

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
June 19, 2025

MISSISSIPPI SCHOOL OF THE ARTS
MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND

- H. Approval of the 2025-2026 Employee Handbook for the Mississippi School of the Arts and the Mississippi School for the Deaf and the Blind

Executive Summary

The document provides policies for the operation of the Mississippi School of the Arts and the Mississippi Schools for the Deaf and the Blind. Contents include human resources, instructional expectations, and financial operational guidelines. The operations policy manuals are updated annually.

Recommendation: Approval

Back-up material attached



Employee Handbook

~~2024~~2025-~~2025~~2026

Table of Contents

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)	6
MSA LEADERSHIP	7
OVERVIEW	8
HISTORY AND PURPOSE.....	8
VISION	9
MISSION	9
HUMAN RESOURCES	10
EMPLOYEE CLASSIFICATIONS	10
TEACHER CERTIFICATION.....	11
TEACHER CONTRACTS	11
EMPLOYEE BACKGROUND CHECKS	13
GRIEVANCE/DUE PROCESS.....	13
EMPLOYEE APPRAISALS	17
ATTENDANCE OF EMPLOYEES.....	17
FAMILY AND MEDICAL LEAVE ACT (FMLA)	19
BENEFITS INSURANCE AND RETIREMENT	26
PAYROLL DEDUCTIONS	27
COMPENSATION	28
REDUCTION IN FORCE	29
OUTSIDE EMPLOYMENT.....	30
CONFLICT OF INTEREST.....	30
CODE OF ETHICS AND PROFESSIONAL CONDUCT	30
ARREST OF EMPLOYEE.....	31
REPORTING ABUSE OR NEGLECT	31
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	32
INAPPROPRIATE CONDUCT WITH STUDENTS.....	33
BULLYING	36
HARASSMENT.....	39
DRESS CODE GUIDELINES	42 41
TELEPHONES/CELL PHONES	49
VISITORS.....	49
POLITICAL ACTIVITY OF STAFF MEMBERS.....	49
DUTIES AND RESPONSIBILITIES OF EMPLOYEES	49
DISCIPLINE GUIDE FOR ALL EMPLOYEES	51
TECHNOLOGY OFFICE AND LOCATIONS.....	53
EDUCATION, SUPERVISION AND MONITORING	54
NETWORK AND COMPUTER USAGE ON CAMPUS	55
PERSONAL COMPUTERS AND PERIPHERAL DEVICES.....	57
MSANET POLICY ENFORCEMENT	58
HARDWARE.....	58
SOFTWARE	59
PRACTICES	59
DEADLINES	60
FORMS AND PUBLICATIONS	60

CUMULATIVE FOLDERS AND PERMANENT RECORDS	61
RECORDS RETENTION.....	61
ASSEMBLIES, EVENTS, & ACTIVITIES	63
PUBLICITY AND PROMOTIONS	63
INDEPENDENT CONTRACTORS	63
CONFERENCES	63
INSTRUCTIONAL EXPECTATIONS	64
TEACHER AS THE AUTHORITY IN THE CLASSROOM	64
CLASSROOM MANAGEMENT	65
PROFESSIONAL DEVELOPMENT	66
LESSON PLANS.....	66
APPROPRIATE CONTENT	66
HOMEWORK.....	67
FIELD TRIPS	67
STUDENT TEACHERS	68
SUBSTITUTE TEACHERS.....	68
ILLNESSES (STUDENT).....	69
MEDICATION ADMINISTRATION TO STUDENTS	70
TEXTBOOKS	70
DUTY STATIONS	71
SPECIAL EDUCATION	71
PLAGIARISM	72
GRADE REPORTING	73
INSTRUCTIONAL WORKDAY	74
SAFETY.....	74
EMERGENCIES.....	74
IDENTIFICATION BADGES	75
ACCIDENTS	75
SEX OFFENDER NOTIFICATIONS.....	76
WEAPONS	76
DRUG AND ALCOHOL FREE WORKPLACE	77
DRUG TESTING	78
SMOKING POLICY	79
WELLNESS.....	79
UNLAWFUL ACTIVITY	80
TERMINATED EMPLOYEE POLICY	80
PARKING—GENERAL	80
PARKING—HANDICAPPED.....	81
FISCAL MANAGEMENT	81
FISCAL MANAGEMENT GOALS AND OBJECTIVES	81
ANNUAL OPERATING BUDGET.....	82
FISCAL YEAR/SCHOLASTIC YEAR.....	82
ANNUAL OPERATING BUDGET PREPARATION PROCEDURES.....	82
PERIODIC BUDGET RECONCILIATION.....	83
LINE ITEM TRANSFER AUTHORITY.....	83
DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS	84
REVENUES FROM SCHOOL PROPERTY.....	84
FEDERAL AID	84
FEDERAL LOANS AND GRANTS	84

GIFTS AND BEQUESTS/DONATED ASSETS	85
INVESTMENT EARNINGS.....	86
DEPOSITORY OF FUNDS.....	86
BONDED EMPLOYEES AND BOARD MEMBERS.....	86
ACCOUNTING AND REPORTING.....	87
INTERNAL CONTROL OF CASH RECEIPTS	87
AUDITS	88
AUTHORIZED SIGNATURES.....	88
CASH IN SCHOOL BUILDINGS	89
SALARY DEDUCTIONS / REDUCTIONS	89
PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS	89
PURCHASING	90
PURCHASING AUTHORITY	90
BIDS AND QUOTATIONS.....	90
PAYMENT PROCEDURES	91
STUDENT ACTIVITIES FUND MANAGEMENT	91
IDEA FUNDS.....	93
TRAVEL	93
FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE.....	95
SCHOOL PROPERTIES DISPOSAL PROCEDURE.....	96
FACILITY USAGE.....	96
WORKSPACES	96
APPENDIX A – Organizational Structure.....	98
APPENDIX B – Teacher Pay Scale.....	100
APPENDIX C – Employee Work Days and Leave Allowances.....	102



The Phoenix—Mississippi School of the Arts’ mascot—is a thing of fire and light, the colors of passion and never- e n d i n g inspiration and creativity. Regardless of cultural interpretation, the phoenix is recognized universally as a thing of excellence and beauty. Each student at the Mississippi School of the Arts holds the same promise. Each individual can be the source of creativity and inspiration. Each administrator, faculty, staff member, and student can share the light...

Mississippi School of the Arts

Mailing Address:

P.O. Box 229, Brookhaven, MS 39602-0229

Street Address:

308 West Cherokee Street, Brookhaven, MS 39601

Phone: (601) 823-1300

Toll Free: 1-866-672-7871

Fax: (601) 823-1555

Website: <http://www.msabrookhaven.org>

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)

The Mississippi SBE (SBE), the Mississippi Department of Education (MDE), and the Mississippi School of the Arts (MSA) do not discriminate on the basis of race, sex, color, religion, national origin, age, or disability in the provision of educational programs and services or employment opportunities and benefits.

The ADA covers employers with 15 or more employees and generally prohibits discrimination against “qualified individuals with disabilities.” A qualified individual with a disability is an applicant or employee who can perform the essential functions of the job in question with or without reasonable accommodation. Disability is defined as: a physical or mental impairment that substantially limits one or more major life activities; a record of such impairment; or being regarded as having such impairment.

The SBE, MDE, and the MSA will reasonably accommodate qualified applicants and employees with disabilities unless making the accommodation imposes an undue hardship on the school. MSA will reasonably accommodate known disabilities. Therefore, employees needing accommodation should speak directly with their supervisor. MSA expects the reasonable accommodation process to be a mutual process by which the School and employee search for a mutually acceptable reasonable accommodation. MSA is also committed to not discriminate against any qualified employees or applicants because they are related to or associated with a person with a disability.

All complaints and inquiries of noncompliance with ADA, Equal Employment Opportunity Commission, or discrimination should be reported to:

School Records Officer, MSA
PO Box 229
Brookhaven, MS 39602
(601) 823-1300

State Board of Education

Mr. Glen V. East, Chair
Mr. Matt Miller, Vice-Chair
Dr. Wendi Barrett
Mr. Bill Jacobs
Mr. Matt Mayo
Dr. Ronnie L. McGehee
Mr. Mike Pruitt
Mrs. Billye Jean Stroud
Mrs. Mary Werner

~~Miss Kate Riddle, Student Representative~~
Mr. Crosby Parker, Student Representative

State Superintendent of Education

Dr. ~~Raymond C. Mergino~~Lance Evans

Chief Academic Officer

~~Dr. Donna Boone~~Ms. Wendy Clemons

MSA Executive Director

Dr. Suzanne Hirsch

MSA LEADERSHIP

Principal – Dr. Avery Peagler
School Finance Officer – Mr. Nicholas Bridge
School Records Officer – Mrs. Arreika Thomas
Director of Advancement – Mrs. Jennifer Jackson
Director of Food Services – Mrs. Adrienne Benson Ashley
Director of Residence Life – Miss Lala Suzanne Noble
Director of Safety, Maintenance, Transportation – Ms. Sandra “Sudie” Palomarez
Technology Coordinator – Mr. Patrick Brown



OVERVIEW

Welcome to the MSA! Throughout time, all people have expressed themselves through the arts. The accomplishments of Mississippi artists are without question, evidenced throughout our state's long history of artistic excellence. By joining the MSA workplace, you will become an important part of that heritage. You have chosen to work at a school where the educational environment's focus is on creative expression, experimentation, and innovation within rigorous disciplines of study. MSA is located on the historic Whitworth College Campus in Brookhaven, about sixty miles south of Jackson. The campus is designated as a Mississippi Landmark and on the National Register of Historic Places. Construction and renovation of campus facilities are ongoing and dependent upon funding for capital improvements. The MSA is a residential school that provides advanced programs of study in dance, literary, media arts, theatre, visual arts, and vocal music, for artistically gifted eleventh and twelfth grade students from throughout Mississippi. An instrumental music program will be added as funding and facilities become available.

This manual, as approved by the SBE, is a publication of the MSA and governs all policies applicable to MSA as it is governed by the SBE. The information in the MSA Operations Policy Manual has been assembled to serve as a guide in providing a safe and orderly environment that is supportive of successful teaching and learning. Use it as a reference, and MSA will add other policy bulletins as they are released.

The administrative staff welcomes questions, suggestions, and discussion of policies and procedures. Please ask for information at any time.

HISTORY AND PURPOSE

The MSA was created by legislative enactment during the 1999 regular session. Miss. Code Ann. §§ 37-140-1 to 37-140-15 authorize the following:

- The MSA shall be a residential school for eleventh and twelfth grade high school students located on the campus of Whitworth College in Brookhaven, Mississippi.
- The SBE shall govern the school.
- The purpose of the school shall be to provide a more challenging educational experience

for artistically talented and gifted students of the state to develop their full potential, including the teaching of humanities, creative writing, literature, theatre, music, dance, and visual arts.

- To the extent possible, the SBE shall enter into agreements with the Board of Trustees of the Brookhaven School District for the dual enrollment of students for the purpose of teaching academic subjects to students attending the school, and the local school board shall be fully authorized to offer any such courses to students attending the school.

VISION

At MSA, we envision a diverse, creative environment that trains and nurtures young Mississippi artists to transform their community and the world. ~~At the MSA, we envision a challenging, dynamic, supportive community of diverse learners where artists imagine, create, and realize a better world in which to live and work.~~

MISSION

The mission of the MSA is to develop the next generation of artists by providing an innovative education in a residential environment for talented and creative Mississippi students. ~~provide a challenging academic and arts education for artistically gifted and talented Mississippi students in a residential learning environment that promotes honor, integrity, service, and life long learning.~~

SCHOOL COLORS AND MASCOT

The school colors are red and black. The phoenix is the school mascot.

EXPECTATIONS FOR POLICY AND PROCEDURE COMPLIANCE

All certified and non-certified personnel, both exempt and non-exempt, are responsible for knowing and enforcing the policies and procedures set forth in this manual.

MSA employees are all expected to follow the Mississippi Educator Code of Ethics and Standards of Conduct as established by the Mississippi Department of Education, which is available on the website at: https://www.mdek12.org/sites/default/files/documents/code-of-ethics_final.pdf

DEFINITIONS

MSA – Mississippi School of the Arts

SBE – State Board of Education

SBE Subcommittee – The authorized body by Miss. Code Ann. § 37-140-5(6) to approve and expedite approval needs for the MSA.

HUMAN RESOURCES

EMPLOYEE CLASSIFICATIONS

FULL-TIME EMPLOYEE - A full-time employee is an individual whose employment is for no definite term and who is scheduled to work 40 hours per week on a regular basis. For an employee to be eligible for insurance benefits, he/she must work a minimum of 20 hours per week.

CLASSIFIED EMPLOYEE – Classified non-instructional personnel are “at-will” employees whose duties do not require a certificate (or license) issued by the MDE. Classified employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or employer.

CERTIFIED EMPLOYEE – Certified employees are personnel who possess a license issued by the MDE.

PART-TIME EMPLOYEE - A part-time employee is an individual whose employment is for no definite term and who is scheduled to work less than 20 hours per week on a regular basis. Part-time employees are not eligible for benefits.

TEMPORARY EMPLOYEE – On occasion, MSA may utilize the services of employees to temporarily supplement the workforce or help complete a specific project such as auditions. Temporary employees are not eligible for any benefits or comp time.

NON-EXEMPT EMPLOYEES – Employees who are required to document time worked are eligible for comp time and/or overtime (i.e. comp/or overtime are calculated time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek) in accordance with applicable state and federal law. All non-exempt employees shall have prior approval by the superintendent for hours worked in excess of the normal work week. Only budgeted days will be worked.

EXEMPT EMPLOYEES – Employees who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond 40 hours in a work week. Administrators, managers, teachers, professional employees, technology, and certain employees in administrative positions are exempt.

EXEMPT CLASSIFIED EMPLOYEES - MSA recognizes that all professional employees work beyond regular school hours on a regular basis, and the school district acknowledges and appreciates the dedication of its professional employees. However, professional employees are exempt and are not eligible for overtime.

NON-EXEMPT EMPLOYEES - The workweek for full-time employees shall not exceed forty

(40) hours. MSA encourages the completion of assigned tasks during the regular workday. Non-exempt employees are not to work overtime without prior approval from the Executive Director. Comp time shall have prior approval from Executive Director/Immediate Supervisor, can be accumulated but shall be used by the last working day in June of the current fiscal year, and can only be used when approved by Executive Director/Immediate Supervisor. Each supervisor shall maintain accurate records of all hours worked by each employee supervised and ensure that all comp time is taken by the last working day in June of the current fiscal year. Comp Time does not roll over from year to year.

TEACHER CERTIFICATION

MSA requires that all teachers be certified by the MDE and “highly qualified.” For more information about mandated teacher qualifications, see the MDE website or call the Office of Teacher Licensure. All teachers shall ensure that their teaching certificates remain current.

Parents have a right to know the educational credentials and experience of their child’s teachers. Therefore, to provide this information in an easily accessible venue, an abbreviated résumé for each faculty and administrative staff member will be posted on the MSA website. The information should include degree(s), major and minor subject area(s), years of experience, awards, publications, and specific school assignments (e.g., Student Government Sponsor, and Club Sponsor). A recent photograph should be included.

TEACHER CONTRACTS

The Executive Director 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 SBE. Such contracts shall be in such form as shall be prescribed by the SBE and shall be executed in 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 with whom the MSA has contracted. The contract shall show the name of the MSA, the length of the school term, the position held (whether an assistant superintendent, principal, or licensed employee), the scholastic years which it covers, and 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 SBE, but, as to the licensed employees paid under the Mississippi Adequate Education Program, such salary shall not be less than that required under the provisions of Miss. Code Ann. § 37-19-7.

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 superintendent (other than those elected), principal, 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/her for execution, then, at the option of the school board, the election of the licensed employee and the contract tendered to him/her shall be void and of no effect.

Miss. Code Ann. § 37-9-23

RELEASE FROM CONTRACT

Any licensed employee at MSA who is under contract to teach or perform other duties and who desires to be released from such contract shall make an application in writing to the Principal for release there from, clearly stating the reasons for such requested release. If the Principal, Executive Director, and the SBE/SBE Subcommittee act favorably upon such application for release, such licensed employee shall be released from his/her contract and said contract shall be null and void on the date specified in the SBE/SBE Subcommittee's order. It must be noted, no employee is considered for release from said contract before a suitable replacement has been found.

Miss. Code Ann. § 37-9-55

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 there from as provided in Miss. Code Ann. § 37-9-55, the contract of such licensed employee shall be null and void. In addition, the license of such licensed employee may be suspended by the SBE for a period of one (1) school year as provided in Miss. Code Ann. § 37-3-2(12)(a) upon written recommendation of the majority of the members of this SBE subcommittee assigned to MSA.

Miss. Code Ann. § 37-9-57

NOTICE OF REEMPLOYMENT OF PRINCIPAL

On or before March 1 of each year, the principal shall be given notice of non-renewal of a contract for a successive year.

REEMPLOYMENT OF TEACHERS

On or before April 15, or within ten (10) calendar days after the Governor approves the appropriation bill for funding K-12 education (whichever date is later), teachers and other administrators shall be notified of non-renewal for a successive year. Licensed employees that do not have a valid license on or before April 15 for the successive year will not be offered a contract for a successive year.

REEMPLOYMENT DENIAL (LICENSED EMPLOYEES ONLY)

If a recommendation is made by the MSA not to offer a renewal contract to a licensed

employee for a successive year, the employee is entitled to an opportunity for a hearing (if requested in writing within ten (10) days of receipt of notice) as cited in the “Education Employment Procedures Law of 2001.”

Miss. Code Ann. § 37-9-101 through Miss. Code Ann. § 37-9-113

EXCLUDED EMPLOYEES

Licensed employees who have not been with the MSA for two continuous years, or one year with the MSA and two continuous years of employment in a Mississippi public school district are not entitled to the protections of this law.

Miss. Code Ann. § 37-9-101; Miss. Code Ann. § 37-9-105; Miss. Code Ann. § 37-9-109
MSBA: Education Employment Procedures Law Handbook

EMPLOYEE BACKGROUND CHECKS

According to state law, all new hire licensed and non-licensed employees shall have (at the employees’ expense) a criminal record check performed by the FBI and the State CIC center. This bill requires that fingerprint cards be taken and submitted as part of the background check. The cost to process these cards and conduct the background check will not exceed \$50 per applicant. In addition, background checks for financial impropriety may be conducted per the policy of the MDE. Background checks will be reviewed by the Executive Director and School Finance Officer. They will be placed in the employee’s permanent file maintained in the administrative offices of the MSA.

Miss. Code Ann. § 37-9-17

GRIEVANCE/DUE PROCESS

NON-CERTIFIED PERSONNEL

Non-certified MSA full-time and part-time employees serve at the will and pleasure of the SBE and the MSA Executive Director. Therefore, these MSA employees have no property rights in terms of employment. All complaints should be addressed to the School Finance Officer. Further appeals or grievances will be reported to the Executive Director at the MSA. Any grievances against the Executive Director will be reported to the School Finance Officer who will submit them to the MDE Chief Academic Officer for review.

All supervisors are responsible for monitoring hourly part-time employees and submitting timesheets on a bi-weekly basis. Directors shall check each employee's time sheet for accuracy in the number of hours worked and rate of pay. Directors should initial the form before submitting it to the Administrative Assistant who submits it to the Executive Director for processing and approval. It is the Director’s responsibility to ensure that part-time employees work no more than 39 hours in a single week and that the total number of hours worked does not exceed the total budgeted amount. Directors will maintain a spreadsheet to ensure that

employee time is accurately reflected in all documentation.

MSA part-time workers who return in a new fiscal year shall submit a new PERS form. If any personal contact information has changed (e.g., address or name change), new tax forms shall be submitted before a contract can be issued. All part-time employees shall have a full criminal background check through fingerprinting upon hire. There can be no break in service without requiring a new criminal background check.

Licensed Personnel Suspension/Dismissal Due Process

The Executive Director may dismiss or suspend any licensed employee for incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil, or other good cause. Before being dismissed or suspended, any licensed employee shall be notified of the charges against him/her and advised that he/she is entitled to a public hearing upon said charges. Notification of charges and hearing procedures shall follow the procedure as prescribed by law.

Provided, however, that the Executive Director whose employment has been terminated under Miss. Code Ann. § 37-9-59 shall not have the right to request a hearing before the SBE.

Provided, however, that a licensed employee in a conservator school district whose employment has been terminated under this section for good cause as determined by a conservator appointed by the SBE shall not have a right to request a hearing before the SBE. The conservator has the right to immediately terminate a licensed employee under Miss. Code Ann. § 37-9-59.

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 Executive Director, may interfere with or cause a disruption of normal school operations, the Executive Director 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.

The SBE or hearing officer or designee, upon a request for a hearing by the person so suspended or removed shall set a date, time and place of such hearing and notify the employee in writing of the same. The hearing date shall be not sooner than five (5) days nor later than thirty (30) days from the date of the request unless otherwise agreed. The procedure for such hearing before the SBE or hearing officer are prescribed in accordance with Miss. Code Ann. § 37-9-111 and included in this policy. 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 in Miss. Code Ann. § 37-9-113, which is also included in this policy. 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 Miss. Code Ann. § 37-9-59, said employee shall be entitled to compensation for a period up to and including the date that the initial hearing is set by the SBE, in the event that there is a request for such a hearing by the employee. If 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.

The SBE is hereby prohibited from denying employment or reemployment to any person as a superintendent, principal, or licensed employee, as defined in Miss. Code Ann. § 37-19-1, or as a noninstructional personnel, as defined in Miss. Code Ann. § 37-9-1, for the single reason that any eligible child of such person does not attend MSA in which such superintendent, principal, licensed employee or noninstructional personnel is employed.

The provisions of this section shall be fully applicable to any administrator or employee of the MSA.

Hearing, Notice, Procedures, and Evidence

The SBE, or its designee, upon request for a hearing under Miss. Code Ann. § 37-9-59 or Miss. Code Ann. §§ 37-9-101 through 37-9-113, shall set the time, place and date of such hearing and notify the employee in writing of same. The date shall be set not sooner than five (5) days nor later than thirty (30) days from the date of the request, unless otherwise agreed. The hearing may be held before the SBE or before a hearing officer appointed for such purpose by the SBE, either from among its own membership, from the staff of the MSA or some other qualified and impartial person, but in no event shall the hearing officer be the staff member responsible for the initial recommendation of nonrenewal. No hearing officer may have an interest in the outcome of a hearing, nor may a hearing officer be related to a SBE member, any administrator making the recommendations of nonrenewal, or the employee. Once a hearing officer is appointed, no *ex parte* communications may be made regarding any substantive provisions of the hearing.

The hearing shall be held in executive session unless the employee elects to have a public hearing. If an employee makes this election, however, the SBE or the hearing officer, as the case may be, may order any part of the hearing to be held in executive session, if, in the opinion of the SBE or the hearing officer, the testimony to be elicited deals with matters involving the reputation or character of another person. Notwithstanding the election by an employee for a public hearing, any testimony by minor witnesses shall be held in executive session and considered confidential personnel records and confidential student records, subject to an expectation of reasonable privacy and confidentiality. Public disclosure of these records may be by court order only.

MSA shall present evidence, either in written or oral form, at the hearing in support of its recommendation for nonrenewal.

The employee shall be afforded an opportunity to present matters at the hearing relevant to the reasons given for the proposed nonrenewal determination and to the reasons the employee alleges to be the reasons for nonrenewal and to be represented by counsel at such a hearing. Such hearing shall be conducted in such a manner as to afford the parties a fair and reasonable opportunity to present witnesses and other evidence pertinent to the issues and to cross-examine witnesses presented at the hearing. The SBE or the hearing officer may require any portion of the evidence to be submitted in the form of depositions or affidavits, and in case affidavits are received, an opportunity to present counter-affidavits shall be provided.

The SBE shall cause to be made stenographic notes of the proceedings. In the event of a judicial appeal of the SBE's decision, the entire expense of the transcript and notes shall be assessed as court costs.

The SBE shall review the matters presented before it, or, if the hearing is conducted by a hearing officer, the report of the hearing officer, if any, the record of the proceedings and, based solely thereon, conclude whether the proposed nonrenewal is a proper employment decision, is based upon a valid educational reason or noncompliance with MSA personnel policies and is based solely upon the evidence presented at the hearing, and shall notify the employee in writing of its final decision and reasons therefor. Such notification shall be within thirty (30) days of the conclusion of the hearing if the hearing is conducted by a hearing officer and within ten (10) days of the conclusion of the hearing if the hearing is initially conducted by the SBE. If the matter is heard before a hearing officer, the SBE shall also grant the employee the opportunity to appear before the Board to present a statement in his/her own behalf, either in person or by his/her attorney, prior to a final decision by the Board.

In conducting a hearing, the SBE or hearing officer shall not be bound by common law or by statutory rules of evidence or by technical or formal rules of procedure except as provided in Miss. Code Ann. §§ 37-9-101 through 37-9-113, but may conduct such hearing in such manner as best to ascertain the rights of the parties; however, hearsay evidence, if admitted, shall not be the sole basis for the determination of facts by the SBE or hearing officer.

In the event the decision of the SBE is in favor of the employee, the SBE shall have the authority to order the execution of a contract with the employee for an additional period of one (1) year.

For purposes of conducting hearings under Miss. Code Ann. §§ 37-9-101 through 37-9-113, the SBE or hearing officer shall have the authority to issue subpoenas for witnesses and to compel their attendance and the giving of evidence. Any expense connected therewith shall be borne by the party requesting the subpoenas, which shall include an appearance fee for each witness so subpoenaed not inconsistent with state laws governing payments to witnesses. In the event it is necessary to enforce or to quash a subpoena issued to compel the attendance of a witness, application shall be made with the chancery court of the county where the SBE is located.

Mississippi Code Annotated § 37-9-111 shall not be applicable to a superintendent whose employment has been terminated by the Board under Miss. Code Ann. § 37-9-59, or whose employment contract has not been renewed by the SBE.

Appeal Rights

Any employee aggrieved by a final decision of the SBE is entitled to judicial review thereof, as hereinafter provided.

An appeal may be taken by such employee to the chancery court of the judicial district in which the SBE is located, by filing a petition with the clerk of that court and executing and filing bond payable to the SBE with sufficient sureties, in the penalty of not less than Two Hundred Dollars

(\$200.00), conditioned upon the payment of all of the costs of appeal, within twenty (20) days of the receipt of the final decision of the SBE.

The scope of review of the chancery court in such cases shall be limited to a review of the record made before the SBE or hearing officer to determine if the action of the SBE is unlawful for the reason that it was:

- (a) Not supported by any substantial evidence;
- (b) Arbitrary or capricious; or
- (c) In violation of some statutory or constitutional right of the employee.

No relief shall be granted based upon a court's finding of harmless error by the SBE in complying with the procedural requirements of Miss. Code Ann. §§ 37-9-101 through 37-9-113. However, in the event that there is a finding of prejudicial error in the proceedings, the cause shall be remanded for a rehearing consistent with the findings of the court.

Any party aggrieved by action of the chancery court may appeal to the Supreme Court in the manner provided by law.

References: *Miss. Code Ann. § 37-9-59*
Miss. Code Ann. § 37-9-111
Miss. Code Ann. § 37-9-113

EMPLOYEE APPRAISALS

Using an internal performance appraisal instruments, full-time non-certified employees will be formally evaluated at least once per year. The statewide evaluation systems for teachers, librarians, counselors, and principals will be used for the certified academic staff. Evaluation will be based on observations at primary job posts and as part of the school wide team. Supervisors will meet with all employees in accordance with deadlines mandated for the appraisal systems for review of prior performance and goal setting for the upcoming year. The appraisal instruments are job related to performance in a residential school and departmental context. Appraisals will be utilized to assist supervisors in better serving employees through professional development, improvement plans, or continuation of employment. Habitual disregard for policies, processes, and procedures established by the MSA may result in written reprimands and further consequences as outlined by the MSA Standard Operating Procedures Manual. At the beginning of each academic year, procedures, policies, and processes are reviewed with employees. Inconsistent paperwork, untimeliness, or behavior problems will be reprimanded appropriately.

ATTENDANCE OF EMPLOYEES

The following guidelines and procedures should be followed by all administrative and supervisory personnel regarding the attendance of MSA employees throughout the year. In addition, the

guidelines should be reviewed during the evaluation process and incorporated into employee evaluations.

1. All employees of the MSA are expected to be at work, on time, every scheduled workday. Employees contribute to achieving the mission and the education of the student body. The success of the MSA depends upon each employee doing what is expected, including maintaining an acceptable attendance record.
2. It is important that all employees be treated equitably with respect to the monitoring of attendance.
3. Excessive absenteeism adversely affects overall operations by placing added pressure or burdens on employees who are at work on a regular basis and by requiring administrative time and costs to cover for employees who are absent.

CATEGORIES OF ABSENCES

All absences will be classified into two categories as follows:

1. Excused - Absences that do not count against an employee's attendance record include any pre-approved vacation, personal leave, bereavement leave, military or uniformed services leave, family and medical leave (as designated under our FMLA policy), jury duty, disability accommodation leaves of absence, or worker's compensation leave.
2. Unexcused. All remaining absences are classified as counting against an employee's attendance record.

TARDINESS

Promptness in arriving at work is expected from all employees. Tardiness has a negative effect on operations, just as absenteeism does. Not returning promptly from breaks or lunch is considered an instance of tardiness. Excessive tardiness may result in disciplinary action, action plans, and/or termination.

ATTENDANCE GUIDELINES

1. All employees are to report as scheduled by their supervising Director/Principal and/or the Executive Director.
2. Employees who are going to be absent due to illness shall notify their supervising Director/Principal, the Executive Director, or a designee as soon as possible.
3. Employees who will be late for any reason shall contact their supervisor or Executive Director so arrangements can be made for a substitute until the employee arrives on campus. Employees shall speak directly to a Director/Principal/Executive Director.

4. Employees who arrive after the scheduled time or have problems relative to timely arrival for scheduled duties shall, on that day, provide the office with a written, dated explanation of the reason for failure to arrive on time.
5. Employees may not leave campus during duty hours without the permission of their supervising Director/Principal, Executive Director, or a designee.
6. Employees should refrain from taking leave for vacations when it directly impacts the functionality of MSA.
7. Employees should refrain from scheduled absences on the days immediately prior to or after a holiday.
8. Excessive absences may be denied in accordance with the MSA policies. If employee is believed to be using medical leave to circumvent the vacation day policy, a medical excuse may be required by the administration.
9. If an employee departs from MSA prior to the end of his/her first full year, he/she forfeits payment for unused leave.

All employees may be expected to be present during registration, open house events, graduation, state testing, and other special activities that may be assigned.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. DEFINITIONS

1. An “eligible employee” is an employee of a covered employer who: (a) has been employed for at least 12 months and (b) has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave, and (c) is employed at a worksite at which the employer employs at least 50 employees within 75 miles of the worksite.
2. “Employee’s spouse” means husband or wife as defined by Mississippi Law.
3. “Employee’s son or daughter” means biological child, adopted child or foster child, a stepchild, legal ward, or the child for whom the employee is standing in loco parentis, who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
4. “Employee’s parent” means biological parent, adoptive, step or foster father or mother, or any other individual who stood (or now stands) in loco parentis to an employee when the employee was a child (not to include parents-in-law).
5. “Employee’s immediate family member” means spouse, son or daughter, grandchild, or

parent as defined herein above.

6. For the purposes of FMLA “serious health condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care (overnight stay) in a hospital, hospice or residential medical care facility, or continuing treatment by a healthcare provider.
7. “Healthcare provider” means a licensed medical physician, nurse practitioner, dentist, psychologist, and chiropractor.

B. LEAVE PROVISIONS

An eligible employee is entitled to 12 unpaid work weeks (60 workdays) during any 12-month (beginning from the first day of the leave) period for any one or more of the following reasons:

1. The birth of a son or daughter, and to care for the newborn child (within 12 months of birth).
2. The placement of a child with the employee for adoption or foster care (within 12 months of the placement).
3. To care for the employee’s spouse, son, daughter, or parent with a serious health condition (not “parent-in-law”).
4. The employee’s own serious health condition which makes the employee unable to perform the function of his/her job.
5. MSA encourages any person taking FMLA leave to utilize all paid leave benefits as part of the 12 weeks of leave. This use of paid leave does not extend the 12 weeks of FMLA leave and is taken concurrently not consecutively while on leave.
6. The 12-month period is defined as a “rolling” year, that is, that the 12-month eligibility period begins on the date leave is first taken.

C. NOTICE REQUIREMENTS

1. Employees shall provide MSA at least thirty (30) days advance notice before FMLA leave is to begin if the need for the leave is foreseeable, based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or family member.
2. Due to lack of knowledge or a medical emergency, notice shall be given as soon as practicable, which means as soon as both practical and possible or at least verbally within one or two working days when the need for leave becomes known to the employee. This verbal notice is to be followed by written notice.
3. Failure to give 30 days’ notice for foreseeable leave may result in the denial of FMLA leave

until at least 30 days after the date the employee provides notice.

D. REQUIRED CERTIFICATION

Eligible employees shall provide MSA certification of a serious health condition for himself/herself or a family member. The certification, to be signed by the health care provider, shall be attached to the required written notice or submitted in a timely manner which shall be no more than fifteen (15) working days after providing written notice. No leave period may begin without the approval of the Executive Director or designee. No approval shall be granted by the Executive Director or designee without the required written notice and certification.

E. THE CERTIFICATION IS TO INCLUDE THE FOLLOWING:

1. The date on which the serious health condition in question began.
2. The probable duration of the condition.
3. Appropriate medical facts regarding the condition.
4. A statement that the employee is needed to care for a spouse, parent, or child (along with an estimate of the time required), or that the employee is unable to perform his/her functions, and, in the case of intermittent leave, the duration of treatment to be given.
5. Signature (not stamped) of healthcare provider. MSA may require that a second opinion be obtained at the MSA's expense. The second opinion may not be provided by a healthcare provider employed by MSA. In the event of conflicting opinions, MSA may pay for a third and final provider to offer a binding decision. MSA may require subsequent written re-certification on a reasonable basis.

F. EMPLOYMENT BENEFITS PROTECTION

1. An employee who completes a period of leave and has complied fully with the terms of this policy shall be returned either to the same position he/she had before taking leave or to a position which is genuinely equivalent (as compared to comparable or similar job) in pay, benefits, and other terms and conditions of employment.
2. Taking of leave shall not result in the loss of any previously accrued seniority or employment benefits. Except for health benefits, no other benefits will accrue during the leave period.
3. Health benefits shall continue through an employee's 12-week leave period. The district may recover health coverage premiums paid for an employee who fails to return from leave, except no recovery will be made from an employee who fails to return from leave if the reason is the continuation, recurrence, or onset of a serious health condition or something else beyond the employee's control.

4. Special rules for taking leave by an instructional employee exist for leave taken near the end of a semester. In general, MSA may require that more leave be taken than desired, depending on the length of leave sought and the timing in proximity to the end of a semester. If this situation occurs, the Executive Director or designee will advise as to these requirements. The reason for this is that a contract would be required for a long-term substitute.

G. MILITARY FAMILY LEAVE

A “covered military member” means the employee’s spouse, son, daughter, or parent on active duty or call to active duty status.

A “son or daughter on active duty or call to active duty status” means the employee’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and of any age.

“Active duty or call to active duty status” means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to 10 U.S.C. § 668 or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

A “serious injury or illness” means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

“Outpatient status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. To care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.

A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.” The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative

as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember.

Employees are eligible to take FMLA leave because of a qualifying exigency when the covered military member is on active duty or call to active duty status in support of a contingency operation pursuant to one of the provisions of law identified above. An employee whose family member is on active duty or call to active duty status in support of a contingency operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

A call to active duty for purposes of leave taken because of a qualifying exigency refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States pursuant to one of the provisions of law identified in support of a contingency operation.

The active duty orders of a covered military member will generally specify if the servicemember is serving in support of a contingency operation by citation to the relevant section of United States Code and/or by reference to the specific name of the contingency operation.

An eligible employee is entitled to 26 work weeks of leave to care for a covered service member with a serious injury or illness during a "single 12-month period."

The "single 12-month period" described above begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date, regardless of the method used by the employer to determine the employee's 12 workweeks of leave entitlement for other FMLA-qualifying reasons. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered servicemember during this "single 12-month period," the remaining part of his or her 26 work weeks of leave entitlement to care for the covered servicemember is forfeited.

The leave entitlement described above is to be applied on a per-covered-servicemember, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than

26 work weeks of leave may be taken within any “single 12-month period.” An eligible employee may take more than one period of 26 work weeks of leave to care for a covered servicemember with more than one serious injury or illness only when the serious injury or illness is a subsequent serious injury or illness. When an eligible employee takes leave to care for more than one covered servicemember or for a subsequent serious injury or illness of the same covered servicemember, and the “single 12-month periods” corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 work weeks of leave in each “single 12-month period.”

An eligible employee is entitled to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the “single 12-month period,” provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee’s own serious health condition; or because of a qualifying exigency. Thus, for example, an eligible employee may, during the “single 12-month period,” take 16 weeks of FMLA leave to care for a covered service member and 10 weeks of FMLA leave to care for a newborn child. However, the employee may not take more than 12 weeks of FMLA leave to care for the newborn child during the “single 12-month period,” even if the employee takes fewer than 14 weeks of FMLA leave to care for a covered service member.

In all circumstances, including for leave taken to care for a covered servicemember, the employer is responsible for designating leave, paid or unpaid, as FMLA-qualifying, and for giving notice of the designation to the employee. In the case of leave that qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition during the “single 12-month period,” the employer must designate such leave as leave to care for a covered service member in the first instance. Leave that qualifies as both leave to care for a covered service member and leave taken to care for a family member with a serious health condition during the “single 12-month period” must not be designated and counted as both leave to care for a covered service member and leave to care for a family member with a serious health condition. As is the case with leave taken for other qualifying reasons, employers may retroactively designate leave to care for a covered service member.

A husband and wife who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 26 work weeks of leave during the “single 12-month period” if the leave is taken for birth of the employee’s son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee’s parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness. This limitation on the total weeks of leave applies to leave taken for the reasons specified as long as a husband and wife are employed by the “same employer.” It would apply, for example, even though the spouses are employed at two different worksites of an employer located more than 75 miles from each other, or by two different operating divisions of the same company. On the other hand, if one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full 26 work weeks of FMLA leave.

NON-QUALIFYING FMLA LEAVE REQUEST

An employee who does not qualify for leave based on the Family Medical Leave Act (FMLA) of 1993 may take a leave of absence up to 20 business days. The employee may be responsible for timely payments of all insurance premiums while on approved leave of absence.

GENERAL PROVISIONS: To qualify for temporary medical leave of absence the following shall apply:

1. An employee anticipating an absence of five days or more must apply for leave of absence with the administration prior to the absence or within seven (7) business days of the first day of absence.
2. New employees reported to work on the first day of employment.
3. The employee does not qualify for FMLA based on the following criteria:
 - a. Employee has not been employed with MSA for at least 12 months;
 - b. Employee has not worked for MSA at least 1250 hours.
4. Qualifying for the leave of absence follows the same criteria and procedure as described in FMLA regulations.
 - a. Birth of a child and/or to care for a newborn child of the employee.
 - b. Placement with the employee of a child through adoption.
 - c. Care for the employee's spouse, dependent child, or parent of the employee who has a serious health condition.
 - d. A serious health condition that renders the employee unable to perform the function of his/her job.
5. All leave of absences require final approval of the Executive Director.
6. Failure to return to work on the determined return-to-work day will be considered as a resignation by the employee.
7. The employee must use any available accrued paid leave concurrently with the leave of absence. Otherwise, compensation will not be paid during leave.
8. The leave of absence must be used continuously and can only be used once per fiscal year. It will not be available for intermittent use.

PROCEDURES:

1. A request for leave of absence must be made on the Request for Leave of Absence Form having the approval of the Principal/Supervisor and the Executive Director.
2. Medical documentation supporting the request must be provided to the Executive Director's Office within five (5) days of the request for leave.
3. The Request for Leave of Absence form must be filed in the employee's personnel file.
4. The Principal/Supervisor must be notified of the expected date the employee returns. The employee must provide documentation from the physician stating the employee's return to work date before returning to work.

BEREAVEMENT LEAVE

Three (3) days of paid bereavement leave is offered for employees in the event of death of an immediate family member as defined above. The days are meant to allow for making funeral/memorial service arrangements, travel/attendance of funeral/memorial service, resolving matters of inheritance or personal mourning. These three days shall be taken in the first month of the death and documentation is required. This leave is not banked if unused. If the employee needs additional time, it may be granted but it will be from the employees paid time off or unpaid leave depending upon the employee leave balance.

BENEFITS INSURANCE AND RETIREMENT

MSA is interested in the health and well-being of both employees and their families. This section briefly describes each district-sponsored employee benefit program. Employees receive summary plan descriptions, which describe certain benefit programs in greater detail. The plan description and official plan documents (such as insurance master contracts) contain information regarding eligibility requirements, coverage limits, deductibles, premiums, and fees. Employees are expected to read the plan descriptions carefully to understand rights and responsibilities. Should a conflict exist between the official benefit plan documents and this manual or the plan descriptions, the official plan documents will control in all cases.

MSA reserves the right, at its sole and absolute discretion, to rescind or amend benefits, to change insurance carriers, or to require a change in employee contributions toward premium costs, deductibles, or co-payments. MSA may make such changes at any time, for any reason; financial necessity is not required. Employees will be promptly notified of any such changes. While MSA's intent is to continue offering the sponsored benefit programs, it cannot guarantee that such benefits will always be available. MSA offers the following benefits to regular full-time employees. Part-time employees may or may not be eligible for these benefits based on the individual plan requirements:

MEDICAL INSURANCE - MSA participates in the State of Mississippi health insurance plan for school employees. Information regarding the options available to school employees may

be obtained by contacting the Benefits Specialist in the administrative office.

CAFETERIA PLAN - MSA participates in the Section 125 Flexible Benefit Plan, commonly known as the cafeteria plan. Participation by employees in the cafeteria plan is optional. Additional information regarding the cafeteria plan is available in the administrative office.

RETIREMENT PLAN - All regular full-time employees shall participate in the Mississippi Public Employees' Retirement System. Current Mississippi law requires eight (8) years of service as of July 1, 2007, for vested interest. Twenty-five (25) years are required for less than sixty (60) years of age for full retirement benefits without penalty. If hired after July 1, 2011, thirty (30) years are required for less than sixty (60) years of age for full retirement benefits. Employees desiring more specific information regarding their retirement should contact the Mississippi Public Employees' Retirement System.

COBRA - If the employee, the employee's spouse, or the employee's dependents lose group health insurance coverage due to employment termination or any other "qualifying event," any and all may be eligible to elect continuation of group health coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA entitles employees and their dependents to elect or decline continued group health insurance coverage upon a "qualifying event." Under federal law, a qualifying event is an event that would ordinarily cause an employee, spouse, or dependent to lose group health insurance coverage. Qualifying events include termination of employment, retirement, discharge for poor performance, reduction of work hours, death of a covered employee, divorce, or legal separation from a covered employee, losing "dependent child" status, or Medicare eligibility. Employees discharged for gross misconduct may not be eligible for continuation benefits. Employees and dependents are responsible for notifying the MSA Administrative Office immediately following any qualifying event and upon any change in address of the employee and/or dependents. Employees and dependents who elect continued coverage following a qualifying event will be required to pay 100% of the applicable premium coverage cost plus any applicable administration fees. The covered individual has sixty (60) days to elect coverage from the date of notification. If the covered individual chooses to continue coverage and pays all premiums, benefits will be continued for 18 months. A covered employee, spouse, or dependent who is disabled (according to the Social Security Administration) at the time of the qualifying event may be eligible to continue coverage for up to 29 months. An employee's covered spouse or dependent may be able to continue coverage up to 36 months in the event the covered employee dies, becomes entitled to Medicare, divorces or legally separates from the spouse, or the dependent child ceases to qualify as a dependent under the District's insurance plan provisions. In the event of a second qualifying event occurring during the period of coverage for an original event, the period of coverage will be extended to 36 months from the date of the original qualifying event. Employees may obtain additional information about COBRA from MSA Administrative Office.

PAYROLL DEDUCTIONS

The law requires payroll deductions to cover federal, state, and local income taxes and Social Security/Medicare (FICA) and retirement. These deductions are made automatically. Other deductions for other programs will be made upon a written authorization by the employee and

with the approval of the MSA.

Deductions can be made for health, life, and salary protection insurance. All requests for changes in deductions shall be submitted, in writing, prior to the 1st of each month. Deductions may also stem from garnishments. When a garnishment is imposed, the administration of MSA complies by withholding a percentage of the employee's salary, as mandated by law. It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, we prohibit any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the MSA does not allow deductions that violate the FLSA. Deductions from exempt employees' salaries are prohibited, except as allowed by applicable law.

COMPENSATION

Employees of MSA are paid on the last working day of the calendar month. Each employee is responsible for reviewing his/her pay and notifying his/her supervisor if any errors are noted. Teachers are paid based upon an approved salary scale and are contracted for specified days each year, with payment distribution over twelve months. No payment will be made to any contracted personnel without an executed contract in place. All salaries are within the scale as deemed appropriate for the job descriptions aligned with the Mississippi State Personnel Board and are subject to final approval by the SBE/SBE Subcommittee.

WORKER'S COMPENSATION - It is MSA's goal to provide a safe work environment. Each employee shall comply with all occupational safety, health policies and standards. Should an accident occur, the employee shall report any injury or illness, no matter how minor it may seem, immediately to the Supervisor. The supervisor shall report the incident to the Workers' Compensation Coordinator. Failure to do so may jeopardize eligibility for workers' compensation. Employees are covered against certain loss of earnings due to injuries on the job by a workers' compensation insurance policy furnished by MSA.

No compensation will be allowed for an injury, illness, or death due to willful misconduct, intentional self-inflicted injury, intoxication, or willful failure or refusal to use safety devices or lack of compliance with prescribed safety procedures. The payment of medical bills and compensation payments will be in accordance with all applicable workers' compensation laws.

If an employee suffers an occupational injury or illness, the following steps should be taken:

1. Any necessary first-aid treatment should be administered.
2. When physically able, the employee should immediately report the injury or illness to his or her Supervisor or Principal.
3. Both the employee and supervisor shall complete a Report of Accident/Injury form within the first hour of the accident. If medical attention is required, the employee may be seen by a medical doctor or facility approved by MSA, unless in an emergency.

4. Medical facilities will need a claim number to administer treatment. The insurance company will not provide a claim number without the Accident/Injury form. These forms are available from the employee's supervisor or on the district website under "Staff Documents." Both forms shall be signed and dated by the supervisor and forwarded to the Workers' Compensation Coordinator in the Business Office as soon as possible.

UNEMPLOYMENT COMPENSATION - Employees are not eligible for unemployment benefits in the summer months between school terms. An employee hired during the school term that has reasonable assurance of employment for the same or similar work for the following school term will be denied. Substitutes may receive unemployment compensation if they are only working part-time and not earning more than their allowed benefit for the week. Substitute logs are to be sent to the Benefits Specialist each month documenting who was called and whether they accepted the work. This information is provided to the Mississippi Department of Employment Security for those substitutes that file unemployment claims.

REDUCTION IN FORCE

MSA has the responsibility for providing and maintaining a quality school. In order to carry out its responsibility, the SBE/SBE Subcommittee may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (the same to be in no event less than 187 days per contract year), (3) reduce employee salaries, and/or (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

When reducing the number of licensed employees, the SBE/SBE Subcommittee will take into account the following reasons for such reduction in force:

1. Enrollment declines,
2. Financial decline/reduction,
3. Educational program(s) elimination, and/or
4. Other good and/or just cause as defined by the SBE/SBE Subcommittee.

The primary objective of the MSA when reducing the work force will be the maintenance of a fair and balanced educational program consistent with the needs of the students and the functions and responsibilities of the school. When deciding reduction in force, the SBE/SBE Subcommittee will consider the following factors, not necessarily in the order listed:

1. Importance of the position to the mission, goals, and objectives of the MSA.
2. Area(s) and level(s) of competence indicated by certification.
3. Experience, professional training, length of service within the district and work assignment.

4. Quality of performance including character, teaching capacity, and/or executive ability.
5. Skills in area(s) where the district has instructional and/or supervisory needs.

References: Miss. Code Ann. §§ 37-9-101 through 37-9-113 and § 37-9-59

OUTSIDE EMPLOYMENT

Employees choosing to work outside MSA may do so as long as it does not create a conflict of interest or interfere with their work schedule or job performance. Outside employment that affects an employee's attendance, work performance, productivity, or conduct, either directly or indirectly, or that creates a conflict of interest of any kind, is strictly prohibited. If employees choose to seek outside employment, they first must discuss this matter with the Principal or primary supervisor and receive written approval of their plans from the Executive Director. Schedules will not be adjusted, and special considerations will not be made for employees who have outside employment.

CONFLICT OF INTEREST

An employee of the MSA shall not have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities. No staff member shall engage in any type of private business during school time and on school property. Staff may not be permitted outside payment from another source for the same work performed on the assigned MSA schedule.

Employees shall not engage in work of any type where the source of information concerning customer, client, or employer originates from any information obtained through the school. No gifts from any person or group desiring or doing business with the MSA shall be solicited by a school employee except for nominally valued instructional products or advertising items that are widely distributed.

CODE OF ETHICS AND PROFESSIONAL CONDUCT

All employees in the MSA shall comply with the Mississippi Educator Code of Ethics and Standards of Conduct as outlined in Miss Admin. Code 7-3: 14.10; Miss. Admin. Code 7-3: 14.17; and Miss. Admin. Code 7-3: 14.18. The Executive Director or his or her designee shall establish procedures to assure that all MSA employees comply with this policy. The procedures shall include, but are not limited to:

1. Providing all employees with a copy of the Mississippi Educator Code of Ethics and Standards of Conduct.
2. Maintaining a signed statement in each employee's personnel file verifying that he or she has been given notice of the Mississippi Educator Code of Ethics and Standards of Conduct.
3. Advising all employees that his or her contract with the MSA is subject to the Mississippi

Educator Code of Ethics and Standards of Conduct; and may be revoked or suspended pursuant to its terms.

4. Providing annual in-service training for all employees on the Mississippi Educator Code of Ethics and Standards of Conduct.

The Executive Director shall report to the MDE all license holders who engage in unethical conduct relating to an educator/student relationship (Standard 4).

VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the school principal/supervisor (or executive director and principal if a principal is in violation of this policy). If the principal/supervisor or executive director finds the complaint to be factual, he or she shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Severe violations or continuous violation of this policy may lead to an employee being suspended, dismissed or non-renewed. Employees shall have the right to appeal any disciplinary action taken against them by following the proper chain of command as specified in the district's "Employee Grievance Procedure" policy.

ARREST OF EMPLOYEE

Employees arrested for any reason shall notify their supervisor within 24 hours. Supervisors will inform the Executive Director who will contact the SBE/SBE Subcommittee.

REPORTING ABUSE OR NEGLECT

REPORTING AUTHORITY

According to Mississippi law, the following people are required by law to report suspected abuse or neglect:

1. Attorneys,
2. Child's Caregiver,
3. Dentists,
4. Doctors,
5. Interns,
6. Law Enforcement Officers,
7. Ministers,
8. Nurses,
9. Psychologists,
10. Residents,
11. School Principals,
12. Social Workers,
13. Teachers, or

Any other person having reasonable cause to suspect a child has been neglected or abused.

IMMUNITY

The law protects individuals who make reports of suspected child abuse or neglect from civil liability if they act in good faith. Absolute proof is not necessary before a report is filed. Child Protective Services is responsible for conducting its own investigation.

STEPS TO FOLLOW AFTER SUSPECTING ABUSE.

1. Take the student to a private place and let the student tell you about the abuse.
2. **DO NOT** interrogate the student.
3. Encourage the student to express his/her feelings about the abuse.
4. Avoid leading questions.
5. Ask open-ended questions (e.g., What happened next?).
6. Try to remain calm and nonjudgmental.
7. Let the student know that you believe his or her story.
8. Reassure the student he/she is not to blame for what happened.
9. Respect the privacy of the student.
10. **DO NOT** tell other people who do not need to know.
11. Explain to the student what will happen next (i.e., tell them you will call someone to help.)

REPORTING WITHIN THE SCHOOL

Inform the Executive Director or the school counselor of your findings. The Executive Director and/or the counselor will work with employees in contacting social services.

REPORTING TO SOCIAL SERVICES

1. Name and address of student and parents or caretaker
2. Date of Birth
3. Nature of student's injury
4. Identity and address of perpetrator, if known
5. Any other information you believe social worker will find helpful
6. Names and dates of birth of other children in the home

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Unless expressly authorized to do so, employees are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to the MSA. Unauthorized dissemination of such material may result in severe disciplinary action as well as substantial civil and criminal penalties under state and federal Economic Espionage laws.

The MSA shall operate in compliance with the Family Educational Rights and Privacy Act of 1974 regarding student information and records. The Family Educational Rights and Privacy Act

(FERPA) and Protection of Pupil Rights Amendment (PPRA) have provided schools, school districts, and state educational agencies guidelines in disclosing student records. School officials with a “legitimate educational interest” in any student information can have access to educational records without specific consent of parents or eligible students.

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 SBE/SBE Subcommittee;
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. However, the misuse or improper disclosure of confidential information by school officials or a third party is strictly prohibited and is punishable by federal statutes.

Electronic access to student information will be limited to job duty specifications of each employee. At no time should this information be printed, transferred, or shared under conditions other than those stipulated in FERPA. A complete explanation of FERPA may be found online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

INAPPROPRIATE CONDUCT WITH STUDENTS

As mandated by the State Superintendent of Public Education, MSA shall implement policies and procedures related to the prohibition of inappropriate relationships and/or conduct with students. The MSA Student Handbook informs students that such conduct is prohibited and that if an employee treats them in any inappropriate way, they should report it immediately.

DO NOT e-mail, text message, call or contact students via any form of communication regarding personal matters. All communications should be highly professional and related to school ONLY. The same applies to verbal or written conversations and communications at school, school related activities, or off campus.

DO NOT BLUR THE LINES BETWEEN ADULTS AND STUDENTS!

The administration, when it hears or becomes aware that a situation might exist between one of its employees and a student, shall investigate all possible leads. While rumors may be nothing more than gossip, the administration shall evaluate the credibility of the information to determine if there is sufficient substantiation to investigate.

Investigation should include interviewing students, the accused staff member, other staff members, looking at phone records, emails, text messages, etc. If there is no evidence that any wrongdoing has occurred, the investigation can be closed. However, the investigation should be properly

documented regarding what the inquiry entailed and that there was no evidence to support the charges.

If the investigation reveals suspicious conduct, then the investigation shall continue until the allegation is dismissed as unfounded or there are sufficient facts to lend credibility to the charges. Usually, the investigation does not prove absolutely that sexual behavior has occurred between a staff member and a student, but that other inappropriate conduct did occur such as personal emails and text messages between the staff member and a student. There may be a legitimate reason for an occasional email between an employee and a student, but it shall be school-related. Personal emails, telephone calls, and text messages 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 employee and a student under the age of 18, it is mandatory that the Executive Director or principal shall report it to the district attorney. Thus, if the investigation reveals information that provides a reasonable basis to believe that sexual involvement occurred, the district attorney shall be informed. In summary, the administration shall thoroughly investigate all accusations of misconduct in an expeditious manner. Documentation of the investigation is important, regardless of the conclusions reached. Once evidence is found, the information shall be turned over to the District Attorney and dismissal of the employee should take place.

STAFF/STUDENT NON-FRATERNIZATION

Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position and shall never take advantage of students' vulnerability or of their confidence.

MSA strictly prohibits any sexual relationship, contact, or sexually nuanced behavior or communication between a staff member and a student, while the student is enrolled in the school. The prohibition applies regardless of gender, whether the student or the staff member is the initiator of the behavior, and whether the student welcomes or reciprocates the attention.

Guidelines

Staff members are expected to exercise good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines:

1. Staff members shall not make derogatory comments to students regarding the school and/or staff.
2. Staff members shall not exchange gifts with students.
3. Staff-sponsored parties, at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.

5. Staff members shall not text students nor participate in any student blogs unrelated to school.
6. Staff members shall not friend students on any social media platforms prior to graduation.
7. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
8. Staff members shall not date students. Sexual relations with students, regardless of age and/or consent, are prohibited and will result in dismissal and criminal prosecution.
9. Staff members shall not use insults against students as a method of forcing compliance with requirements or expectations.
10. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
11. Staff members shall not send students on personal errands.
12. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
13. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate school personnel or agency for assistance, pursuant to law and Board policy.
14. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

Social Media

All employees, faculty and staff of this school district who participate in social media websites or applications such as, but not limited to Facebook, X, Snapchat, and/or Instagram, shall not post any data, documents, photos, or inappropriate information on any website that might result in a disruption of classroom activity. The determination of appropriateness will be made by the Executive Director.

Employees, faculty, and staff are solely responsible for the content and the security of their social media websites and applications and shall not give their social media website passwords to students.

Employees, faculty, and staff shall NEVER use their personal social media accounts in any way purporting to be or speaking for the MSA.

Fraternization via the internet between employees, faculty or staff, and students is prohibited and in violation of standards of the Mississippi Educator Code of Ethics and Standards of Conduct.

Communications with both students and parents shall be done in person, over telephone, through standard mail, secure educational applications, and/or through email. Social media shall never be used and is not an appropriate form of communication.

Access of social media websites for individual use during school hours is prohibited.

Violation of any of these policies may result in disciplinary action, up to and including termination.

Nothing in this policy prohibits staff or students from the use of educational websites.

Annual Reminder to Staff

The Executive Director and the Principal will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using social media and similar internet sites or networks
2. Inappropriateness of posting items with sexual content
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
4. Examples of inappropriate behavior from other districts, as behavior to avoid
5. Monitoring and penalties for improper use of district computers and technology
6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

Periodic Review

The Executive Director or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials online. When inappropriate use of computers and/or websites is discovered, the school principal and/or Executive Director may download the offensive material and promptly take proper administrative action.

BULLYING

PROHIBITION - Teachers, employees, and volunteers ~~Employee-bullying and harassment,~~ which includes cyberbullying or intimidation, of any person on school property that has a direct effect on the order and general welfare of the workplace is prohibited. Retaliation

against individuals who report acts of bullying or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying is prohibited. ~~No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. The MSA prohibits bullying or harassing behavior of students or school employees. The MSA will make every reasonable effort to ensure that no person or school employee is subjected to bullying or harassing behavior by other.~~

1. Bullying or harassing behavior is any pattern of gestures or written, electronic*, or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that, takes place on school property, at any school-sponsored function, or on a school bus, and that:
 - a) places a ~~student or teacher, school employee, or volunteer~~ in actual and reasonable fear of harm to his or her person or damage to his or her property; or
 - b) creates or is certain to create a hostile environment by substantially interfering with or impairing ~~an student's educational performance~~ a teacher's, employee's, or volunteer's duties, opportunities, or benefits. For the purposes of this section, a "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Conduct described in subsection (1) is considered bullying if that conduct interferes with a ~~student's education~~ a teacher's, employee's, or volunteer's duty or substantially disrupts the operation of a school.

** Bullying or harassing behavior includes cyberbullying. Cyberbullying is bullying or harassing behavior that occurs electronically. Bullying or harassing behavior will not be condoned or tolerated when it takes place on school property, at any school-sponsored function, on a school bus, or when it takes place off school property when such conduct materially disrupts classwork or involves substantial disorder or invasion of the rights of others. No person shall engage in any act of retaliation or reprisal against any person, including a victim, a witness, or another person with reliable information about an act of bullying or harassing behavior and/or who in good faith provide s information concerning an incident of bullying.*

PROCEDURES FOR REPORTING, INVESTIGATING, AND ADDRESSING BULLYING OR HARASSING BEHAVIOR

~~A student~~ A teacher, employee, or volunteer who feels he/she has been a victim of bullying or harassing behavior and/or ~~a student~~ a teacher, employee, or volunteer who has witnessed or has reliable information that a student, school employee, or volunteer has been subject to any act of bullying or harassing behavior should report the incident to a school employee, who shall immediately report the incident in writing to the Principal and/or Executive Director. ~~Students~~ Teachers, employees, and volunteers should report bullying or harassing behavior to a ~~school employee~~ the Principal and/or Executive Director promptly, but no later than five (5) working days

after the alleged incident(s) occurred.

Reports should include: the name of the reporting person*, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es), the name(s) of the alleged bully, and any other information that would assist in the investigation of the report. *If ~~a student~~ a teacher, employee, or volunteer chooses to anonymously report bullying or harassing behavior, the school's ability to take action based solely on an anonymous report may be limited.

A school employee who has witnessed or has reliable information that a student or another school employee has been subject to any act of bullying or harassing behavior shall immediately report the incident in writing to the Principal and/or Executive Director. Reports against the Principal shall immediately be made in writing to the Executive Director, and reports against the Executive Director shall immediately be made in writing to the Chief Academic Officer.

The school administration will investigate reported incidents of bullying within five (5) working days of receiving the report.

The school administration will speak with the alleged victim and alleged bully separately. ~~Students~~ Teachers, employees, and volunteers may submit evidence for the school administration to review and a list of witnesses for the school administration to speak with. ~~Students~~ Teachers, employees, and volunteers should preserve evidence of bullying/cyberbullying and/or harassing behavior.

All teachers, employees, and volunteers, ~~and students~~ shall fully cooperate with the investigating and answer truthfully all inquiries relative thereto.

Upon completion of the investigation, the school administration will immediately notify the alleged victim and alleged bully regarding the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted.

The school administration will provide notice of an incident of bullying and the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted, within a reasonable amount of time to ~~a parent or guardian of the victim and a parent or guardian of the bully~~ not to exceed five (5) working days after the completion of the investigation.

The MSA recognizes the fundamental right of every ~~student~~ teacher, employee, and volunteer to take "reasonable actions" as may be necessary to defend himself or herself from an attack by another teacher, employee, student or volunteer who has evidenced menacing or threatening behavior through bullying or harassing. "Reasonable action" includes, but is not limited to, promptly reporting the bullying or harassing behavior to ~~a school employee~~ the school administration and ~~student's~~ teacher's, employee's, and volunteer's use of reasonable self-defense.

If, after an investigation, a ~~student~~ teacher, employee, or volunteer is found to be a victim of

bullying, such ~~student-teacher, employee, or volunteer~~ shall not face disciplinary action on the basis of that ~~student's-teacher's, employee's or volunteer's~~ use of reasonable self-defense in response to the bullying.

Discipline for bullying of a ~~student-teacher, employee, or volunteer~~ with disabilities shall comply with the applicable requirements under federal law including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.). Available counseling options for a ~~student-teacher, employee or volunteer~~ who is a victim of bullying or a witness to bullying or a ~~student-teacher, employee, or volunteer~~ who engages in bullying include:

- School Guidance Counseling Conflict Resolution Training,
- Anger Management Training,
- Problem Solving Skills Training (proactive, constructive, and relationship building), and
- Social Skills Training.

Support and intervention in response to bullying may be provided by the MSA through the assistance of the any of the following agencies:

- Mississippi Department of Education,
- Community/Family Public or private community-based mental health services,
- Faith-based services,
- Law enforcement agencies, and
- Guidance counselor's office at MSA.

The procedure for reporting bullying will also be posted on the school's website. False accusations or reports of bullying are prohibited and may warrant discipline action. Any perceived criminal conduct will be immediately reported to law enforcement.

Miss. Code Ann. §§ 37-11-67 and 37-11-69

HARASSMENT

The MSA is committed to sustaining a safe and supportive school environment free from harassment. In keeping with this commitment, the school will not tolerate harassment of employees or students by anyone, including administrators, teachers, staff, students, parents, volunteers, or any others on campus.

MSA prohibits all types of harassment based on, but not limited to, color, race, religion, creed, national origin, gender, age, or disability. MSA will promptly investigate all complaints of harassment—formal or informal, written or verbal—and take appropriate actions against any member of the school community found in violation of this policy.

Complaints alleging discrimination or harassment shall be handled in accordance with the procedures set forth in the Miss. Admin. Code 7-3: 99.1, State Board Policy Chapter 99, Rule 99.1.

Definitions

School Community includes, but is not limited to, all students, parents, school and state employees, contractors, volunteers, committee members, and other visitors.

School Employee includes, but is not limited to, all administrators, teachers, staff, bus drivers, custodians, cafeteria workers, and agents of the school.

Harassment means verbal or physical conduct based on an individual's actual or perceived race, religion, color, national origin, gender, age, or disability that affects or interferes with ~~a student's educational performance~~ a teacher's, employee's, or volunteer's duty or creates a hostile, offensive, or intimidating environment.

Harassment may include any form of unwelcome verbal, physical, or written conduct that offends, degrades, or belittles an individual. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning comments, offensive behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures, or videos or other media. These stipulations apply whether the harassment is between people of the same, or of a different gender.

Sexual Harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, unwelcome sexual advances, threats, bodily contact, sexually-oriented verbal teasing, abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome touching such as pinching, patting, or constant brushing against another's body, suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status, or similarly personal concerns, filing a false complaint of sexual harassment, or other deliberate verbal or physical conduct of a sexual nature made by any school teacher, employee or volunteer ~~to a student or to another school teacher, employee or volunteer~~; a student to another student; or a student to a staff member when:

1. Submission to such contact is made either explicitly or implicitly as a term or condition of an individual's privileges, access to campus resources and activities, grades, or educational development.
2. Submission to or rejection of such conduct by an individual is used as a basis for education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Students-Teachers, employees, or volunteers believing, they have been sexually harassed should immediately report the incident(s) to the administration ~~or a school~~

~~employee.~~ The administration shall investigate and take appropriate corrective action.

Peer Harassment includes, but is not limited to, unwelcome attention from peers or other individuals and includes such actions as name calling, threatening gestures, unwanted physical contact, vandalism of personal property, and filing a false complaint.

Racial and Color Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual's race or color. Nicknames, emphasizing stereotypes, racial slurs, comments on one's manner of speaking, and negative references to racial customs are examples of racial or color harassment.

Religious Creed Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at an individual's religion or creed such as derogatory comments regarding surnames, religious clothing, religious slurs, or graffiti.

National Origin Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual's national origin such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

Disability Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at a person's disabling mental or physical condition such as manner of speech or movement or interference with an individual's equipment.

REPORTING HARASSMENT

~~Students-~~ Teacher, employees, or volunteers who believe they are a victim of any form of harassment should immediately report the incident(s) to the administration ~~or a school employee.~~ Any ~~school-teacher,~~ employee, volunteer or student, who observes, overhears, or otherwise witnesses harassment is encouraged to take appropriate action to report the incident immediately. In the event the ~~school-teacher,~~ employee, volunteer or student is unable to personally take prompt action, they are encouraged to report the incident or complaint in writing to the Director of Residential Life, Principal, and/or the Executive Director. Any complaint of harassment filed by a student or staff member will be reported immediately to the Director of Residential Life, Principal, and/or the Executive Director. Complaints alleging discrimination or harassment shall be handled in accordance with the procedures set forth in Miss. Admin. Code 7-3: 99.1, State Board Policy Chapter 99, Rule 99.1.

Filing of a complaint or reporting harassment in any manner will not affect an individual's status or position, ~~work assignments, or grades.~~

Under certain circumstances, sexual harassment behaviors may constitute physical or sexual abuse. Therefore, when educators become aware of suspected abuse, they shall report the incident to the Mississippi Department of Human Services. Such acts constitute violations of Mississippi criminal law resulting in law enforcement investigations and possible criminal charges.

RETALIATION TO HARASSMENT

Members of the school community may not retaliate against any person who reports alleged harassment or any person who testifies, assists, or participates in the investigation, proceedings, or hearing related to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment and may be redressed through the same process for reporting, investigating, and enforcing procedures for harassment. Any person who knowingly files a false claim or report may be subject to the same actions that MSA might take against any other individual violating this harassment policy.

The right to confidentiality, both of the complainant and the accused, will be respected consistent with the legal obligation of the school and the necessity to investigate allegations of misconduct and to take corrective actions when such conduct occurs.

Consequences to Violation of Harassment Policies Any school employee or student found to have violated this policy may be subject to action including, but not limited to, warning, remedial training, education or counseling, suspension, expulsion, termination, or discharge from duties.

Title IX Grievance Policy

1. RIGHT TO EXPRESS CONCERNS, COMPLAINTS OR GRIEVANCES

It is the policy of the SBE and the MDE to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, bullying, and discrimination. MDE is a conduit for federal money to the local school districts and ensures the local school districts' compliance with federal financial grants. As such, MDE requires each local school district and each state school to have a grievance policy in place to address any complaints alleging discrimination under the Age Discrimination Act of 1975, Title II of the American Disability Act, Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Title IX of the Education Amendments of 1972. Complaints alleging discrimination by the local school district, its staff, or students should be first directed to the local school level and handled pursuant to local policy.

As specifically related to Title IX, this policy sets out the minimum steps that MSA shall take in response to a notice of alleged discrimination based on sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, such as dating violence, domestic violence, and cyberstalking. The SBE and MSA forbid unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature amounting to or constituting harassment and/or discrimination against any student under its purview.

2. DEFINITIONS

A. Sex Discrimination

The practice of treating a person differently, or less favorably, than other people or groups based on sex.

B. Allegation

An assertion that someone has engaged in discrimination based on sex.

C. Sexual Harassment

Unwanted conduct based on sex. Examples of such behavior include:

- Direct or indirect threats or bribes for unwanted sexual activity
- Sexual innuendos and comments
- Asking or commenting about a person's sexual activities
- Humor or jokes about sex or females/males in general
- Making sexually suggestive remarks, gestures, or jokes, or remarks of a sexual nature about a person's appearance
- Repeated unsuccessful attempts at gaining dates or sexual behavior
- Sexual touching, pinching, brushing, or patting
- Displaying offensive sexual illustrations in the school/work place
- Insulting and belittling a person-sexual ridicule
- Letters, notes, telephone calls, or materials of a sexual nature
- Stalking a person either inside or outside the institution
- Attempt or actual sexual assault

D. Complainant

The person who has experienced the alleged discrimination based on sex. This person is considered a complainant regardless of whether they choose to file a formal complaint under Title IX.

E. Respondent

The person accused of the alleged discrimination. This person may be a student or a school employee. If the person is an employee, the school shall adhere to the process found in Miss. Code Ann. § 37-9-59.

F. Title IX Coordinator

The individual responsible for overseeing the school's efforts to comply with its obligations under Title IX and Title IX regulations, including, but not limited to, coordinating any investigations of complaints of sex discrimination, implementation of supportive measures, and remedies where appropriate.

3. ADMINISTRATIVE PROCESS

MSA shall have a grievance policy adopted by the governing board and accessible in both the student handbook and employee handbook. The grievance policy shall include the following:

A. Receiving and Responding to Reports

Employees who believe or have been made aware that a student has been subject to Title IX Discrimination, shall report it to the Title IX Coordinator. Failure to make such a report may result in disciplinary action up to and including termination.

MSA shall respond whenever any school employee has been put on actual notice of improper behavior as defined in the school's policy. Such notice may be from an oral report of sexual

harassment by a complainant or anyone else, a written report, through personal observation, through an anonymous report, or through various other means. When a complaint or report is made under the policy, the Title IX Coordinator shall: (1) confidentially contact the complainant to offer supportive measures, consider the complainant's wishes with respect to supportive measures, and inform them of the availability of supportive measures with or without filing a formal complaint; (2) explain the process for how to file a formal complaint; (3) inform the complainant that any report made in good faith will not result in discipline; and (4) respect the complainant's wishes with respect to whether to investigate unless the designated staff member determines it is necessary to pursue the complaint in light of a health or safety concern for the community.

B. Confidentiality

MSA must keep confidential the identity of any individual who has made a report or complaint of any form of prohibited sex discrimination, including any reporter, complainant, respondent, or witness, except:

1. As may be permitted by FERPA;
2. Or as required by law; or
3. To carry out the Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

The confidentiality of the reporting party will be observed providing it does not interfere with the school's ability to investigate or take corrective action. If the complainant reports rape, sexual assault, child sexual abuse, or other behaviors which constitute criminal activity, school officials shall contact appropriate law enforcement agencies and the superintendent/executive director.

C. Supportive Measures

Supportive measures are short-term measures that are designed to restore or preserve access to the school's education program or activity. Supportive measures are available regardless of whether the complainant chooses to pursue any action under the school's policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. They are meant to restore access to education, protect student and employee safety, and/or deter future acts.

Supportive measures are available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals, and these measures should be provided based on an individualized assessment of the needs of the individual. These supports are non-disciplinary and non-punitive individualized services designed to offer support without being unreasonable burdensome. Examples of supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

D. Formal Complaint

A “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging discrimination or sexual harassment against a respondent and request that the school investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided by the school district. The complaint document, whether physical or electronic, shall contain the complainant’s physical or digital signature. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not “the complainant” or otherwise considered a party but shall comply with applicable procedures.

E. Investigations

Once a formal complaint is filed, an investigator will be assigned and the parties will be treated equitably, including in the provision of supportive measures and remedies. Each party will receive notice of the specifics of the allegations as known, and as any arise during the investigation. The investigator will attempt to collect all relevant information and evidence. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.

The principal of the school, so long as the principal is neither the Title IX Coordinator, the investigator, or any other individual who may have a conflict of interest, shall serve as the decision-maker, and will facilitate a written question and answer period between the parties. Each party may submit written questions for the other party and witnesses to the decision-maker for review. The questions must be relevant to the case, and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response. The decision-maker can then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the respondent is responsible for the alleged act.

F. Presumptions about Complainants, Respondents, and Witnesses

The school presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this school’s policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

The respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made by the decision-maker.

G. Determination Regarding Responsibility

The decision-maker shall review the evidence provided by all parties and will make a final determination of responsibility after the investigation based on a preponderance of the evidence. “Preponderance of the evidence” means evidence that is of greater weight or more convincing than as asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

The decision-maker shall provide a final determination to the parties at the same time, with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, and any remedies available to the complainant to restore or preserve equal access.

H. Sanctions and Remedies

MSA will take reasonable steps to address any violations of the policy and to restore or preserve equal access to the school's education programs or activities. Sanctions for finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

When a respondent is found responsible for the prohibited behavior as alleged, remedies shall be provided to the complainant. Remedies are designed to maintain the complainant's equal access to education and may include supportive measures or remedies that are punitive or would pose a burden to the respondent.

Whatever the outcome of the investigation or appeal, the complainant and respondent may request ongoing or additional supportive measures. Ongoing supportive measures that do not unreasonably burden a party may be considered and provided even if the respondent is found not responsible.

I. Informal Resolution

Informal resolution is available only after a formal complaint has been filed involving parties of the same status (e.g., student-student or employee-employee), prior to a determination of responsibility, and if the complainant and respondent voluntarily consent to the process in writing. Informal resolution is not available in cases which an employee is alleged to have sexually harassed a student.

J. Parent and Guardian Rights

Consistent with the applicable laws of the State of Mississippi and absent a court order or other legal requirement to the contrary, a student's parent or guardian shall be permitted to exercise the rights granted to their child under the school's policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process. A student's parent or guardian shall also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process to exercise rights on behalf of the student. The student may have an advisor of choice who is a different person from the parent or guardian.

4. APPEALS

Appeals are available after a complaint dismissal or after a final determination is made. Appeals may be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by the personnel that may have affected the outcome. The school should set a reasonable time frame to submit an appeal, but not less than 10 days nor more than 30 days. Or, if there is no administrative response to the

student/parent/guardian grievance by the school, the grievance should be made to the superintendent of the school or the superintendent's designee.

Parties shall be given an opportunity to submit a written statement in support of or in opposition to the final determination. A new decision-maker shall issue a final decision at the same time to each party.

The following procedures shall be followed when submitted student/parent/guardian grievances regarding administrative decisions:

Level 1: An aggrieved party should express his or her concern to the school level administration for resolution or file a formal grievance with the executive director. The executive director shall investigate allegations as soon as circumstances allow, but not later than five (5) business days from submission of the original written grievance. The administrator shall provide a written response to the aggrieved party no later than ten (10) business days after receipt of the original written grievance. If there is no administrative response to the aggrieved party within the ten (10) business days, or if the response is unsatisfactory, the aggrieved party may elevate to Level 2.

Level 2: If any party deems the resolution unsatisfactory, the party may appeal the decision by submitting a copy of the grievance and decision to the MDE's Associate Superintendent responsible for oversight of the state school, along with a written statement detailing the reasons for the dissatisfaction. The Associate Superintendent shall investigate and review the matter. After review, the Associate Superintendent shall provide a written response to the parties postmarked no later than ten (10) business days following receipt of the appeal. If there is no response by the Associate Superintendent to the appealing party within the ten (10) business days, or if the response is unsatisfactory to either party, the aggrieved party may advance the grievance to Level 3.

Level 3: The aggrieved party, after review of the written response from the Associate Superintendent, may appeal that response to the State Superintendent or the State's Superintendent's designee no later than ten (10) business days after receipt of the written communication at Level 2. The State Superintendent or his/her designee shall review the grievance and shall provide the parties a written response postmarked within ten (10) business days following the receipt of the appeal.

Level 4: The aggrieved party may appeal the response from the State Superintendent to the SBE by submitting a written request for appeal to the SBE along with all documentation from Levels 1-3 no later than ten (10) business days after receipt of the State Superintendent's written response at Level 3. The SBE shall review the grievance and shall provide the parties an opportunity to appear at the next regularly scheduled Board meeting to present his or her grievance and response in accordance with the Family Education Right and Privacy Act (FERPA) 20 U.S.C. 1232g, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 20 U.S.C. 1400 *et. seq.*, implementing regulations, and other federal and state laws that govern the protection of student information. If the party or parties elect not to appear personally, the parties may request the Board's review of the written documentation only. The decision of the SBE shall be final.

Source: Title IX of the Education Amendments of 1972; 34 C.F.R. §106; Miss. Code Ann. §37-1-3

DRESS CODE GUIDELINES

The following recommendations are provided as guidelines for acceptable dress for employees of the MSA. The guidelines apply to all employees.

The MSA exists to enable all Mississippi students to develop, in a safe and productive environment, the knowledge, skills, and attitudes necessary to reach their fullest potential as individuals and citizens. In this role, MSA employees provide services to educators who support and govern education and to the general public. While conducting business, employees should always project a positive, professional image through work and appearance.

To accomplish this, all employees should be well groomed and be dressed in a manner that will result in a positive image of the school. Clothing worn should be neat in appearance, in good repair, appropriate for employees' job responsibilities, and should not be offensive to the public or fellow workers. Attire should not detract from the job being performed or the message being delivered and should project a serious, competent image. **MSA employees may be asked to change attire or accessories deemed provocative, revealing, or inappropriate by the Executive Director or a designee.**

MSA adopts the CROWN Act, which stands for "Creating a Respectful and Open World for Natural Hair," which prohibits race-based hair discrimination because of hair texture or protective hairstyles including braids, locs, twists, or bantu knots.

UNACCEPTABLE CLOTHING

The following is a list of clothing items that generally do not fall within the concept of a positive, professional image:

- Overalls, sweat suits, wind suits, warm-up suits, and other athletic attire;
- House shoes, slippers, shower shoes, plastic sandals, and flip-flops;
- Jeans (except on Fridays), shorts, skorts, tights, spandex, leotards, and tee-shirts; and
- Short skirts, blouses with inappropriate necklines, see through fabrics, or shirts with shelf bras that are immodest.

EXCEPTIONS

Ultra-casual clothing is rarely appropriate in a school setting. At-home lounge or outdoors activity/work clothing and foot apparel, including sneakers, are inappropriate for the office. However, some employees have primary work assignments, which require them to move or maintain equipment or work outdoors (e.g., maintenance, food service, visual arts and dance teachers). These employees should discuss relaxed dress code guidelines with their supervisors; **however, all workers shall dress professionally according to their specific work duties.** Other occasions, which may call for a relaxed dress code, include office

cleaning/packing/moving days and medical purposes. These situations should also be discussed with an employee's supervisor.

The Executive Director reserves the right to authorize staff to dress in different manner (e.g., blue jeans and school t-shirts) on any given day. This decision will generally be centered on a special event or occasion.

BUSINESS CASUAL

Business-casual attire shall be the acceptable requirement of dress. Business-casual attire in an office setting means a relaxed look that differs from standard business attire. Business-casual attire is not the same as attire normally worn to ball games, picnics, or during non-work hours.

Business-casual attire typically involves no ties for men, sweaters, turtlenecks, short sleeve, golf shirts (with a collar), slacks, and appropriate shoes. (Sandals are not appropriate shoe attire for men.) Examples of preferred options for women include flat shoes and relaxed ensembles of sweaters, turtlenecks, blouses, and skirts or slacks.

SUPERVISOR RESPONSIBILITIES

Clothing should cover and fit in a manner appropriate for a business environment. Good judgment and professionalism are expected of all employees in both traditional-business and business-casual attire.

Supervisors are responsible for ensuring that all employees are aware of the dress code guidelines and that staff do not abuse the flexibility intended by the business-casual provision. If an item is questionable, the employee should discuss it with his or her supervisor prior to wearing it. Should there be any questions concerning the acceptability of any clothing, supervisors shall provide guidance.

TELEPHONES/CELL PHONES

Telephones are an integral part of communications within MSA. Therefore, telephones should be used primarily for school business purposes. Personal calls are permitted to a reasonable extent; however, they shall be limited, and this privilege not abused. The use of cell phones, iPods, and any other device, including but not limited to headphones or earphones, which may interfere with an employee's ability to operate a school vehicle or to adequately observe and monitor the behavior of students while said students are under his or her supervision are strictly prohibited.

VISITORS

All visitors to the school shall report to the school security office in the Student Life Center, turn in their identification, and receive an official visitor's pass before entering any other school facility. This procedure applies to all visitors, guest artists, community members, and etc. The only exceptions are groups who have made appointments for campus tours and are escorted by

school staff. All employees shall stop any unauthorized person on campus, direct them to the security office, and report their presence to the security office immediately.

Salespersons and other individuals desiring business transactions with the school shall obtain permission for visitation from the administration to present to the appropriate individual.

POLITICAL ACTIVITY OF STAFF MEMBERS

MSA recognizes the rights of its employees and encourages them as citizens to engage in activities which exemplify good citizenship. However, school property and school time shall not be used for political purposes. Any statements made by employees on social media or otherwise, that effects that employee's ability perform his/her duties or causes a disruption of manner at school is prohibited. Statements of this nature can result in disciplinary action, including but not limited to termination.

DUTIES AND RESPONSIBILITIES OF EMPLOYEES

1. To plan, organize, and conduct a program of instruction in the subjects, grades or programs to which they are assigned.
2. To assume custody of the pupils assigned to their care and to take precautions that will ensure the pupil's safety and general welfare. Students should never be left unsupervised.
3. To participate in all school orientation and registration meetings and professional development unless assigned school duty conflicts.
4. To perform extracurricular duties assigned by the Executive Director or a designee, such as classroom, hallways, campus grounds and similar essential duties in any school facility.
5. To attend all faculty or staff meetings scheduled by the Executive Director or a designee, coordinators, supervisors, or superintendent, unless excused by the person calling the meeting.
6. To keep classes in session each day during school hours and not dismiss them for any time without the prior consent of the Executive Director or a designee.
7. To be responsible for all school property and equipment entrusted to them.
8. To be responsible for the behavior of their pupils and all other pupils with whom they have contact on campus.
9. To prepare all records as directed by the Executive Director or a designee.
10. To make all contacts and/or requests to the Legislature, MDE, or the SBE through the Executive Director or a designee and superintendent.

