The student or employee shall be informed of this search.

4. Items specifically prohibited by law, Board policies, or school regulations shall be impounded. (Receipts shall be given for items impounded; parents shall be notified of any items impounded.)

Searches by law officers shall be made in the presence of a school administrator when authorized by a search warrant.


CROSS REF.: Policy JCDBB - School Bookbags
The primary task of the school is the creation of a stimulating learning climate which evokes the active involvement of students in their education and development of the spirit of inquiry. This climate occurs only when students work together with school personnel in activities such as planning and evaluating school programs. The Board of Trustees, therefore, believes that students should:

A. Be encouraged to participate in establishing course goals and planning classroom activities and in improving courses of study.

B. Feel free to express, without any fear, their own opinions, recognizing that every privilege and right has a corresponding responsibility.

C. Be involved in the planning of assembly programs and school-sponsored forms of interest.

D. Be encouraged to participate in student government organizations that provide students with a voice in school affairs.

E. Be encouraged to participate in a variety of extra-curricular activities which are aimed at broadening their educational experiences.

This school district is committed to maintaining a safe school environment for its students and staff. Students are expected to adhere to the school’s and district’s standards of conduct that promote well-being and support the learning process. Gang activity will not be tolerated in any form. Where gang activity is suspected or confirmed a complaint will be filed in accordance with the “Mississippi Streetgang Act” (MS Code §97-44-1 et seq.).

Note: Consult Board attorney and refer to MS Code §97-44-1 et seq. for complete legislation on the “Mississippi Streetgang Act.”

A student(s) will not be allowed to initiate or become involved in activities or conduct which threatens the safety and well-being of others or property on school premises or which disrupts or threatens to disrupt the school environment. The use of words or symbols that tend to disrupt the school environment or to encourage violations of school policy or which threaten the safety and well-being of others on the school premises will not be allowed.

An individual or individuals who are initiating, advocating, or promoting activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, presents a clear and present danger. This is contrary to the school environment and educational objectives and creates an atmosphere where unlawful acts or violations of school regulations may occur.

No student shall actively participate or wear clothing or other indications of membership in an organization which advocates violence or hatred toward any group of students and other individuals, or an organization which either intends to or does disrupt the educational process through its purpose or actions.
Incidents involving initiations, hazings, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

The school district shall enforce the above rule and attempt to ensure that any student wearing, carrying, or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership and/or participation in activities which intimidate or affect the attendance of another student shall be subject to appropriate disciplinary action, in accordance with the disciplinary ladder.

(See Handbooks - Gang Activity or Association/Other Prohibited Organizations/Sororities, Fraternities, and Secret Organizations.)

Also see JCBF, JCA, EBB.

**CONDUCT (CARE OF PROPERTY) - VANDALISM**

Beauty and practical use of school properties depends upon the care given them. Deliberate destruction must be compensated by the offending parties. Students should be taught responsibility for both private and public property. The care of furniture, books, playground equipment and all other school properties must be considered a public responsibility.

Any student destroying, defacing or marring school property will be expected to pay the cost of repairs or replacement. A student failing to pay these costs may be suspended or expelled until he or she does.

Also see EBCA.

**Vandalism**

If any student shall willfully destroy, cut, deface, damage or injure any school building, equipment or other school property he/she shall be subject to suspension or expulsion and his/her parents, legal guardians or custodians shall be liable for all damages.

**Reporting Vandalism**

Citizens, students and law enforcement are urged by the Board to cooperate in reporting any incidents of vandalism in District property and the name(s) of the person(s) believed to be responsible.

All District employees shall notify the principal of the school when knowledge of an act of vandalism has or may have occurred.

The Superintendent or his/her designee is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property. He/she is further authorized to delegate authority to perform these functions.

**UNLAWFUL OR VIOLENT ACTS**

Any unlawful or violent act is absolutely prohibited on school property or during school-related activities.

**NO CHILD LEFT BEHIND ACT**
As required under the No Child Left Behind Act, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. The term destructive device means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any or the devices described herein.

**DISCIPLINARY ACTION**

A student shall be subject to automatic suspension and recommendation of expulsion by the superintendent or principal when there exists reasonable grounds to believe that a student has committed an unlawful or violent act on school property, during school-related activities or otherwise when the commission of the unlawful or violent act has or threatens a disruptive effect on the educational process or threatens the safety of the student or others. Such suspension pending expulsion shall take effect immediately subject to the procedures of due process stated in Policy JDE - Expulsion.

Any student who possesses any controlled substance, a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on school property shall be subject to automatic expulsion by the superintendent or principal of the school in which the student is enrolled. Such expulsion shall take effect immediately subject to the constitutional rights of due process, which shall include the student's right to appeal to the local school board.

**REPORTING**

All school employees shall report unlawful activities and violent acts in accordance with Policies JCBF and JCBF.

**DEFINITIONS**

An "unlawful activity" means any of the following:

1. Possession or use of a deadly weapon;
2. Possession, sale or use of any controlled substance;
3. Aggravated assault;
4. Simple assault upon any school employee;
5. Rape;
6. Sexual battery;
7. Murder;
8. Kidnapping;
9. Fondling, touching, handling, etc. of a child for lustful purposes;
10. Any violent act.

A "violent act" is one which results in or is an attempt to cause death or physical harm of another person.

"School property" includes any school building, bus, campus, grounds, recreational area, athletic field or other property owned, used or operated by the District.

**DISRUPTION TO THE EDUCATIONAL PROCESS**
The superintendent and principal of a school shall have the power to suspend a pupil for good cause, including misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the superintendent or principal, renders that pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the students and teacher of such class as a whole, or for any reason for which such pupil might be suspended, dismissed, or expelled by the school board under state or federal law or any rule, regulation or policy of the local school district. However, such action of the superintendent or principal shall be subject to review by and approval or disapproval of the school board. If the parent, guardian or other person having custody of any child shall feel aggrieved by the suspension or dismissal of that child, then such parent, guardian or other person shall have the right to a due process hearing. The parent or guardian of the child shall be advised of this right to a hearing by the appropriate superintendent or principal and the proper form shall be provided for requesting such a hearing. Section 37-9-71 (2000)

NOTE: MS Code Section 97-3-19 includes in the definition of capital murder “Murder which is perpetrated on educational property as defined in Section 97-37-17.

Please refer to MS Code 37-3-83 for information on how school districts may apply for grant funds under the “School Violence Prevention Grant Program.”

Standard 37 is as follows: The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37-3-81 and 37-3-83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE 37-11-18; 37-11-29 (6); 43-21-605 (4); 37-9-71; 37-9-14 (2)(w) and (x)
P. L. 107-110 (No Child Left Behind Act of 2001)

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - School Safety Plan
            JCBF - Reporting of Unlawful or Violent Acts
            JCDAC - Drugs and Alcohol
            JCDAE - Weapons
            JDE - Expulsion

REPORTING OF UNLAWFUL OR VIOLENT ACTS JCBF

District employees shall comply with all requirements imposed by law with regard to reporting unlawful or violent acts which have or may have occurred on school property or during school-related activities or for which students have been expelled.

The following reports shall be made in accordance with the law and with procedure outlined in this policy.

I. Any school employee shall notify his/her principal immediately upon obtaining knowledge that one of the following unlawful activities or a violent act has or may have occurred on school property or during a school-related activity:

J - 44
1. Aggravated assault, including but not limited to:
   a. Assault resulting in serious physical injury or
   b. Assault involving use of weapon;
2. Assault on a school employee, simple or aggravated;
3. Indecent liberties with a minor;
4. Possession of a firearm or other weapon;
5. Possession, use or sale of any controlled substance;
6. Rape;
7. Sexual battery;
8. Other sexual offense;
9. Murder or other homicide;
10. Kidnapping; or
11. Other violent act.

When an emergency situation exists and the principal is not available for immediate notification, the employee shall immediately notify the appropriate law enforcement agency and, as soon as possible thereafter, shall notify the principal or other school administrator.

II. A principal receiving an employee’s report or having personal knowledge of such acts shall immediately notify the superintendent.

III. The superintendent shall notify the parents/legal guardians, the youth court and appropriate local law enforcement agency when a student is expelled because of unlawful or violent activity.

IV. The superintendent shall notify the parents/legal guardians, the youth court and appropriate local law enforcement agency when a crime has been committed by a student on school property or during a school-related event.

V. The superintendent or principal shall notify the district attorney of an accusation of fondling or sexual involvement with a minor student (under 19) by a school employee (18 or older) upon determination that there is a reasonable basis to believe that the accusation is true.

VI. DEFINITIONS

A. “School property” means any school building, bus, campus, grounds, recreational area, athletic field, or other property owned, used or operated by the District.

B. A “violent act” means any action which results in death or physical harm to another or an attempt to cause death or physical harm to another.

C. The “appropriate law enforcement agency” is the agency with jurisdiction in the place where the unlawful activity or violent act occurs.

D. The crimes which must be reported are defined by the applicable Mississippi Law.

Miss. Code Ann. 37-9-14(2) (w) and (x) (Supp. 1994); 37-9-71

REPORTING OF UNLAWFUL OR VIOLENT ACTS – PROCEDURES

The reports of unlawful or violent acts required by Policy JCFB shall be made in accordance with the following procedures:
I. When any school employee, principal or the superintendent has knowledge that an unlawful or violent act has or may have occurred on school property or at a school-related event:

1. IMMEDIATELY UPON RECEIVING INFORMATION OF SUCH ACT, the following oral reports shall immediately be made:
   
a. The employee shall notify his/her principal.

   b. The principal shall notify the superintendent.

   1. ORAL NOTICE TO LAW ENFORCEMENT

       a. IF AN EMERGENCY (911-LIFE THREATENING) SITUATION EXISTS AND THE PRINCIPAL IS NOT IMMEDIATELY AVAILABLE, the employee is authorized to immediately contact the appropriate law enforcement official and, as soon as possible thereafter, to notify the principal or other school administrator.

       b. IF THE PRINCIPAL HAS A REASONABLE BELIEF THAT AN UNLAWFUL OR VIOLENT ACT HAS BEEN COMMITTED, the principal shall also orally notify law enforcement officials immediately following receipt of the employee’s report.

2. AS SOON AS POSSIBLE, and in no event more than three (3) days after the oral report, the following written reports shall be made:

       a. An employee making the oral report shall complete and submit to the principal a written report on a form provided by the superintendent for such purposes.

       b. If the principal has a reasonable belief that an unlawful or violent act has been committed, he/she shall complete and submit to the appropriate local law enforcement agency and to the superintendent a written report on a form provided by the State Board of Education for such purposes.

       c. If a crime was committed by a student, the superintendent shall complete and submit to the youth court and the appropriate local law enforcement agency an affidavit in a form prescribed for such purposes. If expulsion resulted from a student’s unlawful or activity act, the affidavit shall contain such notice.

       d. If the offense involved possession of a firearm in violation of the Gun-Free Schools Policy (EBBG), (GAZ), (JCDC), the superintendent shall also submit the written report to the appropriate division of the State Department of Education.

3. Copies of all written reports and notices shall be retained by the principal and the superintendent.

II. When there is an allegation against an employee of sexual misconduct with a student:

1. WITHIN FIVE (5) DAYS OF THE OCCURRENCE OR KNOWLEDGE OF SUCH MISCONDUCT, a student, parent, employee or other person shall orally notify the principal, Title IX Coordinator or the superintendent of all allegations against the employee.

2. IMMEDIATELY UPON RECEIPT OF SUCH ALLEGATION(S), the principal or Title IX coordinator shall orally notify the superintendent.

3. SUCH ALLEGATIONS SHALL BE PROCESSED IN ACCORDANCE WITH THE GRIEVANCE PROCEDURE, POLICY GAE.
4. UPON CONCLUSION OF THE TITLE IX GRIEVANCE PROCESS, the Title IX coordinator shall complete and submit a written report to the superintendent.

5. WITHIN TWO (2) DAYS OF RECEIVING THE TITLE IX GRIEVANCE REPORT, the superintendent shall determine whether there exists a reasonable basis to believe that the accusation is true and, if so, shall as soon as possible thereafter orally notify the district attorney of such accusation.

6. Copies of all written reports shall be retained by the superintendent.

Standard 37 is as follows: The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37-3-81 and 37-3-83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE 37-11-18; 37-11-29 (6); 43-21-605 (4); 37-9-71
P. L. 107-110 (No Child Left Behind Act of 2001)

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - School Safety Plan
                      JCBF - Reporting of Unlawful or Violent Acts
                      JCDAC - Drugs and Alcohol
                      JCDAE - Weapons
                      JDE - Expulsion

GUN-FREE SCHOOLS

NO CHILD LEFT BEHIND ACT

As required under the No Child Left Behind Act, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device. The term destructive device means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any of the devices described herein.

MISSISSIPPI STATE LAW

Any student who possesses a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on school property as defined in Section 97-37-17, Mississippi Code of 1972, shall be subject to automatic expulsion by the superintendent or principal of the school in which the student is enrolled. Such expulsion shall take effect
immediately subject to the constitutional rights of due process, which shall include the student's right to appeal to the local school board.

Any student who possesses a knife, handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or who commits a violent act on school property as defined in Section 97-37-17, Mississippi Code of 1972, shall be subject to automatic expulsion by the superintendent or principal of the school in which the student is enrolled. Such expulsion shall take effect immediately subject to the constitutional rights of due process, which shall include the student's right to appeal to the local School Board.

I. FIREARMS PROHIBITED

No student is permitted to bring a firearm on school property.

The school district may use video camera equipment in classrooms or on school buses for the purpose of monitoring school disciplinary problems.

This School Board authorizes a reward of up to $500.00 to any person who provides information that leads to the confiscation by the school district or by a law enforcement agency of any illegal firearm on school property. The name of any person who provides such information leading to the confiscation of an illegal firearm shall remain confidential. The Superintendent is charged with the responsibility of insuring that procedures are in place to maintain such confidentiality. House Bill 1236 (1997); §37-3-84 (1997)

II. DEFINITIONS

A "firearm" means any type of weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device, including any explosive, incendiary, poison gas, bomb, grenade, rocket, missile, mine or other similar device; and any type of weapon; any combination of parts either designed or intended for use in converting any device into any destructive device described above and from which a destructive device may be readily assembled; or as otherwise defined by federal law.

"School property" includes any school building, bus, campus, grounds, recreational area, athletic field or other property owned, used or operated by the District.

III. DISCIPLINARY ACTION

The penalty for bringing a firearm on school property shall be expulsion from the school program and all of its activities for a minimum period of one calendar year.

Any student who is charged with bringing a firearm on school property shall be automatically suspended for ten days and recommended for expulsion for a minimum period of one calendar year by the principal. The suspension shall take effect immediately following the provision of initial due process and pending the conclusion of due process on the recommendation of expulsion.
The Superintendent who receives a recommendation for expulsion may determine, based upon the particular circumstances of a given case, that other disciplinary action or alternative placement is appropriate and may make such recommendation to the Board.

IV. READMISSION

A student who is expelled for bringing a firearm on school property must apply for readmission to the regular school program. Readmission may be granted by the board upon a documented showing that the student has participated in successful rehabilitative efforts including but not limited to progress in an alternative school or similar program.

Prohibition of Weapons on School Property – Mississippi Code §97-37-17

The following definitions apply to this section:

(a) “Education property” A public or private school building, bus, campus grounds, recreational area, athletic field or other property owned or actually used or operated for school purposes.

(b) “Student” A minor or adult enrolled in or suspended or expelled within the last five (5) years from a public or private school, college or university.

It shall be a FELONY for possession of a gun, rifle, pistol, or other firearm, dynamite cartridge, bomb, grenade, mine, powerful explosive, or causing, encouraging or aiding a minor to possess same. Any person found guilty shall be fined no more than $5,000.00, or committed to the custody of the State Department of Correction for not more than three (3) years, or both.

It shall be a FELONY for any person to cause, encourage or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed any of the above weapons mentioned above. Any person found guilty shall be fined no more than $5,000.00, or committed to the custody of the State Department of Correction for not more than three (3) years, or both.

It shall be a MISDEMEANOR for the possession of a BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade, blackjack, metallic knuckles, razors and razor blades (except for shaving), any sharp pointed or edged instrument (except instructional supplies, unaltered nail files and clips and tools used to prepare food, instruction and maintenance of school property), or to encourage or aiding a minor to possess same.

Weapons Possession – Mississippi Code §97-37-13

A parent may be guilty of a misdemeanor and fined up to $1,000.00 and/or up to six (6) months in jail for knowingly allowing a child (under 18) to have, own or carry a concealed weapon mentioned in the above paragraph.

Abuse of superintendent, principal, teacher, or bus driver. Mississippi Code §37-11-21

If any parent, guardian or other person, shall abuse any superintendent, principal, teacher or school bus driver while school is in session or at a school-related activity, committed to the custody of the State Department of Correction for not more than three (3) years, or both. Also see GAEA.

V. REPORTING
Violations of the firearm prohibition stated in this policy shall be reported in accordance with Policy JCBF.

Standard 37 is as follows: The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. (MS Code 37 3 81 and 37 3 83(2)) (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)

37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited and Sections 37-3-83; '37-11-18; 97-37-17

P. L. 107-110 (No Child Left Behind Act of 2001)

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - School Safety Plan

JC - Conduct

JCBF - Unlawful or Violent Acts

JCD - Alternative School Program

JCDAC (2) - Possession of Weapons on School Property

ALCOHOL USE/DRUG ABUSE BY STUDENTS

No pupil attending school at any attendance center in this district shall be permitted to be under the influence of or to carry upon his/her person or in any other manner or have in his/her possession in any way alcoholic beverages, morphine, marijuana, cocaine, opium, heroin or their derivatives or compounds, drugs commonly called LSD, “pep” pills, tranquilizers, or any other narcotic, drug, barbiturate, substance, ingredient or compound which, when taken orally, intravenously, inhaled or in any other manner, may cause the person to be under the influence thereof, and no pupil shall use any of the same at any attendance center of this school district. The provisions of this policy shall not apply to any pupil who is under the care of a licensed physician, and who is taking medication which is under the supervision and direction of such physician.

See policy JGCD regarding prescription medication.

The provisions of this policy statement shall apply to all students during all the period of time that they are under and subject to the jurisdiction of this school district as defined by the laws of the State of Mississippi, and while participating in or going to or from any school activity sponsored by this school district and while under the supervision and direction of any teacher, principal or other authority of this school district.

Any pupil violating any of the provisions of this policy statement of the official policy of this Board, in the sole and absolute discretion of the principal of the attendance center wherein such offense is committed, and the Superintendent of this school district, shall be subject to expulsion or other appropriate disciplinary action. Said student is also subject to having charges filed against him/her by the school district with the proper authorities.
This policy is for the sole and exclusive protection of the students of this school district and their general welfare and nothing herein contained shall be construed to avoid any prosecution under any pertinent criminal statute of the State of Mississippi.

Aware of the community problem of alcohol and drug abuse, the Board recognizes that the use of alcohol, narcotic drugs, depressants, and other controlled substances illegally and/or inappropriately constitutes a hazard to the positive development of students. Accordingly, the following measures shall be taken:

1. Establishment of programs to bring about student awareness and understanding of the dangers inherent in the use of alcohol and controlled drugs; 37-13-37; 37-13-39; 37-13-41;

2. Emergency health and safety care which may be necessary for those students under the active influence of drugs at school or in connection with any school activity;

3. Close cooperation by school officials with parents or guardians of students suspected to be illegally involved with controlled drugs. Parents shall be notified and a conference with them shall be arranged when suspicion of drug abuse in any form (use, possession, or distribution) appears sufficiently founded. This shall be a time when school officials may work with parents or guardians without involving law enforcement agencies and without taking disciplinary action;

4. The prohibition of the use, possession, or distribution of alcohol and illegal drugs on school property or in connection with any school activity. Violation of this prohibition shall result in a parental conference. When violations involve controlled drugs, the proper law enforcement officials will be notified. The student will be subject to suspension and may be recommended for expulsion.

5. Any student who comes to school, a school-sponsored activity, or a school-related activity, under the influence of alcohol/illegal drugs, etc., is subject to being recommended for expulsion or other appropriate disciplinary action. Said student is also subject to having charges filed against him/her by the school district with the proper authorities.

LEGAL.: Mississippi Code, as cited above

**Drug Use – False Representation**

It is hereby declared to be the policy of the Harrison County Board of Education that the use, possession, or sale of any narcotic drugs or substance which is falsely represented to be a controlled substance or which is falsely represented to be a counterfeit substance as defined in Section 41-29-113 through 41-29-121 Mississippi Code 1972 Annotated and their amended parts, in, on or about the campuses of any school ground or at any function being held under the supervision of the Harrison County Board of Education or any of its schools, shall be considered sufficient misconduct on the part of such student for the expulsion of such student from the school which said student is attending.

In arriving at the decision of whether or not to expel said student, the Board of Education may consider the prior record of said student, his or her academic achievement, his or her general aptitude for learning, prior disciplinary problems, and any other factors which the Board may deem, in its judgment, to bear upon punishment or decisions to be reached in the particular case.
DRUG USE/ALCOHOL - CURRICULUM

The Board of Education, in recognizing the potential for increased use of alcohol and drugs by students, approves the administrative inclusion of information in the school curriculum which will make students aware of the physical and psychological dangers incurred through the improper use of alcohol and drugs.

The administration has authorization to make arrangements to cooperate with the local, state, and federal agencies in the detection, prevention, and prosecution of any and all possible violations.

TRANSFER OF CONFISCATED DRUGS

When drugs or suspected drugs and/or related paraphernalia are found on any person on school property, the principal will immediately notify the police. All confiscated materials will be secured in a sealed envelope marked for identification purposes and immediately surrendered to the responding officer. A written record of the date and manner of transfer must be retained in the principal's office with a copy of the written record sent to the Superintendent of Education.

BUS CONDUCT

1. RESPONSIBILITIES

While Mississippi law requires the district to furnish transportation to its eligible students, parents have the responsibility of supervising the students until they board the bus in the morning and after they leave the bus at the end of the school day. Furthermore, students have the responsibility to obey all rules of conduct while waiting for, riding and leaving the bus.

The school bus driver is authorized and responsible to the school district to maintain student order and to insure safety at all times. Therefore, he/she is authorized to instruct and otherwise control students while they are on the bus.

The principal will be responsible for disciplining students reported to him/her by the driver. Questions and inquiries regarding discipline should be directed to the school principal. Questions and inquiries regarding stops, routes, and student eligibility must be directed to the Transportation Supervisor.

Emergency bus evacuation drills are conducted at least two times each year.
2. RULES OF CONDUCT

Students who do not conduct themselves properly will not be allowed to ride the bus. Students may be subjected to disciplinary action provided by district policies, including but not limited to suspension and expulsion from school or from the bus, for misconduct on the bus.

While riding a school bus, students must conform to all rules of conduct as established by district policies and the student code of conduct adopted by their schools. The principal shall provide to each student eligible to ride a bus a list of rules, including but not necessarily limited to the following:

A. Loading and Unloading
   1. Be at your assigned loading zone on time.
   2. Exercise extreme caution in getting to and from your assigned bus stop.
   3. Look in both directions before stepping from behind parked cars.
   4. Stay well off the roadway until the bus comes to a complete stop and the bus driver indicates that it is safe to board.
   5. Do not play on or near the road while waiting for the bus to arrive.
   6. Look in both directions before crossing any roadway.
   7. Never walk on the road when there is a sidewalk or pathway.
   8. Always walk on the left side of the road facing oncoming traffic and step off the road when a motor vehicle approaches.
   9. Wait until the bus comes to a complete stop before trying to load and unload.
   10. Use the hand rail while getting on and off the bus.
   11. If possible, wear white or light-colored clothing or carry a flashlight when you walk on the roadway at night in order that the motoring public might be aware of your presence.
   12. When you must cross the road to enter the bus, or after leaving the bus, always cross in front of the bus and walk approximately ten (10) feet ahead of the bumper.

B. Riding the Bus
   1. Do not distract the driver’s attention other than when necessary.
   2. Talk to your friends in a normal tone and do not shout. Do not talk or make unnecessary noise when the bus is approaching and crossing a railroad or a highway intersection.
   3. Keep head, hands, and articles inside the bus.
   4. Do not bring unauthorized articles on the bus (i.e., pets, combustibles, large articles, weapons).
   5. Do not smoke, use profane language or make obscene gestures.
   6. Do not fight or scuffle.
   7. Be courteous to and follow the instructions of your bus driver and safety patrol.
8. Do not strike or threaten the bus driver.

9. Do not make excessive noise.

10. Do not throw objects inside or outside the bus.

11. Do not commit any other acts deemed improper by the student code of conduct or by the bus driver.

12. Student-to-student sexual harassment will not be tolerated. Complaints of student-to-student sexual harassment will be handled in accordance with Policy JBP, Student Complaints of Sexual Discrimination/Harassment – Title IX Procedures.

REFERENCE: Pupil Transportation Guide
Mississippi Public School Accountability Standards
CROSS REF.: Policies JCA – Student conduct
JBP – Title IX Procedures
JD – Discipline
JCBH – Gun-Free Schools
JCDAC – Alcohol – Drug Use

FIREWORKS

Fireworks of any kind are strictly forbidden on the school campus, in the school buildings, or near the campus. Failure to comply may result in suspension.

DRESS CODE

The student dress code is adopted by the School Board and published annually in student handbooks as official statements of Board policy.

It is not the intention of the Harrison County School District to severely restrict the freedom of dress of the individual students or to dictate policy which may seem to be over-restrictive according to contemporary standards. It is, however, our duty and our objective to see that the students attending the schools in the Harrison County School district are well-groomed, particularly as to their physical appearance, and that their choice of dress and hair style are not so different from the majority of the students as to represent an individual or collective protest.

The Harrison County School Board, therefore, in cooperation with the Superintendent of Education and after consultation with parents, students, and teachers within the system, adopts the following policy regarding student dress:

Student dress in the Harrison County School District must conform to the principles of:

1. Good health and safety
2. High moral standards
3. Consistency with the instructional process
Students at school and those representing the school away on trips or in the local community shall dress appropriately for the occasion and in keeping with the above-stated principles.

Students are to present a clean, well-groomed appearance at all times.

Violations of the dress code will be left to the discretion of principal and/or dress code committee to be appointed by the principal. Extreme variations are not acceptable.

SCHOOL BOOKBAGS

This school district is committed to providing a safe environment wherein students can learn and teachers can provide focused instruction. A safe learning climate supports high academic achievement and fosters the best in students and staff. To promote safe schools throughout the district, the school board has adopted the following policy on school bags:

All school bags in grades 7-12 (including bookbags, backpacks, satchels, etc.) must be constructed of a clear plastic or mesh material so that their contents are clearly visible. Only school bags meeting this standard will be allowed in school buildings and on school grounds.

Admission to school shall not be denied to a student because of noncompliance with this policy; however, the student will be counseled so that the cause/s of noncompliance can be determined and resolved.

This policy is part of the district's overall effort to prevent school violence and to provide safe schools for our students, staff, and community.

NOTE: The effective date of this policy following board adoption should provide sufficient time for students and parents to be well-informed and for local stores to stock adequate supplies of school bags meeting the standard of this policy.

Standard 37 is as follows:

37. The district complies with the following requirements for Safe and Healthy Schools:
   37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. (MS Code 37 3 81 and 37 3 83(2)) (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
   37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2006)
CROSS REF.: Policies JCBH - Gun-Free Schools
   JCDA - School Searches

DISABILITY HARASSMENT

It is the policy of the Harrison County School District to maintain a learning environment that is free from disability harassment. Disability harassment is defined as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student’s...
participation in or receipt of benefits, services, or opportunities in the educational program. Harassing conduct may include verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating.

When disability harassment limits or denies a student’s ability to participate in or benefit from a school’s educational program or activities, school personnel will respond appropriately. Reported incident(s) will be investigated promptly and if harassment has occurred, remedial action will be taken to stop the harassment and to prevent recurrence.

Grievance procedures for disability harassment are found within the Grievance Procedures in the Harrison County School District, published within the Teacher’s Handbook, the Secondary Handbook, and the Elementary Handbook.

Also see Policies JBP, JBPA, and IDDHB.

**POSSESSION OR USE OF TOBACCO**  
JCDF/GAXA

District policies prohibiting possession or use of tobacco are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

Also see EBAB.

**STUDENT BEHAVIOR ON BUSES**  
JCDH

District policies governing student behavior on buses are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

**FIGHTING**  
JCDI

District policies governing student fighting are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

**STUDENT DEMONSTRATIONS AND STRIKES  
(DISRUPTIONS OF THE SCHOOL)**  
JCEC

To insure the orderly process of education and business affairs connected with the schools and the safety of persons and property, the Board directs that the procedures below be followed in case of any type of disruptive demonstration on school property or within school buildings.

This policy is not intended to discourage or prohibit the peaceful expression of opinions or ideas concerning the Harrison County School system. However, since the Board is required by law to provide proper school facilities, and to maintain an appropriate program of instruction, and is further required to bar any disruption of the schools or interference with normal operations, the following steps have been taken in the event of any disruption of the normal operation of the schools.
1. The disruption shall be immediately brought to the attention of the Superintendent or his/her representative by the administrative head of the school. The Superintendent shall have the authority at his/her discretion to alert the police authorities.

2. Students participating in a disruptive demonstration shall be directed by the building principal or his/her representative to go to their regular classroom assignment. At the same time, the principal or his/her representative will arrange for a meeting between the administration and the individuals, leaders of a group or the group, if feasible, to discuss in a rational, orderly manner the problem which has caused the disorder.

3. Nonstudent demonstrators and other unauthorized persons will be directed by the building principal or his/her representative to remove themselves from school property forthwith.

4. In the event steps 2 and/or 3 fail to stop the demonstration, the Superintendent or his/her representative will ask the police to remove the demonstrators and any individuals failing to comply under step 3.

5. When necessary for their safety, students and staff may be directed to leave the building and school property.

6. At no time, while any demonstration is in process, is the Superintendent or any school or Board personnel to enter into negotiations on the issues with the protestors, either orally or in written form.

7. As soon as normal educational and business process can be resumed, the Superintendent shall be charged with establishing communications with the leaders of the protesting group in order to resolve their requests or to refer them to the Board in an orderly manner.

8. Students and/or employees participating in a disruptive demonstration on school grounds will be subject to suspension, expulsion or dismissal.

**STUDENT DISCIPLINE – DISCIPLINE PLAN**

Regulations and requirements governing student discipline are adopted annually by the School Board and published in student handbooks as official statements of Board policy.

**Student Discipline**

An organized disciplinary program supports teachers’ efforts to teach and addresses the growth of positive student attitudes and behavior. The Board has responsibility and authority to establish school rules and procedures for the purpose of maintaining a nondisruptive educational environment.

The discipline policies of this District are in compliance with both federal and state law. The discipline policy incorporates the student code of conduct required by the district policy and the policies and procedures set forth herein and as supplemented by all others adopted subsequent thereto.

In conformance with the Mississippi School Safety Act of 2001 (Section 37-11-53, MS Code of 1972, amended), the following requirements shall be met by this school district:

1. A copy of the school district’s discipline plan shall be distributed to each student enrolled in the district, and the parents, guardian, or custodian of such student shall sign a statement verifying that they have been given notice of the discipline policies of the district. The School Board shall have its official discipline and code of student conduct legally audited on an annual basis to insure that its policies and procedures are currently in compliance with applicable statutes, case
law and state and federal constitutional provisions. As part of the first legal audit occurring after July 1, 2001, the provisions of Section 37-11-55 and Section 6 of Senate Bill No. 2239, 2001 Regular Session, shall be fully incorporated into the school district’s discipline plan and code of student conduct.

(2) The discipline plan of the schools of this district shall include, but not be limited to, the following: (a) a parent, guardian or custodian of a compulsory-school-age child enrolled in the school district shall be responsible financially for his/her minor child’s destructive acts against school property or persons; (b) a parent, guardian or custodian of a compulsory-school-age child enrolled in the district may be requested to appear at school by the school attendance officer or an appropriate school official for a conference regarding acts of the child specified in (a) above or for any other discipline conference regarding the acts of the child; (c) any parent, guardian or custodian of a compulsory-school-age child enrolled in a school district who refuses or willfully fails to attend such discipline conference specified in (b) above may be summoned by proper notification by the Superintendent of Education or the school attendance officer and be required to attend such discipline conferences; and (d) a parent, guardian or custodian of a compulsory-school-age child enrolled in the district shall be responsible for any criminal fines brought against such student for unlawful activity occurring on school grounds or buses.

(3) Any parent, guardian or custodian of a compulsory-school-child who (a) fails to attend a discipline conference to which such parent, guardian or custodian has been summoned under the provisions of this section, or (b) refuses or willfully fails to perform any other duties imposed upon him or her under the provisions of this section, shall be guilty of a misdemeanor and, upon conviction, shall be fined not to exceed Two Hundred Fifty Dollars (250.00).

(4) The School District shall be entitled to recover damages in an amount not to exceed Twenty Thousand Dollars ($20,000.00), plus necessary court costs, from the parents of any minor under the age of eighteen (18) years and over the age of six (6) years who maliciously and willfully damages or destroys property belonging to the school district. However, this section shall not apply to parents whose parental control of such child has been removed by court order or decree. The action authorized in this section shall be in addition to all other actions which the school district is entitled to maintain and nothing in this section shall preclude recovery in a greater amount from the minor or from a person, including the parents, for damages to which such minor or other person would otherwise be liable.

(5) The School District’s discipline plan may provide that as an alternative to suspension, a student may remain in school by having the parent, guardian or custodian, with the consent of the student’s teacher or teachers, attend class with the student for a period of time specifically agreed upon by the reporting teacher and school principal. If the parent, guardian or custodian does not agree to attend class with the student or fails to attend class with the student, the student shall be suspended in accordance with the code of student conduct and discipline policies of the school district.

The Mississippi School Safety Act shall take effect and be in force from and after July 1, 2001.//

DISRUPTIVE BEHAVIOR

1. The School Safety Act of 2001 provides a procedure for disciplining students whose behavior, as determined by the principal or designated administrator of each school, seriously interferes with the school environment as defined by the act. The Superintendent is authorized to more fully develop and implement the following procedures in the school district. These provisions of the School Safety Act of 2001 are cumulative and in addition to existing school district discipline procedures.

- The teacher is the authority in the classroom and, as such, is charged with classroom management. The administration will continue to support the teacher in decisions made in compliance with the written discipline code of conduct, school policies and procedures.

- Teachers continue to have the authority to remove students from their classrooms under existing policies and statutes for certain behaviors and/or actions, and such behavior would not necessarily constitute “disruptive behavior” as defined in the School Safety Act of 2001 (“Act”). In accordance with the Act and the Attorney General opinion dated June 25, 2001, this District designates the
building principal of each school to make the determination as to whether a student’s behavior seriously interferes with the school environment. Every removal from the classroom does not constitute an instance of “disruptive behavior” as defined by the Act.

- “Disruptive Behavior” means conduct of a student that is so unruly, disruptive or abusive that it seriously interferes with a school teacher’s or school administrator’s ability to communicate with the students in a classroom, with a student’s ability to learn, or with the operation of a school or a school-related activity, and which is not covered by other laws related to violence or possession of weapons or controlled substances on school property, school vehicles or at school-related activities. Such behaviors include, but are not limited to: foul, profane, obscene, threatening, defiant or abusive language or action toward teachers or other school employees; defiance, ridicule or verbal attack of a teacher; and willful, deliberate and overt acts of disobedience of the directions of a teacher.

- “Habitually disruptive” refers to such actions of a student which cause disruption in a classroom, on school property or vehicles or at a school-related activity on more than two (2) occasions during a school year, and to disruptive behavior that was initiated, willful and overt on the part of the student and which required the attention of school personnel to deal with the disruption.

- Should a student be removed from the classroom by a teacher because a teacher, in his or her professional judgment, has determined that the student is disrupting the learning environment under this Act, the teacher should describe the student’s behavior in the information provided to the principal. If the principal disagrees with the teacher’s decision to remove the student, the principal may return the student to the classroom. The teacher may request that the principal provide justification for returning the student to the classroom. A student does not have to be engaged in disruptive behavior as defined by Mississippi Code Ann. §37-11-54 (or the Act) to be removed from the classroom. A student may be removed from the classroom for other qualifying behavior under the school district’s discipline plan.

- Should the principal determine that the student’s conduct does rise to the level of disruptive behavior” required in the Act or in accordance with existing procedures addressing the removal of the students from class, the parent/guardian will be contacted and a conference held with the parent/guardian by the most effective and/or efficient means available, including but not limited to telephone, e-mail, written notice via mail or delivery. After the conference and application of the appropriate discipline under the school discipline plan, the student may return to class.

- After the second incident of disruptive behavior as determined by the principal, the principal, the student’s parent or guardian and the reporting teacher or teachers shall develop a behavior modification plan. The conference to develop the plan may be held in person or via telephone. If the parent/guardian does not respond or refuses to participate, the teacher(s) and the principal shall prepare the plan and mail a copy to the parent/guardian.

- Once determination has been made by the principal that the student has not complied with the behavior modification plan, the principal shall follow the procedure for disciplining the student according to the student code of conduct and discipline plan, which may include expulsion to the alternative school for applicable offenses. The Act limits the expulsion remedy to students age 13 and above. However, under board policy and other discipline procedures, expulsion may also apply to students under age 13.

- If a student under age 13 has two instances of behavior that the principal classifies as “disruptive behavior,” the District will appoint trained personnel to evaluate the child’s behavior through an appropriate behavioral assessment. The assessment will not be one such that it is in conflict with federal laws, requiring parental notification of certain types of evaluations.

- Any discipline, including expulsion, for “habitually disruptive” behavior under the Act, must follow existing procedures to ensure that the student is afforded his/her due process protections. (Sections 37-11-55 (b)).
2. The school district will more fully develop and implement procedures for devising behavior modification plans under the School Safety Act.

3. It is this school district’s policy to have procedures for dealing with a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities. These procedures will specifically address discipline measures for gang-related activity in the school, on school property or vehicles, or at school related activities.

The code of conduct and the discipline plan shall be based upon but not limited to the rules of student conduct including policies JCA, JCBD, JCBE and JCBF and the rules of discipline including policies JD, JDA, JDB, JDC, JDD, and JDE and any and all related policies adopted subsequent hereto.


Standards 36 and 37 are as follows:

36. The school district provides facilities that meet the following criteria: {MS Code 37-7-301(c)(d)(j); 37-11-5, 49; and 45-11-101}

36.1 The school district provides facilities that are clean.
36.2 The school district provides facilities that are safe.
36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37-17-6(2)}

37. The district complies with the following requirements for Safe and Healthy Schools:

37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37-3-81 and 37-3-83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)


The district discipline plan shall be included in student handbooks as official policy statements of the Harrison County School District.

**CORPORAL PUNISHMENT**

Corporal punishment may be administered by the principal, assistant principal, or teacher. In all cases the principal or assistant principal must be present along with a second licensed employee. One will administer the punishment, and the second will serve as a witness. Corporal punishment is to be administered to the buttocks only and must not be excessive. Corporal punishment will not be administered in anger. Corporal punishment will not be administered in the presence of other students and will be administered only in the principal’s office or in another private area designated by the principal. All paddles used in the Harrison County School District must be approved by the building principal, must be initialed by the principal, and must be kept in the office. In instances where corporal punishment is refused, alternate methods such as in-school suspension or Saturday detention will be considered. When both corporal punishment and the alternate methods are refused, suspension is mandatory.
In all cases where corporal punishment is administered, a discipline form must be completed immediately and must contain the following information:

1. Student’s name
2. Date
3. Details of specific incident for which punishment was administered
4. Number of licks administered
5. Signature of person administering punishment
6. Signature of witness

The office copy of the discipline form is to be filed in the principal’s office. The parent’s copy is to be sent home by the student or through the mail. The teacher’s copy is to be retained by the teacher.

Also see Policy BBE.

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**DETENTION OF STUDENTS JDC**

Detention of students for disciplinary purposes is permissible. The superintendent and principal shall establish guidelines for detention. All detention shall be supervised by district personnel. The planning and scheduling of students to be kept after school in detention should reflect this district's philosophy of student-centered instruction and his/her individual worth.

CROSS REF.: Policies JCA - Student Conduct
            JDA - Discipline Plan

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**SUSPENSION JDD**

**DISRUPTION TO THE EDUCATIONAL PROCESS**

The superintendent and principal of a school shall have the power to suspend a pupil for good cause, including misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the superintendent or principal, renders that pupil’s presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, or for any reason for which such pupil might be suspended, dismissed, or expelled by the school board under state or federal law or any rule, regulation or policy of the local school district. However, such action of the superintendent or principal shall be subject to review by and approval or disapproval of the school board. If the parent, guardian or other person having custody of any child shall feel aggrieved by the suspension or dismissal of that child, then such parent, guardian or other person shall have the right to a due process hearing.

The board may, upon request of the parent, legal guardian or custodian of a suspended student, review a student's suspension. Requests for review must be made in accordance with board procedure.
1. A short-term suspension is defined as denial of school attendance for three (3) days or less. A short-term suspension may be imposed upon any student by the principal or assistant principal of the school in which the student is enrolled. A conference with the student’s parent or guardian is required prior to the student’s reinstatement.

2. A long-term suspension is defined as any denial of school attendance for five (5) days. A long-term suspension may be imposed upon any student by the principal of the school in which the student is enrolled. A conference with the student, the student’s parent or guardian, and the Assistant Superintendent of Education or his/her designee is required prior to the student’s reinstatement.

3. Both long-term and short-term suspensions shall be governed by the following procedures:

   a. A student may be suspended only once for each offense.

   b. Students suspended during a nine week’s examination period shall be offered the opportunity to take any examination missed as a result at such times and under such conditions as may be determined by the principal of the school.

   c. The principal of each school shall keep a record of suspensions imposed during each school year. Such record shall contain the name, race, and sex of each student suspended, the dates of such suspensions, and a brief description of the incident or misconduct requiring the suspension.

   d. A student may be suspended by the principal of the school in which a student is enrolled for any reason for which a student may be suspended, dismissed, or expelled by the Board of Trustees.

   e. No student shall be suspended without affording each student an opportunity to express his or her version of the incident to the principal of the school after being fully advised of the charges lodged against the student unless there are reasons which make it inadvisable to do so, which reasons must be put in the record of the incident by the principal.

   f. The principal of the school may, after completing the investigation as set forth above, suspend a student without further notice or proceedings. Promptly upon the suspension of a student, the principal of the school should forthwith send to the parent or guardian of each student a “Notice of Suspension” and shall state the name of the student, the nature of the incident resulting in suspension, the length of the suspension, and the exact date the student should return to school. Such notice shall further advise the parent or guardian that conferences with the principal of the school and/or teacher(s) can be arranged to discuss the incident and disciplinary measures taken if the parent or guardian expresses the desire for same. A parent or guardian conference with the principal is required for reinstatement for students on short-term suspension.

   g. Concurrent with the mailing of the “Notice of Long-Term Suspension,” the principal shall forward the name of the student, statement of the infraction at issue, and the student’s disciplinary record to the Assistant Superintendent of Education.

   h. While not a requisite, it is desirable that the principal of the school afford the parent or guardian of the student an opportunity to confer with such principal concerning the student’s behavior before suspending each student. The record maintained by the principal of the school shall show whether such conference was held with the parent or guardian of the student.

SUSPENSION
When unacceptable behavior cannot be corrected by the resources of the teacher or school administration, the board hereby authorizes the school principal or his designee to suspend any student for violation of any published rule or regulation or for any other act of misconduct or insubordination as a final effort to influence the student’s future behavior.

DEFINITIONS

"Suspension" is the denial of the privilege of attending school in the district imposed after due process upon any student of the district at the direction of the principal of the school in which the student is enrolled. A suspended student may return to school following the expiration of the suspension period without application for readmission but may be required to be accompanied, on return to school, by a parent, legal guardian or custodian.

A "suspension" includes the denial of the privilege of participating in or attending any school-related activity for the period of the suspension. Further, suspended students shall not trespass upon any other school campus or enter into any other school building except for a pre-arranged conference with a principal.

AUTHORITY TO SUSPEND

As provided by statute, the superintendent has the power, authority and duty to delegate student disciplinary matters to appropriate school personnel. Section 37-9-14 (r)

1. The superintendent, principal or his designee may immediately suspend a student for misconduct for no longer than 10 consecutive school days, subject to an informal hearing.

2. The superintendent, principal or his designee may recommend suspensions for eleven days or more or expulsion for more serious disciplinary offenses. In such cases, the superintendent, principal or his designee may immediately suspend the student for no longer than 10 consecutive school days and recommend a long-term suspension or expulsion, subject to an informal hearing and pending the conclusion of formal due process proceedings.

BOARD AUTHORITY

As provided by statute, this school board has the power, authority and duty:

1. To suspend or to expel a pupil or to change the placement of a pupil to the school district's alternative school or home-bound program for misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the school superintendent or principal, renders that pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, and to delegate such authority to the appropriate officials of the school district.

* 37-7-301 (e) (2000)

2. To support, within reasonable limits, the superintendent, principal and teachers where necessary for the proper discipline of the school. Section 37-7-301 (g) (2000)

DISRUPTION TO THE EDUCATIONAL PROCESS

The superintendent and principal of a school shall have the power to suspend a pupil for good cause, including misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the superintendent or principal, renders that pupil's presence in the classroom a...
disruption to the educational environment of the school or a detriment to the best interest and welfare of
the pupils and teacher of such class as a whole, or for any reason for which such pupil might be
suspended, dismissed, or expelled by the school board under state or federal law or any rule, regulation or
policy of the local school district. However, such action of the superintendent or principal shall be
subject to review by and approval or disapproval of the school board. If the parent, guardian or other
person having custody of any child shall feel aggrieved by the suspension or dismissal of that child, then
such parent, guardian or other person shall have the right to a due process hearing. The parent or
guardian of the child shall be advised of this right to a hearing by the appropriate superintendent or
principal and the proper form shall be provided for requesting such a hearing.
Section 37-9-71 (2000)

The board may, upon request of the parent, legal guardian or custodian of a suspended student, review
a student's suspension. Requests for review must be made in accordance with board procedure.

NOTICE

The student handbooks shall include specific grounds for disciplinary action and procedures to be
followed for acts requiring discipline. Students and legal guardians shall be required to provide the
school with a written statement verifying that they have received notice of the discipline plan, in
accordance with Policy JD. In all cases of suspension the parent, legal guardian, or custodian shall be
notified in writing within 24 hours of such suspension giving the reason therefor. If a student is to be sent
home during normal school hours, a parent or guardian shall be notified before the student is dismissed.
No student shall be sent home during normal school hours unless a parent, guardian, or custodian has first
been notified.

DUE PROCESS

All suspensions shall be handled in accordance with the procedures in JCAA.

SPECIAL EDUCATION STUDENTS

As provided under Section 2 of Senate Bill 2506 (1999 Legislative Session), "Educational services for
children with disabilities who have been suspended or expelled from school shall be provided based on
the requirements of IDEA, applicable federal regulations and state regulations."

REPORTS

The superintendent, or his designee, shall report any student suspensions or student expulsions to the
school attendance officer when they occur. Section 37-13-91 (6)

Principals shall make a written report of each suspension to the superintendent each grading period to
include:

1. Name of student, address; name of parent or guardian.
2. Statement of the reasons for the suspension including the date, time and place.

RETURN TO SCHOOL

A student on suspension for 3 or more days must return to school accompanied by a parent, legal guardian
or custodian before he will be readmitted to school.

NOTE: According to a 1998 Attorney General Opinion, automatic fail provision of an absences policy
may not apply against legal, excused absences. Such absences policies may not be applied against
absences resulting from disciplinary suspensions if absences policies are applied to truant children who
are otherwise passing, the district must afford the child procedural due process. (Attorney General Opinion, *Carter*, 1-9-98) (#183) (97-0817)

LEGAL REF.: MS CODESection 37-7-301 (e) and (g) (1994); Section 37-13-91 (6) (1995); Senate Bill 2506 (1999); *Goss v. Lopez*, 419 U.S. 565 (1975)

CROSS REF.: Policies JCAA - Due Process
JDA - Discipline Plan
JDE - Expulsion

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The school district shall have the authority to suspend, expel or change the placement of students for misconduct while not on school property or at activities other than school sponsored events.

The local School Board shall have the authority to expel a pupil or to change placement to an alternative school or a homebound program for misconduct in the school, on the road to and from school, or at any school related activity or event, or for misconduct on property other than school property or other than at a school related event when such conduct, in the determination of the superintendent or principal, renders the pupil’s presence in the classroom a disruption to the education environment of the school or a detriment to the best interest and welfare of the students and teacher of such class as a whole.

I. EXPULSION HEARING PROCEDURES

   The Harrison County School District Disciplinary Committee, and the designee of the superintendent will serve as investigator, convenor and administrative officer for the committee. He/she shall have no vote and shall prepare a summary of the hearing to include conclusion and recommendations of the committee. He/she shall present the cases to the Board requiring Board action. He/she shall transmit other letters or documents to proper persons following each hearing so as to bring each case to its proper conclusion.

   The committee will be made up of three (3) district school administrators, at least one (1) of whom will be of the same race as the student appearing before the committee, and excluding the principal of the student charged.

II. EXPULSION

   A. Expulsion is defined as any denial of school attendance beyond ten (10) days, which may be permanent or which may terminate at the beginning of the next school year provided sufficient rehabilitation can be demonstrated. The power to expel a student is vested in the Harrison County School District Disciplinary Review Committee subject to the review of the Superintendent and the Board of Trustees of the District.

   B. Any principal who determines that a student has committed infractions justifying expulsion shall send a letter recommending such expulsion to the superintendent or his/her designee. The letter of recommendation shall contain the student’s disciplinary record, and the principal’s recommendation. Concurrently, the principal shall mail a “Notice of Recommendation for Expulsion” to the parent or guardian of the student. Students recommended for expulsion may remain in attendance pending the hearing before the Disciplinary Review Committee only if, in the opinion of the principal, the student’s attendance is not disruptive to the educational program or the operation of the school.

   C. Upon receipt of the principal’s recommendation, the superintendent or his/her designee shall notify by certified mail, return receipt requested, the parent or guardian of the student
recommended for expulsion of the exact time and place for the hearing. This hearing shall be held within ten (10) school days of the principal’s recommendation for expulsion.

D. In case the student, his/her parent, legal guardian, or attorney request additional time, the student will remain out of school until the hearing occurs. School officials may exercise this option with consent of student, parent, legal guardian, or their attorney.

E. The Disciplinary Review committee shall have the duty to review the evidence advanced by the principal in support of his/her recommendation and to hear and review any rebuttal advanced by the student, parent, or guardian. Although proceedings will be conducted informally and formal rules of evidence shall not apply, the student and the parent or guardian have the right to:

1. Have counsel present at hearing.

2. Cross-examine or otherwise pose questions to persons giving statements adverse to the student.

3. Offer statements by the student and parent or guardian and any other person who has information relevant to the charges advanced by the principal.

4. Request that the hearing be held in executive session.

The conclusion of the committee will rest solely upon applicable school rules and law and only upon evidence admitted at the hearing. The Disciplinary Review Committee shall record all the facts considered before making a decision. If action of the Board is required, the decision shall be rendered in writing (recorded) and presented at the next regular or recess meeting of the Board with its recommendations. The designee of the superintendent shall advise the parent of the student and principal of the school of the committee’s decision, verbally as soon as possible. The decision of the committee will be mailed within two (2) working days or otherwise transmitted in writing by the superintendent or his/her designee to the student and parent or guardian and to the principal.

F. Students who are expelled may apply for readmission at the beginning of the next school year. A hearing before the principal is required prior to readmittance to school. The parent and student must attend.

G. Students who have completed the Harrison County Alternative School/Behavior Modification Program shall be subject to the following controlling principle: An accumulation of eighteen (18) demerits will result in the student being recommended to the Harrison County School District Disciplinary Committee for expulsion. The principal shall notify the parents of the recommendation and the appropriate procedures for appealing the decision to the School Board via first class mail. The recommendation shall contain the student’s disciplinary record, and the principal’s recommendation.

H. Students who are placed on district probation will be allowed to accumulate no more than eight (8) demerits while on probation. Any student accumulating more than eight (8) demerits will be referred to the school principal. The school principal shall determine whether the infractions committed by the student justify expulsion or alternative placement. Once the determination has been made, the principal shall submit his/her recommendation to the Harrison County School Board for approval. The principal shall notify the parent or guardian of the recommendation and the appropriate procedures for appealing the decision to the School Board via first class mail. The recommendation shall contain the student’s disciplinary record, and the principal’s recommendation.

I. A photocopy of all recommendations will be sent to the Director of Student Services.
III. GENERAL PROVISIONS AND STATEMENT OF POLICY

All persons concerned are hereby placed on notice that the disciplinary actions and procedures herein established and authorized are to be conducted in accordance with applicable statues and in accordance with any memoranda, bulletins, or notices published and distributed by the superintendent and are subject, in particular, to the following controlling principles:

A. The severity of the punishment must vary directly with the gravity of the offense.

B. The punishment inflicted against any particular student should be consistent with the punishment inflicted in other cases involving similar or identical circumstances. Uniformity of decisions and disposition among the various principals of the school district should prevail to the extent reasonably possible.

C. Discrimination based upon race, color, creed or sex, and arbitrariness in the administration of the discipline is strictly prohibited. Any charge of such discrimination or arbitrariness advanced by a student, parent or guardian shall be carefully examined under these regulations. Great care shall be taken to avoid any suggestion or implication that the race, sex, or creed of the student will have any impact on the disciplinary measures ultimately taken.

D. As a general rule, no student shall be expelled absent clear proof that:

   1. He or she poses a threat to the orderly operation of school programs or activities or a danger to the physical well being of other students or faculty, or to school property.
   2. The parent or guardian of the student has been notified of the student’s misconduct and the possibility of such expulsion and has been offered opportunities to confer with the principal or other relevant faculty members regarding the student’s misconduct. It is the firm policy of the school district to resort to expulsion only as a last resort.

The Harrison County School District Disciplinary Committee and Assistant Superintendent or other designee of the Superintendent will serve as investigator, convenor and administrative officer for the committee. He/she will have no vote and shall prepare a summary of the hearing to include conclusions and recommendations of the committee. He/she shall present the cases to the Board requiring Board action. He/she shall transmit other letters or documents to proper persons following each hearing so as to bring each case to its proper conclusion.

The committee will be made up of three (3) district school administrators, to include one (1) female administrator and at least one (1) administrator being of the same race of the student, excluding the principal of the student charged.

Also see JC – Disruptive Behavior

A student may be expelled for committing any of the offenses identified as expellable offenses in the discipline plan.

DEFINITIONS

1. "Expulsion" is the denial of school attendance for a specified minimum period of time or for an unspecified period of time, but in no event less than one calendar year, after which time a student may be readmitted only upon application and with approval by the board in accordance with Policy JDG.
2. "Limited expulsion" is the denial of school attendance for the remainder of the school year. A principal may recommend a limited expulsion when a student who has been suspended 3 times during the same school year commits a fourth offense or in circumstances otherwise proper for such action. The student may be readmitted the following school year only upon application and with approval by the board in accordance with Policy JDG.

AUTHORITY TO EXPEL

As provided by statute, this superintendent has the power, authority and duty to delegate student disciplinary matters to appropriate school personnel. Section 37-9-14 (r)

When a principal determines that a student has violated one or more of the specific standards of conduct described in the discipline plan, he may recommend expulsion of the student to the superintendent.