- 11.To be accountable for the performance of assigned duties to the Executive Director or a designee.
- 12.To keep lesson plans and/or outlines of class procedures as directed. These will aid Executive Director or a designee in performing their duties and will serve as guidelines for substitute teachers.
- 13.To prepare a substitute folder as prescribed and keep it up to date.
- 14.In all cases where a teacher terminates employment during the school year, said teacher shall provide lesson plans for at least two weeks in advance to the replacement teacher.
- 15.To practice, and to require the pupils to practice shared responsibility by:
 - a. Conservation of environmental and material resources;
 - b. Good housekeeping by forbidding clutter, trash, and scattered personal belongings;
 - c. Storing books, work materials, supplies, and equipment in a neat and orderly manner;
 - d. Keeping bulletin boards, display areas, and whiteboards clean, functional, and attractive;
 - e. Having blinds properly hung, raised, or lowered and window ledges clear of objects that appear ill-kempt from the outside;
 - f. Keeping heating and cooling vents clear of obstructions at all times; and
 - g. Practicing other activities necessary to reflect good housekeeping.
- 16.To notify the Executive Director, direct supervisor, or their designee directly upon any anticipated absences, obtaining prior approval when required.
- 17.To strive to interpret the work of the school fairly, honestly, and adequately to patrons at every opportunity.
- 18.To avoid political, doctrinal, sectarian, and denominational teaching.
- 19.To keep up to date in areas of expertise.
- 20.To always strive to maintain cordial relationships with colleagues and the home and parent(s)/guardian and keeping the parent(s)/guardian informed of the student's progress and holding conferences whenever necessary.
- 21.To perform other duties as may be assigned by the Executive Director or a designee or assistant Executive Director or a designee.

DISCIPLINE GUIDE FOR ALL EMPLOYEES

The MSA is not only responsible for student academic progress, but also teaching students to be successful citizens in life. Every employee is responsible to for knowing and enforcing all the policies and procedures in the student handbook. To be familiar with school policies, employees shall read and understand all handbooks provided.

EMPLOYEES SHOULD:

- Learn student names as soon as possible. All people like to be recognized;
- Be fair and consistent;
- Treat each student equally;
- Be empathetic and accentuate the positive, avoid the negative;
- Be thoroughly prepared for all classes, activities, or events and have ample involvement for all students throughout the time period;
- Be cheerful, attractive and orderly; let the learning, work, and recreation spaces reflect these qualities;
- Be professional in demeanor and maintain a sense of humor;
- Be flexible; know when to adjust plans or timelines;
- Admit errors and apologize when mistakes are made;
- Establish a minimum number of simple rules and help students understand why policies and procedures are necessary;
- Let students assist in formulating rules, policies, and procedures and in publicizing them;
- Correct students when needed to prevent minor problems from growing into larger ones;
- Watch for indicators of harassment or bullying;
- Report problems that are simmering and have the potential to escalate, thereby affecting more students and becoming much more serious. Report problems to the Executive Director and/or Security, depending on urgency;
- Remember that all employees are on duty at all times when on campus; and
- All employees are responsible for student discipline.

EMPLOYEES SHOULD NOT:

- Fail to report disciplinary infractions;
- Punish the entire group for the misbehavior of a few;
- Argue with students;
- Embarrass or belittle students;
- Ignore disciplinary infractions because the paperwork takes too long;
- Refuse to consider mitigating circumstances;
- Stereotype groups of teens; even artistic students are unique;
- Compare students with one another;
- Become overly friendly or familiar with students; this can cause loss of respect;
- Repeatedly show favoritism to certain students;
- Challenge or dare students to repeat an undesirable act or get yourself in a position of “do it or else”
- Administer unusual punishments;
- Punish by leaving students alone and unsupervised in a classroom or hall;
- Punish by having students write lines;
- Make physical contact in an attempt to discipline; or
- Be alone with students in a non-public, inappropriate place.

GUIDELINES FOR ISSUING DISCIPLINARY ACTION:

When issuing discipline for students, follow these steps if on campus in the academic setting:

1. Deal with the issue immediately with the student in a calm and appropriate manner;
2. Report the issue to the Principal/Director of Residence Life in writing;
3. The Principal/Director of Residence Life will decide the level of infraction and document in student files:
 - a. If level 1-2, the Principal/Director of Residence Life will handle the situation and inform the Executive Director;
 - b. If level 3, the Executive Director will handle the situation and involve the Principal/Director of Residence Life;
4. A conference with the student will be held as necessary with consequences outlined in writing;
5. Follow-up will be made as necessary to fulfill consequences; and
6. If parents need to be contacted, the Administrator will make the contact for the conference

When issuing discipline for students, follow these same steps if on campus in the residence life setting. The Director of Residence Life/Principal may administer level 3 infractions in the place of the Executive Director when necessary.

When off campus for MSA event, if discipline issues arise all the steps should be consistent with on campus regulations.

When off campus in the community unrelated to MSA, follow these steps:

1. Deal with the issue immediately with the student in a calm and appropriate manner.
2. Do not make a scene with the student in a public place, ask the student to step to the side to discuss.
3. Report the issue to the Executive Director.
4. A conference with the student will be held as necessary with consequences outlined in writing.
5. Follow up will be made as necessary to fulfill consequences.
6. If parents need to be contacted, the Executive Director will make the contact for the conference.

CONTACTING PARENTS

Teachers have the authority to contact parents with regard to academic issues. All disciplinary issues should be reported to the Director of Residence Life, Principal, or Executive Director, and contact will be made with parents, as necessary. To build relationships with parents, we encourage positive reports to them as often as possible.

TECHNOLOGY OFFICE AND LOCATIONS

The MSA technology office and secured technology locations are off limits to staff and students unless they are accompanied by the Technology Coordinator or given permission from the same. Staff members shall not use master keys to enable a student to access the technology office.

TECHNOLOGY – ACCEPTABLE USE POLICY

All staff members shall participate in training, read and sign the Acceptable Use Agreement Contract.

MSA is pleased to offer to its students, faculty, and staff access to the Internet in accordance with the terms and conditions of this policy. All users of the internet access shall comply with the school's Acceptable Use Policy. It is important that all users understand the terms, conditions, and responsibilities associated with the use of the internet access.

This policy governs the use of all computers, computer-based communication networks and all related information technology equipment administered by MSA. A user is defined as any person employed by MSA, which includes full-time, part-time, temporary, or contract employees; persons who are employed by contractors or subcontractors of MSA; and any other individuals who are authorized to access or use agency information systems including students, parents, prospective students, and project volunteers. The electronic communications and facilities of MSA are the property of the State and by using these facilities the user acknowledges consent to abide by this policy. These facilities and resources are to be used for School business purposes.

MSA has taken available precautions to eliminate controversial material. However, it is impossible for MSA to restrict access to all controversial materials. Parents/Guardians agree not to hold MSA responsible for materials acquired by students on the network. Parents/Guardians accept full responsibility for supervision of each child's Internet access if and when their use is not in a school setting. Further, Parents/Guardians full responsibility for their child's use of property of MSA. Parents give their permission for MSA to provide computer network and Internet access to each child and consent to the monitoring of each child's computer and Internet activities by MSA. All conditions of the Acceptable Use Policy also apply to the use of the dormitory network, DormNet.

CHILDREN'S INTERNET PROTECTION ACT (CIPA)

In December 2000, Congress enacted the CIPA. For any school or library that receives discounts for Internet access or for internal connections, CIPA imposes certain requirements. The CIPA requires that schools restrict employee and student access to the Internet. Under the CIPA, covered schools shall have an Internet safety program which filters both adult and student access to visual depictions that are obscene or constitute child pornography. The program shall also prevent students from accessing materials that are harmful to minors.

The school receives these discounts for Internet Access through the E-Rate program and is therefore in compliance with the CIPA. Key terms for this policy are defined by the Children's

Internet Protection Act.

In compliance with CIPA 2008 updates, all students at the MSA are educated about appropriate online behavior, including interacting with other individuals on social networking websites, in chat rooms, and in cyberbullying awareness and response.

CHILDREN’S ONLINE PRIVACY PROTECTION ACT (COPPA)

The COPPA, effective April 21, 2000, applies to online collection of personal information from children under the age of 13, such as full name, home address, email address, telephone number or any other information that would allow someone to identify or contact the child. The Final Rule issued by the Federal Trade Commission spells out what a Web site operator shall include in a privacy policy, when and how to seek verifiable consent from a parent, and what responsibilities an operator has to protect children privacy and safety online.

EDUCATION, SUPERVISION AND MONITORING

It shall be the responsibility of all members of the MSA staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of The Technology Coordinator or designated representatives. The MSA or designated representatives will provide age-appropriate training for students who use the MSA Internet facilities. The training provided will be designed to promote the MSA commitment to:

1. The standards and acceptable use of Internet services as set forth in the MSA Acceptable Use Policy;
2. Student safety regarding:
 - a. the Internet;
 - b. appropriate behavior while on online, on social networking web sites, and in chat rooms; and,
 - c. cyber bullying awareness and response (see also the Anti-Bullying policy regarding expectations of electronic usage), and
3. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use policies.

NETWORK AND COMPUTER USAGE ON CAMPUS

The MSA campus computer network is referred to as MSANet. The MSANet usage policies are designed to provide an environment that is consistent with the MSA mission and vision, MDE requirements, and federal/state laws. MSANet refers to devices attached to the entire

computer network system at the MSA. MSANet includes but is not limited to the Local Area Network (LAN on campus), all MSA file servers, and access to the Internet.

MSANet facilities and network connections are for providing educational computing support to students, faculty, and staff. Under federal statutes and the sections of the Mississippi Code, which govern the use of these resources, all users shall use the MSANet resources properly and for the purpose designated by the legislature. Students, faculty, and staff shall follow all existing federal and state laws and MSA regulations and policies that apply, including those specific to computers, networks, and websites, and those that may apply generally to personal conduct.

CYBERSECURITY

Cybersecurity plays an important role in today's technological world. With advanced threats from criminals around the world, any exploitable area in technology systems can be used to gain unauthorized access from perpetrators. With that in mind, MSA will take pertinent steps to help prevent cyber-attacks against the institution's computer network systems, but employees shall also do their part in helping to prevent such attacks.

Staff and students are encouraged to take cybersecurity seriously. Training on cybersecurity shall be conducted yearly, and additional training will be held as optioned by the administration.

Users of MSA computer systems are prohibited from sharing login credentials with other users unless expressed permission is given by the Technology Coordinator. It is the responsibility of the user to secure his login credentials when accessing trusted network resources. Passwords associated with trusted resources shall contain an appropriate strength, and of at least 8 alphanumeric characters.

In regard to cybersecurity, MSA reserves the right to monitor the network system for signs of illegal or unauthorized activity. Even though the MSA Acceptable Use Policy may not expressly prohibit an activity, such behavior may not be permissible. The Technology Coordinator may delete files deemed necessary. For questions related to appropriate use, contact the Technology Coordinator.

INAPPROPRIATE NETWORK USAGE

To the extent practical, steps shall be taken to promote the safety and security of users of the MSA online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors. The following behaviors are not permitted on district computers:

1. Sharing confidential information on students or employees;

2. Sending or displaying offensive messages or pictures;
3. Using obscene or sexually explicit language or images;
4. Discriminatory, harassing, derogatory, insulting or attacking any individual or group;
5. Defamatory or threatening language or images;
6. Damaging computers, computer systems or computer networks;
7. Violating copyright laws or any laws;
8. Using others' passwords;
9. Trespassing in others' folders, work or files;
10. Intentionally wasting limited resources;
11. Using computers for personal or commercial purposes;
12. Supporting/opposing political candidates or issues;
13. Engaging in practices that threaten the system (e.g. loading files that may introduce a virus);
14. Violating regulations prescribed by the provider;
15. Conducting union business;
16. Promoting, supporting, celebrating or opposing religion or religious institutions;
17. Engaging in for any purpose that is contrary to MSA's policies or interests;
18. Visiting obscene web sites;
19. Participating in any obscene "chat room" communications;
20. Unauthorized monitoring or intercepting files or electronic communications of other users;
21. Attempting to bypass any internet filtering, traffic regulating, or such automated systems designed to control the access level and functionality of the MSA network as required by CIPA (Child Internet Protection Act); and
22. Hacking or obtaining access to systems or files that are unauthorized to the user.

No personal computer or other personal hardware device(s) may be used to connect to, to log into, or to interface with the MSANet academic network at any time. No personal removable media (including but not limited to floppy disks, PIN, thumb, jump drives, and etc.) may be used in conjunction with MSA equipment. MSA will archive all emails sent or received through the network or on MSA equipment for a period of at least 60 days and that these emails are subject to review by the Technology Department staff and the Executive Director or designee(s).

USER RESPONSIBILITIES

As MSANet account holders, users should:

1. Be owners of their data and keep account information confidential;
2. Provide a personal USB flash memory drive for school use in storing personal files and moving them from one computer to another. Other marketing terms used for these devices are "thumb drive" or "jump drive;"
3. Be responsible for ensuring that their data is adequately backed up and protected against unauthorized access;
4. Notify the Technology Coordinator to change their personal password when they suspect it has been compromised;

5. Report suspected violations of technology guidelines to the Technology Coordinator.
6. **Remember**, no information stored, produced, or transmitted in any way on devices that contact the MSANet or DormNet networks is to be considered confidential or private in any way. **ALL** information is subject to monitoring and examination for appropriate content at any time. This **INCLUDES** personally owned disks or devices used in conjunction with the MSANet or DormNet networks. Any such item shall be surrendered on demand to any school official that requests it for examination.
7. Remain in good standing as a staff at the MSA. When staff are suspended, dismissed, or otherwise no longer employed, permission to use school resources may be removed, and access to the school and its systems may be denied until the staff member returns to the school in good standing. Staff who are dismissed from employment automatically forfeit all access to school technological resources.

PERSONAL COMPUTERS AND PERIPHERAL DEVICES

In general, staff may not connect their own computers, peripherals, or technological devices to the MSA network. This includes such devices as external drives, iPods, cell phones, smart phones, digitizing tablets, and etc. However, staff may connect thumb drives to the system for purposes of storing and retrieving their own personal data as it relates to school purposes.

Staff who choose to have their own computers on campus shall:

1. Provide the computer and all necessary accessories to allow it to function and ensure that it is configured by the staff in compliance with safety protocols;
2. Understand that the resources of the MSA technology staff are for official school purposes only and cannot install or repair equipment, hardware, or software on staff computers;
3. Understand that it is a privilege NOT a right for a staff to have a personal computer on the MSA campus;
4. Recognize that violations of MSANet policy may result in personal computers being sent home, loss of some or all computer privileges, and/or other disciplinary actions;
5. Ensure that real time antivirus software is installed, active, and kept up to date on all machines;
6. Agree that MSA reserves the right to modify the system configuration to insure compatibility with network systems; and
7. Agree to keep the operating system of the computer up to date by automatically applying all manufacturer's security updates as they are released.

MSANET POLICY ENFORCEMENT

To protect the MSANet resources and monitor proper usage of computer resources for educational purposes, the Technology Coordinator shall:

1. Investigate alleged abuses of computer resources;
2. Access the electronic files of its users as part of that investigation if there are indications that computer privileges have been violated;
3. Limit the access of users found to be using any computer systems improperly;
4. Administer disciplinary actions as directed by school administration for violations of

MSA policies that may include the loss of some or all computer privileges and/or other disciplinary actions;

5. Act as a technical advisor to school administrators when they hear all cases involving misuse of computer privileges;
6. Deny access temporarily pending review when there is a reasonable suspicion that such use may harm or do damage in the interim; and
7. Administer the technical aspects of all penalties for computer violations assigned by school administration.

HARDWARE

1. All personal computers (PCs), servers, workstations, printers, network switches, and other associated equipment are the property of the State of Mississippi and should not be used for purposes other than school business. All such equipment is by default considered to be under the authority and supervision of the MSA Office of Technology unless it is specifically excluded in a written agreement between the MSA Office of Technology (MSAOT) and the appropriate substitute designee. No hardware changes, modifications, additions to, deletions from, or removal of any equipment may be done to any such style equipment without notification to the MSAOT in writing, including all units as described above. Additionally, no person other than Office of Technology personnel may make such hardware changes to any unit under its supervision unless an MSAOT representative authorizes such action in writing in advance.
2. No personal devices are to be connected to the MSANet network without special permission for the MSAOT. The only routine exception to this rule is that personal USB Flash Memory devices (jump drives or thumb drives) may be used for storing or moving user data files.
3. The transfer of any information system equipment from one user to another, or to vendor for repair, shall be recorded using appropriate MDE Property Office procedures.
4. Except for notebook PCs used daily in offsite work, no information systems equipment should be removed from the MSA premises without the prior permission of both the individuals' immediate supervisor and the MSAOT. In the event equipment is to be off premises for some time, the user responsible for the equipment shall file a written notification with the Office of Technology.

SOFTWARE

1. Software owned or licensed by MSA may not be copied to alternate media, distributed by e-mail, transmitted electronically, or used in its original form on other than MSA computers without express prior written permission from the MSAOT. Users will adhere to all applicable licensing agreements and copyright provisions.
2. Software licensed to MSA is to be used for its intended purpose according to the license agreement. Users are responsible for using software in a manner consistent with the licensing agreements of the manufacturer. License agreements are to be maintained by

the MSAOT staff, or the machine's official substitute designee. Copies of all license agreements are to be kept on file in the MSA Technology office regardless of official supervisory authority.

3. Without prior written approval, software, including but not limited to Internet downloads, utilities, add-ons, programs (including shareware, freeware and Internet access software), patches, or upgrades, shall not be installed on any school owned equipment by anyone other than a representative of the MSAOT.
4. All software obtained for use on MSA equipment shall be approved in writing by the MSAOT staff prior to acquisition. Any software obtained for systems that have a substitute supervisory designee shall have a copy kept on file in the MSAOT Department along with the proof of the licensing certification.
5. Standard software is to be used for all internal functions. When required, approved non-standard software is to be used only to interface with customer/vendor organizations and other governmental agencies. Any non-standard software needed to perform a specific job function should be approved by the MSAOT.

PRACTICES

1. System identification codes and passwords are for the use of the specifically assigned user and are to be protected from abuse and/or use by unauthorized individuals. Users are to always and only use their individually assigned system access credentials and are not to share credentials. Any use of another user's credentials shall be reported immediately to the MSAOT staff.
2. All e-mail attachments and executable e-mail messages are automatically scanned for viruses using the virus detection software installed on all MSA computer workstations. In the event of any configuration changes to the workstation, even with the approval of the MSAOT Staff, it is the responsibility of the user to ensure virus protection is active prior to opening/executing any file, regardless of the method by which it was obtained. In addition, users are expected to exercise good judgment and safe computing practices to protect agency systems against the threat of potential virus exposure.
3. Like all MSA information systems resources, Internet access and e-mail are for work-related use. Access to e-mail and Internet sites visited can be monitored at the specific individual level.
4. All Internet use facilitated by the MSANet system shall conform to all regulatory statutes as governed by the Child Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA).
5. Users may not use MSA information systems resources for soliciting, personal

financial gain, partisan political activities or further disseminating “junk” e-mail such as chain letters, spam, or etc.

6. Information contained on any school system is strictly proprietary to the State of Mississippi and MSA. Copying or disseminating any of this information for any purpose other than state business is strictly prohibited.
7. It is highly recommended that all faculty and staff users store data files (word documents, spreadsheets, databases, etc.) in their various directories on the network file servers. The MSAOT Department is responsible for backing up data on the network servers. The individual users are responsible for backing up any files not stored in the appropriate areas of the network servers.

DEADLINES

Deadlines (e.g., attendance, grades, budget requests, and cleaning for school events) are established to ensure a timely response to the students, parents, and community as well to ensure a safe and orderly campus. Employees who fail to meet deadlines will be subject to administrative review.

FORMS AND PUBLICATIONS

A wide variety of forms are necessary to acquire data necessary for the effective operation of a residential school. Forms shall be made available using network resources and available to all employees, subject to access rights assigned by the Technology Office.

Occasionally, a need arises for a new form. All forms shall be created using an appropriate MSA format. Before distribution and use, all forms shall be approved by the Executive Director. Be certain that the document has been proofed for correct spelling, grammar, and punctuation before submitting it for approval. The documents provided by an organization reflect on its professional quality.

Communications should be concise, clear to understand, but written from a supportive perspective. Use grammar and spell check to proof all documents. Word process and print all communications on school letterhead using 10-12-point Arial font with fully justified paragraphs.

When at all possible, communications via electronic documents are preferred to conserve natural resources and economize considering rising costs of postal services. Staff members shall refrain from modifying MSA letterhead forms, memos, fax documents, or etc., without permission. A consistent appearance in documentation helps create a school “brand”—a visual identity that communicates excellence and professionalism.

Please note that training will be provided to all employees on each form and its purpose. Staff are responsible for timely and accurate paperwork in all aspects of work. Habitual problematic submissions will result in a reprimand.

CUMULATIVE FOLDERS AND PERMANENT RECORDS

MSA maintains student cumulative folders and permanent records according to state laws and regulations. Cumulative records are stored in locked, fireproof files in the administrative office basement storage area. Authorized staff members (administrative staff, counselor, and teachers) may examine and work on student records only in the administrative office areas. Parents may request to inspect a student's education records which will be arranged within 15 days of receipt of the request.

RECORDS RETENTION

The MSA shall retain copies of records in accordance with the mandatory school, SBE, Department of Archives and History, and other state and federal requirements. The following documents will be used for guidelines:

1. State of Mississippi Records Retention Schedules for School Districts,
2. Mississippi Cumulative Folders and Permanent Records Manual of Directions,
3. Guidelines for retention of records for specific federal programs (e.g., E-Rate, and National School Lunch Program),
4. The Family Educational Rights and Privacy Act of 1974 (FERPA), and
5. The Confidentiality Section of the Individuals with Disabilities Act and the 1997 Amendments to the Individuals with Disabilities Education Act.

STATE OF MISSISSIPPI RECORDS RETENTION SCHEDULES FOR SCHOOL DISTRICTS

IMPLEMENTATION OF THE GENERAL SCHEDULES

These general records retention schedules are issued by the Department of Archives and History, Local Government Records Office, as found in Miss. Code Ann. § 39-5-9. The Local Government Records Committee approved these schedules on the dates indicated. Additions and revisions to the schedules may be issued in the future by the Local Government Records Office and will be distributed accordingly.

The retention period listed in the general schedules for each records series is the **minimum** time necessary to retain the records. *There may be conditions or factors in a local government that require retention of a particular record series for a longer period than is required by the general records schedule, and, in such cases, the local governments are urged to continue retention of the records series as needed.* In no case, however, may records series be destroyed sooner than the scheduled retention period.

Records involved in investigations, audits, or litigation must be maintained until the settlement of the case and subsequent appeals regardless of disposition instructions found in a records retention schedule.

No local government records dating prior to 1920 shall be destroyed without special schedule directions issued by the Committee. Destruction of records dating prior to 1940 but after 1919 may be undertaken only with the written approval of the Director of the Department of Archives and History.

The Committee may modify this date according to the historical value of a particular record series by placing a special statement in the retention period of such series with an approved records control schedule.

Upon expiration of the minimum retention period, local officials are authorized to dispose of the records if there are no extenuating circumstances. Disposition should be done in a manner consistent with the nature of the records (e.g. records containing confidential information should be disposed in a manner that will insure confidentiality). There may be instances when a county, upon the expiration of the retention period, may choose to transfer a records series to a public library or a local historical organization as an alternative to destruction. Prior to such a transfer, the county must contact the Local Government Records Office.

According to Mississippi law, records may not be destroyed except in accordance with an approved retention schedule. Therefore, records series not listed in these schedules are not eligible for disposal until an appropriate records retention schedule has been approved by the Local Government Records Committee.

ASSEMBLIES, EVENTS, & ACTIVITIES

All events or assemblies to be scheduled during the school day shall be approved by the administration in advance, added to the school calendar, and be closely connected to meaningful teaching and learning. All other events and assemblies may be held at night or on the weekends. See section entitled “Performances, Rehearsals, & Meetings” of this handbook.

PUBLICITY AND PROMOTIONS

MSA has a variety of performances, exhibits and events annually. All promotional materials (press releases, fliers, and programs) shall be approved by the Executive Director prior to distribution or printing. If changes are requested a second version shall be presented for approval unless otherwise instructed. Materials should be ready in a timely manner with adequate time to fix any issues before distribution.

The visual appearance of an institution makes the first impression when visitors arrive on campus. Therefore, posters and signs should reflect the quality of work that is at the heart of the MSA mission for the school. Materials promoting businesses, politics, churches, or other organizations are forbidden.

The staff member is responsible for proofing all text and check to ensure that copyrighted materials have not been appropriated. Photos of staff members, students, or others should not be

used without permission. When posting signs on doors or windows, tape them inside of the glass on all corners to prevent curling and sagging. Do **not** post items on exterior surfaces or on painted or wood surfaces inside. Please remove posted signs, the tape, and any residue in a timely manner.

INDEPENDENT CONTRACTORS

Administrators shall follow all contractual policies and procedures when securing the services of an independent contractor (e.g., fire inspections and pest control). Administrators should maintain department copies of independent contractor documentation before submitting originals to the Administrative Assistant and the Executive Director. Directors are required to submit quotes in accordance with purchasing laws for any contract when hiring independent service providers to ensure more economical pricing.

CONFERENCES

EXECUTIVE DIRECTOR AND EMPLOYEE

Conferences will be held at the discretion of the Principal or Executive Director or upon request of the employee. Please schedule an appointment except in matters of urgency.

DIRECTOR/PRINCIPAL AND EMPLOYEE

Conferences will be held at the discretion of the supervising Director/Principal or upon request of the employee. Please schedule an appointment except in matters of urgency.

ADMINISTRATOR (TEACHER, STAFF) AND PARENT OR GUARDIAN

Since frequent communication with parents or guardians opens many doors, builds partnerships, and creates a supportive educational environment, MSA employees shall be responsible in taking the initiative to schedule a parent conference at the first sign of a student's deviation from the norm. Parent/teacher conferences should be scheduled during a teacher's preparation period. Non-teaching employees may schedule appointments with parents according to individual work schedules and upon approval of their immediate supervisor or Executive Director. When possible, the Executive Director will notify employees in advance when parents request a conference through the administrative offices. With sufficient advance notice, the Executive Director may be invited to attend conferences if requested. When travel distance is prohibitive, a parent conference may be held via virtually or by phone.

EMPLOYEE/STUDENT

An employee who has frequent and direct communication with students will find the profits to be overwhelming in the areas of student achievement, behavior, and overall progress. Employees should keep records where problems exist and where improvement plans are designed. If a student is placed on probation, policies and procedures delineated in the MSA Student Handbook shall be followed.

INSTRUCTIONAL EXPECTATIONS

TEACHER AS THE AUTHORITY IN THE CLASSROOM

The MSA, as governed by the SBE, recognizes the teacher as the authority in classroom matters and supports the 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 to the office of the principal any student who, in the professional judgment of the teacher, is disrupting the learning environment.

The principal shall determine the proper placement for the student, who may not be returned to the classroom until a conference 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, shall provide justification for his or her disapproval.

A student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities may be subject to discipline actions. School officials, the reporting teacher, and the student's parent will develop a behavior modification plan 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.

CLASSROOM MANAGEMENT

TAKING STUDENT ATTENDANCE

Compulsory school attendance laws mandate that students attend school regularly. Teachers and substitute teachers shall take attendance each class period. Attendance shall be completed within the first ten minutes of each class. Students are marked tardy if they come into class after the second bell. Students missing thirty minutes or more are considered absent. Since substitute teachers will be using a printed roster, they should call the attendance secretary each block to report attendance.

LEAVING STUDENTS UNATTENDED

MSA policy forbids leaving students unattended in classrooms or sending students around campus without supervision. Teachers are responsible for ensuring a safe and orderly classroom environment where adult supervision is provided without interruption. Classroom climate should always support teaching and learning. At no time should students be left alone under the supervision of a student teacher. Supervision policies are in effect at all times when students are assigned to a classroom or duty post. Policies cover spaces inside and outside campus facilities or off campus when staff members are supervising school activities.

ESTABLISHING CLEAR EXPECTATIONS FOR STUDENTS

Students excel when they are given clear expectations and high standards for living and learning. Make certain that assignments are clear, requirements and deadlines understood, and assessment criteria determined in advance and used as a work tool. Set firm deadlines and stick to them. Do not accept work beyond established time frames except in circumstances of excused absences. See the MSA Student Handbook for specific guidelines. Never accept student work after a grading period has passed except in circumstances approved by the Executive Director or Principal.

SETTING RULES FOR STUDENT CLASSROOM BEHAVIOR

Teachers are responsible for working with students to establish classroom rules and teach appropriate classroom behavior to those under their care. Appropriate language, physical boundaries, and classroom etiquette should be taught and maintained throughout the school year. Disciplinary Reports shall be completed for violations of school policies including classroom rules.

ALLOWING STUDENTS TO WORK OUTSIDE THE CLASSROOM

Sometimes students may need to work outside the classroom independently for legitimate learning experiences such as taking photographs, painting from real life, rehearsing in pairs or small groups out of doors, etc. Such instances shall be kept to a minimum. Faculty members should make certain that students always work in common areas where they are clearly visible. Students shall not work in areas where noise or the physical presence of additional persons would interrupt teaching and learning in other classrooms. Teachers shall circulate among the students and maintain contact with them throughout the class time.

ATTENDING ASSEMBLIES AND PERFORMANCES

All teachers shall accompany their students to campus assemblies, meetings, and performances. Teachers are responsible for student conduct during these events. Proper, respectful, audience behavior is a critical component of becoming a productive citizen. When accompanying students on a field trip, proper etiquette of audience behavior is expected.

PROFESSIONAL DEVELOPMENT

In accordance with the MSA commitment to excellence among its employees, the school will provide opportunities for professional development for all its employees that complements and supports the educational program. Additionally, staff are encouraged to seek unique opportunities that can enhance their job performance.

LESSON PLANS

Teachers are responsible for writing and following a lesson or unit plan for each class period. Lesson

plans should be written with clear objectives and learning experiences so that anyone could follow the lesson. Each lesson must be tied to the College and Career Readiness Standards for the specific subject area.

Each teacher will be given access to Moodle and a template and should have plans available for review at 7:45 a.m. every Monday morning or the first workday of the week. An administrator observing in the classroom may give the teacher comments, questions, and suggestions for the current lesson. All print materials (e.g., handouts, tests, and rubrics) should be included with each lesson plan or be made available upon request/observation.

There should be a different lesson for each course taught. If a teacher has four different courses, a different lesson should be planned for each day. Teachers are advised that all lesson plans are subject to review by administration. Teachers having computer issues should use the library for entry of lesson plans and/or make arrangements to provide a hard copy of his/her lesson plans to the principal. Failure to prepare lesson plans may lead to administrative action. To facilitate revision, all lesson plans should be done electronically and stored for future personal use.

APPROPRIATE CONTENT

The MSA is a public high school on a campus that includes residential support services. The school seeks to provide a safe and healthy, positive learning environment. In keeping with this philosophy, things such as tobacco, drug, or alcohol usage, profanity, violence, abuse, lewdness, nudity, sexuality, or any other suggestive subject matter is not considered appropriate content in student generated works created in any medium (e.g., written, performed, electronic, artworks, video, photographs, or cartoons). This policy applies to all aspects of the campus; students and faculty members must refrain from generating, producing, or performing works that might be questionable. Written and published works may have to be edited to be appropriate for use in a public school context where students are minor children. Questions regarding appropriate content should be addressed to the Principal for approval.

HOMEWORK

Teachers may assign a reasonable amount of meaningful homework. All homework will be checked or graded by the teacher and counted toward course credit. No homework will be given prior to subject area or standardized test days or holidays without special permission from the Executive Director or Principal. Teachers are expected to provide assignments and other assistance to students with excused absences as specified by the policies in the Student Handbook.

FIELD TRIPS

Field trips are an important extension of the curriculum. Students are afforded opportunities during the school year to travel in state and possibly out-of-state. With this privilege comes the responsibility to exhibit expected behaviors while representing MSA. Trip administrators, teachers, or staff members in charge will communicate expectations and the policies of the student handbook are applicable during all travels. Violators will be referred to the Executive

Director. Students are encouraged to participate in all field trips sponsored by the school or their teachers. Students are responsible for contacting teachers prior to missing a class for any field trip scheduled by another instructor.

The following guidelines shall govern school-sponsored trips:

1. The faculty or staff member sponsoring the trip will submit a request in the Field Trip Database for approval at least two weeks prior to departure.
2. The request will be forwarded to the Principal to secure substitutes as needed and assess if ADA and class minutes are affected.
3. All trips shall be educational and well planned with an adequate number of chaperones. A ratio of one adult per ten students is acceptable.
4. Parents or other adults (of acceptable age and maturity) may serve as chaperones, but the instructor is responsible for ensuring that they understand their duties.
5. Faculty and chaperones shall travel in school vehicles with students to ensure proper supervision and safety while in transport.
6. Last-minute requests for trips will not be approved.
7. The request will be forwarded to the Director of Security and Director of Residence Life to see if a bus and driver are available in advance since MSA has a limited number of vehicles and drivers.
8. If admission fees or tickets are required as part of the field trip, participants should collectively share the costs for the bus driver.
9. The request will also be forwarded to the Director of Food Services. If bag lunches, beverages, or snacks are needed for the trip, the sponsor shall make the request upon entry in the database, and said request shall be made at least two weeks in advance using the Food Service Function section of the database request.
10. The teacher will submit in the request a list of those students participating in field trips. Notification of those attending will be posted in the Morning Announcements.
11. Students are responsible for obtaining class and homework assignments missed as a result of field trips. All work must be completed in accordance with the make-up policy.
12. The General Permissions Information Form provides parental signature allowing students to participate in all school sponsored field trips within Mississippi. Out-of-State requests shall be secured with an additional Student Permission Slip after travel authorizations from the MDE are secured for staff.
13. Even though the school has general trip authorization signatures on file, the field trip sponsor should notify parents in advance of the scheduled event so they will know their child will be away from campus for a specified period.
14. A student without the required signed permission forms and/or assessed fees in advance of the trip date may not participate in the field trip.
15. Students who do not participate in field trips must complete an alternative assignment.
16. School rules and regulations found in the MSA handbook pertain to all school-sponsored trips.

Field trips shall not occur during statewide testing. All field trips will be complete prior to May 1. The sponsor of any field trip shall ride on the bus with the bus driver and students to and from the destination. State statute requires that a staff member in addition to the bus driver should ride

in the bus with the students. For MSA field trips, rarely is there another staff member available to accompany the students. Parent chaperones or volunteers cannot be held liable for knowing MSA policies and implementing proper behavior expectations. Therefore, the sponsor of the field trip will be mandated to ride with the students on the bus.

STUDENT TEACHERS/INTERNS/GUEST ARTISTS

Occasionally, upon request, student teachers, interns, or guest artists may be assigned to an MSA teacher. All requests for the placement of student teachers shall be addressed to the Principal or the Executive Director for approval before arrangements are made. For student teachers, contact by the teacher education placement office shall be made from the university, not through the student or the prospective resident teacher. The supervising teacher will be responsible for mentoring the development of the student teacher's classroom management, teaching and learning strategies, and professionalism

~~The supervising teacher will be responsible for mentoring the development of the student teacher's classroom management, teaching and learning strategies, and professionalism.~~ Student teachers, interns, and guest artists shall not administer or prescribe punishment to students. ~~Student teachers~~ They will abide by the policies set forth by the MSA. Supervising teachers shall never leave pupils alone in the care of a student teacher, intern, or guest artist.

SUBSTITUTE TEACHERS

When teachers anticipate being absent, they should discuss the absence with the Principal before finalizing plans to be absent from school. Faculty members shall submit a request to the Principal for approval at least two (2) weeks prior to the date of requested absence. The request shall have the up-to-date substitute file including all items listed below. Last minute requests will be denied. When a teacher will be off campus supervising school activities during the school day, the same procedures shall be followed. MSA has a limited number of substitutes, so advance notice is mandatory, but illness and emergencies do occur occasionally.

When notifying the Principal or Executive Director during school, please call the following numbers:

Principal
601-823-1308 Office

Executive Director
601-823-1303 Office

Do not leave a voice mail message. Call or text until you receive a response from someone. Classroom teachers shall maintain an up-to-date substitute file that will be kept at the teacher's desk in preparation for absences due to unexpected illness or emergencies. Folders must be clearly labeled with the teacher's name and containing the following:

1. Generic lesson plans that are meaningful to the subject area, but applicable to any time period within the semester;
2. Class rosters (Keep them up to date);

3. Teaching schedules;
4. Duty assignments with clear instructions;
5. Select students in each class whose job it will be to assist a substitute in routine matters;
6. Make sure that all necessary materials will be readily available for the substitute with instructions concerning what to do with assigned and completed work;
7. Leave blank Campus Passes for use by the substitute;
8. Please include Discipline Report forms for the substitute in case a problem arises;
9. Follow up on reports left by the substitute regarding discipline problems that may have occurred during your absence.

PLEASE NOTE: All work produced in the absence of a teacher shall be graded and included as a part of regular grades. Too frequently students perceive work assigned in the absence of a teacher as busywork— therefore, they think it is not important. Meaningful and challenging work left in the absence of a teacher supports continuous learning and helps maintain order and discipline.

ILLNESSES (STUDENT)

Send the student to the school nurse with a pass. Allow another student to accompany him/her if his/her condition so indicates. Even if a student appears to be feigning illness, it is usually better practice to acknowledge the student's feelings and allow the nurse to make a medical decision. The nurse will assume responsibility for further action and follow through.

Under no circumstances should faculty members send a student to the dorm or “prescribe” treatment when a student claims to be sick. The school nurse (or designee) is the only medical professional on campus. If a student is seriously ill, the nurse will contact the parents and the child will go home. In instances that the nurse is off campus, the second person for contact is the Attendance Secretary and the third person for contact is the Administrative Assistant in the Y-Hut. During the evening, the residence life staff may administer medications according to policy and can assist with getting emergent care as needed.

MEDICATION ADMINISTRATION TO STUDENTS

MSA follows a self-administration policy for students to take prescription and over-the-counter medications. Designated staff members have been trained on tracking administration of medications. Employees who have been trained are required to see the medication that a student is taking, watch them take it, and document the action in the school software. Employees who are not designated or trained are prohibited from administering medications at any time.

Designated MSA employees will dispense medication to students in accordance with policies included in the Student Handbook. Over the counter medications may be acquired from the nurse for self-administration by employees.

TEXTBOOKS

Teachers are responsible for maintaining the inventory of all textbooks assigned to their classrooms or workstations. Upon arrival on campus, they shall verify the Textbook Inventory

form provided and report any differences to MSA Textbook Coordinator. The following procedures shall be used:

1. In assigning textbooks, teachers shall record book identification numbers, book title, and the student receiving the textbook.
2. Secure all textbooks not assigned to individual students. Leaving books on open shelves in the classroom results in damage and loss.
3. When a student moves, books shall be turned in to the classroom teacher as a part of the withdrawal process before records are released. A teacher's signature is required to complete the withdrawal process or before checking out for the summer or before graduation.
4. Students will be charged for books that are lost.
5. All losses and collections for textbooks shall be reported to the textbook coordinator(s) in the Y-Hut.
6. Teachers and staff members distributing books to pupils are authorized to collect for any damage or excessive wear of the textbooks.
7. Loss or damage fees will be based on the schedule published in the MSA Student Handbook.
8. The amount collected should be determined by the extent such damage has impaired the future use of the book and should be sufficient to impress upon parents and student the necessity for proper care and the use of the state-funded textbooks.
9. To comply with state accreditation policies, books that are more than ten (10) years old are not included in state textbook inventory and shall not be stored permanently in classrooms. Since MSA uses many books that are more than ten years old for reference (e.g., plays, art history texts, trade books), these books will be stored in the library, checked out by the faculty member who needs them and returned to the library when work is completed. The staff member or student who checks the books out of the library is responsible for their return.
10. Teachers shall inventory textbooks and report the information to the Textbook Coordinator at the end of the school year (semester). If a faculty member leaves campus at the end of the school year without completing textbook inventory requirements, he/she will have to return to campus to complete documentation not turned in.
11. Clearly mark all personal books and resources materials with your name to distinguish them from state property.

DUTY STATIONS

All teachers and employees, who are present in the Student Life Center during meal periods, are responsible for correcting inappropriate behavior. This responsibility extends to the entire campus at all times.

LUNCH DUTY CAFETERIA LINE

Two duty stations are located as follows: (1) Monitoring students in line into the serving area and (2) Circulating throughout the dining room area. Duties may include:

1. Being on duty at 11:20 a.m. until 12:15p.m.
2. Ensuring that students do not break line at the serving area.
3. Ensuring that all students abide by school rules during lunchtime.
4. Monitoring tables to make sure students dispose of trash, dishes, and trays properly.
5. Monitoring noise level and ensuring that the television remains off during mealtimes.
6. Encouraging good etiquette.
7. Completing Discipline Reports for those who violate school policy and reporting to the Principal.
8. Finding a replacement when absent or on a field trip.

HALL AND CAMPUS DUTY

Between classes, all teachers should stand in their doorways before and after class to ensure safe and orderly conduct in the hallways when changing classes. All employees are responsible for addressing students in relation to proper behavior when passing in the common areas of the campus. Disciplinary action shall be taken when students violate school guidelines.

SPECIAL EDUCATION

It is the policy of the MSA to comply with all provisions of Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and the Carl Perkins Act of 1984, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act of 2004 (IDEA). Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability 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. To ensure the school's compliance, as it applies to students with disabilities, the following procedures have been adopted.

1. The 504 Coordinator (MSA Principal) and counselor will seek to detect students with special education needs, by examining the records of current and incoming students.
2. The 504 Committee will consist of the Principal, an academic counselor, an MSA teacher and the Special Education Services Staff of the Brookhaven School District.
3. The Special Education Director of the Brookhaven School District serves as the MSA Special Education liaison and may be reached at (601) 835-1211.
4. The Individualized Education Program (IEP) committee will consist of all required members pursuant to 34 C.F.R. § 300.321; Miss. Admin. Code 7-3:74.19, State Board Policy Chapter 74, Rule 74.19, § 300.321.
5. The SBE, MDE, and MSA do not discriminate on the basis of race, color, religion, national origin, sex, age or disability in the provision of educational programs and services or employment opportunities and benefits. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

DISCIPLINE OF STUDENTS WITH IDEA AND SECTION 504 ELIGIBILITY

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. The school complies with all provisions of the IDEA of 2004, the Section 504 of the Rehabilitation Act of 1973, Mississippi laws when implementing discipline procedures for students with disabilities.

PLAGIARISM

Because plagiarism is a nationwide problem in schools, each faculty member shall arrange to instruct their students in relation to violation of copyrights at the beginning of each course and include periodic reminders throughout the grading periods. Each arts discipline teacher shall teach the difference between adaptation, appropriation, and copying in the various arts forms and make an appointment with the librarian to do additional instruction on plagiarism using online resources. Violation of copyright is stealing and results in serious disciplinary action. All employees are responsible for reporting incidences of plagiarism, including copying homework. Each employee is expected to serve as a role model by setting an example of respect for the work of others. Schools have been assessed severe fines for copyright violations. Be careful; ask questions. Staff members responsible for ensuring that documents created under their supervision do not contain copyrighted images, photos, text, or other media. Adults shall model correct methodologies for students.

GRADE REPORTING

To ensure timely feedback to students, parents, the counselor, and administrators, teachers must:

1. Publish their grading processes and procedures at the beginning of each course including how various assignments are weighted to determine student grades.
2. Keep accurate, up-to-date records of student grades.
3. Use SAM to enter and average grades according to system requirements.
4. Grade all assessments and major projects or assignments.
5. Average grades in accordance with approved grading scales.
6. Post grades in SAM within three school days after grading is completed, with a minimum of one grade posted per week.
7. Provide feedback regarding grades in a timely manner to facilitate instruction, remediation,

and enrichment.

8. Meet deadlines for grade entry so that progress reports and/or report cards are completed on time.
9. Enter grades with no inaccurate or incomplete information provided.
10. Administer nine weeks examinations. No students are exempt from MSA arts courses exams.
11. Include a daily participation, citizenship, or caring for the work percentage.
12. Count off points for each day late; establish a maximum number of days after which work will not be accepted.

Keeping a paper grade book is discouraged since errors may occur in transferring grades to the electronic system. A print copy of the SAM electronic grade book is recommended. Under no circumstance shall a paper grade book be a substitute for ongoing and timely entry of grades into SAM. Parents have access to student attendance, grades, and discipline via ActiveParent.

INSTRUCTIONAL WORKDAY

MSA Regular Class Schedule (subject to change)

7:35 a.m.	Warning bell for bus loading
7:40 a.m.	Bus leaves for BHS or Co-Lin
8:00-9:34 a.m.	Block 1
9:34-9:55 a.m.	Tutorial Sessions or Morning
9:55-11:29 a.m.	Block 2
11:29-12:14 p.m.	Lunch
12:14-1:48 p.m.	Block 3
1:52 -3:26 p.m.	Block 4
3:30-5:00 p.m.	Tutorial/Online/Production Block

SAFETY

All employees shall take all possible steps to ensure the safety of students at school. The interior environment, campus, and student activities must be in harmony with the requirements of safety. Immediately report any unsafe condition or behavior on campus to the appropriate administrator.

EMERGENCIES

It is essential that the staff be knowledgeable of the school's emergency procedures. Remain calm during emergencies. Specific procedures are described in the MSA Safety and Crisis Management Manual.

FIRE DRILL

In the case of fire, know the fire evacuation routes and procedures. Carry class rosters during evacuation and account for each student under your supervision. Know the location of the nearest fire extinguisher and how to use it.

INCLEMENT WEATHER DEFINITIONS:

- Severe Weather Watch - weather conditions are such that severe thunderstorms may develop.
- Severe Weather Warning - a severe thunderstorm has developed and will probably affect those areas stated in weather bulletin.
- Tornado Watch - weather conditions are such that a tornado may develop.
- Tornado Warning - a tornado has formed, been sighted, and may affect areas identified.

INCLEMENT WEATHER PROCEDURES

During Severe Weather, students will remain in classrooms or the Student Life Center unless notified by school personnel who will continuously monitor the situation.

If a Tornado Warning has been issued, the City of Brookhaven sirens will sound, and an announcement will be made via MSA intercom. If no electricity, administration will announce tornado warning procedures.

In Johnson Institute, all students go to the center hallway on the first floor, be seated with backs against the walls. In the Student Life Center, all persons go to the cafeteria hallway. In the Y-Hut, personnel go to the basement along the interior walls.

In the event of approaching catastrophic weather conditions such as hurricanes or tropical storms that could spawn tornados, all personnel will be moved to the SLC first floor.

PERSONAL EMERGENCY

In case of a personal emergency, teachers should notify the Principal immediately.

IDENTIFICATION BADGES

All MSA/MDE employees must always wear identification badges when on duty. MSA ID badges are mandatory since a security system has been installed on the campus that requires electronic identification prior to entry into campus facilities. Any employee who reports to campus without his/her ID badge shall report to security for a temporary badge.

ACCIDENTS

Administration, faculty, and staff members are responsible for the safety of all students under their supervision. Injuries to students while they are the responsibility of the school shall be given immediate attention. Accident procedures cannot be formulated to apply in all situations. The following will serve as general guidelines and may be modified as individual situations occur.

1. Follow the school emergency plan.
2. Remain calm and promptly decide what needs to be done to prevent the situation from worsening.
3. Act decisively—take charge.
4. If the accident requires further assistance, call the school nurse and call or send someone to the Y-Hut to ask for help.
5. If first aid is indicated and if you are knowledgeable, administer first aid.
6. Resume normal activities as soon as possible.
7. Prior to leaving school, submit a written report to the office using the **Accident Report Form** (student or staff) provided in your **School Safety and Crisis Management Manual** and on the Staff Read Only Forms folder in the network shared drive.

Fulltime employees who are injured on the job are covered by workman's compensation insurance. On the day of the accident or within 24 hours, complete the appropriate MDE form that can be acquired from the Administrative Assistant to the Executive Director.

SEX OFFENDER NOTIFICATIONS

Pursuant to Miss. Code Ann. § 45-33-49(5), the MDE shall notify all school districts annually regarding the availability of the Sex Offender Registry at the Mississippi Department of Public Safety (DPS) Web site: www.dps.ms.gov

DPS information provides the name; address; photograph, if available; date of photograph; place of employment; crime for which convicted; date and place of conviction; and hair, eye color, height, race, sex, and date of birth of any registrant. Also, a sheriff shall maintain records for registrants of the county and shall make available to any person upon request other information deemed necessary for the protection of the public. The sheriffs shall be responsible for verifying their respective registries annually against DPS records to ensure current information is available at both levels.

WEAPONS

MSA desires to maintain a work environment which is safe and secure in nature. Threats, threatening behavior, or any acts of violence against employees, students or other individuals on the premises will not be tolerated and may lead to disciplinary action, up to and including immediate termination, and/or criminal prosecution. Any person who engages in violent behavior, such as making substantial threats, or intentionally hitting, kicking, or striking a person or property on MSA premises may be removed by administration from the premises as quickly as safety permits, and is to remain off premises pending the outcome of an investigation. Additionally, the School Policy prohibits firearms or weapons of any type on the premises.

MSA recognizes the possession of pistols, firearms, or other weapons on school premises or at school functions by persons other than duly authorized law enforcement officials creates an unreasonable and unwarranted risk of injury or death to employees, students, visitors, or guests. Possession of a firearm or weapon while on the premises will be handled with appropriate disciplinary action up to and including termination of employment. All employees will fully cooperate with MSA Administration and with law enforcement agencies to eliminate workplace violence risks. All personnel are responsible for immediately notifying their supervisor, Principal, or Executive Director of any threats, threatening behavior or acts of violence, which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is employment or job-related or might be carried out on MSA premises. The supervisor or Principal who receives the report is responsible for informing the Executive Director so that proper documentation of the incident can be gathered.

DRUG AND ALCOHOL FREE WORKPLACE

DRUG AND ALCOHOL TESTING POLICY

The following is MSA's Drug and Alcohol Testing Policy. The MSA will test personnel if it reasonably suspects that an employee is under the influence of illegal drugs or alcohol. In addition, the MSA will conduct random testing of all bus drivers and preemployment testing of all prospective employees. This policy will be enforced uniformly with respect to all personnel. All of the district's personnel, including administrators, will be subject to testing.

The purposes of this policy are as follows.

1. To maintain a safe, healthy working environment for all employees;
2. To maintain the highest quality educational program for our students by insuring that no personnel of the district are users of illegal drugs or under the influence of drugs or alcohol;
3. To reduce the number of accidental injuries to person or property; and

4. To reduce absenteeism and tardiness and improve the quality of educational services.

SUBSTANCE ABUSE

The following are rules representing the MSA's policy concerning substance abuse.

1. All employees are prohibited from being under the influence of drugs or alcohol while on duty or on premises (which includes school activities and school-owned vehicles). All employees are prohibited from using illegal drugs, or prescription medication for which they do not have a proper prescription.
2. The use, sale, possession, transfer, or purchase of illegal drugs, non-prescription drugs, medical marijuana, or controlled substances while on district property or while performing district business is strictly prohibited and is cause for immediate termination. Such action will be reported to appropriate law enforcement officials.
3. No alcoholic beverage will be brought or consumed on district premises.
4. No prescription drug will be brought on district premises by any person other than the person for whom the drug is prescribed. Prescription drugs will be used only in the manner, combination, and quantity prescribed.
5. The MSA is not prohibited from establishing or enforcing a drug-testing policy under the Mississippi Medical Cannabis Act. The MSA is not required to permit, accommodate, or allow the use of medical cannabis, or to modify any job/working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of medical cannabis.
6. The MSA is not prohibited from taking an adverse employment action against an employee, up to and including termination, as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
7. Any employee whose off-duty use of alcohol, medical marijuana, illegal, or non-prescription drugs results in excessive absenteeism, tardiness, poor work, or an accident will be subject to discipline, up to and including termination.

DENIAL OF LICENSE

The SBE, acting through the commission, may deny an application for any teacher or administrator license if the applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having a similar effect, at the time of application for a license. Miss. Code Ann. § 37-3-2 (11) (c).

SUSPENSION OF LICENSE

The SBE, acting on the recommendation of the commission, may revoke or suspend any teacher or administrator license for specified periods of time if the teacher or administrator has been convicted, has pled guilty or entered a plea of *nolo contendere* to a felony, as defined by federal or state law. Miss. Code Ann. § 37-3-2 (12) (d).

Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense. Miss. Code Ann. § 37-3-2 (13) (a).

LEGAL REF.: MS CODE as cited; MS Code 71-7-1*et seq.*; 21 U.S.C. 812; 21 CFR 1300.11-1300.15

CROSS REF.: Policy GBRM-2 Drug and Alcohol Testing Policy; GBRL – Drug Free Schools and Workplace

All employees should be very familiar with the MSA Student Handbook policy related to possession and/or use of tobacco, alcohol, and drugs.

DRUG TESTING

All MSA employees who are licensed bus drivers are subject to 49 C.F.R. § 40 and the Omnibus Transportation Employee Testing Act of 1991 and may be tested for drug at any time. MSA reserves the right to require the employees to submit to drug tests, at any time an employee is on duty or at any time an employee may normally be called to be on duty, to determine the presence of prohibited substances as deemed necessary.

SMOKING POLICY

MISSISSIPPI UNIFORM SMOKE-FREE PUBLIC PLACE ACT OF 2007

The Mississippi Uniform Smoke-Free Public Place Act of 2007 prohibits smoking on all educational property by all persons at all times. This ban includes all employees, students, and patrons attending school sponsored events and meetings. "Educational property" means any public or private 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 or private educational institution or during a school-related activity, effective July 1, 2007.

CIVIL PENALTIES

Any person who violates this act shall be subject to a civil fine and upon conviction shall be liable as follows:

1. For a first conviction, a warning;
2. For a second conviction, a fine of Seventy-five Dollars (\$75.00); and
3. For all subsequent convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00).

Anyone convicted under this section shall be recorded as being fined for a civil violation of this act and not for violating a criminal statute. Any such violation shall be tried in any justice court or municipal court with proper jurisdiction.

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.

A person or employer shall not discharge, refuse to hire, or in any manner retaliate against any employee, applicant for employment, or customer because that person exercises a right to a smoke-free environment afforded by this act.

In keeping with the requirements of the Mississippi Uniform Smoke-Free Public Place Act of 2007, smoking and tobacco use is banned on the MSA campus and adjacent properties owned by the MSA Foundation provided for school use.

MSA employees who smoke or use tobacco may do so during breaks and at lunch. Since all MSA employees serve as role models, smokers must leave the campus to smoke out of the view of students. Smoking is not allowed in vehicles on campus. Employees who are found smoking on the MSA campus (including adjacent properties) are subject to disciplinary action and civil penalties.

WELLNESS

Students are not the only ones who need good health. School employees who want to encourage children and teens to live a healthy lifestyle will be more successful if they model healthy behaviors. The MSA Wellness Policy emphasizes a commitment to nutrition, physical activity, comprehensive health education, marketing, and implementation. It is designed to effectively utilize school and community resources to serve the needs of students and staff, taking into consideration cultural differences. The MSA encourages its staff to pursue a healthy lifestyle that contributes to their improved health status and personal commitment to the health of students and creates positive role modeling. All staff at MSA should model healthful eating and physical activity as a valuable part of daily life. The school nurse will work with all students and staff to establish a personalized wellness program and conduct periodic assessments to monitor wellness.

UNLAWFUL ACTIVITY

School employees who suspect or have direct knowledge of unlawful activity either by students or other school personnel should report their suspicions to the Executive Director or their immediate supervisor who will take appropriate action.

TERMINATED EMPLOYEE POLICY

Upon notification of termination, MSA has the following policy regarding contact with the students and staff on campus.

- Visits to campus – No terminated employee is permitted to visit campus without prior written approval from the Executive Director. This is in perpetuity and will not be released. Violation of this protocol may result in arrest for trespassing.
- Attendance to MSA events on or off campus – No terminated employee is permitted to attend any campus events, even if open to the public, without prior written approval from the Executive Director. This includes performances, showcases, exhibits, and special events such as prom and graduation. Violation of this protocol may result in arrest for trespassing.
- Technology accounts – All technology accounts are discontinued effective the date of termination.
- Badges, keys, and inventory are all required to be turned in to MSA or possible fines may be levied for payment to State of Mississippi.
- All personal items may be picked up from campus at a mutually agreed upon time when school is not in session. A list of items taken from campus will be made upon pick up.
- Final paychecks will be sent to the employee's home address. It is the responsibility of the employee to notify MSA if his/her address has changed from what is on file.

PARKING—GENERAL

Employees may park in any lined spaces in the Student Life Center lot. Some spaces are marked “Staff” on the east side of the lot adjacent to the Handicapped Parking Area. Marked parking spaces along the north and south sides of Cherokee Street may also be used. These are public city parking areas, so no spot may be designated. All parking is filled on a first come, first served basis.

PARKING—HANDICAPPED

Mississippi Code Annotated § 27-19-56(5)(a) makes it unlawful to park a motor vehicle in an area set aside for persons who are disabled if the vehicle does not have:

1. A temporary or permanent placard with a valid date must be visible on the windshield,
2. A special license plate displayed on the vehicle, or
3. A disabled American veteran tag or plate displayed on the vehicle.

All MSA employees who qualify to park in a special handicapped parking space shall have on file with Security Office:

1. A copy of the handicap placard/tag application submitted to the DMV, and
2. A copy of the temporary/permanent placard with expiration date, or
3. A copy of the disabled tag displayed on the vehicle.

This information shall be submitted to the Security Office every twelve (12) months. Any employee found parking in a special handicap parking space without proper documentation on file may be subject to disciplinary action. First offense shall result in a written warning by the Director of School Safety. Any subsequent offense(s) shall result in a citation and fine by the Brookhaven Police Department.

MSA employees must refrain from parking in the SLC circle or behind the cafeteria except for purposes of unloading. As soon as the car is unloaded, the vehicle should be moved. Employees must not park in fire zones; violations may result in warnings and fines as described above.

FISCAL MANAGEMENT

FISCAL MANAGEMENT GOALS AND OBJECTIVES

The financial records and statements of the MSA 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, as amended. This uniform accounting system, which is directed by the MDE, includes a method of accounting for and keeping records of all funds received, handled, and disbursed by the MSA, whether derived from taxation or otherwise, including funds from donations, athletic events, and other special activities of the school.

MSA employs a school finance officer whose qualifications meet the criteria established by the MDE and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school. The MSA operates with a financial accounting system as prescribed by the MDE.

The SBE, SBE Subcommittee, and MSA have 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.

The financial accounting data and the corresponding annual audit report as submitted to the MDE reflect no less than a zero-fund balance (as defined by generally accepted accounting principles) for all funds of the MSA.

Miss. Code Ann. §§ 37-37-1, 37-9-18, 37-61-23, 37-17-6(16), and 37-61-9

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 the MSA are controlled.

The annual operating budget, as required by law, is essential to the sound financial management of MSA. Funds are allocated directly through the MDE budget by the Mississippi legislature and Governor.

Miss. Code Ann. § 37-61-9

FISCAL YEAR/SCHOLASTIC YEAR

The “fiscal year” of MSA shall commence on July 1 and end on June 30 of each year. The “scholastic year” of this MSA shall likewise commence on July 1 and end on June 30 of each year.

ANNUAL OPERATING BUDGET PREPARATION PROCEDURES

On or before the fifteenth day of August of each year, the SBE/SBE Subcommittee, shall approve the prepared budget presented by the Executive Director, as defined in Miss. Code Ann. § 37-61-9. At least two (2) copies of a budget of estimated expenditures for the support, maintenance, and operation of the MSA for the fiscal year commencing on July 1 of such year shall be filed with the levying authority. Such budget shall be prepared on forms prescribed and provided by the MDE and shall contain such information as the MDE may require.

Prior to the adoption of a budget pursuant to this section, the MSA shall submit to the SBE for approval at least one (1) public board meeting to provide the general public with an opportunity to review the proposed budget. After final adoption of the budget a synopsis of such budget in a form prescribed by the MDE shall be published on the school website for statewide dissemination.

The SBE may hold an executive session for the transaction of business and discussions regarding employment and termination of employees as needed.

Miss. Code Ann. §§ 37-57-1, 37-61-9, and 25-41-7(Executive Session)(4)(K).

PERIODIC BUDGET RECONCILIATION

It shall be the duty of the Executive Director and the SBE/SBE Subcommittee to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for MSA 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 SBE, Executive Director, 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 SBE member, Executive Director or other school official shall be personally liable (a) in the event of any reduction in budgetary allocation 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.

The SBE shall approve a budget for the MSA. The SBE shall approve amendments to such budget where major functions of revenues and expenditures are involved. The Executive Director and/or his/her designee may amend objects within major functions as may be necessary during the fiscal year.

LINE ITEM TRANSFER AUTHORITY

If the Executive Director or the SBE/SBE Subcommittee anticipates that the amounts to be received from state appropriations 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 SBE/SBE Subcommittee, with assistance from the Executive Director, shall 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.

If it should appear to the Executive Director or the SBE/SBE Subcommittee 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 therefore during the fiscal year, the SBE Subcommittee, with assistance from the Executive Director, 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 amounts available for such purpose.

The revised portions of the budgets shall be incorporated in the minutes of the SBE/SBE Subcommittee meeting. Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the SBE Subcommittee for the MSA to submit its financial information for that fiscal year.

The SBE/SBE Subcommittee 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.

DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS

MSA will not engage in any debt relief against the property owned by the State of Mississippi.

REVENUES FROM SCHOOL PROPERTY

The SBE/SBE Subcommittee is authorized and empowered in its discretion to allow for rental

of the property under terms and for purposes as agreed upon between the SBE/SBE Subcommittee and contracting party. Funds received from such leases shall be used to defray operational costs of the MSA.

FEDERAL AID

To provide the best educational opportunities possible for children of the MSA, it shall be the objective of the Board to seek as many sources of revenue as possible to supplement the funds provided by the State.

Therefore, the MSA shall participate in any eligible federal aid programs which provide direct educational auxiliary services or opportunities to students enrolled in the MSA.

All applications for federal aid and special grants shall be prepared by the central office administrative staff and approved by the SBE/SBE Subcommittee, if applicable.

The expenditure of all federal funds shall strictly comply with the laws, regulations and procedures as established by the terms of agreement between the district and sponsoring agency.

It shall be unlawful for the MSA 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).

FEDERAL LOANS AND GRANTS

The MSA is ineligible for any federal loans. Any grants eligible for application by MSA will follow all guidelines with regard to cash management, internal controls, purchasing, and payments as required by law.

GIFTS AND BEQUESTS/DONATED ASSETS

Items and donations contributed will become the property of the MSA and shall be subject to the same controls and regulations which govern the use or disposal of all fixed assets. The MSA reserves the right to reject any contribution to the school which does not serve to enhance or extend the school.

All donations and contributions (monies and personal property) in an amount of \$500 or more shall be formally submitted to the SBE/SBE Subcommittee for acknowledgement and acceptance. The Minutes shall reflect the contributor, amount, and purpose for the donation, if any. Any monies donated shall be deposited into the appropriate fund.

The Executive Director or designee shall have the authority to accept and acknowledge all donations and contributions (monies and personal property) to MSA valued at less than \$500 on the date of donation. Any such monies shall be receipted into the school's activity fund and

deposited in that bank account.

CROWDFUNDING PROJECTS

Crowdfunding is the practice of funding a project by raising small amounts of money from many people.

The following guidelines apply to any crowdfunding project:

1. Any person (including employees) or entity acting on behalf of MSA, and wishing to conduct crowdfunding, online fundraising, or any other online donation campaign for the benefit of MSA, shall begin the process by seeking PRIOR written approval from the Executive Director or designee. Written approval must be obtained.
2. All items (monies and personal property) obtained through crowdfunding projects using the school's name are to become the property of the MSA.
3. All monetary donations should be recorded by the school accounts receivable office in the School Activity Fund. No school banking information should ever be disclosed by individuals to anyone outside the district. A check should be requested to be mailed to the school in the name of the school and not to an individual.
4. Crowdfunding items in an amount of \$500 or more shall be formally submitted to the SBE/SBE Subcommittee for acknowledgement and acceptance.
5. Inventory policies and procedures of MSA apply to property obtained through crowdfunding projects.
6. Any cost of installation is the responsibility of the donor unless otherwise agreed to by the MSA.
7. Some crowdfunding sites are tax deductible, and some are not. It is not the responsibility of the MSA to determine if the donation is tax deductible. MSA will not provide a Form 990 for crowdfunding donations.
8. Crowdfunding that would obligate the MSA to future operating or upkeep costs must be approved by the SBE/SBE Subcommittee.
9. Law, policy, and procedure concerning student privacy and other requirements set out in the Family Educational Rights and Privacy Act (FERPA) shall also be followed when making requests for crowdfunding projects.

INVESTMENT EARNINGS

Until a fund balance can be built with the state appropriation each year, MSA does not have an investment program. The bank account balances earning interest will apply all earnings in excess of \$100.00 for deposits shall be allocated back to the fund from which the deposit or investment was made.

DEPOSITORY OF FUNDS

The MSA shall advertise and accept bids for depositories no less than once every three years. (*See Miss. Code Ann. § 37-7-333*). The depositories must meet the requirements in Miss. Code Ann. § 27-105-315.

The MSA may deposit school funds in those banks only designated as depositories by the SBE/SBE Subcommittee. School activity funds may be deposited only in banks approved as depositories by MSA.

BONDED EMPLOYEES AND BOARD MEMBERS

The SBE/SBE Subcommittee may execute a surety bond for any MSA employee who receives and/or disburses funds unless a different penalty is prescribed by law.

The Executive Director, before entering upon the duties of his/her office, shall hold a surety bond in the penal sum amount of One Hundred Thousand Dollars (\$100,000.00) with sufficient surety.

The purchasing agent(s) of the MSA, before entering upon his/her official duties in such capacity, shall hold surety bond in the amount penal sum of Fifty Thousand Dollars (\$50,000.00).

A Principal acting must be bonded for total statutorily required coverage of \$100,000.00. The position of Principal may be covered by blanket bond, but the position of purchasing agent requires individual bond.

The premium on surety bonds will be paid from the MSA. All surety bonds shall be filed and recorded at the office of the Chancery Clerk.

INDIVIDUAL BOND: A new bond in the amount required by law shall be secured at the beginning of each new term of office or every four (4) years, whichever is less.

BLANKET BOND: A new bond in an amount not less than that required by law for public employees shall be secured upon employment and coverage shall be secured at the beginning of each new term of office of the public or appointed official by whom they are employed, if applicable, or at least every four (4) years concurrent with the normal election cycle of the Governor.

ACCOUNTING AND REPORTING

The Executive Director shall open and keep regular sets of books, as prescribed by the MDE, 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 Executive Director.

MSA funds shall be maintained in accordance with the accounting and reporting system developed by the MDE for uniform use by school districts. This system shall include a method of accounting for and keeping records of all funds received, handled, and disbursed by the MSA.

The MSA 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.

Monthly, the Executive Director shall furnish to the SBE/SBE Subcommittee or MDE designee a financial statement of receipts and disbursements, by funds, and other financial reports as required by the MDE. The SBE/SBE Subcommittee shall be authorized to investigate and audit all financial records of the Executive Director at any and all times.

Miss. Code Ann. §§37-37-1, 37-61-23, and 37-9-18; Mississippi Public School District Financial Accounting Manual

INTERNAL CONTROL OF CASH RECEIPTS

The Executive Director shall develop a plan of organization under which employee 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 prescribed in the Standard Operating Procedures Manual as well as the MDE Financial Accounting manual which outline proper authorization by designated officials for all actions to be taken.

All monies shall be receipted to the MSA using pre-numbered receipts. 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 for 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 record keeping, 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.

AUDITS

All MSA funds are subject to annual audit. The audit may be conducted by the MDE, Mississippi State Auditor's Office, or by a certified public accounting firm.

AUTHORIZED SIGNATURES

There is a dual signature required for activity fund checks by the Executive Director and Principal. The Executive Director is authorized to sign checks on all school accounts. Payroll will be signed by the Executive Director

CASH IN SCHOOL BUILDINGS

Teachers shall never leave money in classrooms. All money shall be turned in to the Executive Director's office for deposit, where it will be receipted and kept in the safe if needed overnight. Deposit receipts are to be filed in the Executive Director's office. No substantial amount of money will be kept overnight in school buildings. Any funds that cannot be deposited right away will be held in the Executive Director's safe. Funds should not be held more than 48 hours in the building.

SALARY DEDUCTIONS / REDUCTIONS

The MSA shall deduct and withhold from the wages of all employees:

1. The amount of federal income tax required by federal law; 26 USCA 3401-3402;
2. The amount of social security tax required by federal law; 26 USCA 3101-3102; §25-11-3, *et seq.*;

3. The amount of contributions to PERS. §25-11-123(f)(1992);
4. The amount of state income tax required by the state; and
5. The amount of other deductions elected by the employee (such as insurance and annuities) so long as the employee has adequate gross earnings to offset the deduction.

Federal law USCA 3401-3402; USCA 3101-3102; Miss. Code Ann. § 25-11-3 et seq., § 25-11-123.

PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS

In accordance with the Attorney General's legal opinion dated July 30, 1999, the Board does hereby adopt such opinion as policy and in accord with such opinion does hereby grant unto the Executive Director and Principal's authority to make food and beverage purchases consistent with the Attorney General's opinion and when such purchases and the consumption thereof are a necessary and reasonable expense for the meeting and reasonably related to the educational goals or functions of the district.

Regarding student athletic or student recognition banquets, "activity funds" may be used for such limited purposes regarding school related programs, conventions or seminars where the Executive Director and Principal determines that such expenditure shall be beneficial to such official or extra-curricular programs of the district.

Regarding the expenditure of general public funds (other than activity funds) coffee supplies, soft drinks and edible items may be purchased when the Executive Director and the Principal determines (1) that there is a particular goal or function that is a scheduled event and (2) the particular event is reasonably related and incident to the educational goals of the MSA.

Coffee, soft drinks, like beverages or edible items may be considered a reasonable and necessary expense when purchased by the Executive Director relative to an officially called meeting of the SBE/SBE Subcommittee or work or training sessions or seminars or like meetings where there exists an itemized agenda of topics related to the furtherance of educational goals for the MSA.

Caveat: The state auditor has ruled that neither general public funds nor activity funds may be used for teacher recognition banquets.

PURCHASING

All purchases of supplies, equipment or services on behalf of the MSA shall be in accordance with the Laws of the State of Mississippi and all applicable rules and regulations as may be established by other agencies responsible for the supervision of expenditures.

Further, purchases of supplies, equipment, or services on behalf of the MSA shall be in accordance with the policies outlined in the Policy Manual.

Miss. Code Ann. §§ 31-7-13 and 31-7-1, et seq.

PURCHASING AUTHORITY

The SBE/SBE Subcommittee does hereby designate the Executive Director as purchasing agent for the MSA together with the authority to establish a central purchasing system.

Pursuant to the authority granted by Miss. Code Ann. § 37-39-15, this Board hereby designates other individuals as “purchasing agents” subject to the limitations set forth below:

In addition to the Executive Director, the SBE/SBE Subcommittee hereby designates the Principal and School Finance Officer as “purchasing agents” with general authority to negotiate for and purchase the commodities and services necessary for the operation of the MSA, within the limits of budget categories and purchasing law.

Miss. Code Ann. § 37-39-15.

BIDS AND QUOTATIONS

All purchases or expenditures of the MSA funds shall comply with the legal requirements for bids and quotations as mandated by the laws of the State of Mississippi.

All purchases or expenditures using federal funds shall comply with the applicable federal procurement laws for bids and quotations.

For detail policies and procedures relating to bids and quotations, see the Standard Operating Procedures Manual.

PAYMENT PROCEDURES

The SBE/SBE Subcommittee has the power, authority, and duty to make orders directed to the Executive Director for the issuance of pay certificates for lawful purposes on any available funds of the MSA and to have full control of the receipt, distribution, allotment, and disbursement of all funds provided for the support and operation of the schools whether such funds be derived from state appropriations, collections or otherwise.

Docketed Claims – The Executive Director shall maintain responsibility for a docket of claims in the manner required by law, upon which he/she shall immediately enter all demands, claims and accounts to be paid from MSA funds. Claims shall be numbered consecutively in the order of filing and at each regular or special-called meeting of the SBE/SBE Subcommittee the docket of claims shall be called and all claims on file not previously rejected or allowed shall be passed upon in the order in which they are registered upon the docket. All claims found by the SBE/SBE Subcommittee to be illegal shall be rejected or disallowed. All claims which are found to be legal and proper shall be allowed and approved in the order in which they appear upon the docket. Continuances shall be granted in proper cases as provided by law. Pay

certificates shall be issued by the Executive Director in payment of claims which are allowed and approved by the Board.

Other Claims – Teachers’ salaries, amounts due private contractors upon written contracts previously approved and accepted by the SBE/SBE Subcommittee, or other payments or salaries where the amount thereof has been previously approved by a contract or by an order of the SBE/SBE Subcommittee entered upon its Minutes, need not be entered as demands or claims upon the docket of claims and the amounts of the payments thereby required may be paid by the Executive Director by pay certificates issued by him against the proper fund without allowance of a specific claim therefore, provided that the payment thereof is otherwise in conformity with law.

Prepayment of Claims – The SBE/SBE Subcommittee grants the Executive Director or his/her designee, the authority to pay MSA claims prior to the regular SBE/SBE Subcommittee meeting. This authority includes only claims for which there are MSA fund resources available to pay said claims and said expenditures are in conformity with the law. In addition, no limit shall be placed upon the dollar amount of any prepaid claim.

For a claim to be prepaid, the Executive Director or his/her designee must approve a written request from an employee requesting a prepaid claim. The request must include payee, amount, and purpose of prepaid claim. The prepaid claim is to be included on the subsequent docket of claims submitted to the SBE/SBE Subcommittee for approval.

Miss. Code Ann. §§ 37-9-14 and 37-7-301

STUDENT ACTIVITIES FUND MANAGEMENT

The SBE/SBE Subcommittee adopts a decentralized accounting system as a method of accounting for school activity funds. This method of accounting provides for receipt and expenditure of funds at the school level. The Executive Director is hereby authorized to receipt and disburse these funds according to the guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA.

School activity funds shall be classified either a general fund or an agency fund with monies maintained in bank accounts of financial institutions approved by the SBE/SBE Subcommittee. The Executive Director must approve the opening and closing of bank accounts for activity funds. The Executive Director and Principal shall be authorized to sign checks on the activity fund bank account.

RECEIPTS

All local activity funds received shall be accounted for according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA. If possible, monies received shall be deposited daily. No more than \$100.00 cash should remain in the Executive Director’s office safe at the close of the day.

PURCHASING

Activity funds may be expended for the following: any necessary expenses or travel costs (including advances) incurred by students and their chaperones in attending school related programs, commodities, equipment, travel expenses of school employees, purchased services, and school supplies deemed beneficial to the official or extra-curricular programs of the school by the Principal, including items which may subsequently become the personal property of such individuals (such as: book covers, trophies, yearbooks). These purchases, when utilizing a general fund, shall be subject to state purchasing laws. Expenditures made by funds classified as agency funds are not subject to state purchasing laws. Pre-numbered purchase orders must be used for all purchases and must be approved by the Executive Director. The person at the school receiving the goods shall either prepare and sign a receiving report form, or sign and date the invoices denoting receipt of the goods.

DISBURSEMENTS

Disbursement of all activity funds shall be made according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA. Pre-numbered checks containing the original signature of the Executive Director and Principal must be utilized for payment.

REPORTING

A transmittal report of all activity fund transactions (receipts and disbursements) for the previous month shall be delivered to the Executive Director no more than ten (10) working days after the close of the month.

FUNDRAISING ACTIVITIES

The SBE/SBE Subcommittee authorizes the Executive Director to approve fundraising activities that are appropriate or beneficial to the official or extracurricular programs of the school. Any proceeds of such fundraising activities shall be treated as activity funds and shall be accounted for as are other activity funds. When a fundraising activity is conducted as a part of the sale or rental of items to students, these funds (inclusive of the fee, commission, or rebate) may be paid directly to the vendor by the student and rebated later to the school. If this is done, there must be a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the student activity fund. The School Finance Officer shall obtain an independent listing of the students and the amounts paid to the vendor by each student so that the amount due the school can be reconciled. The monies collected from the vendor shall be credited to the appropriate general fund by the School Finance Officer.

Monies collected by the school through school sponsored fundraising activities (such as vending machines, concessions, school stores, festivals, school-wide sales projects, sales by principal or staff to students) shall be accounted for in the appropriate general fund. The price for

the activities shall be set by the organizer when gaining approval for the fundraising activity. For all items purchased for resale to students, there must be a reconciliation of the items purchased, the items sold, and the net profit amount. The reconciliation must be performed on a periodic basis and be submitted to the district office for review and approval.

The MSA Foundation is a private 501(c)(3) agency dedicated to support of the activities of the MSA. Any funds donated to the MSA foundation will be subject to Secretary of State and IRS regulations for nonprofit agencies and audited as such. These funds will not be mingled with the MSA appropriated funds, activity accounts, or rebates. The MSA Foundation has a separate operating procedure and is not bound by the policies in this manual.

IDEA FUNDS

MSA does not receive IDEA Funds as all students with this designation and an Individualized Education Plan are claimed through the Brookhaven School District (BSD) Interlocal Agreement. All services are provided by the BSD and funds are received for said services.

TRAVEL

The following travel policies are established for use by individuals who are required to travel in-state and out-of-state on official MSA business. These policies are based on and are in addition to the guidelines established by the Department of Finance and Administration (DFA), Office of Purchasing, Travel and Fleet Management (OPTFM) in accordance with Miss. Code Ann. § 25-3-41.

The State Travel Manual in its entirety can be found at <http://www.dfa.ms.gov/media/7952/travel-manual-0617.pdf>.

OFFICIAL WORKPLACE - The official workplace for all employees shall be the office to which they are assigned. In extremely rare instances, an employee's official duty station shall be his or her residence if he/she is not permanently assigned to an office.

TRAVEL AUTHORIZATION - A Travel Authorization Form must be completed in ADVANCE for all travel (in-state and out-of-state travel). For in-state travel, the highest level of approval needed is the "Division Approval." For all out-of-state travel, "Agency Approval" is needed from the Executive Director. The Executive Director is exempt from completing a Travel Authorization Form for in-state travel. Travel advances may be requested for out-of-state trips and for prior-to-trip expenses for in-state travel such as the first night of a hotel which is due when the reservation is made.

The Travel Authorization Form must be used to request the advance. Advances should be requested and submitted for processing 15 days before the travel is to occur; however, payment of the advance will not be made more than 10 days in advance. Advances are made to cover meals, hotel expenses, and other related travel costs. The advance should not include the cost of airline travel or conference fees as these should be paid in advance by the

Department.

An employee will be allowed one outstanding travel advance at a time. No additional advances will be given until the previous advances have been cleared. The travel advance must be cleared upon the employee's return. If an advance is not settled within ten (10) working days after the end of the month in which travel was completed, the employee's paycheck will be held or their direct deposit stopped until the debt to the school is resolved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the superintendent. The superintendent may grant this authorization without prior Board action when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

District personnel will follow travel related authorization and reimbursement procedures as outlined in the MSA Standard Operating Procedures Manual, which is in compliance with federal and state guidelines.

Persons who travel at district expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and those for personal convenience.

AUTOMOBILE TRAVEL - Actual mileage shall be calculated from the official workplace or residence and back or actual miles traveled, whichever is less. The most direct route to a destination should be claimed for reimbursement purposes. The travel voucher must indicate if any intermediate stops were made. Specific sites visited must be noted on the voucher in lieu of "Vicinity Travel." Effective July 1, 2017, state agencies under the purview of the DFA Bureau of Fleet Management are required to use the Trip Optimizer System (TOS) developed and administered by the DFA Office of Purchasing, Travel, and Fleet Management in computing the optimum method and cost for travel by state employees using a motor vehicle. Reimbursement will be based on the least expensive method of transportation. Prior to travel, the Trip Optimizer System should be used to determine the lowest cost mode of transportation. The maximum amount authorized for travel reimbursement related to motor vehicle usage will be the lowest cost option as determined by the TOS. All travel claims submitted for reimbursement must include the results of the Trip Optimizer System indicating the lowest cost option for travel. The maximum amount reimbursable for travel by motor vehicle will be the lowest cost calculated.

FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE

State policies regarding the inventory and use of equipment are strict. The person to whom the equipment is assigned is financially responsible for that equipment. Therefore, under no circumstances should any person use a master key to enter a storage equipment area and remove items for use without authorization. Events and needs should be planned for and equipment reserved well in advance. All equipment stored in the library must be checked out using the appropriate form.

Do not check something out in your name and then allow a student to use it. A contract signed by all parents and students regarding use of equipment is kept on file each year. Parents and/or students are financially responsible for any loss of or damage to school property. These contracts cover all MSA owned items. Require that students check out needed equipment from the library. Under no circumstances should a student be allowed to use an employee's computer.

MSA shall account for equipment to MDE with a formal quarterly audit. Employees are responsible for all equipment assigned to them. Do not loan or borrow another user's equipment without permission from the user and Fixed Asset Property Officer with proper documentation as described in this policy. All transfers and surplus of equipment shall have the appropriate paperwork submitted to the person in charge of fixed assets. Upon resignation or termination, employees must return all school property on or before the last day of work.

Please adhere to the following guidelines:

1. Complete a Furniture/Equipment Inventory Form at the beginning and end of the school year.
2. All furniture shall remain in its assigned location. Do not rearrange or remove any furniture.
3. Do not move furniture or equipment into hallways; this clutters passageways and creates possible safety hazards.
4. Check out all equipment (e.g., laptops, projector, portable tables, cameras, tripods, and lenses) with the library, technology department, or staff member responsible for that equipment.
5. Ensure that parents sign the appropriate contracts before a student is allowed to use any MSA equipment.
6. Store equipment not in use in a secure location. Employees are responsible for all equipment checked out to them.
7. At no time should MSA property/equipment/furniture be removed from campus without proper permission.
8. Any maintenance problem or malfunction of equipment should be reported to the appropriate MSA administrator.
9. Employees shall require students to exercise care in use of school property and equipment.
10. Any damages sustained to property or equipment shall be assessed and paid for, no matter how minor. Such occurrences must also be reported to the Executive Director promptly.

OFF CAMPUS USE OF EQUIPMENT

Per Office of State Auditor guidelines, equipment purchased and/or inventoried must be used for official school use only. At no time may equipment be used for personal or financial gain. Under very minimum situations, it may be necessary for some employees to take equipment off campus for work-related purposes (includes repair). An Equipment Receipt shall be completed and signed by the equipment's responsible owner and executive director. This Equipment Receipt shall be on file in the event of an audit while equipment is off campus. The Equipment Receipt is valid for one year from date but may be revoked at any time during the valid term.

SCHOOL PROPERTIES DISPOSAL PROCEDURE

As it relates to school properties disposal, this district will comply with all applicable provisions including but not limited to Miss. Code Ann. § 37-7-451 and §§ 37-7-471 through 37-7-485, as amended, and with all other applicable federal and state laws.

FACILITY USAGE

Due to limited space on campus, all facilities shall be reserved for use after 5:00 p.m. All property (real and spatial) belongs to the school for the purposes of educating and supporting students. A spirit of cooperation will enhance collaboration as the population and services of the school increase. All requests related to facility usage should be directed to the office of the Executive Director.

WORKSPACES

SHARED INSTRUCTIONAL SPACES

Due to increased student enrollment over the past few years, some classrooms or other instructional spaces may have to be shared with itinerate teachers. Although such situations are never ideal, staff must respect the work of colleagues and collaborate in using available facilities.