Should the superintendent elect to expel the student, he shall arrange for a board meeting to hear the matter.

BOARD AUTHORITY

As provided by statute, this school board has the power, authority and duty:

1. To suspend or to expel a pupil or to change the placement of a pupil to the school district's alternative school or home-bound program for misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the school superintendent or principal, renders that pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, and to delegate such authority to the appropriate officials of the school district. Section 37-7-301 (e) (2000)

2. To support, within reasonable limits, the superintendent, principal and teachers where necessary for the proper discipline of the school. Section 37-7-301 (g) (2000)

The board shall review and make a final decision on all recommendations of expulsion made by the superintendent or a principal.

NOTICE

The student handbooks shall include specific grounds for disciplinary action and procedures to be followed for acts requiring discipline. Students and legal guardians shall be required to provide the school with a written statement verifying that they have received notice of the discipline plan in accordance with Policy JDA.

DUE PROCESS

All expulsions shall be handled in accordance with the procedures in JCAA.

SPECIAL EDUCATION STUDENTS
As provided under Section 2 of Senate Bill 2506 (1999 Legislative Session), educational services for children with disabilities who have been suspended or expelled from school shall be provided based on the requirements of IDEA, applicable federal regulations and state regulations.

REPORTS

When a student is expelled, the parent, legal guardians or custodians must be notified immediately on a form provided by the superintendent for such purpose. When a student is expelled for the commission of a crime or other unlawful activity or violent act, the reporting requirements of Policies JCBF and JCBF-P are applicable. The superintendent or his designee shall report all expulsions to the school attendance officer when they occur.

READMISSION

Any student who has been expelled, for whatever reason, must apply to the board for readmission to the regular school program in accordance with Policy JDG.

NOTE: According to a 1998 Attorney General Opinion, automatic fail provision of an absences policy may not apply against legal, excused absences. Such absences policies may not be applied against absences resulting from disciplinary suspensions if absences policies are applied to truant children who are otherwise passing, the district must afford the child procedural due process. (Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

LEGAL REF.: MS CODE as cited; Section 37-11-18; Section 37-11-29; Section 37-9-71; Section 37-13-91 (6)
Senate Bill 2506 (1999); Goss v. Lopez, 419 U.S. 565 (1975)
CROSS REF.: Policies JCAA - Due Process
JDA - Discipline Plan

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A student who has been expelled from this district must apply and be approved for readmission to the regular school program. The student must show evidence of rehabilitation and must appear before the principal. A student who has been denied admission based on a pending or current expulsion may be approved for readmission to the District by the Board according to the procedures in this policy.

I. TIME FOR READMISSION APPLICATION
(Applicable to expulsions from this District only)

A. If the expulsion was for a specified period of time, application for readmission should be made at least two (2) weeks before the conclusion of the expulsion period.

B. If the expulsion was for an unspecified period of time, application for readmission may be made at the beginning of the following school year provided that all or part of two semesters have been served outside the regular school program.

C. When the student is enrolled in another regular school program or participating in an alternative school or similar program during the expulsion period and at the time of application, application may be made any time after the conclusion of specified expulsion period or after one (1) year from the date of expulsion.

II. PROCEDURES
The procedures set forth in Policy JCAA shall apply to requests for readmission.

III. STANDARD FOR READMISSION/ADMISSION

The Board may grant readmission or admission upon a documented showing that the student has participated in successful rehabilitative efforts including but not limited to progress in an alternative school or similar program.

### DISCIPLINE NOTIFICATION

To ensure that parents are promptly notified of discipline problems and actions taken with their children, the following procedures are adopted:

1. In grades 7-12, where the demerit system is used, parents are to be notified by telephone when the student receives his/her 8th demerit. If the parent cannot be reached by phone, the discipline form and the total demerits will be mailed.

2. In grades K-6, parents will be called each time a student receives a discipline form. If parents cannot be reached by phone, the discipline form will be mailed.

3. In all grades, parents are to be notified by telephone before a student begins a suspension. If parents cannot be notified on the day before a suspension begins, the student’s next of kin or a person named on his/her emergency card will be notified.

When discipline forms are mailed, the date of posting will be indicated on the form (hard copy) for documentation.

### ACADEMIC ACHIEVEMENT

Consistent recognition of student accomplishments promotes positive attitudes and motivates teaching and learning.

The district’s administrative staff shall develop and implement a system of recognition and rewards for students.

### STUDENT WELFARE – STUDENT LOCATOR CARD

A student locator card will be on file in each school with updated information. Parents are required to provide current information as needed.

### STUDENT HEALTH SERVICES

Although the district's primary responsibility is to educate students, the students' health and general welfare is also a major Board concern. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.
NO CHILD LEFT BEHIND

In accordance with the requirements of the No Child Left Behind Act of 2001, the district recognizes its responsibility to notify parents in advance of any non emergency, invasive physical examination or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in [scoliosis,] vision or hearing screening. The district will abide by those requests.

GENERAL PROVISIONS

The district shall maintain a prevention oriented health services program which provides:

1. Pertinent health information on the students, as required by Mississippi statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems [and also scoliosis];
3. Health counseling for students and parents when appropriate;
4. Health care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Mississippi Department of Human Services, Health Services and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;
8. Integration of school health services with school health education programs.

EMERGENCY CARE AND ILLNESS

The school authorities are responsible for emergency care only for cases of illness or injury that occur or are first identified while a child is under the jurisdiction of the school. First aid is defined as: the treatment performed to protect the life and comfort of the child until authorized treatment is secured, and is limited to first aid treatment only. Following the first aid, the further treatment and care are the responsibility of the parent or legal guardian. The board of Trustees does not assume the responsibility for providing medical or dental care beyond immediate first aid.

SCHOOL NURSES
Registered nurses will be employed to provide appropriate health and safety services in accordance with federal and state laws and as directed by the School Board. An appropriate referral procedure will be implemented to secure nursing services for students identified by school personnel.

The nurse(s) employed by the district shall be licensed to practice as a registered nurse or nurse practitioner in Mississippi and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

Qualified personnel of the Harrison County School District may perform vision and/or hearing screening on any child experiencing difficulty in the classroom which could be the result of poor vision or hearing.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

HEAD LICE

See Policy JGCE.

WELLNESS PLAN

The local school board of each school district shall establish a local school health council for each school which shall ensure that local community values are reflected in the local school's wellness plan to address school health. Such councils shall be established no later than November 1, 2006. MS Code 37-13-134 (8) (2006) See Policy JGHB.

Standard 12 is as follows:

12. The school district complies with state law and State Board of Education policy on enrollment requirements.
   12.1 Residency requirements {MS Code 37 15 29} (SB Policy JBCA)
   12.2 Immunization requirements {MS Code 37 7 301(I), 37 15 1, and 41 23 37}
   12.3 Age of entry requirements {MS Code 37 15 9}

LEGAL REF.: MS CODE as cited; P. L. 107-110 (No Child Left Behind Act)
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies ICI - Health / Physical Education Advisory Council
            JGCC - Communicable Diseases
            JGCD - Student Health Services – Medicines
            JGHB – Wellness Plan
            JGCE – Head Lice

STUDENT HEALTH SERVICE – HEARING AND VISION SCREENINGS

Any student who has not been successful in the regular education program may be screened for vision and hearing as a means of determining whether hearing and/or vision problems are the cause of the child’s lack of success in the regular program.

Also see Policy JGC.

IMMUNIZATIONS AND VACCINATIONS – COMPLIANCE

JGCB
Immunizations and Vaccinations

Mississippi law requires that every student in grades K-12 have on file with the school one of the following before the student can be allowed to attend school even for one day:

A. A Certificate of Compliance (MSDH form);
B. An unexpired time-limited Temporary Compliance Form (MSDH form); or
C. A combination of one of these with a Certificate of Medical Exemption (MSDH form).

The Certificate of Compliance is necessary for the enrollment of all students, grades K-12. Students who previously had Certificates of Compliance in grades 2-12 in the prior year do not need new Certificates of Compliance for the current school year. Students required to have new Certificates of Compliance are the following:

A. All students enrolling in kindergarten or first grade for the first time who have not been issued a certificate previously;
B. All students enrolling in a Mississippi school for the first time;
C. All previously enrolled students with the original Certificate of Compliance marked "incomplete" and those who have a Temporary Compliance Form with an expired date.

Any student wishing to enter school without one of the above forms specified must be excluded until the proper form is obtained. The Mississippi Supreme Court has ruled that the exemption from required vaccination because of religious belief is invalid.

In regard to transfer students, the following will apply: Students wishing to enroll in school as in-state transfer students would require an appropriate compliance form within their cumulative folders. ALL SCHOOLS MUST SEND THE ORIGINAL COPY OF THE COMPLIANCE REPORT FORM IN THE CUMULATIVE FOLDER OF THE CHILD TRANSFERRING TO ANOTHER SCHOOL.

Students wishing to enroll in a Mississippi school from another state (out-of-state transfer) would present one of the three required Mississippi State Department of Health Compliance report forms noted above.

Although the Certificate of Compliance Form was revised in July, 1989, it is not necessary to replace forms from previous years with the latest revisions.

County health departments or private physicians may issue a valid Certificate of Compliance or a Temporary Compliance Form. Certificates of Medical Exemption Forms must be approved by the local county health officer or his/her designee in addition to the child's physician to be valid.

Both the Temporary Compliance Form and the Certificate of Medical Exemption for all students in school must be kept together in a separate file for ready access for compliance evaluation or outbreak control.

All Temporary Compliance Forms are time-limited and must be reviewed periodically to see that the student is in permanent compliance prior to expiration of the Temporary Compliance Form.

In instances where further information is required by the county health departments or the local health officer for the final disposition regarding immunization needs of a child seeking enrollment, a Temporary Compliance Form is given at the time of the request, provided a review of the case indicates that immediate attendance poses no apparent significant threat to the child or students or staff of the school.

A child is in compliance if he/she is enrolled with either a Temporary or a Full Certificate of Compliance on his/her first day of attendance, whether that first day is at the beginning of the school year or during the school term. The deadline for having forms on file in schools is not October or December. These are deadlines for reports only. The interval from the beginning of the school year to the filing of these
Compliance Reports is not a "grace period" with regard to the obligation of the schools to have each child in compliance. This gives schools time to tabulate and complete the reports.

Both a Preliminary Compliance Report and a Final Compliance Report are required by the schools. Procedures require that the Preliminary Compliance Report be completed and sent to the immunization health program representative at the "return address" stamped on the report forms by October 1. The Final Compliance Report must be completed and returned by December 31. Forms for the Preliminary Report and instructions are available from the State Department of Education.

Also see Policy JGCC.

<table>
<thead>
<tr>
<th>COMMUNICABLE DISEASES</th>
<th>JGCC</th>
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<tr>
<td>This school board has the power, authority and duty to exclude from the schools students with what appears to be infectious or contagious diseases; provided, however, such student may be allowed to return to school upon presenting a certificate from a public health officer, duly licensed physician or nurse practitioner that the student is free from such disease. MS Code 377 301 (h)</td>
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HEAD LICE

(See Policy JGCE.)

MENINGOCOCCAL DISEASE

Local school boards shall ensure that all public schools and agricultural high schools provide parents and guardians with information about meningococcal disease and the effectiveness of vaccination against meningococcal disease. Such information may be provided through the school district Web site, student handbook or other appropriate means of dissemination of information. Such information shall be updated annually if new information on such disease is available. This information shall include the causes, symptoms and means by which meningococcal disease is spread and the places where parents and guardians may obtain additional information and vaccinations for their children. Nothing in this section shall be construed to require a local school board or school to provide or purchase vaccine against meningococcal disease.

The State Board of Health shall develop and make available educational materials appropriate for distribution so that the information required by this section can be provided to parents and guardians. The Department of Health may provide this information, at its discretion, electronically, on its Web site. Nothing in this section shall be construed to require the Department of Health to provide or purchase vaccine against meningococcal disease.

This section shall stand repealed from and after July 1, 2007. S. B. 2007 (2006 Legislative Session; classification pending)

EDUCATING STUDENTS WITH CHRONIC INFECTIOUS DISEASES POLICY

The following shall be the policy of this school district for educating students known to have a chronic infectious disease (persistent illness in the carrier state as compared to an acute short term self limiting illness) such as, but not limited to hepatitis B, herpes simplex, AIDS/ARC or cytomegalovirus.

1. A student with a chronic infectious disease shall be removed from the classroom temporarily and until the district's medical advisor in consultation with the student's physician determines whether the student's presence in the school poses a risk of transmission of such chronic infectious disease to others.
2. Should it be determined by the school's medical advisor that attendance poses no threat, the student shall be allowed to resume attendance at school subject to whatever restrictions or limitations, if any, that the school's medical advisor shall recommend. The student's school attendance shall be reviewed by the school's medical advisor in consultation with the student's physician at least once every month to determine if continued school attendance poses any risk of transmission of such chronic infectious disease to others.

3. Should it be determined by the school's medical adviser that attendance at school poses a risk of transmission of such chronic infectious disease to others, an appropriate alternative education program shall be established for that student which shall continue until the district's medical adviser determines that the risk of transmission to others has abated and normal school attendance can resume.

4. The decision of the district's medical adviser shall be final.

The law provides the school district with the power to exclude from school any student suffering from a contagious or infectious disease. Students with communicable diseases listed below are required to remain at home until a physician or qualified health care provider certifies them able to return to school. Children exposed to these diseases but not confirmed to have become infected themselves may attend school.

- **Chicken Pox**: 7 days after onset of rash or until all lesions have dried
- **German measles (Rubella), Roseola**: 7 days after onset of rash
- **Red Measles (Rubeola)**: 7-10 days after onset of rash
- **Mumps**: Until all gland swelling has subsided (usually 9-12 days)
- **Scarlet fever**: 4 days after onset of rash or 24 hours after treatment with antibiotic
- **Infectious conjunctivitis**: Until all signs have disappeared or 24 hours after treatment is begun with antibiotic eye drops
- **Hepatitis**: Clearance by physician
- **HIV, AIDS**: See section on “HIV/AIDS”
- **Impetigo**: Until all lesions have healed or 24 hours after treatment is begun with antibiotic
- **Mononucleosis**: Clearance by physician
- **Ringworm**: Until treatment is begun with anti-fungal medication
- **Scabies**: Until treatment is administered
- **Pediculosis**: See Section on “Head Lice”
- **Other**: As advised by the Public Health Department
RATIONALE

The communicable diseases which warrant exclusion from school pose a known threat of high contagion and may result in large numbers of children or staff becoming ill and being absent from school. Exclusion from school while a child is most contagious to others in intended to avoid “epidemics” of illness.

IMPORTANT NOTICE

All staff shall use the following routine and standard procedure to clean up after a student has an accident or injury at school.

1. Blood or body fluids emanating from ANY student, including ones known to have a chronic infectious disease, shall be treated cautiously.

2. Rubber gloves shall be worn when cleaning up blood spills. These spills shall be disinfected with a solution of bleach and water (1 part bleach to 7 parts water) and persons coming in contact with them shall wash their hands immediately.

3. Blood soaked items shall be placed in leakproof bags for washing or further disposition.

4. The same procedures shall be used for dealing with the vomit and bodily waste of ANY student.

5. Handwashing immediately after contact with a student is routinely recommended if physical contact has been made with the student’s blood or bodily fluids, including saliva.

The school district shall provide gloves and other appropriate materials for use by the staff for compliance with this policy.

LEGAL REF.: MS CODE as cited
CROSS REF.: Policy JGC - Student Health Services

<table>
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<tr>
<th>HIV/AIDS</th>
<th>JGCCA</th>
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<tr>
<td>Students and staff infected with HIV or diagnosed as having AIDS will be allowed to attend school in accordance with federal laws and following the procedures adopted by the Harrison County School Board.</td>
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<tr>
<th>MEDICATIONS</th>
<th>JGCD</th>
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<tr>
<td>District policies governing student medications are adopted by the Harrison County School Board and are published annually in student handbooks.</td>
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School personnel shall not administer over-the-counter or prescription medication to any student without the written Authorization for Administration of Medication signed by the parent/guardian on file at the school in accordance with the procedures adopted by the Harrison County School District. Personnel shall not allow any student to give medicine to another student. No student shall be allowed to transport medication to and from school. All medication must be brought to school by a parent/guardian.
HEAD LICE

I. IDENTIFY INFESTED CHILDREN

A. BY SCREENING – Early in the school year, schools will screen all students in grades K-12 for head lice and handle infested students as described in section 2, “HANDLING OF INFESTED CHILDREN,” below. Teachers or other school staff who have been instructed in the technique will do screening.

B. BY INDIVIDUAL CASE – Throughout the year, any student suspected of having head lice will be examined by the teacher, and, if evidence of infestation is seen, re-examined by the principal or other “confirming” examiner. If infested, the child will be handled as described in section 2, “HANDLING OF INFESTED CHILDREN,” below. If one child in a classroom is found to be infested, the entire class will be screened as described above.

II. HANDLING OF INFESTED CHILDREN

A. REMOVAL – An infested child will be removed from class, and the parent will be called to take the child home for treatment as described in section 3, “TREATMENT,” below. Care will be taken not to embarrass the child and to assure that no stigma is attached to him/her. Detailed guidelines for treatment will be sent home with child. The teacher will keep a notebook of infestation dates and treatment.

B. RETURN TO SCHOOL – The child may return to school as soon as the parent provides evidence of treatment, either a note from the parent describing the treatment, e.g., “Johnny was treated with XYZ shampoo according to package directions on 09/12/99,” or a box top or package label from the product used. At this time, the child will be re-examined.

A few nits (eggs) may still be seen even in an adequately treated child and are not evidence of continuing infestation if the child was properly treated. If the child has not been satisfactorily treated, admission will be refused and a second letter will be given.

Upon the third incidence or notification of head lice within a school year, the student will be referred to the county health department for instruction and assistance.

III. TREATMENT

A. INDIVIDUAL – Several effective products are available. Kwell shampoo requires a prescription. The pyrethrin/pyrinate products such as Rid, A-200, and R&C are available over the counter at pharmacies. Treatment with any approved pediculocidal (lice-killing) product should be adequate.

An initial treatment will kill adult and larval lice, but will not kill all the eggs. A second treatment 7-10 days later (8 days is ideal), after the eggs left by first treatment have all hatched, will kill newly hatched lice before they mature and reproduce and complete the treatment process. A second treatment is required unless otherwise prescribed by a physician. If only one treatment is prescribed, the student will be re-checked within 7 days.

Parents must furnish evidence of the second treatment no earlier than 7 days and no longer than 10 days after the first. The same evidence, note from parent or box top/package label, is required. A child should not miss more than one or two days because of treatment for head lice. If the child is absent more than 3 days, the truant officer will be notified.

B. FAMILY – Household members of a child with head lice should be examined for lice (by either a family member who knows how, the family doctor, or someone else knowledgeable about lice), and any infested persons treated as described above.
The one exception is persons who share a bed with the infested child, who should simply be treated presumptively and need not be examined first.

Also see Policies JGC and JGCC.

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<th>PANDEMIC/EPIDEMIC EMERGENCIES</th>
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The Board recognizes that a pandemic/epidemic outbreak is a serious threat that stands to affect students, staff, and the community as a whole. With this consideration in mind, the Board establishes this policy in the event the town/municipality and/or school district is affected by a pandemic/epidemic outbreak. At all times the health, safety and welfare of the students shall be the first priority.

PLANNING AND COORDINATION

The Superintendent shall designate one or more employees to serve as a liaison between the school district and local and state health officials. This designee is responsible for connecting with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the school district.

The principal and/or school nurse or other designee shall develop a curriculum component to health classes that is designed to teach students about preventing or limiting the spread of communicable diseases.

With fiscal concerns in mind, the district shall purchase and store supplies necessary for an epidemic/pandemic outbreak, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by the school nurse. The Superintendent shall develop procedures and plans for the transportation of students in the event of an evacuation. Such procedures shall include provisions for students who cannot be transported to home at the time of the evacuation.

RESPONSE

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in an epidemic/pandemic, that person shall be immediately quarantined pending further medical examination. Local and state health officials shall be notified immediately.

In conjunction with local and state health officials, the Superintendent shall ascertain whether an evacuation, lockdown, or shelter in place needs to be established. As soon as such a decision has been made, the school district shall attempt to notify the parents of all students.

In the event of an evacuation, the Superintendent is charged with determining when the school shall reopen. In the event of a lockdown or shelter in place, the Superintendent shall notify all proper authorities and relief agencies seek their assistance for the duration of the lockdown or shelter in place.

INFECTION CONTROL

Any student or staff member found to be infected with a communicable disease that bears risk of pandemic/epidemic will not be allowed to attend school until medical clearance is provided by that individual’s primary care physician or other medical personnel indicating that that person does not bear the risk of transmitting the communicable disease.
Students with excessive absences due to a communicable disease shall be given a reprieve from other Board policies relative to excessive student absences. Efforts will be made by the staff to determine what, if any, school work the student can complete while absent.

Staff members who are forced to miss excessive days of work shall first use any leave entitled to them through the Family and Medical Leave Act and/or accrued sick leave. If a staff member has still not received medical clearance to resume his/her work duties, absences in excess of a staff member’s allotted leave will not affect the employee’s right to continued employment.

CONTINUANCE OF EDUCATION

The Superintendent shall develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments via mail, local access cable television, or the school district’s website.

The Superintendent is authorized to amend the traditional class schedule and schedule of days. Such a plan may include extending the school day, having school days held on Saturdays, the use of previously scheduled vacation days, and/or extend the school year beyond the previously established end of school year.

CROSS REF.: Policy JGCC - Communicable Diseases

REFERRAL FOR SCHOOL SOCIAL WORKERS

Children who are determined to be at risk need special services. It is the policy of the Harrison County School District that a process of intervention for at risk students be in place.

State licensed social workers will follow a board approved process of referral, assessment, interventions and recommendations. See Handbook for procedures.

STUDENT SAFETY

For information related to student conduct, disciplinary action, and the School Safety Act of 2001, please refer to MS CODE Section 37-11-55.

CHILD ABUSE OR NEGLECT

In compliance with MS Code Section 43-21-353, district personnel shall immediately report suspected child abuse or neglect to the Mississippi Department of Human Services. The number for the Child Abuse Hotline is (601) 359-4991, or toll free (800) 222-8000.

DISASTER EMERGENCY

If this school board determines that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a scholastic year as contemplated due to an enemy attack, a manmade, technological or natural disaster in which the Governor has declared a disaster emergency or the U.S. President has declared an emergency or major disaster to
exist in this state, the school board may notify the State Department of Education of such disaster and submit a plan for altering the school term.

If the State Board of Education finds such disaster to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster declaration, it may permit said school board to operate the schools in its district for less than one hundred eighty (180) days. Section 37-13-63 (2003)

SAFETY DRILLS

Each school shall have a current disaster plan and shall conduct regular safety drills, to include but not limited to bomb threat, earthquake, fire, and tornado.

It shall be the duty of the principals and teachers in all school buildings to instruct the students in the methods of fire drills and to practice fire drills until all the students in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such students well drilled. It shall be the further duty of such principals and teachers to instruct the students in all programs of emergency management as may be designated by the state department of education. Section 37-11-5 (1980)

The health and safety of students shall be protected by an organized program.

A. All students enrolled in each school district shall comply with immunization requirements.

B. Sanitary conditions in each school shall meet State Board of Health requirements.

C. Each school shall comply with state laws regarding fire drills.

D. Each school shall have a current disaster plan.

E. Each school shall have adequate custodial personnel and equipment to maintain lighting, heating, ventilation, plumbing, toilets, and school furniture.

F. Regular scheduled inspections and maintenance shall ensure that the buildings and grounds are clean and orderly.

G. Housekeeping procedures shall produce a clean, sanitary, pleasant, and stimulating school environment.

H. Protective eye devices shall be worn by the students and staff in classrooms where there is a danger of eye injury.

I. A fully charged, recently inspected fire extinguisher shall be readily available in laboratories where chemical experiments are conducted and at other strategic locations.

J. All chemicals shall be clearly labeled to indicate contents and possible hazards.

K. Carcinogens, potentially dangerous radioactive materials, or pathogenic organisms shall be handled and/or maintained only with approval of the local health department.

Maximum regard for pupil safety and adequate protection of health shall be primary requirements which shall be observed by the School Board in purchasing used school buses. §37-41-103
The administration shall develop safety rules and regulations to carry out the above policies, including other ways in which student safety requires special supervision and school protection. These shall include precautions at dismissal and instruction for safety on the way home from school.

LEGAL REF.:  Mississippi Code, Sections 37-11-5, 37-41-101, 37-11-49

Parents, volunteers, practicum students, student teachers, and other visitors will be required to obtain a pass from the school office prior to being allowed to visit a classroom.

It shall be the duty of the principals and teachers in all school buildings to instruct the students in the methods of fire drills and to practice fire drills until all the students in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such students well drilled. It shall be the further duty of such principals and teachers to instruct the students in all programs of emergency management as may be designated by the State Department of Education. §37-11-5 (1980)

HARASSMENT

Student-to-student sexual harassment will not be tolerated. Complaints of student-to-student sexual harassment will be handled in accordance with Policy JBP, Students Complaints of Sexual Discrimination/Harassment - Title IX Procedures.

It shall be unlawful for any person to intimidate, threaten or coerce, or attempt to intimidate, threaten or coerce, whether by illegal force, threats of force or by the distribution of intimidating, threatening or coercive material, any person enrolled in any school for the purpose of interfering with the right of that person to attend school classes or of causing him/her not to attend such classes.

Upon conviction of violation of any provision of this section, such individual shall be guilty of a misdemeanor and shall be subject to a fine of not to exceed five hundred dollars ($500.00), imprisonment in jail for a period not to exceed six (6) months, or both. Any person under the age of seventeen (17) years who violates any provision of this section shall be treated as a delinquent within the jurisdiction of the youth court. §37-11-20 (1972)

SAFETY DURING INSTRUCTION

Each student and teacher is required to wear an appropriate industrial quality eye protective device at all times while participating in or observing any of the following courses of instruction:

1. Vocational, technical, industrial arts, chemical, or chemical physical, involving exposure to:
   a. Hot molten metals, or other molten materials;
   b. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;
   c. Heat treatment, tempering, or kiln firing of any metal or other materials;
   d. Gas or electric arc welding, or other forms of welding processes;
   e. Caustic or explosive materials; or

2. Chemical, physical, or combined chemical physical laboratories involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other hazards not enumerated.

For purposes of this section unless the context indicates otherwise "Industrial quality eye protective device" shall mean a device meeting the standards of the American National Standard Practice for Occupational and Educational Eye and Face Protection, Z 87.1 1968, and subsequent revisions thereof, approved by the American National Standards Institute, Inc. Such devices may, at the discretion of the individual school, be

a. furnished for all students and teachers;
   b. purchased and sold at cost to students and teachers; or
   c. made available for a moderate rental fee.

Such devices shall be furnished to all visitors to such shops and laboratories. Section 37 11 49 (1974)
TRANSPORTATION SAFETY

Maximum regard for pupil safety and adequate protection of health shall be primary requirements which shall be observed by the school board in purchasing used school buses.
Section 37 41 103 (1982)

Standards 35, 36 and 37 are as follows:

35. The district complies with the applicable rules and regulations of the State Board of Education in the operation of its transportation program. {MS Code 37 41 53} (SB Policies ED 3, JGG 1, and IDDE)
   35.1 All buses are inspected on a quarterly basis and are well maintained and clean.
   35.2 Each bus driver has a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. The school district has on file a yearly motor vehicle report on each driver and evidence that each driver has received two hours of in service training per semester.
   35.3 Bus schedules ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
   35.4 Emergency bus evacuation drills are conducted at least two times each year.

36. The school district provides facilities that meet the following criteria: {MS Code 37 7 301(c)(d)(j); 37 11 5, 49; and 45 11 101}
   36.1 The school district provides facilities that are clean.
   36.2 The school district provides facilities that are safe.
   36.3 The school district provides operational facilities that are equipped to meet the instructional needs of students and staff.
   36.4 The school district provides air conditioning in all classrooms in each school. {MS Code 37 17 6(2)}

37. The district complies with the following requirements for Safe and Healthy Schools:
   37.1 Each school has a comprehensive School Safety Plan on file that has been approved annually by the local school board. {MS Code 37 3 81 and 37 3 83(2)} (See the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan.)
   37.2 Each school has a school wellness policy on file that has been approved by the local school board. (Child Nutrition Reauthorization Act of 2004)

The School District is in compliance with state and/or federal requirements for Driver Education. §37-2-5-1-et seq.

Also see Policies JGFA and EBB.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards (2007)

CROSS REF.: Policies EBBA - School Safety Plan
           EDC - Bus Safety Program
           JGFG - Accidents / First Aid
           KBB - Media Access to

SAFETY – EMERGENCY OPERATIONS/PLANS – FIRE – EMERGENCY DRILLS

J - 82
Each school will establish its procedures for fire drills, including signals, and will carry out the required drills throughout the year. Individual evacuation plans are included in the Emergency Operations Plans prepared by the Harrison County School District and approved by the Board of Trustees. In case of fire:

A. Evacuate the building as planned in the fire drill procedure.
B. Call the fire department **IMMEDIATELY**
C. Notify the Superintendent of Education
D. Return to the building only after the all-clear signal has been sounded.
E. If fire damage has resulted, the principal will decide in conjunction with fire department officials whether it is safe to return to the building.

**Emergency Drills**

The Board of Trustees, in accordance with state law, requires that all schools formulate and practice emergency drill activities.

District policies governing emergency procedures/drills are adopted by the School Board and published annually in student and staff handbooks as official policy statements of the Harrison County School District.

Also see EBB.

**Fire Drills**

The principal shall conduct a fire drill within the first two weeks of the opening of school and at least once each month thereafter. The drill shall include all students and all school employees. The route of egress and alternative routes should be clearly understood by all employees and shall be posted in each classroom in the building.

**Other Emergency Drills**

Other emergency drills and evacuation procedures shall be conducted and routes designated when deemed necessary. Procedures for emergency conditions such as tornado, storms, or flash floods shall be developed for every school by the principal.

In cases of an emergency it may become necessary to retain students at the school building, since parents may not be at home. Parents may come to the school premises to pick up children if they so desire during any type of emergency prior to actual drill participation. Once a child is involved in the emergency drill procedures, parents will not be permitted to remove their children from school premises until the emergency drill is over.

Schools are sometimes faced with emergencies which require the total cooperation of staff members and students. The Harrison County schools have made detailed plans for operating the schools under such emergency conditions as fire, tornado, flood, severe weather, explosions, and other disasters.

Also see Policies EBBC and EBBD.

Fire drills and other disaster preparedness measures are a regular part of each school’s program. Students are expected to learn the procedures to be followed under emergency conditions and to cooperate fully with the supervising teacher.

Detailed instructions for emergency operations will be outlined to all students at their respective schools.

Also see Policies JGF and EBB.
STUDENT SAFETY - PLAYGROUND

Each building principal personally shall inspect the playground and play equipment at least twice a year and more often if possible. All needed improvements and repairs shall be made known to the Superintendent in writing.

Each principal is responsible to see that all children and personnel know the safety rules and obey them. He should instruct the personnel and students on the use of each piece of playground equipment and see that it is properly supervised.

The principal is responsible for scheduling the teachers for playground duty.

OFF-CAMPUS STUDENT EDUCATIONAL ACTIVITY

All off-campus student educational activities require the approval of the principal. Accompanying the request for approval must be information specifying those students who are to participate in the activity and the basis for their participation. Out-of-state student activities require Board approval. In addition, the request must include the following:

- Specific references to the curriculum;
- Source of payment for the off-campus educational activity;
- Method of transportation;
- Beginning and ending times and dates;
- Names of school personnel to attend;
- Names of additional chaperones;
- Method of financing adult/parent participation; and
- Other pertinent information.

Such requests must be submitted three (3) weeks prior to the off-campus educational activity. Parents and guardians must sign the “Parental Consent to Student Educational Activity and Release From Liability” form in advance of the off-campus educational activity.

VIDEO SURVEILLANCE

The board authorizes the use of video cameras on district property to ensure the health, welfare, and safety of all staff, students, and visitors to district property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the administration.

The district may notify staff and students through student/parent and staff handbooks that video surveillance may occur on district property.
Students or staff in violation of board policies, administrative regulations, building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law-enforcement agencies.

Video recordings may become a part of a student’s educational record or a staff member’s personnel record. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

**DISMISSAL PRECAUTIONS – DISMISSAL OF STUDENTS DURING SCHOOL HOURS FOR ACTIVITIES THAT ARE NON-SCHOOL SPONSORED**

The following procedures shall be observed regarding dismissal of students during school hours:

No teacher shall permit any pupil to leave school prior to regular dismissal time unless the student is in the company of a parent, legal guardian, school employee, police officer, court officer, or a person designated by the parents or legal guardian. Emergency telephone requests or notes from home for early dismissal may be honored by the principal.

No pupil shall be sent from the school during school hours to perform an errand or to act as a messenger except with the approval of the principal and the consent of the pupil’s parent or guardian.

Parents are urged to schedule dental and medical appointments outside of school hours. When such appointments cannot be scheduled outside of school hours, parents must send a written request for dismissal from school or call the school office.

**DISMISSAL PRECAUTIONS**

Withdrawal from School

A. No student shall leave school without permission from the principal or his designee.

B. Students shall be allowed to withdraw from school for personal illness or bona fide emergency. Students must secure a withdrawal permit from the attendance office, and a parent or guardian appointed by the Chancery Court contacted before they will be allowed to leave school.

C. Students having an appointment with a doctor or dentist or for other valid reasons may withdraw from school as follows:

1. A parent or guardian appointed by the Chancery Court may personally come to the school and withdraw a student.

2. The student may present a doctor or dentist appointment card to the attendance office and receive a withdrawal permit.

3. The student may present a note from a parent or guardian appointed by the Chancery Court to the attendance office, which contains the reason for withdrawal, time of withdrawal, and phone number where the parent or guardian appointed by the Chancery Court can be contacted, in order to receive a withdrawal permit.

4. All withdrawal permits must be obtained from the attendance office before 8:00 a.m. on the day of withdrawal.

5. The withdrawal permit is to be used as the written excuse but must be signed by a parent, guardian appointed by the Chancery Court, doctor or dentist in order to be valid.
6. Withdrawal permits shall be issued for the last period of the day for doctors or dentist appointments or other valid reasons, provided the above procedure is followed.

7. If a note or appointment card cannot be verified, school officials reserve the right to refuse the issuance of a withdrawal permit.

8. Work must be made up if a withdrawal is for any of the reasons shown above. Work must be made up if a withdrawal to meet a doctor or dental appointment causes a student to miss classwork.

D. Any student leaving school on school related business must first obtain written permission from his/her teacher and then personally sign out at the attendance office. Upon return to school, the student must personally sign in.

E. No student shall leave school without a withdrawal permit or without signing out at the attendance office.

F. Withdrawal requests during the last period of the day shall receive strict scrutiny by the attendance office due to abuse of the withdrawal privilege.

CROSS REF.: Policies JGFB - Off-Campus Student Educational Activity
              LB - Custodial / Non-Custodial Parent Rights

AUTOMOBILE USE

Students driving cars to school must park them in the student parking lot. All student vehicles must have a parking decal. Procedures for parking on campus are contained in the student handbooks.

ACCIDENTS/FIRST-AID/Bus Accidents

PROGRAM OF FIRST AID

Each principal shall have a planned written program for handling emergencies resulting from accident or sudden sickness of students which shall be approved by the designee of the Superintendent. The program of first aid for emergencies shall provide direction for giving immediate care, notifying parent, guardian or custodian, getting the student home, and directing the parent, where necessary, to the source of treatment. (Also see PolicyJGFGA.)

The program of first aid shall incorporate the following requirements:

- The principal or another trained person shall be responsible for administering first aid.

- In all cases where the nature of an illness or an injury appears in any way serious, every effort shall be made to contact the parent and/or family physician immediately.

- No student who is ill or injured shall be sent home alone. A student who is ill or injured shall not be taken home unless it is known that someone is there to receive him/her.

- In extreme emergencies, the principal may make arrangements for immediate hospitalization of injured or ill students, contacting the parent or guardian in advance if at all possible.
- The teacher or other staff member to whom a student is responsible at the time an accident occurs shall make out a report providing details about the accident.

- Serious accidents to students shall be reported as soon as possible to the Superintendent’s designee.

**FIRST AID SUPPLIES**

Principals shall maintain an adequate supply of standard first aid materials which shall be made available by the Board as are other school supplies.

**MEDICATION**

School personnel shall not exceed the usual practice of competent first aid where required. They shall not diagnose and they shall not administer medication of any kind.

**ACCIDENT REPORTING**

On the accident report provided by the district the principal of each school shall report injuries to students and employees which require medical attention or which keep the student or employee from school or from work one-half day or more. (See Policy JGFGA.)

**ACCIDENTS**

Safety of students is paramount. Teachers are responsible for the safety of all students under their supervision. Any injuries suffered by students while they are the responsibility of the school must be given immediate attention. The actions taken will be dictated by prevailing circumstances.

No procedure can be pre-formulated and be completely applicable in all situations; therefore, the following is provided for general guidance and may be modified as the situation demands.

- Remain calm and promptly decide what needs to be done to prevent worsening the situation.
- Act decisively - take charge.
- If the accident is serious, send someone to the office asking for help.
- If first aid is indicated and if you are knowledgeable, administer first aid.
- Resume normal activities as soon as feasible.
- Submit a written report to the principal's office describing the accident in detail. (Major accident)

**BUS ACCIDENTS**

If a school bus is involved in an accident at any time, the bus driver will notify transportation director immediately and ask for appropriate assistance. Report all student injuries and/or illnesses—no matter how minor—to the transportation director. The director will immediately notify law enforcement, emergency agency, superintendent, and school principals.

A number of actions shall be taken following a school bus accident; the order and number of such actions will vary, based on the severity of the accident and the extent or nature of the injuries, if any. Following a school bus accident, the procedures listed below shall be implemented:

1. The school bus driver must immediately check all student passengers for injury and ask whether anyone is hurt or injured. If so, first aid shall be administered, if appropriate. The school bus driver must notify authorities and/or the Transportation Department. The students should be
evacuated from the school bus in accordance with standard procedures only if the condition or position of the school bus creates a further hazard to the student passengers. If there are no injuries or very minor injuries, the school bus driver must immediately take control of the student passengers, calm the students, and maintain discipline. While waiting for the proper authorities to arrive, the school bus driver will complete the necessary accounting data as required by the school district and the public safety department.

2. The Transportation Department, upon notification of an accident, will immediately dispatch a representative to the accident location and assist the school bus driver and the authorities as appropriate. The superintendent’s office must be notified of all accidents, and in the case of severe accidents, the superintendent must be notified immediately.

3. The school will be notified of the accident if students were on board. The principal or his/her designee will be responsible for being sure that all parents of students on a bus involved in an accident are notified.

4. The principal of the school whose students are involved shall report to the scene of the accident and assist as needed.

5. The Police Department will complete a student accident report and take directly to the school principals if the accident occurred on the way to school. The school nurse will check out every student that was involved in the accident. The principals will notify parents of students immediately about the accident. If the bus is on the way home from school, the school police will give each student a notice for his/her parent/guardian that explained that the bus was involved in an accident and they should carefully watch their child for any problems and seek medical assistance if needed.

**BUS DRIVER SHALL:**

- Exercise extreme caution should he/she be involved in an accident.
- Send someone to flag traffic. A trained and mature student should be selected for this purpose.
- Guard against fire.
- Unless the bus is severely damaged or endangered by fire, keep students inside the bus. The bus driver should not leave the bus unless it is absolutely necessary. He/she should stay near the bus in order to give close supervision to students.
- Check for injuries to students.
- Have someone call an ambulance if necessary.
- Have someone call a law enforcement official.
- Notify school authorities of serious injuries to students.
- Place flares and flags or other warning devices at least 100 feet to front and rear of bus and one on roadway side of the bus when prolonged stop is necessary.
- If an accident involves another vehicle, be courteous to the other driver and keep calm.
- Get names and addresses of the owner of the other vehicle and of witnesses to the accident.
- Do not place the blame for the accident or make any admission of liability. The accident report should reveal the facts of the accident.
- File report of accident with the School Superintendent and the Division of Student Transportation, State Department of Education, within 10 days after the date of the accident. (Use form furnished by the State Department of Education.)
- File written report with the State Commissioner of Public Safety within ten (10) days if the accident results in injury or death to any person or if there is total property damage of $250 or more. (Use form furnished by the Commissioner of Public Safety.)

Also see JGCD and JGFBA.
Accident Report Form

The standard student accident report form shall be completed in duplicate for any student accident occurring on the school grounds or in connection with school-related activities. One copy of the form will be kept on file in the school and one copy will be sent to the central office.

Students needing assistance because of accident or injury must be handled in accordance with school policy regarding first aid. First aid specialists are available in every school.

Emergency Care (First Aid)

The school attempts to provide an environment in which the student will be safe from accidents. Emergencies shall be dealt with promptly by teachers, first aid specialists, and principals by taking appropriate action, including sending a child to the hospital or summoning medical aid or an ambulance. In all cases where it is necessary to send a student to the hospital, every effort must be made to notify parents.

If an accident occurs, first aid will be administered. School personnel shall not exceed usual practice of competent first aid (American Red Cross Standard First Aid).

Locator cards for each student shall be readily accessible for rapid use, updated as changes occur in the student’s status, with current home telephone numbers, business telephone numbers, emergency telephone numbers and instructions for emergency care in case a parent cannot be reached.

Each school shall keep a written record of all injuries sustained by students or staff members while at school, on file in the office of the principal. A copy of the report shall be forwarded to the central office as soon as possible. Severe and extensive injuries shall be reported to the Superintendent of Education.

First Aid and CPR Training of Staff

Each school principal is responsible for seeing that there are members of the school’s staff currently licensed to administer first aid and CPR.

Unexpected Illnesses

When a student becomes ill at school, he/she shall be observed by a school staff member and, if necessary, sent to the office to contact his/her parents or legal guardian. Serious illnesses shall be reported to the parents and the Superintendent of Education. In all cases where it is necessary to send a student to the hospital, every effort must be made to notify the parents or legal guardian.

Transportation of Students by Staff Members

It is the policy of the Harrison County School District that no student be transported privately by any staff member unless so directed by the Superintendent of Education or his/her designee.

Food Service – Child Nutrition
1. It shall be the responsibility of the principal to arrange the schedule so that the children will at all times enter the cafeteria, eat their lunch, and return to their classrooms in an unhurried and relaxed manner. Teachers will come down the serving lines with their class at serving time in order to keep the serving line moving on schedule and to supervise the behavior of their children. Dissatisfaction with the manner in which the cafeteria prepares and serves food and any recommendation for improvement will be expressed to the principal who will take the matter under advisement with the cafeteria administrators.

2. Bulletins issued each day by the secondary schools should be given the manager in order that she may know the activities for the day – more especially if it affects the lunchroom as to the number to be served. Information regarding large groups leaving campus who ordinarily eat shall be given to the manager when the event is scheduled.

3. The Director of Child Nutrition must be notified at least three (3) weeks in advance of any change in schedules, sack lunches, special dinners, etc.

4. Children bringing lunches from home may purchase only milk or water.

5. Due to safety issues, children and adults other than the cafeteria staff are not allowed in the kitchen area.

6. Teachers are to be served from serving lines only.

7. Relatives of school lunch employees shall not be granted privileges denied other children and shall remain in the dining area at all times.

8. Beverages other than milk shall not be consumed in the dining room during the lunch period except in an unidentifiable container.

9. Foods and beverages available in the lunchroom shall be only those which contribute both to the nutritional needs of the child and to the development of desirable food habits and shall be compliant with the district wellness policy.

10. No one except employees shall be admitted to the kitchen during preparation and serving hours except repairmen, deliverymen, or persons having a need to be there.

11. Lunch/breakfast charges are not allowed when a student fails to bring money; once they reach $15.00, they will no longer be able to receive a tray. They will be served a complimentary peanut butter and jelly sandwich. School Messenger, a computer-generated phone message system, calls all parents when a child/children have incurred any cafeteria charges.

COMPETITIVE FOODS REGULATION

1. No food items will be sold on the school campus for one hour before the start of any meal service period.

2. The school food service shall serve only those foods which are components of the approved federal meal patterns being served (or milk products) and such additional foods as necessary to meet the caloric requirements of the age group being served.

3. With the exception of milk products and water a student may purchase individual components of the meal only if the full meal unit is being purchased.

4. Students who bring lunch from home may purchase milk products or water.

CROSS REF.: Policy JGFG – Accidents/First Aid
WELLNESS POLICY

Harrison County School District
Wellness Policy

In order to combat childhood obesity and improve children’s health, the Child Nutrition and WIC Reauthorization Act of 2004 (PL#108-269) requires that all local educational agencies that receive funding for the USDA Child Nutrition Programs establish a local school wellness policy by the beginning of the 2006-2007 school year.

The U.S. Congress recognizes that schools play a critical role in creating a healthy environment for the prevention of childhood obesity and for combating problems associated with poor nutrition and physical inactivity.

Rationale:

The link between nutrition, physical activity, and learning is well documented. Healthy eating and activity patterns are essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being. Healthy eating and physical activity, essential for a healthy weight, are also linked to reduced risk for many chronic diseases. Schools have the responsibility to help students learn, establish, and maintain lifelong, healthy eating and activity patterns. Well-planned and effectively implemented school nutrition and fitness programs have been shown to enhance students’ overall health, as well as their behavior and academic achievement in school. Staff wellness is also an integral part of a healthy school environment since school staff can be daily role models for healthy behaviors.

Goal:

All students in the Harrison County School District shall possess the knowledge and skills necessary to make nutritious food choices and enjoyable physical activity choices for a lifetime. All staff in the Harrison County School District are encouraged to model healthful eating and physical activity as a valuable part of daily life.

To meet this goal, the Harrison County School District adopts this District Wellness Policy with the following commitments to nutrition, physical activity, comprehensive health education, marketing, and implementation. This policy is designed to effectively utilize school and community resources and equitably serve the needs and interests of all students and staff, taking into consideration differences in culture.

Commitment to Nutrition

The Harrison County School District will:

- Offer a school lunch program with menus that meet the meal patterns and nutrition standards established by the U.S. Department of Agriculture and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Encourage school staff and families to participate in the school meal programs.
- Operate all Child Nutrition Programs with school food service staff who are properly qualified according to current professional standards. (Mississippi Board of Education Policy, Code EE-2E)
Establish food safety as a key component of all school food operations and ensure that the food service permit is current for Food Service. Establish an HACCP plan and have it fully implemented by July 1, 2006 in the Child Nutrition Department.

- Follow State Board of Education policies on competitive foods and extra food sales (MS Board of Ed. Policy, Code EEH)
- Establish guidelines for all foods available on the school campus during the school day with the objective of promoting child health and reducing childhood obesity.
- Offer school breakfast and snack programs with menus that meet the meal patterns and nutrition standards established by the U.S. Department of Agriculture and the MS Department of Ed, Office of Child Nutrition.
- Provide adequate time for students to eat and enjoy school meals. Recommendations are for a minimum of 10 minutes for breakfast and 20 minutes for lunch.
- Encourage students to make healthy food choices based on the 2005 Dietary Guidelines for Americans. This will be done by emphasizing menu options that feature baked rather than fried foods, whole grains, fresh fruits and vegetables, and reduced fat dairy products.
- Establish a cafeteria environment conducive to a positive dining experience, with socializing among students, and between students and adults. Adults will properly supervise eating areas and serve as role models to students by modeling proper conduct and voice level, and by eating with students.
- Add nutritious and appealing options (such as fruits, vegetables, nuts, trail mix, beef jerky, low-fat milk, yogurt, string cheese, 100% juice and water) whenever foods/beverages are sold or otherwise offered at school, including vending machines, school stores, concessions stands at sporting and academic events, parties, celebrations, social events, and other school functions.

See Appendix A for example guidelines and options.

- Discourage the use of foods as rewards for student accomplishment and the withholding of food as punishment.

See Appendix B for non-food reward ideas.

- Encourage all school-based organizations to use services, contests, non-food items, and/or healthful foods for fundraising programs. The sale of candy as a fund-raiser is strongly discouraged.

See Appendix C for alternative fundraising ideas.

- Provide nutrition information for parents, including nutrition analysis of school meals and resources to help parents improve the food they serve at home.
- Make school meals accessible to all students with a variety of delivery strategies, such as breakfast in the classroom, grab-and-go lunches, or alternate eating sites.

Commitment to Physical Activity

The Harrison County School District will:

- Provide physical education for all students (In accordance with Section 37-13-134, Mississippi Code of 1972, ann., reference 2004 Mississippi Public Schools Accountability Standards 32, Appendix B and 33.).
- Offer a planned sequential program of physical education instruction incorporating individual and group activities, which are student-centered and taught in a positive environment.
- Implement the 2006 Mississippi Physical Education Framework.
- Incorporate 5-10 minute physical activity sessions in classrooms to teach subject areas and to make transitions between different lessons (e.g., Take Ten!, Mind and Body, etc.).
- Participate in a yearly fitness test for students (e.g., Fitness Gram, President’s Challenge to Physical Fitness, etc.).
- Establish or enhance physical activity opportunities (like walking clubs or fitness challenges) for staff and/or parents.
- Provide staff-monitored recreational activities that promote moderate physical activity during all outdoor and indoor recess times.
- Collaborate with local recreational departments and youth fitness programs to promote participation in lifelong physical activities.
- Create wider opportunities for students to voluntarily participate in before and after school physical activity programs like intramurals, clubs, and at the secondary level, interscholastic athletics.

See Appendix D for physical activity resources.

Commitment to Comprehensive Health Education

The Harrison County School District will:

- Provide ½ Carnegie unit of comprehensive health education for graduation (2004 Mississippi Public School Accountability Standard 20, Appendix A)
- Implement the 2006 Mississippi Comprehensive Health Framework for grades –9-12.

Commitment to Marketing a Healthy School Environment

The Harrison County School District will:

- Provide positive, motivating messages, both verbal and non-verbal about healthy lifestyle practices throughout the school setting. All school personnel will help reinforce these positive messages.
- Involve students in planning for a healthy school environment. Students will be asked for input and feedback through the use of student surveys, and attention will be given to their comments and will be discussed within the Wellness Committee Meetings.
- Promote healthful eating, physical activity and healthy lifestyles to students, parents, teachers, administrators and the community at school events. (e.g., school registration, parent-teacher conferences, PTO meetings, open houses, health fairs, teacher inservices, and other events.

Commitment to Implementation

The Harrison County School District will:

- Establish a plan for implementing the school wellness policy.
- Designate one or more persons to ensure that the school wellness policy is implemented as written.
- Establish and support a School Health Council (SHC) to address all aspects of a coordinated school health program, including a school wellness policy.
- Conduct a yearly review of the progress toward school wellness policy goals and to identify areas where improvement is needed.
- Prepare and submit a yearly report to the school board regarding the progress toward implementation of the school wellness policy and recommendations for any revisions to the policy as necessary.
In accordance with the laws of the State of Mississippi regarding child abuse, any person who has reasonable cause to suspect that child abuse or neglect is occurring shall report such information to the director of social services in the county in which the child resides. (See JCDC.)

Child abuse shall be suspected when a student shows such physical signs as bruises, scars, burns, etc., and injuries which might have resulted from being maliciously beaten and shows other indications of cruel and abusive treatment.

Child neglect exists when a child is discovered to be in any one or a combination of the following situations:

A. Abandoned  
B. Poorly clothed, ill fed, ill without medical attention  
C. Overworked or otherwise exploited  
D. Lacking love, care, guidance, or protection

I. THE LAW

A. The Mississippi Code (1972 annotated) states: The following people are required by law to report suspected abuse or neglect:

1. Attorneys  
2. Doctors  
3. Dentists  
4. Interns  
5. Residents  
6. Nurses  
7. Psychologists  
8. Teachers  
9. Social Workers  
10. School Principals  
11. Child’s Caregiver  
12. Minister  
13. Law Enforcement Officers  
14. Or any other person having reasonable cause to suspect that a child has been neglected or abused.

B. Immunity

1. Civil Liability - Persons making reports are protected by law from civil liability if they act in good faith.  
2. It is not necessary that one have absolute proof before reporting. It is the responsibility of the Department of Human Services to make its own investigation.

II. PROCEDURES FOR REPORTING ABUSE OR NEGLECT

REPORTING WITHIN THE SCHOOL SYSTEM

A. Inform the principal of findings.

B. Report by phone to the Department of Human Services (principal may make the report or staff member may call the counselor or nurse, who will make the report).

REPORTING TO SOCIAL SERVICES
A. The staff member should have this information available:

1. Name and address of child and parents or caretakers
2. Date of birth
3. Nature of child's injuries
4. Identity and address of perpetrator, if known
5. Any other information believed helpful to social worker
6. Names and dates of birth of other children in the home

STUDENT ACTIVITIES

In addition to programs of classroom instruction, schools shall provide programs of student activities to meet educational needs to the extent that resources are available. Membership and participation in student activities shall be open to all students without restrictions as to race, religion, sex, national origin, or handicap (qualified). All student activities provided by School District must be under the direct supervision of assigned school personnel and shall be subject to the regulations of the school administration.

School officials should cooperate with other community groups or agencies in programs of educational value for children and youth when such cooperation is deemed to be desirable and feasible.

All student activity accounts shall be charged with all costs to the school system accrued by the operation of that activity. No money shall be expended from the activity fund without a requisition approved by principal. Principals will be held strictly accountable for spending all activity funds.

In conducting various student activities, the following should be observed in order not to infringe on the regular activities of the school program.

Students involved in the statewide testing program are not allowed to participate in extracurricular competition during the days that tests are administered. This prohibition extends to the day (24 hours) before testing begins, but does not include days scheduled for make-up tests.

No student should be removed from classroom activity for practice sessions, performances, or other scheduled activities unless prior approval comes from the principal.

Also see DK, JHB.

STUDENT ACTIVITIES FUND MANAGEMENT – CENTRALIZED STUDENT ACTIVITY FUND ACCOUNTING

See Policy DK.

FUND RAISING – SOLICITATIONS BY STUDENTS

The Harrison County School Board recognizes the need for limited fund raising activities. Fund raisers are restricted to activities that have recognized educational value.
As a general statement of policy, requests to conduct fund raisers of any kind must be submitted in writing to the Superintendent’s office.

Each request must contain the following:

a. Type of fund raising activity
b. Specific purpose for fund raising
c. Educational value attributed to the activity
d. Participants (organization, sponsor, vendor)
e. Length of activity (inclusive dates)
f. Projected fund raising profits

The Superintendent or his/her designee will approve or deny the fund raising activity. Each fund raising activity shall be supervised by a regular classroom teacher sponsor or other licensed staff. This person shall be held personally responsible for the fund raising activity and all profits. This person must sign the written request to the Superintendent or his designee. Responsibility for all aspects including accounting for profits is assumed by the person signing the request. This same person must submit the post-activity profit reconciliation sheet.

The post-activity profit reconciliation form shall be submitted within five (5) working days from the conclusion of the fund raising activity. These forms shall be approved by the school principal and forwarded to the business department of the central office.