DESK AREAS AND OFFICES

Employee offices and desk areas are not spaces for extended visits with adults or students. While all staff members should be supportive of students, visitors, colleagues, and others, these persons should not be encouraged to “hang out” in work areas during free time. Employees should maintain a friendly, but professional demeanor when working with students, staff, and visitors.

FACULTY WORKROOM

The faculty workroom is located on the second floor of Johnson Institute. All faculty members are assigned keys to the workroom for their convenience. Individuals are responsible for maintaining the space in which they work and monitoring personal items in the refrigerator to prevent spoilage. No student should be in the faculty workroom without a teacher.

HALLWAYS

Although classroom, storage, and exhibition spaces on campus are limited, staff members must keep hallways clean and free of obstruction. Fire codes must be followed, and areas should be monitored daily. Hallways are not storage areas for excess furniture, equipment, works-in-progress, or student books and belongings.

HEALTH CENTER

Due to the nature and function of the Health Center and office areas, doors shall always remain locked. Staff should never allow a student to enter the health center unless accompanied by the school nurse or other authorized adult. Medications shall be kept in locked areas at all times.

SECOND FLOOR DESK

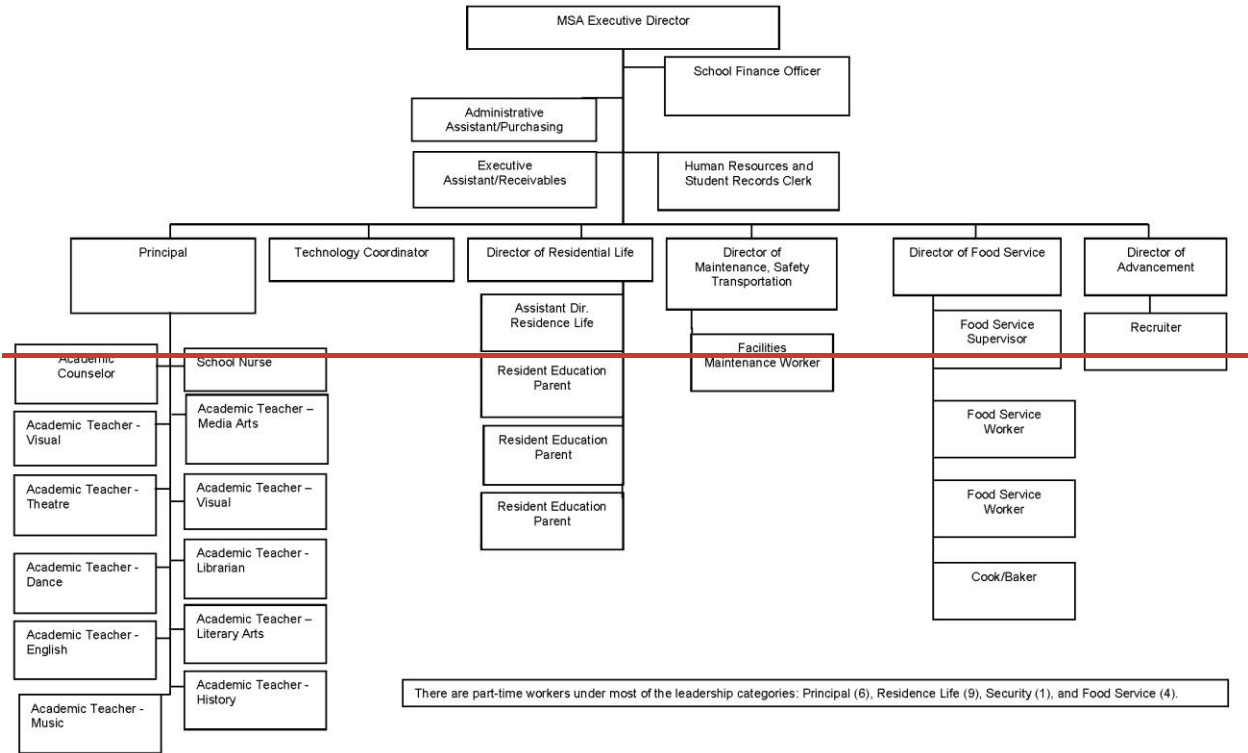
The area behind the reception desk on the second floor of the Student Life Center is reserved for adults only. It is not a storage area for student belongings or a hangout area at any time.

SECURITY DESK

Although students must enter the security desk to turn in or retrieve car keys, students should not be allowed to hang around the security desk where all the monitoring equipment is easily accessible. The security desk must remain supervised by an alternate staff member when officers are making rounds on campus. MSA employees must not use the security desk as a lounge area during the workday.

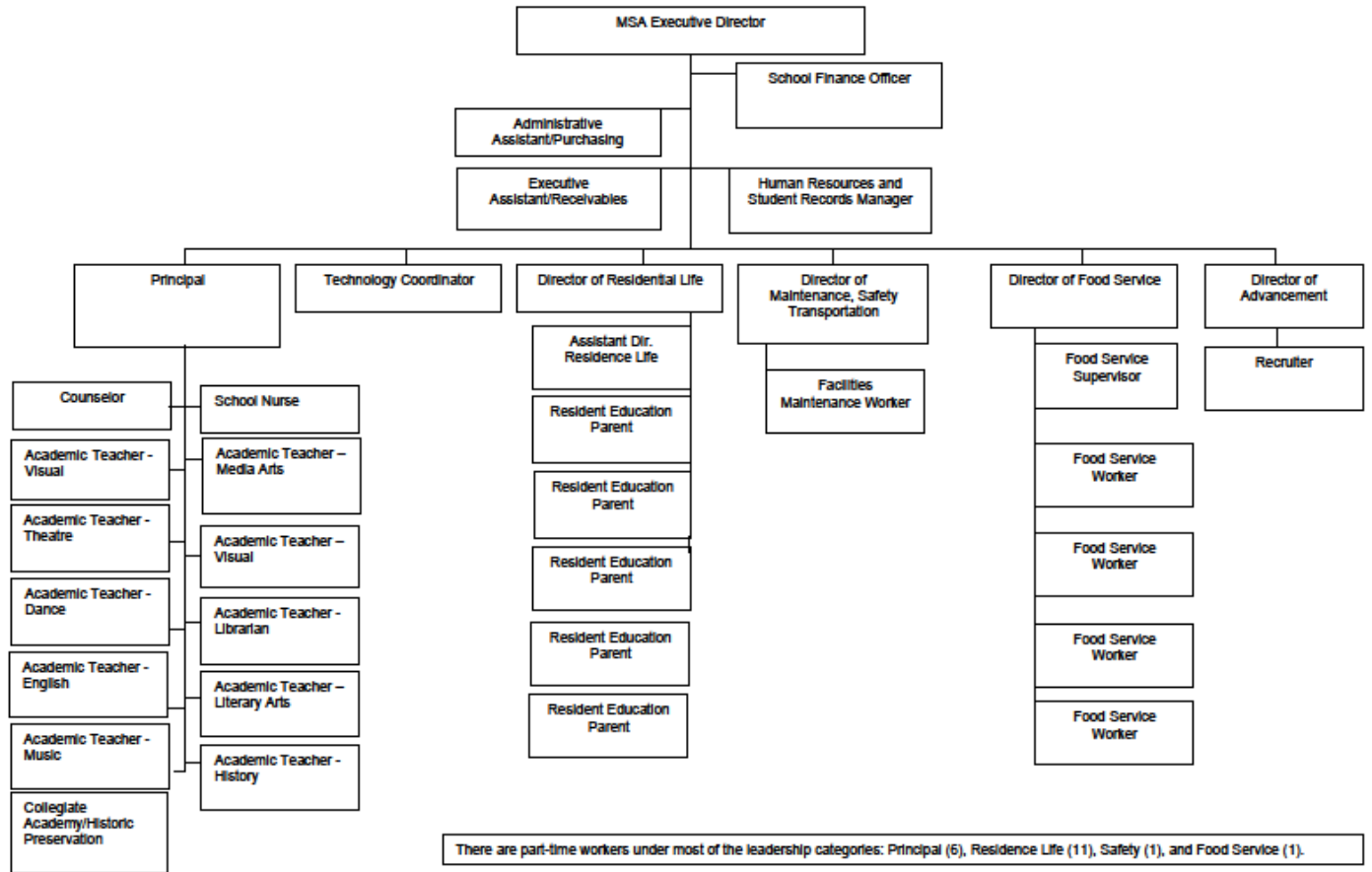
APPENDIX A – Organizational Structure

Mississippi School of the Arts Organizational Structure



as of 3/29/2021, 10:54 AM

Mississippi School of the Arts Organizational Structure



APPENDIX B – Teacher Pay Scale

Mississippi School of the Arts Teacher Salary Scale

Effective July 1, 2022

Years Exp	A	AA	AAA	AAAA
0	\$ 48,319.00	\$ 49,992.00	\$ 51,023.00	\$ 52,555.00
1	\$ 48,842.00	\$ 50,534.00	\$ 51,592.00	\$ 53,176.00
2	\$ 49,365.00	\$ 51,076.00	\$ 52,161.00	\$ 53,797.00
3	\$ 49,888.00	\$ 51,618.00	\$ 52,730.00	\$ 54,418.00
4	\$ 50,411.00	\$ 52,160.00	\$ 53,299.00	\$ 55,039.00
5	\$ 51,611.00	\$ 53,410.00	\$ 54,599.00	\$ 56,389.00
6	\$ 52,134.00	\$ 53,952.00	\$ 55,168.00	\$ 57,010.00
7	\$ 52,657.00	\$ 54,494.00	\$ 55,737.00	\$ 57,631.00
8	\$ 53,180.00	\$ 55,036.00	\$ 56,306.00	\$ 58,252.00
9	\$ 53,703.00	\$ 55,578.00	\$ 56,875.00	\$ 58,873.00
10	\$ 54,903.00	\$ 56,828.00	\$ 58,175.00	\$ 60,223.00
11	\$ 55,426.00	\$ 57,370.00	\$ 58,744.00	\$ 60,844.00
12	\$ 55,949.00	\$ 57,912.00	\$ 59,313.00	\$ 61,465.00
13	\$ 56,472.00	\$ 58,454.00	\$ 59,882.00	\$ 62,086.00
14	\$ 56,995.00	\$ 58,996.00	\$ 60,451.00	\$ 62,707.00
15	\$ 58,195.00	\$ 60,246.00	\$ 61,751.00	\$ 64,057.00
16	\$ 58,718.00	\$ 60,788.00	\$ 62,320.00	\$ 64,678.00
17	\$ 59,241.00	\$ 61,330.00	\$ 62,889.00	\$ 65,299.00
18	\$ 59,764.00	\$ 61,872.00	\$ 63,458.00	\$ 65,920.00
19	\$ 60,287.00	\$ 62,414.00	\$ 64,027.00	\$ 66,541.00
20	\$ 61,487.00	\$ 63,664.00	\$ 65,327.00	\$ 67,891.00
21	\$ 62,010.00	\$ 64,206.00	\$ 65,896.00	\$ 68,512.00
22	\$ 62,533.00	\$ 64,748.00	\$ 66,465.00	\$ 69,133.00
23	\$ 63,056.00	\$ 65,290.00	\$ 67,034.00	\$ 69,754.00
24	\$ 63,579.00	\$ 65,832.00	\$ 67,603.00	\$ 70,375.00
25	\$ 66,134.00	\$ 68,387.00	\$ 70,158.00	\$ 72,930.00
26	\$ 66,657.00	\$ 68,929.00	\$ 70,727.00	\$ 73,551.00
27	\$ 67,180.00	\$ 69,471.00	\$ 71,296.00	\$ 74,172.00
28	\$ 67,703.00	\$ 70,013.00	\$ 71,865.00	\$ 74,793.00
29	\$ 68,226.00	\$ 70,555.00	\$ 72,434.00	\$ 75,414.00
30	\$ 68,749.00	\$ 71,097.00	\$ 73,003.00	\$ 76,035.00
31	\$ 69,272.00	\$ 71,639.00	\$ 73,572.00	\$ 76,656.00
32	\$ 69,795.00	\$ 72,181.00	\$ 74,141.00	\$ 77,277.00
33	\$ 70,318.00	\$ 72,723.00	\$ 74,710.00	\$ 77,898.00
34	\$ 70,841.00	\$ 73,265.00	\$ 75,279.00	\$ 78,519.00
35 +	\$ 71,364.00	\$ 73,807.00	\$ 75,848.00	\$ 79,140.00

Increase amounts per Year
unless otherwise noted

Per year increment (A)	\$523.00
Per year increment (AA)	\$542.00
Per year increment (AAA)	\$569.00
Per year increment (AAA)	\$621.00

Increment amounts for
5, 10, 15, 20 yrs

\$ 1,200.00
\$ 1,250.00
\$ 1,300.00
\$ 1,350.00

Year 25 additional increment \$2,555.00

**An additional \$6,000 supplement will be added to the salary of each employee who is National Board Certification in accordance with MS Code 37-19-7.

APPENDIX C – Employee Work Days and Leave Allowances

Effective July 1, 2020

Days Employed	Personal Leave	Sick Leave	Vacation Days
240 days	3 days	8 days	10 days
192 days	3 days	8 days	
187 days	3 days	8 days	

In the incident of the death of an immediate family member (*see definition on page 19*), 3 days of bereavement will be provided outside of the allocated days with stipulations as outlined in policy.

General Staff – 240 Days

Executive Director
Principal
Directors – Advancement, Food Service, Security/Maintenance, Residence Life
School Finance Officer
Technology Coordinator
Records Clerk
Executive Assistant
Administrative Assistant
Recruiter
Maintenance Staff
Residence Life Supervisor

Support Staff – 192 Days

Residence Life Staff
Food Service Staff
Nurse
Counselor

Teachers – 187 Days



Employee Handbook

2025-2026

Table of Contents

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)	6
MSA LEADERSHIP	7
OVERVIEW	8
HISTORY AND PURPOSE.....	8
VISION	9
MISSION	9
HUMAN RESOURCES	9
EMPLOYEE CLASSIFICATIONS	10
TEACHER CERTIFICATION.....	11
TEACHER CONTRACTS	11
EMPLOYEE BACKGROUND CHECKS	13
GRIEVANCE/DUE PROCESS.....	13
EMPLOYEE APPRAISALS	17
ATTENDANCE OF EMPLOYEES.....	17
FAMILY AND MEDICAL LEAVE ACT (FMLA)	19
BENEFITS INSURANCE AND RETIREMENT	26
PAYROLL DEDUCTIONS	27
COMPENSATION	28
REDUCTION IN FORCE	29
OUTSIDE EMPLOYMENT.....	30
CONFLICT OF INTEREST.....	30
CODE OF ETHICS AND PROFESSIONAL CONDUCT	30
ARREST OF EMPLOYEE.....	31
REPORTING ABUSE OR NEGLECT	31
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	32
INAPPROPRIATE CONDUCT WITH STUDENTS.....	33
BULLYING	36
HARASSMENT.....	39
DRESS CODE GUIDELINES	41
TELEPHONES/CELL PHONES	49
VISITORS.....	49
POLITICAL ACTIVITY OF STAFF MEMBERS.....	49
DUTIES AND RESPONSIBILITIES OF EMPLOYEES	49
DISCIPLINE GUIDE FOR ALL EMPLOYEES	51
TECHNOLOGY OFFICE AND LOCATIONS.....	53
EDUCATION, SUPERVISION AND MONITORING	54
NETWORK AND COMPUTER USAGE ON CAMPUS	55
PERSONAL COMPUTERS AND PERIPHERAL DEVICES.....	57
MSANET POLICY ENFORCEMENT	58
HARDWARE.....	58
SOFTWARE	59
PRACTICES	59
DEADLINES	60
FORMS AND PUBLICATIONS	60

CUMULATIVE FOLDERS AND PERMANENT RECORDS	61
RECORDS RETENTION.....	61
ASSEMBLIES, EVENTS, & ACTIVITIES	63
PUBLICITY AND PROMOTIONS	63
INDEPENDENT CONTRACTORS	63
CONFERENCES	63
INSTRUCTIONAL EXPECTATIONS	64
TEACHER AS THE AUTHORITY IN THE CLASSROOM	64
CLASSROOM MANAGEMENT	65
PROFESSIONAL DEVELOPMENT	66
LESSON PLANS.....	66
APPROPRIATE CONTENT	66
HOMEWORK.....	67
FIELD TRIPS	67
STUDENT TEACHERS	68
SUBSTITUTE TEACHERS.....	68
ILLNESSES (STUDENT).....	69
MEDICATION ADMINISTRATION TO STUDENTS	70
TEXTBOOKS	70
DUTY STATIONS	71
SPECIAL EDUCATION	71
PLAGIARISM	72
GRADE REPORTING	73
INSTRUCTIONAL WORKDAY	74
SAFETY.....	74
EMERGENCIES.....	74
IDENTIFICATION BADGES	75
ACCIDENTS	75
SEX OFFENDER NOTIFICATIONS.....	76
WEAPONS	76
DRUG AND ALCOHOL FREE WORKPLACE	77
DRUG TESTING	78
SMOKING POLICY	79
WELLNESS.....	79
UNLAWFUL ACTIVITY	80
TERMINATED EMPLOYEE POLICY	80
PARKING—GENERAL	80
PARKING—HANDICAPPED.....	81
FISCAL MANAGEMENT	81
FISCAL MANAGEMENT GOALS AND OBJECTIVES	81
ANNUAL OPERATING BUDGET.....	82
FISCAL YEAR/SCHOLASTIC YEAR.....	82
ANNUAL OPERATING BUDGET PREPARATION PROCEDURES.....	82
PERIODIC BUDGET RECONCILIATION.....	83
LINE ITEM TRANSFER AUTHORITY.....	83
DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS	84
REVENUES FROM SCHOOL PROPERTY.....	84
FEDERAL AID	84
FEDERAL LOANS AND GRANTS	84

GIFTS AND BEQUESTS/DONATED ASSETS	85
INVESTMENT EARNINGS.....	86
DEPOSITORY OF FUNDS.....	86
BONDED EMPLOYEES AND BOARD MEMBERS.....	86
ACCOUNTING AND REPORTING.....	87
INTERNAL CONTROL OF CASH RECEIPTS	87
AUDITS	88
AUTHORIZED SIGNATURES.....	88
CASH IN SCHOOL BUILDINGS	89
SALARY DEDUCTIONS / REDUCTIONS	89
PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS	89
PURCHASING	90
PURCHASING AUTHORITY	90
BIDS AND QUOTATIONS.....	90
PAYMENT PROCEDURES	91
STUDENT ACTIVITIES FUND MANAGEMENT	91
IDEA FUNDS.....	93
TRAVEL	93
FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE.....	95
SCHOOL PROPERTIES DISPOSAL PROCEDURE.....	96
FACILITY USAGE.....	96
WORKSPACES	96
APPENDIX A – Organizational Structure.....	98
APPENDIX B – Teacher Pay Scale.....	100
APPENDIX C – Employee Work Days and Leave Allowances.....	102



The Phoenix—Mississippi School of the Arts’ mascot—is a thing of fire and light, the colors of passion and never- e n d i n g inspiration and creativity. Regardless of cultural interpretation, the phoenix is recognized universally as a thing of excellence and beauty. Each student at the Mississippi School of the Arts holds the same promise. Each individual can be the source of creativity and inspiration. Each administrator, faculty, staff member, and student can share the light...

Mississippi School of the Arts

Mailing Address:

P.O. Box 229, Brookhaven, MS 39602-0229

Street Address:

308 West Cherokee Street, Brookhaven, MS 39601

Phone: (601) 823-1300

Toll Free: 1-866-672-7871

Fax: (601) 823-1555

Website: <http://www.msabrookhaven.org>

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)

The Mississippi SBE (SBE), the Mississippi Department of Education (MDE), and the Mississippi School of the Arts (MSA) do not discriminate on the basis of race, sex, color, religion, national origin, age, or disability in the provision of educational programs and services or employment opportunities and benefits.

The ADA covers employers with 15 or more employees and generally prohibits discrimination against “qualified individuals with disabilities.” A qualified individual with a disability is an applicant or employee who can perform the essential functions of the job in question with or without reasonable accommodation. Disability is defined as: a physical or mental impairment that substantially limits one or more major life activities; a record of such impairment; or being regarded as having such impairment.

The SBE, MDE, and the MSA will reasonably accommodate qualified applicants and employees with disabilities unless making the accommodation imposes an undue hardship on the school. MSA will reasonably accommodate known disabilities. Therefore, employees needing accommodation should speak directly with their supervisor. MSA expects the reasonable accommodation process to be a mutual process by which the School and employee search for a mutually acceptable reasonable accommodation. MSA is also committed to not discriminate against any qualified employees or applicants because they are related to or associated with a person with a disability.

All complaints and inquiries of noncompliance with ADA, Equal Employment Opportunity Commission, or discrimination should be reported to:

School Records Officer, MSA
PO Box 229
Brookhaven, MS 39602
(601) 823-1300

State Board of Education

Mr. Glen V. East, Chair
Mr. Matt Miller, Vice-Chair
Dr. Wendi Barrett
Mr. Bill Jacobs
Mr. Matt Mayo
Dr. Ronnie L. McGehee
Mr. Mike Pruitt
Mrs. Billye Jean Stroud
Mrs. Mary Werner
Mr. Crosby Parker, Student Representative

State Superintendent of Education

Dr. Lance Evans

Chief Academic Officer

Ms. Wendy Clemons

MSA Executive Director

Dr. Suzanne Hirsch

MSA LEADERSHIP

Principal – Dr. Avery Peagler
School Finance Officer – Mr. Nicholas Bridge
School Records Officer – Mrs. Arreika Thomas
Director of Advancement – Mrs. Jennifer Jackson
Director of Food Services – Mrs. Adrienne Benson Ashley
Director of Residence Life – Miss Lala Suzanne Noble
Director of Safety, Maintenance, Transportation – Ms. Sandra “Sudie” Palomarez
Technology Coordinator – Mr. Patrick Brown



OVERVIEW

Welcome to the MSA! Throughout time, all people have expressed themselves through the arts. The accomplishments of Mississippi artists are without question, evidenced throughout our state's long history of artistic excellence. By joining the MSA workplace, you will become an important part of that heritage. You have chosen to work at a school where the educational environment's focus is on creative expression, experimentation, and innovation within rigorous disciplines of study. MSA is located on the historic Whitworth College Campus in Brookhaven, about sixty miles south of Jackson. The campus is designated as a Mississippi Landmark and on the National Register of Historic Places. Construction and renovation of campus facilities are ongoing and dependent upon funding for capital improvements. The MSA is a residential school that provides advanced programs of study in dance, literary, media arts, theatre, visual arts, and vocal music, for artistically gifted eleventh and twelfth grade students from throughout Mississippi. An instrumental music program will be added as funding and facilities become available.

This manual, as approved by the SBE, is a publication of the MSA and governs all policies applicable to MSA as it is governed by the SBE. The information in the MSA Operations Policy Manual has been assembled to serve as a guide in providing a safe and orderly environment that is supportive of successful teaching and learning. Use it as a reference, and MSA will add other policy bulletins as they are released.

The administrative staff welcomes questions, suggestions, and discussion of policies and procedures. Please ask for information at any time.

HISTORY AND PURPOSE

The MSA was created by legislative enactment during the 1999 regular session. Miss. Code Ann. §§ 37-140-1 to 37-140-15 authorize the following:

- The MSA shall be a residential school for eleventh and twelfth grade high school students located on the campus of Whitworth College in Brookhaven, Mississippi.
- The SBE shall govern the school.
- The purpose of the school shall be to provide a more challenging educational experience

for artistically talented and gifted students of the state to develop their full potential, including the teaching of humanities, creative writing, literature, theatre, music, dance, and visual arts.

- To the extent possible, the SBE shall enter into agreements with the Board of Trustees of the Brookhaven School District for the dual enrollment of students for the purpose of teaching academic subjects to students attending the school, and the local school board shall be fully authorized to offer any such courses to students attending the school.

VISION

At MSA, we envision a diverse, creative environment that trains and nurtures young Mississippi artists to transform their community and the world.

MISSION

The mission of the MSA is to develop the next generation of artists by providing an innovative education in a residential environment for talented and creative Mississippi students.

SCHOOL COLORS AND MASCOT

The school colors are red and black. The phoenix is the school mascot.

EXPECTATIONS FOR POLICY AND PROCEDURE COMPLIANCE

All certified and non-certified personnel, both exempt and non-exempt, are responsible for knowing and enforcing the policies and procedures set forth in this manual.

MSA employees are all expected to follow the Mississippi Educator Code of Ethics and Standards of Conduct as established by the Mississippi Department of Education, which is available on the website at: https://www.mdek12.org/sites/default/files/documents/code-of-ethics_final.pdf

DEFINITIONS

MSA – Mississippi School of the Arts

SBE – State Board of Education

SBE Subcommittee – The authorized body by Miss. Code Ann. § 37-140-5(6) to approve and expedite approval needs for the MSA.

HUMAN RESOURCES

EMPLOYEE CLASSIFICATIONS

FULL-TIME EMPLOYEE - A full-time employee is an individual whose employment is for no definite term and who is scheduled to work 40 hours per week on a regular basis. For an employee to be eligible for insurance benefits, he/she must work a minimum of 20 hours per week.

CLASSIFIED EMPLOYEE – Classified non-instructional personnel are “at-will” employees whose duties do not require a certificate (or license) issued by the MDE. Classified employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or employer.

CERTIFIED EMPLOYEE – Certified employees are personnel who possess a license issued by the MDE.

PART-TIME EMPLOYEE - A part-time employee is an individual whose employment is for no definite term and who is scheduled to work less than 20 hours per week on a regular basis. Part-time employees are not eligible for benefits.

TEMPORARY EMPLOYEE – On occasion, MSA may utilize the services of employees to temporarily supplement the workforce or help complete a specific project such as auditions. Temporary employees are not eligible for any benefits or comp time.

NON-EXEMPT EMPLOYEES – Employees who are required to document time worked are eligible for comp time and/or overtime (i.e. comp/or overtime are calculated time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek) in accordance with applicable state and federal law. All non-exempt employees shall have prior approval by the superintendent for hours worked in excess of the normal work week. Only budgeted days will be worked.

EXEMPT EMPLOYEES – Employees who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond 40 hours in a work week. Administrators, managers, teachers, professional employees, technology, and certain employees in administrative positions are exempt.

EXEMPT CLASSIFIED EMPLOYEES - MSA recognizes that all professional employees work beyond regular school hours on a regular basis, and the school district acknowledges and appreciates the dedication of its professional employees. However, professional employees are exempt and are not eligible for overtime.

NON-EXEMPT EMPLOYEES - The workweek for full-time employees shall not exceed forty (40) hours. MSA encourages the completion of assigned tasks during the regular workday. Non-exempt employees are not to work overtime without prior approval from the Executive Director. Comp time shall have prior approval from Executive Director/Immediate Supervisor, can be accumulated but shall be used by the last working day in June of the current fiscal year, and can only be used when approved by Executive Director/Immediate Supervisor. Each supervisor shall maintain accurate records of all hours worked by each employee supervised and ensure

that all comp time is taken by the last working day in June of the current fiscal year. Comp Time does not roll over from year to year.

TEACHER CERTIFICATION

MSA requires that all teachers be certified by the MDE and “highly qualified.” For more information about mandated teacher qualifications, see the MDE website or call the Office of Teacher Licensure. All teachers shall ensure that their teaching certificates remain current.

Parents have a right to know the educational credentials and experience of their child’s teachers. Therefore, to provide this information in an easily accessible venue, an abbreviated résumé for each faculty and administrative staff member will be posted on the MSA website. The information should include degree(s), major and minor subject area(s), years of experience, awards, publications, and specific school assignments (e.g., Student Government Sponsor, and Club Sponsor). A recent photograph should be included.

TEACHER CONTRACTS

The Executive Director 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 SBE. Such contracts shall be in such form as shall be prescribed by the SBE and shall be executed in 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 with whom the MSA has contracted. The contract shall show the name of the MSA, the length of the school term, the position held (whether an assistant superintendent, principal, or licensed employee), the scholastic years which it covers, and 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 SBE, but, as to the licensed employees paid under the Mississippi Adequate Education Program, such salary shall not be less than that required under the provisions of Miss. Code Ann. § 37-19-7.

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 superintendent (other than those elected), principal, 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/her for execution, then, at the option of the school board, the election of the licensed employee and the contract tendered to him/her shall be void and of no effect.

Miss. Code Ann. § 37-9-23

RELEASE FROM CONTRACT

Any licensed employee at MSA who is under contract to teach or perform other duties and who desires to be released from such contract shall make an application in writing to the Principal for release there from, clearly stating the reasons for such requested release. If the Principal, Executive Director, and the SBE/SBE Subcommittee act favorably upon such application for release, such licensed employee shall be released from his/her contract and said contract shall be null and void on the date specified in the SBE/SBE Subcommittee's order. It must be noted, no employee is considered for release from said contract before a suitable replacement has been found.

Miss. Code Ann. § 37-9-55

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 there from as provided in Miss. Code Ann. § 37-9-55, the contract of such licensed employee shall be null and void. In addition, the license of such licensed employee may be suspended by the SBE for a period of one (1) school year as provided in Miss. Code Ann. § 37-3-2(12)(a) upon written recommendation of the majority of the members of this SBE subcommittee assigned to MSA.

Miss. Code Ann. § 37-9-57

NOTICE OF REEMPLOYMENT OF PRINCIPAL

On or before March 1 of each year, the principal shall be given notice of non-renewal of a contract for a successive year.

REEMPLOYMENT OF TEACHERS

On or before April 15, or within ten (10) calendar days after the Governor approves the appropriation bill for funding K-12 education (whichever date is later), teachers and other administrators shall be notified of non-renewal for a successive year. Licensed employees that do not have a valid license on or before April 15 for the successive year will not be offered a contract for a successive year.

REEMPLOYMENT DENIAL (LICENSED EMPLOYEES ONLY)

If a recommendation is made by the MSA not to offer a renewal contract to a licensed employee for a successive year, the employee is entitled to an opportunity for a hearing (if requested in writing within ten (10) days of receipt of notice) as cited in the "Education Employment Procedures Law of 2001."

Miss. Code Ann. § 37-9-101 through Miss. Code Ann. § 37-9-113

EXCLUDED EMPLOYEES

Licensed employees who have not been with the MSA for two continuous years, or one year with the MSA and two continuous years of employment in a Mississippi public school district are not entitled to the protections of this law.

Miss. Code Ann. § 37-9-101; Miss. Code Ann. § 37-9-105; Miss. Code Ann. § 37-9-109
MSBA: Education Employment Procedures Law Handbook

EMPLOYEE BACKGROUND CHECKS

According to state law, all new hire licensed and non-licensed employees shall have (at the employees' expense) a criminal record check performed by the FBI and the State CIC center. This bill requires that fingerprint cards be taken and submitted as part of the background check. The cost to process these cards and conduct the background check will not exceed \$50 per applicant. In addition, background checks for financial impropriety may be conducted per the policy of the MDE. Background checks will be reviewed by the Executive Director and School Finance Officer. They will be placed in the employee's permanent file maintained in the administrative offices of the MSA.

Miss. Code Ann. § 37-9-17

GRIEVANCE/DUE PROCESS

NON-CERTIFIED PERSONNEL

Non-certified MSA full-time and part-time employees serve at the will and pleasure of the SBE and the MSA Executive Director. Therefore, these MSA employees have no property rights in terms of employment. All complaints should be addressed to the School Finance Officer. Further appeals or grievances will be reported to the Executive Director at the MSA. Any grievances against the Executive Director will be reported to the School Finance Officer who will submit them to the MDE Chief Academic Officer for review.

All supervisors are responsible for monitoring hourly part-time employees and submitting timesheets on a bi-weekly basis. Directors shall check each employee's time sheet for accuracy in the number of hours worked and rate of pay. Directors should initial the form before submitting it to the Administrative Assistant who submits it to the Executive Director for processing and approval. It is the Director's responsibility to ensure that part-time employees work no more than 39 hours in a single week and that the total number of hours worked does not exceed the total budgeted amount. Directors will maintain a spreadsheet to ensure that employee time is accurately reflected in all documentation.

MSA part-time workers who return in a new fiscal year shall submit a new PERS form. If any personal contact information has changed (e.g., address or name change), new tax forms shall be submitted before a contract can be issued. All part-time employees shall have a full criminal background check through fingerprinting upon hire. There can be no break in service without requiring a new criminal background check.

Licensed Personnel Suspension/Dismissal Due Process

The Executive Director may dismiss or suspend any licensed employee for incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil, or other good cause. Before being dismissed or suspended, any licensed employee shall be notified of the charges against him/her and advised that he/she is entitled to a public hearing upon said charges. Notification of charges and hearing procedures shall follow the procedure as prescribed by law.

Provided, however, that the Executive Director whose employment has been terminated under Miss. Code Ann. § 37-9-59 shall not have the right to request a hearing before the SBE.

Provided, however, that a licensed employee in a conservator school district whose employment has been terminated under this section for good cause as determined by a conservator appointed by the SBE shall not have a right to request a hearing before the SBE. The conservator has the right to immediately terminate a licensed employee under Miss. Code Ann. § 37-9-59.

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 Executive Director, may interfere with or cause a disruption of normal school operations, the Executive Director 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.

The SBE or hearing officer or designee, upon a request for a hearing by the person so suspended or removed shall set a date, time and place of such hearing and notify the employee in writing of the same. The hearing date shall be not sooner than five (5) days nor later than thirty (30) days from the date of the request unless otherwise agreed. The procedure for such hearing before the SBE or hearing officer are prescribed in accordance with Miss. Code Ann. § 37-9-111 and included in this policy. 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 in Miss. Code Ann. § 37-9-113, which is also included in this policy. 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 Miss. Code Ann. § 37-9-59, said employee shall be entitled to compensation for a period up to and including the date that the initial hearing is set by the SBE, in the event that there is a request for such a hearing by the employee. If 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.

The SBE is hereby prohibited from denying employment or reemployment to any person as a superintendent, principal, or licensed employee, as defined in Miss. Code Ann. § 37-19-1, or as a noninstructional personnel, as defined in Miss. Code Ann. § 37-9-1, for the single reason that any eligible child of such person does not attend MSA in which such superintendent, principal, licensed

employee or noninstructional personnel is employed.

The provisions of this section shall be fully applicable to any administrator or employee of the MSA.

Hearing, Notice, Procedures, and Evidence

The SBE, or its designee, upon request for a hearing under Miss. Code Ann. § 37-9-59 or Miss. Code Ann. §§ 37-9-101 through 37-9-113, shall set the time, place and date of such hearing and notify the employee in writing of same. The date shall be set not sooner than five (5) days nor later than thirty (30) days from the date of the request, unless otherwise agreed. The hearing may be held before the SBE or before a hearing officer appointed for such purpose by the SBE, either from among its own membership, from the staff of the MSA or some other qualified and impartial person, but in no event shall the hearing officer be the staff member responsible for the initial recommendation of nonrenewal. No hearing officer may have an interest in the outcome of a hearing, nor may a hearing officer be related to a SBE member, any administrator making the recommendations of nonrenewal, or the employee. Once a hearing officer is appointed, no *ex parte* communications may be made regarding any substantive provisions of the hearing.

The hearing shall be held in executive session unless the employee elects to have a public hearing. If an employee makes this election, however, the SBE or the hearing officer, as the case may be, may order any part of the hearing to be held in executive session, if, in the opinion of the SBE or the hearing officer, the testimony to be elicited deals with matters involving the reputation or character of another person. Notwithstanding the election by an employee for a public hearing, any testimony by minor witnesses shall be held in executive session and considered confidential personnel records and confidential student records, subject to an expectation of reasonable privacy and confidentiality. Public disclosure of these records may be by court order only.

MSA shall present evidence, either in written or oral form, at the hearing in support of its recommendation for nonrenewal.

The employee shall be afforded an opportunity to present matters at the hearing relevant to the reasons given for the proposed nonrenewal determination and to the reasons the employee alleges to be the reasons for nonrenewal and to be represented by counsel at such a hearing. Such hearing shall be conducted in such a manner as to afford the parties a fair and reasonable opportunity to present witnesses and other evidence pertinent to the issues and to cross-examine witnesses presented at the hearing. The SBE or the hearing officer may require any portion of the evidence to be submitted in the form of depositions or affidavits, and in case affidavits are received, an opportunity to present counter-affidavits shall be provided.

The SBE shall cause to be made stenographic notes of the proceedings. In the event of a judicial appeal of the SBE's decision, the entire expense of the transcript and notes shall be assessed as court costs.

The SBE shall review the matters presented before it, or, if the hearing is conducted by a hearing officer, the report of the hearing officer, if any, the record of the proceedings and, based solely

thereon, conclude whether the proposed nonrenewal is a proper employment decision, is based upon a valid educational reason or noncompliance with MSA personnel policies and is based solely upon the evidence presented at the hearing, and shall notify the employee in writing of its final decision and reasons therefor. Such notification shall be within thirty (30) days of the conclusion of the hearing if the hearing is conducted by a hearing officer and within ten (10) days of the conclusion of the hearing if the hearing is initially conducted by the SBE. If the matter is heard before a hearing officer, the SBE shall also grant the employee the opportunity to appear before the Board to present a statement in his/her own behalf, either in person or by his/her attorney, prior to a final decision by the Board.

In conducting a hearing, the SBE or hearing officer shall not be bound by common law or by statutory rules of evidence or by technical or formal rules of procedure except as provided in Miss. Code Ann. §§ 37-9-101 through 37-9-113, but may conduct such hearing in such manner as best to ascertain the rights of the parties; however, hearsay evidence, if admitted, shall not be the sole basis for the determination of facts by the SBE or hearing officer.

In the event the decision of the SBE is in favor of the employee, the SBE shall have the authority to order the execution of a contract with the employee for an additional period of one (1) year.

For purposes of conducting hearings under Miss. Code Ann. §§ 37-9-101 through 37-9-113, the SBE or hearing officer shall have the authority to issue subpoenas for witnesses and to compel their attendance and the giving of evidence. Any expense connected therewith shall be borne by the party requesting the subpoenas, which shall include an appearance fee for each witness so subpoenaed not inconsistent with state laws governing payments to witnesses. In the event it is necessary to enforce or to quash a subpoena issued to compel the attendance of a witness, application shall be made with the chancery court of the county where the SBE is located.

Mississippi Code Annotated § 37-9-111 shall not be applicable to a superintendent whose employment has been terminated by the Board under Miss. Code Ann. § 37-9-59, or whose employment contract has not been renewed by the SBE.

Appeal Rights

Any employee aggrieved by a final decision of the SBE is entitled to judicial review thereof, as hereinafter provided.

An appeal may be taken by such employee to the chancery court of the judicial district in which the SBE is located, by filing a petition with the clerk of that court and executing and filing bond payable to the SBE with sufficient sureties, in the penalty of not less than Two Hundred Dollars (\$200.00), conditioned upon the payment of all of the costs of appeal, within twenty (20) days of the receipt of the final decision of the SBE.

The scope of review of the chancery court in such cases shall be limited to a review of the record made before the SBE or hearing officer to determine if the action of the SBE is unlawful for the reason that it was:

- (a) Not supported by any substantial evidence;
- (b) Arbitrary or capricious; or
- (c) In violation of some statutory or constitutional right of the employee.

No relief shall be granted based upon a court's finding of harmless error by the SBE in complying with the procedural requirements of Miss. Code Ann. §§ 37-9-101 through 37-9-113. However, in the event that there is a finding of prejudicial error in the proceedings, the cause shall be remanded for a rehearing consistent with the findings of the court.

Any party aggrieved by action of the chancery court may appeal to the Supreme Court in the manner provided by law.

References: *Miss. Code Ann. § 37-9-59*
Miss. Code Ann. § 37-9-111
Miss. Code Ann. § 37-9-113

EMPLOYEE APPRAISALS

Using an internal performance appraisal instruments, full-time non-certified employees will be formally evaluated at least once per year. The statewide evaluation systems for teachers, librarians, counselors, and principals will be used for the certified academic staff. Evaluation will be based on observations at primary job posts and as part of the school wide team. Supervisors will meet with all employees in accordance with deadlines mandated for the appraisal systems for review of prior performance and goal setting for the upcoming year. The appraisal instruments are job related to performance in a residential school and departmental context. Appraisals will be utilized to assist supervisors in better serving employees through professional development, improvement plans, or continuation of employment. Habitual disregard for policies, processes, and procedures established by the MSA may result in written reprimands and further consequences as outlined by the MSA Standard Operating Procedures Manual. At the beginning of each academic year, procedures, policies, and processes are reviewed with employees. Inconsistent paperwork, untimeliness, or behavior problems will be reprimanded appropriately.

ATTENDANCE OF EMPLOYEES

The following guidelines and procedures should be followed by all administrative and supervisory personnel regarding the attendance of MSA employees throughout the year. In addition, the guidelines should be reviewed during the evaluation process and incorporated into employee evaluations.

1. All employees of the MSA are expected to be at work, on time, every scheduled workday. Employees contribute to achieving the mission and the education of the student body. The success of the MSA depends upon each employee doing what is expected, including maintaining an acceptable attendance record.
2. It is important that all employees be treated equitably with respect to the monitoring of

attendance.

3. Excessive absenteeism adversely affects overall operations by placing added pressure or burdens on employees who are at work on a regular basis and by requiring administrative time and costs to cover for employees who are absent.

CATEGORIES OF ABSENCES

All absences will be classified into two categories as follows:

1. Excused - Absences that do not count against an employee's attendance record include any pre-approved vacation, personal leave, bereavement leave, military or uniformed services leave, family and medical leave (as designated under our FMLA policy), jury duty, disability accommodation leaves of absence, or worker's compensation leave.
2. Unexcused. All remaining absences are classified as counting against an employee's attendance record.

TARDINESS

Promptness in arriving at work is expected from all employees. Tardiness has a negative effect on operations, just as absenteeism does. Not returning promptly from breaks or lunch is considered an instance of tardiness. Excessive tardiness may result in disciplinary action, action plans, and/or termination.

ATTENDANCE GUIDELINES

1. All employees are to report as scheduled by their supervising Director/Principal and/or the Executive Director.
2. Employees who are going to be absent due to illness shall notify their supervising Director/Principal, the Executive Director, or a designee as soon as possible.
3. Employees who will be late for any reason shall contact their supervisor or Executive Director so arrangements can be made for a substitute until the employee arrives on campus. Employees shall speak directly to a Director/Principal/Executive Director.
4. Employees who arrive after the scheduled time or have problems relative to timely arrival for scheduled duties shall, on that day, provide the office with a written, dated explanation of the reason for failure to arrive on time.
5. Employees may not leave campus during duty hours without the permission of their supervising Director/Principal, Executive Director, or a designee.
6. Employees should refrain from taking leave for vacations when it directly impacts

the functionality of MSA.

7. Employees should refrain from scheduled absences on the days immediately prior to or after a holiday.
8. Excessive absences may be denied in accordance with the MSA policies. If employee is believed to be using medical leave to circumvent the vacation day policy, a medical excuse may be required by the administration.
9. If an employee departs from MSA prior to the end of his/her first full year, he/she forfeits payment for unused leave.

All employees may be expected to be present during registration, open house events, graduation, state testing, and other special activities that may be assigned.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. DEFINITIONS

1. An “eligible employee” is an employee of a covered employer who: (a) has been employed for at least 12 months and (b) has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave, and (c) is employed at a worksite at which the employer employs at least 50 employees within 75 miles of the worksite.
2. “Employee’s spouse” means husband or wife as defined by Mississippi Law.
3. “Employee’s son or daughter” means biological child, adopted child or foster child, a stepchild, legal ward, or the child for whom the employee is standing in loco parentis, who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
4. “Employee’s parent” means biological parent, adoptive, step or foster father or mother, or any other individual who stood (or now stands) in loco parentis to an employee when the employee was a child (not to include parents-in-law).
5. “Employee’s immediate family member” means spouse, son or daughter, grandchild, or parent as defined herein above.
6. For the purposes of FMLA “serious health condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care (overnight stay) in a hospital, hospice or residential medical care facility, or continuing treatment by a healthcare provider.
7. “Healthcare provider” means a licensed medical physician, nurse practitioner, dentist, psychologist, and chiropractor.

B. LEAVE PROVISIONS

An eligible employee is entitled to 12 unpaid work weeks (60 workdays) during any 12-month (beginning from the first day of the leave) period for any one or more of the following reasons:

1. The birth of a son or daughter, and to care for the newborn child (within 12 months of birth).
2. The placement of a child with the employee for adoption or foster care (within 12 months of the placement).
3. To care for the employee's spouse, son, daughter, or parent with a serious health condition (not "parent-in-law").
4. The employee's own serious health condition which makes the employee unable to perform the function of his/her job.
5. MSA encourages any person taking FMLA leave to utilize all paid leave benefits as part of the 12 weeks of leave. This use of paid leave does not extend the 12 weeks of FMLA leave and is taken concurrently not consecutively while on leave.
6. The 12-month period is defined as a "rolling" year, that is, that the 12-month eligibility period begins on the date leave is first taken.

C. NOTICE REQUIREMENTS

1. Employees shall provide MSA at least thirty (30) days advance notice before FMLA leave is to begin if the need for the leave is foreseeable, based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or family member.
2. Due to lack of knowledge or a medical emergency, notice shall be given as soon as practicable, which means as soon as both practical and possible or at least verbally within one or two working days when the need for leave becomes known to the employee. This verbal notice is to be followed by written notice.
3. Failure to give 30 days' notice for foreseeable leave may result in the denial of FMLA leave until at least 30 days after the date the employee provides notice.

D. REQUIRED CERTIFICATION

Eligible employees shall provide MSA certification of a serious health condition for himself/herself or a family member. The certification, to be signed by the health care provider, shall be attached to the required written notice or submitted in a timely manner which shall be no more than fifteen (15) working days after providing written notice. No leave period may begin without the approval of the Executive Director or designee. No approval shall be

granted by the Executive Director or designee without the required written notice and certification.

E. THE CERTIFICATION IS TO INCLUDE THE FOLLOWING:

1. The date on which the serious health condition in question began.
2. The probable duration of the condition.
3. Appropriate medical facts regarding the condition.
4. A statement that the employee is needed to care for a spouse, parent, or child (along with an estimate of the time required), or that the employee is unable to perform his/her functions, and, in the case of intermittent leave, the duration of treatment to be given.
5. Signature (not stamped) of healthcare provider. MSA may require that a second opinion be obtained at the MSA's expense. The second opinion may not be provided by a healthcare provider employed by MSA. In the event of conflicting opinions, MSA may pay for a third and final provider to offer a binding decision. MSA may require subsequent written re-certification on a reasonable basis.

F. EMPLOYMENT BENEFITS PROTECTION

1. An employee who completes a period of leave and has complied fully with the terms of this policy shall be returned either to the same position he/she had before taking leave or to a position which is genuinely equivalent (as compared to comparable or similar job) in pay, benefits, and other terms and conditions of employment.
2. Taking of leave shall not result in the loss of any previously accrued seniority or employment benefits. Except for health benefits, no other benefits will accrue during the leave period.
3. Health benefits shall continue through an employee's 12-week leave period. The district may recover health coverage premiums paid for an employee who fails to return from leave, except no recovery will be made from an employee who fails to return from leave if the reason is the continuation, recurrence, or onset of a serious health condition or something else beyond the employee's control.
4. Special rules for taking leave by an instructional employee exist for leave taken near the end of a semester. In general, MSA may require that more leave be taken than desired, depending on the length of leave sought and the timing in proximity to the end of a semester. If this situation occurs, the Executive Director or designee will advise as to these requirements. The reason for this is that a contract would be required for a long-term substitute.

G. MILITARY FAMILY LEAVE

A “covered military member” means the employee’s spouse, son, daughter, or parent on active duty or call to active duty status.

A “son or daughter on active duty or call to active duty status” means the employee’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active duty status, and of any age.

“Active duty or call to active duty status” means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to 10 U.S.C. § 668 or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

A “serious injury or illness” means an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

“Outpatient status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. To care for a covered servicemember, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered servicemember.

A “son or daughter of a covered servicemember” means the covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age.

A “parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.” The “next of kin of a covered servicemember” is the nearest blood relative, other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember’s next of kin. Alternatively, where a covered

servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember.

Employees are eligible to take FMLA leave because of a qualifying exigency when the covered military member is on active duty or call to active duty status in support of a contingency operation pursuant to one of the provisions of law identified above. An employee whose family member is on active duty or call to active duty status in support of a contingency operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

A call to active duty for purposes of leave taken because of a qualifying exigency refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States pursuant to one of the provisions of law identified in support of a contingency operation.

The active duty orders of a covered military member will generally specify if the servicemember is serving in support of a contingency operation by citation to the relevant section of United States Code and/or by reference to the specific name of the contingency operation.

An eligible employee is entitled to 26 work weeks of leave to care for a covered service member with a serious injury or illness during a "single 12-month period."

The "single 12-month period" described above begins on the first day the eligible employee takes FMLA leave to care for a covered servicemember and ends 12 months after that date, regardless of the method used by the employer to determine the employee's 12 workweeks of leave entitlement for other FMLA-qualifying reasons. If an eligible employee does not take all of his or her 26 workweeks of leave entitlement to care for a covered servicemember during this "single 12-month period," the remaining part of his or her 26 work weeks of leave entitlement to care for the covered servicemember is forfeited.

The leave entitlement described above is to be applied on a per-covered-servicemember, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than 26 work weeks of leave may be taken within any "single 12-month period." An eligible employee may take more than one period of 26 work weeks of leave to care for a covered servicemember with more than one serious injury or illness only when the serious injury or illness is a subsequent serious injury or illness. When an eligible employee takes leave to care for more than one covered servicemember or for a subsequent serious injury or illness of the same covered servicemember, and the "single 12-month periods" corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 work weeks of leave in each "single 12-month period."

An eligible employee is entitled to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the “single 12-month period,” provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee’s own serious health condition; or because of a qualifying exigency. Thus, for example, an eligible employee may, during the “single 12-month period,” take 16 weeks of FMLA leave to care for a covered service member and 10 weeks of FMLA leave to care for a newborn child. However, the employee may not take more than 12 weeks of FMLA leave to care for the newborn child during the “single 12-month period,” even if the employee takes fewer than 14 weeks of FMLA leave to care for a covered service member.

In all circumstances, including for leave taken to care for a covered servicemember, the employer is responsible for designating leave, paid or unpaid, as FMLA-qualifying, and for giving notice of the designation to the employee. In the case of leave that qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition during the “single 12-month period,” the employer must designate such leave as leave to care for a covered service member in the first instance. Leave that qualifies as both leave to care for a covered service member and leave taken to care for a family member with a serious health condition during the “single 12-month period” must not be designated and counted as both leave to care for a covered service member and leave to care for a family member with a serious health condition. As is the case with leave taken for other qualifying reasons, employers may retroactively designate leave to care for a covered service member.

A husband and wife who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 26 work weeks of leave during the “single 12-month period” if the leave is taken for birth of the employee’s son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee’s parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness. This limitation on the total weeks of leave applies to leave taken for the reasons specified as long as a husband and wife are employed by the “same employer.” It would apply, for example, even though the spouses are employed at two different worksites of an employer located more than 75 miles from each other, or by two different operating divisions of the same company. On the other hand, if one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full 26 work weeks of FMLA leave.

NON-QUALIFYING FMLA LEAVE REQUEST

An employee who does not qualify for leave based on the Family Medical Leave Act (FMLA) of 1993 may take a leave of absence up to 20 business days. The employee may be responsible for timely payments of all insurance premiums while on approved leave of absence.

GENERAL PROVISIONS: To qualify for temporary medical leave of absence the following shall apply:

1. An employee anticipating an absence of five days or more must apply for leave of absence with the administration prior to the absence or within seven (7) business days of the first day of absence.
2. New employees reported to work on the first day of employment.
3. The employee does not qualify for FMLA based on the following criteria:
 - a. Employee has not been employed with MSA for at least 12 months;
 - b. Employee has not worked for MSA at least 1250 hours.
4. Qualifying for the leave of absence follows the same criteria and procedure as described in FMLA regulations.
 - a. Birth of a child and/or to care for a newborn child of the employee.
 - b. Placement with the employee of a child through adoption.
 - c. Care for the employee's spouse, dependent child, or parent of the employee who has a serious health condition.
 - d. A serious health condition that renders the employee unable to perform the function of his/her job.
5. All leave of absences require final approval of the Executive Director.
6. Failure to return to work on the determined return-to-work day will be considered as a resignation by the employee.
7. The employee must use any available accrued paid leave concurrently with the leave of absence. Otherwise, compensation will not be paid during leave.
8. The leave of absence must be used continuously and can only be used once per fiscal year. It will not be available for intermittent use.

PROCEDURES:

1. A request for leave of absence must be made on the Request for Leave of Absence Form having the approval of the Principal/Supervisor and the Executive Director.
2. Medical documentation supporting the request must be provided to the Executive Director's Office within five (5) days of the request for leave.
3. The Request for Leave of Absence form must be filed in the employee's personnel file.

4. The Principal/Supervisor must be notified of the expected date the employee returns. The employee must provide documentation from the physician stating the employee's return to work date before returning to work.

BEREAVEMENT LEAVE

Three (3) days of paid bereavement leave is offered for employees in the event of death of an immediate family member as defined above. The days are meant to allow for making funeral/memorial service arrangements, travel/attendance of funeral/memorial service, resolving matters of inheritance or personal mourning. These three days shall be taken in the first month of the death and documentation is required. This leave is not banked if unused. If the employee needs additional time, it may be granted but it will be from the employees paid time off or unpaid leave depending upon the employee leave balance.

BENEFITS INSURANCE AND RETIREMENT

MSA is interested in the health and well-being of both employees and their families. This section briefly describes each district-sponsored employee benefit program. Employees receive summary plan descriptions, which describe certain benefit programs in greater detail. The plan description and official plan documents (such as insurance master contracts) contain information regarding eligibility requirements, coverage limits, deductibles, premiums, and fees. Employees are expected to read the plan descriptions carefully to understand rights and responsibilities. Should a conflict exist between the official benefit plan documents and this manual or the plan descriptions, the official plan documents will control in all cases.

MSA reserves the right, at its sole and absolute discretion, to rescind or amend benefits, to change insurance carriers, or to require a change in employee contributions toward premium costs, deductibles, or co-payments. MSA may make such changes at any time, for any reason; financial necessity is not required. Employees will be promptly notified of any such changes. While MSA's intent is to continue offering the sponsored benefit programs, it cannot guarantee that such benefits will always be available. MSA offers the following benefits to regular full-time employees. Part-time employees may or may not be eligible for these benefits based on the individual plan requirements:

MEDICAL INSURANCE - MSA participates in the State of Mississippi health insurance plan for school employees. Information regarding the options available to school employees may be obtained by contacting the Benefits Specialist in the administrative office.

CAFETERIA PLAN - MSA participates in the Section 125 Flexible Benefit Plan, commonly known as the cafeteria plan. Participation by employees in the cafeteria plan is optional. Additional information regarding the cafeteria plan is available in the administrative office.

RETIREMENT PLAN - All regular full-time employees shall participate in the Mississippi Public Employees' Retirement System. Current Mississippi law requires eight (8) years of service as of July 1, 2007, for vested interest. Twenty-five (25) years are required for less than

sixty (60) years of age for full retirement benefits without penalty. If hired after July 1, 2011, thirty (30) years are required for less than sixty (60) years of age for full retirement benefits. Employees desiring more specific information regarding their retirement should contact the Mississippi Public Employees' Retirement System.

COBRA - If the employee, the employee's spouse, or the employee's dependents lose group health insurance coverage due to employment termination or any other "qualifying event," any and all may be eligible to elect continuation of group health coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA entitles employees and their dependents to elect or decline continued group health insurance coverage upon a "qualifying event." Under federal law, a qualifying event is an event that would ordinarily cause an employee, spouse, or dependent to lose group health insurance coverage. Qualifying events include termination of employment, retirement, discharge for poor performance, reduction of work hours, death of a covered employee, divorce, or legal separation from a covered employee, losing "dependent child" status, or Medicare eligibility. Employees discharged for gross misconduct may not be eligible for continuation benefits. Employees and dependents are responsible for notifying the MSA Administrative Office immediately following any qualifying event and upon any change in address of the employee and/or dependents. Employees and dependents who elect continued coverage following a qualifying event will be required to pay 100% of the applicable premium coverage cost plus any applicable administration fees. The covered individual has sixty (60) days to elect coverage from the date of notification. If the covered individual chooses to continue coverage and pays all premiums, benefits will be continued for 18 months. A covered employee, spouse, or dependent who is disabled (according to the Social Security Administration) at the time of the qualifying event may be eligible to continue coverage for up to 29 months. An employee's covered spouse or dependent may be able to continue coverage up to 36 months in the event the covered employee dies, becomes entitled to Medicare, divorces or legally separates from the spouse, or the dependent child ceases to qualify as a dependent under the District's insurance plan provisions. In the event of a second qualifying event occurring during the period of coverage for an original event, the period of coverage will be extended to 36 months from the date of the original qualifying event. Employees may obtain additional information about COBRA from MSA Administrative Office.

PAYROLL DEDUCTIONS

The law requires payroll deductions to cover federal, state, and local income taxes and Social Security/Medicare (FICA) and retirement. These deductions are made automatically. Other deductions for other programs will be made upon a written authorization by the employee and with the approval of the MSA.

Deductions can be made for health, life, and salary protection insurance. All requests for changes in deductions shall be submitted, in writing, prior to the 1st of each month. Deductions may also stem from garnishments. When a garnishment is imposed, the administration of MSA complies by withholding a percentage of the employee's salary, as mandated by law. It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, we prohibit any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the MSA does not allow deductions that violate the

FLSA. Deductions from exempt employees' salaries are prohibited, except as allowed by applicable law.

COMPENSATION

Employees of MSA are paid on the last working day of the calendar month. Each employee is responsible for reviewing his/her pay and notifying his/her supervisor if any errors are noted. Teachers are paid based upon an approved salary scale and are contracted for specified days each year, with payment distribution over twelve months. No payment will be made to any contracted personnel without an executed contract in place. All salaries are within the scale as deemed appropriate for the job descriptions aligned with the Mississippi State Personnel Board and are subject to final approval by the SBE/SBE Subcommittee.

WORKER'S COMPENSATION - It is MSA's goal to provide a safe work environment. Each employee shall comply with all occupational safety, health policies and standards. Should an accident occur, the employee shall report any injury or illness, no matter how minor it may seem, immediately to the Supervisor. The supervisor shall report the incident to the Workers' Compensation Coordinator. Failure to do so may jeopardize eligibility for workers' compensation. Employees are covered against certain loss of earnings due to injuries on the job by a workers' compensation insurance policy furnished by MSA.

No compensation will be allowed for an injury, illness, or death due to willful misconduct, intentional self-inflicted injury, intoxication, or willful failure or refusal to use safety devices or lack of compliance with prescribed safety procedures. The payment of medical bills and compensation payments will be in accordance with all applicable workers' compensation laws.

If an employee suffers an occupational injury or illness, the following steps should be taken:

1. Any necessary first-aid treatment should be administered.
2. When physically able, the employee should immediately report the injury or illness to his or her Supervisor or Principal.
3. Both the employee and supervisor shall complete a Report of Accident/Injury form within the first hour of the accident. If medical attention is required, the employee may be seen by a medical doctor or facility approved by MSA, unless in an emergency.
4. Medical facilities will need a claim number to administer treatment. The insurance company will not provide a claim number without the Accident/Injury form. These forms are available from the employee's supervisor or on the district website under "Staff Documents." Both forms shall be signed and dated by the supervisor and forwarded to the Workers' Compensation Coordinator in the Business Office as soon as possible.

UNEMPLOYMENT COMPENSATION - Employees are not eligible for unemployment benefits in the summer months between school terms. An employee hired during the school term that has

reasonable assurance of employment for the same or similar work for the following school term will be denied. Substitutes may receive unemployment compensation if they are only working part-time and not earning more than their allowed benefit for the week. Substitute logs are to be sent to the Benefits Specialist each month documenting who was called and whether they accepted the work. This information is provided to the Mississippi Department of Employment Security for those substitutes that file unemployment claims.

REDUCTION IN FORCE

MSA has the responsibility for providing and maintaining a quality school. In order to carry out its responsibility, the SBE/SBE Subcommittee may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (the same to be in no event less than 187 days per contract year), (3) reduce employee salaries, and/or (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

When reducing the number of licensed employees, the SBE/SBE Subcommittee will take into account the following reasons for such reduction in force:

1. Enrollment declines,
2. Financial decline/reduction,
3. Educational program(s) elimination, and/or
4. Other good and/or just cause as defined by the SBE/SBE Subcommittee.

The primary objective of the MSA when reducing the work force will be the maintenance of a fair and balanced educational program consistent with the needs of the students and the functions and responsibilities of the school. When deciding reduction in force, the SBE/SBE Subcommittee will consider the following factors, not necessarily in the order listed:

1. Importance of the position to the mission, goals, and objectives of the MSA.
2. Area(s) and level(s) of competence indicated by certification.
3. Experience, professional training, length of service within the district and work assignment.
4. Quality of performance including character, teaching capacity, and/or executive ability.
5. Skills in area(s) where the district has instructional and/or supervisory needs.

References: Miss. Code Ann. §§ 37-9-101 through 37-9-113 and § 37-9-59

OUTSIDE EMPLOYMENT

Employees choosing to work outside MSA may do so as long as it does not create a conflict of

interest or interfere with their work schedule or job performance. Outside employment that affects an employee's attendance, work performance, productivity, or conduct, either directly or indirectly, or that creates a conflict of interest of any kind, is strictly prohibited. If employees choose to seek outside employment, they first must discuss this matter with the Principal or primary supervisor and receive written approval of their plans from the Executive Director. Schedules will not be adjusted, and special considerations will not be made for employees who have outside employment.

CONFLICT OF INTEREST

An employee of the MSA shall not have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities. No staff member shall engage in any type of private business during school time and on school property. Staff may not be permitted outside payment from another source for the same work performed on the assigned MSA schedule.

Employees shall not engage in work of any type where the source of information concerning customer, client, or employer originates from any information obtained through the school. No gifts from any person or group desiring or doing business with the MSA shall be solicited by a school employee except for nominally valued instructional products or advertising items that are widely distributed.

CODE OF ETHICS AND PROFESSIONAL CONDUCT

All employees in the MSA shall comply with the Mississippi Educator Code of Ethics and Standards of Conduct as outlined in Miss Admin. Code 7-3: 14.10; Miss. Admin. Code 7-3: 14.17; and Miss. Admin. Code 7-3: 14.18. The Executive Director or his or her designee shall establish procedures to assure that all MSA employees comply with this policy. The procedures shall include, but are not limited to:

1. Providing all employees with a copy of the Mississippi Educator Code of Ethics and Standards of Conduct.
2. Maintaining a signed statement in each employee's personnel file verifying that he or she has been given notice of the Mississippi Educator Code of Ethics and Standards of Conduct.
3. Advising all employees that his or her contract with the MSA is subject to the Mississippi Educator Code of Ethics and Standards of Conduct; and may be revoked or suspended pursuant to its terms.
4. Providing annual in-service training for all employees on the Mississippi Educator Code of Ethics and Standards of Conduct.

The Executive Director shall report to the MDE all license holders who engage in unethical conduct relating to an educator/student relationship (Standard 4).

VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the school principal/supervisor (or executive director and principal if a principal is in violation of this policy). If the principal/supervisor or executive director finds the complaint to be factual, he or she shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Severe violations or continuous violation of this policy may lead to an employee being suspended, dismissed or non-renewed. Employees shall have the right to appeal any disciplinary action taken against them by following the proper chain of command as specified in the district's "Employee Grievance Procedure" policy.

ARREST OF EMPLOYEE

Employees arrested for any reason shall notify their supervisor within 24 hours. Supervisors will inform the Executive Director who will contact the SBE/SBE Subcommittee.

REPORTING ABUSE OR NEGLECT

REPORTING AUTHORITY

According to Mississippi law, the following people are required by law to report suspected abuse or neglect:

1. Attorneys,
2. Child's Caregiver,
3. Dentists,
4. Doctors,
5. Interns,
6. Law Enforcement Officers,
7. Ministers,
8. Nurses,
9. Psychologists,
10. Residents,
11. School Principals,
12. Social Workers,
13. Teachers, or

Any other person having reasonable cause to suspect a child has been neglected or abused.

IMMUNITY

The law protects individuals who make reports of suspected child abuse or neglect from civil liability if they act in good faith. Absolute proof is not necessary before a report is filed. Child Protective Services is responsible for conducting its own investigation.

STEPS TO FOLLOW AFTER SUSPECTING ABUSE.

1. Take the student to a private place and let the student tell you about the above.
2. **DO NOT** interrogate the student.
3. Encourage the student to express his/her feelings about the abuse.
4. Avoid leading questions.
5. Ask open-ended questions (e.g., What happened next?).
6. Try to remain calm and nonjudgmental.
7. Let the student know that you believe his or her story.
8. Reassure the student he/she is not to blame for what happened.
9. Respect the privacy of the student.
10. **DO NOT** tell other people who do not need to know.
11. Explain to the student what will happen next (i.e., tell them you will call someone to help.)

REPORTING WITHIN THE SCHOOL

Inform the Executive Director or the school counselor of your findings. The Executive Director and/or the counselor will work with employees in contacting social services.

REPORTING TO SOCIAL SERVICES

1. Name and address of student and parents or caretaker
2. Date of Birth
3. Nature of student's injury
4. Identity and address of perpetrator, if known
5. Any other information you believe social worker will find helpful
6. Names and dates of birth of other children in the home

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Unless expressly authorized to do so, employees are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to the MSA. Unauthorized dissemination of such material may result in severe disciplinary action as well as substantial civil and criminal penalties under state and federal Economic Espionage laws.

The MSA shall operate in compliance with the Family Educational Rights and Privacy Act of 1974 regarding student information and records. The Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA) have provided schools, school districts, and state educational agencies guidelines in disclosing student records. School officials with a "legitimate educational interest" in any student information can have access to educational records without specific consent of parents or eligible students.

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 SBE/SBE Subcommittee;
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. However, the misuse or improper disclosure of confidential information by school officials or a third party is strictly prohibited and is punishable by federal statutes.

Electronic access to student information will be limited to job duty specifications of each employee. At no time should this information be printed, transferred, or shared under conditions other than those stipulated in FERPA. A complete explanation of FERPA may be found online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

INAPPROPRIATE CONDUCT WITH STUDENTS

As mandated by the State Superintendent of Public Education, MSA shall implement policies and procedures related to the prohibition of inappropriate relationships and/or conduct with students. The MSA Student Handbook informs students that such conduct is prohibited and that if an employee treats them in any inappropriate way, they should report it immediately.

DO NOT e-mail, text message, call or contact students via any form of communication regarding personal matters. All communications should be highly professional and related to school ONLY. The same applies to verbal or written conversations and communications at school, school related activities, or off campus.

DO NOT BLUR THE LINES BETWEEN ADULTS AND STUDENTS!

The administration, when it hears or becomes aware that a situation might exist between one of its employees and a student, shall investigate all possible leads. While rumors may be nothing more than gossip, the administration shall evaluate the credibility of the information to determine if there is sufficient substantiation to investigate.

Investigation should include interviewing students, the accused staff member, other staff members, looking at phone records, emails, text messages, etc. If there is no evidence that any wrongdoing has occurred, the investigation can be closed. However, the investigation should be properly documented regarding what the inquiry entailed and that there was no evidence to support the charges.

If the investigation reveals suspicious conduct, then the investigation shall continue until the allegation is dismissed as unfounded or there are sufficient facts to lend credibility to the charges. Usually, the investigation does not prove absolutely that sexual behavior has occurred between a staff member and a student, but that other inappropriate conduct did occur such as personal emails and text messages between the staff member and a student. There may be a legitimate reason for an occasional email between an employee and a student, but it shall be school-related. Personal

emails, telephone calls, and text messages 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 employee and a student under the age of 18, it is mandatory that the Executive Director or principal shall report it to the district attorney. Thus, if the investigation reveals information that provides a reasonable basis to believe that sexual involvement occurred, the district attorney shall be informed. In summary, the administration shall thoroughly investigate all accusations of misconduct in an expeditious manner. Documentation of the investigation is important, regardless of the conclusions reached. Once evidence is found, the information shall be turned over to the District Attorney and dismissal of the employee should take place.

STAFF/STUDENT NON-FRATERNIZATION

Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position and shall never take advantage of students' vulnerability or of their confidence.

MSA strictly prohibits any sexual relationship, contact, or sexually nuanced behavior or communication between a staff member and a student, while the student is enrolled in the school. The prohibition applies regardless of gender, whether the student or the staff member is the initiator of the behavior, and whether the student welcomes or reciprocates the attention.

Guidelines

Staff members are expected to exercise good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines:

1. Staff members shall not make derogatory comments to students regarding the school and/or staff.
2. Staff members shall not exchange gifts with students.
3. Staff-sponsored parties, at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not text students nor participate in any student blogs unrelated to school.
6. Staff members shall not friend students on any social media platforms prior to graduation.
7. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.

8. Staff members shall not date students. Sexual relations with students, regardless of age and/or consent, are prohibited and will result in dismissal and criminal prosecution.
9. Staff members shall not use insults against students as a method of forcing compliance with requirements or expectations.
10. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
11. Staff members shall not send students on personal errands.
12. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
13. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate school personnel or agency for assistance, pursuant to law and Board policy.
14. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

Social Media

All employees, faculty and staff of this school district who participate in social media websites or applications such as, but not limited to Facebook, X, Snapchat, and/or Instagram, shall not post any data, documents, photos, or inappropriate information on any website that might result in a disruption of classroom activity. The determination of appropriateness will be made by the Executive Director.

Employees, faculty, and staff are solely responsible for the content and the security of their social media websites and applications and shall not give their social media website passwords to students.

Employees, faculty, and staff shall NEVER use their personal social media accounts in any way purporting to be or speaking for the MSA.

Fraternization via the internet between employees, faculty or staff, and students is prohibited and in violation of standards of the Mississippi Educator Code of Ethics and Standards of Conduct.

Communications with both students and parents shall be done in person, over telephone, through standard mail, secure educational applications, and/or through email. Social media shall never be used and is not an appropriate form of communication.

Access of social media websites for individual use during school hours is prohibited.

Violation of any of these policies may result in disciplinary action, up to and including termination.

Nothing in this policy prohibits staff or students from the use of educational websites.

Annual Reminder to Staff

The Executive Director and the Principal will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using social media and similar internet sites or networks
2. Inappropriateness of posting items with sexual content
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
4. Examples of inappropriate behavior from other districts, as behavior to avoid
5. Monitoring and penalties for improper use of district computers and technology
6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

Periodic Review

The Executive Director or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials online. When inappropriate use of computers and/or websites is discovered, the school principal and/or Executive Director may download the offensive material and promptly take proper administrative action.

BULLYING

PROHIBITION - Teachers, employees, and volunteers bullying and harassment, which includes cyberbullying or intimidation, of any person on school property that has a direct effect on the order and general welfare of the workplace is prohibited. Retaliation against individuals who report acts of bullying or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying is prohibited.

1. Bullying or harassing behavior is any pattern of gestures or written, electronic*, or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that, takes place on school property, at any school-sponsored function, or on a school bus, and that:

- a) places a teacher, in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- b) creates or is certain to create a hostile environment by substantially interfering with or impairing teacher's, **employee's, or volunteer's duties**, opportunities, or benefits. For the purposes of this section, a "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Conduct described in subsection (1) is considered bullying if that conduct interferes with a ~~student's education~~ a teacher's, employee's, or volunteer's duty or substantially disrupts the operation of a school.

** Bullying or harassing behavior includes cyberbullying. Cyberbullying is bullying or harassing behavior that occurs electronically. Bullying or harassing behavior will not be condoned or tolerated when it takes place on school property, at any school-sponsored function, on a school bus, or when it takes place off school property when such conduct materially disrupts classwork or involves substantial disorder or invasion of the rights of others. No person shall engage in any act of retaliation or reprisal against any person, including a victim, a witness, or another person with reliable information about an act of bullying or harassing behavior and/or who in good faith provides information concerning an incident of bullying.*

PROCEDURES FOR REPORTING, INVESTIGATING, AND ADDRESSING BULLYING OR HARASSING BEHAVIOR

A teacher, employee, or volunteer who feels he/she has been a victim of bullying or harassing behavior and/or a teacher, employee, or volunteer who has witnessed or has reliable information that a student, school employee, or volunteer has been subject to any act of bullying or harassing behavior should report the incident to a school employee, who shall immediately report the incident in writing to the Principal and/or Executive Director. Teachers, employees, and volunteers should report bullying or harassing behavior to the Principal and/or Executive Director promptly, but no later than five (5) working days after the alleged incident(s) occurred.

Reports should include: the name of the reporting person*, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es), the name(s) of the alleged bully, and any other information that would assist in the investigation of the report. *If a teacher, employee, or volunteer chooses to anonymously report bullying or harassing behavior, the school's ability to take action based solely on an anonymous report may be limited.

A school employee who has witnessed or has reliable information that a student or another school employee has been subject to any act of bullying or harassing behavior shall immediately report the incident in writing to the Principal and/or Executive Director. Reports against the Principal shall immediately be made in writing to the Executive Director, and reports against the Executive Director shall immediately be made in writing to the Chief Academic Officer.

The school administration will investigate reported incidents of bullying within five (5) working days of receiving the report.

The school administration will speak with the alleged victim and alleged bully separately. Teachers, employees, and volunteers may submit evidence for the school administration to review and a list of witnesses for the school administration to speak with. ~~Students~~ Teachers, employees, and volunteers should preserve evidence of bullying/cyberbullying and/or harassing behavior.

All teachers, employees, and volunteers shall fully cooperate with the investigating and answer truthfully all inquiries relative thereto.

Upon completion of the investigation, the school administration will immediately notify the alleged victim and alleged bully regarding the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted.

The school administration will provide notice of an incident of bullying and the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted, within a reasonable amount of time to the victim of the bully not to exceed five (5) working days after the completion of the investigation.

The MSA recognizes the fundamental right of every teacher, employee, and volunteer to take “reasonable actions” as may be necessary to defend himself or herself from an attack by another teacher, employee, student or volunteer who has evidenced menacing or threatening behavior through bullying or harassing. “Reasonable action” includes, but is not limited to, promptly reporting the bullying or harassing behavior to the school administration and teacher’s, employee’s, and volunteer’s use of reasonable self-defense.

If, after an investigation, a ~~student~~ teacher, employee, or volunteer is found to be a victim of bullying, such teacher, employee, or volunteer shall not face disciplinary action on the basis of that teacher’s, employee’s or volunteer’s use of reasonable self-defense in response to the bullying.

Discipline for bullying of a teacher, employee, or volunteer with disabilities shall comply with the applicable requirements under federal law including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.). Available counseling options for a teacher, employee or volunteer who is a victim of bullying or a witness to bullying or a teacher, employee, or volunteer who engages in bullying include:

- School Guidance Counseling Conflict Resolution Training,
- Anger Management Training,
- Problem Solving Skills Training (proactive, constructive, and relationship building), and
- Social Skills Training.

Support and intervention in response to bullying may be provided by the MSA through the assistance of the any of the following agencies:

- Mississippi Department of Education,
- Community/Family Public or private community-based mental health services,
- Faith-based services,
- Law enforcement agencies, and
- Guidance counselor's office at MSA.

The procedure for reporting bullying will also be posted on the school's website. False accusations or reports of bullying are prohibited and may warrant discipline action. Any perceived criminal conduct will be immediately reported to law enforcement.

Miss. Code Ann. §§ 37-11-67 and 37-11-69

HARASSMENT

The MSA is committed to sustaining a safe and supportive school environment free from harassment. In keeping with this commitment, the school will not tolerate harassment of employees or students by anyone, including administrators, teachers, staff, students, parents, volunteers, or any others on campus.

MSA prohibits all types of harassment based on, but not limited to, color, race, religion, creed, national origin, gender, age, or disability. MSA will promptly investigate all complaints of harassment—formal or informal, written or verbal—and take appropriate actions against any member of the school community found in violation of this policy.

Complaints alleging discrimination or harassment shall be handled in accordance with the procedures set forth in the Miss. Admin. Code 7-3: 99.1, State Board Policy Chapter 99, Rule 99.1.

Definitions

School Community includes, but is not limited to, all students, parents, school and state employees, contractors, volunteers, committee members, and other visitors.

School Employee includes, but is not limited to, all administrators, teachers, staff, bus drivers, custodians, cafeteria workers, and agents of the school.

Harassment means verbal or physical conduct based on an individual's actual or perceived race, religion, color, national origin, gender, age, or disability that affects or interferes with a teacher's, employee's, or volunteer's duty or creates a hostile, offensive, or intimidating environment.

Harassment may include any form of unwelcome verbal, physical, or written conduct that offends, degrades, or belittles an individual. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning comments, offensive behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking,

threatening, bullying, extorting, or the display or circulation of written materials or pictures, or videos or other media. These stipulations apply whether the harassment is between people of the same, or of a different gender.

Sexual Harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, unwelcome sexual advances, threats, bodily contact, sexually-oriented verbal teasing, abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome touching such as pinching, patting, or constant brushing against another's body, suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, employment status, or similarly personal concerns, filing a false complaint of sexual harassment, or other deliberate verbal or physical conduct of a sexual nature made by any teacher, employee or volunteer to another teacher, employee or volunteer; a student to another student; or a student to a staff member when:

1. Submission to such contact is made either explicitly or implicitly as a term or condition of an individual's privileges, access to campus resources and activities, grades, or educational development.
2. Submission to or rejection of such conduct by an individual is used as a basis for education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Teachers, employees, or volunteers believing, they have been sexually harassed should immediately report the incident(s) to the administration. The administration shall investigate and take appropriate corrective action.

Peer Harassment includes, but is not limited to, unwelcome attention from peers or other individuals and includes such actions as name calling, threatening gestures, unwanted physical contact, vandalism of personal property, and filing a false complaint.

Racial and Color Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual's race or color. Nicknames, emphasizing stereotypes, racial slurs, comments on one's manner of speaking, and negative references to racial customs are examples of racial or color harassment.

Religious Creed Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at an individual's religion or creed such as derogatory comments regarding surnames, religious clothing, religious slurs, or graffiti.

National Origin Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual's national origin such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

Disability Harassment includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at a person's disabling mental or physical condition such as manner of speech or movement or interference with an individual's equipment.

REPORTING HARASSMENT

Teacher, employees, or volunteers who believe they are a victim of any form of harassment should immediately report the incident(s) to the administration ~~or a school employee~~. Any teacher, employee, volunteer or student, who observes, overhears, or otherwise witnesses harassment is encouraged to take appropriate action to report the incident immediately. In the event the teacher, employee, volunteer or student is unable to personally take prompt action, they are encouraged to report the incident or complaint in writing to the Director of Residential Life, Principal, and/or the Executive Director. Any complaint of harassment filed by a student or staff member will be reported immediately to the Director of Residential Life, Principal, and/or the Executive Director. Complaints alleging discrimination or harassment shall be handled in accordance with the procedures set forth in Miss. Admin. Code 7-3: 99.1, State Board Policy Chapter 99, Rule 99.1.

Filing of a complaint or reporting harassment in any manner will not affect an individual's status or position. ~~work assignments, or grades.~~

Under certain circumstances, sexual harassment behaviors may constitute physical or sexual abuse. Therefore, when educators become aware of suspected abuse, they shall report the incident to the Mississippi Department of Human Services. Such acts constitute violations of Mississippi criminal law resulting in law enforcement investigations and possible criminal charges.

RETALIATION TO HARASSMENT

Members of the school community may not retaliate against any person who reports alleged harassment or any person who testifies, assists, or participates in the investigation, proceedings, or hearing related to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment and may be redressed through the same process for reporting, investigating, and enforcing procedures for harassment. Any person who knowingly files a false claim or report may be subject to the same actions that MSA might take against any other individual violating this harassment policy.

The right to confidentiality, both of the complainant and the accused, will be respected consistent with the legal obligation of the school and the necessity to investigate allegations of misconduct and to take corrective actions when such conduct occurs.

Consequences to Violation of Harassment Policies Any school employee or student found to have violated this policy may be subject to action including, but not limited to, warning, remedial training, education or counseling, suspension, expulsion, termination, or discharge

from duties.

Title IX Grievance Policy

1. RIGHT TO EXPRESS CONCERNS, COMPLAINTS OR GRIEVANCES

It is the policy of the SBE and the MDE to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, bullying, and discrimination. MDE is a conduit for federal money to the local school districts and ensures the local school districts' compliance with federal financial grants. As such, MDE requires each local school district and each state school to have a grievance policy in place to address any complaints alleging discrimination under the Age Discrimination Act of 1975, Title II of the American Disability Act, Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Title IX of the Education Amendments of 1972. Complaints alleging discrimination by the local school district, its staff, or students should be first directed to the local school level and handled pursuant to local policy.

As specifically related to Title IX, this policy sets out the minimum steps that MSA shall take in response to a notice of alleged discrimination based on sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, such as dating violence, domestic violence, and cyberstalking. The SBE and MSA forbid unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature amounting to or constituting harassment and/or discrimination against any student under its purview.

2. DEFINITIONS

A. Sex Discrimination

The practice of treating a person differently, or less favorably, than other people or groups based on sex.

B. Allegation

An assertion that someone has engaged in discrimination based on sex.

C. Sexual Harassment

Unwanted conduct based on sex. Examples of such behavior include:

- Direct or indirect threats or bribes for unwanted sexual activity
- Sexual innuendos and comments
- Asking or commenting about a person's sexual activities
- Humor or jokes about sex or females/males in general
- Making sexually suggestive remarks, gestures, or jokes, or remarks of a sexual nature about a person's appearance
- Repeated unsuccessful attempts at gaining dates or sexual behavior
- Sexual touching, pinching, brushing, or patting
- Displaying offensive sexual illustrations in the school/work place
- Insulting and belittling a person-sexual ridicule
- Letters, notes, telephone calls, or materials of a sexual nature
- Stalking a person either inside or outside the institution
- Attempt or actual sexual assault

D. Complainant

The person who has experienced the alleged discrimination based on sex. This person is considered a complainant regardless of whether they choose to file a formal complaint under Title IX.

E. Respondent

The person accused of the alleged discrimination. This person may be a student or a school employee. If the person is an employee, the school shall adhere to the process found in Miss. Code Ann. § 37-9-59.

F. Title IX Coordinator

The individual responsible for overseeing the school's efforts to comply with its obligations under Title IX and Title IX regulations, including, but not limited to, coordinating any investigations of complaints of sex discrimination, implementation of supportive measures, and remedies where appropriate.

3. ADMINISTRATIVE PROCESS

MSA shall have a grievance policy adopted by the governing board and accessible in both the student handbook and employee handbook. The grievance policy shall include the following:

A. Receiving and Responding to Reports

Employees who believe or have been made aware that a student has been subject to Title IX Discrimination, shall report it to the Title IX Coordinator. Failure to make such a report may result in disciplinary action up to and including termination.

MSA shall respond whenever any school employee has been put on actual notice of improper behavior as defined in the school's policy. Such notice may be from an oral report of sexual harassment by a complainant or anyone else, a written report, through personal observation, through an anonymous report, or through various other means. When a complaint or report is made under the policy, the Title IX Coordinator shall: (1) confidentially contact the complainant to offer supportive measures, consider the complainant's wishes with respect to supportive measures, and inform them of the availability of supportive measures with or without filing a formal complaint; (2) explain the process for how to file a formal complaint; (3) inform the complainant that any report made in good faith will not result in discipline; and (4) respect the complainant's wishes with respect to whether to investigate unless the designated staff member determines it is necessary to pursue the complaint in light of a health or safety concern for the community.