The form shall include:

a. Fund raising activity
b. Actual length of activity (inclusive dates)
c. Students/sponsors who participated in the activity
d. Reconciliation of actual profits to projected profits
e. Specific times (hours of the day) the money was collected for fund raising project from students.

Fund raising activities of any type are expressly prohibited during school or office hours except those approved by the Superintendent.

Students in K-6 shall not be permitted to solicit sales in door-to-door solicitations under any circumstances.

Outstanding solicitations by any group are expressly forbidden without the consent of the Superintendent or his designee.

For the purpose of policy fund raisers will be classified as:

a. Sales to Students
b. School Sponsored Fund Raisers
c. Fund Raisers by Outside Organizations (PTA, Boosters, etc.)
d. Club Sponsored Fund Raisers

e. Non-Fund Raising Activities

Non-Fund Raising

The Harrison County School Board authorizes the sale of items that are not being conducted as a fund raising activity.

Rental of caps and gowns, purchase of invitations and class rings will be a transaction handled between the vendor and the student. Students will pay directly to the vendor. There must be a written contract between the vendor and the school signed by the principal that dictates all terms of the sale to students. The contract is to be kept on file in the principal’s office.

School Sponsored Fund Raisers

The Harrison County School Board will allow the operation of vending machines, school stores, concession stands, carnivals or school wide sales permitted by the principal.

The school principal with written approval of the Superintendent may allow the above fund raisers to be held. The principal will have the authority to establish the sales price.

The money collected through school sponsored fund raising activities will be deposited in the school general activity fund.

For all items purchased for resale to students there must be a reconciliation of the items purchased, the items sold and the gross sales amount. The reconciliation must be performed on a periodic basis and be submitted to the Central office for review and approval. A form will be provided by the central office.

Fund Raisers by Outside Organizations

The Harrison County School Board will allow the teachers to collect funds for PTA during the school day. PTA’s and official school booster clubs may use school facilities free of charge. Any money collected by booster clubs or PTA’s are not subject to approval by the Harrison County School Board.

Club Sponsored Fund Raisers

The Harrison County School Board will allow the fund raisers by school sponsored clubs. Clubs must have by-laws and have approval of the administration to function as a school sponsored club.

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Organizations of students to provide group activities which are in conformance with the educational objectives of the school system may be encouraged to the extent that they contribute to the training and development of the student.

Such organizations and clubs shall be under the direction and supervision of regular school personnel and in conformity with the policies of the board.
Organizations and clubs must be approved by the superintendent.
STUDENT CLUBS

Students may participate in clubs of their choice. Student clubs shall have a sponsor chosen by the principal. Qualifications for participation, rules and regulations governing the clubs shall be approved by the principal.

SORORITIES, FRATERNITIES, AND SECRET ORGANIZATIONS

It shall be unlawful for any pupil attending the public schools of this state to become a member or to belong to or participate in the activities of any high school fraternity, sorority, or secret society as defined in Section 37-11-37.

This School Board shall prohibit fraternities, sororities, or secret societies in all high schools under its jurisdiction. It shall be the duty of said School Board to suspend or expel from the schools under its control, any pupil or students who shall be or remain a member of or shall join or promise to join, or be pledged to become a member of, any public high school fraternity, sorority or secret society, as defined in Section 37-11-37.

It shall be unlawful for any person not enrolled in high school to solicit any pupil enrolled in high school, to join or pledge himself or herself to become a member of any high school fraternity, sorority, or secret society, or to solicit any pupil to attend a meeting thereof or any meeting where the joining of any such high school fraternity, sorority, or secret organization shall be encouraged.

The School District expressly prohibits use of school names as a part of the name of any of these groups, raising funds in the name of the schools, conducting any part of their initiation at school (including wearing of unusual dress, signs, and directions or instructions given to initiates by members), and the use of any school facility - grounds or buildings - for the purpose of meeting or holding any type of program or exhibition.

Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and upon a conviction thereof shall be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) for each and every offense.

Student behavior that harasses or threatens other students or school personnel will not be tolerated. This district shall treat hazing as defined in MS Code 97-3-105 and stalking, as defined in MS Code 97-3-107, as serious offenses subject to criminal prosecution.

STUDENT COUNCIL, OFFICERS, CLASS OFFICERS, CAMPAIGNING, COUNTING VOTES

District policies governing election, membership, qualifications, duties, campaigning, and counting votes in regard to Student Council and class officers and members are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.
Because student publications in the Harrison County Schools are centered in the instructional program and are developed through classroom experiences, the professional staff member directing student publications shall exercise proper control over the content, development, and distribution of publications under his/her charge and shall be directly responsible to the building principal for the exercise of such control.

It is the intent of the Board of Education to support the continuing development of student learning through publications of high quality, to encourage the growth of student writers, to develop respect for the responsibilities that accompany the opportunity to prepare school publications, and to assist students in the development of their appreciation of the rights of others. The Board encourages students to exercise sound and reasonable judgment in the selection or creation of materials for publication and further recommends that articles, letters, etc., which appear to be objectionable be considered for revision to avoid problematic language, statements, or inferences without destroying the intent and point of view of the writer. Staff members shall be directly responsible to the publication advisor/sponsor; all materials prepared, selected, and edited by staff members must be submitted to the advisor/sponsor for approval or disapproval. Disagreements among staff members over matters of taste, propriety, or form will be resolved by the advisor/sponsor. Further disagreements must be submitted to the building principal for his/her decision regarding publication.

The Board specifically prohibits publication in school papers, magazines, yearbooks, and other school-sponsored publications of any item which may libel any person, materials which are considered by teacher advisors/sponsors or by the principal to be obscene or in poor taste, materials which might result in any possibility of violence, or items which might damage or hurt any person.

The District recognizes a student’s right to free speech provided it is exercised in a manner which is not prohibited by law nor disrupts the educational process.

In grades K-12, parties are permitted at the discretion of the principal.

All evening parties and dances shall be scheduled with the administration in accordance with district policy and shall end no later than 12:30 p.m. for junior high school and 1:00 a.m. for senior high, unless special permission is granted from the office of the Superintendent. Parties and dances to be held on an evening during the school week are not encouraged. All junior high school parties or dances will be limited to events which do not permit students to rent or wear formal attire.

Students who indulge in or have possession of alcoholic beverages or drugs will be subject to disciplinary action as required under Board policy regarding use and/or possession of alcohol or controlled substances on school grounds or at school events.

When a student leaves a party or a dance, the student will not be allowed to return to the event.
Parties or dances are given only for members of the sponsoring student body unless written permission is granted by the office of the Superintendent of Education.

There will be no spontaneous parties or dances. Plans must be made by the sponsor of each activity and submitted in writing to the principal at least ten (10) school days before the activity.

The Superintendent of Education must give written approval before any final action is taken in regard to social activities.

Chaperons for Parties, Field Trips, Etc., - This responsibility will be approved by the principal. Any student group making a field trip of any kind will be required to have approval as required under Board policy and the sponsor of that group must accompany the students and be in conformance with district policies.

### STUDENT PERFORMANCES

The Board of Education supports a program of student activities offering a wide range of opportunities for exploratory experience, enrichment, independent learning, and public performances by various student groups. The Board also recognizes that out-of-town trips by groups of students may be required in connection with student performance. Because extended trips may sometimes interfere with the instructional program as a whole, the Board requires that all student activities be fully justified in terms of expenditures of time and resources and result in minimal interference with the over-all instructional program. In addition, the Board requires that all student activities be in compliance with accreditation standards regarding student absence from class(es).

Clearly established procedures should be developed for the various student activities provided by the Harrison County Schools, and appropriate field trip request forms must be submitted in accordance with policies outlined in student handbooks. Procedures shall require that all student activities be properly and fully supervised, clearly connected with the instructional programs, and based on sound objectives. Procedures shall be established to permit a limited program of extended trips on a long-range schedule.

**Student Performances - Procedures**

A major trip in connection with all student organizations shall be defined as a trip to an out-of-state location requiring an overnight stay and financed by raising funds through solicitations and sales of various kinds.

Request for permission to participate in an event requiring a major trip must be made in writing to the principal; written approval must be given by the principal and the Superintendent of Education prior to making a written request for approval by the Board of Education.

Prior to engaging in any activities related to a major trip, written approval for the trip must be secured from the Board of Education.

All fund-raising projects must receive prior approval in writing by the designee of the Superintendent of Education.

A major trip shall not require funding by the Harrison County Schools.

All required funds must be raised prior to departure on the trip.
All student activities in connection with a major trip shall be properly and fully supervised; a list of chaperons for the trip must be submitted in writing prior to the day of departure, together with a list of possible alternate chaperons, and the list must be approved by the principal.

All parents/guardians must complete and sign an appropriate release form.

Fund-Raising

Any fund-raising projects by interested individuals, Booster Club, or band/choral students must have prior written approval from the principal and the designee of the Superintendent of Education.

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**STUDENT ACTIVITIES – BAND – HIGH SCHOOL** – JHEAB

District policies governing the band are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

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**CHEERLEADING** – JHF

District policies governing cheerleader tryouts and eligibility for continuation as a cheerleader are adopted by the School Board and published annually in student handbooks or cheerleader by-laws on file in the principal’s office as official policy statements of the Harrison County School District.

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**SOLICITATIONS OF STUDENTS** – JKA

No agent, solicitor, salesman or person other than an employee of the Harrison County School District may visit students or teachers without permission of the principal.

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**SOLICITATIONS BY STUDENTS** – JKB

The collection of money and the participation of the Harrison County District Schools in the collection of money for various charitable and welfare purposes shall be subject to the approval of the School Board.

All money collections (cakewalk, bake sale, etc.) must be approved by the principal. There shall absolutely be no highway “holdups.”

Also see JHBA, KEBB.

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**STUDENT GIFT DELIVERY** – JLC

The Harrison County School District will not accept the delivery of gifts for students to the schools. District schools must preserve the educational environment and cannot assume responsibility for storage and delivery of flowers, balloons, gifts, etc., for students.
CONTESTS FOR STUDENTS

Outside agencies wishing to sponsor contests for student must have prior approval of the superintendent. Teacher and student participation in such contests shall be voluntary.

STUDENT/COMMUNITY RELATIONS

While participating in or attending, as representatives of the Harrison County School District, any school-related activity held on the school grounds or at some other location, students are subject to the same rules and regulations concerning conduct which apply during the usual school day.

Students should understand that their actions while members of the student body of Harrison County School District may reflect upon the total school image held by the community and the public in general. Therefore, the Board of Trustees encourages all pupil activities, both curricular and extra-curricular, to be conducted in such a manner as to foster good community relations both on and off the campus.

STUDENT VOTER REGISTRATION

In the fall and spring of each year the registrar of each county shall furnish all public schools with mail-in voter registration applications. Such applications shall be provided in a reasonable time to enable those students who will be eighteen (18) years of age before a general election to be able to vote in the primary and general elections.

Each public school district shall permit access to all public schools of this state for the registrar or his deputy for the purpose of registration of persons eligible to vote and for providing voter education.

This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.


ALTERNATIVE EDUCATION PROGRAMS – POLICIES AND PROCEDURES

The alternative education program for students enrolled in the Harrison County Schools will provide educational opportunities for students who are not able to respond appropriately to regular education. The goal of the alternative education program shall be to assist the student to achieve successful learning experiences and modified social behavior that will entitle him/her to and reenter his/her home school in order to graduate.

Students who are considered for assignment to the alternative school may exhibit one or more of the following characteristics:

a) Repeated inappropriate behavior (verbal/physical aggression);
b) Substance abuse;
c) Student returning from training facility or court jurisdiction;
d) Special education student with behavioral problems who is determined through all appropriate interventions and assessments related to his/her IEP to be eligible for assignment to the alternative education program;
e) Special education student who has been recommended for expulsion from the Harrison County School District.

The Harrison County alternative school referral placement process will include the IEP Committee to determine placement in the alternative program for students with disabilities.

Provision is made for review of individual students to determine reentry into the regular school program.

**Supportive Services** – The Harrison County School District will provide comparable educational and supportive services to all homeless children and youth. These services may include, but are not limited to, Special Education Services, Migrant Services, Title I Services, Vocational Education Services and Gifted Services.

Additional supportive services include but are not limited to transportation, feeding programs, tutorial services, counseling services and extra-curricular activities, together with hearing impaired program, language/speech therapy for language/speech disabled students, visually impaired classes, school nurses, English as a Second Language (ESL) Program, or other compensatory educational programs.

**Stigmatization and Isolation** – The Harrison County School District will enroll and provide technical, educational and supportive services to homeless children and youth in an environment and manner that does not stigmatize, isolate, label or penalize the child, youth, or family for being homeless. The district’s homelessness liaison will provide training to school personnel and the community to promote awareness and sensitivity of homelessness. In the absence of a homelessness liaison, these services can and will be provided by the State Homeless Children Coordinator upon request.

Standard 29 is as follows: The school district provides an alternative educational program for the categories of students identified in MS Code §37-13-92 and the program meets the guidelines established by the State Board of Education. *(See Guidelines for Alternative/GED School Programs.)*

*Mississippi Public School Accountability Standards 2007*

**Also see Policy IDDFB and Policy JPA.**

**HARRISON COUNTY GED PROGRAM**

The Harrison County School District will provide a program of GED preparatory instruction as a part of the Alternative Education Program. Students placed in the GED Program shall not be eligible to participate in regular academic courses or other programmatic activities within the school district, including athletics, choir, band, or any other extracurricular activities, except that a GED student may participate in existing employment skills development and job placement programs or similar work related programs developed in conjunction with the GED Program and the Vocational Education Director.

Recommendation for student participation in the GED Program will be made by a committee of school staff consisting of campus administrators, counselors, classroom teachers, and support staff. Documentation of the committee recommendation shall be maintained for each student. The criteria for student participation in the GED Program will consist of the following:

a. The student must be 16 years of age;
b. The student must be at least two (2) grade levels behind or have acquired less than four (4) Carnegie units;
c. The student must have taken every opportunity to continue to participate in coursework leading to a regular high school diploma.

The recommendation for placement in the GED Program must be approved by the Superintendent of the Harrison County School District. Students shall not be placed in a GED Program prior to obtaining written parental or guardian consent for placement. Documentation of parental consent for placement in the program will be maintained for each student.

The GED component will remain under the supervision of the Alternative Education Administrator.

The Harrison County School District will operate a program of GED preparatory instruction as part of the Alternative Education Program. The students will continue to be reported on the Monthly Attendance report in the school of origin and shall be included in the average daily attendance for that school.

The cumulative folder and permanent record of each eligible student placed in the GED Program shall be maintained by the staff of the GED Program.

Evaluation of the student’s progress shall be conducted at regular intervals according to GED policy and the appropriate records shall be maintained and subject to the Mississippi Department of Education review.

Appropriate assessment and evaluation of each student’s educational progress shall be conducted at regular intervals according to established policy approved by the Harrison County School Board. Assessment and evaluation records will be appropriately maintained to ensure individual student confidentiality.

Students placed in the GED Program will be excluded from participation in the Mississippi Student Assessment Program.

Qualified instructional staff are assigned to instruct and supervise GED classes which are provided Monday through Friday for twenty (20) hours per week of instructional time. Each academic school year instructional staff shall participate in at least twenty (20) hours of approved professional development training related to GED Instructional programming.

Teachers employed by the Harrison County School District must meet minimum teacher licensure requirements.

The student/teacher ratio in the GED program shall not exceed 15:1 with an exception of 2 when an aide is employed full time to assist the teacher.

The curriculum and instructional methodology must address the individual needs as specified in an Individual Education and Career Plan (IECP) developed at the time of placement. The IECP Committee (the committee should include an academic counselor, academic teacher, principal, vocational personnel, and work community representative) will emphasize academic/instructional needs of the student, job readiness skills, and work experience options.

Each student in the GED Program will be required to participate in a job skills work-related program. This requirement may be met through either a paid job or a volunteer position. These positions are to be supervised by the GED teacher under the direction of the Alternative School administrator.
The Harrison County School District shall be in compliance with Title I regulations requiring parental involvement in the school system’s planning and implementation of the Title I compensatory education programs which affect children enrolled in the Harrison County School District.

Such parental involvement shall include, but is not limited to, conferences between parents and teachers and assisting parents in home training and direct work with their children. A public meeting of the parents involved in Title I shall be held annually and shall meet federal regulations affecting parent participation. In addition, the school shall provide proper information to parents concerning their children and shall keep these parents adequately informed of their children’s progress, needs, and individual objectives. (See IDD – Title I Parent Involvement Policy.)

Also see Policies
IDDGA – Title I
KCBA – Parental Involvement in Planning and Decision Making for Title I Programs
KN – Complaints – Title I, ECIA - Public
LAA – Title I Parent Involvement
LAB – Title I Parent Involvement Procedures

ANOMALOUS STUDENTS – SPECIAL EDUCATION – STANDARD HIGH SCHOOL DIPLOMA

Students with disabilities requiring special education instructional services who wish to receive a standard high school diploma must meet all unit/credit requirements and take required state-wide tests and perform at established performance levels. Appropriate modifications will be made in testing procedures for students with disabilities.

Also see Policy IDDG.

FREE APPROPRIATE PUBLIC EDUCATION POLICY

The Harrison County School District provides free appropriate public educational programming for students with disabilities ages three through twenty-one.

See Policy IDDF.

DROPOUT PREVENTION PROGRAM

The Harrison County School Board has adopted a Dropout Prevention Program which is on file in the Superintendent’s office and in each school’s office.

The school board directs the superintendent to provide regular reports on efforts made to increase student retention. This school districts shall maintain accurate records documenting enrollment and attendance, including dropout rates, and shall provide an annual statistical report to the State Department of Education.

Technical assistance and coordination services may be obtained from the State Department of Education to districts seeking to reduce dropout rates.
DROPOUT PREVENTION PROGRAM

Each school district shall implement a dropout prevention program approved by the Office of Dropout Prevention of the State Department of Education by the 2008 2009 school year.

It is the intent of the Legislature that, through the statewide dropout prevention program and the dropout prevention programs implemented by each school district, the graduation rate for cohort classes will be increased to not less than eighty five percent (85%) by the 2018 2019 school year. The Office of Dropout Prevention shall establish graduation rate benchmarks for each two year period from the 2008 2009 school year through the 2018 2019 school year, which shall serve as guidelines for increasing the graduation rate for cohort classes on a systematic basis to eighty five percent (85%) by the 2018 2019 school year. S. B. 2602 (2006 Legislative Session; classification pending)

Standards 16 and 17 are as follows:

16. The school district implements procedures for monitoring and reporting student absences as specified in the Mississippi Compulsory Attendance Law. {MS Code 37 13 91} (SB Policy JBD)

17. The school district develops a dropout prevention plan and implements programs designed to keep students in school and to lower student dropout rates. {MS Code 37 3 46(c) and 37 21 9} (No Child Left Behind Act of 2001)

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies IB - Instructional Goals
JBA - Compulsory School Attendance
JCD - Alternative School Program

HEARING/VISION SCREENING JQL

Any student who has not been successful in the regular education program may be screened for hearing/vision as a means of determining whether hearing/vision problems are the cause of the child’s lack of success in the regular program.

ATTENDANCE OF PREGNANT STUDENTS JQM

It is the policy of the School District that no student can be denied admission to school because of pregnancy and that no student can be dismissed from school due to pregnancy. In cases where pregnancy would prevent a student from participating in the normal programs provided by the School District, it shall be the responsibility of both the school system and the student to work out an appropriate program for the pregnant student.

A student who becomes pregnant is responsible for notifying the school officials (principal/nurse) of this condition.

A student who becomes pregnant should obtain a statement from a licensed physician indicating present physical condition, limitations, if any, anticipated delivery date and normal recuperative time, information pertinent to the student's carrying on regular classroom duties, and any other matters related to the pregnancy that would be of benefit to school officials in maintaining the student's good health. Periodic written medical statements may be requested by school officials in determining the physical and mental
health of the student. Plans will be made to continue the formal education program with as little disruption as possible.

The student, parents, or legal guardian, and/or husband should be responsible for meeting with the student's counselor to discuss possible educational alternatives for the continuation of her education. The following suggestions may be considered:

1. The student may continue in the regular school program provided by the School District until date of confinement.
2. The student may request information concerning a home for unwed pregnant students. Information is available through a school counselor or school nurse.
3. A written statement from the student's physician is to be brought to the counselor and/or school nurse when the student is unable to continue in the regular school program. The student, her parents, or legal guardian, and/or her husband should request and be responsible for picking up all school assignments. These assignments are to be turned in to her teachers as they are completed in a timely manner for grading.
4. After the student has missed ten (10) consecutive school days, as substantiated by the student's physician, on the eleventh day the absences will be voided if the assignments have been completed to the satisfaction of and within the time period specified by the teacher. The student may return to the regular school program when school officials receive a written statement from her physician stating that she is able to resume normal school activities.
5. Other alternatives may be discussed with the student's school principal, counselor, and/or school nurse.

EDUCATION OF HOMELESS CHILDREN AND YOUTH

THIS POLICY COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held. A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be admitted to the district school in the attendance area in which the student is actually living or to the student's school of origin as requested by the parent and in accordance with the student's best interest. Transportation will be provided to and from the student's school of origin at the request of the parent, or in the case of an unaccompanied student, the district's liaison for homeless students.

The superintendent or designee will produce written guidelines for distribution to each school that explains the rights of homeless students and the responsibilities of the schools to meet their needs and eliminate barriers to school attendance. This information shall also be disseminated in writing and by other means designed to raise awareness of these rights and responsibilities to staff, homeless families and students, the public, and homeless service providers.

DEFINITIONS

For the purposes of this policy, children are deemed to be homeless under the following conditions:
A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is a publicly or privately operated shelter designed to provide temporary living accommodations, a temporary residence prior to being placed in an institution, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.

3. A child who is placed in a transitional or emergency shelter before placement in a foster home or home for neglected children.

4. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.

5. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.

6. A child who is placed in a foster home due to lack of shelter space.

7. A migratory child who is staying in accommodations not fit for human habitation.

8. A child who has run away from home and lives in a runaway shelter, abandoned building, the street, or other inadequate accommodations.

9. A child who is placed in a state institution because s/he has no other place to live.

10. A child who has been abandoned by his/her family and is staying in a hospital.

11. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, or other inadequate accommodations.

12. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodations.

SERVICES TO BE PROVIDED

1. Pursuant to and in compliance with the requirements of the Stewart B. McKinney Homeless Assistance Act of 1990, 42 USC 11431, it shall be the policy of this school district, to the extent practicable under requirements relating to education established by state law, that each eligible child of a homeless individual and each eligible homeless youth will have access to a free appropriate education comparable to the education provided the children of district residents who are non-homeless, without isolation or stigma.

2. The placement of an eligible homeless child or youth will be made according to Policy JBCCA - Assignment of Pupils, and will take into consideration the best interests of the homeless child or youth and placement requests made by a parent.

3. The choice of placement in either the "school of origin" or the school serving the "place of abode" will take place regardless of whether the child or youth is living with the homeless parent(s) or has been temporarily placed elsewhere by the parent(s).

4. Provided the homeless child or youth meets eligibility criteria, he/she will be provided transportation services; compensatory education programs for the disadvantaged; educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.

5. Any and all records ordinarily kept by this school district, including immunization records, academic records, birth certificates, guardianship records, evaluations for special services and programs shall be kept on homeless children and youth and shall be forwarded in a timely fashion should a child or youth enter a new school or school district; and in a manner consistent with S1232g of Title 20.
6. Should this school district receive assistance under S11432 of the Act, it shall coordinate with local social service agencies and other agencies or programs providing services to such children or youth and their families.

7. Should this school district receive assistance under S11432 of the Act, it shall designate a homelessness liaison to insure that homeless children and youth enroll in and succeed in the schools of their district; and, homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services.

8. The homelessness liaison shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaison.

9. This school district has and will continue to review and revise, to the extent practicable under the requirements relating to education established by state law, any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraphs 2, 3 and 4 above.

10. In reviewing and revising such policies, to the extent practicable under the requirements relating to education established by state law, consideration shall be given to issues concerning transportation, requirements of immunization, residency, birth certificates, school records, or other documentation and guardianship.

11. Disputes which may arise regarding the assignment of a homeless child or youth will be promptly resolved according to the provisions of Policy JBCCA - Assignment of Pupils. Other issues or disputes will be directed to the attention of the school official responsible for that particular matter for prompt resolution. If this dispute cannot be resolved locally, any aggrieved party may make written request for a review of the matter to:

   Coordinator of the Homeless Program
   Mississippi Department of Education
   P. O. Box 771
   Jackson, MS 39205

LEGAL REF.: McKinney-Vento Homeless Education Assistance Improvements Act of 2001
P. L. 107-110 (No Child Left Behind Act of 2001)
CROSS REF.: Policies JAA - Equal Educational Opportunities
             JBCCA - Assignment of Pupils
             IB - Instructional Goals

STUDENT RECORDS

An accurate cumulative record shall be maintained for every child enrolled in the public schools.

No one but authorized school personnel, parents, and legal guardians shall have access to the cumulative record without a subpoena or the written permission of the student and his/her parents.

Written parental objections to the accuracy or authenticity of data recorded in the cumulative record shall become part of the record upon request of the parents.

School officials will forward transcripts from the cumulative record upon request of parents, legal guardians, students, ex-students, and bona fide educational institutions.
Student records are defined to be all official records, files, and data directly related to children, including all material that is incorporated into each student’s cumulative record folder, and intended for school use or to be available to parties outside the school or school systems, and specifically including but not necessarily limited to, identifying data, academic work completed, level of achievement (grade, standardized test scores), attendance data, scores on standardized intelligence aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.

The intent of this regulation is to establish procedures for granting requests of parents for access to their child’s records, use of those data, and procedures for their transmittal within a time period of 45 days or sooner if practical.

A. ACCESS TO RECORDS

1. The parent or legal guardian of a student will have access to those records upon written request to the principal maintaining those records within the school system.

   If the student is 18 years or older, only that student has the right to determine who, outside the school system, has access to his/her records.

   The parent, legal guardian or student, if the student is 18 or over, will, upon written request to the principal maintaining those records, have the opportunity to receive an interpretation of those records, have the right to question those data, and if a difference of opinion is noted, shall be permitted to file a letter in said cumulative folder stating their position. If further challenge is made to the record, the normal appeal procedure established by school policy will be followed.

2. School personnel having access to those data are defined as any person or persons under contract to the system and directly involved in working toward either the affective or cognitive goals of the system.

B. RELEASE OF INFORMATION OUTSIDE THE SCHOOL SYSTEM

1. To release student records to other schools or school systems in which the student intends to enroll, the parents, legal guardian, or the student, if he is 18 or older, must be notified of the transfer and the kinds of information being released. They will receive a copy of such information if it is requested in writing and shall have the opportunity to challenge that record as described above.

2. Those data may be released to State Education and other governmental agencies only if the names and all identifying markings are removed to prevent the identification of individuals.

3. To release student records to other persons or agencies, written consent shall be given by the parent, legal guardian, or the student if he is 18 or older. This consent form will state which records shall be released, to whom they shall be released, and the reason for the release. A copy of the student record being sent will be made available to the person signing the release forms if he/she so desires.

4. Student records will be furnished in compliance with judicial orders, or pursuant to any lawfully issued subpoena if the parents, legal guardian, and students are notified in advance.

5. All authorization for release of information will be filed in the student’s cumulative folder.

6. The school will release records concerning students directly unless requested in writing not to do so. Requests from colleges and military may be ordered.

7. Refer to Public Records, KL, for further information.
Disclosure of Student Records

In accordance with the family Rights and Privacy Act, student records may be forwarded on request to a school in which a student seeks or intends to enroll, without notifying the student’s parent(s), guardian, or the student (if eligible). Annual notice of policy shall be available in each school in the district.

1. The principal will release District education reports or records when an official written request is received from the school district to which the student is transferring.

2. A parent or legal guardian has the right to review his/her child’s school records.

3. A student leaving the system may obtain a report card and/or a record of the student’s work to date for the current term and a book card.

4. A student who moves from one school zone to another in the District will be permitted to continue attendance in his/her present school as defined in policies governing attendance and published annually in student handbooks.

5. Any student who moves during the school year must record the change of address with the principal in the main office. Any change of telephone number must be corrected in the same manner.

Publication of Policies

District policies governing student transfers and changes of address are adopted by the School Board and published annually in student handbooks as official policy statements of the District.

STUDENT RECORDS – CUMULATIVE RECORDS

THIS POLICY COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

It is the policy of the Harrison County Board of Education that the principal of each school will be the legal custodian of all student records for that school.

ANNUAL NOTIFICATION

Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;

2. The procedure for inspecting and copying these records;

3. The right for interpretation;

4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;

5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.
Additionally, the district will notify parents annually of the district's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure or use.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll.

**TRANSFER OF ENROLLMENT**

A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

**ATTORNEY GENERAL OF THE UNITED STATES**

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

The superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act (FERPA) and other applicable acts and regulations.

**REQUIRED DOCUMENTATION**

The State Board of Education shall prepare and provide necessary forms for keeping permanent records and cumulative folders for each pupil in the public schools of the state. In the permanent record and cumulative folders, the teachers and principals shall keep information concerning the pupil's date of birth, as verified by the documentation authorized in this section, record of attendance, grades and withdrawal from the school, including the date of any expulsion from the school system and a description of the student's act or behavior resulting in the expulsion. The records also shall contain information pertaining to immunization and such other information as the State Board of Education may prescribe. The cumulative folder, in addition to that information maintained in the permanent records, also shall contain such other information as the State Board of Education shall prescribe. MS Code 37-15-1 (2002)

**EVIDENCE OF AGE AT TIME OF ENROLLMENT**

It shall be the responsibility of the person in charge of each school to enforce the requirement for evidence of the age of each pupil before enrollment. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:
(a) A certified birth certificate;
(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by a parent, grandparent or custodian;
(c) An insurance policy on the child's life which has been in force for at least two (2) years;
(d) A bona fide contemporary Bible record of the child's birth accompanied by an affidavit sworn to by the parent, grandparent or custodian;
(e) A passport or certificate of arrival in the United States showing the age of the child;
(f) A transcript of record of age shown in the child's school record of at least four (4) years prior to application, stating date of birth; or
(g) If none of these evidences can be produced, an affidavit of age sworn to by a parent, grandparent or custodian. Any child enrolling in Kindergarten or Grade 1 shall present the required evidence of age upon enrollment. Any child in Grades 2 through 12 not in compliance at the end of sixty (60) days from enrollment shall be suspended until in compliance. MS Code 37-15-1 (2002)

PERMANENT RECORDS

The permanent record provided for above shall be kept, while it is active, in the attendance center office in a fire resistant container. The permanent record shall be considered active: (a) if the student is enrolled in the school; or (b) if he has withdrawn or has been expelled and the students of the class of which he was a member shall not have reached the time of graduation. At the point of the student's graduation or at the time when the student would normally have graduated had he not withdrawn or been expelled from school, the student's permanent record shall become a part of the permanent binder in the central fire resistant depository as designated and provided by the school board of the school district, or as an alternative method, the records may be maintained in fire resistant storage at the school last attended by the student. The permanent binding and preservation of the inactive records shall be the duty of the superintendent of this school district who shall maintain a central depository of the records. MS Code 37 15 2

CUMULATIVE FOLDERS

The cumulative folders provided for above shall be kept in the school wherein the students are in attendance. Both the permanent records and the cumulative folders shall be available for inspection by public and private school officials, including public school teachers within the school district who have been determined by the school district to have legitimate educational interests. In no case, however, shall such records be available to the general public. Transcripts of courses and grades may be furnished when requested by the parent or guardian or eligible pupil as prescribed in the Family Educational Rights and Privacy Act of 1974, as amended, 20 USC Section 1232. The records shall be kept for each pupil throughout his entire public school enrollment period.

In the event a pupil transfers to a public school, then the cumulative folder shall be furnished to the head of the school to which the pupil transfers; if a pupil transfers to a private school, then a copy of the cumulative folder shall be furnished to the head of the school to which the pupil transfers. The permanent record shall be kept permanently by the school district from which the pupil transferred. At no time may a permanent record of a student be destroyed, but cumulative folders may be destroyed by order of the school board of this school district in not less than five (5) years after the permanent record of the pupil has become inactive and has been transferred to the central depository of the district. However, where a school district makes complete copies of inactive permanent records on photographic film or microfilm which may be reproduced as needed, the permanent records may be destroyed after the photographic film or microfilm copy has been stored in the central depository of the district. MS Code 37 15 3

(SEE TEACHER'S HANDBOOK FOR SPECIFIC REGULATIONS REGARDING CUMULATIVE FOLDERS.)

EXPULSION RECORDS
For the purpose of providing notice to public and private school officials, both within and outside the boundaries of the state, of the expulsion of any public school student, the State Department of Education may develop a central reporting system for maintaining information concerning each expulsion from a public school. In establishing and maintaining the reporting system, the department may require each school district to report, within a certain period of time after an expulsion, as established by the department, information such as the following:

a. the name of the student expelled;
b. the date the student was expelled;
c. the age of the student at the time of expulsion;
d. the school from which the student was expelled;
e. the reason for the expulsion, including a detailed description of the student's act or acts;
f. the duration of the period of expulsion, if not indefinite; and
g. any other information that the department deems necessary for school officials in a public or private school, where a student is seeking enrollment, to determine whether or not a student should be denied enrollment based upon a previous expulsion.

Any information maintained by the department under the authority of this section shall be strictly confidential. The information shall be available to school officials at a public or private school only upon their request and only when a student seeks enrollment or admission to that school. In no case shall the information be made available to the general public. MS Code 37-15-3

DISTRICTWIDE REPORTS

The school board of this school district, as created and empowered by law, shall keep and preserve permanently a copy of all district wide reports required by the State Board of Education to be filed on an annual basis. Copies of those district wide reports required by the State Board of Education on less than an annual basis may be destroyed after five (5) years upon approval of this school board. All supporting documents necessary to compile such district wide reports, except as delineated below may be destroyed after three (3) years following the academic year for which the report was made upon approval of the school board of this school district. MS Code 37 15 46.

DISPOSAL OF RECORDS

The superintendent of this school district shall have the authority, with the approval of the school board of this school district spread upon its minutes, to dispose of the following records:

a. After five (5) years:
   1. Bank statements
   2. Canceled warrants and pay certificates
   3. School board paid bills
   4. Bids received, either accepted or rejected, for supplies, materials, equipment and construction
   5. Depository receipt warrants
   6. School board claims dockets, where claims are recorded on the minutes of the board
   7. Original of school board's orders after such orders have been recorded in the minute book
   8. Canceled bonds and coupons
   9. Tax collector's reports of tax collection to superintendent of schools or the administrative superintendent
   10. Transportation records.

b. After three (3) years:
   1. Teacher contracts, computed from the expiration date thereof
   2. Bus purchase documents
3. Teachers' registers, principals' reports and other evidence necessary to prepare the reports to the State Board of Education.

c. After period to be set by the State Board of Education such other documents of a temporary or transitory nature as the State Board of Education by regulation shall designate.

Notwithstanding any of the above provisions, no records which are in the process of being audited by the State Department of Audit, or which are the basis of litigation, shall be destroyed until at least twelve (12) months after final completion of said audits and litigation. MS Code 37 15 8

Standard 14 is as follows: Permanent records and cumulative folders for individual students contain all required data and are collected, maintained, and disseminated in compliance with state law, the Family Educational Rights and Privacy Act of 1974, and the Confidentiality Section of the Individuals with Disabilities Act, 1997 Amendments. (See Appendix E and the current edition of Mississippi Cumulative Folders and Permanent Records Manual of Directions.) {MS Code 37 15 1 through 3; 37 15 6; 37 15 10}

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    JRA - Student Directory Information
    JRAA - Student Recruitment and Directory Information
    JRAB - Compliance with FERPA

| COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA) |
| JRAB |

THIS POLICY COMPLIES WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND ACT OF 2001

In accordance with the policy of the Harrison County Board of Education, the following regulation shall govern the release of student records to students and members of the student's family, legal custodian, or legal guardian.

DEFINITIONS

For the purpose of this regulation, the school district has used the following definitions of terms:

Student: Any person who attends or has attended a program of instruction sponsored by the board of education of this school district.

Eligible Student: A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

Parent: Either natural parent of a student unless his or her rights under the Family Education Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records: Any item of information or record (in handwriting, print, computer media, video or audio tapes, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is directly related to an identifiable student except:
1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:
   A. It was made as a personal memory aid;
   B. It is in the sole possession of the individual who made it; or
   C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;

2. An employment record which is used only in relation to a student's employment by the school district (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or

3. Alumni records that relate to the student after the student no longer attends classes provided by the school district and the records do not relate to the person as a student.

Personal Identifier: Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

ANNUAL NOTIFICATION

Within the first month of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also send home with each student a bulletin listing these rights and the bulletin will be included with a packet of material provided parents or an eligible student when the student enrolls during the school year.

The notice will include the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;

2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;

3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);

4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and

5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non English speaking parents in their native language.

STATEMENT OF RIGHTS
Parents and eligible students have the following rights under the Family Education Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record;
2. The right to exercise a limited control over other people's access to the student's education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post secondary school.

LOCATIONS OF EDUCATION RECORDS

<table>
<thead>
<tr>
<th>TYPES</th>
<th>LOCATION</th>
<th>CUSTODIAN</th>
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<tbody>
<tr>
<td>Cumulative School Records</td>
<td>Cumulative School Records</td>
<td>(Former Students)</td>
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<td>Health Records</td>
<td>School Transportation Records</td>
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<td>Speech Therapy Records</td>
<td>Psychological Records</td>
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PROCEDURE TO INSPECT EDUCATION RECORDS

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.
FEES FOR COPIES OF RECORDS

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part, or in whole, by the record custodian. However, the district reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes. The school district may deny copies of records (except for those required by the FERPA) in the following situations:

1. The student has an unpaid financial obligation to the school.
2. There is an unresolved disciplinary action against the student that warrants the denial of copies.

FERPA requires the school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;
2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or
3. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.)

The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information." (NOTE: A district may designate all, some, or none of this information as directory information.)

1. The student's name, address, and telephone number;
2. The names of the student's parents;
3. The student's date and place of birth;
4. The student's major field of study and class designation (i.e., first grade, tenth grade, etc.);
5. The student's extracurricular participation;
6. The student's achievement awards or honors;
7. The student's weight and height if a member of an athletic team;
8. The student's photograph;
9. The student's electronic mail address;
10. The students dates of attendance; and
11. The most recent educational institution the student attended prior to the student enrolling in this school district.

Within the first month of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student.
At the end of the two week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who are school officials. An official is:

1. A person duly elected to the school board;
2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or
5. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from, or permit access to, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);
2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;
3. The parties who provide or may provide financial aid to a student to:
   A. Establish the student's eligibility for the aid,
   B. Determine the amount of financial aid,
   C. Establish the conditions for the receipt of the financial aid, or
   D. Enforce the agreement between the provider and the receiver of financial aid;
4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;
5. To accrediting organizations to carry out their accrediting functions;
6. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision); or

7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or

8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;

2. The information is necessary and needed to meet the emergency;

3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or

4. Time is an important and limiting factor in dealing with the emergency.

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;

2. The reasons for the disclosure;

3. The person, organization, or the class or organizations to whom the disclosure is to be made;

4. The parent's or eligible student's signature; and

5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be re-disclosed without the parent's or eligible student's prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school district will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's education record.

The record will not include:
1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
3. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
4. Requests for, or disclosure of, directory information designated for that student; or for
5. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (NOTE: under FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the school district to correct a record.

To establish an orderly process to review and correct an education record for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. Follow the procedure for a second level decision.

Second Level Decision
The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the district's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will effect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

If the record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as at the second level.

If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

1. The school district's decision that the record is correct and the basis for the decision;
2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing;
3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes); and
4. Advise that the request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision
After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect as shown in the requester's written request for a change in the record (second level).

Within a week after the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.

2. If the decision is that the district will not change the record, the superintendent will prepare a written notice to the requester that will include:
   A. The school district's decision that the record is correct and will not be changed;
   B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision; and
   C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

Standard 14 is as follows:

14. Permanent records and cumulative folders for individual students contain all required data and are collected, maintained, and disseminated in compliance with state law, the Family Educational Rights and Privacy Act of 1974, and the Confidentiality Section of the Individuals with Disabilities Act, 1997 Amendments. (See Appendix E and the current edition of Mississippi Cumulative Folders and Permanent Records Manual of Directions.) [MS Code 37 15 1 through 3; 37 15 6; 37 15 10]

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MSIS POLICY

JRAC
The Harrison County School District will provide timely, accurate and reliable data to the Mississippi Student Information System (MSIS) that is in compliance with the data collection requirements as specified in MS Code 37-37-7. The superintendent of schools (or his/her designee) shall be responsible for developing and implementing district procedures that follow the guidelines as set forth in the booklet titled “Data Collection Policy and Procedural Guidelines.”

MINIMUM STANDARDS

In accordance with H.B. 1251 (2004), the Auditor’s Office will use the following Minimum Standards when auditing schools:

- Deadline for entering data
- Who may enter data in the school package
- Who may enter data into MSIS at the school level
- Who may enter data into MSIS at the district level
- Length of time student data is stored
- Where data is stored
- Method of data backup
- Format in which records are stored (printouts, diskettes, etc.)
- Policies requiring accurate data
- Procedures outlining who is responsible for collecting missing and incomplete data
- Procedures to check accuracy of data entered in the school package and MSIS
- Required regular training for appropriate personnel
- Backup paper copies if/when requested

This board directs the superintendent (or his/her designee) to ensure that appropriate procedures as required by the above minimum standards are implemented and maintained by well trained personnel.

LEGAL REF.: MS CODE 37-37-7 (2004)
CROSS REF.: Policies JRAA - Student Recruitment and Student Directory Information
            JRAB - Compliance with FERPA

TRANSCRIPTS

District policies governing transcripts are adopted by the School Board and published annually in student handbooks as official policy statements of the School District.

FEE POLICY – WAIVER OF FEES

1. The school board of any school district shall be authorized to charge reasonable fees, but not more than the actual cost, for the following:

   a. Supplemental instructional materials and supplies, excluding textbooks;

   b. Any other fees designated by the local school board as fees related to a valid curriculum educational objective, including transportation; and
c. Extracurricular activities and any other educational activities of the school district that are not designated by the local school board as valid curriculum educational objectives, such as band trips and athletic events.

2. a. All fees authorized to be charged under this section, except those fees authorized under subsection (1)(c) of this section, shall be charged only upon the condition that the school board of each school district shall adopt a financial hardship waiver policy that shall be kept in the strictest of confidence with all files and personal disclosures restricted from review by the general public. The financial hardship waiver policy must be distributed in writing to pupils at the time of enrollment. Any family who qualifies for the National School Lunch Program, as created by the Richard B. Russell National School Lunch Act (42 USCS Section 1751 et seq.), shall receive a financial hardship waiver.

The board shall insure that a pupil eligible to have any such fees waived as a result of an inability to pay for those fees, shall not be discriminated against nor shall there be any overt identification of any pupil who has received a financial hardship waiver by use of special tokens or tickets, announcements, posting or publication of names, physical separation, choice of materials or by any other means. In no case shall any school district's procedures expose any pupil receiving a hardship waiver to any type of stigma or ridicule by other pupils or school district personnel.

b. The confidentiality of the financial hardship waiver policy adopted by the school board shall apply to any students who have an inability to pay any fees authorized under subsection (1) of this section.

3. In no case shall the inability to pay the assessment of fees authorized under the provisions of this section result in a pupil being denied or deprived of any academic awards or standards, any class selection, grade, diploma, transcript or the right to participate in any activity related to educational enhancement.

FINANCIAL HARDSHIP WAIVER OF FEES CHARGED BY SCHOOL DISTRICTS

1. Any family who qualifies for the National School Lunch Program, as created by the Richard B. Russell National School Lunch Program Act (42 USCS Section 1751 et seq.), shall receive a financial hardship waiver pursuant to Section 37-7-335 of the Mississippi Code.

2. Within one week of enrollment, each parent or guardian applying for a financial hardship (full or reduced) waiver of fees must provide documentation of proof of income that would qualify the student for a free or reduced lunch pursuant to the United States Department of Agriculture (USDA) annual free and reduced lunch eligibility income guidelines by submitting a copy of the Family Application for Free and Reduced Price Meals (which has the effect of an original) to the school principal that includes the following required information:

a. To receive a financial hardship (full or reduced) waiver of fees for households applying for free and reduced lunches on the basis of income and household size, the parent/guardian applying for the waiver of fees must provide names of all household members; income received by each household member, identified by source of the income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation and social security and other cash income); the signature of an adult household member; and the social security number of the adult household member who signs the application or an indication that he/she does not possess a social security number; or

b. To receive a financial hardship (full or reduced) waiver of fees for a child who is a member of a food stamp or TANF (Temporary Assistance for Needy Families) household, the parent/guardian applying for the waiver of fees must provide the child's
name and appropriate food stamp or TANF case number; and the name and signature of an adult household member; and

c. To receive a financial hardship (full or reduced) waiver of fees in lieu of completion of the free and reduced price application, information obtained from the State or local agency responsible for the Food Stamp Program or TANF program which includes the name of the child; a statement certifying that the child is a member of a currently certified food stamp or TANF household; information in sufficient detail to match the child attending school in the school food authority with the name of the child certified as a member of a food stamp or TANF household; the signature or a copy of the signature of the individual authorized to provide the certification on behalf of the Food Stamp or TANF office, as appropriate; and the date. When the signature is impracticable to obtain, such as in a computer match, other arrangements may be made to ensure that a responsible official can attest to the data.

3. The parent/guardian requesting a financial hardship waiver of fees must sign the certification attached to this policy certifying (promising) that all information furnished to the school district is true and correct and providing a social security number for each adult household member or an indication that such member does not have a social security number. Information provided for a waiver of fees may be verified at any time during the school year to determine if the student qualifies for a waiver of fees. Written evidence/documentation shall be used as the primary source of information for verification. Written evidence/documentation to verify the financial information and written confirmation of a household's circumstances must be provided at the time application is made for a waiver of fees and includes such documentation as the following:

a. wage stubs,
b. award letters, and
c. letters from employers.

A request for a waiver of fees cannot be approved unless it contains the information required by this policy.

4. Whenever written evidence is insufficient to confirm income information or current eligibility, the school may require collateral contacts, verbal confirmation of a household's circumstances by a person outside the household. The collateral contact may be made by person or by phone. The verifying school official may select a collateral contact if the household fails to designate one or designates one that is unacceptable to the verifying school official. If the verifying school official designates a collateral contact, the contact shall not be made without providing written or oral notice to the household. At the time of this notice, the household shall be informed that it may consent to the contact or provide acceptable verification in another form. If the household refuses to choose one of these options, its eligibility for a waiver of fees shall be terminated.

5. Information concerning income, household size or food stamp or TANF eligibility maintained by other governmental agencies to which the school can legally gain access may be used to confirm a household's income, size or receipt of benefits. If a food stamp or TANF case number is provided for a child, verification for such child shall only include confirmation that the child is included in a currently certified food stamp or TANF program.

6. Households receiving a waiver of fees must notify school officials during the school year of any decrease in household size and any increases in income of over $50 per month or $600 per year, or in the households that provided a food stamp or TANF case number to establish eligibility for free or reduced meals of any termination of benefits for such children under the Food Stamp or TANF programs.
7. Students who qualify for the free lunch program pursuant to the USDA annual free lunch income eligibility guidelines shall receive a complete/full waiver of the fees allowed pursuant to Section 37-7-335 of the Mississippi Code.

8. Students who qualify for the reduced lunch program pursuant to the USDA annual reduced lunch income eligibility guidelines shall receive a reduced or adjusted cost waiver of the fees allowed pursuant to Section 37-7-335 of the Mississippi Code. The reduced waiver shall be equal to the percentage of the most current federal reimbursement rate for a reduced price meal to that of a free meal. The student will only be required to pay a fee amount that has been reduced by the waiver percentage. For example, in the 2006 - 2007 fiscal year, the federal reimbursement rate for a reduced meal is $2.02 and for a free meal is $2.42. The percentage of the reduced lunch rate to the free lunch rate equals $2.02/$2.42 or 83.48%. Therefore, the reduced waiver of Section 37-7-335 fees for 2006-2007 would equal 83.48% and students qualifying for a reduced waiver would be required to pay only 16.52% of the required fee (100% fee - 83.48% waiver = 16.5% reduced fee amount).

9. The information provided in compliance with this financial hardship waiver policy shall be kept in the strictest of confidence with all files and personal disclosures restricted from review by the general public and shall be used solely for the purpose of determining the child's eligibility for the financial hardship waiver of fees charged by the school district.

10. This financial hardship waiver policy will be distributed in writing to pupils at the time of enrollment.

FOR INFORMATION PURPOSES

Family Application for Free and Reduced Price Meals 2007-2007


LEGAL REF.: MS CODE as cited
CROSS REF.: Policy JAA - Equal Educational Opportunities

STUDENT HANDBOOK  JT

There shall be a Harrison County Student Handbook. At least the following topics shall be covered in the handbook: attendance, course offerings and requirements, discipline, entrance and transfer requirements, extra-curricular activities, fire and other emergency drills, grading system, graduation, residence requirements, summer school, suspension and expulsion, and textbooks. This handbook shall be reviewed each year by a committee appointed by the Superintendent; the committee shall make recommendations for change. No later than the July Board meeting each year, the superintendent shall recommend the handbook as modified for the next school session to the Board. Upon approval by the Board, the handbook shall be disseminated to the district staff and students not later than the first week of school and shall become official Board policy.

SCHOOL PICTURES  JTF

J - 127
Definition: School pictures shall be defined as individual pictures taken of students enrolled in the public schools and taken at school by an officially contracted photographer during the school day.

School pictures will be made available to students during each school year. Funds derived from the sale of pictures to the students will be reported through individual school activities funds. The Superintendent of Education shall establish guidelines for uniform sale of pictures and expenditures of monies received for said sale.

The criteria below will be used to establish uniform criteria for the selection of a photograph as well as guidelines for the use of funds derived from the sale of pictures.

Pictures are taken in the schools in order to have pictures available for placement in cumulative records. At the secondary level, pictures are also desired for the school annuals. Parents may also wish to purchase additional copies of the pictures for their own personal use.

The school administrator may request pictures to be taken once a year of all students for the school annual or for cumulative records. These should be provided at no cost to the school.

The school district may enter into agreement annually with a professional photographer to offer students the choice of purchasing school pictures. The agreement will be made using the following criteria:

1. Students should receive a minimum of two (2) weeks notification of the day selected for making school pictures.

2. A procedure will be established by the photographer which will allow money for the pictures to be collected without involving school personnel, who shall not collect the money.

3. The photographer will guarantee satisfaction or money will be refunded or the picture will be retaken.

4. The photographer will schedule retakes and a day for absentee students to have pictures taken in coordination with the building principal.

5. The photographer will state a uniform price, cleared through the office of the Superintendent, which will be available to all schools during a fiscal year.

Funds derived from the taking of school pictures shall be recorded in the records of the individual school activity fund and validated by a check from the company. The funds may be expended for those supplies which will directly affect the student.

Individual checks for each school’s handling of school pictures shall be sent to the business office and deposited to the school’s activity account.

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<th>INTERVIEWS WITH STUDENTS BY PERSONS OUTSIDE THE SCHOOL SYSTEM</th>
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No person other than officials of the Harrison County School District shall be allowed to interview students at the school except with the approval of the principal. Principals shall give such approval when convinced that the interview is in the best interest of the student or is in the interest of justice, and after reasonable effort has been made to contact the parent or guardian. When a police or court officer requests permission to interview a student, the principal or some member of the professional staff designated by the principal shall be present at the interview. Certain exceptions to this policy may be allowed in cases of child abuse.
K – GENERAL PUBLIC RELATIONS

PUBLIC RELATIONS/GOALS AND OBJECTIVES

Only through full community understanding of school issues and the school program can effective means of developing and maintaining a good school system be achieved. The Board and school administration are responsible for encouraging the use of all appropriate means of keeping the community accurately informed about its school and for understanding community attitudes and aspiration for its schools. To this end, free and open exchange of views is desirable, proper, and necessary.

PUBLIC INFORMATION PROGRAM

It is the desire of the Board that the citizens of the community be fully informed of the official actions of the Board and programs and activities of the district.

To this end, the Board directs the Superintendent’s work to make the public fully aware of all aspects of the schools by:

1. Keeping the public informed regarding the policies, administrative operation, objectives, educational program, and successes or failures of the schools.

2. Furnishing full and accurate information, favorable or unfavorable, together with interpretations and explanations of the school plans and programs.

COMMUNICATION WITH THE PUBLIC

School-Sponsored Media

The Superintendent and his/her staff are encouraged to use all available school-sponsored media of communication, such as publications, radio and TV, to keep the goals, programs, achievements and needs of the schools before the public.

He/She may delegate authority to his/her central administrative staff and to the school principals as he/she sees fit. But the ultimate responsibility for their performance is his/hers.

It is this Board's belief and faith that citizens who are adequately informed will vote more constructively in bond elections.

The administration is responsible for all informational services to and from the public except for such matters as the Board may from time to time wish to deal with publicly itself.

Announcements to Parents and the General Public

Materials for district-wide distribution will be released through the central office and carry the approval of representatives of the Superintendent's staff.
The principal of each school is responsible for routine school announcements to the parents of his/her school. He/she will keep a file copy of all such releases for needed future reference, for at least two years.

All such announcements and releases of individual school activities must be cleared by the principal before being released.

School Sponsored Publications, Radio and Television

Publications issued by and in the name of the schools of this district shall reflect the high regard and aspirations of this community’s people for their schools.

There must be no compromise with high quality of editorial content and effective format. The exercise of appropriate economy in materials and production is expected so long as the main purpose is not jeopardized.

Regular and special radio and TV programs shall be consistent with the goals of district schools approved by the Board. It is important that such programs also reflect the high regard and aspirations of the people for their schools.

School District Directory

The School District Directory will be distributed only to those governmental agencies and other school-related parties which have been authorized by the Superintendent.

A copy of the directory will always be available in the Superintendent's office for review by interested persons.

Individual School Publications

Each school may, with the approval of the principal, establish a school newspaper for the children of the school and their parents. Such publications should be carefully prepared if undertaken.

The principal is responsible for supervising such publications to conform with the intent of Board policy on communications with the public.

Commercial establishments whose primary source of revenue is the sale of intoxicants will not be permitted to appear as advertisers in school publications.

Communications from Outside the Schools

Students and faculty of the schools shall be protected from intrusions on their time by announcements, posters, bulletins and communications of any kind from individuals and organizations not directly connected with the schools.

The principals shall interpret this policy strictly. Exceptions may be made when, in their judgment, the best interests of the students will be served. In case of differences of opinion, the decision of the Superintendent of Education will be final.
Publications, Radio and Television

This Board invites and welcomes the active interest and participation of newspapers, magazines, radio and television and other mass media of communication in promoting the cause of good education in our city and elsewhere.

Newscasts, spot announcements, sports, coverage of other school activities and programs dealing with the schools must be presented in the public interest. No identification of the schools with the promotion of any commercial or political enterprise shall be permitted. Pupils enrolled in the school district who appear on radio or TV programs during or after school hours shall not be permitted to associate the name of a particular school, school activity, or the school district with the promotion of any commercial or political enterprise.