B. Confidentiality

MSA must keep confidential the identity of any individual who has made a report or complaint of any form of prohibited sex discrimination, including any reporter, complainant, respondent, or witness, except:

1. As may be permitted by FERPA;
2. Or as required by law; or

3. To carry out the Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

The confidentiality of the reporting party will be observed providing it does not interfere with the school's ability to investigate or take corrective action. If the complainant reports rape, sexual assault, child sexual abuse, or other behaviors which constitute criminal activity, school officials shall contact appropriate law enforcement agencies and the superintendent/executive director.

C. Supportive Measures

Supportive measures are short-term measures that are designed to restore or preserve access to the school's education program or activity. Supportive measures are available regardless of whether the complainant chooses to pursue any action under the school's policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. They are meant to restore access to education, protect student and employee safety, and/or deter future acts.

Supportive measures are available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals, and these measures should be provided based on an individualized assessment of the needs of the individual. These supports are non-disciplinary and non-punitive individualized services designed to offer support without being unreasonable burdensome. Examples of supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

D. Formal Complaint

A "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging discrimination or sexual harassment against a respondent and request that the school investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided by the school district. The complaint document, whether physical or electronic, shall contain the complainant's physical or digital signature. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not "the complainant" or otherwise considered a party but shall comply with applicable procedures.

E. Investigations

Once a formal complaint is filed, an investigator will be assigned and the parties will be treated equitably, including in the provision of supportive measures and remedies. Each party will receive notice of the specifics of the allegations as known, and as any arise during the investigation. The investigator will attempt to collect all relevant information and evidence. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.

The principal of the school, so long as the principal is neither the Title IX Coordinator, the investigator, or any other individual who may have a conflict of interest, shall serve as the decision-maker, and will facilitate a written question and answer period between the parties. Each party may submit written questions for the other party and witnesses to the decision-maker for review. The questions must be relevant to the case, and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response. The decision-maker can then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the respondent is responsible for the alleged act.

F. Presumptions about Complainants, Respondents, and Witnesses

The school presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this school's policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

The respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made by the decision-maker.

G. Determination Regarding Responsibility

The decision-maker shall review the evidence provided by all parties and will make a final determination of responsibility after the investigation based on a preponderance of the evidence. "Preponderance of the evidence" means evidence that is of greater weight or more convincing than as asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which as a whole shows that an assertion to be proven is more likely than not.

The decision-maker shall provide a final determination to the parties at the same time, with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, and any remedies available to the complainant to restore or preserve equal access.

H. Sanctions and Remedies

MSA will take reasonable steps to address any violations of the policy and to restore or preserve equal access to the school's education programs or activities. Sanctions for finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

When a respondent is found responsible for the prohibited behavior as alleged, remedies shall be provided to the complainant. Remedies are designed to maintain the complainant's equal access to education and may include supportive measures or remedies that are punitive or would pose a burden to the respondent.

Whatever the outcome of the investigation or appeal, the complainant and respondent may request ongoing or additional supportive measures. Ongoing supportive measures that do not

unreasonably burden a party may be considered and provided even if the respondent is found not responsible.

I. Informal Resolution

Informal resolution is available only after a formal complaint has been filed involving parties of the same status (e.g., student-student or employee-employee), prior to a determination of responsibility, and if the complainant and respondent voluntarily consent to the process in writing. Informal resolution is not available in cases which an employee is alleged to have sexually harassed a student.

J. Parent and Guardian Rights

Consistent with the applicable laws of the State of Mississippi and absent a court order or other legal requirement to the contrary, a student's parent or guardian shall be permitted to exercise the rights granted to their child under the school's policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process. A student's parent or guardian shall also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process to exercise rights on behalf of the student. The student may have an advisor of choice who is a different person from the parent or guardian.

4. APPEALS

Appeals are available after a complaint dismissal or after a final determination is made. Appeals may be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by the personnel that may have affected the outcome. The school should set a reasonable time frame to submit an appeal, but not less than 10 days nor more than 30 days. Or, if there is no administrative response to the student/parent/guardian grievance by the school, the grievance should be made to the superintendent of the school or the superintendent's designee.

Parties shall be given an opportunity to submit a written statement in support of or in opposition to the final determination. A new decision-maker shall issue a final decision at the same time to each party.

The following procedures shall be followed when submitted student/parent/guardian grievances regarding administrative decisions:

Level 1: An aggrieved party should express his or her concern to the school level administration for resolution or file a formal grievance with the executive director. The executive director shall investigate allegations as soon as circumstances allow, but not later than five (5) business days from submission of the original written grievance. The administrator shall provide a written response to the aggrieved party no later than ten (10) business days after receipt of the original written grievance. If there is no administrative response to the aggrieved party within the ten (10) business days, or if the response is unsatisfactory, the aggrieved party may elevate to Level 2.

Level 2: If any party deems the resolution unsatisfactory, the party may appeal the decision by submitting a copy of the grievance and decision to the MDE's Associate Superintendent responsible for oversight of the state school, along with a written statement detailing the reasons

for the dissatisfaction. The Associate Superintendent shall investigate and review the matter. After review, the Associate Superintendent shall provide a written response to the parties postmarked no later than ten (10) business days following receipt of the appeal. If there is no response by the Associate Superintendent to the appealing party within the ten (10) business days, or if the response is unsatisfactory to either party, the aggrieved party may advance the grievance to Level 3.

Level 3: The aggrieved party, after review of the written response from the Associate Superintendent, may appeal that response to the State Superintendent or the State's Superintendent's designee no later than ten (10) business days after receipt of the written communication at Level 2. The State Superintendent or his/her designee shall review the grievance and shall provide the parties a written response postmarked within ten (10) business days following the receipt of the appeal.

Level 4: The aggrieved party may appeal the response from the State Superintendent to the SBE by submitting a written request for appeal to the SBE along with all documentation from Levels 1-3 no later than ten (10) business days after receipt of the State Superintendent's written response at Level 3. The SBE shall review the grievance and shall provide the parties an opportunity to appear at the next regularly scheduled Board meeting to present his or her grievance and response in accordance with the Family Education Right and Privacy Act (FERPA) 20 U.S.C. 1232g, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 20 U.S.C. 1400 *et. seq.*, implementing regulations, and other federal and state laws that govern the protection of student information. If the party or parties elect not to appear personally, the parties may request the Board's review of the written documentation only. The decision of the SBE shall be final.

Source: Title IX of the Education Amendments of 1972; 34 C.F.R. §106; Miss. Code Ann. §37-1-3

DRESS CODE GUIDELINES

The following recommendations are provided as guidelines for acceptable dress for employees of the MSA. The guidelines apply to all employees.

The MSA exists to enable all Mississippi students to develop, in a safe and productive environment, the knowledge, skills, and attitudes necessary to reach their fullest potential as individuals and citizens. In this role, MSA employees provide services to educators who support and govern education and to the general public. While conducting business, employees should always project a positive, professional image through work and appearance.

To accomplish this, all employees should be well groomed and be dressed in a manner that will result in a positive image of the school. Clothing worn should be neat in appearance, in good repair, appropriate for employees' job responsibilities, and should not be offensive to the public or fellow workers. Attire should not detract from the job being performed or the message being delivered and should project a serious, competent image. **MSA employees may be asked to**

change attire or accessories deemed provocative, revealing, or inappropriate by the Executive Director or a designee.

MSA adopts the CROWN Act, which stands for “Creating a Respectful and Open World for Natural Hair,” which prohibits race-based hair discrimination because of hair texture or protective hairstyles including braids, locs, twists, or bantu knots.

UNACCEPTABLE CLOTHING

The following is a list of clothing items that generally do not fall within the concept of a positive, professional image:

- Overalls, sweat suits, wind suits, warm-up suits, and other athletic attire;
- House shoes, slippers, shower shoes, plastic sandals, and flip-flops;
- Jeans (except on Fridays), shorts, skorts, tights, spandex, leotards, and tee-shirts; and
- Short skirts, blouses with inappropriate necklines, see through fabrics, or shirts with shelf bras that are immodest.

EXCEPTIONS

Ultra-casual clothing is rarely appropriate in a school setting. At-home lounge or outdoors activity/work clothing and foot apparel, including sneakers, are inappropriate for the office. However, some employees have primary work assignments, which require them to move or maintain equipment or work outdoors (e.g., maintenance, food service, visual arts and dance teachers). These employees should discuss relaxed dress code guidelines with their supervisors; **however, all workers shall dress professionally according to their specific work duties.** Other occasions, which may call for a relaxed dress code, include office cleaning/packing/moving days and medical purposes. These situations should also be discussed with an employee’s supervisor.

The Executive Director reserves the right to authorize staff to dress in different manner (e.g., blue jeans and school t-shirts) on any given day. This decision will generally be centered on a special event or occasion.

BUSINESS CASUAL

Business-casual attire shall be the acceptable requirement of dress. Business-casual attire in an office setting means a relaxed look that differs from standard business attire. Business-casual attire is not the same as attire normally worn to ball games, picnics, or during non-work hours.

Business-casual attire typically involves no ties for men, sweaters, turtlenecks, short sleeve, golf shirts (with a collar), slacks, and appropriate shoes. (Sandals are not appropriate shoe attire for men.) Examples of preferred options for women include flat shoes and relaxed ensembles of sweaters, turtlenecks, blouses, and skirts or slacks.

SUPERVISOR RESPONSIBILITIES

Clothing should cover and fit in a manner appropriate for a business environment. Good judgment and professionalism are expected of all employees in both traditional-business and business-casual attire.

Supervisors are responsible for ensuring that all employees are aware of the dress code guidelines and that staff do not abuse the flexibility intended by the business-casual provision. If an item is questionable, the employee should discuss it with his or her supervisor prior to wearing it. Should there be any questions concerning the acceptability of any clothing, supervisors shall provide guidance.

TELEPHONES/CELL PHONES

Telephones are an integral part of communications within MSA. Therefore, telephones should be used primarily for school business purposes. Personal calls are permitted to a reasonable extent; however, they shall be limited, and this privilege not abused. The use of cell phones, iPods, and any other device, including but not limited to headphones or earphones, which may interfere with an employee's ability to operate a school vehicle or to adequately observe and monitor the behavior of students while said students are under his or her supervision are strictly prohibited.

VISITORS

All visitors to the school shall report to the school security office in the Student Life Center, turn in their identification, and receive an official visitor's pass before entering any other school facility. This procedure applies to all visitors, guest artists, community members, and etc. The only exceptions are groups who have made appointments for campus tours and are escorted by school staff. All employees shall stop any unauthorized person on campus, direct them to the security office, and report their presence to the security office immediately.

Salespersons and other individuals desiring business transactions with the school shall obtain permission for visitation from the administration to present to the appropriate individual.

POLITICAL ACTIVITY OF STAFF MEMBERS

MSA recognizes the rights of its employees and encourages them as citizens to engage in activities which exemplify good citizenship. However, school property and school time shall not be used for political purposes. Any statements made by employees on social media or otherwise, that effects that employee's ability perform his/her duties or causes a disruption of manner at school is prohibited. Statements of this nature can result in disciplinary action, including but not limited to termination.

DUTIES AND RESPONSIBILITIES OF EMPLOYEES

1. To plan, organize, and conduct a program of instruction in the subjects, grades or programs to which they are assigned.

2. To assume custody of the pupils assigned to their care and to take precautions that will ensure the pupil's safety and general welfare. Students should never be left unsupervised.
3. To participate in all school orientation and registration meetings and professional development unless assigned school duty conflicts.
4. To perform extracurricular duties assigned by the Executive Director or a designee, such as classroom, hallways, campus grounds and similar essential duties in any school facility.
5. To attend all faculty or staff meetings scheduled by the Executive Director or a designee, coordinators, supervisors, or superintendent, unless excused by the person calling the meeting.
6. To keep classes in session each day during school hours and not dismiss them for any time without the prior consent of the Executive Director or a designee.
7. To be responsible for all school property and equipment entrusted to them.
8. To be responsible for the behavior of their pupils and all other pupils with whom they have contact on campus.
9. To prepare all records as directed by the Executive Director or a designee.
10. To make all contacts and/or requests to the Legislature, MDE, or the SBE through the Executive Director or a designee and superintendent.
11. To be accountable for the performance of assigned duties to the Executive Director or a designee.
12. To keep lesson plans and/or outlines of class procedures as directed. These will aid Executive Director or a designee in performing their duties and will serve as guidelines for substitute teachers.
13. To prepare a substitute folder as prescribed and keep it up to date.
14. In all cases where a teacher terminates employment during the school year, said teacher shall provide lesson plans for at least two weeks in advance to the replacement teacher.
15. To practice, and to require the pupils to practice shared responsibility by:
 - a. Conservation of environmental and material resources;
 - b. Good housekeeping by forbidding clutter, trash, and scattered personal belongings;
 - c. Storing books, work materials, supplies, and equipment in a neat and orderly manner;
 - d. Keeping bulletin boards, display areas, and whiteboards clean, functional, and attractive;
 - e. Having blinds properly hung, raised, or lowered and window ledges clear of objects

- that appear ill-kempt from the outside;
 - f. Keeping heating and cooling vents clear of obstructions at all times; and
 - g. Practicing other activities necessary to reflect good housekeeping.
- 16.To notify the Executive Director, direct supervisor, or their designee directly upon any anticipated absences, obtaining prior approval when required.
 - 17.To strive to interpret the work of the school fairly, honestly, and adequately to patrons at every opportunity.
 - 18.To avoid political, doctrinal, sectarian, and denominational teaching.
 - 19.To keep up to date in areas of expertise.
 - 20.To always strive to maintain cordial relationships with colleagues and the home and parent(s)/guardian and keeping the parent(s)/guardian informed of the student's progress and holding conferences whenever necessary.
 - 21.To perform other duties as may be assigned by the Executive Director or a designee or assistant Executive Director or a designee.

DISCIPLINE GUIDE FOR ALL EMPLOYEES

The MSA is not only responsible for student academic progress, but also teaching students to be successful citizens in life. Every employee is responsible to for knowing and enforcing all the policies and procedures in the student handbook. To be familiar with school policies, employees shall read and understand all handbooks provided.

EMPLOYEES SHOULD:

- Learn student names as soon as possible. All people like to be recognized;
- Be fair and consistent;
- Treat each student equally;
- Be empathetic and accentuate the positive, avoid the negative;
- Be thoroughly prepared for all classes, activities, or events and have ample involvement for all students throughout the time period;
- Be cheerful, attractive and orderly; let the learning, work, and recreation spaces reflect these qualities;
- Be professional in demeanor and maintain a sense of humor;
- Be flexible; know when to adjust plans or timelines;
- Admit errors and apologize when mistakes are made;
- Establish a minimum number of simple rules and help students understand why policies and procedures are necessary;
- Let students assist in formulating rules, policies, and procedures and in publicizing them;
- Correct students when needed to prevent minor problems from growing into larger ones;
- Watch for indicators of harassment or bullying;
- Report problems that are simmering and have the potential to escalate, thereby affecting

more students and becoming much more serious. Report problems to the Executive Director and/or Security, depending on urgency;

- Remember that all employees are on duty at all times when on campus; and
- All employees are responsible for student discipline.

EMPLOYEES SHOULD NOT:

- Fail to report disciplinary infractions;
- Punish the entire group for the misbehavior of a few;
- Argue with students;
- Embarrass or belittle students;
- Ignore disciplinary infractions because the paperwork takes too long;
- Refuse to consider mitigating circumstances;
- Stereotype groups of teens; even artistic students are unique;
- Compare students with one another;
- Become overly friendly or familiar with students; this can cause loss of respect;
- Repeatedly show favoritism to certain students;
- Challenge or dare students to repeat an undesirable act or get yourself in a position of “do it or else”
- Administer unusual punishments;
- Punish by leaving students alone and unsupervised in a classroom or hall;
- Punish by having students write lines;
- Make physical contact in an attempt to discipline; or
- Be alone with students in a non-public, inappropriate place.

GUIDELINES FOR ISSUING DISCIPLINARY ACTION:

When issuing discipline for students, follow these steps if on campus in the academic setting:

1. Deal with the issue immediately with the student in a calm and appropriate manner;
2. Report the issue to the Principal/Director of Residence Life in writing;
3. The Principal/Director of Residence Life will decide the level of infraction and document in student files:
 - a. If level 1-2, the Principal/Director of Residence Life will handle the situation and inform the Executive Director;
 - b. If level 3, the Executive Director will handle the situation and involve the Principal/Director of Residence Life;
4. A conference with the student will be held as necessary with consequences outlined in writing;
5. Follow-up will be made as necessary to fulfill consequences; and
6. If parents need to be contacted, the Administrator will make the contact for the conference

When issuing discipline for students, follow these same steps if on campus in the residence life setting. The Director of Residence Life/Principal may administer level 3 infractions in the place of the Executive Director when necessary.

When off campus for MSA event, if discipline issues arise all the steps should be consistent with on campus regulations.

When off campus in the community unrelated to MSA, follow these steps:

1. Deal with the issue immediately with the student in a calm and appropriate manner.
2. Do not make a scene with the student in a public place, ask the student to step to the side to discuss.
3. Report the issue to the Executive Director.
4. A conference with the student will be held as necessary with consequences outlined in writing.
5. Follow up will be made as necessary to fulfill consequences.
6. If parents need to be contacted, the Executive Director will make the contact for the conference.

CONTACTING PARENTS

Teachers have the authority to contact parents with regard to academic issues. All disciplinary issues should be reported to the Director of Residence Life, Principal, or Executive Director, and contact will be made with parents, as necessary. To build relationships with parents, we encourage positive reports to them as often as possible.

TECHNOLOGY OFFICE AND LOCATIONS

The MSA technology office and secured technology locations are off limits to staff and students unless they are accompanied by the Technology Coordinator or given permission from the same. Staff members shall not use master keys to enable a student to access the technology office.

TECHNOLOGY – ACCEPTABLE USE POLICY

All staff members shall participate in training, read and sign the Acceptable Use Agreement Contract.

MSA is pleased to offer to its students, faculty, and staff access to the Internet in accordance with the terms and conditions of this policy. All users of the internet access shall comply with the school's Acceptable Use Policy. It is important that all users understand the terms, conditions, and responsibilities associated with the use of the internet access.

This policy governs the use of all computers, computer-based communication networks and all related information technology equipment administered by MSA. A user is defined as any person employed by MSA, which includes full-time, part-time, temporary, or contract employees; persons who are employed by contractors or subcontractors of MSA; and any other individuals who are authorized to access or use agency information systems including

students, parents, prospective students, and project volunteers. The electronic communications and facilities of MSA are the property of the State and by using these facilities the user acknowledges consent to abide by this policy. These facilities and resources are to be used for School business purposes.

MSA has taken available precautions to eliminate controversial material. However, it is impossible for MSA to restrict access to all controversial materials. Parents/Guardians agree not to hold MSA responsible for materials acquired by students on the network. Parents/Guardians accept full responsibility for supervision of each child's Internet access if and when their use is not in a school setting. Further, Parents/Guardians full responsibility for their child's use of property of MSA. Parents give their permission for MSA to provide computer network and Internet access to each child and consent to the monitoring of each child's computer and Internet activities by MSA. All conditions of the Acceptable Use Policy also apply to the use of the dormitory network, DormNet.

CHILDREN'S INTERNET PROTECTION ACT (CIPA)

In December 2000, Congress enacted the CIPA. For any school or library that receives discounts for Internet access or for internal connections, CIPA imposes certain requirements. The CIPA requires that schools restrict employee and student access to the Internet. Under the CIPA, covered schools shall have an Internet safety program which filters both adult and student access to visual depictions that are obscene or constitute child pornography. The program shall also prevent students from accessing materials that are harmful to minors.

The school receives these discounts for Internet Access through the E-Rate program and is therefore in compliance with the CIPA. Key terms for this policy are defined by the Children's Internet Protection Act.

In compliance with CIPA 2008 updates, all students at the MSA are educated about appropriate online behavior, including interacting with other individuals on social networking websites, in chat rooms, and in cyberbullying awareness and response.

CHILDREN'S ONLINE PRIVACY PROTECTION ACT (COPPA)

The COPPA, effective April 21, 2000, applies to online collection of personal information from children under the age of 13, such as full name, home address, email address, telephone number or any other information that would allow someone to identify or contact the child. The Final Rule issued by the Federal Trade Commission spells out what a Web site operator shall include in a privacy policy, when and how to seek verifiable consent from a parent, and what responsibilities an operator has to protect children privacy and safety online.

EDUCATION, SUPERVISION AND MONITORING

It shall be the responsibility of all members of the MSA staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance

with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of The Technology Coordinator or designated representatives. The MSA or designated representatives will provide age-appropriate training for students who use the MSA Internet facilities. The training provided will be designed to promote the MSA commitment to:

1. The standards and acceptable use of Internet services as set forth in the MSA Acceptable Use Policy;
2. Student safety regarding:
 - a. the Internet;
 - b. appropriate behavior while on online, on social networking web sites, and in chat rooms; and,
 - c. cyber bullying awareness and response (see also the Anti-Bullying policy regarding expectations of electronic usage), and
3. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use policies.

NETWORK AND COMPUTER USAGE ON CAMPUS

The MSA campus computer network is referred to as MSANet. The MSANet usage policies are designed to provide an environment that is consistent with the MSA mission and vision, MDE requirements, and federal/state laws. MSANet refers to devices attached to the entire computer network system at the MSA. MSANet includes but is not limited to the Local Area Network (LAN on campus), all MSA file servers, and access to the Internet.

MSANet facilities and network connections are for providing educational computing support to students, faculty, and staff. Under federal statutes and the sections of the Mississippi Code, which govern the use of these resources, all users shall use the MSANet resources properly and for the purpose designated by the legislature. Students, faculty, and staff shall follow all existing federal and state laws and MSA regulations and policies that apply, including those specific to computers, networks, and websites, and those that may apply generally to personal conduct.

CYBERSECURITY

Cybersecurity plays an important role in today’s technological world. With advanced threats from criminals around the world, any exploitable area in technology systems can be used to gain unauthorized access from perpetrators. With that in mind, MSA will take pertinent steps to help prevent cyber-attacks against the institution’s computer network systems, but employees shall also do their part in helping to prevent such attacks.

Staff and students are encouraged to take cybersecurity seriously. Training on cybersecurity

shall be conducted yearly, and additional training will be held as optioned by the administration.

Users of MSA computer systems are prohibited from sharing login credentials with other users unless expressed permission is given by the Technology Coordinator. It is the responsibility of the user to secure his login credentials when accessing trusted network resources. Passwords associated with trusted resources shall contain an appropriate strength, and of at least 8 alphanumeric characters.

In regard to cybersecurity, MSA reserves the right to monitor the network system for signs of illegal or unauthorized activity. Even though the MSA Acceptable Use Policy may not expressly prohibit an activity, such behavior may not be permissible. The Technology Coordinator may delete files deemed necessary. For questions related to appropriate use, contact the Technology Coordinator.

INAPPROPRIATE NETWORK USAGE

To the extent practical, steps shall be taken to promote the safety and security of users of the MSA online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors. The following behaviors are not permitted on district computers:

1. Sharing confidential information on students or employees;
2. Sending or displaying offensive messages or pictures;
3. Using obscene or sexually explicit language or images;
4. Discriminatory, harassing, derogatory, insulting or attacking any individual or group;
5. Defamatory or threatening language or images;
6. Damaging computers, computer systems or computer networks;
7. Violating copyright laws or any laws;
8. Using others' passwords;
9. Trespassing in others' folders, work or files;
10. Intentionally wasting limited resources;
11. Using computers for personal or commercial purposes;
12. Supporting/opposing political candidates or issues;
13. Engaging in practices that threaten the system (e.g. loading files that may introduce a virus);
14. Violating regulations prescribed by the provider;
15. Conducting union business;
16. Promoting, supporting, celebrating or opposing religion or religious institutions;
17. Engaging in for any purpose that is contrary to MSA's policies or interests;
18. Visiting obscene web sites;
19. Participating in any obscene "chat room" communications;

20. Unauthorized monitoring or intercepting files or electronic communications of other users;
21. Attempting to bypass any internet filtering, traffic regulating, or such automated systems designed to control the access level and functionality of the MSA network as required by CIPA (Child Internet Protection Act); and
22. Hacking or obtaining access to systems or files that are unauthorized to the user.

No personal computer or other personal hardware device(s) may be used to connect to, to log into, or to interface with the MSANet academic network at any time. No personal removable media (including but not limited to floppy disks, PIN, thumb, jump drives, and etc.) may be used in conjunction with MSA equipment. MSA will archive all emails sent or received through the network or on MSA equipment for a period of at least 60 days and that these emails are subject to review by the Technology Department staff and the Executive Director or designee(s).

USER RESPONSIBILITIES

As MSANet account holders, users should:

1. Be owners of their data and keep account information confidential;
2. Provide a personal USB flash memory drive for school use in storing personal files and moving them from one computer to another. Other marketing terms used for these devices are “thumb drive” or “jump drive;”
3. Be responsible for ensuring that their data is adequately backed up and protected against unauthorized access;
4. Notify the Technology Coordinator to change their personal password when they suspect it has been compromised;
5. Report suspected violations of technology guidelines to the Technology Coordinator.
6. **Remember**, no information stored, produced, or transmitted in any way on devices that contact the MSANet or DormNet networks is to be considered confidential or private in any way. **ALL** information is subject to monitoring and examination for appropriate content at any time. This **INCLUDES** personally owned disks or devices used in conjunction with the MSANet or DormNet networks. Any such item shall be surrendered on demand to any school official that requests it for examination.
7. Remain in good standing as a staff at the MSA. When staff are suspended, dismissed, or otherwise no longer employed, permission to use school resources may be removed, and access to the school and its systems may be denied until the staff member returns to the school in good standing. Staff who are dismissed from employment automatically forfeit all access to school technological resources.

PERSONAL COMPUTERS AND PERIPHERAL DEVICES

In general, staff may not connect their own computers, peripherals, or technological devices to the MSA network. This includes such devices as external drives, iPods, cell phones, smart phones, digitizing tablets, and etc. However, staff may connect thumb drives to the system for purposes of storing and retrieving their own personal data as it relates to school purposes.

Staff who choose to have their own computers on campus shall:

1. Provide the computer and all necessary accessories to allow it to function and ensure that it is configured by the staff in compliance with safety protocols;
2. Understand that the resources of the MSA technology staff are for official school purposes only and cannot install or repair equipment, hardware, or software on staff computers;
3. Understand that it is a privilege NOT a right for a staff to have a personal computer on the MSA campus;
4. Recognize that violations of MSANet policy may result in personal computers being sent home, loss of some or all computer privileges, and/or other disciplinary actions;
5. Ensure that real time antivirus software is installed, active, and kept up to date on all machines;
6. Agree that MSA reserves the right to modify the system configuration to insure compatibility with network systems; and
7. Agree to keep the operating system of the computer up to date by automatically applying all manufacturer's security updates as they are released.

MSANET POLICY ENFORCEMENT

To protect the MSANet resources and monitor proper usage of computer resources for educational purposes, the Technology Coordinator shall:

1. Investigate alleged abuses of computer resources;
2. Access the electronic files of its users as part of that investigation if there are indications that computer privileges have been violated;
3. Limit the access of users found to be using any computer systems improperly;
4. Administer disciplinary actions as directed by school administration for violations of MSA policies that may include the loss of some or all computer privileges and/or other disciplinary actions;
5. Act as a technical advisor to school administrators when they hear all cases involving misuse of computer privileges;
6. Deny access temporarily pending review when there is a reasonable suspicion that such use may harm or do damage in the interim; and
7. Administer the technical aspects of all penalties for computer violations assigned by school administration.

HARDWARE

1. All personal computers (PCs), servers, workstations, printers, network switches, and other associated equipment are the property of the State of Mississippi and should not be used for purposes other than school business. All such equipment is by default considered to be under the authority and supervision of the MSA Office of Technology unless it is specifically excluded in a written agreement between the MSA Office of Technology (MSAOT) and the appropriate substitute designee. No hardware changes, modifications, additions to, deletions from, or removal of any equipment may be done to any such style equipment without notification to the MSAOT in writing, including

all units as described above. Additionally, no person other than Office of Technology personnel may make such hardware changes to any unit under its supervision unless an MSAOT representative authorizes such action in writing in advance.

2. No personal devices are to be connected to the MSANet network without special permission for the MSAOT. The only routine exception to this rule is that personal USB Flash Memory devices (jump drives or thumb drives) may be used for storing or moving user data files.
3. The transfer of any information system equipment from one user to another, or to vendor for repair, shall be recorded using appropriate MDE Property Office procedures.
4. Except for notebook PCs used daily in offsite work, no information systems equipment should be removed from the MSA premises without the prior permission of both the individuals' immediate supervisor and the MSAOT. In the event equipment is to be off premises for some time, the user responsible for the equipment shall file a written notification with the Office of Technology.

SOFTWARE

1. Software owned or licensed by MSA may not be copied to alternate media, distributed by e-mail, transmitted electronically, or used in its original form on other than MSA computers without express prior written permission from the MSAOT. Users will adhere to all applicable licensing agreements and copyright provisions.
2. Software licensed to MSA is to be used for its intended purpose according to the license agreement. Users are responsible for using software in a manner consistent with the licensing agreements of the manufacturer. License agreements are to be maintained by the MSAOT staff, or the machine's official substitute designee. Copies of all license agreements are to be kept on file in the MSA Technology office regardless of official supervisory authority.
3. Without prior written approval, software, including but not limited to Internet downloads, utilities, add-ons, programs (including shareware, freeware and Internet access software), patches, or upgrades, shall not be installed on any school owned equipment by anyone other than a representative of the MSAOT.
4. All software obtained for use on MSA equipment shall be approved in writing by the MSAOT staff prior to acquisition. Any software obtained for systems that have a substitute supervisory designee shall have a copy kept on file in the MSAOT Department along with the proof of the licensing certification.
5. Standard software is to be used for all internal functions. When required, approved non-standard software is to be used only to interface with customer/vendor organizations and other governmental agencies. Any non-standard software needed to perform a specific job function should be approved by the MSAOT.

PRACTICES

1. System identification codes and passwords are for the use of the specifically assigned user and are to be protected from abuse and/or use by unauthorized individuals. Users are to always and only use their individually assigned system access credentials and are not to share credentials. Any use of another user's credentials shall be reported immediately to the MSAOT staff.
2. All e-mail attachments and executable e-mail messages are automatically scanned for viruses using the virus detection software installed on all MSA computer workstations. In the event of any configuration changes to the workstation, even with the approval of the MSAOT Staff, it is the responsibility of the user to ensure virus protection is active prior to opening/executing any file, regardless of the method by which it was obtained. In addition, users are expected to exercise good judgment and safe computing practices to protect agency systems against the threat of potential virus exposure.
3. Like all MSA information systems resources, Internet access and e-mail are for work-related use. Access to e-mail and Internet sites visited can be monitored at the specific individual level.
4. All Internet use facilitated by the MSANet system shall conform to all regulatory statutes as governed by the Child Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA).
5. Users may not use MSA information systems resources for soliciting, personal financial gain, partisan political activities or further disseminating "junk" e-mail such as chain letters, spam, or etc.
6. Information contained on any school system is strictly proprietary to the State of Mississippi and MSA. Copying or disseminating any of this information for any purpose other than state business is strictly prohibited.
7. It is highly recommended that all faculty and staff users store data files (word documents, spreadsheets, databases, etc.) in their various directories on the network file servers. The MSAOT Department is responsible for backing up data on the network servers. The individual users are responsible for backing up any files not stored in the appropriate areas of the network servers.

DEADLINES

Deadlines (e.g., attendance, grades, budget requests, and cleaning for school events) are established to ensure a timely response to the students, parents, and community as well to ensure a safe and

orderly campus. Employees who fail to meet deadlines will be subject to administrative review.

FORMS AND PUBLICATIONS

A wide variety of forms are necessary to acquire data necessary for the effective operation of a residential school. Forms shall be made available using network resources and available to all employees, subject to access rights assigned by the Technology Office.

Occasionally, a need arises for a new form. All forms shall be created using an appropriate MSA format. Before distribution and use, all forms shall be approved by the Executive Director. Be certain that the document has been proofed for correct spelling, grammar, and punctuation before submitting it for approval. The documents provided by an organization reflect on its professional quality.

Communications should be concise, clear to understand, but written from a supportive perspective. Use grammar and spell check to proof all documents. Word process and print all communications on school letterhead using 10-12-point Arial font with fully justified paragraphs.

When at all possible, communications via electronic documents are preferred to conserve natural resources and economize considering rising costs of postal services. Staff members shall refrain from modifying MSA letterhead forms, memos, fax documents, or etc., without permission. A consistent appearance in documentation helps create a school “brand”—a visual identity that communicates excellence and professionalism.

Please note that training will be provided to all employees on each form and its purpose. Staff are responsible for timely and accurate paperwork in all aspects of work. Habitual problematic submissions will result in a reprimand.

CUMULATIVE FOLDERS AND PERMANENT RECORDS

MSA maintains student cumulative folders and permanent records according to state laws and regulations. Cumulative records are stored in locked, fireproof files in the administrative office basement storage area. Authorized staff members (administrative staff, counselor, and teachers) may examine and work on student records only in the administrative office areas. Parents may request to inspect a student’s education records which will be arranged within 15 days of receipt of the request.

RECORDS RETENTION

The MSA shall retain copies of records in accordance with the mandatory school, SBE, Department of Archives and History, and other state and federal requirements. The following documents will be used for guidelines:

1. State of Mississippi Records Retention Schedules for School Districts,
2. Mississippi Cumulative Folders and Permanent Records Manual of Directions,
3. Guidelines for retention of records for specific federal programs (e.g., E-Rate, and

- National School Lunch Program),
4. The Family Educational Rights and Privacy Act of 1974 (FERPA), and
 5. The Confidentiality Section of the Individuals with Disabilities Act and the 1997 Amendments to the Individuals with Disabilities Education Act.

STATE OF MISSISSIPPI RECORDS RETENTION SCHEDULES FOR SCHOOL DISTRICTS

IMPLEMENTATION OF THE GENERAL SCHEDULES

These general records retention schedules are issued by the Department of Archives and History, Local Government Records Office, as found in Miss. Code Ann. § 39-5-9. The Local Government Records Committee approved these schedules on the dates indicated. Additions and revisions to the schedules may be issued in the future by the Local Government Records Office and will be distributed accordingly.

The retention period listed in the general schedules for each records series is the **minimum** time necessary to retain the records. *There may be conditions or factors in a local government that require retention of a particular record series for a longer period than is required by the general records schedule, and, in such cases, the local governments are urged to continue retention of the records series as needed.* In no case, however, may records series be destroyed sooner than the scheduled retention period.

Records involved in investigations, audits, or litigation must be maintained until the settlement of the case and subsequent appeals regardless of disposition instructions found in a records retention schedule.

No local government records dating prior to 1920 shall be destroyed without special schedule directions issued by the Committee. Destruction of records dating prior to 1940 but after 1919 may be undertaken only with the written approval of the Director of the Department of Archives and History.

The Committee may modify this date according to the historical value of a particular record series by placing a special statement in the retention period of such series with an approved records control schedule.

Upon expiration of the minimum retention period, local officials are authorized to dispose of the records if there are no extenuating circumstances. Disposition should be done in a manner consistent with the nature of the records (e.g. records containing confidential information should be disposed in a manner that will insure confidentiality). There may be instances when a county, upon the expiration of the retention period, may choose to transfer a records series to a public library or a local historical organization as an alternative to destruction. Prior to such a transfer, the county must contact the Local Government Records Office.

According to Mississippi law, records may not be destroyed except in accordance with an approved retention schedule. Therefore, records series not listed in these schedules are not eligible

for disposal until an appropriate records retention schedule has been approved by the Local Government Records Committee.

ASSEMBLIES, EVENTS, & ACTIVITIES

All events or assemblies to be scheduled during the school day shall be approved by the administration in advance, added to the school calendar, and be closely connected to meaningful teaching and learning. All other events and assemblies may be held at night or on the weekends. See section entitled “Performances, Rehearsals, & Meetings” of this handbook.

PUBLICITY AND PROMOTIONS

MSA has a variety of performances, exhibits and events annually. All promotional materials (press releases, fliers, and programs) shall be approved by the Executive Director prior to distribution or printing. If changes are requested a second version shall be presented for approval unless otherwise instructed. Materials should be ready in a timely manner with adequate time to fix any issues before distribution.

The visual appearance of an institution makes the first impression when visitors arrive on campus. Therefore, posters and signs should reflect the quality of work that is at the heart of the MSA mission for the school. Materials promoting businesses, politics, churches, or other organizations are forbidden.

The staff member is responsible for proofing all text and check to ensure that copyrighted materials have not been appropriated. Photos of staff members, students, or others should not be used without permission. When posting signs on doors or windows, tape them inside of the glass on all corners to prevent curling and sagging. Do **not** post items on exterior surfaces or on painted or wood surfaces inside. Please remove posted signs, the tape, and any residue in a timely manner.

INDEPENDENT CONTRACTORS

Administrators shall follow all contractual policies and procedures when securing the services of an independent contractor (e.g., fire inspections and pest control). Administrators should maintain department copies of independent contractor documentation before submitting originals to the Administrative Assistant and the Executive Director. Directors are required to submit quotes in accordance with purchasing laws for any contract when hiring independent service providers to ensure more economical pricing.

CONFERENCES

EXECUTIVE DIRECTOR AND EMPLOYEE

Conferences will be held at the discretion of the Principal or Executive Director or upon request of the employee. Please schedule an appointment except in matters of urgency.

DIRECTOR/PRINCIPAL AND EMPLOYEE

Conferences will be held at the discretion of the supervising Director/Principal or upon request of the employee. Please schedule an appointment except in matters of urgency.

ADMINISTRATOR (TEACHER, STAFF) AND PARENT OR GUARDIAN

Since frequent communication with parents or guardians opens many doors, builds partnerships, and creates a supportive educational environment, MSA employees shall be responsible in taking the initiative to schedule a parent conference at the first sign of a student's deviation from the norm. Parent/teacher conferences should be scheduled during a teacher's preparation period. Non-teaching employees may schedule appointments with parents according to individual work schedules and upon approval of their immediate supervisor or Executive Director. When possible, the Executive Director will notify employees in advance when parents request a conference through the administrative offices. With sufficient advance notice, the Executive Director may be invited to attend conferences if requested. When travel distance is prohibitive, a parent conference may be held via virtually or by phone.

EMPLOYEE/STUDENT

An employee who has frequent and direct communication with students will find the profits to be overwhelming in the areas of student achievement, behavior, and overall progress. Employees should keep records where problems exist and where improvement plans are designed. If a student is placed on probation, policies and procedures delineated in the MSA Student Handbook shall be followed.

INSTRUCTIONAL EXPECTATIONS

TEACHER AS THE AUTHORITY IN THE CLASSROOM

The MSA, as governed by the SBE, recognizes the teacher as the authority in classroom matters and supports the 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 to the office of the principal any student who, in the professional judgment of the teacher, is disrupting the learning environment.

The principal shall determine the proper placement for the student, who may not be returned to the classroom until a conference 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, shall provide justification for his or her disapproval.

A student who causes a disruption in the classroom, on school property or vehicles, or at school-

related activities may be subject to discipline actions. School officials, the reporting teacher, and the student's parent will develop a behavior modification plan 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.

CLASSROOM MANAGEMENT

TAKING STUDENT ATTENDANCE

Compulsory school attendance laws mandate that students attend school regularly. Teachers and substitute teachers shall take attendance each class period. Attendance shall be completed within the first ten minutes of each class. Students are marked tardy if they come into class after the second bell. Students missing thirty minutes or more are considered absent. Since substitute teachers will be using a printed roster, they should call the attendance secretary each block to report attendance.

LEAVING STUDENTS UNATTENDED

MSA policy forbids leaving students unattended in classrooms or sending students around campus without supervision. Teachers are responsible for ensuring a safe and orderly classroom environment where adult supervision is provided without interruption. Classroom climate should always support teaching and learning. At no time should students be left alone under the supervision of a student teacher. Supervision policies are in effect at all times when students are assigned to a classroom or duty post. Policies cover spaces inside and outside campus facilities or off campus when staff members are supervising school activities.

ESTABLISHING CLEAR EXPECTATIONS FOR STUDENTS

Students excel when they are given clear expectations and high standards for living and learning. Make certain that assignments are clear, requirements and deadlines understood, and assessment criteria determined in advance and used as a work tool. Set firm deadlines and stick to them. Do not accept work beyond established time frames except in circumstances of excused absences. See the MSA Student Handbook for specific guidelines. Never accept student work after a grading period has passed except in circumstances approved by the Executive Director or Principal.

SETTING RULES FOR STUDENT CLASSROOM BEHAVIOR

Teachers are responsible for working with students to establish classroom rules and teach appropriate classroom behavior to those under their care. Appropriate language, physical boundaries, and classroom etiquette should be taught and maintained throughout the school year. Disciplinary Reports shall be completed for violations of school policies including classroom rules.

ALLOWING STUDENTS TO WORK OUTSIDE THE CLASSROOM

Sometimes students may need to work outside the classroom independently for legitimate learning experiences such as taking photographs, painting from real life, rehearsing in pairs or small groups out of doors, etc. Such instances shall be kept to a minimum. Faculty members should make certain that students always work in common areas where they are clearly visible. Students shall not work in areas where noise or the physical presence of additional persons would interrupt teaching and learning in other classrooms. Teachers shall circulate among the students and maintain contact with them throughout the class time.

ATTENDING ASSEMBLIES AND PERFORMANCES

All teachers shall accompany their students to campus assemblies, meetings, and performances. Teachers are responsible for student conduct during these events. Proper, respectful, audience behavior is a critical component of becoming a productive citizen. When accompanying students on a field trip, proper etiquette of audience behavior is expected.

PROFESSIONAL DEVELOPMENT

In accordance with the MSA commitment to excellence among its employees, the school will provide opportunities for professional development for all its employees that complements and supports the educational program. Additionally, staff are encouraged to seek unique opportunities that can enhance their job performance.

LESSON PLANS

Teachers are responsible for writing and following a lesson or unit plan for each class period. Lesson plans should be written with clear objectives and learning experiences so that anyone could follow the lesson. Each lesson must be tied to the College and Career Readiness Standards for the specific subject area.

Each teacher will be given access to Moodle and a template and should have plans available for review at 7:45 a.m. every Monday morning or the first workday of the week. An administrator observing in the classroom may give the teacher comments, questions, and suggestions for the current lesson. All print materials (e.g., handouts, tests, and rubrics) should be included with each lesson plan or be made available upon request/observation.

There should be a different lesson for each course taught. If a teacher has four different courses, a different lesson should be planned for each day. Teachers are advised that all lesson plans are subject to review by administration. Teachers having computer issues should use the library for entry of lesson plans and/or make arrangements to provide a hard copy of his/her lesson plans to the principal. Failure to prepare lesson plans may lead to administrative action. To facilitate revision, all lesson plans should be done electronically and stored for future personal use.

APPROPRIATE CONTENT

The MSA is a public high school on a campus that includes residential support services. The school seeks to provide a safe and healthy, positive learning environment. In keeping with this philosophy, things such as tobacco, drug, or alcohol usage, profanity, violence, abuse, lewdness, nudity, sexuality, or any other suggestive subject matter is not considered appropriate content in student generated works created in any medium (e.g., written, performed, electronic, artworks, video, photographs, or cartoons). This policy applies to all aspects of the campus; students and faculty members must refrain from generating, producing, or performing works that might be questionable. Written and published works may have to be edited to be appropriate for use in a public school context where students are minor children. Questions regarding appropriate content should be addressed to the Principal for approval.

HOMEWORK

Teachers may assign a reasonable amount of meaningful homework. All homework will be checked or graded by the teacher and counted toward course credit. No homework will be given prior to subject area or standardized test days or holidays without special permission from the Executive Director or Principal. Teachers are expected to provide assignments and other assistance to students with excused absences as specified by the policies in the Student Handbook.

FIELD TRIPS

Field trips are an important extension of the curriculum. Students are afforded opportunities during the school year to travel in state and possibly out-of-state. With this privilege comes the responsibility to exhibit expected behaviors while representing MSA. Trip administrators, teachers, or staff members in charge will communicate expectations and the policies of the student handbook are applicable during all travels. Violators will be referred to the Executive Director. Students are encouraged to participate in all field trips sponsored by the school or their teachers. Students are responsible for contacting teachers prior to missing a class for any field trip scheduled by another instructor.

The following guidelines shall govern school-sponsored trips:

1. The faculty or staff member sponsoring the trip will submit a request in the Field Trip Database for approval at least two weeks prior to departure.
2. The request will be forwarded to the Principal to secure substitutes as needed and assess if ADA and class minutes are affected.
3. All trips shall be educational and well planned with an adequate number of chaperones. A ratio of one adult per ten students is acceptable.
4. Parents or other adults (of acceptable age and maturity) may serve as chaperones, but the instructor is responsible for ensuring that they understand their duties.
5. Faculty and chaperones shall travel in school vehicles with students to ensure proper supervision and safety while in transport.
6. Last-minute requests for trips will not be approved.
7. The request will be forwarded to the Director of Security and Director of Residence Life to see if a bus and driver are available in advance since MSA has a limited number of vehicles

and drivers.

8. If admission fees or tickets are required as part of the field trip, participants should collectively share the costs for the bus driver.
9. The request will also be forwarded to the Director of Food Services. If bag lunches, beverages, or snacks are needed for the trip, the sponsor shall make the request upon entry in the database, and said request shall be made at least two weeks in advance using the Food Service Function section of the database request.
10. The teacher will submit in the request a list of those students participating in field trips. Notification of those attending will be posted in the Morning Announcements.
11. Students are responsible for obtaining class and homework assignments missed as a result of field trips. All work must be completed in accordance with the make-up policy.
12. The General Permissions Information Form provides parental signature allowing students to participate in all school sponsored field trips within Mississippi. Out-of-State requests shall be secured with an additional Student Permission Slip after travel authorizations from the MDE are secured for staff.
13. Even though the school has general trip authorization signatures on file, the field trip sponsor should notify parents in advance of the scheduled event so they will know their child will be away from campus for a specified period.
14. A student without the required signed permission forms and/or assessed fees in advance of the trip date may not participate in the field trip.
15. Students who do not participate in field trips must complete an alternative assignment.
16. School rules and regulations found in the MSA handbook pertain to all school-sponsored trips.

Field trips shall not occur during statewide testing. All field trips will be complete prior to May 1. The sponsor of any field trip shall ride on the bus with the bus driver and students to and from the destination. State statute requires that a staff member in addition to the bus driver should ride in the bus with the students. For MSA field trips, rarely is there another staff member available to accompany the students. Parent chaperones or volunteers cannot be held liable for knowing MSA policies and implementing proper behavior expectations. Therefore, the sponsor of the field trip will be mandated to ride with the students on the bus.

STUDENT TEACHERS/INTERNS/GUEST ARTISTS

Occasionally, upon request, student teachers, interns, or guest artists may be assigned to an MSA teacher. All requests for the placement of student teachers shall be addressed to the Principal or the Executive Director for approval before arrangements are made. For student teachers, contact by the teacher education placement office shall be made from the university, not through the student or the prospective resident teacher. The supervising teacher will be responsible for mentoring the development of the student teacher's classroom management, teaching and learning strategies, and professionalism

. Student teachers, interns, and guest artists shall not administer or prescribe punishment to students. They will abide by the policies set forth by the MSA. Supervising teachers shall never leave pupils alone in the care of a student teacher, intern, or guest artist.

SUBSTITUTE TEACHERS

When teachers anticipate being absent, they should discuss the absence with the Principal before finalizing plans to be absent from school. Faculty members shall submit a request to the Principal for approval at least two (2) weeks prior to the date of requested absence. The request shall have the up-to-date substitute file including all items listed below. Last minute requests will be denied. When a teacher will be off campus supervising school activities during the school day, the same procedures shall be followed. MSA has a limited number of substitutes, so advance notice is mandatory, but illness and emergencies do occur occasionally.

When notifying the Principal or Executive Director during school, please call the following numbers:

Principal
601-823-1308 Office

Executive Director
601-823-1303 Office

Do not leave a voice mail message. Call or text until you receive a response from someone. Classroom teachers shall maintain an up-to-date substitute file that will be kept at the teacher's desk in preparation for absences due to unexpected illness or emergencies. Folders must be clearly labeled with the teacher's name and containing the following:

1. Generic lesson plans that are meaningful to the subject area, but applicable to any time period within the semester;
2. Class rosters (Keep them up to date);
3. Teaching schedules;
4. Duty assignments with clear instructions;
5. Select students in each class whose job it will be to assist a substitute in routine matters;
6. Make sure that all necessary materials will be readily available for the substitute with instructions concerning what to do with assigned and completed work;
7. Leave blank Campus Passes for use by the substitute;
8. Please include Discipline Report forms for the substitute in case a problem arises;
9. Follow up on reports left by the substitute regarding discipline problems that may have occurred during your absence.

PLEASE NOTE: All work produced in the absence of a teacher shall be graded and included as a part of regular grades. Too frequently students perceive work assigned in the absence of a teacher as busywork— therefore, they think it is not important. Meaningful and challenging work left in the absence of a teacher supports continuous learning and helps maintain order and discipline.

ILLNESSES (STUDENT)

Send the student to the school nurse with a pass. Allow another student to accompany him/her if his/her condition so indicates. Even if a student appears to be feigning illness, it is usually better practice to acknowledge the student's feelings and allow the nurse to make a medical decision. The nurse will assume responsibility for further action and follow through.

Under no circumstances should faculty members send a student to the dorm or “prescribe” treatment when a student claims to be sick. The school nurse (or designee) is the only medical professional on campus. If a student is seriously ill, the nurse will contact the parents and the child will go home. In instances that the nurse is off campus, the second person for contact is the Attendance Secretary and the third person for contact is the Administrative Assistant in the Y-Hut. During the evening, the residence life staff may administer medications according to policy and can assist with getting emergent care as needed.

MEDICATION ADMINISTRATION TO STUDENTS

MSA follows a self-administration policy for students to take prescription and over-the-counter medications. Designated staff members have been trained on tracking administration of medications. Employees who have been trained are required to see the medication that a student is taking, watch them take it, and document the action in the school software. Employees who are not designated or trained are prohibited from administering medications at any time.

Designated MSA employees will dispense medication to students in accordance with policies included in the Student Handbook. Over the counter medications may be acquired from the nurse for self-administration by employees.

TEXTBOOKS

Teachers are responsible for maintaining the inventory of all textbooks assigned to their classrooms or workstations. Upon arrival on campus, they shall verify the Textbook Inventory form provided and report any differences to MSA Textbook Coordinator. The following procedures shall be used:

1. In assigning textbooks, teachers shall record book identification numbers, book title, and the student receiving the textbook.
2. Secure all textbooks not assigned to individual students. Leaving books on open shelves in the classroom results in damage and loss.
3. When a student moves, books shall be turned in to the classroom teacher as a part of the withdrawal process before records are released. A teacher’s signature is required to complete the withdrawal process or before checking out for the summer or before graduation.
4. Students will be charged for books that are lost.
5. All losses and collections for textbooks shall be reported to the textbook coordinator(s) in the Y-Hut.
6. Teachers and staff members distributing books to pupils are authorized to collect for any damage or excessive wear of the textbooks.
7. Loss or damage fees will be based on the schedule published in the MSA Student Handbook.
8. The amount collected should be determined by the extent such damage has impaired the future use of the book and should be sufficient to impress upon parents and student the necessity for proper care and the use of the state-funded textbooks.

9. To comply with state accreditation policies, books that are more than ten (10) years old are not included in state textbook inventory and shall not be stored permanently in classrooms. Since MSA uses many books that are more than ten years old for reference (e.g., plays, art history texts, trade books), these books will be stored in the library, checked out by the faculty member who needs them and returned to the library when work is completed. The staff member or student who checks the books out of the library is responsible for their return.
10. Teachers shall inventory textbooks and report the information to the Textbook Coordinator at the end of the school year (semester). If a faculty member leaves campus at the end of the school year without completing textbook inventory requirements, he/she will have to return to campus to complete documentation not turned in.
11. Clearly mark all personal books and resources materials with your name to distinguish them from state property.

DUTY STATIONS

All teachers and employees, who are present in the Student Life Center during meal periods, are responsible for correcting inappropriate behavior. This responsibility extends to the entire campus at all times.

LUNCH DUTY CAFETERIA LINE

Two duty stations are located as follows: (1) Monitoring students in line into the serving area and (2) Circulating throughout the dining room area. Duties may include:

1. Being on duty at 11:20 a.m. until 12:15p.m.
2. Ensuring that students do not break line at the serving area.
3. Ensuring that all students abide by school rules during lunchtime.
4. Monitoring tables to make sure students dispose of trash, dishes, and trays properly.
5. Monitoring noise level and ensuring that the television remains off during mealtimes.
6. Encouraging good etiquette.
7. Completing Discipline Reports for those who violate school policy and reporting to the Principal.
8. Finding a replacement when absent or on a field trip.

HALL AND CAMPUS DUTY

Between classes, all teachers should stand in their doorways before and after class to ensure safe and orderly conduct in the hallways when changing classes. All employees are responsible for addressing students in relation to proper behavior when passing in the common areas of the campus. Disciplinary action shall be taken when students violate school guidelines.

SPECIAL EDUCATION

It is the policy of the MSA to comply with all provisions of Title IX of the Education Amendments

of 1972, Title VI of the Civil Rights Act of 1964, and the Carl Perkins Act of 1984, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act of 2004 (IDEA). Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability 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. To ensure the school's compliance, as it applies to students with disabilities, the following procedures have been adopted.

1. The 504 Coordinator (MSA Principal) and counselor will seek to detect students with special education needs, by examining the records of current and incoming students.
2. The 504 Committee will consist of the Principal, an academic counselor, an MSA teacher and the Special Education Services Staff of the Brookhaven School District.
3. The Special Education Director of the Brookhaven School District serves as the MSA Special Education liaison and may be reached at (601) 835-1211.
4. The Individualized Education Program (IEP) committee will consist of all required members pursuant to 34 C.F.R. § 300.321; Miss. Admin. Code 7-3:74.19, State Board Policy Chapter 74, Rule 74.19, § 300.321.
5. The SBE, MDE, and MSA do not discriminate on the basis of race, color, religion, national origin, sex, age or disability in the provision of educational programs and services or employment opportunities and benefits. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

DISCIPLINE OF STUDENTS WITH IDEA AND SECTION 504 ELIGIBILITY

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. The school complies with all provisions of the IDEA of 2004, the Section 504 of the Rehabilitation Act of 1973, Mississippi laws when implementing discipline procedures for students with disabilities.

PLAGIARISM

Because plagiarism is a nationwide problem in schools, each faculty member shall arrange to instruct their students in relation to violation of copyrights at the beginning of each course and include periodic reminders throughout the grading periods. Each arts discipline teacher shall teach the difference between adaptation, appropriation, and copying in the various arts forms and make an appointment with the librarian to do additional instruction on plagiarism using online resources. Violation of copyright is stealing and results in serious disciplinary action. All employees are responsible for reporting incidences of plagiarism, including copying homework. Each employee is expected to serve as a role model by setting an example of respect for the work of others. Schools have been assessed severe fines for copyright violations. Be careful; ask questions. Staff members responsible for ensuring that documents created under their supervision

do not contain copyrighted images, photos, text, or other media. Adults shall model correct methodologies for students.

GRADE REPORTING

To ensure timely feedback to students, parents, the counselor, and administrators, teachers must:

1. Publish their grading processes and procedures at the beginning of each course including how various assignments are weighted to determine student grades.
2. Keep accurate, up-to-date records of student grades.
3. Use SAM to enter and average grades according to system requirements.
4. Grade all assessments and major projects or assignments.
5. Average grades in accordance with approved grading scales.
6. Post grades in SAM within three school days after grading is completed, with a minimum of one grade posted per week.
7. Provide feedback regarding grades in a timely manner to facilitate instruction, remediation, and enrichment.
8. Meet deadlines for grade entry so that progress reports and/or report cards are completed on time.
9. Enter grades with no inaccurate or incomplete information provided.
10. Administer nine weeks examinations. No students are exempt from MSA arts courses exams.
11. Include a daily participation, citizenship, or caring for the work percentage.
12. Count off points for each day late; establish a maximum number of days after which work will not be accepted.

Keeping a paper grade book is discouraged since errors may occur in transferring grades to the electronic system. A print copy of the SAM electronic grade book is recommended. Under no circumstance shall a paper grade book be a substitute for ongoing and timely entry of grades into SAM. Parents have access to student attendance, grades, and discipline via ActiveParent.

INSTRUCTIONAL WORKDAY

MSA Regular Class Schedule (subject to change)

7:35 a.m.	Warning bell for bus loading
7:40 a.m.	Bus leaves for BHS or Co-Lin
8:00-9:34 a.m.	Block 1
9:34-9:55 a.m.	Tutorial Sessions or Morning
9:55-11:29 a.m.	Block 2
11:29-12:14 p.m.	Lunch
12:14-1:48 p.m.	Block 3
1:52 -3:26 p.m.	Block 4
3:30-5:00 p.m.	Tutorial/Online/Production Block

SAFETY

All employees shall take all possible steps to ensure the safety of students at school. The interior environment, campus, and student activities must be in harmony with the requirements of safety. Immediately report any unsafe condition or behavior on campus to the appropriate administrator.

EMERGENCIES

It is essential that the staff be knowledgeable of the school's emergency procedures. Remain calm during emergencies. Specific procedures are described in the MSA Safety and Crisis Management Manual.

FIRE DRILL

In the case of fire, know the fire evacuation routes and procedures. Carry class rosters during evacuation and account for each student under your supervision. Know the location of the nearest fire extinguisher and how to use it.

INCLEMENT WEATHER DEFINITIONS:

- Severe Weather Watch - weather conditions are such that severe thunderstorms may

develop.

- Severe Weather Warning - a severe thunderstorm has developed and will probably affect those areas stated in weather bulletin.
- Tornado Watch - weather conditions are such that a tornado may develop.
- Tornado Warning - a tornado has formed, been sighted, and may affect areas identified.

INCLEMENT WEATHER PROCEDURES

During Severe Weather, students will remain in classrooms or the Student Life Center unless notified by school personnel who will continuously monitor the situation.

If a Tornado Warning has been issued, the City of Brookhaven sirens will sound, and an announcement will be made via MSA intercom. If no electricity, administration will announce tornado warning procedures.

In Johnson Institute, all students go to the center hallway on the first floor, be seated with backs against the walls. In the Student Life Center, all persons go to the cafeteria hallway. In the Y-Hut, personnel go to the basement along the interior walls.

In the event of approaching catastrophic weather conditions such as hurricanes or tropical storms that could spawn tornados, all personnel will be moved to the SLC first floor.

PERSONAL EMERGENCY

In case of a personal emergency, teachers should notify the Principal immediately.

IDENTIFICATION BADGES

All MSA/MDE employees must always wear identification badges when on duty. MSA ID badges are mandatory since a security system has been installed on the campus that requires electronic identification prior to entry into campus facilities. Any employee who reports to campus without his/her ID badge shall report to security for a temporary badge.

ACCIDENTS

Administration, faculty, and staff members are responsible for the safety of all students under their supervision. Injuries to students while they are the responsibility of the school shall be given immediate attention. Accident procedures cannot be formulated to apply in all situations. The following will serve as general guidelines and may be modified as individual situations occur.

1. Follow the school emergency plan.
2. Remain calm and promptly decide what needs to be done to prevent the situation from worsening.
3. Act decisively—take charge.
4. If the accident requires further assistance, call the school nurse and call or send someone to

the Y-Hut to ask for help.

5. If first aid is indicated and if you are knowledgeable, administer first aid.
6. Resume normal activities as soon as possible.
7. Prior to leaving school, submit a written report to the office using the **Accident Report Form** (student or staff) provided in your **School Safety and Crisis Management Manual** and on the Staff Read Only Forms folder in the network shared drive.

Fulltime employees who are injured on the job are covered by workman's compensation insurance. On the day of the accident or within 24 hours, complete the appropriate MDE form that can be acquired from the Administrative Assistant to the Executive Director.

SEX OFFENDER NOTIFICATIONS

Pursuant to Miss. Code Ann. § 45-33-49(5), the MDE shall notify all school districts annually regarding the availability of the Sex Offender Registry at the Mississippi Department of Public Safety (DPS) Web site: www.dps.ms.gov

DPS information provides the name; address; photograph, if available; date of photograph; place of employment; crime for which convicted; date and place of conviction; and hair, eye color, height, race, sex, and date of birth of any registrant. Also, a sheriff shall maintain records for registrants of the county and shall make available to any person upon request other information deemed necessary for the protection of the public. The sheriffs shall be responsible for verifying their respective registries annually against DPS records to ensure current information is available at both levels.

WEAPONS

MSA desires to maintain a work environment which is safe and secure in nature. Threats, threatening behavior, or any acts of violence against employees, students or other individuals on the premises will not be tolerated and may lead to disciplinary action, up to and including immediate termination, and/or criminal prosecution. Any person who engages in violent behavior, such as making substantial threats, or intentionally hitting, kicking, or striking a person or property on MSA premises may be removed by administration from the premises as quickly as safety permits, and is to remain off premises pending the outcome of an investigation. Additionally, the School Policy prohibits firearms or weapons of any type on the premises.

MSA recognizes the possession of pistols, firearms, or other weapons on school premises or at school functions by persons other than duly authorized law enforcement officials creates an unreasonable and unwarranted risk of injury or death to employees, students, visitors, or guests. Possession of a firearm or weapon while on the premises will be handled with appropriate disciplinary action up to and including termination of employment. All employees will fully cooperate with MSA Administration and with law enforcement agencies to eliminate workplace violence risks. All personnel are responsible for immediately notifying their supervisor, Principal, or Executive Director of any threats, threatening behavior or acts of violence, which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is employment or job-related or might

be carried out on MSA premises. The supervisor or Principal who receives the report is responsible for informing the Executive Director so that proper documentation of the incident can be gathered.

DRUG AND ALCOHOL FREE WORKPLACE

DRUG AND ALCOHOL TESTING POLICY

The following is MSA's Drug and Alcohol Testing Policy. The MSA will test personnel if it reasonably suspects that an employee is under the influence of illegal drugs or alcohol. In addition, the MSA will conduct random testing of all bus drivers and preemployment testing of all prospective employees. This policy will be enforced uniformly with respect to all personnel. All of the district's personnel, including administrators, will be subject to testing.

The purposes of this policy are as follows.

1. To maintain a safe, healthy working environment for all employees;
2. To maintain the highest quality educational program for our students by insuring that no personnel of the district are users of illegal drugs or under the influence of drugs or alcohol;
3. To reduce the number of accidental injuries to person or property; and
4. To reduce absenteeism and tardiness and improve the quality of educational services.

SUBSTANCE ABUSE

The following are rules representing the MSA's policy concerning substance abuse.

1. All employees are prohibited from being under the influence of drugs or alcohol while on duty or on premises (which includes school activities and school-owned vehicles). All employees are prohibited from using illegal drugs, or prescription medication for which they do not have a proper prescription.
2. The use, sale, possession, transfer, or purchase of illegal drugs, non-prescription drugs, medical marijuana, or controlled substances while on district property or while performing district business is strictly prohibited and is cause for immediate termination. Such action will be reported to appropriate law enforcement officials.
3. No alcoholic beverage will be brought or consumed on district premises.

4. No prescription drug will be brought on district premises by any person other than the person for whom the drug is prescribed. Prescription drugs will be used only in the manner, combination, and quantity prescribed.
5. The MSA is not prohibited from establishing or enforcing a drug-testing policy under the Mississippi Medical Cannabis Act. The MSA is not required to permit, accommodate, or allow the use of medical cannabis, or to modify any job/working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of medical cannabis.
6. The MSA is not prohibited from taking an adverse employment action against an employee, up to and including termination, as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
7. Any employee whose off-duty use of alcohol, medical marijuana, illegal, or non-prescription drugs results in excessive absenteeism, tardiness, poor work, or an accident will be subject to discipline, up to and including termination.

DENIAL OF LICENSE

The SBE, acting through the commission, may deny an application for any teacher or administrator license if the applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having a similar effect, at the time of application for a license. Miss. Code Ann. § 37-3-2 (11) (c).

SUSPENSION OF LICENSE

The SBE, acting on the recommendation of the commission, may revoke or suspend any teacher or administrator license for specified periods of time if the teacher or administrator has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. Miss. Code Ann. § 37-3-2 (12) (d).

Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense. Miss. Code Ann. § 37-3-2 (13) (a).

LEGAL REF.: MS CODE as cited; MS Code 71-7-1*et seq.*; 21 U.S.C. 812; 21 CFR 1300.11-1300.15

CROSS REF.: Policy GBRM-2 Drug and Alcohol Testing Policy; GBRL – Drug Free Schools and Workplace

All employees should be very familiar with the MSA Student Handbook policy related to possession and/or use of tobacco, alcohol, and drugs.

DRUG TESTING

All MSA employees who are licensed bus drivers are subject to 49 C.F.R. § 40 and the Omnibus Transportation Employee Testing Act of 1991 and may be tested for drug at any time. MSA reserves the right to require the employees to submit to drug tests, at any time an employee is on duty or at any time an employee may normally be called to be on duty, to determine the presence of prohibited substances as deemed necessary.

SMOKING POLICY

MISSISSIPPI UNIFORM SMOKE-FREE PUBLIC PLACE ACT OF 2007

The Mississippi Uniform Smoke-Free Public Place Act of 2007 prohibits smoking on all educational property by all persons at all times. This ban includes all employees, students, and patrons attending school sponsored events and meetings. "Educational property" means any public or private 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 or private educational institution or during a school-related activity, effective July 1, 2007.

CIVIL PENALTIES

Any person who violates this act shall be subject to a civil fine and upon conviction shall be liable as follows:

1. For a first conviction, a warning;
2. For a second conviction, a fine of Seventy-five Dollars (\$75.00); and
3. For all subsequent convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00).

Anyone convicted under this section shall be recorded as being fined for a civil violation of this act and not for violating a criminal statute. Any such violation shall be tried in any justice court or municipal court with proper jurisdiction.

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.

A person or employer shall not discharge, refuse to hire, or in any manner retaliate against any employee, applicant for employment, or customer because that person exercises a right to a smoke-free environment afforded by this act.

In keeping with the requirements of the Mississippi Uniform Smoke-Free Public Place Act of 2007, smoking and tobacco use is banned on the MSA campus and adjacent properties owned by the MSA Foundation provided for school use.

MSA employees who smoke or use tobacco may do so during breaks and at lunch. Since all MSA employees serve as role models, smokers must leave the campus to smoke out of the view of students. Smoking is not allowed in vehicles on campus. Employees who are found smoking on the MSA campus (including adjacent properties) are subject to disciplinary action and civil penalties.

WELLNESS

Students are not the only ones who need good health. School employees who want to encourage children and teens to live a healthy lifestyle will be more successful if they model healthy behaviors. The MSA Wellness Policy emphasizes a commitment to nutrition, physical activity, comprehensive health education, marketing, and implementation. It is designed to effectively utilize school and community resources to serve the needs of students and staff, taking into consideration cultural differences. The MSA encourages its staff to pursue a healthy lifestyle that contributes to their improved health status and personal commitment to the health of students and creates positive role modeling. All staff at MSA should model healthful eating and physical activity as a valuable part of daily life. The school nurse will work with all students and staff to establish a personalized wellness program and conduct periodic assessments to monitor wellness.

UNLAWFUL ACTIVITY

School employees who suspect or have direct knowledge of unlawful activity either by students or other school personnel should report their suspicions to the Executive Director or their immediate supervisor who will take appropriate action.

TERMINATED EMPLOYEE POLICY

Upon notification of termination, MSA has the following policy regarding contact with the students and staff on campus.

- Visits to campus – No terminated employee is permitted to visit campus without prior written approval from the Executive Director. This is in perpetuity and will not be released. Violation of this protocol may result in arrest for trespassing.
- Attendance to MSA events on or off campus – No terminated employee is permitted to attend any campus events, even if open to the public, without prior written approval from the Executive Director. This includes performances, showcases, exhibits, and special events such as prom and graduation. Violation of this protocol may result in arrest for trespassing.
- Technology accounts – All technology accounts are discontinued effective the date of termination.
- Badges, keys, and inventory are all required to be turned in to MSA or possible fines may be levied for payment to State of Mississippi.

- All personal items may be picked up from campus at a mutually agreed upon time when school is not in session. A list of items taken from campus will be made upon pick up.
- Final paychecks will be sent to the employee's home address. It is the responsibility of the employee to notify MSA if his/her address has changed from what is on file.

PARKING—GENERAL

Employees may park in any lined spaces in the Student Life Center lot. Some spaces are marked "Staff" on the east side of the lot adjacent to the Handicapped Parking Area. Marked parking spaces along the north and south sides of Cherokee Street may also be used. These are public city parking areas, so no spot may be designated. All parking is filled on a first come, first served basis.

PARKING—HANDICAPPED

Mississippi Code Annotated § 27-19-56(5)(a) makes it unlawful to park a motor vehicle in an area set aside for persons who are disabled if the vehicle does not have:

1. A temporary or permanent placard with a valid date must be visible on the windshield,
2. A special license plate displayed on the vehicle, or
3. A disabled American veteran tag or plate displayed on the vehicle.

All MSA employees who qualify to park in a special handicapped parking space shall have on file with Security Office:

1. A copy of the handicap placard/tag application submitted to the DMV, and
2. A copy of the temporary/permanent placard with expiration date, or
3. A copy of the disabled tag displayed on the vehicle.

This information shall be submitted to the Security Office every twelve (12) months. Any employee found parking in a special handicap parking space without proper documentation on file may be subject to disciplinary action. First offense shall result in a written warning by the Director of School Safety. Any subsequent offense(s) shall result in a citation and fine by the Brookhaven Police Department.

MSA employees must refrain from parking in the SLC circle or behind the cafeteria except for purposes of unloading. As soon as the car is unloaded, the vehicle should be moved. Employees must not park in fire zones; violations may result in warnings and fines as described above.

FISCAL MANAGEMENT

FISCAL MANAGEMENT GOALS AND OBJECTIVES

The financial records and statements of the MSA 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, as amended. This uniform accounting system, which is directed by the MDE, includes a method of accounting for and keeping records of all funds received, handled, and disbursed by the MSA, whether derived from taxation or otherwise, including funds from donations, athletic events, and other special activities of the school.

MSA employs a school finance officer whose qualifications meet the criteria established by the MDE and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school. The MSA operates with a financial accounting system as prescribed by the MDE.

The SBE, SBE Subcommittee, and MSA have 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.

The financial accounting data and the corresponding annual audit report as submitted to the MDE reflect no less than a zero-fund balance (as defined by generally accepted accounting principles) for all funds of the MSA.

Miss. Code Ann. §§ 37-37-1, 37-9-18, 37-61-23, 37-17-6(16), and 37-61-9

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 the MSA are controlled.

The annual operating budget, as required by law, is essential to the sound financial management of MSA. Funds are allocated directly through the MDE budget by the Mississippi legislature and Governor.

Miss. Code Ann. § 37-61-9

FISCAL YEAR/SCHOLASTIC YEAR

The "fiscal year" of MSA shall commence on July 1 and end on June 30 of each year. The "scholastic year" of this MSA shall likewise commence on July 1 and end on June 30 of each year.

ANNUAL OPERATING BUDGET PREPARATION PROCEDURES

On or before the fifteenth day of August of each year, the SBE/SBE Subcommittee, shall approve the prepared budget presented by the Executive Director, as defined in Miss. Code Ann. § 37-61-9. At least two (2) copies of a budget of estimated expenditures for the support, maintenance, and operation of the MSA for the fiscal year commencing on July 1 of such year shall be filed with the levying authority. Such budget shall be prepared on forms prescribed and provided by the MDE and shall contain such information as the MDE may require.

Prior to the adoption of a budget pursuant to this section, the MSA shall submit to the SBE for approval at least one (1) public board meeting to provide the general public with an opportunity to review the proposed budget. After final adoption of the budget a synopsis of such budget in a form prescribed by the MDE shall be published on the school website for statewide dissemination.

The SBE may hold an executive session for the transaction of business and discussions regarding employment and termination of employees as needed.

Miss. Code Ann. §§ 37-57-1, 37-61-9, and 25-41-7(Executive Session)(4)(K).

PERIODIC BUDGET RECONCILIATION

It shall be the duty of the Executive Director and the SBE/SBE Subcommittee to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for MSA 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 SBE, Executive Director, 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 SBE member, Executive Director or other school official shall be personally liable (a) in the event of any reduction in budgetary allocation 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.

The SBE shall approve a budget for the MSA. The SBE shall approve amendments to such budget where major functions of revenues and expenditures are involved. The Executive Director and/or his/her designee may amend objects within major functions as may be necessary during the fiscal year.

LINE ITEM TRANSFER AUTHORITY

If the Executive Director or the SBE/SBE Subcommittee anticipates that the amounts to be received from state appropriations 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 SBE/SBE Subcommittee, with assistance from the Executive Director, shall 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.

If it should appear to the Executive Director or the SBE/SBE Subcommittee 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 therefore during the fiscal year, the SBE Subcommittee, with assistance from the Executive Director, 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 amounts available for such purpose.

The revised portions of the budgets shall be incorporated in the minutes of the SBE/SBE Subcommittee meeting. Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the SBE Subcommittee for the MSA to submit its financial information for that fiscal year.

The SBE/SBE Subcommittee 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.

DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS

MSA will not engage in any debt relief against the property owned by the State of Mississippi.

REVENUES FROM SCHOOL PROPERTY

The SBE/SBE Subcommittee is authorized and empowered in its discretion to allow for rental of the property under terms and for purposes as agreed upon between the SBE/SBE Subcommittee and contracting party. Funds received from such leases shall be used to defray operational costs of the MSA.

FEDERAL AID

To provide the best educational opportunities possible for children of the MSA, it shall be the objective of the Board to seek as many sources of revenue as possible to supplement the funds provided by the State.

Therefore, the MSA shall participate in any eligible federal aid programs which provide direct educational auxiliary services or opportunities to students enrolled in the MSA.

All applications for federal aid and special grants shall be prepared by the central office administrative staff and approved by the SBE/SBE Subcommittee, if applicable.

The expenditure of all federal funds shall strictly comply with the laws, regulations and procedures as established by the terms of agreement between the district and sponsoring agency.

It shall be unlawful for the MSA 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).

FEDERAL LOANS AND GRANTS

The MSA is ineligible for any federal loans. Any grants eligible for application by MSA will follow all guidelines with regard to cash management, internal controls, purchasing, and payments as required by law.

GIFTS AND BEQUESTS/DONATED ASSETS

Items and donations contributed will become the property of the MSA and shall be subject to the same controls and regulations which govern the use or disposal of all fixed assets. The MSA reserves the right to reject any contribution to the school which does not serve to enhance or extend the school.

All donations and contributions (monies and personal property) in an amount of \$500 or more shall be formally submitted to the SBE/SBE Subcommittee for acknowledgement and acceptance. The Minutes shall reflect the contributor, amount, and purpose for the donation, if any. Any monies donated shall be deposited into the appropriate fund.

The Executive Director or designee shall have the authority to accept and acknowledge all donations and contributions (monies and personal property) to MSA valued at less than \$500 on the date of donation. Any such monies shall be receipted into the school's activity fund and deposited in that bank account.

CROWDFUNDING PROJECTS

Crowdfunding is the practice of funding a project by raising small amounts of money from many people.

The following guidelines apply to any crowdfunding project:

1. Any person (including employees) or entity acting on behalf of MSA, and wishing to conduct crowdfunding, online fundraising, or any other online donation campaign for the benefit of MSA, shall begin the process by seeking PRIOR written approval from the Executive Director or designee. Written approval must be obtained.
2. All items (monies and personal property) obtained through crowdfunding projects using the school's name are to become the property of the MSA.
3. All monetary donations should be recorded by the school accounts receivable office in the School Activity Fund. No school banking information should ever be disclosed by individuals to anyone outside the district. A check should be requested to be mailed to the school in the name of the school and not to an individual.

4. Crowdfunding items in an amount of \$500 or more shall be formally submitted to the SBE/SBE Subcommittee for acknowledgement and acceptance.
5. Inventory policies and procedures of MSA apply to property obtained through crowdfunding projects.
6. Any cost of installation is the responsibility of the donor unless otherwise agreed to by the MSA.
7. Some crowdfunding sites are tax deductible, and some are not. It is not the responsibility of the MSA to determine if the donation is tax deductible. MSA will not provide a Form 990 for crowdfunding donations.
8. Crowdfunding that would obligate the MSA to future operating or upkeep costs must be approved by the SBE/SBE Subcommittee.
9. Law, policy, and procedure concerning student privacy and other requirements set out in the Family Educational Rights and Privacy Act (FERPA) shall also be followed when making requests for crowdfunding projects.

INVESTMENT EARNINGS

Until a fund balance can be built with the state appropriation each year, MSA does not have an investment program. The bank account balances earning interest will apply all earnings in excess of \$100.00 for deposits shall be allocated back to the fund from which the deposit or investment was made.

DEPOSITORY OF FUNDS

The MSA shall advertise and accept bids for depositories no less than once every three years. (*See Miss. Code Ann. § 37-7-333*). The depositories must meet the requirements in Miss. Code Ann. § 27-105-315.

The MSA may deposit school funds in those banks only designated as depositories by the SBE/SBE Subcommittee. School activity funds may be deposited only in banks approved as depositories by MSA.

BONDED EMPLOYEES AND BOARD MEMBERS

The SBE/SBE Subcommittee may execute a surety bond for any MSA employee who receives and/or disburses funds unless a different penalty is prescribed by law.

The Executive Director, before entering upon the duties of his/her office, shall hold a surety bond in the penal sum amount of One Hundred Thousand Dollars (\$100,000.00) with sufficient surety.

The purchasing agent(s) of the MSA, before entering upon his/her official duties in such capacity, shall hold surety bond in the amount penal sum of Fifty Thousand Dollars (\$50,000.00).

A Principal acting must be bonded for total statutorily required coverage of \$100,000.00. The

position of Principal may be covered by blanket bond, but the position of purchasing agent requires individual bond.

The premium on surety bonds will be paid from the MSA. All surety bonds shall be filed and recorded at the office of the Chancery Clerk.

INDIVIDUAL BOND: A new bond in the amount required by law shall be secured at the beginning of each new term of office or every four (4) years, whichever is less.

BLANKET BOND: A new bond in an amount not less than that required by law for public employees shall be secured upon employment and coverage shall be secured at the beginning of each new term of office of the public or appointed official by whom they are employed, if applicable, or at least every four (4) years concurrent with the normal election cycle of the Governor.

ACCOUNTING AND REPORTING

The Executive Director shall open and keep regular sets of books, as prescribed by the MDE, 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 Executive Director.

MSA funds shall be maintained in accordance with the accounting and reporting system developed by the MDE for uniform use by school districts. This system shall include a method of accounting for and keeping records of all funds received, handled, and disbursed by the MSA.

The MSA 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.

Monthly, the Executive Director shall furnish to the SBE/SBE Subcommittee or MDE designee a financial statement of receipts and disbursements, by funds, and other financial reports as required by the MDE. The SBE/SBE Subcommittee shall be authorized to investigate and audit all financial records of the Executive Director at any and all times.

Miss. Code Ann. §§37-37-1, 37-61-23, and 37-9-18; Mississippi Public School District Financial Accounting Manual

INTERNAL CONTROL OF CASH RECEIPTS

The Executive Director shall develop a plan of organization under which employee 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 prescribed in the Standard Operating Procedures Manual as well as the MDE Financial Accounting manual which outline proper authorization by designated officials for all actions to be taken.

All monies shall be receipted to the MSA using pre-numbered receipts. 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 for 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 record keeping, 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.

AUDITS

All MSA funds are subject to annual audit. The audit may be conducted by the MDE, Mississippi State Auditor's Office, or by a certified public accounting firm.

AUTHORIZED SIGNATURES

There is a dual signature required for activity fund checks by the Executive Director and Principal. The Executive Director is authorized to sign checks on all school accounts. Payroll will be signed by the Executive Director

CASH IN SCHOOL BUILDINGS

Teachers shall never leave money in classrooms. All money shall be turned in to the Executive Director's office for deposit, where it will be receipted and kept in the safe if needed overnight. Deposit receipts are to be filed in the Executive Director's office. No substantial amount of money will be kept overnight in school buildings. Any funds that cannot be deposited right away will be held in the Executive Director's safe. Funds should not be held more than 48 hours in the building.

SALARY DEDUCTIONS / REDUCTIONS

The MSA shall deduct and withhold from the wages of all employees:

1. The amount of federal income tax required by federal law; 26 USCA 3401-3402;
2. The amount of social security tax required by federal law; 26 USCA 3101-3102; §25-11-3, *et seq.*;
3. The amount of contributions to PERS. §25-11-123(f)(1992);
4. The amount of state income tax required by the state; and
5. The amount of other deductions elected by the employee (such as insurance and annuities) so long as the employee has adequate gross earnings to offset the deduction.

Federal law USCA 3401-3402; USCA 3101-3102; Miss. Code Ann. § 25-11-3 et seq., § 25-11-123.

PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS

In accordance with the Attorney General's legal opinion dated July 30, 1999, the Board does hereby adopt such opinion as policy and in accord with such opinion does hereby grant unto the Executive Director and Principal's authority to make food and beverage purchases consistent with the Attorney General's opinion and when such purchases and the consumption thereof are a necessary and reasonable expense for the meeting and reasonably related to the educational goals or functions of the district.

Regarding student athletic or student recognition banquets, “activity funds” may be used for such limited purposes regarding school related programs, conventions or seminars where the Executive Director and Principal determines that such expenditure shall be beneficial to such official or extra-curricular programs of the district.

Regarding the expenditure of general public funds (other than activity funds) coffee supplies, soft drinks and edible items may be purchased when the Executive Director and the Principal determines (1) that there is a particular goal or function that is a scheduled event and (2) the particular event is reasonably related and incident to the educational goals of the MSA.

Coffee, soft drinks, like beverages or edible items may be considered a reasonable and necessary expense when purchased by the Executive Director relative to an officially called meeting of the SBE/SBE Subcommittee or work or training sessions or seminars or like meetings where there exists an itemized agenda of topics related to the furtherance of educational goals for the MSA.

Caveat: The state auditor has ruled that neither general public funds nor activity funds may be used for teacher recognition banquets.

PURCHASING

All purchases of supplies, equipment or services on behalf of the MSA shall be in accordance with the Laws of the State of Mississippi and all applicable rules and regulations as may be established by other agencies responsible for the supervision of expenditures.

Further, purchases of supplies, equipment, or services on behalf of the MSA shall be in accordance with the policies outlined in the Policy Manual.

Miss. Code Ann. §§ 31-7-13 and 31-7-1, et seq.

PURCHASING AUTHORITY

The SBE/SBE Subcommittee does hereby designate the Executive Director as purchasing agent for the MSA together with the authority to establish a central purchasing system.

Pursuant to the authority granted by Miss. Code Ann. § 37-39-15, this Board hereby designates other individuals as “purchasing agents” subject to the limitations set forth below:

In addition to the Executive Director, the SBE/SBE Subcommittee hereby designates the Principal and School Finance Officer as “purchasing agents” with general authority to negotiate for and purchase the commodities and services necessary for the operation of the MSA, within the limits of budget categories and purchasing law.

Miss. Code Ann. § 37-39-15.

BIDS AND QUOTATIONS

All purchases or expenditures of the MSA funds shall comply with the legal requirements for

bids and quotations as mandated by the laws of the State of Mississippi.

All purchases or expenditures using federal funds shall comply with the applicable federal procurement laws for bids and quotations.

For detail policies and procedures relating to bids and quotations, see the Standard Operating Procedures Manual.