Commercial Mass Media

It is the responsibility of the principal to be advised of and to supervise all radio and television presentations made in the individual school.

Students who represent the school through such media should have prior permission from the principal, who should obtain full information concerning the presentation.

A member of the staff designated by the principal should be assigned the responsibility for informing communications media of newsworthy school activities. Faculties should be informed that suggestions for such releases must be channeled through this individual.

CROSS REF.: Policies BCBI – Public Participation at Board Meetings
KBA – Public’s Right to Know
KCB – Community Involvement in Decision Making

PUBLIC’S RIGHT TO KNOW KBA

“…The public has every right to observe the process, but not to control the proceedings.”

The formation and determination of public policy is public business and shall be conducted at open meetings except as otherwise provided by law.

Except as otherwise provided by MS Code sections 25-61-9 and 25-61-11, this school district declares all public records to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record in accordance with the district’s adopted written procedures concerning the cost, time, place and method of access. §25-61-5

This district shall establish and collect fees reasonably calculated to reimburse it for, and in no case exceed, the actual cost of searching, reviewing and/or duplicating and, if applicable, mailing copies of public records. §25-61-5
MEDIA ACCESS TO SCHOOL CAMPUSES, STAFF AND STUDENTS

It shall be the policy of this School Board that access to school campuses shall be by permission granted by the Superintendent of Education or his/her designee on all occasions. Without such authority having been granted, all representatives of the media will be denied access to the campuses, buildings, staff or students of the schools, and principals are hereby instructed to deny such access.

The district is committed to providing up-to-date information about the district and its activities in a timely and appropriate manner. It is the responsibility of the Board of Education and Superintendent to maintain an atmosphere conducive to learning with as few disruptions as possible.

All requests should be directed to the office of the Superintendent, whose responsibility it shall be to issue in writing permission for all access.

CROSS REF.: Policies KB — Public Information Program
              KM — Visitors to the Schools

NEWS-MEDIA RELATIONS

The Board wishes to assist the press and other communications media to obtain complete and adequate coverage of the programs, problems, planning, and activities of the school system.

All representatives of the media shall be given equal access to information about the schools. General releases of interest to the entire district shall be made available to all the media simultaneously. There shall be no exclusive releases except as media representatives request information on particular programs, plans, or problems.

The Board shall review periodically district relations with the news media.

NEWS RELEASES

The Superintendent or his/her designee will be the press liaison person for coordinating the release of information concerning the school system and action of the Board.

The Board President shall be the official spokesman for the Board, except as this duty is delegated to the Superintendent.

Teachers and other staff members shall submit news or news releases regarding the classroom and other school activities to the school public information liaison who shall submit copies to the Superintendent or his/her designee for appropriate action.
The Board desires to establish and maintain a good working relation with the community and as such shall give due consideration to requests from community agencies. However, the Board shall not turn over to any community group responsibility which may involve school administration, instruction, or student supervision.

Also see BCBI – Public Participation in Board Meetings.

"The public has every right to observe the process, but not to control the proceedings."

Community participation in the affairs of the schools is an important facet of achieving improved quality of education for the students. Therefore, the board intends to make every effort to identify the desires of the community and to be responsive to those desires.

Citizens of the district will be encouraged to express their ideas, concerns, and judgments about the schools through (1) written suggestions or proposals, (2) presentations at hearings, (3) responses to surveys made through interviews, written instruments, (4) comments at meetings of the board, and (5) service on citizens' advisory committees.

The advice of the public will be carefully considered. In the evaluation of such advice, the first concern will be the educational program as it affects students.

COMMUNITY INVOLVEMENT

The governing authorities of the county, counties or city in which a school district is located and the school board of each school district shall develop a strategic plan to encourage community involvement with the schools in such district. Districts meeting Level 4 or 5 accreditation standards, as defined by the State Board of Education, shall be exempted from the mandatory provisions of this section. Section 37 7 337 (2006)

Standard 18 is as follows:

18. There is an organized system to encourage community involvement, parental communication, and business partnerships in school district decision making. {MS Code 37 7 337}

AD VALOREM TAXES

The aggregate receipts from ad valorem taxes levied for school district purposes, excluding collection fees, pursuant to this section and Section 37-57-1 shall be subject to the increased limitation under Section 37-57-107; however, if the ad valorem tax effort in dollars requested by the school district for the fiscal year exceeds the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%) but not more than seven percent (7%), then the school board shall publish notice thereof once each week for at least three (3) consecutive weeks in a newspaper having general circulation in the
school district involved, with the first publication thereof to be made not less than fifteen (15) days prior to the final adoption of the budget by the school board.

If at any time prior to said adoption a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the school district involved shall be filed with the school board requesting that an election be called on the question of exceeding the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%) but not more than seven percent (7%), then the school board shall, not later than the next regular meeting, adopt a resolution calling an election to be held within such school district upon such question.

The election shall be called and held, and notice thereof shall be given, in the same manner for elections upon the questions of the issuance of the bonds of school districts, and the results thereof shall be certified to the school board. The ballot shall contain the language "For the School Tax Increase Over Four Percent (4%)" and "Against the School Tax Increase Over Four Percent (4%)."

If a majority of the qualified electors of the school district who voted in such election shall vote in favor of the question, then the stated increase requested by the school board shall be approved. For the purposes of this paragraph, the revenue sources excluded from the increased limitation under Section 37-57-107 shall also be excluded from the limitation described herein in the same manner as they are excluded under Section 37-57-107. MS Code 37 57 105 (2002)

Unless the increased revenue in a budget is derived solely from the expansion of a school district's ad valorem tax base, a school district shall not budget an increase in an ad valorem tax effort in dollars for support of the school district unless it first advertises its intention to do so at the same time that it advertises its intention to fix its budget for the next fiscal year.

A request for an ad valorem tax effort in dollars for the support of the school district in excess of the certified tax rate pursuant to Sections 37-57-105 and 37-57-107 shall not be levied until an order has been approved by the school board of the school district in accordance with the procedure set forth in Section 27-39-207, Mississippi Code of 1972.

When an advertisement is required under this section, it shall be in the form set forth in Section 27-39-207, and shall include the following language:

Any citizen of the Harrison County School District is invited to attend this public hearing on the proposed ad valorem tax increase, and will be allowed to speak for a reasonable amount of time and offer tangible evidence before any vote is taken.

The school board of the school district, after the hearing has been held in accordance with the procedures set forth in Section 27-39-207, may adopt an order requesting the levying of an ad valorem tax effort in dollars in excess of the certified tax rate. If such order is not adopted on the day of the public hearing, the scheduled date, time and place for consideration and adoption of the order shall be announced at the public hearing. Section 27-39-207 (1999)

BOND REFERENDUM

(1) Before any money shall be borrowed under the provisions of this chapter, this school board shall adopt a resolution declaring the necessity for borrowing such money, declaring its intention to borrow such money and to issue the negotiable bonds of the school district as evidence of same, specifying the amount to be borrowed, and how such indebtedness is to be evidenced. Such resolution shall also set
forth the nature and approximate cost of the alterations, additions and repairs to be made, and shall declare in said resolution that no funds are available in the school funds of the district or from any other source with which to make such repairs, alterations, additions, purchases, erections or improvements.

(2) Whenever a resolution is adopted by this school board as provided in subsection (1), or a petition signed by not less than ten percent (10%) of the qualified electors of a school district, fixing the maximum amount of such school bonds and the purpose or purposes for which they are to be issued, this school board shall adopt a resolution calling an election to be held within this school district for the purpose of submitting to the qualified electors thereof the question of the issuance of bonds in the amount and for the purpose or purposes as set forth in such resolution or petition. The resolution calling such election shall designate the date upon which the election shall be held and the place or places within such district at which such election shall be held, which place or places may or may not be the school house or school houses in such district. Section 37-59-11 (1987)

BUDGET ADOPTION

Prior to the adoption of a budget pursuant to this section, this school board shall hold at least one (1) public hearing to provide the general public with an opportunity to comment on the taxing and spending plan incorporated in the proposed budget. The public hearing will be held at least one (1) week prior to the adoption of the budget with advance notice. After final adoption of the budget, a synopsis of such budget in a form prescribed by the State Department of Audit shall be published in a newspaper having general circulation in the school district on a date different from the date on which the county or any municipality therein may publish its budget. Section 37 61 9 (3) (1994)

CODE OF STUDENT CONDUCT / THE SCHOOL SAFETY ACT OF 2001

For information related to student conduct, disciplinary action and the School Safety Act of 2001, please refer to MS CODE Section -11-55.

LEGAL REF.: MS CODE as cited
Mississippi Public School Accountability Standards 2007
CROSS REF.: Policies KB -Public Information Program
KBA –Public’s Right to Know

PARENTAL INVOLVEMENT IN PLANNING AND DECISION MAKING FOR TITLE I PROGRAMS

It shall be the policy of the Board of Education to ensure that parents are involved in the planning, design, and implementation of the Title I program in the district and shall provide such reasonable support for parental involvement activities as parents may request in accordance with current federal regulations (Section 1118 of IASA of 1994 H.R.6). It is our belief that parental involvement, interest, and guidance are major factors in successful schooling. As such, the District/Title I Program shall:

1. Inform parents or a district parent resource center that will offer materials and suggestions for helping children with their homework. Parenting skills workshops will also be offered as a part of the center’s services.
2. Inform parents of GED and literacy programs and other continuing education courses that are available for improving their parenting skills.

3. Provide compacts that will require a commitment from the principal, teacher, parent and student defining their personal responsibilities.

4. Coordinate and integrate parental involvement strategies under other programs, such as Head Start and the Parents as Teachers Program, etc.

5. Provide parents of participating children with reports of their children’s progress.

6. Conduct parent/teacher conferences with parents of participating children to discuss methods of instruction that parents can use to strengthen the child’s instruction.

7. Provide parents with timely information concerning the Title I program, for example, program plans and evaluations, with an annual assessment of parental involvement in the Title I program.

8. Arrange meetings and parent teacher conferences at a variety of times such as mornings, evenings --- to maximize opportunities for parent involvement.

9. Inform parents/guardians of the program and activities carried out with the Title I funds and solicit parents/guardians input.

Also see Policies

- IDDGA – Title I
- JQA/IDDA – Title I ECIA Program – Parental Involvement – Special Programs
- KN – Complaints – Title I, ECIA - Public
- KN – Complaints – Title I, ECIA – Public
- LAA – Title I Parent Involvement
- LAB – Title I Parent Involvement Procedures

**STAFF/STUDENT COMMUNITY RELATIONS – SCHOOL PARTICIPATION IN COMMUNITY DRIVES**

Schools may participate in community fund raising drives, clothing collections, and similar activities only when participation has been approved by the Board of Trustees and/or the Superintendent of Education.

Individual solicitation of staff members through the schools is approved only for the annual United Way Drive.

No activity may be undertaken wherein reward or recognition for participation is given on individual or group basis without prior approval of the Superintendent of Education.
Resource Persons

The use of resource persons from the community in the classroom can be a valuable educational instrument. The Board of Trustees encourages the professional staff to be concerned with locating and contacting people in various areas of interest and expertise who might serve as resource persons in particular units of study. All requests to use such resource persons shall be cleared with the central office.

Volunteers

The Board of Trustees believes that volunteers can make valuable contributions to the school. The Board of Trustees endorses a volunteer program in the schools subject to regulations and safeguards. Suitable recognition of volunteer services shall be made annually.

Field Trips

The Board of Trustees recognizes that the learning experiences provided by field trips are most effective and worthwhile means of learning. It is the desire of the Board of Trustees to encourage field trips as an integral part of the program of the schools.

Community Instructional Resources

The Board of Trustees believes that one of the goals of the district shall be to equip each student to serve as a citizen of the community, and the administrative and instructional personnel are encouraged to rely on the community as one of the educational tools at their command. The administration shall direct the development of a community instructional resource program designed to utilize the citizens, the institutions, and the environment of the community in the education of its children.

The business community shall be requested to work cooperatively with the staff and advise the Board of Trustees relative to the development of student employability skills.

The Superintendent of Education shall have supervisory control over the program. Members of the staff and the community shall be encouraged to offer their ideas and services through the channels developed by the administration.

USE OF SCHOOL FACILITIES

Kindergarten through eighth grade schools will charge a flat rate of $50.00 for the use of school facilities after regular school hours. A deposit of $50.00 will be required in addition to the flat rate, which will be refunded after the facilities have been checked and cleared by the principal of the school. All damages will be deducted from the deposit or used toward the repair. All lease parties will be required to pay for damages, which are greater than the $50.00 deposit.

Grades nine through twelve schools will charge a fee of $75.00 per day/night use for the use of school facilities on their campus. An additional $25.00 per hour, for every hour after the first three (3) hours will
be charged to the leasing parties. A deposit of $100.00 will be required in addition to the flat rate, which will be refunded after the facilities have been checked and cleared by the principal of the school. All damages will be deducted from the deposit or used toward the repair. All lease parties will be required to pay for damages, which are greater than the $100.00 deposit.

**GIFTS TO STAFF MEMBERS – GRATUITIES – ALL EMPLOYEES**

The Harrison County School District prohibits the acceptance of gratuities and/or gifts by members of the school staff from persons and/or firms or other organizations with interests, either directly or indirectly, in any contract made or let by the district or in the proceeds or profits from sale or rental of any materials of any kind used in the school district.

**GIFTS TO SCHOOLS**

See DFK.

**FREE MATERIALS**

Advertisements of commercial products or services, except those approved by the Superintendent of Education or his/her designee, shall not be read to students or posted or distributed on school premises.

Free materials from commercial, political, religious, or other non-school sources may be used in the schools only with the permission of the Superintendent of Education of his/her designee. Careful consideration will be given to their educational quality and value.

The use of commercially sponsored free teaching aids is permitted if the content is approved by the Superintendent of Education or his/her designee.

**ADVERTISING IN SCHOOLS/USE OF SCHOOLS TO PUBLICIZE COMMUNITY ACTIVITIES**

Schools shall be used for publicizing community activities and programs only when the activities are of direct benefit to children and are of a non-commercial nature. When school participation is approved by the Board of Trustees, procedures for participation must be approved each year by the Superintendent of Education.

No notices, advertisements, or posters of any type in behalf of persons or organizations not officially connected with the schools shall be distributed or displayed on school property except by written permission of the Superintendent of Education, who shall limit all such notices, advertisements, or posters
to those directly connected with the improvement of the adopted course of study, and no person shall sell or offer for sale within school buildings or on school property any activities or services or solicit contributions except those approved in writing by the Superintendent of Education. This policy shall not prohibit the participation of students in fund drives approved in writing by the Superintendent of Education for enriching the course of study.

This policy does not prevent advertising in student publications, which are published by student organizations, subject to administration control, nor the use of commercially-sponsored free teaching aids if the content is approved by the administration.

Solicitation of sales or use of the name of the school system to promote any product or religious belief shall not be permitted.

**ADVERTISING IN STUDENT PUBLICATIONS**

The advertising of commercial products or services is permitted in student publications which are published by student organizations subject to administrative control and subject to reasonable publication rates established by such organization.

Solicitation of sales or the use of the name of the school system to promote any product shall not be permitted.

**PUBLIC USE OF SCHOOL RECORDS**

In compliance with Senate Bill No. 2448 of the Mississippi Code, known as Mississippi Public Records Act of 1983, access by any person to examine and/or copy public records of the School District will be provided under the following procedure.

1. Any person wishing to examine and/or copy allowable record information must complete the required form for access to school records, specifying the nature, location, and description of the public record sought.

2. Any approved request form will indicate the time, place, and method by which access to examine records will be permitted. Copies of allowable written information will be assessed a fee including hourly cost for search and reviewing and actual costs of postage. Fees will be collectable in advance.

3. Exemptions from the provisions of the Mississippi Public Records Act of 1983 will be as follows:

   A. Records which are developed among judges and their aides which affect the School District and its employees shall be exempt.

   B. Records in the possession of the School District which are developed among juries concerning judicial decisions are exempt.
C. Personnel records and applications for employment, except those which may be released to the person who made the application or with the prior written consent of the person who made the application, shall be exempt.

D. Test questions and answers in the possession of the School District which are to be used in employment examinations shall be exempt.

E. Letters of recommendation, respecting any application for employment, shall be exempt.

F. Records which represent or constitute the work product of attorney, district attorney, or county prosecuting attorney representing the School District and which are related to litigation or communications between such attorneys in the course of an attorney-client relationship shall be exempt.

G. Records which would disclose information about a person's individual tax payment or status shall be exempt.

H. Appraisal information which concerns the sale of real or personal property for public purposes, where the release of such records would have a detrimental effect on such purchase, shall be exempt.

I. Test questions and answers which are used in future academic examinations shall be exempt.

J. Financial information of a proprietary nature shall be exempt.

K. Records that are maintained regarding the process of detection and investigation of unlawful activity.

L. All educational records covered under the Federal Privacy Act.

M. Records which are confidential or privileged, or provided by constitutional, statutory or case law, state or federal.

N. Records furnished by third parties containing trade secrets or confidential commercial/financial information.

Student Records

1. The Family Rights and Privacy Act forbids disclosure or inspection of a student’s educational and disciplinary records.

2. All references to students’ disciplinary actions in the minutes of the board shall be by reference number to the student disciplinary file maintained in the office of the superintendent.

Personnel Records

Employee personnel records including Personnel Reports submitted to SDE, shall not be available for access for the purpose of reviewing or copying.

References to personnel actions taken by the Board and recorded in the minutes shall be by reference number to the master personnel file maintained in the office of the superintendent.
Requests For Access To Records

All requests to inspect, copy, mechanically reproduce or obtain a reproduction of any public record in this school district shall be submitted in writing to the office of the Superintendent of Education between the hours of 8:00 a.m. and 5:00 p.m. on any working day. Requests for inspection of records shall be honored at such time as the documents are not being used in the day-to-day operation of the schools but in no event later than fourteen (14) days from the date of receipt of the request.

Applicable Charges For Records Search, Review, Duplications, and Mailing

All applicable charges shall be paid to the school district in advance of complying with any request.

Photocopying or duplicating -- $.50 - $.75 per page. (Photocopying certain large minute book pages may result in increased time and charges levied.)

Searching -- $7.00 per hour based on actual time required.

Reviewing -- $15.00 per hour based on actual time required.

Actual cost of postage shall be assessed for all mailed records.

Denial Of Requests

Denial of a request by this school district shall be in writing and shall include a statement of the specific reasons for the denial. The district shall maintain a file of all denials which shall be made available for inspection and/or copying during regular office hours. The file shall be made available to any person upon written request. Denials shall be preserved for three years from the date such denials are made.

Computer Reports – Individuals or private groups requesting computer reports of public information shall be charged a $25.00 processing fee plus $2.00 per page.

Also see Policies JR, JRB, CN and CNA.

VISITORS TO SCHOOLS

All visitors with legitimate reasons are welcome to visit the Harrison County School District. However, certain regulations must be observed in the visitation of schools.

A. If there is any doubt as to the legitimacy of the purpose of the visit, the principal shall clear said person’s visit with the office of the Superintendent of Education.

B. All visitors (including parents) must report to the principal’s office for sign-in. Individual visitors should be issued a visitor ID badge. All visitors will be accompanied to and from classroom whenever possible. Visitors’ badges must be returned to the office when the visitor leaves the school.

C. Except in rare emergencies the teacher is not to be interrupted while teaching.
D. No salesman or solicitors shall be admitted to schools except when they have written approval for the visit from the Superintendent of Education.

E. Visitors observing teachers will enter the room and seat themselves at the invitation of the teacher. Teachers shall not be interrupted and will recognize visitors at the appropriate time.

F. Pupil visitors from other schools or pre-school age children are not allowed unless invited under the auspices of the school system. Students are not permitted to bring persons other than their parents/guardians to school.

Anyone discovered on school property without such a permit from the office of the principal or the Superintendent of Education is subject to prosecution for trespassing.

**COMPLAINTS – TITLE I, ECIA – PUBLIC**

*TITLE I, ECIA PROCEDURE FOR COMPLAINT RESOLUTION*

The following procedures will be followed if a complaint concerning TITLE I, ECIA is received by the school district:

1. Record initiated -- within five (5) days of receipt of a written complaint, or an appeal from a person or persons against the operation of Title I, ECIA at the local level, the local Title I, ECIA office will acknowledge receipt of the complaint in writing. All written complaints must include signature and address of the complainant.

2. Within ten (10) working days of the acknowledgment of the complaint, the complainant will be afforded an opportunity for an informal hearing with representatives of the local Title I, ECIA office at which time oral and written testimony may be taken.

3. Failure to resolve the complaint in an informal sitting will necessitate a formal hearing on the matter. The complainant will be advised on the right to request in writing a formal hearing. The complainant will have fifteen (15) days from the date of the informal hearing to make a written request for formal hearing. Upon receipt of the request for a formal hearing the LEA shall make, when necessary, an on-site investigation of the complaint.

4. The formal hearing will be conducted by the local Superintendent and School Board. The local hearing panel will provide opportunity for the complainant or the complainant's representative, or both, and the local educational agency involved to submit evidence, including the opportunity to question parties to the dispute and any of their witnesses.

5. The entire procedure, from receipt of the complaint to a satisfactory resolution, shall be completed within a period of not more than sixty (60) days.

6. The complainant has the right to appeal the final resolution of the Local Educational Agency to the Commissioner of Education within thirty (30) days after receipt of the written decision.

*Formerly Chapter I*
COMPLAINTS ABOUT INSTRUCTIONAL MATERIALS  

The Board assumes final responsibility for all books and instructional materials it makes available to students. However, it recognizes the right of individual parents regarding controversial materials used by their own children.

While the Board will not permit any individual or group to exercise censorship over instructional materials and library collections, provision will be made for the reevaluation of the materials upon formal request. On the other hand, students' right to learn and the freedom of teachers to teach shall be respected. (See IFAB.)

PARENT OF THE YEAR  

The Harrison County School District shall implement the Parent of the Year recognition program as outlined under state guidelines and procedures.
While the schools have the primary responsibility for the formal education of the children and youth of the district, the Board recognizes that many governmental agencies and community organizations play a definite role in education.

Therefore, it shall be the desire of the Board to establish positive working relationships with all other public and private organizations which contribute to the education process and to the general welfare of the citizens of the community.

This school board reaffirms the school district's strong commitment to the role of parents in their children's education and to effective, comprehensive parental involvement. In this policy, "parent" is intended to include parents, guardians, and other family members involved in supervising the child's schooling. Parental/family involvement in a child's learning is a critical link to achieve academic success and to promote a safe and disciplined learning environment.

Schools and families will work together to ensure that the educational process includes quality learning at home, in school, and in the community. The following steps will be taken to achieve this goal:

The superintendent will assess the status of parental involvement, review existing policies and procedures, and develop necessary regulations and procedures to support this policy, including a review of staff and budget support.

The Board of Education will support parental involvement by seeking parental input on school system policies, including curriculum, facilities, and funding issues.

STRATEGIES FOR PARENT/ FAMILY INVOLVEMENT

1. Effective two-way communication between all parents and schools regarding school system policies and regulations, local school policies, and an individual child's progress.

2. Activities to encourage parental volunteer opportunities in schools both in the classroom and in other areas of the school including attendance at local school programs and events.

3. Information and programs for parents on how to establish a home environment to support learning and appropriate behavior.

4. Information and programs for parents about how they can assist their own children to learn.

5. Assistance to develop parental involvement in educational advocacy through PTAs and other organizations, including school system task forces and advisory committees.
ROLE OF LOCAL SCHOOLS

While each division, office, and school must assess its role and plan of action to meet these goals, all school district employees are expected to convey a commitment to parental involvement. Consistent with this commitment, local schools are expected to:

1. Develop activities and materials that provide for effective two-way communication between parents and the school on local school policies and individual student progress;
2. Support and encourage parental volunteer opportunities;
3. Provide programs that assist parents in learning how they can help children learn, including activities that are connected to what children are learning in the classroom; and,
4. Work with PTA leadership to ensure parental input.

ROLE OF CENTRAL OFFICE STAFF

In addition to the role of the local schools, appropriate staff in central offices are expected to support local school efforts and, where relevant:

1. Communicate with parents on school system policies and regulations;
2. Provide for the development of parenting programs and materials, including the use of cable television, pamphlets, adult education courses, parent resource centers, and programs designed to orient new parents to the school district;
3. Maintain and support with appropriate information and training parental volunteer opportunities countywide;
4. Assist in the development of parental leadership through PTAs and other recognized groups;
5. Work with businesses, organizations, and other government agencies which by their policies and activities can provide support and assistance for parental involvement efforts;
6. Provide appropriate teacher and staff training to support effective parental involvement; conduct staff and parent training in ways to communicate and work together including problem solving, conflict resolution skills, and outreach strategies;
7. Identify and publicize promising programs and practices related to parental involvement;
8. Work with colleges and universities that prepare teachers and administrators to support the inclusion of school and family connections in their training programs;
9. Develop methods to accommodate and support parental involvement for all parents with special needs including those with limited English proficiency and individuals with disabilities; and,

Develop mechanisms for local schools to use in order to assess the effectiveness of their parental involvement efforts.
Standard 18 is as follows: There is an organized system to encourage community involvement, parental communication, and business partnerships in school district decision-making. [MS Code 37-7-337]

LEGAL REF.: Mississippi Public School Accountability Standards (2007)
CROSS REF.: Policies KB - Public Information Program

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<tr>
<th>TITLE I PARENTAL INVOLVEMENT</th>
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A copy of the most recent district-wide parental involvement policy is available in the district Title I office. Also see Policy IDDGA.

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<th>SCHOOL PARTICIPATION IN COMMUNITY DRIVES</th>
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Schools may participate in community fund-raising drives, clothing collections, and similar activities only when participation has been approved by the Board of Trustees and/or the Superintendent of Education. Students in elementary grades K-6 shall not be involved in door-to-door or off-campus solicitations.

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<th>COMMUNITY EDUCATION PROGRAM</th>
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The Board of Education of the Harrison County School District fully endorses the concept of a community education program which will promote the life-long educational pursuits of the citizens of the community at large. The Board supports the development of a coordinated community education program, supervised by the Harrison County Schools and open to all residents of the area. The Board accepts the responsibility for promoting community services through the community education program, for providing qualified and competent staff members, for supporting the coordination and expansion of existing programs, and for cooperating with other groups and agencies to avoid unnecessary duplication of services. The Board of Education will continue to support efforts to meet the needs, interests, and capabilities of the entire community.

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<th>LOCAL GOVERNMENT RELATIONS</th>
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The Board will cooperate with other governmental agencies to achieve the best interests of the youth and the citizens of the district.
**RELATIONS WITH LAW ENFORCEMENT OFFICIALS**

Cooperation with law enforcement agencies is essential for the protection of students, for the maintenance of a safe environment in the district schools, and for the safeguarding of all school property. The Board also is aware of the potential enrichment that law enforcement agencies can contribute to the educational program.

The functions of the schools and the district’s legal responsibility for pupils during the school day must be in harmony with the Constitution of the United States and the laws of the State of Mississippi.

**QUESTIONING OF STUDENTS BY LAW ENFORCEMENT OFFICIALS AND/OR OTHER AGENCIES’ OFFICIALS**

Questioning of students by officials of the law and/or other agencies’ officials may be granted by the principal after notification of the Superintendent of Education. Parents should be notified in such cases so that they have an opportunity to be present at the time of the questioning. Court orders are to be complied with and the Superintendent of Education must be notified by the principal of such proceedings.

**SCHOOL – GENERAL GOVERNMENT RELATIONS – CIVIL DEFENSE AGENCY**

Procedures for conducting emergency operations of the schools are explained in the Emergency Operations Plans prepared by the administration and approved by the Civil Defense Director. These plans note lines of authority and responsibility in emergency situations and detail specific relations with civil defense authorities. The Emergency Operations Plans also include information regarding emergencies in communications from the State Department of Education.