PAYMENT PROCEDURES

The SBE/SBE Subcommittee has the power, authority, and duty to make orders directed to the Executive Director for the issuance of pay certificates for lawful purposes on any available funds of the MSA and to have full control of the receipt, distribution, allotment, and disbursement of all funds provided for the support and operation of the schools whether such funds be derived from state appropriations, collections or otherwise.

Docketed Claims – The Executive Director shall maintain responsibility for a docket of claims in the manner required by law, upon which he/she shall immediately enter all demands, claims and accounts to be paid from MSA funds. Claims shall be numbered consecutively in the order of filing and at each regular or special-called meeting of the SBE/SBE Subcommittee the docket of claims shall be called and all claims on file not previously rejected or allowed shall be passed upon in the order in which they are registered upon the docket. All claims found by the SBE/SBE Subcommittee to be illegal shall be rejected or disallowed. All claims which are found to be legal and proper shall be allowed and approved in the order in which they appear upon the docket. Continuances shall be granted in proper cases as provided by law. Pay certificates shall be issued by the Executive Director in payment of claims which are allowed and approved by the Board.

Other Claims – Teachers' salaries, amounts due private contractors upon written contracts previously approved and accepted by the SBE/SBE Subcommittee, or other payments or salaries where the amount thereof has been previously approved by a contract or by an order of the SBE/SBE Subcommittee entered upon its Minutes, need not be entered as demands or claims upon the docket of claims and the amounts of the payments thereby required may be paid by the Executive Director by pay certificates issued by him against the proper fund without allowance of a specific claim therefore, provided that the payment thereof is otherwise in conformity with law.

Prepayment of Claims – The SBE/SBE Subcommittee grants the Executive Director or his/her designee, the authority to pay MSA claims prior to the regular SBE/SBE Subcommittee meeting. This authority includes only claims for which there are MSA fund resources available to pay said claims and said expenditures are in conformity with the law. In addition, no limit shall be placed upon the dollar amount of any prepaid claim.

For a claim to be prepaid, the Executive Director or his/her designee must approve a written request from an employee requesting a prepaid claim. The request must include payee,

amount, and purpose of prepaid claim. The prepaid claim is to be included on the subsequent docket of claims submitted to the SBE/SBE Subcommittee for approval.

Miss. Code Ann. §§ 37-9-14 and 37-7-301

STUDENT ACTIVITIES FUND MANAGEMENT

The SBE/SBE Subcommittee adopts a decentralized accounting system as a method of accounting for school activity funds. This method of accounting provides for receipt and expenditure of funds at the school level. The Executive Director is hereby authorized to receipt and disburse these funds according to the guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA.

School activity funds shall be classified either a general fund or an agency fund with monies maintained in bank accounts of financial institutions approved by the SBE/SBE Subcommittee. The Executive Director must approve the opening and closing of bank accounts for activity funds. The Executive Director and Principal shall be authorized to sign checks on the activity fund bank account.

RECEIPTS

All local activity funds received shall be accounted for according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA. If possible, monies received shall be deposited daily. No more than \$100.00 cash should remain in the Executive Director's office safe at the close of the day.

PURCHASING

Activity funds may be expended for the following: any necessary expenses or travel costs (including advances) incurred by students and their chaperones in attending school related programs, commodities, equipment, travel expenses of school employees, purchased services, and school supplies deemed beneficial to the official or extra-curricular programs of the school by the Principal, including items which may subsequently become the personal property of such individuals (such as: book covers, trophies, yearbooks). These purchases, when utilizing a general fund, shall be subject to state purchasing laws. Expenditures made by funds classified as agency funds are not subject to state purchasing laws. Pre-numbered purchase orders must be used for all purchases and must be approved by the Executive Director. The person at the school receiving the goods shall either prepare and sign a receiving report form, or sign and date the invoices denoting receipt of the goods.

DISBURSEMENTS

Disbursement of all activity funds shall be made according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the Standard Operating Procedures Manual of the MSA. Pre-numbered checks containing the original

signature of the Executive Director and Principal must be utilized for payment.

REPORTING

A transmittal report of all activity fund transactions (receipts and disbursements) for the previous month shall be delivered to the Executive Director no more than ten (10) working days after the close of the month.

FUNDRAISING ACTIVITIES

The SBE/SBE Subcommittee authorizes the Executive Director to approve fundraising activities that are appropriate or beneficial to the official or extracurricular programs of the school. Any proceeds of such fundraising activities shall be treated as activity funds and shall be accounted for as are other activity funds. When a fundraising activity is conducted as a part of the sale or rental of items to students, these funds (inclusive of the fee, commission, or rebate) may be paid directly to the vendor by the student and rebated later to the school. If this is done, there must be a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the student activity fund. The School Finance Officer shall obtain an independent listing of the students and the amounts paid to the vendor by each student so that the amount due the school can be reconciled. The monies collected from the vendor shall be credited to the appropriate general fund by the School Finance Officer.

Monies collected by the school through school sponsored fundraising activities (such as vending machines, concessions, school stores, festivals, school-wide sales projects, sales by principal or staff to students) shall be accounted for in the appropriate general fund. The price for the activities shall be set by the organizer when gaining approval for the fundraising activity. For all items purchased for resale to students, there must be a reconciliation of the items purchased, the items sold, and the net profit amount. The reconciliation must be performed on a periodic basis and be submitted to the district office for review and approval.

The MSA Foundation is a private 501(c)(3) agency dedicated to support of the activities of the MSA. Any funds donated to the MSA foundation will be subject to Secretary of State and IRS regulations for nonprofit agencies and audited as such. These funds will not be mingled with the MSA appropriated funds, activity accounts, or rebates. The MSA Foundation has a separate operating procedure and is not bound by the policies in this manual.

IDEA FUNDS

MSA does not receive IDEA Funds as all students with this designation and an Individualized Education Plan are claimed through the Brookhaven School District (BSD) Interlocal Agreement. All services are provided by the BSD and funds are received for said services.

TRAVEL

The following travel policies are established for use by individuals who are required to travel in -

state and out-of-state on official MSA business. These policies are based on and are in addition to the guidelines established by the Department of Finance and Administration (DFA), Office of Purchasing, Travel and Fleet Management (OPTFM) in accordance with Miss. Code Ann. § 25-3-41.

The State Travel Manual in its entirety can be found at <http://www.dfa.ms.gov/media/7952/travel-manual-0617.pdf>.

OFFICIAL WORKPLACE - The official workplace for all employees shall be the office to which they are assigned. In extremely rare instances, an employee's official duty station shall be his or her residence if he/she is not permanently assigned to an office.

TRAVEL AUTHORIZATION - A Travel Authorization Form must be completed in ADVANCE for all travel (in-state and out-of-state travel). For in-state travel, the highest level of approval needed is the "Division Approval." For all out-of-state travel, "Agency Approval" is needed from the Executive Director. The Executive Director is exempt from completing a Travel Authorization Form for in-state travel. Travel advances may be requested for out-of-state trips and for prior-to-trip expenses for in-state travel such as the first night of a hotel which is due when the reservation is made.

The Travel Authorization Form must be used to request the advance. Advances should be requested and submitted for processing 15 days before the travel is to occur; however, payment of the advance will not be made more than 10 days in advance. Advances are made to cover meals, hotel expenses, and other related travel costs. The advance should not include the cost of airline travel or conference fees as these should be paid in advance by the Department.

An employee will be allowed one outstanding travel advance at a time. No additional advances will be given until the previous advances have been cleared. The travel advance must be cleared upon the employee's return. If an advance is not settled within ten (10) working days after the end of the month in which travel was completed, the employee's paycheck will be held or their direct deposit stopped until the debt to the school is resolved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the superintendent. The superintendent may grant this authorization without prior Board action when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

District personnel will follow travel related authorization and reimbursement procedures as outlined in the MSA Standard Operating Procedures Manual, which is in compliance with federal and state guidelines.

Persons who travel at district expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and

those for personal convenience.

AUTOMOBILE TRAVEL - Actual mileage shall be calculated from the official workplace or residence and back or actual miles traveled, whichever is less. The most direct route to a destination should be claimed for reimbursement purposes. The travel voucher must indicate if any intermediate stops were made. Specific sites visited must be noted on the voucher in lieu of "Vicinity Travel." Effective July 1, 2017, state agencies under the purview of the DFA Bureau of Fleet Management are required to use the Trip Optimizer System (TOS) developed and administered by the DFA Office of Purchasing, Travel, and Fleet Management in computing the optimum method and cost for travel by state employees using a motor vehicle. Reimbursement will be based on the least expensive method of transportation. Prior to travel, the Trip Optimizer System should be used to determine the lowest cost mode of transportation. The maximum amount authorized for travel reimbursement related to motor vehicle usage will be the lowest cost option as determined by the TOS. All travel claims submitted for reimbursement must include the results of the Trip Optimizer System indicating the lowest cost option for travel. The maximum amount reimbursable for travel by motor vehicle will be the lowest cost calculated.

FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE

State policies regarding the inventory and use of equipment are strict. The person to whom the equipment is assigned is financially responsible for that equipment. Therefore, under no circumstances should any person use a master key to enter a storage equipment area and remove items for use without authorization. Events and needs should be planned for and equipment reserved well in advance. All equipment stored in the library must be checked out using the appropriate form.

Do not check something out in your name and then allow a student to use it. A contract signed by all parents and students regarding use of equipment is kept on file each year. Parents and/or students are financially responsible for any loss of or damage to school property. These contracts cover all MSA owned items. Require that students check out needed equipment from the library. Under no circumstances should a student be allowed to use an employee's computer.

MSA shall account for equipment to MDE with a formal quarterly audit. Employees are responsible for all equipment assigned to them. Do not loan or borrow another user's equipment without permission from the user and Fixed Asset Property Officer with proper documentation as described in this policy. All transfers and surplus of equipment shall have the appropriate paperwork submitted to the person in charge of fixed assets. Upon resignation or termination, employees must return all school property on or before the last day of work.

Please adhere to the following guidelines:

1. Complete a Furniture/Equipment Inventory Form at the beginning and end of the school year.
2. All furniture shall remain in its assigned location. Do not rearrange or remove any furniture.
3. Do not move furniture or equipment into hallways; this clutters passageways and creates

- possible safety hazards.
4. Check out all equipment (e.g., laptops, projector, portable tables, cameras, tripods, and §§lenses) with the library, technology department, or staff member responsible for that equipment.
 5. Ensure that parents sign the appropriate contracts before a student is allowed to use any MSA equipment.
 6. Store equipment not in use in a secure location. Employees are responsible for all equipment checked out to them.
 7. At no time should MSA property/equipment/furniture be removed from campus without proper permission.
 8. Any maintenance problem or malfunction of equipment should be reported to the appropriate MSA administrator.
 9. Employees shall require students to exercise care in use of school property and equipment.
 10. Any damages sustained to property or equipment shall be assessed and paid for, no matter how minor. Such occurrences must also be reported to the Executive Director promptly.

OFF CAMPUS USE OF EQUIPMENT

Per Office of State Auditor guidelines, equipment purchased and/or inventoried must be used for official school use only. At no time may equipment be used for personal or financial gain. Under very minimum situations, it may be necessary for some employees to take equipment off campus for work-related purposes (includes repair). An Equipment Receipt shall be completed and signed by the equipment's responsible owner and executive director. This Equipment Receipt shall be on file in the event of an audit while equipment is off campus. The Equipment Receipt is valid for one year from date but may be revoked at any time during the valid term.

SCHOOL PROPERTIES DISPOSAL PROCEDURE

As it relates to school properties disposal, this district will comply with all applicable provisions including but not limited to Miss. Code Ann. § 37-7-451 and §§ 37-7-471 through 37-7-485, as amended, and with all other applicable federal and state laws.

FACILITY USAGE

Due to limited space on campus, all facilities shall be reserved for use after 5:00 p.m. All property (real and spatial) belongs to the school for the purposes of educating and supporting students. A spirit of cooperation will enhance collaboration as the population and services of the school increase. All requests related to facility usage should be directed to the office of the Executive Director.

WORKSPACES

SHARED INSTRUCTIONAL SPACES

Due to increased student enrollment over the past few years, some classrooms or other instructional spaces may have to be shared with itinerate teachers. Although such situations

are never ideal, staff must respect the work of colleagues and collaborate in using available facilities.

DESK AREAS AND OFFICES

Employee offices and desk areas are not spaces for extended visits with adults or students. While all staff members should be supportive of students, visitors, colleagues, and others, these persons should not be encouraged to “hang out” in work areas during free time. Employees should maintain a friendly, but professional demeanor when working with students, staff, and visitors.

FACULTY WORKROOM

The faculty workroom is located on the second floor of Johnson Institute. All faculty members are assigned keys to the workroom for their convenience. Individuals are responsible for maintaining the space in which they work and monitoring personal items in the refrigerator to prevent spoilage. No student should be in the faculty workroom without a teacher.

HALLWAYS

Although classroom, storage, and exhibition spaces on campus are limited, staff members must keep hallways clean and free of obstruction. Fire codes must be followed, and areas should be monitored daily. Hallways are not storage areas for excess furniture, equipment, works-in-progress, or student books and belongings.

HEALTH CENTER

Due to the nature and function of the Health Center and office areas, doors shall always remain locked. Staff should never allow a student to enter the health center unless accompanied by the school nurse or other authorized adult. Medications shall be kept in locked areas at all times.

SECOND FLOOR DESK

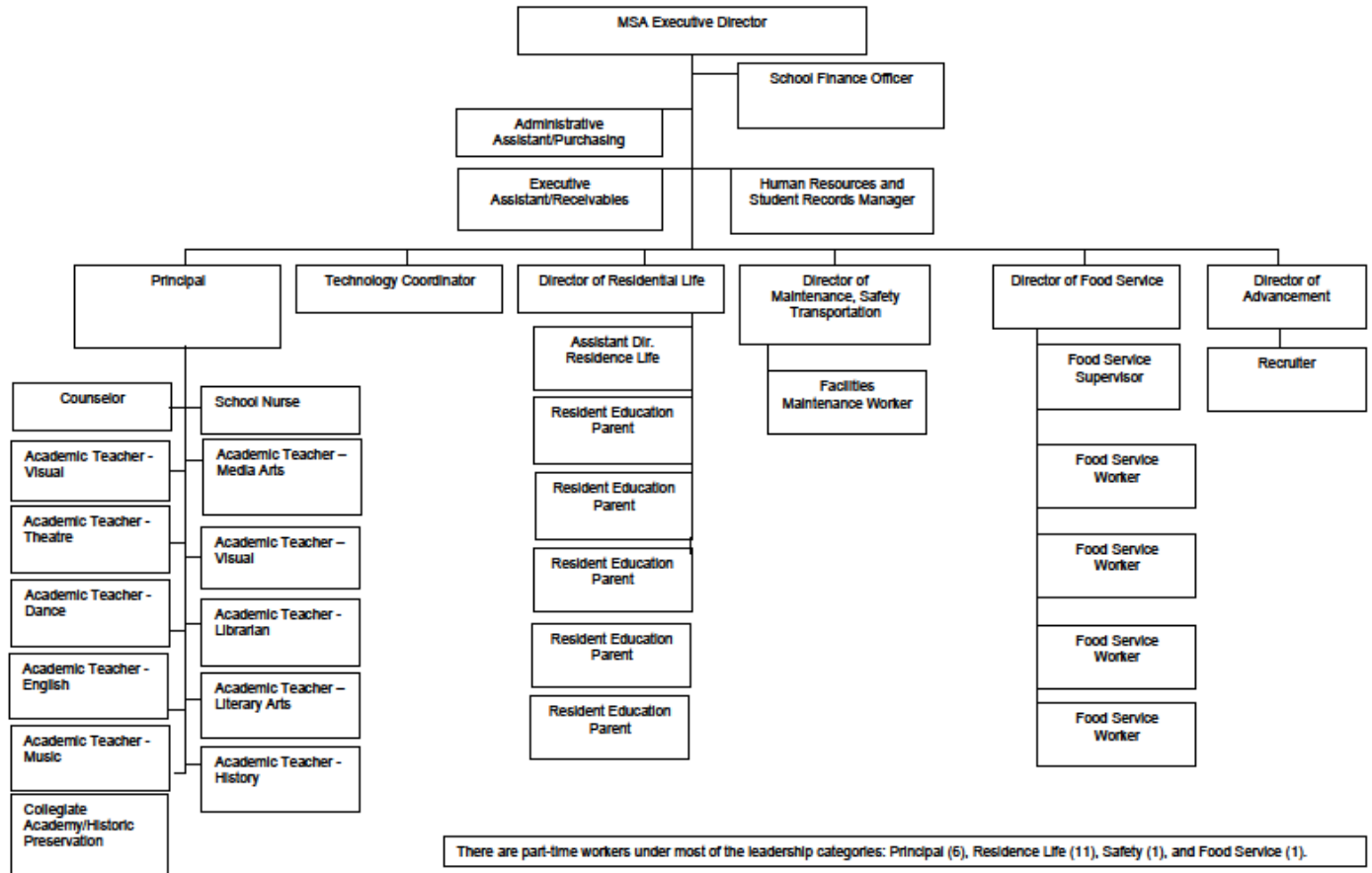
The area behind the reception desk on the second floor of the Student Life Center is reserved for adults only. It is not a storage area for student belongings or a hangout area at any time.

SECURITY DESK

Although students must enter the security desk to turn in or retrieve car keys, students should not be allowed to hang around the security desk where all the monitoring equipment is easily accessible. The security desk must remain supervised by an alternate staff member when officers are making rounds on campus. MSA employees must not use the security desk as a lounge area during the workday.

APPENDIX A – Organizational Structure

Mississippi School of the Arts Organizational Structure



APPENDIX B – Teacher Pay Scale

Mississippi School of the Arts Teacher Salary Scale

Effective July 1, 2022

Years Exp	A	AA	AAA	AAAA
0	\$ 48,319.00	\$ 49,992.00	\$ 51,023.00	\$ 52,555.00
1	\$ 48,842.00	\$ 50,534.00	\$ 51,592.00	\$ 53,176.00
2	\$ 49,365.00	\$ 51,076.00	\$ 52,161.00	\$ 53,797.00
3	\$ 49,888.00	\$ 51,618.00	\$ 52,730.00	\$ 54,418.00
4	\$ 50,411.00	\$ 52,160.00	\$ 53,299.00	\$ 55,039.00
5	\$ 51,611.00	\$ 53,410.00	\$ 54,599.00	\$ 56,389.00
6	\$ 52,134.00	\$ 53,952.00	\$ 55,168.00	\$ 57,010.00
7	\$ 52,657.00	\$ 54,494.00	\$ 55,737.00	\$ 57,631.00
8	\$ 53,180.00	\$ 55,036.00	\$ 56,306.00	\$ 58,252.00
9	\$ 53,703.00	\$ 55,578.00	\$ 56,875.00	\$ 58,873.00
10	\$ 54,903.00	\$ 56,828.00	\$ 58,175.00	\$ 60,223.00
11	\$ 55,426.00	\$ 57,370.00	\$ 58,744.00	\$ 60,844.00
12	\$ 55,949.00	\$ 57,912.00	\$ 59,313.00	\$ 61,465.00
13	\$ 56,472.00	\$ 58,454.00	\$ 59,882.00	\$ 62,086.00
14	\$ 56,995.00	\$ 58,996.00	\$ 60,451.00	\$ 62,707.00
15	\$ 58,195.00	\$ 60,246.00	\$ 61,751.00	\$ 64,057.00
16	\$ 58,718.00	\$ 60,788.00	\$ 62,320.00	\$ 64,678.00
17	\$ 59,241.00	\$ 61,330.00	\$ 62,889.00	\$ 65,299.00
18	\$ 59,764.00	\$ 61,872.00	\$ 63,458.00	\$ 65,920.00
19	\$ 60,287.00	\$ 62,414.00	\$ 64,027.00	\$ 66,541.00
20	\$ 61,487.00	\$ 63,664.00	\$ 65,327.00	\$ 67,891.00
21	\$ 62,010.00	\$ 64,206.00	\$ 65,896.00	\$ 68,512.00
22	\$ 62,533.00	\$ 64,748.00	\$ 66,465.00	\$ 69,133.00
23	\$ 63,056.00	\$ 65,290.00	\$ 67,034.00	\$ 69,754.00
24	\$ 63,579.00	\$ 65,832.00	\$ 67,603.00	\$ 70,375.00
25	\$ 66,134.00	\$ 68,387.00	\$ 70,158.00	\$ 72,930.00
26	\$ 66,657.00	\$ 68,929.00	\$ 70,727.00	\$ 73,551.00
27	\$ 67,180.00	\$ 69,471.00	\$ 71,296.00	\$ 74,172.00
28	\$ 67,703.00	\$ 70,013.00	\$ 71,865.00	\$ 74,793.00
29	\$ 68,226.00	\$ 70,555.00	\$ 72,434.00	\$ 75,414.00
30	\$ 68,749.00	\$ 71,097.00	\$ 73,003.00	\$ 76,035.00
31	\$ 69,272.00	\$ 71,639.00	\$ 73,572.00	\$ 76,656.00
32	\$ 69,795.00	\$ 72,181.00	\$ 74,141.00	\$ 77,277.00
33	\$ 70,318.00	\$ 72,723.00	\$ 74,710.00	\$ 77,898.00
34	\$ 70,841.00	\$ 73,265.00	\$ 75,279.00	\$ 78,519.00
35 +	\$ 71,364.00	\$ 73,807.00	\$ 75,848.00	\$ 79,140.00

Increase amounts per Year
unless otherwise noted

Per year increment (A)	\$523.00
Per year increment (AA)	\$542.00
Per year increment (AAA)	\$569.00
Per year increment (AAA)	\$621.00

Increment amounts for
5, 10, 15, 20 yrs

\$ 1,200.00
\$ 1,250.00
\$ 1,300.00
\$ 1,350.00

Year 25 additional increment \$2,555.00

**An additional \$6,000 supplement will be added to the salary of each employee who is National Board Certification in accordance with MS Code 37-19-7.

APPENDIX C – Employee Work Days and Leave Allowances

Effective July 1, 2020

Days Employed	Personal Leave	Sick Leave	Vacation Days
240 days	3 days	8 days	10 days
192 days	3 days	8 days	
187 days	3 days	8 days	

In the incident of the death of an immediate family member (*see definition on page 19*), 3 days of bereavement will be provided outside of the allocated days with stipulations as outlined in policy.

General Staff – 240 Days

- Executive Director
- Principal
- Directors – Advancement, Food Service, Security/Maintenance, Residence Life
- School Finance Officer
- Technology Coordinator
- Records Clerk
- Executive Assistant
- Administrative Assistant
- Recruiter
- Maintenance Staff
- Residence Life Supervisor

Support Staff – 192 Days

- Residence Life Staff
- Food Service Staff
- Nurse
- Counselor

Teachers – 187 Days

Mississippi Schools for the Deaf and the Blind



Employee Manual
20254-20256

SBE Approved 7/18/2024

Table of Contents

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)	5
MSDB LEADERSHIP	6
SCHOOL CALENDAR	7
OVERVIEW	8
VISION AND MISSION - MSD	9
VISION AND MISSION – MSB.....	10
GENERAL CRITERIA FOR ADMISSIONS AND ENROLLMENT	11
HUMAN RESOURCES	14
EMPLOYEE CLASSIFICATIONS	14
TEACHER CERTIFICATION.....	15
TEACHER CONTRACTS	15
EMPLOYEE BACKGROUND CHECKS	17
GRIEVANCE/DUE PROCESS.....	23
EMPLOYEE APPRAISALS	27
ATTENDANCE OF EMPLOYEES	28
FAMILY AND MEDICAL LEAVE ACT (FMLA)	29
BENEFITS INSURANCE AND RETIREMENT.....	36
PAYROLL DEDUCTIONS	37
COMPENSATION	37
REDUCTION IN FORCE	39
OUTSIDE EMPLOYMENT	39
CONFLICT OF INTEREST.....	39
CODE OF ETHICS AND PROFESSIONAL CONDUCT.....	39
ARREST OF EMPLOYEE	41
REPORTING ABUSE OR NEGLECT	41
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	42
INAPPROPRIATE CONDUCT WITH STUDENTS	42
BULLYING	42
HARASSMENT.....	47
RELATIONSHIP AMONG STAFF MEMBERS	50
DRESS CODE GUIDELINES	50
TELEPHONES/CELL PHONES	51
VISITORS.....	51
POLITICAL ACTIVITY OF STAFF MEMBERS	51
DUTIES AND RESPONSIBILITIES OF EMPLOYEES.....	51
DISCIPLINE GUIDE FOR ALL EMPLOYEES	53
TECHNOLOGY OFFICE AND LOCATIONS.....	53
MSDB STAFF ACCEPTABLE USE POLICY	54
CHILDREN’S INTERNET PROTECTION ACT (CIPA).....	54
CHILDREN’S ONLINE PRIVACY PROTECTION ACT (COPA).....	55
EDUCATION, SUPERVISION AND MONITORING	55
NETWORK AND COMPUTER USAGE ON CAMPUS	55
CYBERSECURITY	56
INAPPROPRIATE NETWORK USAGE	56
USER RESPONSIBILITIES.....	57

PROHIBITION OF OBSCENE MATERIAL	57
PERSONAL COMPUTERS AND PERIPHERAL DEVICES.....	58
MSDB NETWORK POLICY ENFORCEMENT	58
HARDWARE.....	58
SOFTWARE	59
PRACTICES	59
DEADLINES	63
FORMS AND PUBLICATIONS	63
CUMULATIVE FOLDERS AND PERMANENT RECORDS	64
RECORDS RETENTION	64
ASSEMBLIES, EVENTS, & ACTIVITIES	65
PUBLICITY AND PROMOTIONS	65
INDEPENDENT CONTRACTORS	65
CONFERENCES	65
INSTRUCTIONAL EXPECTATIONS	66
TEACHER AS THE AUTHORITY IN THE CLASSROOM	66
CLASSROOM MANAGEMENT	67
PROFESSIONAL DEVELOPMENT	68
SUICIDE PREVENTION TRAINING.....	68
APPROPRIATE CONTENTY	69
HOMEWORK.....	69
FIELD TRIPS	69
STUDENT TEACHERS/INTERNS	70
SUBSTITUTE TEACHERS/STAFF MEMBERS.....	72
ILLNESSES (STUDENT)	73
MEDICATION ADMINISTRATION TO STUDENTS	73
TEXTBOOKS	74
DUTY STATIONS	74
SPECIAL EDUCATION	75
PLAGIARISM	75
GRADE REPORTING	75
EMPLOYEE WORKDAY	76
SAFETY.....	76
EMERGENCIES.....	76
IDENTIFICATION BADGES	79
ACCIDENTS	79
SEX OFFENDER NOTIFICATIONS.....	79
WEAPONS	80
DRUG AND ALCOHOL-FREE WORKPLACE.....	80
MEDICAL MARIJUANA	82
DRUG AND ALCOHOL TESTING POLICY	83
SMOKING POLICY	85
WELLNESS.....	86
UNLAWFUL ACTIVITY	86
TERMINATED EMPLOYEE POLICY	86
PARKING—GENERAL	87
PARKING—HANDICAPPED.....	87
FISCAL MANAGEMENT	87
FISCAL MANAGEMENT GOALS AND OBJECTIVES	87

ANNUAL OPERATING BUDGET.....	88
FISCAL YEAR/SCHOLASTIC YEAR.....	88
ANNUAL OPERATING BUDGET PREPARATION PROCEDURES.....	88
PERIODIC BUDGET RECONCILIATION.....	88
LINE-ITEM TRANSFER AUTHORITY	89
DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS	89
REVENUES FROM SCHOOL PROPERTY.....	89
FEDERAL AID	90
FEDERAL LOANS AND GRANTS	90
GIFTS AND BEQUESTS/DONATED ASSETS	91
INVESTMENT EARNINGS.....	91
DEPOSITORY OF FUNDS.....	91
FUND BALANCE.....	92
BONDED EMPLOYEES AND BOARD MEMBERS.....	93
ACCOUNTING AND REPORTING.....	93
INTERNAL CONTROL OF CASH RECEIPTS	94
AUDITS	95
AUTHORIZED SIGNATURES.....	95
CASH IN SCHOOL BUILDINGS	95
SALARY DEDUCTIONS / REDUCTIONS	95
PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS	96
PURCHASING	96
PURCHASING AUTHORITY	97
BIDS AND QUOTATIONS.....	97
PAYMENT PROCEDURES	98
STUDENT ACTIVITIES FUND MANAGEMENT	98
IDEA FUNDS	100
TRAVEL	100
FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE.....	102
SCHOOL PROPERTIES DISPOSAL PROCEDURE.....	103
WORKSPACES	103
FACILITY USE APPLICATION, POLICIES, & PROCEDURES	104
APPENDIX A – Teacher Pay Scale.....	111
APPENDIX B – Teacher Supplement Pay Scale Single Endorsement.....	112
APPENDIX C – Teacher Supplement Pay Scale Dual Endorsement	113
APPENDIX D – Teacher’s Assistant Pay Scale	114
APPENDIX E – Residential Parent Salary Scale.....	115
APPENDIX F – Employee Work Days and Leave Allowances	116
APPENDIX G- IDEA Part B Fiscal Policy.....	117

Mississippi Schools for the Deaf and the Blind

1403 Eastover Dr., Jackson, MS 39211

Phone: 601-984-8203

Fax: 601-984-8233

Website: msdbk12.org

Mississippi School for the Deaf

1253 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8000

Videophone: 601-351-9113

Fax: 601-984-8066

Website: <https://msdbk12.org/msd-homepage/>

Mississippi School for the Blind

1252 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8200

Fax: 601-984-8020

Website: <https://msdbk12.org/msb-homepage/>

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)

The Mississippi State Board of Education (SBE), the Mississippi Department of Education (MDE), and the Mississippi Schools for the Deaf and the Blind (MSDB) do not discriminate on the basis of race, sex, color, religion, national origin, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The office listed below has been designated to handle inquiries and complaints regarding the nondiscrimination policies of the above-mentioned entities.

The ADA covers employers with 15 or more employees and generally prohibits discrimination against “qualified individuals with disabilities.” A qualified individual with a disability is an applicant or an employee who can perform the essential functions of the job in question with or without reasonable accommodation. Disability is defined as: a physical or mental impairment that substantially limits one or more major life activities; a record of such impairment; or being regarded as having such impairment.

The SBE, MDE, and MSDB will reasonably accommodate qualified applicants and employees with disabilities unless making the accommodation imposes an undue hardship on the School or District. MSDB will reasonably accommodate known disabilities. Therefore, employees needing accommodations should inform their supervisor. MSDB expects the reasonable accommodation process to be a mutual process by which the School/District and the employee search for a mutually acceptable reasonable accommodation. MSDB is committed to following nondiscrimination practices with all qualified employees and applicants.

All complaints of noncompliance with the ADA, Equal Employment Opportunity Commission, or discrimination should be reported to:

Mississippi Schools for the Deaf and the Blind

ATTN: HUMAN RESOURCES

1403 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8107

Email: HR@msdbk12.org

– MISSISSIPPI BOARD OF EDUCATION

Mr. Glen East, Chair
Mr. Matt Miller, Vice-Chair
Dr. Wendi Barrett
Dr. Ronnie McGehee
Mr. Mike Pruitt
Mrs. Mary Werner
Mr. Bill Jacobs
Mr. Matt Mayo
Mrs. Billye Jean Stroud
Miss Kate Riddle, Senior Student Representative
Mr. Crosby Parker, Junior Student Representative

STATE SUPERINTENDENT OF EDUCATION

Dr. Lance Evans

CHIEF ACADEMIC OFFICER

Wendy Clemons~~Donna Boone, Ph.D.~~

~~– ASSOCIATE STATE SUPERINTENDENT~~

~~Marla Davis, Ph.D.~~

MSDB Executive Leadership Team

Superintendent – LaMarlon Wilson

Assistant Superintendent- Dr. Adrienne Williams

Executive Director – Finance & Operations – Alison Bradford

~~MSD Principal – Tara Brister~~

~~MSB Principal –~~

~~Special Services Director – LaQuandra Jones~~

~~Chief Financial Officer – Alison Bradford~~

MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND



OVERVIEW

The Mississippi Schools for the Deaf and the Blind are two special purpose schools combined into one school district. Each school serves the unique purpose of providing educational and residential services to qualifying students across the state of Mississippi.

The Mississippi School for the Blind (MSB) was established on March 2, 1848 by the State Legislature (Article 9, Chapter 43 – Laws of Mississippi) and currently operates under Mississippi Code 1972 Annotated, Title 43, Chapter 5. MSB serves students who are blind, visually impaired, or deafblind.

The Mississippi School for the Deaf (MSD) was established in 1854 and is currently governed under Mississippi Code 1972 Annotated, Title 43, Chapter 5. MSD serves students who are deaf, hard of hearing, or deafblind.

The two schools were combined onto one campus in 1999. Over the years, certain services were combined to serve both schools including Facilities and Maintenance, Grounds and Transportation, Custodial Services, Health Services, Food Services, and the Business Office. In 2018, the two schools were combined into one district and Administration was restructured to serve over both schools.

On June 25, 2020 during the 2020 Regular Legislative Session, Governor Tate Reeves signed into law HB 667 amending MSDB provisions related to personnel, purchasing, and procurement for MSD, MSB, and MSDB. In implementing HB 667, new policies, procedures, and handbooks were developed and approved by the State Board of Education (SBE). MSDB registered with all required agencies and entities authorizing and allowing MSDB to conduct business as a school and as a district in educating students who are deaf, hard of hearing, blind, visually impaired, and deafblind across the state of Mississippi.

This manual, as approved by the State Board of Education (SBE), is a publication of the Mississippi Schools for the Deaf and the Blind (MSDB) and governs all policies applicable to MSDB as it is governed by the SBE. The information in this Policy Manual should serve as a guide in providing a safe and orderly environment that is supportive of successful teaching and learning. As appropriate and necessary, new policies will be developed, approved by the SBE, and added to this manual.

MISSISSIPPI SCHOOL FOR THE DEAF



Vision

Empower Your Future

Mission

The Mississippi School for the Deaf (MSD) strives to be a diverse bilingual community. In partnership with families, MSD will provide an exemplary education in nurturing, engaging, and challenging environments to help ensure our students achieve personal excellence and become productive citizens.

Philosophy

MSD advocates self-improvement through the education of all Deaf and Hard of Hearing students by utilizing a bilingual philosophy that places an emphasis on the linguistics of both American Sign Language and English.

Beliefs

1. All people have equal value.
2. All students can learn and are lifelong learners.
3. ASL/English Bilingual Education (AEBE) is a basic right of Deaf and Hard of Hearing students. ASL and English are two separate languages.
4. Both Deaf and Hearing interactions are vital to students' bicultural development.
5. Students benefit when parents and families are involved in the educational process, as all adults are vital educators.
6. A safe, secure, inviting, and healthy school environment is essential for learning.
7. All students need to be immersed in a creative, challenging, environment that encourages risk-taking that enhances their social, emotional, and intellectual skills.
8. Students have the right to have their individual needs met through learning opportunities that promote optimum success.
9. Students should have cultural awareness, respect, and sensitivity when choosing a natural mode of communication with peers, staff, family, and the diverse multi-cultural society.

School Colors

Purple and Gold

Mascot

Bulldog

MISSISSIPPI SCHOOL FOR THE BLIND



Vision

Learning Without Limits!

Mission

MSB promotes a strong foundation for learning and independence by providing specialized adapted services and materials to enhance maximum potential for students with visual impairments or blindness.

Beliefs

1. The learning needs of all students with visual impairments or blindness should be the primary focus on all decisions impacting the work of the school.
2. Students with visual impairments or blindness learn in different ways and should be provided with a variety of instructional approaches / strategies to support their learning.
3. Special services and resources are required by visually impaired and blind students, including those with additional disabling conditions such as limited English proficiency, talented and gifted, and mentally and/or physically challenged.
4. A student's self-esteem is enhanced by positive relationships and mutual respect among and between students and staff.
5. Students with visual impairments or blindness should have professionals highly qualified in the area of visual impairment and blindness involved in their evaluations, program planning, and program implementation.
6. The Expanded Core Curriculum should be a part of the course of study for all students with visual impairments or blindness, including those with additional disabilities.
7. Teachers certified in Visual Impairment should instruct students who are braille readers.

School Colors

Red, White, and Blue

Mascot

Tiger

GENERAL CRITERIA FOR ADMISSION & CONTINUED ENROLLMENT

MSDB has been designated by the State of Mississippi as a program that serves children whose primary disability is either a hearing loss or a vision loss. Program design and selection of staff is based on that premise. Not all children who apply are eligible to attend the MSDB. Below is a summary of MSDB's enrollment criteria.

A: All students must meet these requirements:

1. Live in the state of Mississippi;
2. Be between 3 and 21 years of age;
3. Can finger feed self, chew and swallow most food, indicate awareness of being soiled or wet, assist with dressing, and cooperate in bathing;
4. Is not determined to be a danger to self or others or disruptive to the educational Process;
5. Does not show an uneven developmental profile and pattern of social, communication, and restricted or repetitive behaviors or interests;
6. Does not have a medical or mental health condition that prohibits the student from attending school on a daily basis;
7. Does not have a standard score of three (3) standard deviations below the mean on standardized intellectual and adaptive behavior assessments;
8. Does not have medically related health or safety needs beyond the scope of the Health Clinic or the educational program; and
9. Parent gives consent for emergency medical treatment or for a Health Care Plan, if needed;

B. Students who are Deaf/Hard of Hearing must also meet the following requirements:

1. Have a permanent or fluctuating hearing threshold level as evidenced by:
 - a. Deaf (severe impairments in processing linguistic information through hearing with or without amplification) - OR -
Hearing impairment (permanent or fluctuating hearing impairment)
- AND -
 - b. Adverse impact on educational performance.
2. The supporting evidence must contain an audiometric evaluation conducted by an audiologist (MDE license in audiology, MSDH license, ASHA- CCC, or AAA certification) or physician with expertise in audiological exams using appropriate audiological equipment explaining each of the following: (a) type of loss, (b) age of onset (if known), (c) severity of loss, (d) speech reception or speech awareness thresholds (if obtainable), (e) speech discrimination

scores (if applicable), (f) recommendations regarding amplification, and (g) other recommended interventions, if any, including the need for assistive technology: a description of a follow-up examination and results, including how the conditions noted during the examination might interfere with educational testing and performance and recommendations for accommodations, modifications, and educational programming; acoustic immittance measures; an audiogram and/or measures of auditory evoked potential, such as Auditory Brainstem Response (ABR), Auditory Steady State Response (ASSR), and Otoacoustic Emissions (OAE) that would define the hearing loss; a description of how the hearing loss impacts educational performance; and communication abilities and needs including the need for assisted communication.

3. Have a hearing threshold that interferes with progress in developmental skills or academic performance, social-emotional development, or linguistic and communicative skills.
4. Evidence of genetic deafness in the student's family and/or early identification of progressive hearing loss.

C. Students who are Blind/Visually Impaired must also meet the following requirements:

1. Have a documented eye condition that causes an impairment as manifested by:
 - a. Blind (little or no vision), - OR -
Partially sighted (significant vision loss of 20/70 or worse in the better eye after correction) - OR -
Legally blind (visual acuity of 20/200 or worse in the better eye after correction or contracted peripheral field of $<20^{\circ}$) - OR -
Other severe visual problems.
- AND -
 - b. Adverse impact on educational performance.
2. The supporting evidence must contain a statement from an ophthalmologist or optometrist supporting eligibility that includes descriptions of visual acuity, diagnosed visual problems, a statement of how the child's visual problems affect educational performance and recommendations for educational programming.
3. Have a functional vision loss which inhibits optimal processing of information through the visual channel and requires the use of specialized techniques, textbooks, materials, or equipment.
4. An ophthalmologist and/or optometrist statement of a visually impaired diagnosis.

D. Students who are Deaf-Blind must also meet the following requirements:

1. Evidence of **Deaf/Hard of Hearing** as described above.
2. Evidence of **Blind/Visually Impaired** as described above.

E. General Inquiries for School Districts & Parents/Guardians:

1. Steps for enrollment at MSDB

Prior to requesting an IEP meeting to determine the Least Restrictive Environment (LRE), local school districts must fax the following information to LaQuandra Jones at (601) 984-8020:

- a. In-state eligibility determination form
- b. In-state Individual Education Program (IEPs) or Individual Family Service Plans (IFSPs-preschool) (*past three school years*)
- c. Ophthalmologist or Optometrist reports for students who are Blind or have Visual Impairment
- d. Audiologist reports for students who are Deaf or have Hearing Loss
- e. Psychoeducational Report (*an intelligence measure should be attempted*)
- f. Related Services Assessments, if applicable
- g. Discipline Report (*last two school years*)
- h. Attendance Report (*last two school years*)
- i. Medical records (*include medications*)
- j. Academic records
- k. Other

2. The local school district should complete their child find procedures prior to seeking enrollment at MSDB. An MSDB representative will contact the district to schedule a review/revision meeting within three (3) business days of receiving the items listed above.

3. The assessment of suitability period at MSDB is up to sixty (60) school days from the student's initial day of school at MSDB. Enrollees will be observed to determine if continued placement at MSDB is appropriate.

4. Parents/guardians are welcome to inquire about our district. Entry is determined by the local school district when considering Individuals with Disabilities Education Act (IDEA) and state board policy requirements for special education and MSDB's general admission criteria and continued enrollment. Please contact MSDB school counselors for information regarding academic learning and student life.

5. The Mississippi Department of Education Office of Special Education offers a Parent Outreach and Support Center that is available to assist parents at 601-359-3498.

MSDB Admissions Contact Information

Name	Title	Email	Phone
Dr. Adrienne WilliamsLaQuandra Jones	MSDB Director of — Special Services Assistant Superintendent	laquandra.jones@msdb12.org adrienne.williams@msdbk12.org	601-984-821341
Pamela Jones	MSD School Counselor	pamela.jones@msdbk12.org	601-984-8000
	MSB School Counselor		601-984-8212

Failure to provide all information or falsification of information will prevent applications from being processed and/or result in disenrollment if the student is found eligible based on incomplete or inaccurate information.

HUMAN RESOURCES

EMPLOYEE CLASSIFICATIONS

FULL-TIME EMPLOYEE - A full-time employee is an individual whose employment is for no definite term and who is scheduled to work forty (40) hours per week on a regular basis. In order for an employee to be eligible for insurance benefits, he/she must work a minimum of twenty (20) hours per week.

CLASSIFIED EMPLOYEE – Classified non-instructional personnel are “at-will” employees whose duties do not require a certificate (or license) issued by the Mississippi Department of Education. Classified employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or employer.

CERTIFIED EMPLOYEE – Certified employees are personnel who possess a license issued by the Mississippi Department of Education or national certification as required by position.

PART-TIME EMPLOYEE - A part-time employee is an individual whose employment is for no definite term and who is scheduled to work less than twenty (20) hours per week on a regular basis. Part-time employees are not eligible for benefits.

TEMPORARY EMPLOYEE – On occasion, MSDB may utilize the services of employees to temporarily supplement the workforce or help complete a specific project. Temporary employees are not eligible for any benefits or comp time.

NON-EXEMPT EMPLOYEES – Employees who are required to document time worked are eligible for comp time and/or overtime (i.e., comp and overtime are calculated time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek) in accordance with applicable state and federal law. All non-exempt employees must have prior approval by the Superintendent for hours worked in excess of the normal work week. Only budgeted days will be worked.

EXEMPT EMPLOYEES – Employees who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond forty (40) hours in a work week. Administrators, managers, teachers, professional employees, and certain employees in administrative positions are exempt.

EXEMPT CLASSIFIED EMPLOYEES - MSDB recognizes that all professional employees work beyond regular school hours on a regular basis, and the school district acknowledges and appreciates the dedication of its professional employees. However, professional employees are exempt and are not eligible for overtime.

NON-EXEMPT CLASSIFIED EMPLOYEES - The workweek for full-time employees shall not exceed forty (40) hours. MSDB encourages the completion of assigned tasks during the regular workday. Non-exempt employees are not to work overtime without prior approval from the Superintendent. Comp time must have prior approval from Superintendent or Immediate Supervisor, can be accumulated but must be used by the last working day in June of the current fiscal year and can only be used when approved by Superintendent or Immediate Supervisor. Each Supervisor shall maintain accurate records of all hours worked by each employee supervised and ensure that all comp time is taken by the last working day in June of the current fiscal year. Comp time does not roll over from year to year.

DUTIES OF THE SUPERINTENDENT

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

Legal Role

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the SBE.
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:
 1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel,

- principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.
2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.
 3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.
 4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
 5. 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.
 6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as 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.
 7. To make to the SBE reports for each scholastic month in such form as the SBE may require.
 8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
 9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
 10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
 11. To observe such instructions and regulations as the SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
 12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
 13. To make such reports as are required by the SBE.
 14. To make an enumeration of educable children in the school district as prescribed by law.
 15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the SBE and his decision upon cases and his 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.
 16. To delegate student disciplinary matters to appropriate school personnel.
 17. 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 SBE.
 18. 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 SBE.

19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).
 20. To perform such other duties as may be required of him by law.
 21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.
 22. To notify the youth court in the student's county of residence 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.
 23. To employ and dismiss noninstructional and non-licensed employees as provided by law.
 24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until SBE action, at which time a licensed employee approved by the SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.
-
3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the SBE 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.
 4. The superintendent shall be liable upon his official bond for the amount of any pay certificate issued in violation of the provisions of this section. The SBE shall have the power and authority to direct and cause warrants to be issued against such district funds for the purpose-
 4. 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.
 5. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his 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 schools, or his designee.
 6. The superintendent of schools 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.

7. It shall be the duty of the MDE to keep and preserve the minutes of the proceedings of the SBE.
8. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he 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 schools as a public record for a period of five (5) years. All claims found by the SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. 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 schools 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 salaries and applicable benefits, 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 SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him 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. ' 37-9-14 (2005)
9. The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Last Review Date: October 19, 2023

TEACHER CERTIFICATION

MSDB requires that all teachers be certified by the Mississippi Department of Education (MDE) and “highly qualified.” For more information about mandated teacher qualifications, see MDE website or call the Office of Teacher Licensure at <https://www.mdek12.org/OEL> or 601-359-3483. All teachers must ensure that their teaching certificates remain current.

Parents have a right to know the educational credentials and experience of their child’s teachers. Therefore, to provide this information in an easily accessible venue, an abbreviated résumé for each faculty and administrative staff member will be posted on the MSDB website. The information should include degree(s), major and minor subject area(s), years of experience,

awards, publications, and specific school assignments (e.g., Student Government Sponsor, Club Sponsor). A recent photograph should be included.

TEACHER CONTRACTS

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 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 adequate education program funds, such salary shall not be less than that required under the provisions of Chapter 19 of this title. Beginning with the 2010-2011 school year, the contract shall include a provision allowing the school district to reduce the state minimum salary by a pro rata daily amount in order to comply with the school district employee furlough provisions of Section 37-7-308 and shall include a provision which conditions the payment of such salary upon the availability of adequate education funds provided for salaries.

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 Superintendent, other than those elected, Principal, licensed employee or person recommended for a licensed position who has been elected approved shall not execute and return the contract within ten (10) days after same has been tendered to him/her for execution, then, at the option of the School Board, the election of the licensed employee and the contract tendered to him/her shall be void and of no effect.

[Miss. Code Ann. § 37-9-23](#)

RELEASE FROM CONTRACT

Any licensed employee at MSDB 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 Principal for release there from, in which application the reasons for such release shall be clearly stated. If the Principal, Superintendent, and the Board acts favorably upon such application for release, such licensed employee shall be released from his/her contract and said contract shall be null and void on the date specified in the SBE's order. It must be noted, no employee is considered for release from said contract before a suitable replacement has been found.

[Miss. Code Ann. § 37-9-55](#)

BREACH OF CONTRACT

If any licensed employee in any public school of this state shall arbitrarily or willfully

breach his/her contract and abandon his/her employment without being released there from as provided in Section 37- 9-55, the contract of such licensed employee shall be null and void. In addition, the license of such licensed employee may be suspended by the SBE 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 the School Board.

[Miss. Code Ann. § 37-9-57](#)

NOTICE OF RENEWAL OF CONTRACT REEMPLOYMENT OF PRINCIPALS

On or before March 1 of each year, Principals shall be given notice of non-renewal of a contract for a successive year.

REEMPLOYMENT OF TEACHERS

On or before April 15, or within ten (10) days after the Governor approves the appropriation bill for funding K12 education (whichever date is later), teachers and other administrators shall be notified of non-renewal for a successive year. Licensed employees that do not have a valid license on or before April 15 for the successive year will not be offered a contract for a successive year.

REEMPLOYMENT DENIAL (LICENSED EMPLOYEES ONLY)

If a recommendation is made by MSDB not to offer a renewal contract to a licensed employee for a successive year, the employee is entitled to an opportunity for a hearing (if requested in writing within ten (10) days of notice) as cited in the “Education Employment Procedures Law”.

[Miss. Code Ann. § 37-9-101 through Miss. Code Ann. § 37-9-113](#)

EXCLUDED EMPLOYEES

Licensed employees who have not been with the MSDB for two continuous years, or one year with one MSDB and two continuous years of employment in another MS School District are not entitled to the protections of this law.

Miss. Code Ann. § 37-9-101; Miss. Code Ann. § 37-9-105; Miss. Code Ann. § 37-9-109
MSBA: Education Employment Procedures Law Handbook

EMPLOYEE BACKGROUND CHECKS

According to state law, all new hire licensed and non-licensed employees must have (at the employees’ expense) a criminal record check performed by the FBI and the State CIC center. This law requires that fingerprint cards be taken and submitted as part of the background check. The cost to process these cards and conduct the background check will not exceed \$50 per applicant. In addition, background checks for financial impropriety may be conducted per the policy of the MDE. Background checks will be reviewed by the Superintendent and Business Manager. They will be placed in the employees permanent file maintained in the administrative offices of the MSDB.

TITLE IX GRIEVANCE POLICY

1. RIGHT TO EXPRESS CONCERNS, COMPLAINTS OR GRIEVANCES

It is the policy of the (SBE) and the (MDE) to maintain a safe and supportive learning and educational

environment that is free from harassment, intimidation, bullying, and discrimination. The MDE is a conduit for federal money to the local school districts and ensures the local school districts' compliance with federal financial grants. As such, MDE requires each local school district and each state school to have a grievance policy in place to address any complaints alleging discrimination under the Age Discrimination Act of 1975, Title II of the American Disability Act, Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Title IX of the Education Amendments of 1972. Complaints alleging discrimination by the local school district, its staff, or students should be first directed to the local school level and handled pursuant to local policy.

As specifically related to Title IX, this policy sets out the minimum steps that each state school (i.e., special school and/or district under the purview of the SBE) shall take in response to a notice of alleged discrimination based on sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, such as dating violence, domestic violence, and cyberstalking. The SBE forbids unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature amounting to or constituting harassment and/or discrimination against any student under its purview.

2. DEFINITIONS

A. Sex Discrimination

The practice of treating a person differently, or less favorably, than other people or groups based on sex.

B. Allegation

An assertion that someone has engaged in discrimination based on sex.

C. Sexual Harassment

Unwanted conduct based on sex. Examples of such behavior include:

- Direct or indirect threats or bribes for unwanted sexual activity
- Sexual innuendos and comments
- Asking or commenting about a person's sexual activities
- Humor or jokes about sex or females/males in general
- Making sexually suggestive remarks, gestures, or jokes, or remarks of a sexual nature about a person's appearance
- Repeated unsuccessful attempts at gaining dates or sexual behavior
- Sexual touching, pinching, brushing, or patting
- Displaying offensive sexual illustrations in the school/workplace
- Insulting and belittling a person-sexual ridicule
- Letters, notes, telephone calls, or materials of a sexual nature
- Stalking a person either inside or outside the institution

- Attempt or actual sexual assault

D. Complainant

The person who has experienced the alleged discrimination based on sex. This person is considered a complainant regardless of whether they choose to file a formal complaint under Title IX.

E. Respondent

The person accused of the alleged discrimination. This person may be a student or a school employee. If the person is an employee, the school shall adhere to the process found in Miss. Code Ann. § 37-9-59.

F. Title IX Coordinator

The individual responsible for overseeing the school's efforts to comply with its obligations under Title IX and Title IX regulations, including, but not limited to, coordinating any investigations of complaints of sex discrimination, implementation of supportive measures, and remedies where appropriate.

3. ADMINISTRATIVE PROCESS

Each state school shall have a grievance policy adopted by the governing board and accessible in both the student handbook and employee handbook. The grievance policy shall include the following:

A. Receiving and Responding to Reports

Employees who believe or have been made aware that a student has been subject to Title IX Discrimination, shall report it to the Title IX Coordinator. Failure to make such a report may result in disciplinary action up to and including termination.

The school shall respond whenever any school employee has been put on actual notice of improper behavior as defined in the school's policy. Such notice may be from an oral report of sexual harassment by a complainant or anyone else, a written report, through personal observation, through an anonymous report, or through various other means. When a complaint or report is made under the policy, the Title IX Coordinator shall: (1) confidentially contact the complainant to offer supportive measures, consider the complainant's wishes with respect to supportive measures, and inform them of the availability of supportive measures with or without filing a formal complaint; (2) explain the process for how to file a formal complaint; (3) inform the complainant that any report made in good faith will not result in discipline; and (4) respect the complainant's wishes with respect to whether to investigate unless the designated staff member determines it is necessary to pursue the complaint in light of a health or safety concern for the community.

B. Confidentiality

The school must keep confidential the identity of any individual who has made a report or complaint

of any form of prohibited sex discrimination, including any reporter, complainant, respondent, or witness, except:

1. As may be permitted by FERPA;
2. Or as required by law; or
3. To carry out the Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

The confidentiality of the reporting party will be observed providing it does not interfere with the school's ability to investigate or take corrective action. If the complainant reports rape, sexual assault, child sexual abuse, or other behaviors which constitute criminal activity, school officials shall contact appropriate law enforcement agencies and the superintendent/executive director.

C. Supportive Measures

Supportive measures are short-term measures that are designed to restore or preserve access to the school's education program or activity. Supportive measures are available regardless of whether the complainant chooses to pursue any action under the school's policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. They are meant to restore access to education, protect student and employee safety, and/or deter future acts.

Supportive measures are available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals, and these measures should be provided based on an individualized assessment of the needs of the individual. These supports are non-disciplinary and non-punitive individualized services designed to offer support without being unreasonable burdensome.

Examples of supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

D. Formal Complaint

A "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging discrimination or sexual harassment against a respondent and request that the school investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided by the school district. The complaint document, whether physical or electronic, shall contain the complainant's physical or digital signature. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not "the complainant" or otherwise considered a party but shall comply with applicable procedures.

E. Investigations

Once a formal complaint is filed, an investigator will be assigned and the parties will be treated equitably, including in the provision of supportive measures and remedies. Each party will receive

notice of the specifics of the allegations as known, and as any arise during the investigation. The investigator will attempt to collect all relevant information and evidence. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.

The principal of the school, so long as the principal is neither the Title IX Coordinator, the investigator, or any other individual who may have a conflict of interest, shall serve as the decision-maker, and will facilitate a written question and answer period between the parties. Each party may submit written questions for the other party and witnesses to the decision-maker for review. The questions must be relevant to the case, and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response. The decision-maker can then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the respondent is responsible for the alleged act.

F. Presumptions about Complainants, Respondents, and Witnesses

The school presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this school's policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

The respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made by the decision-maker.

G. Determination Regarding Responsibility

The decision-maker shall review the evidence provided by all parties and will make a final determination of responsibility after the investigation based on a preponderance of the evidence. "Preponderance of the evidence" means evidence that is of greater weight or more convincing than as asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which shows that an assertion to be proven is more likely than not.

The decision-maker shall provide a final determination to the parties at the same time, with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, and any remedies available to the complainant to restore or preserve equal access.

H. Sanctions and Remedies

The school will take reasonable steps to address any violations of the policy and to restore or preserve equal access to the school's education programs or activities. Sanctions for finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

When a respondent is found responsible for the prohibited behavior as alleged, remedies shall be

provided to the complainant. Remedies are designed to maintain the complainant's equal access

to education and may include supportive measures or remedies that are punitive or would pose a burden to the respondent.

Whatever the outcome of the investigation or appeal, the complainant and respondent may request ongoing or additional supportive measures. Ongoing supportive measures that do not unreasonably burden a party may be considered and provided even if the respondent is found not responsible.

I. Informal Resolution

Informal resolution is available only after a formal complaint has been filed involving parties of the same status (e.g., student-student or employee-employee), prior to a determination of responsibility, and if the complainant and respondent voluntarily consent to the process in writing. Informal resolution is not available in cases which an employee is alleged to have sexually harassed a student.

J. Parent and Guardian Rights

Consistent with the applicable laws of the State of Mississippi and absent a court order or other legal requirement to the contrary, a student's parent or guardian shall be permitted to exercise the rights granted to their child under the school's policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process. A student's parent or guardian shall also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process to exercise rights on behalf of the student. The student may have an advisor of choice who is a different person from the parent or guardian.

4. APPEALS

Appeals are available after a complaint dismissal or after a final determination is made. Appeals may be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by the personnel that may have affected the outcome. The school should set a reasonable time frame to submit an appeal, but not less than 10 days nor more than 30 days. Or, if there is no administrative response to the student/parent/guardian grievance by the school, the grievance should be made to the superintendent of the school or the superintendent's designee.

Parties shall be given an opportunity to submit a written statement in support of or in opposition to the final determination. A new decision-maker shall issue a final decision at the same time to each party.

The following procedures shall be followed when submitted student/parent/guardian grievances regarding administrative decisions:

- Level 1: An aggrieved party should express his or her concern to the school level administration for resolution or file a formal grievance with the school superintendent/executive director. The superintendent/executive director shall investigate allegations as soon as circumstances allow, but not later than five (5) business days from submission of the original written grievance. The administrator

shall provide a written response to the aggrieved party no later than ten (10) business days after receipt of the original written grievance. If there is no administrative response to the aggrieved party within the ten (10) business days, or if the response is unsatisfactory, the aggrieved party may elevate to Level 2.

Level 2: If any party deems the resolution unsatisfactory, the party may appeal the decision by submitting a copy of the grievance and decision to the Mississippi Department of Education's Associate Superintendent responsible for oversight of the state school, along with a written statement detailing the reasons for the dissatisfaction. The Associate Superintendent shall investigate and review the matter. After review, the Associate Superintendent shall provide a written response to the parties postmarked no later than ten (10) business days following receipt of the appeal.

If there is no response by the Associate Superintendent to the appealing party within the ten (10) business days, or if the response is unsatisfactory to either party, the aggrieved party may advance the grievance to Level 3.

Level 3: The aggrieved party, after review of the written response from the Associate Superintendent, may appeal that response to the State Superintendent or the State's Superintendent's designee no later than ten (10) business days after receipt of the written communication at Level 2. The State Superintendent or his/her designee shall review the grievance and shall provide the parties a written response postmarked within ten (10) business days following the receipt of the appeal.

Level 4: The aggrieved party may appeal the response from the State Superintendent to the State Board of Education by submitting a written request for appeal to the State Board of Education along with all documentation from Levels 1-3 no later than ten (10) business days after receipt of the State Superintendent's written response at Level 3. The State Board of Education shall review the grievance and shall provide the parties an opportunity to appear at the next regularly scheduled Board meeting to present his or her grievance and response in accordance with the Family Education Right and Privacy Act (FERPA) 20 U.S.C. 1232g, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 20 U.S.C. 1400 *et. seq.* implementing regulations, and other federal and state laws that govern the protection of student information. If the party or parties elect not to appear personally, the parties may request the Board's review of the written documentation only. The decision of the State Board of Education shall be final.

Source: Title IX of the Education Amendments of 1972; 34 C.F.R. § 106; Miss. Code Ann. § 37 1-3 (Revised 3/2022)

MDE State Board Policy 99.1

STAFF COMPLAINTS AND GRIEVANCES/DUE PROCESS

As the primary means of solving staff complaints and grievances, the board expects each administrator to:

1. Discover and practice effective means of resolving differences that may arise among employees and administrators;

2. Reduce potential reasons of complaints and grievances; and
3. Establish and maintain recognized channels of communication between the staff, administration and board.

When and if the primary means fail, the administration shall have established and the board shall have approved formal procedures for the prompt and equitable adjustment of serious grievances. In this context, a serious grievance shall be defined as:

A disagreement involving the work situation in which one individual or group of individuals believes that an injustice has been done because of a lack of policy or because of a policy that is unfair, deviation from, or misapplication, or interpretation of a policy or contract. Policies dictated by law are not included in this definition.

Such procedures shall provide for the resolution of grievances at the lowest possible administrative level and for ultimate appeal of any unresolved grievance to the board. In the resolution of grievances, hearing at all administration levels shall be:

1. Conducted in the presence of the administrator who made the ruling which is the subject of the grievance and the presence of any other staff member personally involved.
2. Held only after due written notification to all persons concerned.
3. Free from interference, coercion, restraint, discrimination, or reprisal.
4. Held in private, with only the persons involved and/or their representatives present.
5. Summarized in writing or on tape, with an official record kept for the district.

At all hearing levels, the employee or an employee group involved shall, at his/her own expense, have the right to be represented by legal counsel. Either party to the dispute shall have the right to call and cross-examine witnesses.

Reasonable time limits, as set forth in the procedures for implementing this policy, shall be observed by the person or group presenting the grievance, by the administration, and by the board. No employee shall suffer a reprisal or reduction in status as a result of having presented a grievance for review or of having represented an employee in a grievance.

Licenseed Staff Complaints and Grievances

It is the intention of MSDB for grievance procedures to help secure at the first possible administrative level, an equitable solution to any grievance.

The following definitions shall apply in this grievance procedure:

1. A "grievance" is a complaint by an individual based upon an alleged violation of his or her rights under state or federal law or board policy.
2. A "grievant" is a person or persons making the complaint
3. The term "days" shall mean working school days and shall exclude weekends, holidays and vacation days.

Procedures for Processing Grievances:

Grievances shall be processed in accordance with the following procedures

Level One

1. All grievances, as defined above, must be presented orally to the principal or immediate supervisor of the grievant and a representative from Humans Resources within five (5) days of the act or omission complained of, and the principal or immediate supervisor and grievant will attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his principal or immediate supervisor, the grievant shall, within five (5) days after meeting with his principal or immediate supervisor file a written statement with his principal or immediate supervisor and a representative from human resources setting forth in detail how the grievant claims to have been ~~discriminated~~discriminated against. This written statement shall contain, in addition to the above, the time, the place, and the nature of the alleged act or omission and the state or federal law or board policy violated. The statement must be signed by the grievant.
3. In the event the grievant does not submit to his principal or immediate supervisor and human resources a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by the principal or immediate supervisor.
4. Within five (5) days after receiving the grievant's signed statement the principal or immediate supervisor shall send to the human ~~resources~~resources department a statement from the principal or immediate supervisor setting forth his response to the grievant and/or his decision, as is applicable. At the same time, the principal or immediate supervisor shall also provide a copy of the written statement to the grievant.
5. Human Resources will notify the superintendent and provide a copy of all statements and proposed resolutions from both parties involved.

Level Two

1. Upon receipt by the superintendent of the written notice that the grievant intends to appeal the decision of his principal or immediate supervisor, the superintendent shall notify the grievant in writing within five(5) days and shall advise the grievant of the date, time, and place upon which the matter will be considered by the superintendent. The superintendent shall schedule a hearing on the matter no later than ten (10)days from the date of receipt of the grievant's written notice of intention to appeal the written decision of his principal or immediate supervisor.
2. The written statement submitted by the grievant to his principal or immediate supervisor in Level One shall form the basis of the grievance before the superintendent. The grievant shall submit in writing any and all information on his behalf which he desires to the superintendent not later than five (5) days prior to the date upon which the matter is scheduled for hearing by the superintendent.
3. In the event the grievant does not personally ~~attende~~attend the hearing scheduled by the superintendent, his failure to attend shall be deemed as an acceptance of the written decision rendered by his principal or immediate supervisor at LEVEL ONE.
4. The superintendent shall render a written decision to the grievant within five (5) days of the date upon which the matter was heard.

Level Three

1. If the grievance is not resolved to the satisfaction of the grievant at LEVEL TWO, or if the superintendent does not render a decision within five (5) days, the grievant may file the grievance with the State Board of Education via the Chief Academic Officer

2. If the grievance is not filed with the SBE/Chief Academic Office within five (5) days of the hearing at LEVEL TWO, the grievance shall be considered resolved.
3. Within five (5) days after receipt of the grievance, SBE shall appoint a hearing officer and schedule a hearing on the grievance.
4. The SBE shall render its decision within seven (7) days of the hearing.

Non-Certified Personnel

Non-certified MSDB full-time and part-time employees serve at the will and pleasure of the SBE and the MSDB Superintendent. Therefore, these MSDB employees have no property rights in terms of employment. All complaints should be addressed ~~to the MSDB Business Manager at the lowest administrative level,~~ further appeals or serious grievances should ~~will~~ be reported to ~~the MSDB Superintendent~~ Human Resources. Any grievances against the Superintendent will be reported to Human Resources ~~Business Manager~~ who will submit to the MDE Chief Academic Officer for review.

All Supervisors and Directors are responsible for monitoring hourly part-time employees and submitting timesheets on a monthly basis. Supervisors and Directors must check each employee's time sheet for accuracy in number of hours worked and rate of pay. Initial the form before submitting it to Payroll for processing and approval. It is the Supervisor's and Director's responsibility to ensure that part-time employees work no more than twenty (20) hours in a single week and that the total number of hours worked does not exceed the total budgeted amount.

MSDB part-time workers who return in a new fiscal year must submit a new PERS form. If any personal contact information has changed (e.g., address, name change), new tax forms must be submitted before a contract can be issued. All part-time employees must have a full criminal background check through fingerprinting upon hire. There can be no break in service without requiring a new criminal background check.

Licensed Personnel Suspension/Dismissal Due Process

The Superintendent may dismiss or suspend any licensed employee for incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil or other good cause. Before being dismissed or suspended, any licensed employee shall be notified of the charges against him/her and advised that he/she is entitled to a public hearing upon said charges. Notification of charges and hearing procedures shall follow the procedure as prescribed by law.

Provided, however, that the Superintendent whose employment has been terminated under this section shall not have the right to request a hearing before the State Board of Education.

Provided, however, that a licensed employee in a conservator school district whose employment has been terminated under this section for good cause as determined by a conservator appointed by the State Board of Education shall not have a right to request a hearing. The conservator has the right to immediately terminate a licensed employee under this section.

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.

The SBE or hearing officer or designee, upon a request for a hearing by the person so suspended or removed shall set a date, time, and place of such hearing and notify the employee in writing of the same. The hearing date shall be not sooner than five (5) days nor later than thirty (30) days from the date of the request unless otherwise agreed. The procedure for such hearing before the SBE or hearing officer are prescribed in accordance with Miss. Code Ann. [Sec. 37-9-111](#) and included in this policy. 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 in Miss. Code Ann. [Sec. 37-9-113](#) which is also included in this policy. 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 the State Board of Education, 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.

The SBE is hereby prohibited from denying employment or reemployment to any person as a Superintendent, Principal or licensed employee, as defined in Miss. Code Ann. [Sec. 37-9-1](#) or as a noninstructional personnel, as defined in Miss. Code Ann. [Sec. 37-9-1](#), for the single reason that any eligible child of such person does not attend MSDB in which such Superintendent, Principal, licensed employee or noninstructional personnel is employed.

The provisions of this section shall be fully applicable to any administrator or employee of the MSDB.

Hearing, Notice, Procedures, and Evidence

The SBE, or its designee, upon request for a hearing under Miss. Code Ann. [§. 37-9-59](#) or Miss. Code Ann. [§. 37-9-101](#) through Miss. Code Ann. [§. 37-9-113](#) shall set the time, place and date of such hearing and notify the employee in writing of same. The date shall be set not sooner than five (5) days nor later than thirty (30) days from the date of the request, unless otherwise agreed. The hearing may be held before the sSBE or before a hearing officer appointed for such purpose by the SBE, either from among its own membership, from the staff of the MSDB or some other qualified and impartial person, but in no event shall the hearing officer be the staff member responsible for the initial recommendation of non-reemployment. No hearing officer may have an interest in the outcome of a hearing, nor may a hearing officer be related to a SBE member, any administrator making the recommendations of non-reemployment, or the employee. Once a hearing officer is appointed, no ex-parte communications may be made regarding any substantive provisions of the hearing.

The hearing must be held in executive session unless the employee elects to have a public hearing.

If an employee makes this election, however, the SBE or the hearing officer, as the case may be, may order any part of the hearing to be held in executive session, if, in the opinion of the SBE or the hearing officer, the testimony to be elicited deals with matters involving the reputation or character of another person. Notwithstanding the election by an employee for a public hearing, any testimony by minor witnesses must be held in executive session and considered confidential personnel records and confidential student records, subject to an expectation of reasonable privacy and confidentiality. Public disclosure of these records may be by court order only.

MSDB shall present evidence, either in written or oral form, at the hearing in support of its recommendation for non-reemployment.

The employee shall be afforded an opportunity to present matters at the hearing relevant to the reasons given for the proposed non-reemployment determination and to the reasons the employee alleges to be the reasons for non-reemployment and to be represented by counsel at such a hearing. Such hearing shall be conducted in such a manner as to afford the parties a fair and reasonable opportunity to present witnesses and other evidence pertinent to the issues and to cross-examine witnesses presented at the hearing. The SBE or the hearing officer may require any portion of the evidence to be submitted in the form of depositions or affidavits, and in case affidavits are received, an opportunity to present counter-affidavits shall be provided.

The SBE shall cause to be made stenographic notes of the proceedings. In the event of a judicial appeal of the SBE's decision, the entire expense of the transcript and notes shall be assessed as court costs.

The SBE shall review the matters presented before it, or, if the hearing is conducted by a hearing officer, the report of the hearing officer, if any, the record of the proceedings and, based solely thereon, conclude whether the proposed non-reemployment is a proper employment decision, is based upon a valid educational reason or noncompliance with MSDB personnel policies and is based solely upon the evidence presented at the hearing, and shall notify the employee in writing of its final decision and reasons therefor. Such notification shall be within thirty (30) days of the conclusion of the hearing if the hearing is conducted by a hearing officer and within ten (10) days of the conclusion of the hearing if the hearing is initially conducted by the SBE. If the matter is heard before a hearing officer, the SBE shall also grant the employee the opportunity to appear before the Board to present a statement in his own behalf, either in person or by his attorney, prior to a final decision by the Board.

In conducting a hearing, the SBE or hearing officer shall not be bound by common law or by statutory rules of evidence or by technical or formal rules of procedure except as provided in Miss. Code Ann. [Sec. 37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#) but may conduct such hearing in such manner as best to ascertain the rights of the parties; however, hearsay evidence, if admitted, shall not be the sole basis for the determination of facts by the SBE or hearing officer.

In the event the decision of the SBE is in favor of the employee, the State Board of Education shall have the authority to order the execution of a contract with the employee for an additional period of one (1) year.

For purposes of conducting hearings under Miss. Code Ann. [Sec. 37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#), the SBE or hearing officer shall have the authority to issue subpoenas for witnesses and to compel their attendance and the giving of evidence. Any expense connected

therewith shall be borne by the party requesting the subpoenas, which shall include an appearance fee for each witness so subpoenaed not inconsistent with state laws governing payments to witnesses. In the event it is necessary to enforce or to quash a subpoena issued to compel the attendance of a witness, application shall be made with the chancery court of the county where the SBE is located.

This section shall not be applicable to a Superintendent whose employment has been terminated by the Board under Miss. Code Ann. [Sec. 37-9-59](#), or whose employment contract has not been renewed by the SBE.

Appeal Rights

Any employee aggrieved by a final decision of the SBE is entitled to judicial review thereof, as hereinafter provided.

An appeal may be taken by such employee to the chancery court of the judicial district in which the SBE is located, by filing a petition with the clerk of that court and executing and filing bond payable to the SBE with sufficient sureties, in the penalty of not less than Two Hundred Dollars (\$200.00), conditioned upon the payment of all of the costs of appeal, within twenty (20) days of the receipt of the final decision of the State Board of Education.

The scope of review of the chancery court in such cases shall be limited to a review of the record made before the SBE or hearing officer to determine if the action of the SBE is unlawful for the reason that it was:

- (a) Not supported by any substantial evidence;
- (b) Arbitrary or capricious; or
- (c) In violation of some statutory or constitutional right of the employee.

No relief shall be granted based upon a court's finding of harmless error by the SBE in complying with the procedural requirements of Miss. Code Ann. [Sec.37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#). However, in the event that there is a finding of prejudicial error in the proceedings, the cause shall be remanded for a rehearing consistent with the findings of the court.

Any party aggrieved by action of the chancery court may appeal to the Supreme Court in the manner provided by law.

References: [Miss. Code Ann. § 37-9-59](#)
[Miss. Code Ann. § 37-9-111](#)
[Miss. Code Ann. § 37-9-113](#)

EMPLOYEE APPRAISALS

Using an internal performance appraisal instrument, full-time non-certified employees will be formally evaluated at least once per year. The statewide evaluation systems for Teachers, Librarians, Counselors, Principals, and other licensed or certified employees will be used for the certified academic staff. Evaluation will be based on observations at primary job posts and as part of the school wide team. Supervisors will meet with all employees in accordance with deadlines mandated for the appraisal systems for review of prior performance and goal setting for the upcoming year. The appraisal instruments are job related to performance in a residential school and departmental context. Appraisals will be utilized to assist supervisors in better serving employees through professional development, improvement plans, or continuation of

employment. Habitual disregard for policies, processes and procedures established by MSDB may result in written reprimands and further consequences as outlined by the MSDB Standard Operating Procedures Manual. At the beginning of each academic year, procedures, policies, and processes are reviewed with employees. Consistent paperwork, timeliness, or behavior problems will be reprimanded appropriately.

Grievance Procedures – Licensed Personnel Appraisal

The following procedure shall be utilized to provide the licensed employee an equitable solution to a grievance filed in connection with a personnel appraisal

The following definitions shall apply to this grievance procedure:

1. “Personnel appraisal” refers to the system of annual performance evaluation of all licensed staff, as is mandated by state law. This grievance procedure has been approved by the SBE for use in this district as part of its “Personnel Appraisal System.”
2. A “grievance” is a complaint by an individual based upon an alleged violation of his or her rights under state or federal law or board policy related to the personnel appraisal process for that individual.
3. A “grievant” is a person or persons making the complaint.
4. The term “days” shall mean working school days and shall exclude weekends, holidays, and vacation days.

Grievances shall be processed in accordance with the following procedure:

Level One

1. All grievances, as defined above, must be presented orally to the principal or immediate supervisor of the grievant and a representative from Human Resources within five (5) days of the act or omission complained of, and the principal or immediate supervisor and grievant will attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his principal or immediate supervisor, the grievant shall, within five (5) days after meeting with his principal or immediate supervisor file a written statement with his principal or immediate supervisor and a representative from human resources setting forth in detail how the grievant claims to have been discriminated against. This written statement shall contain, in addition to the above, the time, the place, and the nature of the alleged act or omission and the state or federal law or board policy violated. The statement must be signed by the grievant.
3. In the event the grievant does not submit to his principal or immediate supervisor and human resources a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by the principal or immediate supervisor.
4. Within five (5) days after receiving the grievant’s signed statement the principal or immediate supervisor shall send to the human resources department a statement from the principal or immediate supervisor setting forth his response to the grievant and/or his decision, as is applicable. At the same time, the principal or immediate supervisor shall also provide a copy of the written statement to the grievant.
5. Human Resources will notify the superintendent and provide a copy of all statements and proposed resolutions from both parties involved.

Level Two

1. Upon receipt by the superintendent of the written notice that the grievant intends to appeal the decision of his principal or immediate supervisor, the superintendent shall notify the grievant in writing within five(5) days and shall advise the grievant of the date, time, and place upon which the matter will be considered by the superintendent. The superintendent shall schedule a hearing on the matter no later than ten (10)days from the date of receipt of the grievant's written notice of intention to appeal the written decision of his principal or immediate supervisor.
2. The written statement submitted by the grievant to his principal or immediate supervisor in Level One shall form the basis of the grievance before the superintendent. The grievant shall submit in writing any and all information on his behalf which he desires to the superintendent not later than five (5) days prior to the date upon which the matter is scheduled for hearing by the superintendent.
3. In the event the grievant does not personally attend~~en~~ the hearing scheduled by the superintendent, his failure to attend shall be deemed as an acceptance of the written decision rendered by his principal or immediate supervisor at LEVEL ONE.
4. The superintendent shall render a written decision to the grievant within five (5) days of the date upon which the matter was heard.

Level Three

1. If the grievance is not resolved to the satisfaction of the grievant at LEVEL TWO, or if the superintendent does not render a decision within five (5) days, the grievant may file the grievance with the State Board of Education via the Chief Academic Officer,
2. If the grievance is not filed with the SBE/Chief Academic Office within five (5) days of the hearing at LEVEL TWO, the grievance shall be considered resolved.
3. Within five (5) days after receipt of the grievance, SBE shall appoint a hearing officer and schedule a hearing on the grievance.
4. The SBE shall render its decision withing seven (7) days of the hearing.

ATTENDANCE OF EMPLOYEES

The following guidelines and procedures should be followed by all administrative and supervisory personnel regarding the attendance of MSDB employees throughout the year. In addition, the guidelines should be reviewed during the evaluation process and incorporated into employee evaluations.

1. All employees of MSDB are expected to be at work, on time, every scheduled workday. Employees contribute to achieving the mission and the education of the student body. The success of MSDB depends upon each employee doing what is expected, including maintaining an acceptable attendance record.
2. It is important that all employees be treated equitably with respect to the monitoring of attendance.
3. Excessive absenteeism adversely affects overall operations by placing added pressure or burdens on employees who are at work on a regular basis, and by requiring administrative time and cost to cover for employees who are absent.

CATEGORIES OF ABSENCES

All absences will be classified into two categories as follows:

1. Excused - Absences that do not count against an employee's attendance record include any pre-approved vacation, personal leave, bereavement leave, military or uniformed services leave, family and medical leave (as designated under our FMLA policy), jury duty, disability accommodation leaves of absence, or worker's compensation leave.
2. Unexcused. All remaining absences are classified as counting against an employee's attendance record.

TARDINESS

Promptness in arriving at work is expected from all employees. Tardiness has a negative effect on operations, just as absenteeism does. Not returning promptly from breaks or lunch

is considered an instance of tardiness. Excessive tardiness may result in disciplinary action, action plans, and/or termination.

ATTENDANCE GUIDELINES

1. All employees are to report as scheduled by their Supervisor, Director, or Principal and/or the Superintendent.
2. Employees who are going to be absent due to illness must notify their Supervisor, Director, or Principal and/or the Superintendent, or a designee as soon as possible.
3. Employees who will be late for any reason must contact their Supervisor, Director, or Principal and/or the Superintendent so arrangements can be made for a substitute until the employee arrives on campus. Employees must speak directly to a Supervisor, Director, or Principal and/or the Superintendent.
4. Employees who arrive after the scheduled time or have problems relative to timely arrival for scheduled duties shall, on that day, provide the office with a written, dated explanation of reason for failure to arrive on time.
5. Employees may not leave campus during duty hours without permission of their Supervisor, Director, or Principal and/or the Superintendent, or a designee.
6. Employees should refrain from taking leave for vacations when it directly impacts the functionality of MSDB.
7. Excessive absences may be denied in accordance with the MSDB policies. If employee is deemed to be using medical leave to circumvent vacation day policy, a medical excuse may be required by the administration.

All employees may be expected to be present during registration, open house events, graduation, state testing, and other special activities that may be assigned.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. DEFINITIONS

1. An "eligible employee" is an employee of a covered employer who:
 - (a) has been employed for at least 12 months, and
 - (b) has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave, and
 - (c) is employed at a worksite at which the employer employs at least 50

employees within 75 miles of the worksite.

2. "Employee's spouse" means husband or wife as defined by Mississippi Law.
3. "Employee's son or daughter" means biological child, adopted child or foster child, a stepchild, legal ward, or the child for whom the employee is standing in loco parentis, who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
4. "Employee's parent" means biological parent, adoptive, step or foster father or mother, or any other individual who stood (or now stands) in loco parentis to an employee when the employee was a child (not to include parents-in-law).
5. "Employee's immediate family member" means spouse, son or daughter, grandchild, or parent as defined herein above.
6. For the purposes of FMLA "serious health condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility, or continuing treatment by a healthcare provider.
7. "Healthcare provider" means a licensed medical physician, nurse practitioner, dentist, psychologist, and chiropractor.

B. LEAVE PROVISIONS

An eligible employee is entitled to 12 unpaid work weeks (60 workdays) during any 12-month period for any one or more of the following reasons:

1. The birth of a son or daughter, and to care for the newborn child (within 12 months of birth)
2. The placement of a child with the employee for adoption or foster care (within 12 months of the placement).
3. To care for the employee's spouse, son, daughter, or parent with a serious health condition (not "parent-in-law").
4. The employee's own serious health condition which makes the employee unable to perform the function of his/her job.
5. The district encourages any person taking FMLA leave to utilize all paid leave benefits as part of the 12 weeks of leave. This use of paid leave does not extend the 12 weeks of FMLA leave.
6. The 12-month period is defined as a "rolling" year, that is, that the 12-month eligibility period begins on the date leave is first taken.

C. NOTICE REQUIREMENTS

1. Employees must provide MSDB at least thirty (30) days advance notice before FMLA leave is to begin if the need for the leave is foreseeable, based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or family member.
2. Due to lack of knowledge or a medical emergency, notice must be given as soon as practicable, which means as soon as both practical and possible or at least verbally within one or two working days when the need for leave becomes known to the employee. This verbal notice is to be followed by written notice.
3. Failure to give 30 days' notice for foreseeable leave may result in the denial of the taking of FMLA leave until at least 30 days after the date the employee provides notice.

D. REQUIRED CERTIFICATION

Eligible employees shall provide the District with certification of a serious health condition for himself/herself or a family member. The certification, to be signed by the health care provider, shall be attached to the required written notice or submitted in a timely manner which shall be no more than fifteen (15) working days after providing written notice. No leave period may begin without the approval of the Superintendent or designee. No approval shall be granted by the Superintendent or designee without the required written notice and certificate.

E. THE CERTIFICATION IS TO INCLUDE THE FOLLOWING:

1. The date on which the serious health condition in question began.
2. The probable duration of the condition.
3. Appropriate medical facts regarding the condition.
4. A statement that the employee is needed to care for a spouse, parent or child (along with an estimate of the time required), or that the employee is unable to perform his/her functions, and, in the case of intermittent leave, the duration of treatment to be given.
5. Signature (not stamped) of healthcare provider. MSDB may require that a second opinion be obtained at the MSDB's expense. The second opinion may not be provided by a healthcare provider employed by MSDB. In the event of conflicting opinions, MSDB may pay for a third and final provider to offer a binding decision. MSDB may require subsequent written re-certification on a reasonable basis.

F. EMPLOYMENT BENEFITS PROTECTION

1. An employee who completes a period of leave and has complied fully with the terms of this policy shall be returned either to the same position he/she had before the taking of leave or to a position which is genuinely equivalent (as compared to comparable or similar job) in pay, benefits, and other terms and conditions of employment.
2. Taking of leave shall not result in the loss of any previously accrued seniority or employment benefits. Except for health benefits, no other benefits will accrue during the leave period.
3. Health benefits shall continue through an employee's 12-week leave period. The District may recover health coverage premiums paid for an employee who fails to return from leave, except no recovery will be made from an employee who fails to return from leave if the reason is the continuation, recurrence, or onset of a serious health condition or something else beyond the employee's control.
4. Special rules for taking leave by an instructional employee exist for leave taken near the end of a semester. In general, MSDB may require that more leave be taken than desired, depending on the length of leave sought and the timing in proximity to the end of a semester. If this situation occurs, the Superintendent or designee will advise as to these requirements. The reason for this is that a contract would be required for a long-term substitute.