**RELATIONS WITH LEGISLATIVE REPRESENTATIVES**

The Board is aware of the importance of sound and constructive state legislation in establishing the framework and support for public education. Consequently, legislative proposals affecting education which come before the General Assembly are of direct concern.

The Board shall keep itself informed about pending legislation and communicate its concerns to the elected representatives.
1. Parent(s) of eligible student may request, in writing to the principal, an appointment to inspect and review contents of the student's educational records. Appointments must be granted within forty-five (45) days of request.

2. Parent(s) of eligible student may request, in writing to the principal, that a school correct records believed to be inaccurate or misleading. If the school refuses to change the records, the parent(s) or eligible student may request, in writing to the principal, a formal hearing. After the hearing, if the school still refuses the correction, the parent(s) or eligible student has the right to put a note in the record explaining his/her concerns. The parent(s) or eligible student may then request a formal hearing with the Superintendent of Education and/or his/her designee.

3. Parent(s) or eligible student may request a copy of the student's record for a nominal fee only if illness or distance from school prevents them from coming to the school to review the records.

4. Educational records may not be released to a third party without the written consent of the parent(s) or the eligible student with the following exceptions:

   A. School employees
   B. Other schools to which a student is transferring
   C. State or federal officials for audit purposes or for reporting information required by state statute
   D. Financial aid officials in connection with a student's application for aid
   E. Educational agencies for developing, validating, and administering predictive tests or studies if such information will not permit identification of individual students
   F. Appropriate persons who need information to protect health and safety of students
   G. Parent(s) of a student over eighteen (18) who is still a dependent

5. A record of individuals requesting access to the educational record of each student will be maintained in each school building. The record will contain the signature, the date, and the reason for needing access and will be available for parents' review upon request.

6. Parent(s) or eligible student may request, in writing within thirty (30) days of the first official school day of the year, that identifiable information regarding the student be deleted from school publications.

7. The school will release directory information concerning students, unless requested in writing not to do so. Requests from colleges, military organizations, prospective employers, and other legitimate groups may be honored.

Also see Policy JRAB.

District policy assures that no one shall, on the grounds of race, religion, age, national origin, sex, or disability (qualified) be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity of the school. The vocational department encourages males and females to enroll in non-traditional classes and to train for non-traditional jobs. Copies of the Title IX policy of the Educational Amendments of 1972 and the Family Rights and Privacy Act of 1974 are available in the principal's office in each school building upon request.

Also see GAAA

**Section 504/Americans With Disabilities Act**

**Nondiscrimination on the Basis of Disability Policy**

The School District will not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities to the extent provided by law.

The 504/Americans With Disabilities Coordinator will handle inquiries regarding the School District's nondiscrimination policies, the filing of grievances, and requests for copies of grievance procedures covering discrimination on the basis of disability.

Also see IDDGA, IDDHA, IDDHB, JBPA, JCAA, GAEA, GAEAA, GAEB, LDDCA.

**TITLE IX**

A. The Harrison County School District is in compliance with the requirements of Title IX of the Educational Amendments of 1972, which prohibits sex discrimination in federally-assisted educational programs. Title IX states: “No person in the United States shall, on the basis of sex be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Questions concerning Title IX may be directed to the Local Director of Compliance. You may write to 11072 Hwy. 49, Gulfport, Mississippi 39503, or call 539-6505.

B. Refer to district grievance procedure contained in Policy GAE, GAEAA, and JCAA.
PARENT-TEACHER ASSOCIATIONS

Close cooperation between home and school is fostered by the Parent-Teacher Associations which are active in every Harrison County school. Parents are encouraged to join the PTA and to attend meetings. Notification of meeting dates will be sent home by students and given to local news media.

Each school’s PTA or other similar parenting organizations will establish a set of by-laws to govern the organization that share the common objectives and policies established by the National PTA and the State PTA. A copy of the constitution and by-laws of each parenting group must be on file in the district office, and the organization must operate according to the rules established in its constitution and by-laws.

BONDS FOR PTA OFFICERS

The PTA units and the PTA Council of the Harrison County School District shall be bonded at the beginning of each school year. The officers who shall be bonded shall be the president and the treasurer of each unit and of the council. The value of the bond shall be based on an average of the gross receipts for the past three years with a $5,000 bond as minimum.

The cost of the bond shall be a budgeted expense for each unit and for the council.

A PTA unit or the PTA council cannot participate in any fund-raising activities unless the unit has been bonded.

BOOSTER CLUBS AND OTHER SUPPORT GROUPS

The Harrison County School Board recognizes the value of community support groups in relation to the student activities program of the Harrison County Schools and encourages the participation of interested persons in Booster clubs and other such organizations whose purpose is to support student activities through fund-raising, increasing attendance, promoting greater community awareness of specific programs, and developing ways in which to recognize outstanding student achievement.

Realizing that there are potential areas of disagreement between Booster clubs and the professional staff member(s) responsible for specific student activities, the Board clearly places full responsibility for the development and implementation of student activities upon the principal of the school and the staff member(s) assigned to direct a specific activity, subject to administrative direction by the superintendent. The Board expressly denies to any support group any delegation of authority for the operation and direction of any student activity and limits such support assistance to these areas: fund-raising to support approved activities of a team, club, or other student group; programs designed to promote awareness of and attendance at student activities; projects centered in the recognition of individual and group achievements; and programs designed to inform members of upcoming events and activities of the team or other student group. It is the district’s intent that all students in sport and activities programs will be treated in an equitable manner in regard to recognition and awards.
In order to develop a harmonious and constructive relationship between support groups and the school administration and staff, the Booster Club should work with and coordinate all activities with the principal or his/her designee, discussing tentative plans and activities with the principal or his/her designee prior to consideration by the general membership. Prior written approval must be given by the principal for raising funds, for other programs involving contributions to students, schools, or the school district, or for use of facilities. All funds required for a construction project or a project altering buildings or grounds must be available prior to Board approval required to begin the project.

A copy of the constitution and by-laws of each Booster Club or support group must be on file in the district office, and the organization must operate according to the rules established in its constitution and by-laws.

All PTA units and parenting organizations must conform to all accounting procedures as established by the Harrison County Schools, and all expenditures involving contributions to students, schools and the school district must be approved by the principal. The following policies regarding the finances of the PTA units or similar parenting organizations of the Harrison County School District shall be in effect:

1. **Funds Received**
   
   A. Each organization will continue to have its own checking and/or savings accounts for the deposit of its funds.

   B. The treasurer of the organization shall maintain a copy of all deposits, withdrawals, bank statements and other financial records pertinent to the account(s). Such information will be used to prepare a monthly financial report.

2. **Expenditures**
   
   A. In Parent-Teacher Associations, both the president and the PTA treasurer must sign both checking and/or savings accounts, with an alternate individual signing in the absence of either.

   B. The PTA president and treasurer shall not be school employees.

3. **Other**
   
   A. Each organization shall present a monthly financial report to its membership and to the principal, using reporting forms supplied by the school business office. A copy of this report shall be submitted to the school business office no later than the 15th day following the end of the reporting month.

   B. Annually, the retiring treasurer shall submit a written inventory of equipment owned by the organization, giving a description of the equipment with serial numbers or other identification, location, and name of custodian.

   C. The organization shall maintain a perpetual inventory of fund-raising merchandise.

   D. The organization shall appoint an auditing committee from its membership. This committee will annually arrange for an outside review of the treasurer’s books and financial records and issue a written report covering its examination prior to turning the records over to the newly-elected officers.
E. Books of accounts and records of a school’s PTA shall at all reasonable times be open to inspection by an authorized representative the Mississippi PTA.

F. Minutes of all meetings and actions of the organization will be kept for review for a period of not less than five (5) years.
RELATIONS WITH OTHER EDUCATION AGENCIES

The Board shall cooperate to the fullest possible extent with other school districts as well as with other local, state, and regional agencies and organizations in the solution of educational problems of common concern.

This school board generally supports the educational endeavors of other institutions whose goals are compatible with those of the school district. In its relationship to other educational institutions, this school board will strive to stand as a partner and colleague in such ways as described below.

POST HIGH SCHOOL INSTITUTIONS

1. Within its resources and according to abilities and efforts of each student, the school district will seek to prepare students for successful experiences in post high school institutions.

2. To the extent appropriate and applicable, the school district will seek to utilize the resources of post high school institutions for the development of its own staff.

3. The school district will cooperate with post high school institutions in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program.

DUAL ENROLLMENT

A local school board, the Board of Trustees of State Institutions of Higher Learning and the State Board for Community and Junior Colleges may establish a dual enrollment system under which students in the school district who meet the prescribed criteria of this Section 37 15 38 may be enrolled in a postsecondary institution in Mississippi while they are still in school.

Section 37 15 38 (1) (2006)

OTHER INSTITUTIONS AND ORGANIZATIONS

1. The school district will work cooperatively with other school districts in selected programs when it is beneficial to do so.

2. The school district will assume appropriate responsibility for improving the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to district goals.

3. The school district will cooperate with professional educational organizations recognized by the district as important forces for the improvement of education.

4. The school district will cooperate with institutions such as educational service units and regional laboratories when their programs are consistent with the goals of the district.
Standard 18 is as follows: There is an organized system to encourage community involvement, parental communication, and business partnerships in school district decision making. {MS Code 37 7 337}

CROSS REF.:  Policy MFB - Student Teaching and Internships

**PRIVATE SCHOOLS RELATIONS**  

The Board will cooperate with parochial and private schools in matters of mutual benefit where not prohibited by law.

**INTERSCHOLASTIC ATHLETICS**  

District policies governing interscholastic athletics are adopted by the School Board and published in the athletics handbook as official policy statements of the School District. Coaches and other staff members whose duties are related to or affected by these programs should be familiar with the policy statements in the athletics handbook and adhere to these policies.

**RELATIONS WITH EDUCATIONAL RESEARCH AND SERVICE CENTERS**  

The district shall cooperate as far as possible with the college, universities, and regional service agencies in promoting potentially useful research. Because of the large number of requests for studies in the schools, it is necessary to establish limitations and guidelines for the approval of such studies.

The Superintendent shall draw up guidelines based on the following criteria:

1. The objectives of the research should be clearly stated and the design such as to produce valid and reliable results to be made available to the district;

2. The project should contribute something of value for the improvement of education;

3. Instructional activities will not be interrupted unless there is a clear significant value for the district’s educational program.

**RELATIONS WITH COLLEGES AND UNIVERSITIES**  

The Board believes that the staff and students of the district should take full advantage of the resources provided by the college and universities in the area. The Superintendent shall keep the Board informed of all opportunities for shared and cooperative services between the district and institutions of higher learning.
STUDENT TEACHING AND INTERNSHIPS

The Board, recognizing both its responsibility to improve the quality of teacher training and the contribution that student teachers can make to the schools, encourages the administration to cooperate with teacher-training institutions in the placement of student teachers in the district's schools in all reasonable ways. All initial arrangements with the colleges or other institutions shall be subject to Board approval. Section 37-132-1 (1973)

The importance of teacher-training to the future education and the need to assure a high quality of performance in our schools demand that student teachers be placed only with the best teachers. Because they continue their primary responsibility (the education of their students), their commitment is doubled. These teachers must have demonstrated a capacity and willingness to meet these additional demands. The teacher, in cooperation with the principal and the representative of the preparation institution, shall assign the student teacher or intern responsibilities and duties that will provide adequate preparation for teaching. Section 37-132-3 (1973)

Recognizing the special skills and expertise of the teacher preparation institution and its staff, the Board authorizes the administration to honor the reasonable rules, regulations, and training guidelines of the sending institution.

In all arrangements made with preparation institutions, the school system shall have the privilege of interviewing and accepting or rejecting individual candidates for student teaching and internships.

Any student teacher or intern under the supervision of a licensed teacher, principal, or other administrator shall have the protection of the laws accorded the licensed employee of the district. While acting as a student teacher or intern, he/she shall comply with all rules and regulations of the district and observe those duties assigned licensed personnel. Section 37-132-5 (1973)

The school administration shall devise procedures for evaluating the performance of student teachers which meet requirements of the sending institution and fit with the district's policies.

LEGAL REF.: MS CODE as cited above

Teacher-Student Teacher Relations

The Board of Trustees welcomes the opportunity to cooperate with the colleges and universities by taking an active part in the training and preparation of student teachers.

It shall be the duty of the central administrative office to determine the number of student teachers and the academic areas to be served each quarter or semester. This decision will be reached after consultation with the principal concerning such placement.

The following regulations shall apply:

1. Placement shall be made by the central administrative office.
2. Student teachers shall be assigned to the school rather than to individual teachers.
3. The principal shall determine a schedule and make assignments within each school.

4. Student teachers will be assigned to a team of teachers, whenever possible, and will work under the leadership of the team members.

5. First year teachers shall not be assigned student teachers.

6. Teachers shall be responsible for the following:
   1. Pupil discipline
   2. Pupil evaluation
   3. Pupil assignments (length and quality)
   4. Proper delegation of student teaching time.

7. Teachers must understand that student teachers may prove invaluable in the education of the pupils in their classes, but by no means is it intended that student teachers replace the teachers in the classroom. It shall be considered mandatory that teachers do not desert student teachers in the classroom.

8. The teacher is responsible for everything that takes place in the classroom, whether he/she has a student teacher or not.

9. Administrators may deem it necessary and beneficial to student teachers to involve them in school activities other than instructional.

10. The following time table is recommended in determining student teachers' actual teaching time and classroom management:
   a. Phase No. 1 -- 3 weeks -- observation, orientation and assisted instruction
   b. Phase No. 2 -- 3 weeks -- observation and supervised participation
   c. Phase No. 3 -- 3 weeks -- supervised participation, planning, and introductory instruction
   d. Phase No. 4 -- 3 weeks -- continued supervised participation, planning, and instruction.

The classroom teacher is responsible for the implementation of the above time table which should be sufficiently flexible to meet the needs of the student teacher and students. It is expected that by Phase No. 4 the student teacher engage in all facets of classroom instruction which would include student evaluation. However, no student teacher evaluation will be considered final or absolute.

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MEETINGS AND NOTIFICATIONS OF PROFESSIONAL ORGANIZATIONS  
MGA/GBS

Meetings of all professional organizations, or programs sponsored by these organizations, such as surveys, insurance presentations, recruitment of members, etc., shall be conducted at a time other than the normal working day of staff members. The meetings or surveys may be held on school premises, but only after prior approval of the Superintendent of Education. Announcements or other information regarding
professional organizations may be made at general faculty meetings or sent through the inter-school mail only with prior approval of the Superintendent of Education.

**SCHOOL BOARDS ASSOCIATION**

The Board maintains membership in the Mississippi School Boards Association and an indirect membership in the Southern Region School Boards Association and the National School Boards Association through its affiliation with the state association.

Membership shall be reviewed annually.

**STATE EDUCATION AGENCY RELATIONS**

The Board declares its desire to work in close cooperation and harmony with the State Board of Education and the State Department of Education. The Superintendent is instructed to pay close attention to this matter and to establish healthy communications and relationships as well as to work cooperatively in every way for the advancement of education.

**EDUCATIONAL ACCREDITATION AGENCY RELATIONS**

The Board shall strive to ensure that the schools of the district meet the standards for accreditation prescribed by the Commission on School Accreditation.
HARRISON COUNTY
POLICIES AND PROCEDURES MANUAL
CROSS-REFERENCE INDEX

ABSENCE OF POLICY – BDG
ABSENCES AND EXCUSES – JBD
ABUSE AND NEGLECT – REPORTING – JGI
ACADEMIC ACHIEVEMENT – JF
ACADEMIC CREDIT – IH
ACADEMIC GOALS – IB
ACADEMIC YEAR – AE
ACCESS TO RECORDS – JR
ACCESS TO SCHOOLS – MEDIA – KBB
ACCIDENT REPORT FORM – JGFG
ACCIDENT REPORTING – JGFG
ACCIDENTS – BUS – JGFG
ACCIDENTS – JGFG – JGFG
ACCOUNTING AND REPORTING – DI
ACCOUNTING PROCEDURES – DI
ACCOUNTING SYSTEM – DIA
ACTIVITIES FUND MANAGEMENT – JHB
ACTIVITIES FUNDS – DK
ACTIVITY FUND ACCOUNTING – DK
ACTIVITY FUND EXPENDITURES – DK
ACTIVITY FUND MGMT. PROCEDURES – DKA
ACTIVITY FUNDS – DJ
AD VALOREM TAXES – KCB
ADA – ADB
ADDRESS CHANGE – JBCA
ADJOURNED BOARD MEETINGS – BCACA
ADMINISTRATION – SIXTEENTH SECTION – FDD
ADMINISTRATION AND PERSONNEL – ABB
ADMINISTRATION ETHICS – CB
ADMINISTRATION GOALS – CA
ADMINISTRATION IN POLICY ABSENCE – BDG
ADMINISTRATION TIME SCHEDULES – CGPB
ADMINISTRATIVE ASSIGNMENT – CGE
ADMINISTRATIVE COMMITTEES – CL
ADMINISTRATIVE COMPENSATION – CGA
ADMINISTRATIVE CONFLICT OF INTEREST – CP
ADMINISTRATIVE CONSULTANTS – CJ
ADMINISTRATIVE CONSULTING – CGPEA
ADMINISTRATIVE CONTRACTS – CGA
ADMINISTRATIVE COUNCILS – CL
ADMINISTRATIVE EVALUATION – CGI
ADMINISTRATIVE EXPENSES – CGPD
ADMINISTRATIVE HIRING – CGD
ADMINISTRATIVE INTERN PROGRAM – CI
ADMINISTRATIVE LEAVE – GBRI
ADMINISTRATIVE OPERATIONS – CA
ADMINISTRATIVE PERSONNEL – CG
ADMINISTRATIVE POSITIONS – CBG – CGB
ADMINISTRATIVE PROF. DEVELOP. – CK
ADMINISTRATIVE PROF. LEAVE – CGPF
ADMINISTRATIVE PROMOTIONS- CGJ
ADMINISTRATIVE QUALIFICATIONS – CGBA
ADMINISTRATIVE REASSIGNMENT – CGL
ADMINISTRATIVE RECORDS – CN
ADMINISTRATIVE REPORTS – CO
ADMINISTRATIVE RESIGNATION – CGN
ADMINISTRATIVE RETIREMENT – CGO
ADMINISTRATIVE RULES – BDF – CMA
ADMINISTRATIVE SEPARATION – CGM
ADMINISTRATORS – EVALUATION – GBH
ADMINISTRATORS – EVALUATION – GBI
ADMINISTRATORS – ENTRANCE AGE – JBB
ADMINISTRATORS – HOMELESS – JBC
ADMINISTRATORS – LATE ENTRANCE – JBCAB
ADMINISTRATORS – RESIDENCY VERIFICATION – JBC
ADMINISTRATORS – TRANSFERS – JBC
ADOPTION OF BUDGET – DCA
ADOPTION OF MATERIALS – ICA
ADULT EDUCATION PROGRAM – IDG
ADVANCED COLLEGE PLACEMENT – IDCE
ADVERTISING – STUDENT PUBLICATIONS – KJA
ADVERTISING IN SCHOOLS – KI
ADVISORY COMMITTEES – BOARD – BBF
ADVISORY COUNCIL – HEALTH/P.E. – ICI
AIDS/HIV – JGCCA
ALCOHOL IN WORKPLACE – GAX
ALCOHOL TESTING – GAX
ALCOHOL USE – CURRICULUM – JCDACA
ALCOHOL USE – JCDAC
ALL EMPLOYEES POLICIES – GA
ALTERNATIVE EDUCATION – JP
ALTERNATIVE SCHOOL PROGRAM – IDDFB – IFB
AMENDMENT OF POLICIES – BCBFB – BCBFC
ANNUAL AUDIT – BF
ANNUAL OPERATING BUDGET – DC
ANNUAL REPORT – BF
ANOMALOUS STUDENTS – JQA
ARCHITECTS – FEAB
ARREST OF EMPLOYEE – GAHD
ARREST OF EMPLOYEE – GAM
ARREST OF TEACHER – GAHDA
ASBESTOS POLICY – EBBA
ASSIGNMENT – ADMINISTRATIVE – CGE
ASSIGNMENT – LICENSED – GBE
ASSIGNMENT – NON LICENSED – GCE
ASSIGNMENT OF STUDENTS – JBCCA
ASSIGNMENT PROCEDURE – BUS – EDDD
ASSIGNMENT TO SCHOOLS – JBCC
ASSIGNMENTS AND TRANSFERS – GAMA
ASSISTANT TEACHERS – IFBA
ATHLETICS – ELIGIBILITY – IDFA
ATTENDANCE – ADB
ATTENDANCE – COMPULSORY – JBA
ATTENDANCE – JB
ATTENDANCE – PREGNANT STUDENTS – JQM
ATTENDANCE AREAS – AD
ATTENDANCE IN ZONES OF RESIDENCE – JBCCB
ATTENDANCE OF MARRIED STUDENTS – JBCAC
ATTORNEY – BBE
AUDITS – DID
AUTHORITY OF BOARD – ABA
AUTHORITY OF TEACHERS – JD
AUTHORITY TO EXPEL – JDEA
AUTHORITY TO SUSPEND – JDC
AUTHORIZED SIGNATURES – DJAA
AUTHORIZED USE – SCHOOL PROPERTY – ECHB
AUTOMOBILE USE – JGFF
AVERAGE DAILY ATTENDANCE – ADB
AWARDING ACADEMIC CREDIT – IH
AWARDS – DFF
AWARDS – FINANCIAL ASSISTANCE – DFF
AWARDS, RECOGNITION – BBH
BACKGROUND CHECKS – GAAC
BOARD – IDEB
BOARD – JHEAB
BASIC INSTRUCTIONAL PROGRAM – ID
BEGINNING TEACHER SUPPORT PROGRAM – GBF
BELIEF STATEMENTS – IA
BENEFITS OF SUPERINTENDENT – CEE
BEQUESTS AND GIFTS – DFK
BIDDING PROCEDURES – DJED
BIDS – EXEMPTIONS – DJED
BIDS AND QUOTATIONS – BJED
BI-RACIAL ADVISORY COMMITTEE – BBFA
BIRTH RECORDS – JBB
BOARD – PUBLIC PARTICIPATION – BCBI
BOARD – QUORUM – BCBFA
BOARD ADJOURNED MEETINGS – BCACA
BOARD ADVISORY COMMITTEE – BBFA – BBF
BOARD AMENDMENT OF POLICIES – BCBF
BOARD ATTORNEY – BBE
BOARD AUTHORITY – ABA – ABB
BOARD BONDED MEMBERS – BBBBB
BOARD CODE OF ETHICS – BH
BOARD COMPENSATION – BBBE
BOARD CONFLICT OF INTEREST – BHA
BOARD CONSULTANTS – BBG
BOARD EXECUTIVE SESSIONS – BCBK
BOARD FUNCTIONS – BBD
BOARD HARDSHIP EXTENSION – BBBBB
BOARD MEETING – TIME/PLACE – BCBA
BOARD MEETING AGENDA – BCBD
BOARD MEETING PLACE – BCBA
BOARD MEETING PREPARATION – BCBC
BOARD MEMBER – REMOVAL – ABCF
BOARD MEMBER DEV. OPPOR. – BBCC
BOARD MEMBER LEGAL STATUS – ABBA
BOARD MEMBER QUALIFICATIONS – ABCB
BOARD MEMBER SELECTION – ABCA
BOARD MEMBER UNEXPIRED TERM – ABCDA
BOARD MEMBERS DUTIES – BBB
BOARD MEMBERSHIPS – BG
BOARD MINUTES – BCBH
BOARD NEWS MEDIA COVERAGE – BCBI
BOARD NOTIFICATION – BCB
BOARD OF TRUSTEES – AB
BOARD OPERATIONS – BBAB
BOARD ORIENTATION – BBBA
BOARD POLICY – BDE
BOARD POLICY ADOPTION – BDC
BOARD POLICY DEVELOPMENT – B D
BOARD POLICY DISSEMINATION – BDD
BOARD POLICY DRAFTING – BDB
BOARD POLICY IMPLEMENTATION – CM
BOARD POLICY IMPLICATIONS NCLB – BDA
BOARD POWERS AND DUTIES – ABB
BOARD PRESIDENT – DUTIES – BBABA
BOARD PROCEDURES – BBJ
BOARD PUBLIC HEARINGS – BCAE
BOARD PUBLIC RELATIONS – BBD
BOARD RECESS MEETINGS – BCAE
BOARD RECORD S- BE
BOARD REGULAR MEETING – BCAB
BOARD REVIEW OF ADMINISTRATIVE RULES – BDF
BOARD REVISED RULES OF POLICY – BCBC
BOARD ROLES – RESPONSIBILITIES – BBD
BOARD SECRETARY – BBABC
BOARD SUSPENSION OF RULES – BCBFB
BOARD TELECONFERENCE – BCC
BOARD VICE-PRESIDENT – BBABB
BOARD VIDEO MEETINGS – BCB
BOARD/STAFF RELATIONS – SUPT. – BBI
BOARD-COMMUNITY RELATIONS – KC
BOARD-SUPERINTENDENT – DISCIPLINE – BBDB
BOARD-SUPERINTENDENT RELATIONS – BBDA
BOARD – SUPERINTENDENT – CEM
BOARD PAYMENTS – DJG
BOARD REFERENDUM – KCB
BOARD SALES – DFF
BOARD SALES – FACILITY EXPANSION – FFA
BONDED EMPLOYEES – DH
BONDED MEMBERS – BOARD – BBBD
BONDS FOR PTA OFFICERS – LEBA
BOOKBAGS – JCDBB
BOOSTER CLUBS – LEC
Borrowing – SHORTFALL – DFEAB
BREACH OF CONTRACT – ADMINISTRATION – CGA
BREACH OF CONTRACT – GB
BUDGET – ANNUAL OPERATING – DC
BUDGET ADOPTION – KCB
BUDGET PLANNING INVOLVEMENT – GAB
BUDGET PREPARATION – DCA
BUDGET REVISION – DCI
BUDGET TRANSFER – FUNCTIONS – DC
BUILDING AND GROUNDS – EBC
BUILDING SAFETY – EB
BUILDING SECURITY – EBC
BUILDINGS AND GROUNDS MGMT. – EA
BUILDINGS AND BUILDING RECORDS – EBIA
BUS – SPECIAL USE – EDDA
BUS ACCIDENT – JGF
BUS ASSIGNMENT PROCEDURE – EDDD
BUS BEHAVIOR – JCDH
BUS CONTRACT – EDCB – JCDAD
BUS DRIVERS – ED
BUS DRIVERS – RESPONSIBILITIES – JGFG
BUS DRIVERS INSULIN DEPENDENT – EDB
BUS DRIVERS MEDICAL EXAM – EDB
BUS SAFETY PROGRAM – EDC
BUS SCHEDULING AND ROUTING – EDD
BUS TURNAROUND – EDAF
CABINET – ADMINISTRATIVE – CL
CALENDAR – AEA
CAMPAIGNING – JHCB
CAPITALIZATION OF FIXED ASSETS – DPA
CARE OF PROPERTY – JCB
CAREER EDUCATION – IDAD
CAREER TECHNOLOGY – IDAA
CASH IN SCHOOL BUILDINGS – DL
CASH MANAGEMENT – FED. FUNDS – DFCB
CASH RECEIPTS – CONTROL OF – DJA
CENSUS – FEDERAL – DFCA
CENSUS – SCHOOL – DFCA
CENTRALIZED ACTIVITY FUND MGMT. – JEB
CEREMONIES AND OBSERVANCES – IKD
CHARGES – FACILITY USE – EB
CHARTS OF ORGANIZATION – CC
CHECKING ACCOUNTS – DJAA
CHECK-OUT POLICY – JBB
CHEERLEADING – JEF
CHILD ABUSE OR NEGLECT – JGF