G. MILITARY FAMILY LEAVE

A "covered military member" means the employee's spouse, son, daughter, or parent on active duty or call to active-duty status.

A "son or daughter on active duty or call to active-duty status" means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active-duty status, and who is of any

age.

“Active duty or call to active-duty status” means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to: Section 688 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

A “serious injury or illness” means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

“Outpatient status,” with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

A “son or daughter of a covered service member” means the covered service member’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

A “parent of a covered service member” means a covered service member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents “in law.” The “next of kin of a covered service member” is the nearest blood relative, other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member’s next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member’s only next of kin. For example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member’s next of kin. Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member’s next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered service member.

Employees are eligible to take FMLA leave because of a qualifying exigency when the covered military member is on active duty or call to active-duty status in support of a contingency operation pursuant to one of the provisions of law identified above. An employee whose family member is on active duty or call to active-duty status in support of a contingency

operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

A call to active duty for purposes of leave taken because of a qualifying exigency refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States pursuant to one of the provisions of law identified in support of a contingency operation.

The active-duty orders of a covered military member will generally specify if the service member is serving in support of a contingency operation by citation to the relevant section of United States Code and/or by reference to the specific name of the contingency operation.

An eligible employee is entitled to 26 work weeks of leave to care for a covered service member with a serious injury or illness during a “single 12-month period.”

The “single 12-month period” described above begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the employer to determine the employee’s 12 work weeks of leave entitlement for other FMLA-qualifying reasons. If an eligible employee does not take all of his or her 26 work weeks of leave entitlement to care for a covered service member during this “single 12-month period,” the remaining part of his or her 26 work weeks of leave entitlement to care for the covered service member is forfeited.

The leave entitlement described above is to be applied on a per-covered-service member, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 work weeks of leave if the leave is to care for different covered service members or to care for the same service member with a subsequent serious injury or illness, except that no more than 26 work weeks of leave may be taken within any “single 12-month period.” An eligible employee may take more than one period of 26 work weeks of leave to care for a covered service member with more than one serious injury or illness only when the serious injury or illness is a subsequent serious injury or illness. When an eligible employee takes leave to care for more than one covered service member or for a subsequent serious injury or illness of the same covered service member, and the “single 12-month periods” corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 work weeks of leave in each “single 12-month period.”

An eligible employee is entitled to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the “single 12-month period,” provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee’s own serious health condition; or because of a qualifying exigency. Thus, for example, an eligible employee may, during the “single 12-month period,” take 16 weeks of FMLA leave to care for a covered service member and 10 weeks of FMLA leave to care for a newborn child. However, the employee may not take more than 12 weeks of FMLA leave to

care for the newborn child during the “single 12-month period,” even if the employee takes fewer than 14 weeks of FMLA leave to care for a covered service member.

In all circumstances, including for leave taken to care for a covered service member, the employer is responsible for designating leave, paid or unpaid, as FMLA-qualifying, and for giving notice of the designation to the employee. In the case of leave that qualifies as both leave to care for a covered service member and leave to care for a family member with a serious health condition during the “single 12-month period,” the employer must designate such leave as leave to care for a covered service member in the first instance. Leave that qualifies as both leave to care for a covered service member and leave taken to care for a family member with a serious health condition during the “single 12-month period” must not be designated and counted as both leave to care for a covered service member and leave to care for a family member with a serious health condition. As is the case with leave taken for other qualifying reasons, employers may retroactively designate leave to care for a covered service member.

A husband and wife who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 26 work weeks of leave during the “single 12-month period” if the leave is taken for the birth of the employee’s son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee’s parent with a serious health condition, or to care for a covered service member with a serious injury or illness. This limitation on the total weeks of leave applies to leave taken for the reasons specified as long as a husband and wife are employed by the “same employer.” It would apply, for example, even though the spouses are employed at two different worksites of an employer located more than 75 miles from each other, or by two different operating divisions of the same company. On the other hand, if one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full 26 work weeks of FMLA leave.

H. DONATION OF LEAVE

For the purpose of this policy:

1. “Catastrophic injury or illness” means a life-threatening injury or illness of an employee or member of an employee’s immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the local school district for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.
2. “Immediate family” means spouse, parent, stepparent, sibling, child, or stepchild.

Any employee of the MSDB may donate a portion of his or her unused accumulated personal or sick leave to another MSDB employee who is suffering from a catastrophic injury or illness or who has a member of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the “donor employee”) shall designate the employee who is to receive the leave (the “recipient employee”) and the amount of unused accumulated personal or sick leave that is to be donated and shall notify the MSDB superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.
3. An employee must have exhausted all of his or her available leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee’s supervisor.
4. Before an employee may receive donated leave, he or she must provide the MSDB superintendent or his designee with a physician’s statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the MSDB superintendent shall appoint a review committee to approve or disapprove the said donations of leave, including the determination that the illness is catastrophic within the meaning of this section.
6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
7. Donated leave shall not be used in lieu of disability retirement.

The MSDB superintendent or designee shall establish procedures to support this policy.

Miss. Code Ann. § 37-7-307

NON-QUALIFYING FMLA LEAVE REQUEST

An employee who does not qualify for leave based on the Family Medical Leave Act (FMLA) of 1993 may take a leave of absence up to twenty (20) business days. The employee may be responsible for timely payments of all insurance premiums while on approved leave of absence.

GENERAL PROVISIONS: In order to qualify for temporary medical leave of absence the following must apply:

1. An employee anticipating an absence of five (5) days or more must apply for leave of absence with the administration prior to the absence or within seven (7) business days of the first day of absence.
2. New employees reported to work on the first day of employment.
3. The employee does not qualify for FMLA based on the following criteria:
 - a. Employee has not been employed with MSDB for at least twelve (12) months;
 - b. Employee has not worked for MSDB at least 1250 hours.
4. Qualifying for the leave of absence follows the same criteria and procedure as described in FMLA regulations.
 - a. Birth of a child and/or to care for a newborn child of the employee.

- b. Placement with the employee of a child through adoption.
 - c. Care for the employee's spouse, dependent child, or parent of the employee who has a serious health condition.
 - d. A serious health condition that renders the employee unable to perform the function of his/her job.
- 5. All leave of absences requires final approval of the Superintendent.
- 6. Failure to return to work on the determined return-to-work day will be considered as a resignation by the employee.
- 7. The employee must use any available accrued paid leave concurrently with the leave of absence. Otherwise, compensation will not be paid during leave.
- 8. The leave of absence must be used continuously and can only be used once per fiscal year. It will not be available for intermittent use.

PROCEDURES:

- 1. A request for leave of absence must be made on the Request for Leave of Absence Form having the approval of the Supervisor, Director, or Principal, and the Superintendent.
- 2. Medical documentation supporting the request must be provided to the Superintendent's Office within five (5) days of the request for leave.
- 3. The Request for Leave of Absence form must be filed in the employee's personnel file.
- 4. The Supervisor, Director, or Principal, and the Superintendent must be notified of the expected date the employee returns. The employee must provide documentation from the physician stating the employee's return to work date before returning to work.

BENEFITS INSURANCE AND RETIREMENT

MSDB is interested in the health and well-being of both employees and their families. This section briefly describes each District-sponsored employee benefit program. Employees receive summary plan descriptions, which describe certain benefit programs in greater detail. The plan description and official plan documents (such as insurance master contracts) contain information regarding eligibility requirements, coverage limits, deductibles, premiums, and fees. Employees are expected to read the plan descriptions carefully to understand rights and responsibilities. Should a conflict exist between the official benefit plan documents and this manual or the plan descriptions, the official plan documents will control in all cases.

MSDB reserves the right, at its sole and absolute discretion, to rescind or amend benefits, to change insurance carriers, or to require a change in employee contributions toward premium costs, deductibles, or co-payments. MSDB may make such changes at any time, for any reason; financial necessity is not required. Employees will be promptly notified of any such changes. While MSDB's intent is to continue offering the sponsored benefit programs, it cannot guarantee that such benefits will always be available. MSDB offers the following benefits to regular full-time employees. Part-time employees may or may not be eligible for these benefits based on the individual plan requirements:

MEDICAL INSURANCE - MSDB offers health insurance plans for school employees. Information regarding the options available to school employees may be obtained by contacting the Business Office.

CAFETERIA PLAN - MSDB participates in the Section 125 Flexible Benefit Plan, commonly known as the “cafeteria plan.” Participation by employees in the cafeteria plan is optional. Additional information regarding the cafeteria plan is available in the Business Office.

RETIREMENT PLAN - All regular full-time employees must participate in the Mississippi Public Employees’ Retirement System (PERS). Current Mississippi law requires eight (8) years of service as of July 1, 2007 for vested interest. Twenty-five (25) years are required for less than sixty (60) years of age for full retirement benefits without penalty. If hired after July 1, 2011, thirty (30) years are required for less than sixty (60) years of age for full retirement benefits. Employees desiring more specific information regarding their retirement should contact the Mississippi Public Employees’ Retirement System.

COBRA - If the employee, the employee’s spouse, or the employee’s dependents lose group health insurance coverage due to employment termination or any other “qualifying event,” any and all may be eligible to elect continuation of group health coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA entitles employees and their dependents to elect or decline continued group health insurance coverage upon a “qualifying event.” Under federal law, a qualifying event is an event that would ordinarily cause an employee, spouse, or dependent to lose group health insurance coverage. Qualifying events include termination of employment, retirement, discharge for poor performance, reduction of work hours, death of a covered employee, divorce or legal separation from a covered employee, losing “dependent child” status, or Medicare eligibility. Employees discharged for gross misconduct may not be eligible for continuation benefits. Employees and dependents are responsible for notifying the Business Office immediately following any qualifying event and upon any change in address of the employee and/or dependents. Employees and dependents who elect continued coverage following a qualifying event will be required to pay 100% of the applicable premium coverage cost plus any applicable administration fees. The covered individual has sixty (60) days to elect coverage from the date of notification. If the covered individual chooses to continue coverage and pays all premiums, benefits will be continued for eighteen (18) months. A covered employee, spouse, or dependent who is disabled (according to the Social Security Administration) at the time of the qualifying event may be eligible to continue coverage for up to twenty-nine (29) months. An employee’s covered spouse or dependent may be able to continue coverage up to thirty-six (36) months in the event the covered employee dies, becomes entitled to Medicare, divorces or legally separates from the spouse, or the dependent child ceases to qualify as a dependent under the District’s insurance plan provisions. In the event of a second qualifying event occurring during the period of coverage for an original event, the period of coverage will be extended to thirty-six (36) months from the date of the original qualifying event. Employees may obtain additional information about COBRA from the Business Office.

WORKERS’ COMPENSATION – On-the-job injuries or disabilities are covered by Workers’ Compensation. Insurance is carried on all employees as protection against loss of wages and for medical expenses incurred by an employee injured on the job.

All injuries should be reported to Human Resources immediately following the injury or as soon as possible thereafter. Any injury or claim involving the operation of district vehicles

or equipment will require the employee to submit to a drug test. At the discretion of the superintendent, employees may be requested to submit to a drug test for other injuries obtained on campus.

PAYROLL DEDUCTIONS

The law requires payroll deductions to cover federal, state, and local income taxes and Social Security/Medicare (FICA) and retirement. These deductions are made automatically. Other deductions for other programs will be made upon a written authorization by the employee and with the approval of MSDB.

Deductions can be made for health, life and salary protection insurance. All requests for changes in deductions must be submitted, in writing, prior to the 1st of each month. Deductions may also stem from garnishments. When a garnishment is imposed, the administration of MSDB complies by withholding a percentage of the employee's salary, as mandated by law. It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, we prohibit any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that MSDB does not allow deductions that violate the FLSA.

Deductions from exempt employees' salaries are prohibited, except as allowed by applicable law.

COMPENSATION

Employees of MSDB are paid on the last working day of the calendar month. Each employee is responsible for reviewing their pay and notifying their supervisor if any errors are noted. Teachers are paid based upon an approved salary scale and are contracted for specified days each year, with payment distribution over twelve months. No payment will be made to any contracted personnel without an executed contract in place. All salaries are within the scale as deemed appropriate for the job descriptions aligned with the Mississippi State Personnel Board and are subject to final approval by the SBE.

WORKER'S COMPENSATION - It is MSDB's goal to provide a safe work environment. Each employee shall comply with all occupational safety, health policies and standards. Should an accident occur, the employee must report any injury or illness, no matter how minor it may seem, immediately to the Supervisor, Director, or Principal, and/or the Superintendent. The Supervisor, Director, or Principal, and/or the Superintendent must report the incident to the Workers' Compensation Coordinator. Failure to do so may jeopardize eligibility for workers' compensation. Employees are covered against certain loss of earnings due to injuries on the job by a workers' compensation insurance policy furnished by MSDB.

No compensation will be allowed for an injury, illness or death due to willful misconduct, intentional self-inflicted injury, intoxication, or willful failure or refusal to use safety devices or lack of compliance with prescribed safety procedures. The payment of medical bills and compensation payments will be in accordance with all applicable workers' compensation laws.

If an employee suffers an occupational injury or illness, the following steps should be taken:

1. Any necessary first-aid treatment should be administered.
2. When physically able, the employee should immediately report the injury or illness to his or her Supervisor, Director, or Principal, and/or the Superintendent.

3. Both the employee and Supervisor, Director, or Principal, and/or the Superintendent must complete a Report of Accident/Injury form within the first hour of the accident, if possible or as soon as possible after the event. If medical attention is required, the employee may be seen by a medical doctor or facility approved by MSDB, unless in an emergency.
4. Medical facilities will need a claim number in order to administer treatment. The insurance company will not provide a claim number without the Accident/Injury form. These forms are available from the employee's supervisor or on the District website under "Staff Documents." Both forms must be signed and dated by the Supervisor, Director, or Principal, and/or the Superintendent and forwarded to the Workers' Compensation Coordinator in the Business Office as soon as possible.

UNEMPLOYMENT COMPENSATION - Employees are not eligible for unemployment benefits in the summer months between school terms. An employee hired during the school term that has reasonable assurance of employment for the same or similar work for the following school term will be denied. Substitutes may receive unemployment compensation if they are only working part-time and not earning more than their allowed benefit for the week. Substitute logs are to be sent to the Business Office each month documenting who was called and whether they accepted the work. This information is provided to the Mississippi Department of Employment Security for those substitutes that file unemployment claims.

REDUCTION IN FORCE

MSDB has the responsibility for providing and maintaining a quality school. In order to carry out its responsibility, the SBE, at the recommendation of the Superintendent, may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (the same to be in no event less than 187 days per contract year), (3) reduce employee salaries, and/or (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

When reducing the number of licensed employees, the SBE, at the recommendation of the Superintendent, will take into account the following reasons for such reduction in force:

1. Enrollment declines,
2. Financial decline/reduction,
3. Educational program(s) elimination, and/or
4. Other good and/or just cause as defined by the SBE.

The primary objective of the MSDB when reducing the work force will be the maintenance of a fair and balanced educational program consistent with the needs of the students and the functions and responsibilities of the school. When deciding reduction in force, the SBE, at the recommendation of the Superintendent, will consider the following factors, not necessarily in the order listed:

1. Importance of the position to the mission, goals, and objectives of the MSDB.
2. Area(s) and level(s) of competence indicated by certification.
3. Experience, professional training, length of service within the district and work assignment.
4. Quality of performance including character, teaching capacity, and/or executive ability.
5. Skills in area(s) where the district has instructional and/or supervisory needs.

References: [Miss. Code Ann. § 37-9-101 through 37-9-113](#) and [37-9-59](#)

OUTSIDE EMPLOYMENT

Employees choosing to work outside MSDB may do so as long as it does not create a conflict of interest or interfere with their work schedule or job performance. Outside employment that affects an employee's attendance, work performance, productivity, or conduct, either directly or indirectly, or that creates a conflict of interest of any kind, is strictly prohibited. If employees choose to seek outside employment, they first must discuss this matter with the Supervisor, Director, or Principal, and/or the Superintendent and receive written approval of their plans from the Superintendent. Schedules may or may not be adjusted, and special considerations may or may not be made for employees who have outside employment.

CONFLICT OF INTEREST

An employee of the MSDB shall not have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities. No staff member shall engage in any type of private business during school time and on school property.

Employees shall not engage in work of any type where the source of information concerning customer, client, or employer originates from any information obtained through the school. No gifts from any person or group desiring or doing business with MSDB shall be solicited by a school employee except for nominally valued instructional products or advertising items that are widely distributed.

CODE OF ETHICS AND PROFESSIONAL CONDUCT

All employees at MSDB shall comply with the Mississippi Professional Educator Code of Ethics and Standards of Conduct as outlined in MDE policy 14.10; 14.10 A, B, C, D, E; 14.17; and 14.18. The Superintendent or his/her designee shall establish procedures to assure that all MSDB employees comply with this policy. The procedures shall include, but are not limited to:

1. Providing all employees with a copy of the Mississippi Educator Code of Ethics and Standards of Conduct.
2. Maintaining a signed statement in each employee's personnel file verifying that he/she has been given notice of the Mississippi Educator Code of Ethics and Standards of Conduct.
3. Advising all employees that his/her contract with the MSDB is subject to the Mississippi Educator Code of Ethics and Standards of Conduct and may be revoked or suspended pursuant to its terms.
4. Providing annual in-service training for all employees on the Mississippi Professional Educator Code of Ethics and Standards of Conduct.

The Superintendent shall report to the MDE all license holders who engage in unethical conduct relating to an educator/student relationship (Standard 4).

LINE AND STAFF RELATIONS

The State Board of Education (SBE) 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/supervisor to whom they report. That administrator/supervisor shall refer such matters to the next higher administrator/supervisor when necessary. All personnel shall keep the immediate administrator/supervisor informed of their activities.

Personnel shall have the right to appeal any decision made by an administrator/supervisor 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.

The Mississippi Public School Accountability Standard for this policy is Standard One.

VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the Supervisor, Director, or Principal, and/or the Superintendent (or Superintendent and Principal if a Principal is in violation of this policy). If the Supervisor, Director, or Principal, and/or the Superintendent finds the complaint to be factual, he/she shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Severe violations or continuous violations of this policy may lead to an employee being suspended, dismissed, or non-renewed. Employees shall have the right to appeal any disciplinary action taken against them by following the proper chain of command as specified in the district's "Employee Grievance Procedure" policy.

ARREST OF EMPLOYEE

Employees arrested for any reason must notify their Supervisor, Director, or Principal, and/or the Superintendent within twenty-four (24) hours. Supervisors, Directors, or Principals will inform the Superintendent who will contact the Chief Academic Officer at MDE.

REPORTING ABUSE OR NEGLECT

REPORTING AUTHORITY

According to Mississippi Code (1972 annotated), the following people are required by law to report suspected abuse or neglect:

1. Attorneys
2. Child's Caregiver
3. Dentists
4. Doctors
5. Interns
6. Law Enforcement Officers
7. Ministers
8. Nurses
9. Psychologists
10. Residents
11. School Principals
12. Social Workers
13. Teachers
14. Or any other person having reasonable cause to suspect a child has been neglected

or abused.

IMMUNITY

The law protects individuals who make reports of suspected child abuse or neglect from civil liability if they act in good faith. Absolute proof is not necessary before a report is filed. Child Protective Services is responsible for conducting its own investigation.

STEPS TO FOLLOW AFTER SUSPECTING ABUSE

1. Take the student to a private place and let the student tell you about the abuse.
2. **DO NOT** interrogate the student.
3. Encourage the student to express his/her feelings about the abuse.
4. Avoid leading questions.
5. Ask open-ended questions (e.g., What happened next?).
6. Try to remain calm and nonjudgmental.
7. Let the student know that you believe his or her story.
8. Reassure the student he/she is not to blame for what happened.
9. Respect the privacy of the student.
10. **DO NOT** tell other people who do not need to know.

Explain to the student what will happen next (i.e., tell them you will call someone to help.)

REPORTING WITHIN THE SCHOOL

Inform the Superintendent or the School Counselor of your findings. The Superintendent and/or the Counselor will work with employees in contacting social services.

REPORTING TO SOCIAL SERVICES

1. Name and address of student and parents or caretaker
2. Date of Birth
3. Nature of student's injury
4. Identity and address of perpetrator, if known
5. Any other information you believe social worker will find helpful
6. Names and dates of birth of other children in the home

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Unless expressly authorized to do so, employees are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to MSDB. Unauthorized dissemination of such material may result in severe disciplinary action

as well as substantial civil and criminal penalties under state and federal Economic Espionage laws.

MSDB shall operate in compliance with the Family Educational Rights and Privacy Act of 1974 regarding student information and records. The Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA) have provided schools, school districts, and state educational agencies guidelines in disclosing student records. School officials with a "legitimate educational interest" in any student information can have access to educational records without specific consent of parents or eligible students.

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 SBE;
2. Perform a supervisory/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. However, the misuse or improper disclosure of confidential information by school officials or a third party is strictly prohibited and is punishable by federal statutes.

Electronic access to student information will be limited to job-duty specifications of each employee. At no time should this information be printed, transferred, or shared under conditions other than those stipulated in FERPA. A complete explanation of FERPA may be found online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

INAPPROPRIATE CONDUCT WITH STUDENTS

As mandated by the State Superintendent of Education, MSDB must implement policies and procedures related to the prohibition of inappropriate relationships and/or conduct with students. The MSDB Student Handbook informs students that such conduct is prohibited and that if an employee treats them in any inappropriate way, they should report it immediately.

DO NOT email, text message, call or contact students via any form of communication regarding personal matters. All communications should be highly professional and related to school ONLY. The same applies to verbal or written conversations and communications at school, schoolrelated activities, and/or off campus.

DO NOT BLUR THE LINES BETWEEN ADULTS 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 possible leads. While rumors may be nothing more than gossip, the Administration must evaluate the credibility of the information to determine if there is sufficient substantiation to investigate.

Investigation should include interviewing students, the accused staff member/s, other staff members, looking at phone records, emails, text messages, etc. If there is no evidence that any wrongdoing has occurred, the investigation can be closed. However, the investigation should be properly documented regarding what the inquiry entailed and that there was no evidence to support the charges.

If the investigation reveals suspicious conduct, then the investigation must continue until the allegation is dismissed as unfounded or there are sufficient facts to lend credibility to the charges. Usually, the investigation does not prove absolutely that sexual behavior has occurred between a staff member and a student, but that other inappropriate conduct did occur such as personal emails and text messages between the staff member and a student. There may be a legitimate reason for an occasional email between an employee and a student, but it must be school related. Personal emails, telephone calls, and text messages 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 employee and a student under the age of eighteen (18), it is mandatory that the

Superintendent must report it to the District Attorney. Thus, if the investigation reveals information that provides a reasonable basis to believe that sexual involvement occurred, the District Attorney must be informed. In summary, the Administration must thoroughly investigate all accusations of misconduct in an expeditious manner. Documentation of the investigation is important, regardless of the conclusions reached. Once evidence is found, the information must be turned over to the District Attorney and dismissal of the employee should take place.

STAFF/STUDENT NON-FRATERNIZATION

Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position and shall never take advantage of students' vulnerability or of their confidence.

It is the policy of MSDB to prohibit any sexual relationship, contact, or sexually-nuanced behavior or communication between a staff member and a student, while the student is enrolled in the school. The prohibition applies regardless of gender, whether the student or the staff member is the initiator of the behavior, and whether or not the student welcomes or reciprocates the attention.

Guidelines

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines:

1. Staff members shall not make derogatory comments to students regarding the school and/or staff.
2. Staff members shall not exchange gifts with students.
3. Staff-sponsored parties, at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not text students nor participate in any student blogs unrelated to school.
6. Staff members shall not friend students on any social media platforms prior to graduation.
7. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol, or drugs.
8. Staff members shall not date students. Sexual relations with students, regardless of age and/or consent, are prohibited and will result in dismissal and criminal prosecution.
9. Staff members shall not use insults against students as a method of forcing compliance with requirements or expectations.
10. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
11. Staff members shall not send students on personal errands.
12. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
13. Staff members shall not attempt to counsel, assess, diagnose, or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health, and/or family relationships but instead, should refer the student to appropriate school personnel or agency for assistance, pursuant to law and Board policy.
14. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health, and/or family background.

Parents who are Staff Members

MSDB recognizes the unique nature of our community. At times, parents of current students are also staff members. These situations create dynamics and liabilities that are unique to residential schools for the Deaf

and/or the Blind.

Diligent care will be taken to protect all staff members and students. All students have the right to enjoy friendships and the rituals of childhood and young adulthood such as visiting each other's homes, going on sleepovers, and participating in social outings. For all students, any excursions originating from campus after school must have both sets of parents' written permissions on file.

Along with written permissions, employees who are also parents of current students should communicate with their Supervisor, Director, or Principal and/or the Superintendent to ensure procedures are understood and being followed if any other student/s are to be in your care outside of school for any reason.

Alumni and Former Students who are Staff Members

MSDB encourages alumni to return as staff members. Alumni serve as important role models to current students. It is imperative to follow staff member guidelines and establish clear boundaries as a staff member. This will create changes in relationships as current students might have been your friends when you were a student. Staff members who are former students and/or alumni should work with their Supervisor, Director, or Principal and /or the Superintendent to discuss any challenges or concerns.

Social Media

All employees of this school district who participate in social media websites or applications such as, but not limited to Facebook, Twitter, Snapchat, and/or Instagram shall not post any data, documents, photos, or inappropriate information on any website that might result in a disruption of classroom activity. The determination of appropriateness will be made by the Superintendent.

Employees, faculty, and staff are solely responsible for the content and the security of their social media websites and applications and shall not give their social media website passwords to students.

Employees, faculty, and staff shall NEVER use their personal social media accounts in any way purporting to be or speaking for MSDB.

Fraternization via the Internet between employees and students is prohibited and in violation of standards of the Mississippi Educator Code of Ethics.

Communications with both students and parents shall be done in person, over telephone, through standard mail, secure educational applications, and/or through email. Communications with parents through social media should be used only as a last resort, and with permission from the Supervisor, Director, or Principal and /or the Superintendent, when all other avenues have been unsuccessful.

Access of social media websites for individual use during school hours is prohibited. Violation of any of these policies may result in disciplinary action, up to and including, termination. Nothing in this policy prohibits staff or students from the use of educational websites.

Annual Reminder to Staff

The Supervisor, Director, or Principal, and/or the Superintendent will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the online, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using social media and similar internet sites or networks
2. Inappropriateness of posting items with sexual content
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
4. Examples of inappropriate behavior from other districts, as behavior to avoid
5. Monitoring and penalties for improper use of district computers and technology

6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct

Periodical Review

The Superintendent or designees may periodically conduct Internet searches to see if employees have posted inappropriate materials online. When inappropriate use of computers and/or websites is discovered, the Supervisor, Director, or Principal, and/or the Superintendent may download the offensive material and promptly take proper administrative action.

BULLYING

PROHIBITION - No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. MSDB prohibits bullying or harassing behavior of students or school employees. MSDB will make every reasonable effort to ensure that no person or school employee is subjected to bullying or harassing behavior by anyone.

Bullying or harassing behavior is any pattern of gestures or written, electronic*, or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that, takes place on school property, at any school-sponsored function, or on a school bus, and that:

1. places a student or school employee in actual and reasonable fear of harm to his/her person or damage to his/her property; or
2. creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For the purposes of this section, a "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Conduct described in subsection (1) is considered bullying if that conduct interferes with a student's education or substantially disrupts the operation of a school.

** Bullying or harassing behavior includes cyberbullying. Cyberbullying is bullying or harassing behavior that occurs electronically. Bullying or harassing behavior will not be condoned or tolerated when it takes place on school property, at any school-sponsored function, on a school bus, or when it takes place off school property when such conduct materially disrupts classwork or involves substantial disorder or invasion of the rights of others. No person shall engage in any act of retaliation or reprisal against any person, including a victim, a witness, or another person with reliable information about an act of bullying or harassing behavior and/or who in good faith provides information concerning an incident of bullying.*

PROCEDURES FOR REPORTING, INVESTIGATING, AND ADDRESSING BULLYING OR HARASSING BEHAVIOR

A student who feels he/she has been a victim of bullying or harassing behavior and/or a student or volunteer who has witnessed or has reliable information that a student, school employee, or volunteer has been subject to any act of bullying or harassing behavior should report the incident to a school employee, who shall immediately report the incident in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Students should report bullying or harassing behavior to a school employee promptly, but no later than five (5) working days after the alleged

incident(s) occurred.

Reports should include: the name of the reporting person*, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es), the name(s) of the alleged bully, and any other information that would assist in the investigation of the report.

**If a student or staff member chooses to anonymously report bullying or harassing behavior, the school's ability to act based solely on an anonymous report may be limited.*

A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall immediately report the incident in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Reports against the Principal shall immediately be made in writing to the Superintendent, and reports against the Superintendent shall immediately be made in writing to the Chief Academic Officer at MDE.

The school administration will investigate reported incidents of bullying within five (5) working days of receiving the report.

The school administration will speak with the alleged victim and alleged bully separately. Students may submit evidence for the school administration to review and a list of witnesses for the school administration to speak with. Students should preserve evidence of bullying, cyberbullying, and/or harassing behavior.

All teachers, employees, volunteers, and students shall fully cooperate with the investigating and answer truthfully all inquiries relative thereto.

Upon completion of the investigation, the school administration will immediately notify the alleged victim and alleged bully regarding the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted.

The school administration will provide notice of an incident of bullying and the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted, within a reasonable amount of time to a parent or guardian of the victim and a parent or guardian of the bully not to exceed five (5) working days after the completion of the investigation.

MSDB recognizes the fundamental right of every student to take "reasonable actions" as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing. "Reasonable action" includes, but is not limited to, promptly reporting the bullying or harassing behavior to a school employee and student's use of reasonable self-defense.

If, after an investigation, a student is found to be a victim of bullying, such student shall not face disciplinary action on the basis of that student's use of reasonable self-defense in response to the bullying.

Discipline for bullying of a student with disabilities shall comply with the applicable

requirements under federal law including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.). Available counseling options for a student who is a victim of bullying or a witness to bullying or a student who engages in bullying include:

- School Guidance Counseling
- Conflict Resolution Training
- Anger Management Training
- Problem Solving Skills Training (proactive, constructive, relationship building)
- Social Skills Training

Support and intervention in response to bullying may be provided by the MSDB through the assistance of the any of the following agencies:

- Mississippi Department of Education
- Community/Family Public or private community-based mental health services
- Faith-based services
- Law enforcement agencies
- Guidance counselor's office at MSDB

The procedure for reporting bullying will also be posted on the school's website. False accusations or reports of bullying are prohibited and may warrant discipline action. Any perceived criminal conduct will be immediately reported to law enforcement.

References: [Miss. Code Ann. § 37-11-67](#) and [Miss. Code Ann. § 37-11-69](#)

HARASSMENT

MSDB is committed to sustaining a safe and supportive school environment free from harassment. In keeping with this commitment, the school will not tolerate harassment of employees or students by anyone, including administrators, teachers, staff, students, parents, volunteers or any others on campus.

MSDB prohibits all types of harassment based on, but not limited to, color, race, religion, creed, national origin, gender, age, or disability. MSDB will promptly investigate all complaints of harassment—formal or informal, written or verbal—and take appropriate actions against any member of the school community found in violation of this policy.

Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the Mississippi Department of Education Board Policy Part 3, Chapter 99, Rule 99.1.

Definitions

“School Community” includes, but is not limited to, all students, parents, school and state employees, contractors, volunteers, committee members, and other visitors.

“School Employee” includes, but is not limited to, all administrators, teachers, staff, bus drivers, custodians, cafeteria workers, and agents of the District and/or Schools.

“Harassment” means verbal or physical conduct based on an individual's actual or perceived race, religion, color, national origin, gender, age, or disability that affects or interferes with a student's educational performance or creates a hostile, offensive, or intimidating environment.

Harassment may include any form of unwelcome verbal, physical, or written conduct that offends, degrades, or belittles an individual. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning comments, offensive behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures. These stipulations apply whether the harassment is between people of the same, or of a different gender.

“Sexual Harassment” includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, unwelcome sexual advances, threats, bodily contact, sexual oriented verbal teasing, abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome touching such as pinching, patting, or constant brushing against another’s body, suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one’s grades, employment status, or similarly personal concerns, filing a false complaint of sexual harassment, or other deliberate verbal or physical conduct of a sexual nature made by any school employee or volunteer to a student or to another school employee or volunteer; a student to another student; or a student to a staff member when:

1. Submission to such contact is made either explicitly or implicitly as a term or condition of an individual’s privileges, access to campus resources and activities, grades, or educational development.
2. Submission to or rejection of such conduct by an individual is used as a basis for education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Students believing, they have been sexually harassed should immediately report the incident(s) to the Administration or a school employee. The Administration shall investigate and take appropriate corrective action.

“Peer Harassment” includes, but is not limited to, unwelcome attention from peers or other individuals and includes such actions as name calling, threatening gestures, unwanted physical contact, vandalism of personal property, and filing a false complaint.

“Racial and Color Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual’s race or color.

Nicknames, emphasizing stereotypes, racial slurs, comments on one’s manner of speaking, and negative references to racial customs are examples of racial or color harassment.

“Religious Creed Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at an individual’s religion or creed such as derogatory comments regarding surnames, religious clothing, religious slurs, or graffiti.

“National Origin Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual’s national origin such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

“Disability Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at a person’s disabling mental or physical condition such as manner of speech or movement or interference with an individual’s equipment.

REPORTING HARASSMENT

Students who believe they are a victim of any form of harassment should immediately report the incident(s) to the Administration or a school employee. Any school employee or student, who observes, overhears, or otherwise witnesses harassment is encouraged to take appropriate action to report the incident immediately. In the event the school employee or student is unable to personally take prompt action, they are encouraged to report the incident or complaint in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Any complaint of harassment filed by a student or staff member will be reported immediately to the Supervisor, Director, or Principal, and/or the Superintendent. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

Filing of a complaint or reporting harassment in any manner will not affect an individual’s status, work assignments, or grades.

Under certain circumstances, sexual harassment behaviors may constitute physical or sexual abuse. Therefore, when educators become aware of suspected abuse, they must report the incident to the Mississippi Department of Human Services. Such acts constitute violations of Mississippi criminal law resulting in law enforcement investigations and possible criminal charges.

RETALIATION TO HARASSMENT

Members of the school community may not retaliate against any person who reports alleged harassment or any person who testifies, assists, or participates in the investigation, proceedings, or hearing related to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment and may be redressed through the same process for reporting, investigating, and enforcing procedures for harassment. Any person who knowingly files a false claim or report may be subject to the same actions that MSDB might take against any other individual violating this harassment policy.

The right to confidentiality, both of the complainant and the accused, will be respected consistent with the legal obligation of the school and the necessity to investigate allegations of misconduct and to take corrective actions when such conduct occurs.

Consequences to Violation of Harassment Policies: Any school employee or student found to have violated this policy may be subject to action including, but not limited to, warning, remedial training, education or counseling, suspension, expulsion, termination, or discharge from duties.

RELATIONSHIPS AMONG STAFF MEMBERS

MSDB Administration recognizes that personal and romantic relationships among staff member may develop and do exist outside of the workplace. These relationships must never impact the mission and vision of either school or the agency. If personal or romantic relationships among

staff members impact the job performance of any employee or impact the ability of MSDB, MSD, or MSB to fulfill its mission or vision, progressive disciplinary action will be implemented with involved employees, up to and including dismissal from employment. Should a personal or romantic relationship exist or develop between a manager and an employee, plans will be developed and implemented so that no employee is involved in supervision of another employee with whom they have a personal or romantic relationship. No employee shall supervise any other employee who supervises the employee with whom they have a relationship. These plans will be kept on file in the Human Resources or Business Office.

DRESS CODE GUIDELINES

MSDB exists to enable all Mississippi students who are deaf, hard of hearing, blind, visually impaired, or deafblind to develop, in a safe and productive environment, the knowledge, skills, and attitudes necessary to reach their fullest potential as individuals and citizens. All MSDB employees are role models to our students and all employees should project a positive, professional image through their work and their appearance.

MSDB Administration recognizes there are a variety of job duties on campus and employee dress must reflect the same diversity as the duties.

To this end, all employees should be well groomed and be dressed in a manner that will result in a positive image of the school and in accordance with your specific job duty. Clothing worn should be clean, neat in appearance, in good repair, appropriate for employees' job responsibilities, and should not be offensive to the public or fellow workers. Attire should not detract from the job being performed or the message being delivered and should project a serious, competent image. Care should be taken to avoid clothing that a reasonable person would find "revealing."

MSDB Administration also realizes there are varying reasons for professional dress, business dress, business-casual dress, or casual dress. The Administration trusts that employee choices for dress match the employee's planned duties for the day. Staff, including teachers and assistants, who have painting activities planned should be allowed to dress in a way as to not ruin or mar more expensive clothing items. Other classroom activities such as field trips, science dissections, and other "messy" classroom activities will be considered regarding appropriate dress.

If staff have questions about what is considered appropriate, he/she should check with their supervisor.

MSDB employees may be asked to change attire or accessories deemed provocative, revealing, or inappropriate by the Supervisor, Director, or Principal, and/or the Superintendent.

TELEPHONES/CELL PHONES

Telephones are an integral part of communications within MSDB. Therefore, telephones should be used primarily for school business purposes. Personal calls are permitted to a reasonable extent; however, they must be limited, and this privilege not abused. The use of cell phones, iPods, and any other device, including but not limited to headphones or earphones, which may interfere with an employee's ability to operate a school vehicle or to adequately observe and monitor the behavior of students while said students are under his/her supervision are strictly prohibited.

VISITORS

All visitors to the school shall report to the Welcome Center / Security Gate. Once allowed onto campus, visitors should proceed to the respective school's office to sign in and gain identification as a visitor. This procedure applies to all visitors, parents, community members, etc. The only exceptions are groups who have made appointments for campus tours and are escorted by school staff. All employees shall either report unidentified visitors to their respective office or stop any unauthorized person on campus, direct them and/or escort them to the school's office, and have them sign in.

Salespersons and other individuals desiring business transactions with the school must obtain permission for visitation from the Administration to present to the appropriate individual. Any employee expecting visitors on campus shall notify security with the name and time the visitor is expected to be on campus.

POLITICAL ACTIVITY OF STAFF MEMBERS

MSDB recognizes the rights of its employees and encourages them as citizens to engage in activities which exemplify good citizenship. However, school property and school time shall not be used for political purposes. Any statements made by employees on social media or otherwise, that affects that employee's ability perform his/her duties or causes a disruption of manner at work is prohibited. Statements of this nature can result in disciplinary action, including but not limited to dismissal from employment.

DUTIES AND RESPONSIBILITIES OF EMPLOYEES

1. To plan, organize, and conduct a program of instruction in the subjects, grades, or programs/departments to which they are assigned.
2. To assume custody of the pupils assigned to their care and to take precautions that will ensure the pupil's safety and general welfare. Students should never be left unsupervised.
3. To participate in all-school orientation and registration meetings and professional development unless assigned school duty conflicts.
4. To perform extracurricular duties assigned by the Supervisor, Director, or Principal, and/or the Superintendent, such as classroom, hallways, campus grounds, and similar essential duties in any school facility.
5. To attend all faculty or staff meetings scheduled by the Supervisor, Director, or Principal, and/or the Superintendent, unless excused by the person calling the meeting.
6. To keep classes in session each day during school hours and not dismiss them for any time without the prior consent of the Supervisor, Director, or Principal, and/or the Superintendent.
7. To be responsible for all school property and equipment entrusted to them.
8. To be responsible for the behavior of their pupils and all other pupils with whom they have contact on campus.
9. To prepare all records as directed by the Supervisor, Director, or Principal, and/or the Superintendent.
10. To make all contacts and/or requests to the Legislature, Mississippi Department of Education or SBE through the Superintendent.
11. To be accountable for the performance of assigned duties to the Supervisor, Director, or Principal, and/or the Superintendent.
12. To keep lesson plans and/or outlines of class and/or dorm procedures as directed. These will aid Supervisor, Director, or Principal, and/or the Superintendent in performing their duties and will serve as guidelines for Substitute Teachers or Residential Education Parents.

13. In all cases where a Teacher terminates employment during the school year, said Teacher shall provide lesson plans for at least two weeks in advance to the replacement Teacher.
14. To practice, and to require the pupils to practice shared responsibility by:
 - a. Conservation of environmental and material resources
 - b. Good housekeeping by addressing clutter, trash, scattered personal belongings
 - c. Storing books, work materials, supplies, and equipment in a neat and orderly manner
 - d. Keeping bulletin boards, display areas, and whiteboards clean, functional, and attractive
 - e. Having blinds properly hung, raised, or lowered and window ledges clear of objects that appear ill-kempt from the outside
 - f. Keeping heating and cooling vents clear of obstructions at all times
 - g. Practicing other activities necessary to reflect good housekeeping
15. To notify the Supervisor, Director, or Principal, and/or the Superintendent directly upon any anticipated absences, obtaining prior approval when required.
16. To strive to interpret the work of the school fairly, honestly, and adequately to patrons at every opportunity.
17. To avoid political, doctrinal, sectarian, and denominational teaching.
18. To keep up to date in areas of expertise.
19. To strive at all times to maintain respectful relationships with colleagues and parent(s)/guardian(s)
20. To strive to keep parent(s)/guardian informed of their child's progress, and holding conferences whenever necessary.
21. To perform other duties as may be assigned by the Supervisor, Director, or Principal, and/or the Superintendent.

DISCIPLINE GUIDE FOR ALL EMPLOYEES

MSDB is not only responsible for student academic progress but teaching students to be successful citizens in life. Every employee is responsible for knowing and enforcing all of the policies and procedures in the student handbook. In order to be familiar with school policies, employees must read and understand all handbooks provided.

EMPLOYEES SHOULD:

- Learn student names as soon as possible. All people like to be recognized.
- Be fair and consistent.
- Treat each student equally.
- Be empathetic and accentuate the positive, avoid the negative.
- Be thoroughly prepared for all classes, activities, or events and have ample involvement for all students throughout the time period.
- Be cheerful, attractive and orderly; let the learning, work, and recreation spaces reflect these qualities.
- Be professional in demeanor and maintain a sense of humor.
- Be flexible; know when to adjust plans or timelines.
- Admit errors and apologize when mistakes are made.
- Establish a minimum number of simple rules and help students understand why policies and procedures are necessary.
- Let students assist in formulating rules, policies, and procedures and in publicizing them.

- Correct students when needed to prevent minor problems from growing into larger ones.
- Watch for indicators of harassment or bullying.
- Report disciplinary infractions.
- Report problems that are simmering and have the potential to escalate, thereby affecting more students and becoming much more serious. Report problems to the Supervisor, Director, or Principal, and/or the Superintendent, depending on urgency.
- All employees are responsible for student discipline.

GUIDELINES FOR ISSUING DISCIPLINARY ACTION

All guidelines for discipline are outlined in the School Staff Handbooks and Residential Education Handbooks. All behavior is communication. Staff should use behavior infractions as an opportunity to respect what students are trying to communicate, facilitate language develop, teach choice-making, ensure resolution happens, and implement appropriate and authentic consequences for the behavior. All behavior infractions should be appropriately documented for data collection and intervention design. Please check your school or department handbook for more detailed information.

CONTACTING PARENTS

Teachers do have authority to contact parents with regard to academic issues. All disciplinary issues should be reported to the Supervisor, Director, or Principal and/or the Superintendent and contact will be made with parents, as necessary. In an effort to build relationships with parents, MSDB encourages positive reports to them as often as possible.

TECHNOLOGY OFFICE AND LOCATIONS

The MSDB Technology Offices and secured technology locations are off limits to staff and students unless they are accompanied by a member of the Technology Department or given permission from the same. Staff members must not use master keys to enable a student to access any Technology Office.

MSDB STAFF ACCEPTABLE USE POLICY

All staff members must participate in training, read and sign the Acceptable Use Agreement Contract.

PURPOSE

MSDB is pleased to offer to its students, faculty, and staff access to the Internet in accordance with the terms and conditions of this policy. All users of the internet access must comply with the school's Acceptable Use Policy. It is important that all users understand the terms, conditions, and responsibilities associated with the use of the internet access.

This policy governs the use of all computers, computer-based communication networks and all related information technology equipment administered by MSDB. A user is defined as any person employed by MSDB, which includes full-time, part-time, temporary, or contract employees, persons who are employed by contractors or subcontractors of MSDB, and any other individuals who are authorized to access or use agency information systems including students, parents, prospective students, and project volunteers. The electronic communications and facilities of MSDB are the property of the State and by using these facilities the user acknowledges consent to abide by this policy. These facilities and resources are to be used for School business purposes.

MSDB has taken available precautions to eliminate controversial material. However, it is impossible for MSDB to restrict access to all controversial materials. Parents/Guardians agree not to hold MSDB responsible for materials acquired by students on the network. Parents/Guardians accept full responsibility for supervision of each child's Internet access if and when their use is not in a school setting. Further, Parents/Guardians full responsibility for their child's use of property of MSDB. Parents give their permission for MSDB to provide computer network and Internet access to each child and consent to the monitoring of each child's computer and Internet activities by MSDB. All conditions of the Acceptable Use Policy also apply to the use of technology in the residential setting.

CHILDREN'S INTERNET PROTECTION ACT (CIPA)

In December 2000, Congress enacted the CIPA. For any school or library that receives discounts for Internet access or for internal connections, CIPA imposes certain requirements. The CIPA requires that schools restrict employee and student access to the Internet. Under the CIPA, covered schools must have an Internet safety program which filters both adult and student access to visual depictions that are obscene or constitute child pornography. The program must also prevent students from accessing materials that are harmful to minors.

The school receives these discounts for Internet Access through the E-Rate program and is therefore in compliance with the CIPA. Key terms for this policy are defined by the Children's

Internet Protection Act.

In compliance with CIPA 2008 updates, all students at the MSDB are educated about appropriate online behavior, including interacting with other individuals on social networking websites, in chat rooms and in cyberbullying awareness and response.

CHILDREN'S ONLINE PRIVACY PROTECTION ACT (COPPA)

The COPPA, effective April 21, 2000, applies to online collection of personal information from children under the age of 13, such as full name, home address, email address, telephone number or any other information that would allow someone to identify or contact the child. The Final Rule issued by the Federal Trade Commission spells out what a Website operator must include in a privacy policy, when and how to seek verifiable consent from a parent, and what responsibilities an operator has to protect children privacy and safety online.

EDUCATION, SUPERVISION AND MONITORING

It shall be the responsibility of all members of the MSDB staff to educate, supervise, and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Technology Team Members. MSDB or designated representatives will provide age-appropriate and accessible training for students who use the MSDB Internet facilities. The training provided will be designed to promote the MSDB commitment to:

1. The standards and acceptable use of Internet services as set forth in the MSDB Acceptable Use Policy;
2. Student safety regarding:
 - a. the Internet;
 - b. appropriate behavior while on online, on social networking web sites, and in chat rooms; and,
 - c. cyber bullying awareness and response (see also the Anti-Bullying policy regarding expectations of electronic usage).
3. Compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA").

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use policies.

NETWORK AND COMPUTER USAGE ON CAMPUS

The MSDB campus computer network is referred to as MSDB Network. The MSDB Network usage policies are designed to provide an environment that is consistent with the MSD and MSB missions and visions, MDE requirements, and federal/state laws. The MSDB Network refers to devices attached to the entire computer network system at the MSDB. The MSDB Network includes but is not limited to the Local Area Network (LAN on campus), all MSDB file servers, and access to the Internet.

The MSDB Network facilities and network connections are for providing educational computing support to students, faculty, and staff. Under federal statutes and the sections of the Mississippi

Code, which govern the use of these resources, all users must use the MSDB Network resources properly and for the purpose designated by the legislature. Students, faculty, and staff must follow all existing federal and state laws and MSDB regulations and policies that apply, including those specific to computers, networks, and websites, and those that may apply generally to personal conduct.

CYBERSECURITY

Cybersecurity plays an important role in today's technological world. With advanced threats from criminals around the world, any exploit in technology systems can be used to gain unauthorized access from perpetrators. With that in mind, MSDB will take pertinent steps to help prevent cyberattacks against the institution's computer network systems, but employees must also do their part in helping to prevent such attacks.

Staff and students are encouraged to take cybersecurity seriously. Training on cybersecurity shall be conducted yearly, and additional training will be held as optioned by the administration.

Users of MSDB computer systems are prohibited from sharing login credentials with other users unless expressed permission is given by a member of the Technology Department. It is the responsibility of the user to secure his/her login credentials when accessing trusted network resources. Passwords associated with trusted resources must contain an appropriate strength and be of at least 8 alphanumeric characters.

In regard to cybersecurity, MSDB reserves the right to monitor the network system for signs of illegal or unauthorized activity. Even though the MSDB Acceptable Use Policy may not expressly prohibit an activity, such behavior may not be permissible. The Technology Department may delete files deemed unnecessary. For questions related to appropriate use, contact a member of the Technology Department.

INAPPROPRIATE NETWORK USAGE

To the extent practical, steps shall be taken to promote the safety and security of users of the MSDB online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

The following behaviors are not permitted on district computers:

1. Sharing confidential information about students or employees
2. Sending or displaying offensive messages or pictures
3. Using obscene or sexually explicit language or images
4. Discriminatory, harassing, derogatory, insulting or attacking any individual or group
5. Defamatory or threatening language or images
6. Damaging computers, computer systems or computer networks
7. Violating copyright laws or any laws
8. Using others' passwords
9. Trespassing in others' folders, work, or files

10. Intentionally wasting limited resources
11. Using computers for personal or commercial purposes
12. Supporting/opposing political candidates or issues
13. Engaging in practices that threaten the system (e.g., loading files that may introduce a virus)
14. Violating regulations prescribed by the provider
15. Conducting union business
16. Promoting, supporting, celebrating or opposing religion or religious institutions
17. Engaging in any purpose that is contrary to MSDB's policies or interests
18. Visiting obscene web sites
19. Participating in any obscene "chat room" communications
20. Unauthorized monitoring or intercepting files or electronic communications of other users
21. Attempting to bypass any internet filtering, traffic regulating, or such automated systems designed to control the access level and functionality of the MSDB network as required by CIPA (Child Internet Protection Act)
22. Hacking or obtaining access to systems or files that are unauthorized to the user

No personal computer or other personal hardware device(s) may be used to connect to, to log into, or to interface with the MSDB Network academic network at any time. No personal removable media (including but not limited to floppy disks, PIN, thumb, jump drives, etc.) may be used in conjunction with MSDB equipment. MSDB will archive all emails sent or received through the network or on MSDB equipment for a period of at least 60 days and these emails are subject to review by the Technology Department staff and/or the Superintendent.

PROHIBITION OF OBSCENE MATERIALS

All digital or online resources or any database provided in this district by a vendor or other entity shall contain technology protection measures that:

1. Prohibit and prevent a person from sending, receiving, viewing, or downloading materials that are inappropriate or obscene; and
2. Block, or otherwise prohibit and prevent, access to obscene and inappropriate materials as defined under MS Code 37-11-81.

USER RESPONSIBILITIES

As MSDB Network account holders, users should:

1. Be owners of their data and keep account information confidential.
2. Provide a personal USB flash memory drive for school use in storing personal files and moving them from one computer to another. Other marketing terms used for these devices are "thumb drive" or "jump drive."
3. Be responsible for ensuring that their data is adequately backed up and protected against unauthorized access.
4. Notify a member of the Technology Department to change their personal password when they suspect it has been compromised.
5. Report suspected violations of technology guidelines to a member of the Technology Department.
6. **Remember**, no information stored, produced, or transmitted in any way on devices that contact the MSDB Network is to be considered confidential or private in any way. **ALL** information is subject to monitoring and examination for appropriate content at any time. This **INCLUDES** personally owned disks or devices used in conjunction with the MSDB Network. Any such item must be surrendered on demand

- to any school official that requests it for examination.
7. Remain in good standing as a staff member at MSDB. When staff are suspended, dismissed, or otherwise no longer employed, permission to use school resources may be removed, and access to the school and its systems may be denied until the staff member returns to the school in good standing. Staff who are dismissed from employment automatically forfeit all access to school technological resources.

PERSONAL COMPUTERS AND PERIPHERAL DEVICES

In general, staff may not connect their own computers, peripherals, or technological devices to the MSDB Network. This includes such devices as external drives, iPods, cell phones, smart phones, digitizing tablets, etc. However, staff may connect thumb drives to the system for purposes of storing and retrieving their own personal data as it relates to school purposes.

Staff who choose to have their own computers on campus must:

1. Provide the computer and all necessary accessories to allow it to function and that is configured by the staff in compliance with safety protocols.
2. Understand that the resources of the MSDB technology staff are for official school purposes only and they cannot install or repair equipment, hardware, or software on staff computers.
3. Understand that it is a privilege NOT a right for a staff to have a personal computer on the MSDB campus.
4. Recognize that violations of MSDB Network policy may result in personal computers being sent home, loss of some or all computer privileges, and/or other disciplinary actions.
5. Ensure that real time antivirus software is installed, active, and kept up to date on all machines.
6. Agree that MSDB reserves the right to modify the system configuration to ensure compatibility with network systems.
7. Agree to keep the operating system of the computer up to date by automatically applying all manufacturer's security updates as they are released.

MSDB NETWORK POLICY ENFORCEMENT

To protect the MSDB Network resources and monitor proper usage of computer resources for educational purposes, members of the Technology Department shall:

1. Investigate alleged abuses of computer resources.
2. Access the electronic files of its users as part of that investigation if there are indications that computer privileges have been violated.
3. Limit the access of users found to be using any computer systems improperly.
4. Administer disciplinary actions as directed by school administration for violations of MSDB policies that may include the loss of some or all computer privileges and/or other disciplinary actions.
5. Act as a technical advisor to school administrators when they hear all cases involving misuse of computer privileges.
6. Deny access temporarily pending review when there is reasonable suspicion that such use may harm or do damage in the interim.
7. Administer the technical aspects of all penalties for computer violations assigned by school administration.

HARDWARE

1. All personal computers (PCs), servers, workstations, printers, network switches, and other associated equipment are the property of the State of Mississippi and should not be used for purposes other than school business. All such equipment is by default considered to be under the authority and supervision of the MSDB Technology Department unless it is specifically excluded in a written agreement between the MSDB Technology Department and the appropriate substitute designee. No hardware changes, modifications, additions to, deletions from, or removal of any equipment may be done to any such style equipment without notification to the MSDB Technology Department in writing, including all units as described above. Additionally, any person other than Technology personnel may make no such hardware changes to any unit under its supervision unless an MSDB Technology Department representative authorizes such action in writing in advance.
2. No personal devices are to be connected to the MSDB Network without special permission for the MSDB Technology Department. The only routine exception to this rule is that personal USB Flash Memory devices (jump drives or thumb drives) may be used for storing or moving user data files.
3. The transfer of any information system equipment from one user to another, or to vendor for repair, must be recorded using appropriate MDE Property Office and MSDB Technology Department procedures.
4. Except for notebook PCs used daily in offsite work, no information systems equipment should be removed from the MSDB premises without the prior permission of both the individuals' immediate supervisor and the MSDB Technology Department. In the event equipment is to be off premises for some time, the user responsible for the equipment must file a written notification with the MSDB Technology Department.

SOFTWARE

1. Software owned or licensed by MSDB may not be copied to alternate media, distributed by e-mail, transmitted electronically, or used in its original form on other than MSDB computers without express prior written permission from the MSDB Technology Department. Users will adhere to all applicable licensing agreements and copyright provisions.
2. Software licensed to MSDB is to be used for its intended purpose according to the license agreement. Users are responsible for using software in a manner consistent with the licensing agreements of the manufacturer. License agreements are to be maintained by the MSDB Technology Department staff, or the machine's official substitute designee. Copies of all license agreements are to be kept on file in the MSDB Technology office regardless of official supervisory authority.
3. Without prior written approval, software, including but not limited to Internet downloads, utilities, add-ons, programs (including shareware, freeware and Internet access software), patches, or upgrades, shall not be installed on any school owned equipment by anyone other than a representative of the MSDB Technology Department.
4. All software obtained for use on MSDB equipment must be approved in writing by the MSDB Technology Department staff prior to acquisition. Any software obtained for systems that have a substitute supervisory designee must have a copy kept on file in the MSDB Technology Department along with the proof of the licensing certification.
5. Standard software is to be used for all internal functions. When required, approved non-standard software is to be used only to interface with customer/vendor organizations and

other governmental agencies. Any non-standard software needed to perform a specific job function should be approved by the MSDB Technology Department.

PRACTICES

1. System identification codes and passwords are for the use of the specifically assigned user and are to be protected from abuse and/or use by unauthorized individuals. Users are to use their individually assigned system access credentials at all times and are not to share credentials. Any use of another user's credentials must be reported immediately to the MSDB Technology Department staff.
2. All e-mail attachments and executable e-mail messages are automatically scanned for viruses using the virus detection software installed on all MSDB computer workstations. In the event of any configuration changes to the workstation, even with the approval of the MSDB Technology Department Staff, it is the responsibility of the user to ensure virus protection is active prior to opening/executing any file, regardless of the method by which it was obtained. In addition, users are expected to exercise good judgment and safe computing practices to protect agency systems against the threat of potential virus exposure.
3. Like all MSDB information systems resources, Internet access and e-mail are for work-related use. Access to e-mail and Internet sites visited can be monitored at the specific individual level.
4. All Internet use facilitated by the MSDB Network system must conform to all regulatory statutes as governed by the Child Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA).
5. Users may not use MSDB information systems resources for soliciting, personal financial gain, partisan political activities or further disseminating "junk" e-mail such as chain letters, spam, etc.
6. Information contained on any school system is strictly proprietary to the State of Mississippi and MSDB. Copying or disseminating any of this information for any purpose other than state business is strictly prohibited.
7. It is highly recommended that all faculty and staff users store data files (word documents, spreadsheets, databases, etc.) in their various directories on the network file servers. The MSDB Technology Department is responsible for backing up data on the network servers. The individual users are responsible for backing up any files not stored in the appropriate areas of the network servers.

TERMS

All student users of the Mississippi Schools for the Deaf and the Blind (MSDB) provided laptops, tablets, or other personal computing devices shall comply with MSDB policies. Any failure to comply may result in termination of student user rights of possession effective immediately, and MSDB may repossess the device.

LEGAL TITLE

MSDB and the State of Mississippi retain legal title to the property. The student user's right of possession and use is limited to and conditioned upon full and complete compliance with this agreement, MSDB Technology policies, and all MSDB Acceptable Use policies and procedures as found in the MSDB Student Handbook.

RULES FOR ELECTRONIC DEVICES

1. Electronic devices loaned to students shall be used only for educational purposes that directly relate to a school project or assignment, unless otherwise explicitly authorized by building administration.
2. Student users are responsible for the proper care of electronic devices at all times, whether on or off school property.
 - a. Student users shall not leave the device unattended in an unlocked classroom or during an extracurricular activity.
 - b. Student users shall not lend the device to a classmate, friend, or family member. If any person damages the device, it will be the student user's (parent/guardian in the case of a student) responsibility and the damage cost policy will be in effect.
 - c. Student users shall transport the device in its protective case and sleeve.
 - d. Student users shall not leave the device in a vehicle for extended periods of time or overnight.
 - e. Student users shall not leave the device in visible sight when left in a vehicle.
3. Student users shall report a lost or damaged device to the school authorities immediately. If a device is stolen, a report shall be made immediately to local law enforcement.
 - a. If a device is damaged, lost, or stolen because of irresponsible behavior, including intentional or negligent damage or loss, the student user or the parent/guardian may be responsible for the full replacement cost. The student user or the parent/guardian will be responsible for full replacement cost of the device if not reported to MSDB personnel within three (3) calendar days of missing or damaged device.
4. Violation of policies or rules governing the use of electronic devices or any careless use of the device may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student shall also be subject to disciplinary action for any violations of Board policies/procedures or school rules.
5. The student user is responsible for recharging the device's battery, so it is fully charged by the start of the next school day. Devices with no battery life shall be charged in the classroom. The student may be required to forfeit use of the device for the entire time it takes to charge it. All class work missed because of uncharged batteries shall be made up on a student's own time.
6. The device configuration shall not be altered in any way by student users. No software applications shall be installed, removed, or altered on the device unless permission is explicitly given, in writing, by the teacher or building administrator. Any attempt to "jailbreak" and/or remove MSDB protection software may result in disciplinary action.
7. The device shall only be used by the student to whom it is issued. The person to whom the device is issued will be responsible for any activity or action performed on the device.
8. The device shall be returned in acceptable working order by the last day of each school year, upon withdrawal or exit date from MSDB, and whenever requested by school staff.
9. Failure to return the device by the last day of each school year, upon withdrawal or exit date from MSDB, or whenever requested by school staff shall result in a full cost of replacement charge to the student user or parent/legal guardian responsible for this agreement.

USE OF PERSONAL LAPTOPS AND TABLETS

Students may use their personal laptops or tablets in place of a school device. However, while on the MSDB campus, students shall connect to the school's provided wireless network and not a personal hotspot not provided by the school. Students bringing a personal device to campus, or using the device for remote learning, will be responsible for support and maintenance of the device.

REPOSSESSION

If the student user fails to fully comply with all terms of this Agreement and MSDB Technology policies, including the timely return of the property, MSDB shall be entitled to declare the student user in default and take appropriate legal action to secure the safe return of the device or incur full replacement.

TERMS OF AGREEMENT

The student user's right to use and possession of the property terminates no later than the last day of enrollment, unless earlier terminated by MSDB or upon withdrawal from MSDB.

SUPPORT

Students shall contact their teachers as a first level of support for class-related work. If a student needs assistance regarding device software and hardware, they will need to send a repair request to support.msbd@mdek12.org

Student users shall not take devices belonging to MSDB to any other businesses for technical support or repair.

FEES

- First damage occurrence: Deductible fee of \$75.00
- Second damage occurrence: Cost of deductible fee and repair OR half replacement cost if required
- Third damage occurrence: Cost of deductible fee and repair OR replacement cost if required

STUDENT USER DATA

All student users are responsible for keeping backups of important data. If a device must be repaired, there may be a need to reset it to the original settings. The technology department will not be responsible for any student user data that might be lost as a part of this process.

UNLAWFUL APPROPRIATION

Failure to timely return the property and use of any school device for non-school purposes, without MSDB consent, may be considered unlawful appropriation of MSDB property.

**I have reviewed MSDB Technology policies and understand
the rules and guidelines for the following:**

_____ (initial) Acceptable Use Policy in the 2023-2024 MSDB Student Handbook. This includes policies related to account use, network monitoring and adherence to the Children's Internet Protection Act.

_____ (initial) Damages – I am subject to a \$75 charge for the first report of damage; Subject to the cost of deductible fee and repair OR half replacement cost if required for the second report of damage; and subject to cost of deductible fee and repair OR replacement cost if required. I also acknowledge that I shall have to pay full replacement cost for theft of devices after a police report is filed and the device is not recovered in a timely manner.

SIGNATURE VERIFICATION

Print Employee's Name(s)_____

Employee's Signature(s)_____

Date: _____

Policy History: Adopted and Board Approved: August 27, 2020; Revised May 18, 2023

DEADLINES

Deadlines (e.g., attendance, grades, budget requests, cleaning for school events) are established to ensure a timely response to the students, parents, and the community as well to ensure a safe and orderly campus. Employees who fail to meet deadlines will be subject to administrative review.

FORMS AND PUBLICATIONS

A wide variety of forms are necessary to acquire data necessary for the effective operation of a residential school. Forms shall be made available using network resources and available to all employees, subject to access rights assigned by the MSDB Technology Department.

Occasionally, a need arises for a new form. All forms must be created using an appropriate MSDB format that is accessible to screen readers. Before distribution and use, all forms must be approved by the Superintendent. Be certain that the document has been proofed for correct spelling, grammar, and punctuation before submitting it for approval. The documents provided by an organization reflect on its professional quality.

Communications should be concise, clear to understand, and written from a supportive perspective. Use grammar and spell check to proof all documents.

When at all possible, communications via electronic documents are preferred to conserve natural resources and economize in light of rising costs of postal services. Staff members must restrain from modifying MSDB letterhead forms, memos, fax documents, etc. without permission. A consistent appearance in documentation helps create a school “brand”—a visual identity that communicates excellence and professionalism.

Please note that training will be provided to all employees on each form and its purpose. Staff are responsible for timely and accurate paperwork in all aspects of work. Habitual problematic submissions will result in a reprimand.

CUMULATIVE FOLDERS AND PERMANENT RECORDS

MSDB maintains student cumulative folders and permanent records according to state laws and regulations. Cumulative records are stored in locked, fireproof files near the Administrative Suite in Building B upstairs. Authorized staff members (administrative staff, counselor, teachers) may examine and work on student records only near the administrative office areas. Parents may request to inspect a student’s education records and inspection will be arranged within 15 days of receipt of the request.

RECORDS RETENTION

MSDB shall retain copies of records in accordance with the mandatory school, SBE, Department of Archives and History, and other state and federal requirements. The following documents will be used for guidelines:

1. State of Mississippi Records Retention Schedules for School Districts
2. Mississippi Cumulative Folders and Permanent Records Manual of Directions
3. Guidelines for retention of records for specific federal programs (e.g., E-Rate, National School Lunch Program, Fiscal Records)

4. The Family Educational Rights and Privacy Act of 1974 (FERPA)
5. The Confidentiality Section of the Individuals with Disabilities Act, 1997 Amendments
Individuals with Disabilities Education Act)

STATE OF MISSISSIPPI RECORDS RETENTION SCHEDULE FOR SCHOOL DISTRICTS

IMPLEMENTATION OF THE GENERAL SCHEDULES

These general records retention schedules are issued by the Department of Archives and History, Local Government Records Office, as found in Miss. Code Ann. § 39-5-9. The Local Government Records Committee approved these schedules on the dates indicated. Additions and revisions to the schedules may be issued in the future by the Local Government Records Office and will be distributed accordingly.

The retention period listed in the general schedules for each records series is the **minimum** time necessary to retain the records. *There may be conditions or factors in a local government that require retention of a particular record series for a longer period than is required by the general records schedule, and, in such cases, the local governments are urged to continue retention of the records series as needed.* In no case, however, may records series be destroyed sooner than the scheduled retention period.

Records involved in investigations, audits, or litigation must be maintained until the settlement of the case and subsequent appeals regardless of disposition instructions found in a records retention schedule.

No local government records dating prior to 1920 shall be destroyed without special schedule directions issued by the Committee. Destruction of records dating prior to 1940 but after 1919 may be undertaken only with the written approval of the Director of the Department of Archives and History.

The Committee may modify this date according to the historical value of a particular record series by placing a special statement in the retention period of such series with an approved records control schedule.

Upon expiration of the minimum retention period, local officials are authorized to dispose of the records if there are no extenuating circumstances. Disposition should be done in a manner consistent with the nature of the records (e.g., records containing confidential information should be disposed in a manner that will insure confidentiality). There may be instances when a county, upon the expiration of the retention period, may choose to transfer a records series to a public library or a local historical organization as an alternative to destruction. Prior to such a transfer, the county must contact the Local Government Records Office.

According to Mississippi law, records may not be destroyed except in accordance with an approved retention schedule. Therefore, records series not listed in these schedules are not eligible for disposal until an appropriate records retention schedule has been approved by the Local Government Records Committee.

ASSEMBLIES, EVENTS, & ACTIVITIES

All events or assemblies to be scheduled during the school day must be approved by the Administration in advance, added to the school calendar, and be closely connected to meaningful teaching and learning. All other events and assemblies may be held at night or on the weekends. See section entitled “Performances, Rehearsals, & Meetings” of this handbook.

PUBLICITY AND PROMOTIONS

MSDB has a variety of performances, exhibits and events annually. All promotional materials (press releases, fliers, and programs) must be approved by the Superintendent prior to distribution or printing. If changes are requested a second version must be presented for approval unless otherwise instructed. Materials should be ready in a timely manner with adequate time to fix any issues before distribution.

The visual appearance of an institution makes the first impression when visitors arrive on campus. Therefore, posters and signs should reflect the quality of work that is at the heart of the MSDB mission for the school. Materials promoting businesses, politics, churches, or other organizations are forbidden.

The staff member is responsible for proofing all text and check to ensure that copyrighted materials have not been appropriated. Photos of staff members, students, or others should not be used without permission. When posting signs on doors or windows, tape them inside of the glass on all corners to prevent curling and sagging. Do **not** post items on exterior surfaces or on painted or wood surfaces inside. Please remove posted signs, the tape, and any residue in a timely manner.

INDEPENDENT CONTRACTORS

Administrators must follow all contractual policies and procedures when securing the services of an independent contractor (e.g., fire inspections, pest control). Maintain department copies of independent contractor documentation before submitting originals to the Business Office. Supervisors, Directors and/or Principals are required to submit quotes in accordance with state purchasing laws for any contract when hiring independent service providers to ensure more economical pricing.

CONFERENCES

SUPERINTENDENT AND EMPLOYEE

Conferences will be held at the discretion of the Supervisor, Director, Principal or Superintendent or upon request of the employee. Please schedule an appointment except in matters of urgency.

SUPERVISOR/DIRECTOR/PRINCIPAL AND EMPLOYEE

Conferences will be held at the discretion of the Supervisor/Director/Principal or upon request of the employee. Please schedule an appointment except in matters of urgency.

ADMINISTRATOR (TEACHER, STAFF) AND PARENT OR GUARDIAN

Since frequent communication with parents or guardians opens many doors, builds partnerships, and creates a supportive educational environment, MSDB employees must be responsible in taking the initiative to schedule a parent conference at the first sign of any issue or concern with a student. Parent/teacher conferences should be scheduled at a time

appropriate for the parent/s, the teacher, and any other required staff member. Non-teaching employees may schedule appointments with parents according to individual work schedules and upon approval of immediate supervisor and/or the Superintendent. When possible, the Superintendent will notify employees in advance when parents request a conference through the administrative offices. With sufficient advance notice, the Superintendent may be invited to attend conferences, if requested. When travel distance is prohibitive, a parent conference may be held virtually or through telephone.

EMPLOYEE/STUDENT

An employee who has frequent and direct communication with students will find the profits to be overwhelming in the areas of student achievement, behavior, and overall progress. Employees should keep records where problems exist and improvement plans are designed. If a student is placed on probation, policies and procedures delineated in the MSDB Student Handbook must be followed.

INSTRUCTIONAL EXPECTATIONS

TEACHER AS THE AUTHORITY IN THE CLASSROOM

MSDB as governed by the SBE recognizes the Teacher as the authority in classroom matters and supports 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 Principal's or Counselor's office.

The Counselor or 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 student, and in some cases with the parent or guardian or custodian during which the disrupting behavior is discussed, and agreements are reached that result in resolution to the situation. 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 the disapproval.

A student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities may be subject to discipline actions.

CLASSROOM MANAGEMENT

TAKING STUDENT ATTENDANCE

Compulsory school attendance laws mandate that students attend school regularly. Teachers and Substitute Teachers must take attendance each class period. Attendance must be completed within the first ten minutes of each class. Students are marked tardy if they come into class after the second bell. Students missing thirty minutes, or more are considered absent. Since Substitute Teachers will be using a printed roster, they should call the School Office each period to report attendance.

LEAVING STUDENTS UNATTENDED

Students should not be left unattended in classrooms without supervision. Supervision looks differently as students age and mature and they deserve opportunities to practice independence skills. Staff members should be in communication if students are traveling

independently across the building or campus and/or spending short amounts of independent time in their dorm environments. Staff members should never be far away and frequent visual and/or auditory check-ins are required by staff. Teachers are responsible for ensuring a safe and orderly classroom environment where adult supervision is provided without interruption. Classroom climate should always support teaching and learning. At no time should students be left alone under the supervision of a Student Teacher. Supervision policies are in effect at all times when students are assigned to a classroom or duty post. Policies cover spaces inside and outside campus facilities or off campus when staff members are supervising school activities.

ESTABLISHING CLEAR EXPECTATIONS FOR STUDENTS

Students excel when they are given clear expectations and high standards for living and learning. Assignments should be clear, requirements and deadlines understood, and assessment criteria determined in advance and used as a work tool. Deadlines should be followed. Assignments accepted beyond established time frames should not be the normal operation. MSDB promotes turning work in on time. MSDB also understands that the school is a learning environment where flexibility is almost always an option. Assignments turned in late may have grading consequences; however, the main focus is on student learning. See the MSDB Student Handbook for specific guidelines.

SETTING RULES FOR STUDENT CLASSROOM BEHAVIOR

Teachers are responsible for working with students to establish classroom rules and teaching appropriate classroom behavior to those under their care. Appropriate language, physical boundaries, and classroom etiquette should be taught and maintained throughout the school year. Disciplinary Reports must be completed for violations of school policies including classroom rules.

ATTENDING ASSEMBLIES AND PERFORMANCES

All teachers must accompany their students to campus assemblies, meetings, and performances. Teachers are responsible for student conduct during these events. Proper and respectful audience behavior is a critical component of becoming a productive citizen. When accompanying students on a field trip, proper etiquette of audience behavior is expected.

PROFESSIONAL DEVELOPMENT

In accordance with the MSDB commitment to excellence among its employees, the school will provide opportunities for professional development for all its employees that complements and supports the educational and residential programs. Additionally, staff are encouraged to seek unique opportunities that can enhance their job performance.

SUICIDE PREVENTION TRAINING

The State Board of Education (SBE) and the MSDB recognize that suicide is a major cause of death among youth and should be taken seriously. It is the policy of this school district that training on suicide prevention education will be conducted for all ~~newly-employed~~ school district employees annually.

The SBE establishes this policy in an effort to take positive steps toward reducing student suicide through:

1. Prevention. To provide in-service training to all school district employees with information about the recognition of the signs of suicidal behavior; including, but not limited to, early identification and delegation of responsibility for planning and coordination of suicide prevention efforts.
2. Intervention. To take affirmative action when an immediate referral is warranted and to understand the emergency procedures when a referral is made and to provide support for students.
3. Postvention. To respond to suicide or suicide attempt, utilizing the district's crisis response, documentation, and reporting procedures.

Beginning in the 2021-2022 school year, the school district shall annually conduct refresher training on mental health and suicide prevention for all school employees and personnel, including all security officers, cafeteria workers, custodians, teachers, and administrators. This training shall be in connection with the Mississippi Department of Mental Health. The district shall report completion of the training to the State Department of Education.

As required by law, this policy shall be further developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts.

This school district shall utilize training materials and resources developed by the Mississippi Department of Mental Health and shall comply with all requirements of the Mississippi Department of Education regarding suicide prevention.

The superintendent or designee shall develop procedures for implementation of this policy.

Additional suicide prevention resources are available through the Mississippi Department of Education.

The National Suicide Prevention Lifeline can be reached at 1-800-273-8255(TALK); <https://988lifeline.org/>

LEGAL REF.: MS CODE ' 37-3-101 ' 37-3-103

LESSON PLANS

Teachers are responsible for writing and following a lesson or unit plan for each class period. Lesson plans should be written with clear objectives and learning experiences so that anyone could follow the lesson. Each lesson must be tied to the MDE framework for the specific subject area. Teachers are advised that all lesson plans are subject to review by administration. Principals will clarify the procedures for submitting lesson plans and/or having plans available for review. Failure to prepare and submit lesson plans may lead to administrative action.

APPROPRIATE CONTENT

MSDB is a state public school that provides on-campus education that includes residential support services. The school seeks to provide a safe and healthy, positive learning environment. In keeping with this philosophy, things such as tobacco, drug, or alcohol usage, profanity, violence, abuse, lewdness, nudity, sexuality, or any other suggestive subject matter is not considered appropriate content student generated works created in any medium (e.g., written, performed,

electronic, artworks, video, photographs, cartoons). This policy applies to all aspects of the campus; students and faculty members must refrain from generating, producing, or performing works that might be questionable. Written and published works may have to be edited to be appropriate for use in a public school context where students are minor children. Questions regarding appropriate content should be addressed to the Principal for approval.

HOMEWORK

Teachers may assign a reasonable amount of meaningful homework. All homework will be checked and may be graded by the teacher and counted toward course credit. Teachers are expected to provide assignments and other assistance to students with excused absences as specified by the policies in the Student Handbook.

FIELD TRIPS

Field trips are an important extension of the curriculum. Students are afforded opportunities during the school year to travel in state and possibly out-of-state. With this privilege comes the responsibility to exhibit expected behaviors while representing MSDB. Trip Administrators, Teachers, or Staff members in charge will communicate expectations and the policies of the student handbook are applicable during all travels. Violators will be referred to the Director or Principal and/or the Superintendent. Students are encouraged to participate in all field trips sponsored by the school or their Teachers. Students are responsible for contacting Teachers prior to missing a class for any field trip scheduled by another instructor.

The following guidelines will govern school-sponsored trips:

1. The Staff member sponsoring the trip will submit an FMX request for approval at least two weeks prior to departure.
2. The Director or Principal will secure substitutes as needed and assess if ADA and class minutes are affected.
3. All trips must be educational and well planned with an adequate number of chaperones. The number of chaperones needed depends on the age/grade and maturity levels of the group and should be agreed upon by the organizing Staff member and the Director or Principal.
4. Parents or other adults (of acceptable age and maturity) may serve as volunteer chaperones, and the organizing Staff member is responsible for ensuring that the volunteer chaperone understands their duties. At no point should volunteer chaperones be left with students without a staff member present.
5. Chaperones must travel in school vehicles with students to ensure proper supervision and safety while in transport.
6. The FMX request will include transportation needs to see if a bus and driver are available in advance since MSDB has a limited number of vehicles and drivers.
7. The FMX request will include medical and food service needs.
8. The organizing Staff member will submit in the request a list of those students participating in field trips.
9. Students are responsible for obtaining class and homework assignments missed as a result of field trips. All work must be completed in accordance with the make-up policy.
10. The General Permissions Information Form provides parental signature allowing students to participate in all school sponsored field trips within Mississippi. Out-of-State requests must be secured with an additional Student Permission Slip after travel authorizations from the Superintendent Office are secured for staff.

11. Even though the school has general trip authorization signatures on file, the field trip sponsor should notify parents in advance of the scheduled event so they will know their child will be away from campus for a specified period of time.
12. Any student without all of the required signed permission forms and/or assessed fees in advance of the trip date may not participate in the field trip.
13. Students who do not participate in field trips must complete an alternative assignment.
14. School rules and regulations found in the MSDB handbook pertain to all school-sponsored trips.

Field trips shall not occur during statewide testing. The sponsor of any field trip must ride on the bus with the bus driver and students to and from the destination. State statute requires that a staff member in addition to the bus driver should ride on the bus with the students.

STUDENT TEACHING AND INTERNSHIPS

The SBE, 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 university, college, or other institution for the school year must be approved through a Memorandum of Understanding (MOU) signed by the MSDB superintendent and a representative of the other entity.

The importance of teacher training to the future of education, and the need to assure a high quality 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. ' 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 certificated teacher, principal, or other administrator shall have the protection of the laws accorded the certificated employee of the district. While acting as a student teacher or intern, he shall comply with all rules and regulations of the district and observe those duties assigned certificated personnel. ' 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.

Teacher-Student Teacher Relations

The SBE 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 they have a student teacher or not.
9. Administrators may deem it necessary and beneficial to student teachers to involve them in school activities outside instruction.
10. The following time table is recommended in determining student teachers' actual teaching time and classroom management:
 1. Phase No. 1 -- 3 weeks: observation, orientation and assisted instruction
 2. Phase No. 2 -- 3 weeks: observation and supervised participation
 3. Phase No. 3 -- 3 weeks: supervised participation, planning, and introductory instruction
 4. Phase No. 4 -- 3 weeks: continued supervised participation, planning, and instruction.

The classroom teacher is responsible for the implementation of the above time table and should be sufficiently flexible to meet the needs of the student teacher and pupils. It is expected that by

Phase No. 4 the student teacher will engage in all facets of classroom instruction, including pupil evaluation. However, no student teacher evaluation will be considered final or absolute.

STUDENT TEACHERS/INTERNS

Occasionally—upon request, Student Teachers or Interns may be assigned to an MSDB Staff member. All requests for the placement of Student Teachers or Interns must be addressed to the Principal or the Superintendent for approval before arrangements are made. Contact by the teacher education placement office must be made, not through the student or the prospective resident teacher.

The Supervising Teacher will be responsible for mentoring the development of the Student Teacher's or Intern's classroom management, teaching and learning strategies, and professionalism. Student Teachers shall not administer or prescribe punishment to students. Student Teachers will abide by the policies set forth by the MSDB. Supervising Teachers/Staff Members must never leave students alone in the care of a Student Teacher or Intern.

On-campus housing in residence areas designed for students is available to Student Teachers and Interns on a first-come, first-served, space-available basis during their internship time. Housing in the LifeShare House is NOT available for Student Teachers or Interns.

SUBSTITUTE TEACHERS/STAFF MEMBERS

When Staff members anticipate being absent, they should discuss the absence with the Director or Principal before finalizing plans to be absent from school. Staff members must submit a request to the Director or Principal for approval at least two (2) weeks prior to the date of requested absence. The request must have the up-to-date substitute file including all items listed below. Last minute requests may be denied. When a teacher will be off campus supervising school activities during the school day, the same procedures must be followed. MSDB has a limited number of substitutes, so advance notification is mandatory, but illness and emergencies do occur occasionally.

Leave a voice mail message and call or text until you receive a response from someone personally. Classroom Teachers must maintain an up-to-date substitute file that will be kept in the Principal's office in preparation for absences due to unexpected illness or emergencies. Folders must be clearly labeled with the teacher's name and containing the following:

1. Generic lesson plans that are meaningful to the subject area, but applicable to any time period within the semester
2. Class rosters (Keep them up to date)
3. Teaching schedules
4. Duty assignments with clear instructions

PLEASE NOTE: All work produced in the absence of a Teacher may be graded and included as a part of regular grades. Too frequently students perceive work assigned in the absence of a Teacher as busywork—therefore, they think it is not important. Meaningful and challenging work left in the absence of a Teacher supports continuous learning and helps maintain order and discipline.

ILLNESSES (STUDENT)

When students report feeling unwell or Staff members notice a student seeming to be unwell, the

Teacher or Staff member should call the School Office. The School Office Administrative Assistant will notify the Health Clinic that a student is on their way. Students in grades PK-5 should be escorted by an adult to the Health Clinic. Students in grades 6-12 may be allowed to come to the clinic independently unless the student has a disability or illness that would prevent them from safely arriving to the clinic and returning safely to class. Even if a student appears to be feigning illness, it is best to acknowledge the student's feelings and allow the Nurse to make a medical decision. The Nurse will assume responsibility for further action and follow through.

Under no circumstances should Staff members send a student to the dorm or "prescribe" treatment when a student claims to be sick. The Nurse is the medical professional on campus. If a student is seriously ill, the Nurse will contact the parents and the student will go home. If parents are unable to come and pick up their child, transportation home may be arranged depending on bus, driver, and chaperone staff availability.

For illness in the Residential Dorms, Residential Education Parents should contact the Health Clinic and the Director/Supervisor on duty. Directors/Supervisors must ensure coverage in the dorms as well as getting the student escorted to the Health Clinic for treatment. Health Clinic

staff may be able to visit the student who is ill in the Dorm depending on other Health Clinic needs.

MEDICATION ADMINISTRATION TO STUDENTS

MSDB follows a self-administration policy for students to take prescription and over-the-counter medications. Designated staff members have been trained on tracking administration of medications. Employees who have been trained are required to see the medication that a student is taking, watch them take it, and document the action according to training. Employees who are not designated or trained are prohibited from administering medications at any time.

Designated MSDB employees will dispense medication to students in accordance with policies included in the Student Handbook.

TEXTBOOKS

Teachers are responsible for maintaining the inventory of all textbooks assigned to their classrooms or workstations. Upon arrival on campus, they must verify the Textbook Inventory form provided and report any differences to the Principal.

The following procedures shall be used:

1. In assigning textbooks, Teachers must record book identification numbers, book title, and the student receiving the textbook.
2. Secure all textbooks not assigned to individual students. Leaving books on open shelves in the classroom results in damage and loss.
3. When a student moves, books must be turned in to classroom Teacher as a part of the withdrawal process before records are released. A Teacher's signature is required to complete the withdrawal process or before checking out for the summer or before graduation.
4. Students will be charged for books that are lost.
5. All losses and collections for textbooks shall be reported to the Principal.
6. Teachers and Staff members distributing books to students are authorized to collect for any

damage or excessive wear of the textbooks.

7. Loss or damage fees will be based on the schedule published in the MSDB Student Handbook.
8. The amount collected should be determined by the extent such damage has impaired the future use of the book and should be sufficient to impress upon parents and student the necessity for proper care and the use of the state-funded textbooks.
9. In order to comply with state accreditation policies, books that are more than ten (10) years old are not included in state textbook inventory and must not be stored permanently in classrooms. Since MSDB may use many books that are more than ten years old for reference (e.g., Deaf Culture and visual impairments history), these books will be stored in the library, checked out by the Staff member who needs them and returned to the library when work is completed. The Staff member or student who checks the books out of the library is responsible for their return.
10. Teachers must inventory textbooks and report the information to the Textbook Coordinator at the end of the school year (semester). If a Staff member leaves campus at the end of the school year without completing textbook inventory requirements, they will have to return to campus to complete documentation not turned in.
11. Clearly mark all personal books and resources materials with your name in order to distinguish them from state property.

DUTY STATIONS

All Teachers and Employees are responsible for correcting inappropriate behavior across the entire campus at all times.

HALL AND CAMPUS DUTY

Between classes, all Teachers should stand in their doorways before and after class in order to ensure safe and orderly conduct in the hallways when changing classes. All Employees are responsible for addressing students in relation to proper behavior when passing in the common areas of the campus. Disciplinary action must be taken when students violate school guidelines.

SPECIAL EDUCATION

It is the policy of MSDB to comply with all provisions of Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and the Carl Perkins Act of 1984, Section 504 of the Rehabilitation Act of 1983, and the Individuals with Disabilities Education Act of 2004 (IDEA). Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability 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.

Anyone wishing to file a formal complaint of discrimination should contact the Superintendent Office.

The SBE, MDE, and MSDB do not discriminate on the basis of race, color, religion, national origin, sex, age or disability in the provision of educational programs and services or employment opportunities and benefits. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

DISCIPLINE OF STUDENTS WITH IDEA AND SECTION 504 ELIGIBILITY

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. The school complies with all provisions of the IDEA of 2004, the Section 504 of the Rehabilitation Act of 1973, Mississippi laws, and State Board Policy 7219 when implementing discipline procedures for students with disabilities.

PLAGIARISM

Because plagiarism is a nationwide problem in schools, each Staff member must make arrangements to instruct their students in relation to violation of copyrights at the beginning of each course and include periodic reminders throughout the grading periods. Violation of copyright is stealing and results in serious disciplinary action. All Employees are responsible for reporting incidences of plagiarism, including copying homework. Each Employee is expected to serve as a role model by setting an example of respect for the work of others. Schools have been assessed severe fines for copyright violations. Be careful; ask questions. Staff members responsible for ensuring that documents created under their supervision do not contain copyrighted images, photos, text or other media. Adults must model correct methodologies for students.

GRADE REPORTING

In order to ensure timely feedback to students, parents, Counselors, and Administrators, Teachers must:

1. Publish their grading processes and procedures at the beginning of each course including how various assignments are weighted to determine student grades.
2. Keep accurate and up-to-date records of student grades.
3. Use SAM to enter and average grades according to system requirements.
4. Grade all assessments and major projects or assignments.
5. Average grades in accordance with approved grading scales.
6. Post grades in SAM within three school days after grading is completed, with a minimum of one grade posted per week.
7. Provide feedback regarding grades in a timely manner to facilitate instruction, remediation, and enrichment.
8. Meet deadlines for grade entry so that progress reports and/or report cards are completed on time.
9. Enter grades with no inaccurate or incomplete information provided.
10. Administer nine weeks examinations.
11. Include a daily participation citizenship percentage.

Parents have access to student attendance, grades, and discipline via ActiveParent.

EMPLOYEE WORKDAY

Educational Staff members daily work schedule is Monday to Friday 7:45am – 3:45pm. Some Staff members, such as Teaching Assistants and Specialists/Support Staff may have a slightly different start and end time.

Residential Staff members shifts are as follows:

Sunday Day Shift: 6:00pm-12:00am

Monday to Thursday Overnight Shift 12:00am-8:00am

Monday to Thursday Day Shift 3:00pm-12:00am

Some Residential Staff members also provide bus chaperoning duties, and their schedules are dependent upon bus routes.

Each Staff member, whether Educational or Residential, are expected to work 40 hours per week unless he/she is a part-time employee.

SAFETY

All employees must take all possible steps to ensure the safety of students at school. The interior environment, campus, and student activities must be in harmony with the requirements of safety. Immediately report any unsafe conditions or behaviors on campus to the appropriate Administrator.

EMERGENCIES

It is essential that the staff be knowledgeable of the school's emergency procedures. Remain calm during emergencies. Specific procedures are described in the MSDB Safety and Crisis Management Manual. Staff members will prioritize accessibility for students and staff who are deaf, hard of hearing, blind, visually impaired, or deafblind to ensure they have access to the emergency situation and all instructions pertaining to the emergency.

FIRE DRILL

All Staff members are responsible for knowing the fire evacuation routes and procedures. Teachers and/or Teaching Assistants and Residential Education Parents should carry class/dorm rosters during evacuation and account for each student under their supervision. Each employee should know the location of the nearest fire extinguisher and how to use it.

INCLEMENT WEATHER DEFINITIONS:

- Severe Weather Watch – weather conditions are such that severe thunderstorms may develop.
- Severe Weather Warning – a severe thunderstorm has developed and will probably affect those areas stated in weather bulletin.
- Tornado Watch – weather conditions are such that a tornado may develop.
- Tornado Warning – a tornado has formed or been sighted and may affect areas identified.

INCLEMENT WEATHER PROCEDURES

During Severe Weather, students will remain in classrooms or dorms unless notified by school personnel who will continuously monitor the situation.

If a Tornado Warning has been issued, the tornado sirens will sound, and an announcement will be made via MSDB intercoms and visual paging systems. If no electricity, Administration will announce and implement tornado warning procedures.

PERSONAL EMERGENCY

In case of a personal emergency, teachers should notify the School Office, the Residential Education Director/Supervisor, and/or the Superintendent as soon as possible.

AUTHORITY FOR EMERGENCY CLOSINGS

The State Board of Education (SBE) recognizes and accepts its 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)

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. The superintendent is hereby authorized to declare an emergency and to close schools and district offices or dismiss them early in event of natural disaster, inclement weather or other emergencies which threaten the safety, health, or welfare, of students or staff members.

The superintendent will take such action only after consultation with transportation, emergency management, and weather authorities or other agencies as necessitated by the circumstances. The superintendent shall notify the school board of the decision to close the schools. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63 (2). 37-13-65.

It is understood that the superintendent will take such action only after consultation with transportation, emergency management, and weather authorities. The superintendent shall notify the school board of the decision to close the schools. Parents, students, and staff members shall be informed how they shall be notified in event of emergency closings, early dismissals, or delayed start.

When the superintendent declares a delayed start due to inclement weather conditions, typically a one or two hour delay, employees and students are expected to report to school at the delayed start time. (Example: On a 2 hour delay, MSDB normally starts at 8 a.m., so students and faculty would report at 10:00 a.m.; for a 1 hour delay, students and staff would report at 9 a.m.) Information on closing and delays by the district will be announced on the district website or other internet outlets before 6:00 a.m. No announcement means schools will operate on a normal schedule.

DISASTER EMERGENCY

If the SBE 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, or extreme weather emergency in which the Governor has declared a disaster or state of 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 the disaster or weather emergency and submit a plan for altering the school term.

If the State Board of Education finds the disaster or extreme weather emergency 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 or state of emergency declaration, it may permit MSDB to operate the schools in its district for less than

one hundred eighty (180) days.

MSDB shall provide sufficient notice (before the close of the prior school day) to staff and students for any weather-related or other unforeseen virtual days. When instances occur that make virtual learning impractical, the district shall either make up any missed days or use the days as weather days as allowed under Mississippi law.

LEAVE DUE TO DECLARED EMERGENCY CLOSURES

The SBE may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

EXTREME WEATHER CONDITIONS

In cases of a severe weather alert, such as a tornado, hurricane, or snow/ice warning being issued by the National Weather Service, the superintendent of schools or designee shall notify each principal and necessary administrators. Children will be retained in the school buildings 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 alerts 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. All such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63(2). 37-13-65. Districts shall provide sufficient notice (before the close of the prior school day) to staff and students for any weather-related or other unforeseen virtual days. When instances occur that make virtual learning impractical, the district shall either make up any missed days or use the days as weather days as allowed under Mississippi law.

IDENTIFICATION BADGES

All MSDB employees and students must wear mandatory identification badges at all times. Badges for MSDB staff members also serve as a proxy card that provides electronic access to the campus front gate. Staff working at the administrative building and bus shop, along with some administrators, have access to the back gate. All MSDB staff have remote access to all doors, and students have remote access to applicable doors for their prospective schools. Disciplinary measures may be taken for staff or students who forget their badge on a consistent basis, and a \$10 charge may be applied for lost badges.

ACCIDENTS

Staff members are responsible for the safety of all students under their supervision. Injuries to students while they are the responsibility of the school must be given immediate attention. Accident procedures cannot be formulated to apply in all situations. The following will serve as general guidelines and may be modified as individual situations occur.

1. Follow the school emergency plan.
2. Remain calm and promptly decide what needs to be done to prevent the situation from worsening.
3. Act decisively—take charge.
4. If the accident requires further assistance, call the Health Clinic and call or send someone

to the School Office to ask for help. Residential Staff members should contact their Supervisor and/or Director.

5. If first aid is indicated and if you are trained and knowledgeable, administer first aid.
6. Resume normal activities as soon as possible.
7. Prior to leaving school, submit a written report to the office using the **Accident Report Form** (student or staff) provided in your **School Safety and Crisis Management Manual**. This form may be available electronically and your Supervisor, Director, or Principal should have shown you where these forms are kept (hard copy or electronically) upon hire.

Full-time employees who are injured on the job are covered by workman's compensation insurance. On the day of the accident or within 24 hours, complete the appropriate MSDB form that can be acquired from your Supervisor, Director, or Principal or from the Business Office. This form may be available electronically and your Supervisor, Director, or Principal should have shown you where these forms are kept (hard copy or electronically) upon hire.

SEX OFFENDER NOTIFICATIONS

Pursuant to Miss. Code Ann. §45-33-49(5), the MDE shall notify all school districts annually regarding the availability of the Sex Offender Registry at the Mississippi Department of Public Safety (DPS) Web site: <http://www.sor.mdps.state.ms.us>

DPS information provides the name, address, photograph, if available, date of photograph, place of employment, crime for which convicted, date and place of conviction, hair, eye color, height, race, sex and date of birth of any registrant. Also, a sheriff shall maintain records for registrants of the county and shall make available to any person upon request other information deemed necessary for the protection of the public. The sheriff shall be responsible for verifying their respective registries annually against DPS records to ensure current information is available at both levels.

WEAPONS

MSDB desires to maintain a work environment which is safe and secure in nature. Threats, threatening behavior, or any acts of violence against employees, students or other individuals on the premises will not be tolerated and may lead to disciplinary action, up to and including immediate termination, and/or criminal prosecution. Any person who engages in violent behavior, such as making substantial threats, or intentionally hitting, kicking, or striking a person or property on MSDB premises may be removed by Administration from the premises as quickly as safety permits, and is to remain off premises pending the outcome of an investigation. Additionally, the School Policy prohibits firearms or weapons of any type on the premises.

MSDB recognizes the possession of pistols, firearms or other weapons on school premises or at school functions by persons other than duly authorized law enforcement officials creates an unreasonable and unwarranted risk of injury or death to employees, students, visitors or guests. Possession of a firearm or weapon while on the premises will be handled with appropriate disciplinary action up to and including termination of employment. All employees will fully cooperate with MSDB Administration and with law enforcement agencies to eliminate workplace violence risks. All personnel are responsible for immediately notifying their Supervisor, Director, or Principal, and/or Superintendent of any threats, threatening behavior or acts of violence, which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior

they have witnessed which they regard as threatening or violent when that behavior is employment or job-related or might be carried out on MSDB premises. The Supervisor, Director, or Principal who receives the report is responsible for informing the Superintendent so that proper documentation of the incident can be gathered.

DRUG AND ALCOHOL-FREE WORKPLACE

MSDB is a drug-free workplace including all school facilities, grounds, and vehicles. This policy includes alcohol, drugs, tobacco, and e-cigarettes/vaping.

It is the policy of MSDB 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. All employees will be required to sign, at the time of employee orientation an acknowledgment of the "Drug-Free Workplace Act of 1988" memorandum (Section 7.2). The signed certification will be a part of the employee's permanent personnel file.

In accordance with Public Law 100-690, the Drug Free Workplace Act of 1988 and Public Law 101-647, the Drug Free Schools and Community Act of 1986, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the MSDB workplace. Pursuant to this law, all MSDB employees will notify the Superintendent 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.

As used in this policy, the term "drugs" includes alcohol, inhalants (chemical vapors), cannabis (marijuana), controlled substances, and similar substances that 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 MSDB policy is that employees shall not be allowed to work or participate in any school or department activities while using alcohol or under the influence of alcohol or any controlled substance which alters their 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 use of alcohol or the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance while on the job, on the office premise or participating in any MSDB activity is cause for termination.

Employees who struggle with addictions of drug abuse or alcoholism must recognize that it is their responsibility to address these problems. Upon request by the employee for assistance with a substance abuse problem, the MSDB Human Resources or Business Office will advise the employee of leave, insurance benefits and available treatment resources. 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 Superintendent considers to be cause for dismissal, and no request for assistance will prevent the Superintendent from taking disciplinary action based on the misconduct which may have been related to the employee's use of alcohol or drugs.

MSDB, 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.

MSDB has adopted the policy that all areas it occupies will be tobacco-free. The Mississippi State Board of Education has the right to revise this policy. MSDB requires that all employees report to work without any alcohol or illegal or mind-altering substances in their systems. No employee shall report for work or remain on duty when using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform in a safe manner.

Employees must inform their supervisor when they are legitimately taking medication that may affect their ability to work, in order to avoid creating safety problems and violating the Drug and Alcohol Policy. No employee shall use alcohol while on duty. MSDB also prohibits employees using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on department property. Further, outside conduct of a substance abuse-related nature that affects an employee's work, MSDB's relationship with the government or reflects badly on MSDB and/or the Department of Education is prohibited.

“Workplace” is defined as the site for the performance of work done including a school building, campus grounds or other school premises; any school-owned vehicle or any other school approved vehicle used to transport students to and from school or school activities; off-school property during any school-sponsored or school-approved activity, event or function, such as a field trip or performance event, where students are under the jurisdiction of the school.

As a condition of employment, each employee shall abide by the terms of the school respecting a drug-free workplace and shall report to work without any alcohol or illegal mind-altering substances in their systems.

All employees should be very familiar with the MSDB Student Handbook policy related to possession and/or use of tobacco, alcohol, and drugs.

MEDICAL MARIJUANA

This policy applies to medical cannabis. Under the Mississippi Medical Cannabis Act, this school district:

1. Is not required to permit, accommodate, or allow the medical use of medical cannabis, or to modify any job or working conditions of any employee who engages in the medical use of cannabis or who for any reason seeks to engage in the medical use of cannabis.
2. May refuse to hire, discharge, discipline, or otherwise take an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions, or privileges of employment as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
3. Does not allow the use of medical cannabis by employees while on district property, while at a district sponsored event, or while performing district business.

DENIAL OF LICENSE

The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license if the applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having a similar effect, at the time of application for a license. 37-3-2 (11) (c)

SUSPENSION OF LICENSE

The State Board of Education, acting on the recommendation of the commission, may revoke or suspend any teacher or administrator license for specified periods of time if the teacher or administrator has been convicted, has pled guilty to or entered a plea of nolo contendere to a felony, as defined by federal or state law. 37-3-2 (12) (d)

Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense. 37-3-2 (13) (a)

LEGAL REF.: MS CODE as cited
21 U.S.C. 812
21 CFR 1300.11-1300.15

DRUG AND ALCOHOL TESTING POLICY

The following is MSDB's Drug and Alcohol Testing Policy. This policy is effective May 18, 2023. After this date, the district will begin testing personnel if it reasonably suspects that an employee is under the influence of illegal drugs or alcohol. In addition, the district will continue conducting random testing of all bus drivers. This policy will be enforced uniformly with respect to all personnel. All of the district's personnel, including administrators, will be subject to testing.

The purposes of this policy are as follows.

1. To maintain a safe, healthy working environment for all employees;
2. To maintain the highest quality educational program for our students by insuring that no personnel of the district are users of illegal drugs or under the influence of drugs or alcohol;
3. To reduce the number of accidental injuries to person or property; and
4. To reduce absenteeism and tardiness and improve the quality of educational services.

SUBSTANCE ABUSE

The following are rules representing the district's policy concerning substance abuse.

1. All employees are prohibited from being under the influence of drugs or alcohol while on duty or on district premises. All employees are prohibited from using illegal drugs, or prescription medication for which they do not have a proper prescription.
2. The use, sale, possession, transfer, or purchase of illegal drugs, non-prescription drugs, medical marijuana, or controlled substances while on district property or while performing district business is strictly prohibited and is cause for immediate termination. Such action will be reported to appropriate law enforcement officials.
3. No alcoholic beverage will be brought on or consumed on district premises.
4. No prescription drug will be brought on district premises by any person other than the person for whom the drug is prescribed. Prescription drugs will be used only in the manner, combination, and quantity prescribed.
5. The district is not prohibited from establishing or enforcing a drug-testing policy under the Mississippi Medical Cannabis Act. The district is not required to permit, accommodate, or allow the use of medical cannabis, or to modify any job/working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of cannabis.
6. The district is not prohibited from taking an adverse employment action against an employee, up to and including termination, as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
7. Any employee whose off-duty use of alcohol, medical marijuana, illegal, or non-prescription drugs results in excessive absenteeism, tardiness, poor work, or an accident will be subject to discipline, up to and including termination.

DRUG AND ALCOHOL TESTING

1. Effective May 18, 2023, MSDB the will begin conducting reasonable suspicion testing of all personnel and random testing of bus drivers.
2. An employee will be allowed to provide notice to MSDB of currently or recently used prescription or non-prescription drugs prior to the time of the test.
3. Random testing of bus drivers will be implemented using a neutral selection basis. MSDB will not waive the selection of any employee chosen pursuant to the random selection procedures.
 - a. Reasonable suspicion is defined under this policy as the belief by MSDB that an employee is using or has used drugs or alcohol in violation of MSDB's policy. Reasonable suspicion may be based upon, among other things:

- i. Observable phenomena, such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug;
 - ii. Abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance;
 - iii. A report of drug use provided by reliable and credible sources and which has been independently corroborated;
 - iv. Evidence that an individual has tampered with a drug and alcohol test during his employment with the current employer;
 - v. Information that an employee has caused or contributed to an accident while at work; and
 - vi. Evidence that an employee is involved in the use, possession, sale, solicitation, or transfer of drugs while working or while on school premises or while operating one of the school's vehicles, its machinery, or its equipment.
- b. If there is reasonable suspicion that an employee is using or has used drugs or consumed alcohol in violation of MSDB's policy, that employee will be required to submit to a drug and/or alcohol test. The superintendent (or in his or her absence an appointed replacement) must approve in advance all reasonable suspicion testing. If the test result is confirmed positive for drugs or alcohol in violation of MSDB's drug and alcohol policy, the employee will be subject to immediate termination of his or her employment with the district.

Any employee who refuses to take a drug and alcohol test will be subject to discipline, up to and including immediate termination of employment.

The following are drugs for which the district may test: alcohol, opiates, amphetamines, phencyclidine (PCP), marijuana, medical marijuana, and cocaine.

An employee who receives a positive confirmation drug and alcohol test result may contest the accuracy of the result or explain the results within ten days of the date of such result by filing a written statement with the superintendent. An employee, at his or her own cost, also may request that the specimen be retested at a certified laboratory of his or her own choosing.

An employee who receives a positive confirmation test result and who fails to present a satisfactory contest or explanation to such result, or a contrary result from a certified laboratory of the employee's own choosing, will be subject to discipline, up to and including termination.

If the district determines that discipline and/or discharge are not necessary or appropriate in a case where an employee is in violation of MSDB's Drug and Alcohol Testing Policy, the employee, as a condition of continued employment, must complete a certified substance abuse rehabilitation program at the employee's own cost and expense. The employee may be allowed to work for the district while undergoing the treatment, but the employee must provide evidence of continued

treatment and/or rehabilitation upon request. The employee must also agree to submit to random testing for three years after the date of the positive confirmation drug and alcohol test result-

LEGAL REF: MS Code 71-7-1*et seq.*

SMOKING POLICY

MISSISSIPPI UNIFORM SMOKE-FREE PUBLIC PLACE ACT OF 2007

The Mississippi Uniform Smoke-Free Public Place Act of 2007 prohibits smoking on all educational property by all persons at all times. This ban includes all employees, students, and patrons attending school sponsored events and meetings. "Educational property" means any public or private 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 or private educational institution or during a school-related activity, effective July 1, 2007.

CIVIL PENALTIES

Any person who violates this act shall be subject to a civil fine and upon conviction shall be liable as follows:

1. For a first conviction, a warning.
2. For a second conviction, a fine of Seventy-five Dollars (\$75.00).
3. For all subsequent convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00).

Anyone convicted under this section shall be recorded as being fined for a civil violation of this act and not for violating a criminal statute. Any such violation shall be tried in any justice court or municipal court with proper jurisdiction.

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.

A person or employer shall not discharge, refuse to hire, or in any manner retaliate against any employee, applicant for employment, or customer because that person exercises a right to a smoke-free environment afforded by this act.

In keeping with the requirements of the Mississippi Uniform Smoke-Free Public Place Act of 2007, smoking and tobacco use is banned on the MSDB campus and any adjacent properties owned by MSDB provided for school use.

MSDB employees who smoke or use tobacco may do so during breaks and at lunch. Since all MSDB employees serve as role models, smokers must leave the campus to smoke out of the view of students. Smoking is not allowed in vehicles on campus. Employees who are found smoking on the MSDB campus (including adjacent properties) are subject to disciplinary action and civil penalties.

WELLNESS

Students are not the only ones who need good health. School employees who want to encourage children and teens to live a healthy lifestyle will be more successful if they model healthy behaviors. The MSDB Wellness Policy emphasizes a commitment to nutrition, physical activity, comprehensive health education, marketing, and implementation. It is designed to effectively

utilize school and community resources to serve the needs of students and staff, taking into consideration cultural differences. MSDB encourages its staff to pursue a healthy lifestyle that contributes to their improved health status and personal commitment to the health of students creates positive role modeling. All staff at MSDB should model healthful eating and physical activity as a valuable part of daily life. The Health Clinic will work with all students and staff to establish a personalized wellness program and conduct periodic assessments to monitor wellness.

UNLAWFUL ACTIVITY

School employees who suspect or have direct knowledge of unlawful activity either by students or other school personnel should report their suspicions to their Supervisor, Director, or Principal and/or the Superintendent so that appropriate action can be taken.

TERMINATED EMPLOYEE POLICY

Upon notification of termination, MSDB has the following policy with regard to contact with the students and staff on campus.

- Visits to campus – No terminated employee is permitted to visit campus without prior written approval from the Superintendent. This is in perpetuity and will not be released. Violation of this protocol may result in arrest for trespassing.
- Attendance to MSDB events on or off campus – No terminated employee is permitted to attend any campus events, even if open to the public, without prior written approval from the Superintendent. This includes performances, showcases, exhibits, and special events such as prom and graduation. Violation of this protocol may result in arrest for trespassing.
- Technology accounts – All technology accounts are discontinued effective the date of termination.
- Badges, keys, and inventory are all required to be turned in to MSDB or face possible fines to pay to MSDB and/or the Mississippi Department of Education.
- All personal items may be picked up from campus at a mutually agreed upon time when school is not in session. A list of items taken from campus will be made upon pick up.
- Final paychecks will be sent to the employee's home address. It is the responsibility of the employee to notify MSDB if the address has changed from what is on file.

PARKING—GENERAL

Employees may park in any lined spaces in any open parking lot. Handicapped/Disabled parking places are reserved for those with the appropriate placard or decal. All parking is filled on a first come, first served basis.

PARKING—HANDICAPPED

Miss. Code Ann. § 27-19-56(5)(a) makes it unlawful to park a motor vehicle in an area set aside for persons who are disabled if the vehicle does not have:

1. A temporary or permanent placard visible on the windshield,
2. A special license plate displayed on the vehicle, or
3. A disabled American veteran tag or plate displayed on the vehicle.

All MSDB employees who qualify to park in a special handicapped parking space must have on file with Security Welcome Center Gate:

1. A copy of the handicap placard/tag application submitted to the DMV, and

2. A copy of the temporary/permanent placard with expiration date, or
3. A copy of the disabled tag displayed on the vehicle.

This information must be submitted to the Security Welcome Center Gate every twelve (12) months. Any employee found parking in a special handicap parking space without proper documentation on file may be subject to disciplinary action. First offense will result in a written warning. Any subsequent offense(s) will result in a citation and fine by the authorities.

Employees must not park in fire zones; violations may result in warnings and fines as described above.

FISCAL MANAGEMENT

FISCAL MANAGEMENT GOALS AND OBJECTIVES

The financial records and statements of the MSDB 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, as amended. This uniform accounting system, which is directed by the MDE, includes a method of accounting for and keeping records of all funds received, handled, and disbursed by MSDB, whether derived from taxation or otherwise, including funds from donations, athletic events, and other special activities of the school.

MSDB employs a school Chief Financial Officer/Business Manager whose qualifications meet the criteria established by MDE and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school. MSDB operates with a financial accounting system as prescribed by the MDE.

The SBE and MSDB have 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.

The financial accounting data and the corresponding annual audit report as submitted to the MDE reflect no less than a zero-fund balance (as defined by Generally Accepted Accounting Principles) for all funds of MSDB.

Miss. Code Ann. §§ [37-37-1](#), [37-9-18](#), [37-61-23](#), [37-17-6\(16\)](#), [37-61-9](#)

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 MSDB are controlled.

The annual operating budget, as required by law, is essential to the sound financial management of MSDB. Funds are allocated directly through the Mississippi Department of Education budget by the Mississippi legislature and the Governor.

[Miss. Code Ann. § 37-61-9](#)

FISCAL YEAR/SCHOLASTIC YEAR

The "fiscal year" of MSDB shall commence on July 1 and end on June 30 of each year. The

“scholastic year” of MSDB shall likewise commence on July 1 and end on June 30 of each year.

ANNUAL OPERATING BUDGET PREPARATION PROCEDURES

On or before the fifteenth day of August of each year, the SBE shall approve the prepared budget presented by the Superintendent, as defined in Section 37-57-1, at least two (2) copies of a budget of estimated expenditures for the support, maintenance and operation of MSDB for the fiscal year commencing on July 1 of such year. Such budget shall be prepared on forms prescribed and provided by MDE and shall contain such information as MDE may require.

~~Prior to the adoption of a budget pursuant to this section, MSDB shall submit to the SBE for approval at least one (1) public board meeting to provide the general public with an opportunity to review the proposed budget. After final adoption of the budget a synopsis of such budget in a form prescribed by the Mississippi Department of Education shall be published on the school website for statewide dissemination.~~

The SBE may hold an executive session for the transaction of business and discussions regarding employment and termination of employees as needed.

Miss. Code Ann [§ 37-61-9](#), [§ 25-41-7](#)(Executive Session)(4)(K).

PERIODIC BUDGET RECONCILIATION

It shall be the duty of the Superintendent and the SBE to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for MSDB 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 SBE, 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 SBE member, Superintendent, or other school official shall be personally liable (a) in the event of any reduction in budgetary allocation 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.

The SBE shall approve a budget for MSDB. ~~The SBE shall approve amendments to such budget where major functions of revenues and expenditures are involved. The Superintendent and/or his/her designee may amend objects within major functions as may be necessary during the fiscal year. The Superintendent with the approval of the Board may revise the budget at any time during the fiscal year. The Superintendent with approval of the Board may transfer funds to and from functions within the budget when and where needed. It shall be the duty of the Superintendent or his designee and the Board to limit expenditure of school funds during the fiscal year to the resources available. No revision of any budget under the provisions hereof shall be made which will permit a functional expenditure in excess of the amounts available for such purpose. The Superintendent and Board shall authorize the District Business Manager to make adjustments as needed, provided the expenditures are limited to the resources available.~~

LINE-ITEM TRANSFER AUTHORITY

If the Superintendent or the SBE anticipates that the amounts to be received from state appropriations 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 SBE, with assistance from the Superintendent, shall 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.

If it should appear to the Superintendent, or the SBE 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 therefore during the fiscal year, the SBE, 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 amounts available for such purpose.

The revised portions of the budgets shall be incorporated in the minutes of the SBE meeting. Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the SBE for MSDB to submit its financial information for that fiscal year.

The SBE 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.

MS Code 37-61-21

DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS

MSDB will not engage in any debt relief against the property owned by the State of Mississippi.

REVENUES FROM SCHOOL PROPERTY

The SBE authorizes and empowers the Superintendent to allow for rental of the property under terms and for purposes as agreed upon by the SBE. Funds received from such leases shall be used to defray operational costs of MSDB.

FEDERAL AID

In order to provide the best educational opportunities possible for students of MSDB, it shall be the objective of the Board to seek as many sources of revenue as possible to supplement the funds provided by the State.

Therefore, MSDB shall participate in any eligible federal aid programs which provide direct educational auxiliary services or opportunities to students enrolled in and served by MSDB.

All applications for federal aid and special grants shall be prepared by Administrative staff and approved by the SBE, if applicable.

The expenditure of all federal funds shall strictly comply with the laws, regulations and procedures as established by the terms of agreement between the district and sponsoring agency.

It shall be unlawful for MSDB 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).

FEDERAL LOANS AND GRANTS

MSDB has developed the following policies and procedures to ensure effective cash management for Federal Loans and Grants, to provide a comprehensive policy for managing the federal drawdowns of funds for payment of grant-related expenses, meet all cash requirements for grant management in compliance with the federal Cash Management Improvement Act, and to provide for accurate documentation.

The Cash Management Improvement Act requires districts receiving federal funds to demonstrate that the district has either already expended the federal funds or will spend the federal funds within three business days of receipt. The district will ensure funds are drawn as closely as possible to the actual expenditure of funds and monitor the fiscal activity for each grant.

Transactions and supporting documentation will be reviewed by the Director of each federal program for approval. The Business Office must approve all transactions dealing with the disbursements and track them through a pre-numbered monitoring system (pre-numbered checks and purchase orders). Transactions will be posted and reconciled in a timely manner.

MSDB will maintain semi-annual certifications for employees working on a single federal award. MSDB will maintain personnel activity reports or time sheets for employees working on multiple activities which include at least one federal award.

Purchases from federal grants must adhere to Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Federal procurement regulations are included in the MSDB Purchasing Manual. Transactions and supporting documentation, including purchase orders and invoices, will be reviewed by the applicable federal program Director for approval.

GIFTS AND BEQUESTS/DONATED ASSETS

Items and donations contributed will become the property of MSDB and shall be subject to the same controls and regulations which govern the use or disposal of all fixed assets. MSDB reserves the right to reject any contribution to the school which does not serve to enhance or extend the school.

The Superintendent or designee shall have the authority to accept and acknowledge all donations and contributions (monies and personal property) to MSDB on the date of donation. Any such monies shall be receipted into the respective school's activity funds and deposited in that bank account.

CROWDFUNDING PROJECTS

Crowdfunding is the practice of funding a project by raising small amounts of money from a large number of people.

The following guidelines apply to any crowdfunding project:

1. Any person (including employees) or entity acting on behalf of MSDB, and wishing to conduct crowdfunding, online fundraising, or any other online donation campaign for the benefit of MSDB, shall begin the process by seeking PRIOR written approval from the Superintendent or designee. Written approval must be obtained.
2. All items (monies and personal property) obtained through crowdfunding projects using the respective school's names are to become the property of the MSDB.
3. All monetary donations should be recorded by the school Business Office in the School Activity Fund. No school banking information should ever be disclosed by individuals to anyone outside the district. A check should be requested to be mailed to the school in the name of the school and not to an individual.
4. Inventory policies and procedures of MSDB apply to property obtained through crowdfunding projects.
5. Any cost of installation is the responsibility of the donor unless otherwise agreed to by MSDB.
6. Some crowdfunding sites are tax deductible, and some are not. It is not the responsibility of MSDB to determine if the donation is tax deductible. MSDB will not provide a Form 990 for crowdfunding donations.
7. Crowdfunding that would obligate the MSDB to future operating or upkeep costs must be approved by the SBE.
8. Law, policy, and procedure concerning student privacy and other requirements set out in the Family Educational Rights and Privacy Act (FERPA) must also be followed when making requests for crowdfunding projects.

INVESTMENT EARNINGS

Until a fund balance can be built with the state appropriation each year, MSDB does not have an investment program. The bank account balances earning interest will apply all earnings in excess of \$100.00 for deposits shall be allocated back to the fund from which the deposit or investment was made.

DEPOSITORY OF FUNDS

MSDB shall advertise and accept bids for depositories no less than once every three years. ([Miss. Code Ann. § 37-7-333](#)) The depositories must meet the requirements in [Miss. Code Ann. § 27-105-315](#).

MSDB may deposit school funds in those banks only designated as depositories by the SBE. School activity funds may be deposited only in banks approved as depositories by MSDB.

FUND BALANCE

PURPOSE

The SBE recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of MSDB and is fiscally advantageous for both the school and the

taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by MSDB to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

DEFINITIONS

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

Governmental Accounting Standards Board (GASB) Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

1. **Non-spendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., grants or donations).
2. **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
3. **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the SBE. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the SBE's commitment in connection with future construction projects).
4. **Assigned fund balance** – amounts intended to be used by the government for specific purposes. Intent can be expressed by the SBE or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
5. **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

POLICY

The responsibility for designating funds to specific classifications shall be as follows:

1. **Committed Fund Balance** – The SBE is the MSDB's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the SBE.
2. **Assigned Fund Balance** – The SBE has authorized the Superintendent and the School Business Manager as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

ORDER OF EXPENDITURE OF FUNDS

When multiple categories of fund balances are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the SBE, and unassigned fund balance), MSDB will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

BONDED EMPLOYEES AND BOARD MEMBERS

The SBE may execute a surety bond for any MSDB employee who receipts and/or disburses funds unless a different penalty is prescribed by law.

The Superintendent, before entering upon the duties of his/her office, shall hold a surety bond in the penal sum amount of One Hundred Thousand Dollars (\$100,000.00) with sufficient surety.

The purchasing agent(s) of the MSDB, before entering upon his/her official duties in such capacity, shall hold surety bond in the amount penal sum of Fifty Thousand Dollars (\$50,000.00).

A Principal acting as a purchasing agent must be bonded for total statutorily required coverage of \$100,000.00. The position of Principal may be covered by blanket bond, but the position of purchasing agent requires individual bond.

The premium on surety bonds will be paid from MSDB. All surety bonds shall be filed and recorded at the office of the Chancery Clerk.

INDIVIDUAL BOND: A new bond in the amount required by law shall be secured at the beginning of each new term of office or every four (4) years, whichever is less.

BLANKET BOND: A new bond in an amount not less than that required by law for public employees shall be secured upon employment and coverage shall be secured at the beginning of each new term of office of the public or appointed official by whom they are employed, if applicable, or at least every four (4) years concurrent with the normal election cycle of the Governor.

ACCOUNTING AND REPORTING

The Superintendent shall open and keep regular sets of books, as prescribed by the MDE, 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.

MSDB funds shall be maintained in accordance with the accounting and reporting system developed by the MDE for uniform use by school districts. This system shall include a method of accounting for and keeping records of all funds received, handled and disbursed by the MSDB.

The MSDB shall prepare annual financial statements, including the notes to the financial statements, in accordance with generally accepted accounting principles on June 30 of each fiscal year.

Monthly, the Superintendent shall furnish to the SBE or MDE designee a financial statement of receipts and disbursements, by funds, and other financial reports as required by the Mississippi Department of Education. The SBE shall be authorized to investigate and audit all financial records of the Superintendent at any and all times.

[Miss. Code Ann. §37-37-1, §37-61-23, §37-9-18; Mississippi Public School District Financial Accounting Manual](#)

INTERNAL CONTROL OF CASH RECEIPTS

The Superintendent shall develop a plan of organization under which employee 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 prescribed in the Standard Operating Procedures Manual as

well as the Mississippi Department of Education Financial Accounting manual which outline proper authorization by designated officials for all actions to be taken.

All monies shall be receipted to the MSDB using pre-numbered receipts. 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 for 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 record keeping, 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.

AUDITS

All MSDB funds are subject to annual audit. The audit may be conducted by the MDE, Mississippi State Auditor's Office, or by a certified public accounting firm.

AUTHORIZED SIGNATURES

The Superintendent and/or their designee is authorized to sign district checks on all school district accounts. An electronic signature of the Superintendent embedded in the district's accounting software may be used on accounts payable checks and payroll checks.

~~Activity Fund accounts require two (2) authorized signors on all Activity Fund checks.~~ The Superintendent has authority to sign and will designate other signors.

CASH IN SCHOOL BUILDINGS

All money shall be turned in to the Business Office as soon as possible for deposit, where it will be receipted and kept in the safe if needed overnight. Deposit receipts are to be filed in the Business Office. Any funds that cannot be taken to the Business Office and/or deposited right away shall be kept in a locked safe or file cabinet. Funds should not be held more than 48 hours in any academic building.

Students' personal funds for Residential students (i.e., eating out, beverage machines, outings) shall be kept in a locked safe or file cabinet at all times. Records will be kept of all students' individual deposits and purchases and individual records will be reconciled at the conclusion of each financial transaction.

SALARY DEDUCTIONS / REDUCTIONS

The MSDB shall deduct and withhold from the wages of all employees:

1. The amount of federal income tax required by federal law; 26 USCA 3401-3402.
2. The amount of social security tax required by federal law; 26 USCA 3101-3102; S25-11-3, et seq.
3. The amount of contributions to PERS. S25-11-123(f)(1992).
4. The amount of state income tax required by the state.
5. The amount of other deductions elected by the employee (such as insurance and annuities) so long as the employee has adequate gross earnings to offset the deduction.

[Federal law USCA 3401-3402; USCA 3101-3102; Miss. Code Ann. § 25-11-3 et seq., § 25-11-123.](#)

EXPENSE REIMBURSEMENTS/TRAVEL AUTHORIZATION

District and school personnel who incur expenses in carrying out their authorized duties will be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as may be required by MSDB.

Such expenses may be incurred and approved in line with budgetary allocations for specific types of expenses. Expenses must be preapproved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the Superintendent. The Superintendent may grant this authorization without prior Board approval when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

District and school personnel will follow the travel related authorization and reimbursement procedures outlined in the Mississippi Schools for the Deaf and the Blind Purchasing Manual, which is in compliance with federal and state regulations.

Persons who travel at district expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and those for personal convenience.

Miss. Code Ann. § 25-3-41

PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS

In accord with the Attorney General's legal opinion dated July 30, 1999, the SBE does hereby adopt such opinion as policy and in accord with such opinion does hereby grant unto the Superintendent and Principals' authority to make food and beverage purchases consistent with the Attorney General's opinion and when such purchases and the consumption thereof are a necessary and reasonable expense for the meeting and reasonably related to the educational goals or functions of the district.

Regarding student athletic or student recognition banquets, "activity funds" may be used for such limited purposes regarding school related programs, conventions or seminars where the Superintendent and Principals determine that such expenditure shall be beneficial to such official or extra-curricular programs of the district.

Regarding the expenditure of general public funds (other than activity funds) coffee supplies, soft drinks and edible items may be purchased when the Superintendent and the Principals determine (1) that there is a particular goal or function that is a scheduled event and (2) the particular event is reasonably related and incident to educational goals of the MSDB.

Caveat: The state auditor has ruled that neither general public funds nor activity funds may be used for teacher recognition banquets.

PURCHASING

All purchases of supplies, equipment or services on behalf of MSDB shall be in accordance with the laws of the State of Mississippi and all applicable rules and regulations as may be established by other agencies responsible for the supervision of expenditures.

Further, purchases of supplies, equipment or services on behalf of MSDB shall be in accordance with the policies outlined in the MSDB Purchasing Manual.

Miss. Code Ann. § 31-7-13; § 31-7-1. et seq.

PURCHASING AUTHORITY

The SBE and/or SBE Subcommittee does hereby designate the Superintendent as purchasing agent for MSDB together with the authority to establish a central purchasing system for the

District.

Pursuant to the authority granted by [Section 37-39-15, Mississippi Code 1972](#) as amended, this

Board hereby designates other individuals as “purchasing agents” subject to the limitations set forth below:

1. In addition to the Superintendent, the SBE hereby designates the Chief Financial Officer/Business Manager **or the Procurement Officer** as “purchasing agent” with general authority to negotiate for and purchase the commodities and services necessary for the operation of MSDB, within the limits of budget categories and purchasing law.
2. The SBE hereby designates the School Principals as “purchasing agents” with the limited authority to negotiate for and purchase commodities and services necessary for the operation of their respective schools with the Activity Funds for which they are responsible, subject to all purchasing laws.

[Miss. Code Ann. § 37-39-15](#)

PURCHASING PROCEDURES

All purchases on behalf of MSDB shall be submitted upon a purchase order issued and signed by the Superintendent or other purchasing agent as designated by the Board.

All purchases to be paid from school Activity Funds shall be based upon a purchase order issued and signed by the Principal of the respective school. Purchases made by any other method shall not be considered for payment by the Principal of the respective school.

All requests for supplies, equipment, or services shall be initiated electronically and shall be approved by the Principal of the respective school or the person charged with the responsibility of supervising a specific program or budget. Upon approval of the requisition by the purchasing agent, a purchase order will be issued by the Business Office for the purchase of items requested.

All purchases must be made in accordance with the MSDB Purchasing Manual.

FEDERAL PURCHASING AND PROCUREMENT

Mississippi Schools for the Deaf and the Blind shall comply with all state and federal laws regarding purchasing and procurement. The implementation of this guidance is to reduce administrative burden and risk of waste, fraud, and abuse for federal awards.

When utilizing federal funds, district staff must strictly adhere to the guidance and rules outlined by the Office of Management and Budget (OMB) in the Uniformed Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 Part 200); including but not limited to the following:

- Federal purchases of services under \$10,000 are considered "micro purchases." The purchase orders for micro purchases may be awarded without soliciting any competitive quotes if the costs are deemed reasonable. To the extent practicable, these purchases should be distributed equitably among qualified suppliers. CFR 200.320

- All federal purchases of services between the amounts of \$10,000 to \$250,000 must have at least two (2) price or rate quotes. Any services over \$250,000 will need to follow the competitive bidding process. CFR200.320

The state of Mississippi is **more restrictive** on the purchase of goods (commodities); therefore, district staff must also adhere strictly to the guidance and rules outlined by the Mississippi State Purchase Law Summary, including the following:

- Purchases which do not involve an expenditure of more than \$5,000, exclusive of freight and shipping charges, may be made without advertising or otherwise requesting competitive bids.
- For all (irrespective of funding source) purchases of goods (commodities) between the amounts of \$5,000 and \$75,000, exclusive of freight and shipping charges, districts must have at least two (2) price quotes.
- For all (irrespective of funding source) purchases of goods (commodities) over \$75,000, exclusive of freight and shipping charges, must adhere to the Mississippi State Purchase Law Summary which requires the application of competitive bidding process.

The superintendent or designee shall develop procedures for the support of this policy.
Ref: MS Code 31-7-13 and CFR 200.320

BIDS AND QUOTATIONS

~~All purchases and expenditures of MSDB funds shall comply with the legal requirements for bids and quotations as mandated by the laws of the State of Mississippi.~~

~~All purchases or expenditures using federal funds shall comply with the applicable federal procurement laws for bids and quotations.~~

The school district shall comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to § 31-7-13 as amended, and with all other applicable federal and state laws and regulations relating to bids.

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. ' 31-7-57

LEGAL REF.: MS CODE as cited

Adopted Date: 9/28/2023

For detail policies and procedures relating to bids and quotations, see the MSDB Purchasing Manual.

PAYMENT PROCEDURES

The SBE and/or SBE Subcommittee has the power, authority and duty to make orders directed by the Superintendent for the issuance of pay certificates for lawful purposes on any available funds of MSDB and to have full control of the receipt, distribution, allotment, and disbursement of all funds provided for the support and operation of the schools whether such funds be derived from state appropriations, collections or otherwise.

Docketed Claims – The Superintendent shall maintain responsibility for a docket of claims in the manner required by law, upon which he/she shall immediately enter all demands, claims, and accounts to be paid from MSDB funds. Claims shall be numbered consecutively in the order of filing and at each regular or special meeting of the SBE and/or the SBE Subcommittee the docket of claims shall be called and all claims on file not previously rejected or allowed shall be passed upon in the order in which they are registered upon the docket. All claims found by the SBE and/or the SBE Subcommittee to be illegal shall be rejected or disallowed. All claims which are found to be legal and proper shall be allowed and approved in the order in which they appear upon the docket. Continuances shall be granted in proper

cases as provided by law. Pay certificates shall be issued by the Superintendent in payment of claims which are allowed and approved by the Board.

Other Claims – Teachers’ salaries, amounts due private contractors upon written contracts previously approved and accepted by the SBE and/or the SBE Subcommittee, or other payments or salaries where the amount thereof has been previously approved by a contract or by an order of the SBE and/or the SBE Subcommittee entered upon its Minutes, need not be entered as demands or claims upon the docket of claims and the amounts of the payments thereby required may be paid by the Superintendent by pay certificates issued by him/her against the proper fund without allowance of a specific claim therefore, provided that the payment thereof is otherwise in conformity with law.

Prepayment of Claims – The SBE and/or the SBE Subcommittee grants the Superintendent or his/her designee, the authority to pay MSDB claims prior to the regular SBE and/or the SBE Subcommittee meeting. This authority includes only claims for which there are MSDB fund resources available to pay said claims and said expenditures are in conformity with the law. In addition, no limit shall be placed upon the dollar amount of any prepaid claim.

In order for a claim to be prepaid, the Superintendent or his/her designee must approve a written request from an employee requesting a prepaid claim. The request must include payee, amount and purpose of prepaid claim. The prepaid claim is to be included on the subsequent docket of claims submitted to the SBE and/or the SBE Subcommittee for approval.

[Miss. Code Ann. § 37-9-14; 37-7-301](#)

STUDENT ACTIVITIES FUND MANAGEMENT

The SBE and/or the Subcommittee adopts a decentralized accounting system as a method of accounting for school activity funds. This method of accounting provides for receipt and expenditure of funds at the school level. The Superintendent is hereby authorized to receipt and disburse these funds according to the guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual.

School Activity Funds shall be classified as either a general fund or an agency fund with monies maintained in bank accounts of financial institutions approved by the MSDB. The Superintendent must approve the opening and closing of bank accounts for Activity Funds. The

Superintendent and his/her designees shall be authorized to sign checks on the Activity Fund bank account.

RECEIPTS

All local Activity Funds received shall be accounted for according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual. If at all possible, monies received shall be deposited daily. No more than \$100.00 cash should remain in the School Office~~Business Office~~ safe at the close of the day.

PURCHASING

Activity Funds may be expended for the following: any necessary expenses or travel costs (including advances) incurred by students and their chaperones in attending school-related

programs, commodities, equipment, travel expenses of school employees, purchased services, and school supplies deemed beneficial to the official or extra-curricular programs of the school by the respective Principal, including items which may subsequently become the personal property of such individuals (such as: book covers, trophies, yearbooks). These purchases, when utilizing a general fund, shall be subject to state purchasing laws. Expenditures made by funds classified as agency funds are not subject to state purchasing laws. Pre-numbered purchase orders must be used for all purchases and must be approved by the Principal and/or the Superintendent, Assitant Superintendent or Executive Director. The person at the school receiving the goods shall either prepare and sign a receiving report form, or sign and date the invoices denoting receipt of the goods.

DISBURSEMENTS

Disbursement of all Activity Funds shall be made according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual. Pre-numbered checks containing the original signature of the Superintendent and his/her designee must be utilized for payment.

REPORTING

A transmittal report of all Activity Fund transactions (receipts and disbursements) for the previous month shall be delivered to the Superintendent no more than ten (10) working days after the close of the month.

FUND-RAISING ACTIVITIES

The SBE and/or SBE Subcommittee authorizes the Superintendent to approve fundraising activities that are appropriate or beneficial to the official or extracurricular programs of the school. Any proceeds of such fund-raising activities shall be treated as Activity Funds and shall be accounted for as are other Activity Funds. When a fund-raising activity is conducted as a part of the sale or rental of items to students, these funds (inclusive of the fee, commission, or rebate) may be paid directly to the vendor by the student and rebated later to the school. If this is done, there must be a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the Student Activity Fund. The Business Manager shall obtain an independent listing of the students and the amounts paid to the vendor by each student so that the amount due the school can be reconciled. The monies collected from the vendor shall be credited to the appropriate general fund by the Business Manager.

Monies collected by the school through school sponsored fund-raising activities (such as vending machines, concessions, school stores, festivals, school-wide sales projects, sales by Principal or Staff to students) shall be accounted for in the appropriate general fund. The price for the activities shall be set by the organizer when gaining approval for the fund-raising activity. For all items purchased for resale to students, there must be a reconciliation of the items purchased, the items sold, and the net profit amount. The reconciliation must be performed on a periodic basis and be submitted to the Business Office for review and approval.

IDEA FUNDS

It is the policy of MSDB to use IDEA funds in accordance with all the rules and regulations of Federal and State laws. (See Appendix E for Fiscal Policy)

Authorized Uses of Funds: IDEA grant funds will be used for staffing, educational materials, equipment, and other costs to provide special education and related services, as well as supplementary aids and services, to children with disabilities. MSDB will use IDEA funds only for special education and will not use the funds to supplant what MSDB should do to provide a free, appropriate public education (FAPE) to students.

Maintenance of Effort: MSDB will ensure that maintenance of effort requirements are met each year.

Assurances: MSDB will abide by all assurances agreed to in the acceptance of grant awards and will operate accordingly to generally accepted accounting principles.

Allocated Funds and Carryover Use: All allocated funds and carryover will be spent only as approved.

Budgeting: All funds will be budgeted within a line-item budget.

Procurement: Procurement will conform to applicable Federal and State laws.

TRAVEL

The following travel policies are established for use by individuals who are required to travel in-state and out-of-state on official MSDB business. These policies are based on and are in addition to the guidelines established by the Department of Finance and Administration (DFA), Office of Purchasing, Travel and Fleet Management (OPTFM) in accordance with Section 25-3-41, Mississippi Code Annotated (1972).

The State Travel Manual in its entirety can be found at

<https://www.dfa.ms.gov/media/xxkohqdv/travel-manual-2019-resaved.pdf>

OFFICIAL WORKPLACE - The official workplace for all employees shall be the office to which they are assigned. Sometimes, an employee's official duty station shall be his or her residence if he/she is not permanently assigned to an office.

TRAVEL AUTHORIZATION - A Travel Authorization Form must be completed in ADVANCE for all travel (in-state and out-of-state travel). For in-state travel, the highest level of approval needed is the "Division Approval." For all out-of-state travel, "Agency Approval" is needed from the Superintendent. The Superintendent is exempt from completing a Travel Authorization Form for in-state travel. Travel advances may be requested for out-of-state trips and for prior-to-trip expenses for in-state travel such as the first night of a hotel which is due when the reservation is made.

The Travel Authorization Form must be used to request the advance. Advances should be requested and submitted for processing 15 days before the travel is to occur; however, payment of the advance will not be made more than 10 days in advance. Advances are made

to cover meals, hotel expenses, and other related travel costs. The advance should not include the cost of airline travel or conference fees as these may be paid in advance by MSDB.

An employee will be allowed one outstanding travel advance at a time. No additional advances will be given until the previous advances have been cleared. The travel advance must be cleared upon the employee's return. If an advance is not settled within ten (10) working days after the end of the month in which travel was completed, the employee's paycheck will be held, or their direct deposit stopped until the debt to the school is resolved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the Superintendent. The Superintendent may grant this authorization without prior Board action when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

MSDB Staff will follow travel related authorization and reimbursement procedures as outlined in the MSDB Purchasing Policies and Standard Operating Procedures Manual, which is in compliance with federal and state guidelines.

Persons who travel at MSDB expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and those for personal convenience.

AUTOMOBILE TRAVEL - Actual mileage shall be calculated from the official workplace or residence and back or actual miles traveled, whichever is less. The most direct route to a destination should be claimed for reimbursement purposes. The travel voucher must indicate if any intermediate stops were made. Specific sites visited must be noted on the voucher in lieu of "Vicinity Travel." Effective July 1, 2017, state agencies under the purview of the DFA Bureau of Fleet Management are required to use the Trip Optimizer System (TOS) developed and administered by the DFA Office of Purchasing, Travel, and Fleet Management in computing the optimum method and cost for travel by state employees using a motor vehicle. Reimbursement will be based on the least expensive method of transportation. Prior to travel, the Trip Optimizer System should be used to determine the lowest cost mode of transportation. The maximum amount authorized for travel reimbursement related to motor vehicle usage will be the lowest cost option as determined by the TOS. All travel claims submitted for reimbursement must include the results of the Trip Optimizer System indicating the lowest cost option for travel. The maximum amount reimbursable for travel by motor vehicle will be the lowest cost calculated.

USE OF DISTRICT VEHICLES – The district may provide a district vehicle to an employee to use for district business. A district vehicle is district property and an employee assigned to a district vehicle is expected to follow all rules/regulations and is expected to display prudent behavior when operating and maintaining an assigned district vehicle. Personal use of a district vehicle is defined as all use not for district business and is considered a taxable fringe benefit to the employee. Personal use of a district vehicle is prohibited.

Smoking and vaping is prohibited in all District Vehicles.
No employee shall operate any district vehicle while utilizing electronic devices including

texting, reading a text message, accessing, reading, listening to music with earbuds, or posting on a social networking site. "Text message" includes a text-based message, instant message, electronic message, email, etc. Voice-operated or hands-free devices may be used when necessary.

Violations of this policy may lead to disciplinary action including denial of use of District vehicles, district cell phones, and up to including termination. Certain violations are punishable by law. Any fines or penalties incurred shall be the responsibility of the employee.

Employees involved in an accident involving the use of any District Motor vehicle will be subject to a drug and alcohol test.

FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE

State policies regarding the inventory and use of equipment are strict. The person to whom the equipment is assigned is financially responsible for that equipment. Therefore, under no circumstances should any person use a master key to enter a storage equipment area and remove items for use without authorization. Events and needs should be planned for and equipment reserved well in advance. All equipment must be checked out using the appropriate form.

Do not check something out in your name and then allow a student to use it. A contract signed by all parents and students regarding use of equipment is kept on file each year. Parents and/or students are financially responsible for any loss of or damage to school property. These contracts cover all MSDB owned items. Students must check out needed equipment from the IT Department. Under no circumstances should a student be allowed to use an employee's computer.

MSDB has to account for equipment to MDE with a formal quarterly audit. Employees are responsible for all equipment assigned to them. Do not loan or borrow another user's equipment without permission from the user and Fixed Asset Property Officer with proper documentation as described in this policy. All transfers and surplus of equipment must have the appropriate paperwork submitted to the person in charge of fixed assets. Upon resignation or termination, employees must return all school property on or before the last day of work.

Please adhere to the following guidelines:

1. Complete a Furniture/Equipment Inventory Form at the beginning and end of the school year.
2. All furniture must remain in its assigned location. Do not rearrange or remove any furniture without permission and/or notification to the Fixed Asset Property Officer.
3. Do not move furniture or equipment into hallways; this clutters passageway and creates possible safety hazards.
4. Check out all equipment (e.g., laptops, projector, portable tables, cameras, tripods, lenses) with the IT Department or Staff member responsible for that equipment.
5. Ensure that parents sign the appropriate contracts before a student is allowed to use any MSDB equipment.
6. Store equipment in a secure location when not in use. Employees are responsible for all equipment checked out to them.
7. At no time should MSDB property/equipment/furniture be removed from campus without

- proper permission.
8. Any maintenance problem or malfunction of equipment should be reported to the appropriate MSDB Administrator.
 9. Employees should require students to exercise care in use of school property and equipment at all times.
 10. Any damages sustained to property or equipment must be assessed and paid for, no matter how minor. Such occurrences must also be reported to the Supervisor, Director, or Principal, and/or Superintendent promptly.

OFF CAMPUS USE OF EQUIPMENT

Per Office of State Auditor guidelines, equipment purchased and/or inventoried must be used for official school use only. At no time may equipment be used for personal or financial gain. Under very minimum situations, it may be necessary for some employees to take equipment off campus for work-related purposes (includes repair). An Equipment Receipt must be completed and signed by the equipment's responsible owner and Superintendent. This Equipment Receipt must be on file in the event of an audit while equipment is off campus. The Equipment Receipt is valid for one year from date but may be revoked at any time during the valid term.

SCHOOL PROPERTIES DISPOSAL PROCEDURE

As it relates to school properties disposal, MSDB will comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to [§37-7-451](#), [§37-7-471](#) through [§37-7-485](#) as amended, and with all other applicable federal and state laws.

WORKSPACES

SHARED INSTRUCTIONAL SPACES

Due to potential increased student enrollment, some classrooms or other instructional spaces may have to be shared. Although such situations are never ideal, staff must respect the work of colleagues and collaborate in using available facilities.

DESK AREAS AND OFFICES

Employee offices and desk areas are not spaces for extended visits with adults or students. While all staff members should be supportive of students, visitors, colleagues, and others. These persons should not be encouraged to "hang out" in work areas during free time. Employees should maintain a friendly, but professional demeanor when working with students, staff, and visitors.

HALLWAYS

Although classroom, storage, and exhibition spaces on campus are limited, staff members must keep hallways clean and free of obstruction. Fire codes must be followed, and areas should be monitored on a daily basis. Hallways are not storage areas for excess furniture, equipment, works -in-progress, or student books and belongings.

HEALTH CENTER

Due to the nature and function of the Health Center and office areas, doors must remain locked at all times. Staff should never allow a student to enter the health center unless accompanied by the school nurse or other authorized adult. Medications must be kept in locked areas at all times.



Facility Use Application, Policies, and Procedures Mississippi Schools for the Deaf and the Blind

Date: _____

The completed application must be submitted at least ten (10) business days prior to the proposed use date.

Name of Event: _____

Name of Applicant: _____

Address of Applicant: _____

Telephone of Numbers of Applicant: Office _____

Home _____

Cell _____

If applicant is not an individual, name of person with authority to bind Applicant:

Name: _____

Address: _____

Telephone: _____

Date(s) of use: _____

MSDB employee supervising event: _____

Check **ALL** MSDB FACILITIES to be used. Price is per day unless stated otherwise:

_____ Auditorium \$100	_____ Gymnasium (P.E.C.) \$500
_____ Cafeteria \$50	_____ Gymnasium (Roberts) \$300
_____ Library \$50	_____ Concession Stands (included)
_____ Athletic Fields (mark all that apply)	
_____ Football/Soccer \$600	_____ Track \$500
_____ Practice Field \$150/month	_____ Concession Stand (included)
_____ Field House (included)	
_____ Classroom(s) (specify room numbers) _____	
_____ Security (included @ no additional cost)	
_____ \$50.00 per hour for KEYHOLDER/CUSTODIAN(S) (Required)	

\$ _____ Total estimated **FACILITIES** cost paid directly to MSDB Activity Fund.

I. Introduction

Applicant hereby agrees that it will abide by and comply with the Facility Use Policies and Procedures adopted by the State Board of Education (SBE) of the Mississippi Schools for the Deaf and the Blind (MSDB). These policies concern the casual, temporary presence of members of the public in or about the building and grounds of the MSDB. The State Board of Education has statutory authority over the property of MSDB unless otherwise prescribed by law. Unless otherwise specified, the use of the term "MSDB" will be taken to include the interior and exterior of all buildings and its grounds.

II. Public Purpose

Events and exhibits whose primary intended purpose is to promote the interests or general welfare of inhabitants or residents within the state are deemed to be for a public purpose. Events, exhibits, and functions which are inherently private in nature are deemed to lack a public purpose, unless the applicant can demonstrate a public purpose to the satisfaction of the approving entity. Events including, but not limited to, weddings, private receptions, and birthday parties do not serve a public purpose; therefore, they are prohibited in buildings within the MSDB.

III. Security

Security is provided by the MSDB through campus security for very small crowds. If necessary, additional law enforcement personnel shall be called into service to assist campus security at the applicant's own expense. ***The applicant must hire one (1) security guard per 150 attendees.***

IV. Certificate of Liability

Applicant provides a Certificate of Liability Insurance no later than five (5) business days prior to the event, naming the MSDB as an additional insured on its insurance policy and insuring the MSDB against loss due to bodily injury or property damage no less than \$1,000,000.

V. Damages

Applicant assumes responsibility for damages of any kind, including damage to property, furniture, fixtures, and equipment used by the Applicant and to pay, at a cost set by the State Board and/or Superintendent, for any resulting damages. If the Applicant has not properly cleaned the facilities and left them in good order, the Applicant shall also pay the costs of such cleaning and returning furniture and equipment to their proper places.

VI. Denial of Application

- A. Incomplete requests will not be considered.
- B. Requests shall be approved and scheduled by the Superintendent of the MSDB, or his/her designee, in consultation with the State Superintendent of Education.
- C. Events/exhibits shall not interfere with the regularly scheduled business conducted at the MSDB, including during regular school hours, which is from 7 a.m. to 5 p.m.
- D. Events/exhibits shall be denied for the following reasons:
 - 1. They serve no obvious public purpose as previously defined in this policy;
 - 2. They promote a commercial enterprise and/or involve the exchange of money;
 - 3. They involve fund-raising on the premises, which is prohibited by state law;
 - 4. They obstruct entrances or interrupt traffic flow on campus and inside buildings;
 - 5. They have the potential to cause damage to state property (including, but not limited to, the exterior wall, interior walls, doors, windows, woodwork, floors, walkways, sidewalks, and grounds);

6. They involve the use of materials that are vulgar, licentious, lewd, or obscene;
7. They involve the use of materials that detract from the aesthetics of the building and/or its grounds;
8. They disturb the public peace;
9. They obstruct the view of or access to fire-fighting equipment, fire alarm pull stations, security cameras, or fire hydrants;
10. They involve the use of any flammable, hazardous, or odorous chemicals or materials, torches, candles, or other open flame illuminating devices or fires, or are determined to be a fire hazard by the State Fire Marshall;
11. They involve the use of signs or placards attached to objects that might cause damage to the building; and
12. They exceed the maximum occupancy as determined the State Fire Marshall.

VII. Responsibilities of the Applicant

- A. Employees of the State of Mississippi, DFA, SBE, MDE, or MSDB, are not liable for any injury which may occur to any person prior to the start of events, during events, and following events.
- B. All exhibits, art, photographic exhibits, banners, streamers, or posters, used during an event must be on freestanding displays. Such materials may not be hung from walls or railings. No adhesives or tape of any type will be allowed on any surface of any MSDB building.
- C. Tents requiring anchors/stakes in the ground will not be allowed without written permission by the MSDB at least five (5) business days prior to the event.
- D. The Applicant is responsible for clean-up fees (if applicable) paid directly to the MSDB custodial staff members.

- E. The Applicant shall be responsible for any costs incurred by the State of Mississippi, DFA, MDE, SBE, and/or MSDB related to damages resulting from the event and/or exhibit.
- F. The Applicant is responsible for providing any audio/visual, electrical, computer, and communication equipment needed for events and/or exhibits.
- G. Food shall not be prepared inside or on the grounds of the MSDB without prior written authorization. Warming devices utilizing electricity are acceptable.
- H. Open flames shall not be utilized to warm food.
- I. All reservations for MSDB facilities are non-refundable.
- J. MSDB is a smoke-free campus.

VIII. Responsibilities of MSDB

- A. The MSDB shall provide applicant with access to a power source for the event/display, but extension cords shall not be provided by MSDB.
- B. Security requirements shall be provided through MSDB's American Sentry Security System. If additional security is required, the applicant is responsible for providing the service at their own expense, and shall provide documentation to MSDB five (5) business days prior to the event.
- C. Chairs, podiums, or other equipment ordinarily required for ceremonies, presentations, or performances may be used with prior approval from MSDB.
- D. The MSDB has a limited supply of equipment that may be utilized for indoor use only upon written request.

IX. Indemnifications

- A. The applicant agrees to the fullest extent allowed by law to indemnify, defend, save, and hold harmless the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents from any and all claims, demands, liabilities, suits, proceedings, losses, damages, costs of every kind and nature whatsoever, including, without limitation, court costs, investigative fees and expense, and attorney's fees that may arise during or be caused in any way by any third party which result from the applicant's presence, equipment or use of buildings within the MSDB.

- B. The applicant agrees that the SBE, MDE, MSDB, and all of its officers, employees, and agents are now and hereafter relieved of any and all responsibility and liability for any and all injury, loss or damage the applicant, its agents and invitees or their property may incur because of or during the applicant's use of the MSDB buildings. Therefore, the applicant on its own behalf and on the behalf of its agents and invitees hereby agrees to hold harmless, indemnify and defense the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents from and against any and all costs, damages, fees, expenses, or liability of any type or nature related to the same.
- C. The applicant further covenants and agrees to indemnify and to fully pay and reimburse DFA and/or MSDB any and all costs of replacement of damaged property; and for the restoration and repair of buildings within the MSDB, which in any way are damaged, destroyed, or otherwise defaced or harmed because of use by the event holder, its agents, or invitees.

X. General Agreement and Acknowledgment

The Applicant understands that a Keyholder, who is an MSDB employee appointed by the school principal or his/her designee, shall be paid by the Applicant (if applicable) and shall always be present while Applicant is using the facility. Applicant agrees that if Applicant fails to abide by or comply with the Facility Use Policies and Procedures or the terms and conditions of this Facility Use Application that the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents, in their sole discretion, may terminate the Applicant's use of the facilities immediately, void the agreement, and the Applicant's use may be cancelled and any future use may also be prohibited.

Applicant acknowledges that it has read and understands the MSDB Facility Use Policies and Procedures. Applicant understands and agrees that use of school facilities shall not interfere with school use and shall exemplify the high standards of the MSDB. Applicant's use of school facilities shall not in any way conflict with or displace a school class, school activity, school event, or disrupt the educational process or interfere with the regular instructional program of a school.

Applicant agrees that it shall not begin use of any school facility until its application has been approved by the appropriate official of the MSDB. Applicant agrees to pay the facility use fee in full before the application may be approved and agrees to pay all MSDB keyholders and custodians on the last day of the event.

By signing below, the applicant agrees to the terms of this agreement and acknowledges that required proof of liability insurance no less than \$1,000,000 has been provided to the MSDB no later than five (5) business days prior to the event.

of Applicant/Applicant’s Representative

Date

Signature

Signature of MSDB Superintendent

Date

APPENDIX A – Teacher Pay Scale
Mississippi Schools for the Deaf and the Blind
MSDB Salary Schedule at Base

Years	A	AA	AAA	AAAA
0	\$ 41,500.00	\$ 43,000.00	\$ 44,000.00	\$ 45,500.00
1	\$ 41,900.00	\$ 43,525.00	\$ 44,550.00	\$ 46,100.00
2	\$ 42,300.00	\$ 44,050.00	\$ 45,100.00	\$ 46,700.00
3	\$ 42,700.00	\$ 44,575.00	\$ 45,650.00	\$ 47,300.00
4	\$ 43,100.00	\$ 45,100.00	\$ 46,200.00	\$ 47,900.00
5	\$ 44,300.00	\$ 46,350.00	\$ 47,500.00	\$ 49,250.00
6	\$ 44,700.00	\$ 46,875.00	\$ 48,050.00	\$ 49,850.00
7	\$ 45,100.00	\$ 47,400.00	\$ 48,600.00	\$ 50,450.00
8	\$ 45,500.00	\$ 47,925.00	\$ 49,150.00	\$ 51,050.00
9	\$ 45,900.00	\$ 48,450.00	\$ 49,700.00	\$ 51,650.00
10	\$ 47,100.00	\$ 49,700.00	\$ 51,000.00	\$ 53,000.00
11	\$ 47,500.00	\$ 50,225.00	\$ 51,550.00	\$ 53,600.00
12	\$ 47,900.00	\$ 50,750.00	\$ 52,100.00	\$ 54,200.00
13	\$ 48,300.00	\$ 51,275.00	\$ 52,650.00	\$ 54,800.00
14	\$ 48,700.00	\$ 51,800.00	\$ 53,200.00	\$ 55,400.00
15	\$ 49,900.00	\$ 53,050.00	\$ 54,500.00	\$ 56,750.00
16	\$ 50,300.00	\$ 53,575.00	\$ 55,050.00	\$ 57,350.00
17	\$ 50,700.00	\$ 54,100.00	\$ 55,600.00	\$ 57,950.00
18	\$ 51,100.00	\$ 54,625.00	\$ 56,150.00	\$ 58,550.00
19	\$ 51,500.00	\$ 55,150.00	\$ 56,700.00	\$ 59,150.00
20	\$ 52,700.00	\$ 56,400.00	\$ 58,000.00	\$ 60,500.00
21	\$ 53,100.00	\$ 56,925.00	\$ 58,550.00	\$ 61,100.00
22	\$ 53,500.00	\$ 57,450.00	\$ 59,100.00	\$ 61,700.00
23	\$ 53,900.00	\$ 57,975.00	\$ 59,650.00	\$ 62,300.00
24	\$ 54,300.00	\$ 58,500.00	\$ 60,200.00	\$ 62,900.00
25	\$ 56,800.00	\$ 61,000.00	\$ 62,700.00	\$ 65,400.00
26	\$ 57,200.00	\$ 61,525.00	\$ 63,250.00	\$ 66,000.00
27	\$ 57,600.00	\$ 62,050.00	\$ 63,800.00	\$ 66,600.00
28	\$ 58,000.00	\$ 62,575.00	\$ 64,350.00	\$ 67,200.00
29	\$ 58,400.00	\$ 63,100.00	\$ 64,900.00	\$ 67,800.00
30	\$ 58,800.00	\$ 63,625.00	\$ 65,450.00	\$ 68,400.00
31	\$ 59,200.00	\$ 64,150.00	\$ 66,000.00	\$ 69,000.00
32	\$ 59,600.00	\$ 64,675.00	\$ 66,550.00	\$ 69,600.00
33	\$ 60,000.00	\$ 65,200.00	\$ 67,100.00	\$ 70,200.00
34	\$ 60,400.00	\$ 65,725.00	\$ 67,650.00	\$ 70,800.00
35	\$ 60,800.00	\$ 66,250.00	\$ 68,200.00	\$ 71,400.00

** An additional \$6000 supplement will be added to the salary of each employee who is a National Board Certified Teacher in accordance with MS Code 37-19-7.

APPENDIX B – Teacher Supplemental Pay Scale (TOD, TVI, TODB Certified)
Mississippi Schools for the Deaf and the Blind

MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND
CERTIFIED TEACHER SALARY SUPPLEMENT SCALE

SINGLE ENDORSEMENT								
Years of Experience		A Certificate Supplement		AA Certificate Supplement		AAA Certificate Supplement		AAAA Certificate Supplement
0		\$ 3,000		\$ 3,050		\$ 3,100		\$ 3,150
1		\$ 3,100		\$ 3,150		\$ 3,200		\$ 3,250
2		\$ 3,200		\$ 3,250		\$ 3,300		\$ 3,350
3		\$ 3,300		\$ 3,350		\$ 3,400		\$ 3,450
4		\$ 3,400		\$ 3,450		\$ 3,500		\$ 3,550
5		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
6		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
7		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
8		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
9		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
10		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
11		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
12		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
13		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
14		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
15		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
16		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
17		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
18		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
19		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
20		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
21		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
22		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
23		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
24		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
25 or more		\$ 3,700		\$ 3,750		\$ 3,800		\$ 3,850

MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND
CERTIFIED TEACHER SALARY SUPPLEMENT SCALE

DUAL ENDORSEMENT (FOR HI/VI DUAL-CERTIFIED TEACHERS)							
Years of Experience		A Certificate Supplement		AA Certificate Supplement		AAA Certificate Supplement	AAAA Certificate Supplement
0		\$ 4,500		\$ 4,550		\$ 4,600	\$ 4,650
1		\$ 4,600		\$ 4,650		\$ 4,700	\$ 4,750
2		\$ 4,700		\$ 4,750		\$ 4,800	\$ 4,850
3		\$ 4,800		\$ 4,850		\$ 4,900	\$ 4,950
4		\$ 4,900		\$ 4,950		\$ 5,000	\$ 5,050
5		\$ 5,000		\$ 5,050		\$ 5,100	\$ 5,150
6		\$ 5,000		\$ 5,050		\$ 5,100	\$ 5,150
7		\$ 5,000		\$ 5,050		\$ 5,100	\$ 5,150
8		\$ 5,000		\$ 5,050		\$ 5,100	\$ 5,150
9		\$ 5,000		\$ 5,050		\$ 5,100	\$ 5,150
10		\$ 5,050		\$ 5,100		\$ 5,150	\$ 5,200
11		\$ 5,050		\$ 5,100		\$ 5,150	\$ 5,200
12		\$ 5,050		\$ 5,100		\$ 5,150	\$ 5,200
13		\$ 5,050		\$ 5,100		\$ 5,150	\$ 5,200
14		\$ 5,050		\$ 5,100		\$ 5,150	\$ 5,200
15		\$ 5,100		\$ 5,150		\$ 5,200	\$ 5,250
16		\$ 5,100		\$ 5,150		\$ 5,200	\$ 5,250
17		\$ 5,100		\$ 5,150		\$ 5,200	\$ 5,250
18		\$ 5,100		\$ 5,150		\$ 5,200	\$ 5,250
19		\$ 5,100		\$ 5,150		\$ 5,200	\$ 5,250
20		\$ 5,150		\$ 5,200		\$ 5,250	\$ 5,300
21		\$ 5,150		\$ 5,200		\$ 5,250	\$ 5,300
22		\$ 5,150		\$ 5,200		\$ 5,250	\$ 5,300
23		\$ 5,150		\$ 5,200		\$ 5,250	\$ 5,300
24		\$ 5,150		\$ 5,200		\$ 5,250	\$ 5,300
25 or more		\$ 5,200		\$ 5,250		\$ 5,300	\$ 5,350

*MSDB will reimburse any employee for a passed Praxis for single, dual, or any endorsement needed by the district with a limit of two per year.

APPENDIX D – Teacher’s Assistant Pay Scale
Mississippi Schools for the Deaf and the Blind

Teaching Assistant Salary Scale (2023-2024)

Step	A Teaching Certificate/Special Area Asst.	B B.S. Degree Any Field	C AA Degree Any Field	D High School Diploma
0	\$ 23,000.00	\$ 21,000.00	\$ 20,000.00	\$ 19,000.00
1	\$ 23,460.00	\$ 21,420.00	\$ 20,400.00	\$ 19,380.00
2	\$ 23,929.20	\$ 21,848.40	\$ 20,808.00	\$ 19,767.60
3	\$ 24,407.78	\$ 22,285.37	\$ 21,224.16	\$ 20,162.95
4	\$ 24,895.94	\$ 22,731.08	\$ 21,648.64	\$ 20,566.21
5	\$ 25,393.86	\$ 23,185.70	\$ 22,081.62	\$ 20,977.54
6	\$ 25,901.74	\$ 23,649.41	\$ 22,523.25	\$ 21,397.09
7	\$ 26,419.77	\$ 24,122.40	\$ 22,973.71	\$ 21,825.03
8	\$ 26,948.17	\$ 24,604.85	\$ 23,433.19	\$ 22,261.53
9	\$ 27,487.13	\$ 25,096.94	\$ 23,901.85	\$ 22,706.76
10	\$ 28,036.87	\$ 25,598.88	\$ 24,379.89	\$ 23,160.89
11	\$ 28,597.61	\$ 26,110.86	\$ 24,867.49	\$ 23,624.11
12	\$ 29,169.56	\$ 26,633.08	\$ 25,364.84	\$ 24,096.59
13	\$ 29,752.95	\$ 27,165.74	\$ 25,872.13	\$ 24,578.53
14	\$ 30,348.01	\$ 27,709.05	\$ 26,389.58	\$ 25,070.10
15	\$ 30,954.97	\$ 28,263.24	\$ 26,917.37	\$ 25,571.50
16	\$ 31,574.07	\$ 28,828.50	\$ 27,455.71	\$ 26,082.93
17	\$ 32,205.55	\$ 29,405.07	\$ 28,004.83	\$ 26,604.59
18	\$ 32,849.66	\$ 29,993.17	\$ 28,564.92	\$ 27,136.68
19	\$ 33,506.66	\$ 30,593.03	\$ 29,136.22	\$ 27,679.41
20	\$ 34,176.79	\$ 31,204.90	\$ 29,718.95	\$ 28,233.00
21	\$ 34,860.33	\$ 31,828.99	\$ 30,313.33	\$ 28,797.66
22	\$ 35,557.53	\$ 32,465.57	\$ 30,919.59	\$ 29,373.61
23	\$ 36,268.68	\$ 33,114.88	\$ 31,537.99	\$ 29,961.09
24	\$ 36,994.06	\$ 33,777.18	\$ 32,168.74	\$ 30,560.31
25	\$ 37,733.94	\$ 34,452.73	\$ 32,812.12	\$ 31,171.51
26	\$ 38,488.62	\$ 35,141.78	\$ 33,468.36	\$ 31,794.94
27	\$ 39,258.39	\$ 35,844.62	\$ 34,137.73	\$ 32,430.84
28	\$ 40,043.56	\$ 36,561.51	\$ 34,820.48	\$ 33,079.46
29	\$ 40,844.43	\$ 37,292.74	\$ 35,516.89	\$ 33,741.05
30	\$ 41,661.32	\$ 38,038.59	\$ 36,227.23	\$ 34,415.87

Teacher Assistants include Library Media Assistants & In School Suspension monitors.

Please note: The numbers down the left side of the scale do not represent the number of years of experience as a teacher’s assistant. These numbers are simply a position on the salary scale.

APPENDIX E – Residential Parent Salary Scale
Mississippi Schools for the Deaf and the Blind

Residential Parent Salary Scale (2023-2024)

Step	A B.S. Degree Any Field	B AA Degree Any Field	C High School Diploma
0	\$ 23,500.00	\$ 22,500.00	\$ 21,500.00
1	\$ 23,970.00	\$ 22,950.00	\$ 21,930.00
2	\$ 24,449.40	\$ 23,409.00	\$ 22,368.60
3	\$ 24,938.39	\$ 23,877.18	\$ 22,815.97
4	\$ 25,437.16	\$ 24,354.72	\$ 23,272.29
5	\$ 25,945.90	\$ 24,841.82	\$ 23,737.74
6	\$ 26,464.82	\$ 25,338.65	\$ 24,212.49
7	\$ 26,994.11	\$ 25,845.43	\$ 24,696.74
8	\$ 27,534.00	\$ 26,362.34	\$ 25,190.68
9	\$ 28,084.68	\$ 26,889.58	\$ 25,694.49
10	\$ 28,646.37	\$ 27,427.37	\$ 26,208.38
11	\$ 29,219.30	\$ 27,975.92	\$ 26,732.55
12	\$ 29,803.68	\$ 28,535.44	\$ 27,267.20
13	\$ 30,399.76	\$ 29,106.15	\$ 27,812.54
14	\$ 31,007.75	\$ 29,688.27	\$ 28,368.79
15	\$ 31,627.91	\$ 30,282.04	\$ 28,936.17
16	\$ 32,260.46	\$ 30,887.68	\$ 29,514.89
17	\$ 32,905.67	\$ 31,505.43	\$ 30,105.19
18	\$ 33,563.79	\$ 32,135.54	\$ 30,707.29
19	\$ 34,235.06	\$ 32,778.25	\$ 31,321.44
20	\$ 34,919.76	\$ 33,433.82	\$ 31,947.87
21	\$ 35,618.16	\$ 34,102.49	\$ 32,586.83
22	\$ 36,330.52	\$ 34,784.54	\$ 33,238.56
23	\$ 37,057.13	\$ 35,480.23	\$ 33,903.33
24	\$ 37,798.28	\$ 36,189.84	\$ 34,581.40
25	\$ 38,554.24	\$ 36,913.63	\$ 35,273.03
26	\$ 39,325.33	\$ 37,651.91	\$ 35,978.49
27	\$ 40,111.83	\$ 38,404.95	\$ 36,698.06
28	\$ 40,914.07	\$ 39,173.04	\$ 37,432.02
29	\$ 41,732.35	\$ 39,956.51	\$ 38,180.66
30	\$ 42,567.00	\$ 40,755.64	\$ 38,944.27

Please note: The numbers down the left side of the scale do not represent the number of years of experience. These numbers are simply a position on the salary scale.

APPENDIX F – Employee Work Days and Leave Allowances

Effective July 1, 2021

Employee Group	Days Employed	Personal Leave	Sick Leave	Vacation Days
Group A	2384 0 days	3 days	11 days	10 days
Group B	197 days	3 days	8 days	
Group C	187 days	3 days	8 days	

Group A – 2384 0 days	Group B – 197 days	Group C – 187 days
Superintendent Assistant Superintendent Principals Assistant Principals Administrative Assistants Business Office Staff Facilities Staff Maintenance Staff Technology Department Staff MIRC Director MAC Director School Psychologist Sped Case Manager Residential Directors MSIS Coordinator Transition Coordinator Dean of Students/Athletic Coordinator Education Specialist	School Counselors Head Nurse Special Service Coordinators	Teachers Teaching Assistants Residential Parents Residential Parent Supervisors Health Clinic Nurses Early Intervention Specialists Interpreters SLPs OT/PT ASL Specialist O&M Specialist Bus Drivers

Addendum Effective August 19, 2021: If the death of an immediate family member (see definition on page 20) occurs, three (3) days of bereavement will be provided in addition to the allocated days.

Leave carryover will be implemented according to state law.

SICK LEAVE ACCUMULATION

Sick leave has an unlimited amount of accumulation. Any unused portion of personal leave allowance days shall be carried over to the next school year and credited to such employee if the employee remains employed in the school district. The annual conversion of unused personal leave to sick days for licensed and unlicensed employees shall not exceed the allowable number of personal leave days. Upon Retirement from employment employees shall receive credit toward retirement for any unused leave.

VACATION LEAVE ACCUMULATION

Certified and non-certified 240-day staff are entitled to vacation days. Vacation days shall be scheduled at the convenience of the school system and dates shall be approved by the Superintendent or his/her designee prior to the beginning date of any vacation. Vacation days may be prorated for new employees from the date

of employment through the last day of the fiscal year.

Vacation leave earned in the previous fiscal year and not used by December 31st of the current fiscal year shall be converted to sick leave.

For all 12-month certified and classified employees, the following days will be considered paid holidays:

Independence Day

Labor Day

Thanksgiving Day

Christmas Day

New Year's Day

Memorial Day

Appendix G:

IDEA PART B Fiscal Policies and Procedures

Table of Contents

- I. Glossary of Terms
- II. Internal Controls
- III. Cash Management
 - a. Reimbursements
- IV. Allowable Uses of IDEA Funds
- V. Excess Cost Requirement
- VI. Nonallowable Uses of IDEA Funds
- VII. Personnel Requirements
 - a. Time and Effort Procedures
- VIII. Indirect Cost Requirement
- IX. Procurement
- X. Contracting for Services
 - a. Personnel Conflicts of Interest
 - b. Mandatory Disclosure
 - c. Debarment and Suspension
- XI. Leasing of Equipment
- XII. Fixed Assets/Inventory Requirements/Transfer of Equipment
- XIII. Travel Policy
- XIV. Coordinated Early Intervening Services (CEIS)
- XV. Extended School Year Services (ESY)
- XVI. Proportionate Share of Funds for Parentally-Placed Private School Children with Disabilities
- XVII. Instructional Supplies
- XVIII. Maintenance of Effort Requirements and Exceptions
- XIX. Educable Child
- XX. Retention of Fiscal Records

I. Glossary of Terms and Acronyms

CEIS – Coordinated Early Intervening Services

CFR – Code of Federal Regulations

EDGAR – Education Department General Administrative Regulations

ESY – Extended School Year

IDEA - Individuals with Disabilities Education Act

LEA – Local Education Agency

LRE – Least Restrictive Environment

MDE – Mississippi Department of Education

MOE – Maintenance of Effort

ODHH – Office of Deaf and Hard of Hearing

OSE – Office of Special Education

OSEP – Office of Special Education and Programs

RFP – Request for Proposal

SEA – State Education Agency

II. Internal Controls

The District has developed and maintains sound internal controls to ensure that all personnel, contractual services, and goods (equipment and instructional supplies) funded and purchased with IDEA subgrants are budgeted for and expended in accordance with the applicable provisions of IDEA and other Federal requirements. Internal controls include an accounting system that focuses on accountability of how the funds are used (i.e. “fund accounting”).

Accounting records are supported by source documentation including:

- Cancelled checks;
- Paid bills;
- Payrolls;
- Documentation demonstrating allowability of costs;
- Time and attendance records; and
- Contract and subgrant award documents.

Internal controls and accounting procedures of the District are sufficient to:

- (1) permit preparation of required reports; and
- (2) permit the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of the restrictions and prohibition of applicable statutes.

Actual expenditures are compared with budgeted amounts in the MCAPS funding application. In addition, the financial management system is able to:

- Prepare reports as required by the Uniform Grant Guidance, EDGAR and IDEA;
- Provide a complete disclosure of financial results (e.g. cash flow, expenditures, amendments);
- Ensure that there is accountability in how IDEA funds are used;
- Ensure that IDEA funds are not commingled with State funds and/or local funds; and
- Ensure that IDEA funds are used to supplement and not supplant State, local, and other Federal funds. [34 CFR §§300.162(c), 300.202(a)(3)]

[The District] is permitted to amend their IDEA grant within the approved direct cost budget to meet unanticipated needs and to make limited program changes. However, post-award changes to budgets and projects will require prior approval of MDE/OSE. In addition, LEAs must secure board approval to amendments.

III. Cash Management

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act. Generally, the District receives payment from the State Department of Education on a reimbursement basis.

However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses.

Any obligation of federal grant funds must occur on or between the beginning and ending dates of the grant project, except for carry-over funds, as allowed by federal law and administrative rules. All obligations must be liquidated no later than 90 days after the end of the carryover period, unless an extension is authorized. State-administered grant funds carried over by the District from one year to the next shall be determined in an annual audit performed according to Generally Accepted Accounting Principles (GAAP) and State statutes. After carryover amounts are determined, the Superintendent or his or her designee shall report and administer the funds according to the program's requirements.

Funds received under a federal grant shall be considered to be obligated according to the standards provided in 34 C.F.R. § 75.707 or 34 C.F.R. § 76.707, as applicable.

Reimbursements

The District will initially charge federal grant expenditures to nonfederal funds.

The District Grant Accountant or Business Manager will request reimbursement for actual expenditures or once obligations have been made. Reimbursement requests will be submitted on a District form to the State Department of Education. [2 CFR §200.305]

Consistent with State and federal requirements, the District will maintain source documentation supporting the federal expenditures; such as invoices, time sheets, and payroll stubs; and will make such documentation available for the State Department of Education to review upon request.

IV. Allowable Uses of IDEA Funds

In order to be allowable, LEAs must ensure that all costs incurred are necessary, reasonable, and allocable. [2 CIFR Part 230] The following list illustrates allowable uses:

1. LEAs are permitted to use IDEA funds only to pay the excess costs of providing special education and related services to children with disabilities. [34 CFR §§300.16 & 300.202]
2. LEAs must ensure that costs incurred and funded through the IDEA grant are necessary, reasonable, and allocable. [2 CIFR Part 230]
3. LEAs are permitted to use IDEA funds to pay for special education teachers, special education administrators, related service providers, instructional assistants, and secretarial support staff that *directly* provide services or support services to students with disabilities.
4. LEAs are permitted to use IDEA funds for special education staff to attend out of district or out-of-state meetings and conferences, only to the extent such costs are reasonable and necessary to accomplish the goals and objectives of the grant. The number of attendees and the approval process should be carefully considered and fully documented as related to the

special education responsibilities of each potential attendee. In addition, costs for all conference attendance must be included in the LEAs grant application and receive prior approval from MDE/OSE.

5. LEAs are permitted to use IDEA funds for travel expenses only to the extent such costs are reasonable and necessary and do not exceed charges normally allowed by the LEA in its regular operations consistent with its written travel policies. LEAs should follow their own travel and per diem rules and costs when charging travel expenses to their IDEA grant.
6. LEAs are permitted to use IDEA funds to purchase instructional materials to be used by special education teachers and related service providers to meet the unique educational needs of children with disabilities. (see section below)
7. LEAs are permitted to use IDEA funds to purchase, lease, or otherwise provide for the acquisition of assistive technology devices to maintain or improve the functional capabilities of children with disabilities.
8. LEAs are permitted to purchase food ONLY as those purchases directly relate to instructional activities involving food shopping and preparation. Food purchases and activities must be supported by teacher lesson plans and be necessary to meet student IEPs related to independent living goals and objectives.
9. LEAs are permitted to contract for services only if (1) there is a written contract specifying the terms of the vendors' services; (2) the contract providers are appropriately licensed; (3) the fees are determined to be reasonable and customary for the provision of such services in the area; (4) the LEA has determined that the services cannot be provided by district employees; and (5) the LEA has internal controls in place to verify the delivery of contracted services as specified in contracts and on submitted invoices.

V. Excess Cost Requirement

Excess costs are those costs associated with the education of an elementary school or secondary school student with a disability that are in excess of the average annual per student expenditure in an LEA during the preceding school year for ALL elementary school or secondary school students. [34 CFR 300.202(b)] An LEA must spend **at least** the average annual per student expenditure on the education of an elementary school or secondary school child with a disability before funds under Part B of the Act are used to pay the excess costs of providing special education and related services. That amount may not include capital outlay or debt service.

For a particular cost to be allowable, it must be an excess cost of providing special education and related services. Only allowable costs may be charged to IDEA Part B or Preschool grants. In addition, in order for the cost to be allowable, it must be *necessary* and *reasonable* for proper and efficient performance and administration of the grant. A cost is reasonable if it does not exceed what a district would normally incur in the absence of Federal funds.

IDEA's excess cost requirement prevents an LEA from using Part B funds to pay ALL of the costs directly attributable to the education of children with disabilities, with the following exception:

The regulations in IDEA §300.202(b) permit an LEA to use Part B funds to pay for all of the costs directly attributable to the education of a child with a disability in the age ranges of 3-5

and 18-21, only if no local or State funds are available to provide for the education of children WITHOUT disabilities of those same age ranges. In such cases, the LEA must comply with the non-supplanting and other requirements of Part B in providing the education and services for these children.

When determining whether a cost is an excess cost, ask the following guiding questions:

1. In the absence of special education needs, would this cost exist?
 - a) No, then the cost is an excess cost and may be eligible.
 - b) Yes, then the cost is not an excess cost and is not allowed.
2. Is this cost also generated by students without disabilities?
 - a) No, then the cost is an excess cost and may be eligible.
 - b) Yes, then the cost is not an excess cost and is not allowed.
3. If it is a child-specific service, is the service documented in the student's IEP?
 - a) Yes, then the cost is an excess cost and may be eligible.
 - b) No, then the cost is not an excess cost and is not allowed.

VI. Non-Allowable Uses of IDEA Funds

There are numerous non-allowable uses of Federal funds, including IDEA grant funds. The MDE/OSE may seek to recover any Federal funds identified, in an audit or through onsite monitoring, as having been used for unallowable costs. If MDE/OSE determines that an LEA must return funds, those funds *cannot* be returned out of Federal funds. [34 CFR §300.202] The following is a list of specific non-allowable expenses. However, the list is not exhaustive. Any questions related to the allowability of IDEA fund use that is not included below should be directed to MDE/OSE.

1. IDEA funds may not be used to pay attorneys' fees or costs of a party related to any action or proceeding under section 615 of the Act, (including attendance at IEP meetings, due process hearings, appeals of due process hearings to Federal court, court recordings). [34 CFR §300.517(b)]
2. IDEA funds may not be used to pay any person for influencing, or attempting to influence:
 - An officer or employee of any agency;
 - A member of Congress;
 - An officer or employee of Congress; or
 - An employee of a member of Congress.
3. IDEA funds may not be used to influence the awarding of, or the extension, continuation, renewal, amendment, or modification of any contract or cooperative agreement.
4. IDEA funds may not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those

expenditures for the preceding fiscal year. [34 CFR §§300.203] (see maintenance of effort section below)

5. IDEA funds may not be used to purchase food or beverages for meetings, staff development activities, parent training activities, student meals, or classroom snacks [see MDE MEMO dated November 12, 2012].
6. IDEA funds may not be used to support activities under Section 504, including allocation of staff time, purchase of materials, or in support of direct services to non-special education students.
7. IDEA funds may not be used to pay for entertainment, including costs for amusement, diversion, or social activities.
8. IDEA funds may not be used to purchase gifts, gift cards, pre-paid cards, or awards for staff or students.
9. IDEA funds may not be used to purchase or support the use of computer networks and servers, or cell phones.
10. IDEA funds may not be used to pay for students to participate in SAT or ACT college entrance exams, or for preparatory classes related to these exams.
11. IDEA funds may not be used to pay for students with disabilities to participate in regular summer school programs.
12. IDEA funds may not be used to pay for contracted employees' continuing education classes and/or conferences related to securing or maintaining their certification.
13. IDEA funds may not be used to pay for student medications, or for medical devices that are surgically implanted.
14. IDEA funds may not be used to pay for office or classroom furniture unless specifically authorized by MDE and included in the grant application.

VII. Personnel Requirements

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with State or local funds but is used to meet a required "match" in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants.

The District's records will accurately reflect the work performed. These records must:

1. Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. Be incorporated into official records;
3. Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
4. Encompass both federally assisted and all other activities compensated by the District on an integrated basis;

5. Comply with the established accounting policies and practices of the District; and,
6. Support the distribution of the employee's salary or wages among specific activities or costs objectives.

Time and Effort Procedures

Single Federal Award or Cost Objective

If an employee works exclusively in a single federal program, that employee will, at least semi-annually complete a Semi-Annual Certification Form. The form must be completed at least twice each year and signed by the employee and staff member with after-the-fact knowledge of the employee's activities.

Multiple Activities or Cost Objectives

Federal programs staff may work in multiple programs and be paid from multiple federal awards. The initial budget for program personnel is determined according to the relative percentage of the total of allocations of programs in which the staff member works. Each pay period, the staff member's salary and benefits are calculated and paid according to those initial budget percentages.

At the end of each month, staff working on multiple activities or cost objectives must complete a personnel activity reports (PAR) documenting the actual hours worked for each federal program during that month. The certification will be signed by the employee and by the business manager or other District staff with after-the-fact knowledge of the employee's activities.

The business manager will reconcile the certification of actual work performed to budgeted amounts and will make corresponding journal entries that reflect actual hours worked in and allowable activities of each federal program.

VIII. Indirect Cost Requirement

"Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective."

The MDE/OSE calculates each LEA's indirect cost rate for each grant year. When preparing their grant applications, LEAs' indirect cost amount must not exceed the percentage allowed in the State's calculation. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

Typical indirect costs include:

- Rented or shared space or facility.
- Payment of proportionate amount for utilities.
- Payment for proportionate share for services.
- Distribution of cost pool so as to produce equitable results.

In addition, accounting, auditing, payroll, personnel, budgeting, purchasing, and operation and maintenance of plant facilities are all examples of services which typically benefit several activities and programs, and for which appropriate costs may be attributed to IDEA by means of the indirect cost allocation plan.

Indirect costs charged to the grant are determined by applying the restricted indirect cost rate (RICR) to total direct costs of the grant minus capital outlays, subgrants, and other distorting or unallowable items as specified in the grantee's indirect cost rate agreement. Although, districts should calculate what their maximum indirect cost each year could be based on the full amount of their grant award, the final calculation should be based only on the amount of the expenditures incurred each year. The transfer of the indirect costs should occur on or after the expenditures have occurred. [34 C.F.R § 76.563 of EDGAR, 34 C.F.R. §§

IX. Procurement

Equipment

The District may purchase equipment with IDEA funds providing they receive prior approval from MDE/OSE. Equipment is defined as an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that exceeds \$5,000 per unit. In addition, “highly walkable” items with a useful life of one year or more, and having an acquisition cost of \$500 or more per unit, are considered to be “equipment”. Highly walkable items include, but are not limited, to laptops, iPads, audio-visual equipment, DVD players, think-pads, cameras, etc.

Bids and Contracts

For micro-purchases up to \$5,000, purchases may be awarded without soliciting competitive bids if the District considers the price to be reasonable. The District shall maintain evidence of this reasonableness in the records of all micro-purchases. If small purchases are between \$5,000 and \$50,000 in cost, the District shall use price or rate quotations obtained from at least two qualified sources and maintain quotations in purchasing records.

With the exception of the purchase of curricular materials, whenever the cost of any construction, repair, or improvement; or the acquisition, purchase, or repair of any equipment; or other personal property necessary for the effective operation of the District exceeds \$50,000, bids shall be called for by issuing written request to at least three vendors as specified in statute as well as following federal procurement requirements. Specifications shall be prepared and be made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the Board may reject any bid, reject all bids, or publish notice to rebid the project. If, after calling for bids a second time, no satisfactory bid is received, the Board may proceed under its own direction, subject to the approval of the State Board of Education.

Competitive Proposals

The technique of competitive proposals is normally conducted when more than one source submits an offer, and either a fixed price or cost-reimbursement type contract is to be awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. Proposals must be solicited from an adequate number of qualified sources; and
3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. This method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$50,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District Superintendent must come to an independent estimate prior to receiving bids or proposals. 2 C.F.R. § 200.323(a).

When performing a cost analysis, the District Superintendent negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined inadequate.

A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$50,000.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 C.F.R. §200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants who are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

The following shall be required in the case of procurement under a federal grant to ensure adequate competition.

Geographical Preferences Prohibited

The District shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When

contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The District shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District shall not preclude potential bidders from qualifying during the solicitation period.

X. Contracting for Services

Contracts funded using IDEA, Part B funds must be for services, materials, supplies or other items to be provided in accordance with the applicable requirements of Part 300.

Personnel Conflicts of Interest

No employee will make any purchase or incur any obligations for or on behalf of the District from any private business, contractor, or vendor in which or with which the employee has a direct or indirect financial or ownership interest.

Purchases or contracted services from any private business or venture in which any employee of this District has a direct or indirect financial or ownership interest will be made on a competitive bid basis strictly in accordance with the following procedures:

1. The interested employee, the business, the contractor, or the vendor will fully disclose, in writing, the employee's exact relationship to the business, the contractor, or the vendor;
2. The affected business, the contractor, or the vendor may submit a bid in compliance with the specifications outlined by the District;
3. The interested employee will not be involved in any part of the bidding process, including but not limited to, preparing specifications, advertising, analyzing, or accepting bids; and
4. This policy will apply to any organization, fund, agency, or other activity maintained or operated by the District.

No employee will solicit gifts, gratuities, favors, prizes, awards, merchandise, or commissions as a result of ordering any items or as a result of placing any purchase order with a business, contractor, or vendor on behalf of the District nor accept anything of monetary value from a business, contractor, or vendor except for unsolicited gifts of \$50 or less in value.

Mandatory Disclosure

Upon discovery of any potential conflict, the District will disclose in writing the potential conflict to the federal awarding agency in accordance with applicable federal awarding agency policy. [2 CFR §200.318] In addition to the conflicts of interest outlined above, no employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest include instances where any of the following has a financial or other interest in or a tangible personal benefit from a firm considered for a contract:

1. The employee, officer, or agent;
2. Any member of his or her immediate family, including spouses, children, and parents;
3. His or her partner. For the purposes of this policy, "partner" shall mean an adult of the same sex or different sex with whom the employee, officer, or agent shares a non-marital intimate relationship and a common residence and with whom they mutually affirm that they share responsibility for each other's common welfare; or

4. An organization which employs or is about to employ any of the parties listed above.

The following activities are prohibited:

1. The purchase during the school day of any food or service from a District contractor or vendor for individual use;
2. The removal of any food, supplies, equipment, or school property without proper authorization;
3. Individual sales by District personnel of any school property, including used items.
4. Evaluate bids or proposals that use statutorily or administratively imposed state, local, or tribal geographical preferences, except those cases where federal statutes expressly mandate or encourage geographic preference. In instances where the District is seeking architectural and engineering services, geographical location may be a selection criterion depending on the nature and size of the project.

In addition to its other policies and procedures regarding procurement, the District shall adhere to the following requirements when making procurements under a federal award. The District shall:

1. Ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be produced, and set forth those minimum essential characteristics and standards to which the material, product, or service must conform. The District will identify all requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals.
2. Provide a written method for conducting technical evaluations of the proposals received and for selecting recipients, including factors considered for the evaluation: who performs the evaluation, the number of evaluations performed, the timeframe for conducting any evaluations, and the selection of a vendor and whether another position reviews the evaluation.
3. Maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
4. Avoid acquiring unnecessary or duplicative items;
5. Consider consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
6. Maintain a list of prequalified persons, firms, or products which are used in acquiring goods and services, and include enough qualified sources to ensure maximum open and free competition.
7. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
8. Maintain records sufficient to detail the history of procurement. These records will include:
 - A. Rationale for the method of procurement;
 - B. Selection of contract type;
 - C. Contractor selection or rejection; and
 - D. The basis for the contract price.
9. The use of a time and materials type contract is prohibited unless the District determines that no other contract is suitable. Time and materials type contract means a contract whose cost to a District is the sum of:
 - A. The actual cost of materials; and
 - B. The direct labor hours charged at hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. When this type of the contract is used, it will include a ceiling price that the contractor exceeds at his or her own risk. The District will assert a high degree of oversight over such contracts in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

10. The District will adhere to any additional procurement rules as applicable to specific federal programs, such as federal child nutrition programs.

Debarment and Suspension

The District may not subcontract with or award subgrants to any person or company that is debarred or suspended. For all contracts over \$25,000, the District shall verify that the vendor with whom the District intends to do business with is not excluded or disqualified. The Business Manager shall be responsible for verification by checking the excluded parties list on Sam.gov.

XI. Leasing of Equipment

Where appropriate, LEAs are permitted to use IDEA funds to lease equipment in support of their special education programs. LEAs must carefully evaluate decisions related to lease versus purchase alternatives in order to determine the most economical approach.

Allowability of leases is based upon:

- Leasing costs of comparable equipment;
- Alternatives available; and
- The type, life expectancy, condition, and value of the equipment leased.

All leases must be entered into by way of a written contract that specifies the terms and conditions of the lease. Lease contracts must be reviewed periodically to determine if needs or circumstances have changed, and if other options are determined available. For IDEA, Part B, leases must be in accordance with the applicable provisions of Part 300.

XII. Fixed Assets/Inventory Requirements

All property procured through the use of IDEA, Part B funds must be used in accordance with the applicable provisions of Part 300. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years. Property records must contain information set forth in 2 CFR §200.313, which includes:

- A description of the property, a serial number or other identification number;
- The source of property;
- Who holds title;
- The acquisition date;
- Cost of the property;
- Percentage of Federal participation in the cost of the property;
- The location, use and condition of the property; and
- Any ultimate disposition data including the date of disposal and sale price of the property.

Each LEA must develop and utilize adequate maintenance procedures to keep property in good working condition. In addition, a control system should be in place to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated and the results documented.

LEAs must maintain control of, hold title to, and administer equipment and property purchased with IDEA funds that are used to provide services to children in private schools [34 CFR §300.144(a)].

XIII. Travel Policy

Travel Allowances and Expenses

Every District employee and Board Member will be reimbursed for travel expenses while traveling outside of the District and engaged in official District business. All travel expenses must be reported on the District-

approved travel voucher form and, for employees, approval must be granted prior to traveling by the employee's supervisor and the Superintendent. The District will adhere to the State Travel Policy.

The District business office will be responsible for the development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Types of Travel

In District Expenses: District employees and Board Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to District business. Actual mileage driven for pre-approved in-District travel shall be reimbursed. It is the responsibility of the Board to review travel within the District by the Superintendent or by Board Members.

Meals incurred inside the District shall not be reimbursed, except for banquets attended to represent the District.

Out of District Travel: Travel outside of the District must be pre-approved. Board Members shall obtain Board approval prior to incurring out of District expenses, and employees shall obtain prior approval from their supervisor and the Superintendent.

Actual monies spent for food while on out of District trips requiring an overnight stay shall be reimbursed.

District employees and Board Members shall be reimbursed for actual and necessary expenditures incurred outside the District.

Documentation of Expenses

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

Prior to reimbursement of actual and necessary expenses, the District employee or Board Member must submit a detailed receipt indicating the date, purpose, and nature of the expense for each claim item and any appropriate travel expense or voucher form. Expenses requiring prior approval must also include a copy of the written prior approval. Employees shall submit their receipts, travel expense forms, and voucher forms to the Superintendent. The Superintendent and Board Members shall submit such documentation to the Board. Failure to provide a detailed receipt will make the expense non-reimbursable.

In exceptional circumstances, the Board may allow a claim without a proper receipt. Written documentation explaining the exceptional circumstances will be maintained as part of the District's record of the claim.

The Board directs the Superintendent to promulgate procedures specifying which expenses shall be reimbursable for travel of different distances and durations.

Travel Costs Under Federal Award

General: Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of a grant recipient. Such costs may be charged on an actual cost basis, or on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not selected days of the trip and results in charges consistent with those normally allowed in like circumstances in the recipient's non-federally funded activities and in accordance with the recipient's written travel reimbursement policies.

Lodging and subsistence: Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the District in its regular operations as the result of its written travel policy. In addition, if these costs are charged directly to the federal award, the District will maintain documentation justifying the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with this policy and any related procedures.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences are allowable provided that:

1. The costs are a direct result of the individual's travel for the federal award;
2. The costs are consistent with this policy and any related procedures; and
3. Are temporary, lasting only during the travel period.

Travel costs for dependents are unallowable, except for travel of duration of six months or more with prior approval of the federal awarding agency.

Commercial air travel: Airfare costs in excess of the basic, least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would:

1. Require circuitous routing;
2. Require travel during unreasonable hours;
3. Excessively prolong travel;
4. Result in additional costs that would offset the transportation savings; or
5. Offer accommodations not reasonably adequate for the traveler's medical needs.

XIV. Coordinated Early Intervening Services (CEIS)

An LEA may voluntarily set aside up to 15 percent of its IDEA sub-award for CEIS activities. See Appendix D of the IDEA regulations for examples when LEAs set aside 15 percent of funds for CEIS. If an LEA voluntarily sets aside 15 percent of its IDEA award for CEIS, OR is required to set aside 15 percent of its IDEA sub-award due to a finding of significant disproportionality, it may not adjust its fiscal effort under §300.205. Appendix D of the IDEA regulations provides examples of how CEIS and adjustments to fiscal effort interact with each other. [34 CFR §§300.226 and 300.208(a) (2)]

If LEAs utilize IDEA funds for staffing positions related to CEIS, extreme caution must be taken to avoid supplanting. An example of this would be a Social Worker or Behavior Specialist position that was 100 percent district funded in a previous school year, and then split 50-50 percent district and IDEA funding in the current year, with 50 percent of the employee's time devoted to CEIS activities. Unless in that year, the LEA also hired a new Social Worker (not CEIS) or Behavior Specialist (not CEIS) that was paid out of district (non-IDEA) funds for at least 50 percent of his/her salary, there could very well be a supplanting issue.

XV. Extended School Year Services (ESY)

Extended school year is the provision of special education and related services to students with disabilities in accordance with their Individualized Education Program (IEP) beyond the normal school year of the local district and at no cost to the parents of the students. [34 CFR §300.106] Eligibility for ESY must be determined each year for every child that has a current IEP. LEAs are required to submit an ESY budget application and receive approval from MDE/OSE in order to be reimbursed for ESY expenses.

Students with disabilities who turn age twenty-one (21) during the school year and who are eligible for ESY services may be served in an ESY program as determined by the IEP committee.

The continued placement of students in a private facility must be based on the need for ESY services. Placement of students in a private facility only for ESY services requires a Letter of Justification.

XVI. Proportionate Share of Funds for Parentally-Placed Private School Children with Disabilities

IDEA requires LEA's have in place policies and procedures to ensure that they locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private schools located within the LEA. Such schools include religious, elementary and secondary schools that meet the State's definition of elementary school or secondary school. A proportionate share of the LEAs IDEA Part B and Preschool funds is then determined by formula and set aside for the purpose of providing services to those private school children.

IDEA 34 CFR §§300.129-144 sets forth the requirement of LEAs to serve children with disabilities who are parentally placed in private schools. The calculation of the proportionate share for each year is based on the annual count of the number of parentally-placed private school children with disabilities that was conducted in the previous year and reported in the IDEA Part B and Preschool application for the current year.

LEAs must use their proportionate share funds to pay for services provided to parentally-placed private school children.

XVII. Instructional Supplies and Materials

IDEA funds may be used to purchase instructional supplies and materials that are utilized by special education teachers and support services personnel to support and/or provide instruction to students with disabilities. Specific items of supplies and materials that can be included are included as object codes in the IDEA grant applications.

This is an area of confusion for some districts and must be given careful consideration before purchasing and/or coding to "instructional supplies" from the IDEA grant funds. During fiscal monitoring visits, MDE has discovered that some LEAs purchase items that are either not budgeted for, or were incorrectly coded to this category.

The following chart provides examples of items that can or cannot be considered instructional supplies:

Considered Instructional Supplies	NOT Considered Instructional Supplies
<p>Consumable classroom supplies are ones that used up or transformed in their use. They are generally not used for more than one year.</p> <ul style="list-style-type: none"> • Educational supplies and curriculum related materials directly involved with implementing IEPs • Computer software • Technology for class management • Workbooks for student instructional use • Copier paper 	<p>Office furniture (tables, chairs, credenzas, hutches etc)</p> <p>Small electronics (Nooks, iPads, other tablets, printers, microwaves, vacuum cleaners, refrigerators)</p>

Food purchases directly related to instructional activities involving food shopping and preparation; supported by teacher lesson plans; and necessary to meet student IEP objectives related to independent living skills.	Food and beverages purchased for professional development activities, parent meetings, staff meetings, or classroom lunches/snacks
Test protocols and booklets to access student's progress.	Cameras; Assistive technology devices; Desktop or laptop computers; Medical supplies (rubber gloves, catheters, bandages)

XVIII. Maintenance of Effort Requirements and Exceptions

IDEA 34 CFR §300.203 sets forth the requirement that funds provided to an LEA under Part B of the Act must not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.

Exceptions:

1. The calculations (utilizing the FETS data transmitted to the MDE) are incorrect.
2. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel, who were replaced by qualified, lower-salaried staff.
3. There was a decrease in enrollment of children with disabilities, which resulted in a reduction of teacher units needed to serve students with disabilities.
4. An exceptionally costly special education program provided to a particular disabled child utilizing State and/or local funds was terminated.
5. Costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities, were terminated.

XIX. Educable Child

Per State Board Policy 7201, the Mississippi Department of Education (MDE), Office of Special Education (OSE) is directed to provide oversight through the Individuals with Disabilities Education Act (IDEA) and State Statute in the placement and funding of students with disabilities in private school/facilities.

All private schools/facilities participating in the Educable Child Program are accredited by a state or regional accrediting agency.

State appropriated funds are used to pay the total cost for the required placement as defined by the State Legislature and as State funds are available.

Students who participate in the Educable Child Program fall into one of the four placement categories: School District; Department of Human Services; Parent or Parent with Medicaid.

All placement applications are reviewed and approved for payment by a State Level Review Board.

XX. Retention of Fiscal Records

The Board directs the Superintendent to ensure that fiscal records related to federal grants are retained for a minimum of three years from the submission of the final expenditures report. These records shall be available for inspection if required.

Procedures

The District shall maintain records that fully show:

1. The amount of funds under the grant or subgrant;
2. How the subgrantee uses those funds;
3. The total cost of each project;
4. The share of the total cost of each project provided from other sources;
5. Other records to facilitate an effective audit; and
6. Other records to show compliance with federal program requirements.

The District shall also maintain records of significant project experiences and results. These records and accounts shall be retained and made available for programmatic or financial audits.

The District will destroy paper records by shredding only. In the event of the disposal of computers or electronic equipment that may contain confidential student or personnel records, the District will ensure that hard drives are appropriately “wiped” clean of information prior to disposal.

Appendix H: Policy Addendum

The policies included in this appendix have been adopted by the State Board of Education and supersede any policies mentioned in previous sections or versions of this policy manual.

Policies approved by the SBE on August 17, 2023

Section J; Policy Code: JBA

Policy: Compulsory School Attendance/School Age

Section J; Policy Code: JBAC

Policy: Truancy

Section J; Policy Code JQN

Policy: Equal Opportunity Employment

Section G; Policy Code: GAAA

Policy: Equal Opportunity Employment

Supersedes page 5

Policies approved by the SBE on September 28, 2023

Section J; Policy Code: JGCDA

Policy: Self-Administration of Medication of Asthma/Anaphylaxis

Medications

Section: D; Policy Code: DJED

Policy: Bids and Quotations

Supersedes page 103

Section J; Policy Code JGCB

Policy: Student Health Services Inoculations

Section J; Policy Code: JGEB

Policy: Concussion Management and Return to Play Policy

Section E; Policy Code: EBBAB

Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment

Section E; Policy Code EDDAA

Policy: Transporting Students to Events in Vehicles Other than School Buses

Policies approved by the SBE on October 26, 2023

Section: G; Policy Code: GBRI

Policy: Absence from Duty

Supersedes page 64

Section: I; Policy Code: IDDFAA

Policy: District Assurance for Children with Disabilities

Section: J; Policy Code: JBD

Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses

Section: C; Policy Code: CEB

Policy: Duties of Superintendent

Policies approved by the SBE on January 18, 2024

Section: I; Policy Code: ICF

Policy: Curriculum Adoption

Section: I; Policy Code: IC

Policy: Curriculum Development

Section: I; Policy Code: ICB

Policy: Curriculum Development Planning

Section: I; Policy Code: ICA

Policy: Curriculum Development Resources/Equipment and Supplies

Section and Adoption

Section: J; Policy Code: JRD

Policy: Detention Facility Records

Section: J; Policy Code: JCD

Policy: Alternative School Program

Section: J; Policy Code: JCDAC

Policy: Drugs and Alcohol (Possessions or Reasonable Suspension)

Section: J; Policy Code: JGCDA-P

Policy: Management of Narcan and Other Opioid Antagonists

Section: I; Policy Code: ICG

Policy: Sex-Related Education

Section: J – Students

Policy Code: JBA

Policy: Compulsory School Attendance/School Age

COMPULSORY SCHOOL ATTENDANCE/SCHOOL AGE

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

This school district shall comply with the requirements of the "Mississippi Compulsory School Attendance Law" (' 37-13-91). Appropriate reports as required by law shall be provided to the Mississippi Department of Education's Office of Compulsory School Attendance Enforcement.

COMPULSORY- SCHOOL-AGE CHILD

"Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include 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 school kindergarten program. MS Code Section 37-13-91 (2) (f) (2013)

1. Compulsory-school-age children must be enrolled in school unless the child is:
2. Physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation;
3. Enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children; or
4. Being educated in a legitimate home instruction program.

MS Code Section 37-13-91 (3)

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 shall or his designee, 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 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. MS Code Section 37-13-91 (6)

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.

UNLAWFUL ABSENCES / VALID EXCUSES

An "unlawful absence" is an absence during a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. Each of the following shall constitute a valid excuse for temporary nonattendance, provided satisfactory evidence of the excuse is provided to the superintendent or his designee:

1. Attendance at an authorized school activity with the prior approval of the superintendent of the school district or his designee.
2. Illness or injury which prevents the student from being physically able to attend school.
3. When isolation is ordered by the county health officer, by the State Board of Health or appropriate school official.
4. Death or serious illness of a member of the immediate family, which includes children, spouse, grandparents, parents, brothers, sisters, stepbrothers and stepsisters.
5. A medical or dental appointment with prior approval of the superintendent or his designee, except in the case of emergency.
6. 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.
7. Observance of a religious event, with the prior approval of the superintendent or his designee. (Approval should not be withheld unless, in the professional judgment of the superintendent or his designee, the extent of the absence would adversely affect the student's education.)
8. Participation in a valid educational opportunity, such as travel including vacations or other family travel, with the prior approval of the superintendent or his designee. (Approval shall be based on the professional judgment of the superintendent or his designee but shall not be withheld unless the extent of the absence would adversely affect the student's education.)
9. Other conditions sufficient to warrant nonattendance, with prior approval of the superintendent or his designee. However, no absences shall be excused when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law. '37-13-91 (4)
10. An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.
11. An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

SCHOOL ATTENDANCE OFFICER

The superintendent and principals shall cooperate with the school attendance officer employed by the State Department of Education, pursuant to MS Code Section 37-13-85.

The Mississippi Public School Accountability Standards for this policy are standards 10 and 11.

LEGAL REF.: MS CODE as cited *Mississippi Public School Accountability Standards*

Attorney General's Opinion. Carter, 1-9-98 (#183) (97-0817)

Last Review Date: August 17, 2023

Section: J– Students

Policy Code: JBAC

Policy: Truancy

TRUANCY

“Compulsory-school-age child” means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include 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 school kindergarten program. MS Code Section 37-13-91 (2) (f)

A "truant" is a student who is absent without a valid excuse as identified In Policy JBA, Compulsory School Attendance.

“Truancy” also includes absence without permission from any class, study hall or school-related activity for which a student is scheduled during the school day.

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.

Reports of truancy shall be made in accordance with the Mississippi Compulsory School Attendance Law (MS CODE ‘ 37-13-91) and Policy JBA.

The school district shall follow the prescribed method for reporting unlawful absences to the Mississippi Department of Education.

The Mississippi Public School Accountability Standards for this policy are standards 10 and 11.

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

Last Review Date: August 17, 2023

-

Section: J – Students

Policy Code: JQN

Policy: Education for Homeless Children and Youth

EDUCATION FOR HOMELESS CHILDREN AND YOUTH

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 school counselor 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 based on the district and Local Education Agency (LEA). 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 school counselor for homeless students. Residential services may be on a case by case basis based upon availability.

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:

1. Individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1));
2. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
3. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C));
4. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
5. Migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless because the children are living in circumstances described in numbers 2-4 above.

An unaccompanied child or youth is a homeless child not in the physical custody of a parent or guardian. 42 U.S.C. § 11434a

SERVICES TO BE PROVIDED

-

1. 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 Section 1232(g) of Title 20.
6. Should this school district receive assistance under Section 11432, 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 Section 11432, it shall designate a homelessness school counselor 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 school counselor shall inform school personnel, service providers and advocates working with homeless families of the duties of the school counselor.
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 Act of 2001
Adopted Date: 7/27/2023

Section: G – Personnel

Policy Code: GAAA

Policy: Equal Opportunity Employment

EQUAL OPPORTUNITY EMPLOYMENT

The Mississippi Schools for the Deaf and Blind shall not discriminate in their policies and practices with respect to compensation, terms or conditions of employment because of an individual's race, color, ethnic or national origin, religion, gender, height, weight, age, marital status, political beliefs, disability, or handicap which does not impair an individual's ability to perform adequately in that individual's particular position or activity.

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.

HARASSMENT PROHIBITED

The Mississippi Schools for the Deaf and Blind affirm 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."

The Mississippi Public School Accountability Standard for this policy is standard 1.

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*

Last Review Date: August 17, 2023

Section: I – Instructional Program

Policy Code: IDDH

Policy: Section 504 – Americans with Disabilities Act – Non-Discrimination

SECTION 504 – AMERICANS WITH DISAIBILITIES ACT – NON-DISCRIMINATION

The Mississippi Schools for the Deaf and the Blind (MSDB) 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 following person has been designated as the Section 504 /Americans with Disabilities Act Coordinator and will handle inquiries regarding the MSDB's nondiscrimination policies, the filing of grievances, and requests for copies of grievance procedures covering discrimination on the basis of disability.

Human Resources, Section 504/ADA

School District Name: The Mississippi Schools for the Deaf and the Blind

School District Address: 1403 Eastover Drive, Jackson, Mississippi 39211

Telephone: (601) 984-8203 Fax: (601) 984-8020

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

Last Review Date: August 17, 2023

Section I – Instructional Program

Policy Code: IDDHA

Policy: Section 504 – Americans with Disabilities Act Procedures (Employees and School Visitors)

SECTION 504 – AMERICANS WITH DISABILITIES ACT PROCEDURES (EMPLOYEES AND SCHOOL VISITORS)

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. Your filing a complaint will not subject you 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 Step1 findings to the Superintendent. The complainant shall present his 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.

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

Last Review Date: August 17, 2023

Section: J Students

Policy Code: JGCDA

Policy: Self-Administration of Medication of Asthma/Anaphylaxis Medications

Every child who has been diagnosed with asthma must have an asthma action plan on file in the school office.

The school board of this public school district permits the self-administration of asthma and anaphylaxis medication pursuant to the requirements of this policy. A student with asthma and/or anaphylaxis is entitled to possess and self-administer prescription asthma and/or anaphylaxis medication while on school property, on school-provided transportation, or at a school-related event or activity if:

1. The prescription asthma and/or anaphylaxis medication has been prescribed for that student as indicated by the prescription label on the medication;
2. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
3. A parent of the student provides to the school:
 - a. Written authorization, signed by the parent, for the student to self-administer prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity;
 - b. A written statement, signed by the parent, in which the parent releases the school district and its employees and agents from liability for an injury arising from the student's self-administration of prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity unless in cases of wanton or willful misconduct;
 - c. A written statement from the student's physician or other licensed health care provider, signed by the physician or provider, that states:
 - i. That the student has asthma and/or anaphylaxis and is capable of self-administering the prescription asthma and/or anaphylaxis medication;
 - ii. The name and purpose of the medication;
 - iii. The prescribed dosage for the medication;
 - iv. The times at which or circumstances under which the medication may be administered;
 - v. The period for which the medication is prescribed; and

- vi. The physician's statement must be kept on file in the office of the school nurse of the school the student attends or, if there is not a school nurse, in the office of the principal of the school the student attends.
4. If a student uses his/her medication in a manner other than prescribed, he/she may be subject to disciplinary action under the school codes. The disciplinary action shall not limit or restrict the student's immediate access to the medication.
5. The school board authorizes the school nurse or trained school employee to administer auto-injectable epinephrine to a student who the school nurse or trained school employee, in good faith, believes is having an anaphylactic reaction, whether or not the student has a prescription for epinephrine.

Definitions:

1. "Parent" means parent or legal guardian.
2. "Auto-injectable epinephrine" means a medical device for the immediate administration of epinephrine to a person at risk for anaphylaxis.
3. "Asthma and anaphylaxis medication" means inhaled bronchodilator and auto-injectable epinephrine.
4. "Self-administration of prescription asthma and/or anaphylaxis medication" means a student's discretionary use of prescription asthma and/or anaphylaxis medication.

OPTIONAL

Each public, private and parochial school may maintain a supply of auto-injectable epinephrine at the school in a locked, secure, and easily accessible location. A licensed physician, including, but not limited to, Mississippi State Department of Health District Health Officers, may prescribe epinephrine auto-injectors in the name of the school system or the individual school to be maintained for use when deemed necessary under the provisions of this section.

Each public, private and parochial school that maintains a supply of auto-injectable epinephrine at the school shall require at least one (1) employee at each school to receive training from a registered nurse or a licensed medical physician in the administration of auto-injectable epinephrine.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: D Fiscal Management

Policy Code: DJED

Policy: Bids and Quotations

BIDS AND QUOTATIONS

The school district shall comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to § 31-7-13 as amended, and with all other applicable federal and state laws and regulations relating to bids.

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 MS Code 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 Section 31-7-57

LEGAL REF.: MS CODE as cited

Adopted Date: 9/28/2023

Section: J Students

Policy Code: JGCB

Policy: Student Health Services Inoculations

This school board has the power, authority and duty to require those vaccinations specified by the state health officer as provided in Section 41-23-37. ' 37-7-301(i).

Whenever indicated, the state health officer shall specify such immunization practices as may be considered best for the control of vaccine preventable diseases. A listing shall be promulgated annually or more often, if necessary.

Except as provided hereinafter, it shall be unlawful for any child to attend any school, kindergarten or similar type facility intended for the instruction of children (hereinafter called "schools"), either public or private, with the exception of any legitimate home instruction program as defined in Section 37-13-9, for ten (10) or less children who are related within the third degree computed according to the civil law to the operator, unless they shall first have been vaccinated against those diseases specified by the state health officer.

A certificate of exemption from vaccination for medical reasons may be offered on behalf of a child by a duly licensed physician and may be accepted by the local health officer who, in his opinion, such exemption will not cause undue risk to the community.

Certificates of vaccination shall be issued by local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance with these immunization requirements, and the responsible school officials shall file the form with the child's record.

If a child shall offer to enroll at a school without having completed the required vaccinations, the local health officer may grant a period of time up to ninety (90) days for such completion when, in the opinion of the health officer, such delay will not cause undue risk to the child, the school or the community. No child shall be enrolled without having had at least one (1) dose of each specified vaccine.

Within thirty (30) days after the opening of the fall term of school (on or before October 1 of each year) the person in charge of each school shall report to the county or local health officer, on forms provided by the Mississippi State Board of Health, the number of children enrolled by age or grade or both, the number fully vaccinated, the number in process of completing vaccination requirements, and the number exempt from vaccination by reason for such exemption.

Within one hundred twenty (120) days after the opening of the fall term (on or before December 31), the person in charge of each school shall certify to the local or county health officer that all children enrolled are in compliance with immunization requirements.

For the purpose of assisting in supervising the immunization status of the children the local health officer, or his designee, may inspect the children's records or be furnished certificates of immunization compliance by the school.

It shall be the responsibility of the person in charge of each school to enforce the requirements for immunization. Any child not in compliance at the end of ninety (90) days from the opening of the fall term must be suspended until in compliance, unless the health officer shall attribute the delay to lack of supply of vaccine or some other such factor clearly making compliance impossible. MS Code Section 41-23-37

Failure to enforce provisions of this Section shall constitute a misdemeanor and upon conviction be punishable by fine or imprisonment or both. MS Code Section 41-23-37 (1983)

The Mississippi Public School Accountability Standard for this policy is standard 6 and 28.

LEGAL REF.: MS CODE as cited

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: J Students

Policy Code: JGEB

Policy: Concussion Management and Return to Play Policy

The Board of Trustees of this school district adopts this concussion management and return to play policy that includes the following guidelines:

- Parents or guardians shall receive and sign a copy of the concussion policy before the start of the regular school athletic event season.
- An athlete who reports or displays any symptoms or signs of a concussion in a practice or game setting shall be removed immediately from the practice or game. The athlete shall not be allowed to return to the practice or game for the remainder of the day regardless of whether the athlete appears or states that he or she is normal.
- The athlete shall be evaluated by a health care provider working within the provider's scope of practice.
- If an athlete has sustained a concussion, the athlete shall be referred to a licensed physician, preferably one with experience in managing sports concussion injuries.
- The athlete who has been diagnosed with a concussion shall be returned to play only after full recovery and clearance by a health care provider.
- Return to play after a concussion should be gradual and follow a progressive return to competition.
- An athlete shall not return to a competitive game before demonstrating that he or she has no symptoms in a full supervised practice.
- Athletes shall not continue to practice or return to play while still having symptoms of a concussion.

The superintendent/designee shall develop procedures to support this policy and the all staff shall implement.

Concussion Policy Definitions

- "Health care provider" means a licensed physician or a licensed nurse practitioner, licensed physician assistant or licensed health care professional working within the person's scope of practice and under the direct supervision or written consultation of a physician. All health care providers referred to in this act also must be trained in the evaluation and management of concussions.

- "School athletic event" means activities sanctioned by the Mississippi High School Activities Association (MHSAA) or the Mississippi Association of Independent Schools (MAIS), and school-sponsored activities in Grades 7 through 12 of schools that are not members of the MHSAA or the MAIS which activities are organized and conducted in a manner substantially similar to activities that are sanctioned by the MHSAA or the MAIS.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: E Business Management

Policy Code: EBBABB

Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment

The Mississippi Schools for the Deaf and the Blind School District prohibits any individual who is a school employee, contractor, or agent, from assisting and abetting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or district knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

The requirements above shall not apply if the information giving rise to probable cause:

(1) (a) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(b) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; AND

(2) (a) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(b) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(c) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

This school district shall report incidents of sexual misconduct to the proper law enforcement, the Mississippi Department of Education and all other required agencies. This school district shall not enter confidentiality agreements with sexual predators.

Official references may only be provided by the superintendent or designee. Personal letters of reference or recommendations provided by employees shall not be written on district letterhead and are not considered official. All requests for official references shall be submitted to the superintendent or designee.

The superintendent shall develop procedures to support this policy.

Adopted Date: 9/28/2023

Section: E Business Management

Policy Code: EDDAA

Policy: Transporting Students to Events in Vehicles Other than School Buses

While students are being transported for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, school buses are to be used whenever practical.

This school board may regularly permit the use of motor vehicles other than school buses when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, but is not for customary transportation between a student's residence and such sites.

When the transportation of students is provided, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by this school district, the following provisions shall apply:

1. The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in 49 C.F.R. Part 571, designed to transport fewer than ten (10) students. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.
2. An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.
3. The driver of an authorized vehicle transporting students must maintain a valid driver's license and must comply with the requirements of the school district's locally adopted safe driver plan, which includes review of driving records for disqualifying violations.
4. The superintendent or designee shall establish procedures specifying guidelines and consequences for violation of the policy.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: G Personnel

Policy Code: GBRI

Policy: Absence from Duty

1. LICENSED EMPLOYEE

The term licensed employee means any employee of a public school district required to hold a valid license by the Commission on Teacher and Administrator Education, Certification and Licensure and Development. 37-7-307

2. SICK LEAVE ALLOWANCE

The State Board of Education (SBE) of this district shall establish by rules and regulations a policy of sick leave with pay for licensed employees and teacher assistants employed in the school district, and such policy shall include the following minimum provisions for sick emergency leave with pay:

a. Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of eight (8) days or sixty-four (64) hours for absences caused by illness or physical disability of the employee during that school year.

b. Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public-school licensed employee or teacher assistant transfers from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under Section 25-11-109, Mississippi Code of 1972. Accumulation of sick leave allowed in the school district shall be unlimited.

c. No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant until after all sick leave allowance credited to such licensed employee or teacher assistant has been used.

d. For the first ten (10) days of absence of the licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed

employee as a result of illness or physical disability. In lieu of deducting the established substitute amount from the pay of such licensed employee, the policy may allow the licensed employee to receive full pay for the first ten (10) days of absence because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee. Thereafter, the regular pay of such absent licensed employee shall be suspended and withheld in its entirety for any period of absence because of illness or physical disability during that school year.

3. PERSONAL LEAVE ALLOWANCE

Each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of three (3) days or twenty four (24) hours for absences caused by personal reasons during that school year. Except as otherwise listed below, 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 a day after a holiday. Notwithstanding the restrictions listed above on the use of personal leave, a licensed employee may use personal leave as follows:

- a. Personal leave may 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 a day after a holiday if, on the applicable day, an immediate family member of the employee is being deployed for military service.
- b. Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.
- c. Personal leave may 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 a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.
- d. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday if, on the applicable day, an immediate family member of the employee dies or funeral services are held. Any personal leave days taken shall be taken as described in Section 37-7-307 of the Mississippi Code. No additional bereavement leave is created by Section 37-7-307.

Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a seminar, class, training program, professional association or other functions designed for educators. No deduction

from the pay of such employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days or forty (40) hours shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the school district.

4. PROFESSIONAL LEAVE ALLOWANCE

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 and the meetings of the state textbook rating committees or other meetings authorized by SBE policy.

5. RETIREMENT

Upon retirement from employment, each licensed and non-licensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for non-licensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump sum payment for personal leave as provided in Section 25-11-103 (e). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or non-licensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

6. RULES AND REGULATIONS

The SBE may adopt rules and regulations which will reasonably aid to implement the policy of sick and personal leave, including, but not limited to, rules and regulations having the following general effect:

- a. Requiring the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the absent employee, where the absence is for four (4) or more consecutive school days, or for two (2) consecutive school days immediately preceding or following a non-school day;

b. Providing penalties, by way of full deduction from salary, or entry on the work record of the employee, or other appropriate penalties, for any materially false statement by the employee as to the cause of absence;

c. Forfeiture of accumulated or future sick leave, if the absence of the employee is caused by optional dental or medical treatment or surgery which could, without medical risk, have been provided, furnished or performed at a time when school was not in session;

d. Enlarging, increasing or providing greater sick or personal leave allowances than the minimum standards established by this section in the discretion of the SBE of each school district.

7. PAYMENT OF SUBSTITUTE EMPLOYEES

SBE may include in their budgets provisions for the payment of substitute employees, necessitated because of the absence of regular licensed employees. All such substitute employees shall be paid wholly from district funds, except as otherwise provided for long-term substitute teachers in Section 37-19-20. Such SBE, in their discretion, also may pay, from district funds other than adequate education program funds, the whole or any part of the salaries of all employees granted leaves for the purpose of special studies or training.

8. NONLICENSED AND HOURLY PAID SCHOOL EMPLOYEES

The SBE may further adopt rules and regulations which will reasonably implement such leave policies for all other non-licensed and hourly paid school employees as the board deems appropriate.

9. VACATION AND PERSONAL LEAVE

Vacation leave granted to either licensed or non-licensed employees shall be synonymous with personal leave. Unused vacation or personal leave accumulated by licensed employees in excess of the maximum five (5) days or forty (40) hours which may be carried over from one (1) school year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in Section 25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in Sections 25-3-93 and 25-3-95. SBE policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in Sections 25-3-93 and 25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1, 2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

10. DEFINITIONS

For the purposes of this subsection, the following words and phrases shall have the meaning ascribed in this paragraph unless the context requires otherwise:

1. "Catastrophic injury or illness" means a life-threatening injury or illness of an employee or a member of an employee's immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.
2. Immediate family means spouse, parent, stepparent, sibling, child, or stepchild, grandparent, stepbrother, or stepsister.

Any school district employee may donate a portion of his or her unused accumulated personal leave or sick leave to another employee of the same school district who is suffering from a catastrophic injury or illness or who has a member of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the donor employee) shall designate the employee who is to receive the leave (the recipient employee) and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.
3. An employee must have exhausted all of his or her available leave and sick leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
4. Before an employee may receive donated leave, he or she must provide the school district superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the superintendent of education of the school district shall appoint a review committee to approve or disapprove the said donations.

of leave, including the determination that the illness is catastrophic with the meaning of this section.

6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.

7. Donated leave shall not be used in lieu of disability retirement. MS Code Section 37-7-307.

11. JURY DUTY / OTHER LEAVE

This SBE shall provide leave for employees who serve on juries and/or serve as a witness under subpoena. The SBE cannot recover jury fees from employees who serve on juries. (Attorney General Opinion, Middleton, 1991)

12. LEAVE DUE TO DECLARED EMERGENCY CLOSURES

The SBE may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

Adopted Date: 10/19/2023

Section: I Instructional Program

Policy Code: IDDEAA

Policy: District Assurance for Children with Disabilities

The Mississippi Schools of the Deaf and the Blind School District is committed to serving students with disabilities and hereby sets a goal of expanding and providing full educational opportunities for all students with disabilities, ages birth through twenty-one (21). The opportunities will be provided in accordance with applicable state statutes, federal laws and the Mississippi Department of Education's policies.

FREE APPROPRIATE PUBLIC EDUCATION

The district will provide a free appropriate public education to children ages birth through twenty-one (21), with a disability who need special education and, as appropriate, related services as defined under Part B of the Individuals with Disabilities Education Improvement Act of 2007 (IDEA), Mississippi statutes, and the Mississippi Department of Education policies. A free appropriate public education will be provided to students with disabilities who are enrolled in the district. These services will be provided at no cost to the parent, will meet the standards of the Mississippi State Board of Education, and will stand in conformity with a student's Individualized Education Program (IEP). The provision of a free appropriate public education will continue for a student with a disability through the school year in which a student reaches age twenty-one (21) if the student was enrolled in the district and was twenty (20) at the beginning of the school year.

Preschool students who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education in accordance with an Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP) no later than their third (3) birthday.

Children participating in early-intervention programs under Part C of IDEA, and who are eligible and will participate in preschool programs under Part B of IDEA, will experience a smooth and effective transition to the district's preschool program. Appropriate district personnel will participate in transition planning conferences arranged by the Department of Health, the lead agency for Part C of IDEA.

In accordance with Part B of IDEA regulations, students with disabilities who have graduated from high school with a general education diploma are not entitled to a free appropriate public education by the district.

Procedures for the implementation of this policy by the district are those contained in the state regulations that are relevant to local school districts and issued by the Mississippi Department of Education.

CHILD FIND

The district will continue its efforts to search for under served children, ages birth through twenty-one, who are in need of special education and related services as defined under IDEA, Part B. Children with disabilities, including children who are homeless children or are wards of the State, regardless of the severity of their disability are identified, located and evaluated for services. In accordance with IDEA, Part B, the district will conduct Child Find activities for children who reside in the district's jurisdiction and who are enrolled in the district.

Similar Child Find activities undertaken for the public school children enrolled in the district will be conducted with respect to the identification, location, and evaluation for those children with disabilities who are enrolled in private, including religious, elementary and secondary schools located within the boundaries of the district. The Child Find process will be completed in a time period comparable to that for other students enrolled and attending public schools within the district.

The district will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the Mississippi Department of Education.

EVALUATION AND DETERMINATION OF ELIGIBILITY – PROTECTION IN EVALUATION

All testing and evaluation materials and procedures used by district personnel for assessment and placement will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory. Materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

The district will conduct reevaluations in accordance with the policies and procedures of Mississippi Department of Education prior to the initial provision of special education and related services to a student with a disability. A reevaluation will be conducted of each student with a disability in accordance with the regulations of the Mississippi Department of Education.

All reevaluations conducted by the district will be provided at no cost to the parent. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

CONFIDENTIALITY OF INFORMATION

The district will protect the confidentiality of any personally identifiable data, information, and records collected and maintained relative to students with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

INDIVIDUALIZED EDUCATION PROGRAM

In accordance with the Mississippi Department of Education, the district will ensure the development, implementation, review, maintenance, and revision of each student's IEP periodically, but not less than annually. Educational placement decisions will be determined by a student's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a student with a disability from the student's current placement due to a violation of school rules. The district will initiate and conduct IEP meetings to develop, review, and revise the IEP of a student residing within its jurisdiction who is provided special education and related services in accordance with the regulations issued by the Mississippi Department of Education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

PROCEDURAL SAFEGUARDS

The district will ensure the provision of the rights and the procedures provided to parents and students with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the Mississippi Department of Education. The district will ensure that students with disabilities and their parents are guaranteed due process with respect to the provision of a free appropriate public education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

1. Upon initial referral or parent request for evaluation;
2. Upon a parent filing a request for due process complaint;
3. Upon a disciplinary action constituting a change in placement; and/or
4. Upon request by a parent.

The notice will fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.

LEAST RESTRICTIVE ENVIRONMENT

The district, to the maximum extent appropriate, educates students with disabilities in their age range. A continuum of alternative placements based on individual students' IEPs will be provided to students with disabilities in the district. LEA placement of the students will be determined at least on an annual basis and will be as close to the student's home as possible. In selecting the least restrictive environment for each student, consideration is given to any potentially harmful effect on the student or the quality of services needed.

The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education. The IEP Committee, when determining placement of each student with a disability, will utilize this policy and the designated procedures.

LEGAL REF: 20 U.S.C. §§ 1401; 1412; 1414; 1417; 1435; 1437; 1438

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: J Students

Policy Code: JBD

Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses

The State Board of Education (SBE) believes that good attendance, with a minimum of tardiness and absenteeism, is essential if students are to gain maximum benefit from the school district's instructional program. The SBE thusly directs the superintendent to develop administrative regulations governing tardiness and absences (excused and non-excused).

The administrative regulations shall be based on all applicable state laws governing absenteeism and tardiness and shall include (but not be limited to) the counting and reporting of students to the Mississippi Department of Education for attendance purposes, expectations for good student attendance, parent responsibility, excused and unexcused absences, and tardiness. Initial administrative regulations and any future changes to such administrative regulations shall be approved by the SBE before implementation.

Make-up Assignments: The administrative regulations shall specify that no absence will be excused when it is due to suspension, expulsion, or other disciplinary action. However, to avoid adopting a policy or administrative rule that would ensure a student's failure, the district shall adopt a provision that permits or requires suspended students who are not immediately placed in an alternative school program to make up work within specified deadlines.

Attendance Reporting: In order for a student to be considered as having attended school for a full day, the SBE specifies that each student must be present for 63% of his or her individual instructional day as fixed by the SBE for each individual school. For purposes of reporting absenteeism, a student who has an absence that is more than thirty-seven percent (37%) of the student's instructional day, as fixed by the SBE for the school at which the student is enrolled, shall be considered absent the entire school day.

The superintendent shall develop and submit for board adoption a policy which includes:

1. a definition of the instructional day for each individual school so that the 63% of the instructional day can be computed for each student within the school district's individual schools, and
2. a process for computing 63% of the instructional day for each student within the school district's individual schools.

DEFINITIONS

Full Day Attendance: When a student is present for 63% of his or her individual instructional day as fixed by the SBE for each individual school.

Unlawful Absence: An absence for an entire school day or during part of a school day when such absence is not due to a valid excuse.

LEGAL REF.: Mississippi Compulsory School Attendance Law
MS CODE 37-13-91

Mississippi Public School Accountability Standard 10 and 11
Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: C General School Administration

Policy Code: CEB

Policy: Duties of Superintendent

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

Legal Role

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the SBE.
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:
 1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel, principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.
 2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.

3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.
4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
5. 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.
6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as 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.
7. To make to the SBE reports for each scholastic month in such form as the SBE may require.
8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
11. To observe such instructions and regulations as the SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
13. To make such reports as are required by the SBE.
14. To make an enumeration of educable children in the school district as prescribed by law.
15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the SBE and his decision upon cases and his 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.
16. To delegate student disciplinary matters to appropriate school personnel.
17. 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 SBE. 18. 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 SBE.

19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).

20. To perform such other duties as may be required of him by law.

21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.

22. To notify the youth court in the student's county of residence 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.

23. To employ and dismiss noninstructional and non-licensed employees as provided by law.

24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until SBE action, at which time a licensed employee approved by the SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.

3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the SBE 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 official bond for the amount of any pay certificate issued in violation of the provisions of this section. The SBE 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.

4. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his 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 schools, or his designee.

5. The superintendent of schools 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.

6. It shall be the duty of the MDE to keep and preserve the minutes of the proceedings of the SBE.

7. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he 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 schools as a public record for a period of five (5) years. All claims found by the SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. 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 schools 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 salaries and applicable benefits, 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 SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him 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. ' 37-9-14 (2005)

The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: I – Instructional Program

Policy Code: ICF

Policy: Curriculum Adoption

CURRICULUM ADOPTION

No course of study shall be eliminated, or new courses added, without approval of the State Board of Education. Neither shall any sharp alteration or reduction of a course of study occur without Board approval.

The subjects taught and credits earned toward graduation shall be those required by the state accrediting standards and from among those approved for the secondary schools.

Refer to the current edition of **Approved Courses for the Secondary Schools of Mississippi** published by the Office of Instructional Development.

For a complete listing of all approved courses for all grade levels and other job code assignments refer to the current edition of **Mississippi Personnel/Accreditation Data Report Reference Manual**.

The Mississippi Public School Accountability Standard for this policy is standard 20.

LEGAL REF.: MS CODE as cited *Mississippi Public School Accountability Standards*

CROSS REF.: Policies CA - General Administration Goals and Objectives
IB - Instructional Goals

Last Review Date: January 18, 2024

Section: I – Instructional Program

Policy Code: IC

Policy: Curriculum Development

This State Board of Education (SBE) directs the superintendent and administration to provide a curriculum of instruction that meets the academic needs of all children in the school district. The curriculum shall meet all requirements of the Mississippi College and Career Readiness Standards and/or the current Mississippi Curriculum Framework as required by the Mississippi Department of Education.

When applicable for an individualized student, the standard course of study shall include instruction in cursive reading and writing, implemented across the curriculum, so that students create readable documents through legible cursive handwriting by the end of the fifth grade, and that students pass with proficiency a teacher-constructed test demonstrating the student's competency in both reading and writing cursive.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Section: I – Instructional Program

Policy Code: ICB

Policy: 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 State Board of Education (SBE) 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.

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.

The department shall develop rules necessary for the implementation of advanced placement courses. 37-15-39

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. 37-15-39

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 Mississippi Public School Accountability Standards for this policy are standards 9, 17, and 20.

Section: I – Instructional Program

Policy Code: ICA

Policy: Curriculum Development Resources/Equipment and Supplies Selection and Adoption

Curriculum Development Resources/Equipment

The State Board of Education shall adopt the curriculum utilized by the school district. The Superintendent of Education, subject to review by the State Board of Education, is responsible for developing procedures for the selection of all curriculum resources, textbooks, other instructional media, and the establishment of procedures concerning the teaching in the classroom. Instructional media include all books (hardcover and paperback), newspapers, periodicals, computer software and applications, other technology resources, 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 principal, with input from the teachers and other staff. It is important in making selections that the professional staff becomes 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 Mississippi Schools for the Deaf and the Blind 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 print, non-print, software, technology items and equipment.
2. Materials are selected which fill a need related to the curriculum and/or contribute to the development 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;

k. accessibility.

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 that students 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 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.

The superintendent or designee shall develop procedures to support this policy.

The Mississippi Public School Accountability Process Standards for this policy are standards 5, 18, and 19.

Section: J – Students

Policy Code: JRD

Policy: Detention Facility Records

DETENTION FACILITY RECORDS

To ensure students in youth detention facilities continue to receive appropriate educational services, MSDB must have policies and procedures to ensure the relevant records of students who move to, and from, youth detention facilities are sent to and received from the sponsoring school district as soon as practicable to enable the effective delivery of educational services.

Grades received from the Juvenile Detention Center (JDC) education program shall be incorporated into each student's academic performance grade.

Last Review Date: January 18, 2024

Section: J – Students

Policy Code: JCD

Policy: Alternative School Program

DISCIPLINARY MANAGEMENT

Zero Tolerance Policy

In accordance with Miss. Code Ann. 37-11-18, MSDB has a zero-tolerance policy for the possession and/or use of firearms on any school property or at any school function or school-related activity. Any student found to be in violation of this policy shall be subject to expulsion. Any student in any school who possesses any controlled substance in violation of the Uniform Controlled Substances 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 Miss. Code Ann. § 97-37-17, 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 of the school shall be authorized to modify the period for such expulsion on a case-by-case basis and/or will adhere to guidelines specified under IDEA. 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 school board.

If a student has committed an infraction where Zero Tolerance applies, only the IEP Committee may determine the placement of a special education student in the alternative setting. Should the parents disagree with the placement decision, due process procedures afforded under IDEA will be followed. The IEP Committee will also determine if the student has met the goals outlined on the IEP, which would allow the student to return to an appropriate placement other than the alternative setting.

Disciplinary Procedures

Probation: a period set by an administrator during which a student is given an opportunity to improve behavior exhibited in prior violations of school policy. The administrator will notify students, parents, and teachers in writing of students placed on probation. This notification could include a contract including future plans and expectations of the student and the way the student must meet the prescribed requirements. The parents, student, faculty, principal or supervisor, Director of Residence Education, and the counselor will receive copies of the signed contract.

Students who fail to make required minimum academic progress, to improve attendance, or to correct residential life behavioral problems during the probationary term will be evaluated for appropriate actions.

General Suspension for Ten (10) Days or Less

Suspension: the administrative removal of a student from class attendance at MSDB for a specified period due to violations of school policy. If the student receives an out-of-school suspension, the student may not come to campus for any reason for the number of days assigned. Under the procedural safeguards, special circumstances that warrants a suspension will be considered.

The Superintendent may suspend a student from MSDB for a period of ten (10) school days or less when it is determined that a student's behavior is detrimental to the good order of the school, and that suspension is an appropriate disciplinary action for a serious violation of school rules (or frequent violations of school rules).

The procedure for suspending a student is as follows:

MSDB officials will provide the student with a notice of the charge of violation of school discipline and the evidence against them. The notice of the charge may be given orally. The opportunity will be given for the student to hear the charge and evidence and to offer the student an opportunity to respond. This will be the only hearing conducted. If the facts indicate the student's guilt, the Superintendent will determine the appropriate term of suspension.

Upon notification of the suspension, the student is placed on restriction (in dormitory room, if during extended day or in a room specified by the principal/supervisor during the school day) until the actual departure from school to begin the suspension. The suspension may begin immediately. MSDB will inform the parent/guardian(s) of the suspension prior to the student leaving campus.

Within five school days of the informal hearing with the student, MSDB officials will send written notification to the student and parent/guardian(s) specifying the reasons for the suspension.

Suspended students may not attend school-sponsored functions on or off campus during the suspension. Such exclusions include field trips, competitions, social events, etc. A student suspended from school may make up work. To take advantage of this opportunity, the student must comply with the timelines specified in MSDB policies for making up work. Failure to contact teachers and make specific arrangements will waive the right to make up the work.

Upon completion of suspension, a student returning to school must make an appointment with the school official who handled the suspension to discuss returning to school and any additional restrictions that may apply. Parent/Guardian(s) will be requested to consult with the MSDB official.

Emergency Suspension

Emergency Suspension: occurs when the Superintendent or a designee summarily suspends a student for not more than three (3) days prior to completing a n investigation for serious student misconduct under circumstances where immediate removal of the student is necessary to restore order, protect persons on the school grounds, protect the student, or protect school property. The school official will meet with the student to briefly explain the purpose of the suspension and allow the student to respond. Parents will be immediately notified of the suspension. The student may be placed under the supervision of security that is provided by MSDB and may not attend any classes. The student must leave school as soon as possible.

During the student's absence, a school official will complete the investigation by the end of the school day following the emergency suspension. The administration will communicate findings to the student by phone and allow the student to respond.

Further disciplinary action will be recommended or taken as needed. If additional suspension is necessary, the Superintendent or a designee may extend the suspension for a period not to exceed a maximum of ten days. A written notification of the reasons for the suspension will be sent to the student and parents within three (3) school days.

Change in Student Placement

A change in placement only occurs when there is a serious violation to the code of conduct and (a) the removal is more than 10 consecutive school days; or (b) the child is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year; and considering other factors such as the length of each removal, the total amount time the child is removed, and the proximity of the removals to one another.

Authority of School Personnel

The MSDB school personnel may remove a child with a disability who violates the code of student conduct from their current placement to an appropriate interim alternative educational setting for not more than ten (10) school days to the extent such alternatives are applied to children without disabilities and additional removals for more than ten (10) consecutive school days in that same school year for separate incidents of misconduct if those removals do not constitute a change in placement.

School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child:

- carries or possess a weapon to or at school, on school premises, or to or at a school function;
- knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substances, while at school, on school premises, or at a school function; or
- has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

Interim Alternative Educational Setting

An IEP Team must determine an interim alternative education setting. Any interim alternative educational setting in which the student is placed by the school personnel or hearing officer must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP and includes services and modifications to address the behavior that are designed to prevent the behavior from recurring.

Manifestation Determination Review

A manifestation determination review is an evaluation of the relationship between a student's disability and the act of misconduct that must be conducted when the MSDB proposes to take specified serious disciplinary actions. The IEP Team, as determined by the parent and MSDB, has up to ten (10) school days from any decision to change a child's educational placement for disciplinary reasons to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information provided by the parent to determine the relationship, if any, between the student's disability and the misconduct in question.

The behavior is a manifestation of the student's disability if:

- the conduct in question was caused by, or had a direct and substantial relationship to, the

student's disability

- the conduct in question was the direct result of the MSDB's failure to implement the student's IEP

The conduct will be determined to be a manifestation of the child's disability if the MSDB, the parent, and relevant members of the student's IEP Team determine that either condition is met.

No manifestation review is required when a child is removed from his current placement for not more than ten (10) school days to an interim alternative educational setting, another setting, or because of a suspension.

Determination That Behavior WAS a Manifestation of Disability

The IEP Team will conduct a functional behavior assessment (and implement a behavioral intervention plan) in circumstances where the manifestation determination review concludes that the student's behavior was related to his disability provided the MSDB has not already conducted such assessment before the occurrence of the behavior that resulted in the change in the student's placement. If a Behavioral Intervention Plan has already been developed and implemented, the IEP Team will review the plan and make modifications, as necessary, to address the behavior.

Determination That Behavior WAS NOT a Manifestation of Disability

If a student is removed from the current placement for more than ten (10) days for conduct determined not to be a manifestation of his disability or removed to an interim alternative educational setting for drugs, weapons, or infliction of serious bodily injury (regardless of whether the behavior is a manifestation of the disability), the student will receive, as appropriate, a functional behavioral assessment, behavioral intervention services, and modifications that are designed to address the behavior so that it does not recur.

Functional Behavioral Assessment

A functional behavioral assessment is a procedure to assess problem behavior prior to recommending strategies for dealing with the student's problem behavior.

The general purpose of a functional assessment of behavior is to provide the IEP Team with additional information, analysis, and strategies for dealing with undesirable behavior, especially when it is interfering with the student's education. The process involves identifying the undesirable behavior; observing the student and collecting data on the problem behavior and consequences; developing an intervention(s); and collecting data on the effectiveness of the intervention(s) in changing the behavior. A functional behavioral assessment is only performed when the IEP Committee determines it is needed.

Behavioral Intervention Plan

The IEP Team will consider, when appropriate, strategies, including positive behavioral interventions and supports, to address behavior in the case of a student with a disability whose behavior impedes his or her learning or that of other students.

Expedited Due Process

When a parent or the Superintendent or designee for MSDB requests an appeal to review a manifestation determination, the Mississippi Department of Education will arrange for an expedited, impartial due process hearing, which shall occur within twenty (20) school days of the date the hearing is requested. The hearing officer will decide within ten (10) school days after the hearing. The student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of a change in placement resulting from the behavior, whichever occurs first, unless the parent and the MSDB agree otherwise. This applies to removals of up to forty-five (45) school days for special circumstances, such as drugs, weapons, and infliction of serious bodily injury.

A parent's right to an expedited, impartial due process hearing is limited to disciplinary situations involving a change of placement, which would occur if a child were removed from the current placement for more than ten (10) school days at a time or if there were a series of removals from the student's current educational placement in school year. The MSDB has the right to request an expedited hearing if it believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

A resolution meeting must occur within seven days of receiving notice of the due process complaint unless the parent and MSDB agree in writing to waive the resolution meeting or agree to use mediation. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of the receipt of the due process complaint.

The decisions rendered in expedited due process hearings are appealable in any state court of competent jurisdiction or in a district court of the United States.

Section: J – Students

Policy Code: JCDAC

Policy: Drugs And Alcohol (Possession or Reasonable Suspicion)

DRUGS AND ALCOHOL

Students are absolutely prohibited from carrying, possessing in any manner, using or selling 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 or any other controlled substance regulated by law.

The provisions of this policy shall not apply to any student who is under the care of a licensed physician and who is taking medication which is under the supervision and direction of such physician. The district does not allow the use of medical cannabis while on district property. With regard to prescription medications, Policy Self-Administration of Medication of Asthma/Anaphylaxis Medications applies.

The provisions of this policy shall apply to all students during all of the period of time that they are under and subject to the jurisdiction of this school district, while participating in or going to or from any school-related activity, while under the supervision and direction of any teacher, principal or other authority of this school district or when such conduct does or may threaten to interfere with or disrupt the educational process or pose a threat to the safety of the student or others.

Any student violating any of the provisions of this policy shall be subject to Manifestation Determination Review (MDR). In the event of violation of this policy, all reporting requirements of Policy JGCDA-P, Management of Narcan And Other Opioid Antagonists, shall be applicable.

This policy is for the discipline and protection of the students of this school district and their general welfare. Nothing herein contained shall be construed to avoid any prosecution under any pertinent criminal statute of the State of Mississippi.

LEGAL REF.: MS CODE Sections 37-11-18; 41-29-101 et seq.; 97-32-27 thru 97-32-29 CROSS

REF.: Policies JCAA – Due Process

JCBE – Unlawful or Violent Acts

JGCD – Student Health Services – Medicines

Last Review Date: January 18, 2024

Section: J – Students

Policy Code: JGCDA-P

Policy: Management of Narcan and Other Opioid Antagonists

MANAGEMENT OF NARCAN AND OTHER OPIOID ANTAGONISTS

In accordance with state law, it is the policy of Mississippi Schools for the Deaf and the Blind (MSDB) School District to seek to provide assistance to any person who may be suffering from an opioid overdose on school property.

Opioid Antagonist – Any drug that binds to opioid receptors and block or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose. This includes, but is not limited to, Narcan.

An education employee may store or distribute an opioid antagonist. An education employee may administer an opioid antagonist to another person if the education employee:

1. In good faith, believe the other person is experiencing drug overdose; and
2. Acts with reasonable care in administering the opioid antagonist to the other person.

Narcan, or other opioid antagonists, will be available at all schools in the MSDB School District. School nurses and school resource officers will be trained on the administration of Narcan, or other available opioid antagonists. Unless otherwise prescribed by state law, school nurses may serve as trainers.

All opioid antagonists shall be stored safely in compliance with the drug manufacturer's instructions. Narcan, and other opioid antagonists, shall be readily accessible to administer in the event of suspected drug overdose. All staff shall be made aware of the Narcan and other opioid antagonist storage locations.

Parents/guardians and Emergency Medical Services (911) must be called upon whenever an opioid antagonist is administered and in all suspected overdose situations.

Any person acting in good faith and with reasonable care to another person whom he/she believes to be experiencing an opioid-related overdose may administer an opioid antagonist and shall be immune from any civil or criminal liability or professional licensing sanctions.

Nothing in this policy is intended to regulate, restrict, or otherwise deter a law enforcement officer, emergency medical technician, firefighter, licensed medical professional or other authorized individual from administering his/her own supply of Narcan or other opioid antagonist when responding in good faith to a suspected drug overdose occurring on school property.

LEGAL REF: MS Code 41-29-319 & 41-29-321

Section: I – Instructional Program

Policy Code: ICG

Policy: Sex-Related Education

ABSTINENCE-PLUS SEX EDUCATION

The school board of every public school district shall adopt a policy to implement abstinence-only, abstinence-plus, or sexual risk avoidance education into its curriculum.

BELIEF

The Mississippi Schools for the Deaf and Blind believes that every student has the right to accurate information concerning the prevention of pregnancy and sexually transmitted infections. The district is committed to fostering community partnerships that educate both students and parents about this important topic.

The Mississippi Schools for the Deaf and Blind School District seeks to affirm its commitment to creating healthy and responsible teens in the Mississippi Schools for the Deaf and Blind by fully complying with the Mississippi Code of 1972, Annotated, Section 37-13-171, and by:

- Adopting educational programs designed to help students and parents take action to reduce rates of teen births and sexually transmitted infections and integrating such programs into already established classes, and
- Establishing principles, guidelines, and strategies for implementing effective sex education programs, referred to in state law as “Abstinence-Plus” education programs.

The district shall utilize an age-appropriate, evidenced based, medically accurate, Abstinence-Plus curriculum from the list of curricula approved and recommended by the Mississippi Department of Education (MDE), including as one choice the curricula of Abstinence-Plus developed by the Mississippi Department of Human Services and the Mississippi Department of Health, if such curricula are on the MDE’s approved curriculum list.

ABSTINENCE-PLUS SEX EDUCATION

The Mississippi Schools for the Deaf and Blind Board adopts a Mississippi Department of Education approved “Abstinence-Plus Education Curriculum” and requires the implementation of such program and curriculum in the Mississippi Schools for the Deaf and Blind effective at the beginning of the 2012-2013 school year.

Furthermore, the Mississippi Schools for the Deaf and Blind Board:

1. Prohibits any teaching that abortion can be used to prevent the birth of a baby;
2. Requires boys and girls to be separated into different classes when sex-related education is discussed or taught;
3. Prohibits instruction and demonstrations on the application and use of condoms; and
4. Requires the school nurse employed by the school district to carry out the functions of those strategies to promote consistency in the administration of the program if the district adopts the program developed by the Mississippi Department of Health.

DEFINITION

Abstinence-Plus education is a grade and age appropriate school curriculum that includes every component of the following, plus any other programmatic or instructional components approved by the MDE:

- the social, psychological, and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;
- the harmful consequences to the child, the child's parents and society that bearing children out of wedlock is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;
- that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;
- that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-wedlock pregnancy, sexually-transmitted diseases and related health problems;
- the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and
- that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.
- any other age and grade appropriate material such as contraceptives (excluding instruction and demonstrations on the application and use of condoms), the nature, cause and effects of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

PARENT'S RIGHTS

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 inclusion of their child for 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.

PROCEDURES

The superintendent, or his/her designee, shall establish procedures to support this policy. The Superintendent will provide the Mississippi Schools for the Deaf and Blind Board with an annual report on the outcomes of the Abstinence-Plus education program. If funding is available, this report shall include quantitative as well as qualitative analysis of the program and shall include the perspective of students, teachers, and parents/guardians.

REVIEW OF POLICY

This policy will be reviewed on an on-going basis in accordance with the Board's policy review

process. This policy shall comply with all applicable provisions of the Mississippi Code of 1972, Annotated, including but not limited to code sections 37-13-171, 37-13-173, 37-13-175, as amended and with all other applicable federal and state laws.

LEGAL REF: MS Code 37-13-171, 37-13-173, 37-13-175

Last Review Date: January 18, 2024

Mississippi Schools for the Deaf and the Blind



Employee Manual 2025-2026

SBE Approved 7/18/2024

Table of Contents

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)	5
MSDB LEADERSHIP	6
SCHOOL CALENDAR	7
OVERVIEW	8
VISION AND MISSION - MSD	9
VISION AND MISSION – MSB.....	10
GENERAL CRITERIA FOR ADMISSIONS AND ENROLLMENT	11
HUMAN RESOURCES	14
EMPLOYEE CLASSIFICATIONS	14
TEACHER CERTIFICATION.....	15
TEACHER CONTRACTS	15
EMPLOYEE BACKGROUND CHECKS	17
GRIEVANCE/DUE PROCESS.....	23
EMPLOYEE APPRAISALS	27
ATTENDANCE OF EMPLOYEES.....	28
FAMILY AND MEDICAL LEAVE ACT (FMLA)	29
BENEFITS INSURANCE AND RETIREMENT.....	36
PAYROLL DEDUCTIONS	37
COMPENSATION	37
REDUCTION IN FORCE	39
OUTSIDE EMPLOYMENT	39
CONFLICT OF INTEREST.....	39
CODE OF ETHICS AND PROFESSIONAL CONDUCT.....	39
ARREST OF EMPLOYEE	41
REPORTING ABUSE OR NEGLECT	41
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	42
INAPPROPRIATE CONDUCT WITH STUDENTS.....	42
BULLYING	42
HARASSMENT.....	47
RELATIONSHIP AMONG STAFF MEMBERS	50
DRESS CODE GUIDELINES	50
TELEPHONES/CELL PHONES	51
VISITORS.....	51
POLITICAL ACTIVITY OF STAFF MEMBERS.....	51
DUTIES AND RESPONSIBILITIES OF EMPLOYEES.....	51
DISCIPLINE GUIDE FOR ALL EMPLOYEES	53
TECHNOLOGY OFFICE AND LOCATIONS.....	53
MSDB STAFF ACCEPTABLE USE POLICY	54
CHILDREN’S INTERNET PROTECTION ACT (CIPA).....	54
CHILDREN’S ONLINE PRIVACY PROTECTION ACT (COPA).....	55
EDUCATION, SUPERVISION AND MONITORING	55
NETWORK AND COMPUTER USAGE ON CAMPUS	55
CYBERSECURITY	56
INAPPROPRIATE NETWORK USAGE	56
USER RESPONSIBILITIES.....	57

PROHIBITION OF OBSCENE MATERIAL	57
PERSONAL COMPUTERS AND PERIPHERAL DEVICES.....	58
MSDB NETWORK POLICY ENFORCEMENT	58
HARDWARE.....	58
SOFTWARE	59
PRACTICES	59
DEADLINES	63
FORMS AND PUBLICATIONS	63
CUMULATIVE FOLDERS AND PERMANENT RECORDS	64
RECORDS RETENTION	64
ASSEMBLIES, EVENTS, & ACTIVITIES	65
PUBLICITY AND PROMOTIONS	65
INDEPENDENT CONTRACTORS	65
CONFERENCES	65
INSTRUCTIONAL EXPECTATIONS	66
TEACHER AS THE AUTHORITY IN THE CLASSROOM	66
CLASSROOM MANAGEMENT	67
PROFESSIONAL DEVELOPMENT	68
SUICIDE PREVENTION TRAINING.....	68
APPROPRIATE CONTENTY	69
HOMEWORK.....	69
FIELD TRIPS	69
STUDENT TEACHERS/INTERNS.....	70
SUBSTITUTE TEACHERS/STAFF MEMBERS.....	72
ILLNESSES (STUDENT)	73
MEDICATION ADMINISTRATION TO STUDENTS	73
TEXTBOOKS.....	74
DUTY STATIONS	74
SPECIAL EDUCATION.....	75
PLAGIARISM	75
GRADE REPORTING	75
EMPLOYEE WORKDAY	76
SAFETY.....	76
EMERGENCIES.....	76
IDENTIFICATION BADGES	79
ACCIDENTS	79
SEX OFFENDER NOTIFICATIONS.....	79
WEAPONS	80
DRUG AND ALCOHOL-FREE WORKPLACE.....	80
MEDICAL MARIJUANA	82
DRUG AND ALCOHOL TESTING POLICY	83
SMOKING POLICY	85
WELLNESS.....	86
UNLAWFUL ACTIVITY	86
TERMINATED EMPLOYEE POLICY	86
PARKING—GENERAL	87
PARKING—HANDICAPPED.....	87
FISCAL MANAGEMENT	87
FISCAL MANAGEMENT GOALS AND OBJECTIVES	87

ANNUAL OPERATING BUDGET.....	88
FISCAL YEAR/SCHOLASTIC YEAR.....	88
ANNUAL OPERATING BUDGET PREPARATION PROCEDURES.....	88
PERIODIC BUDGET RECONCILIATION.....	88
LINE-ITEM TRANSFER AUTHORITY	89
DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS	89
REVENUES FROM SCHOOL PROPERTY.....	89
FEDERAL AID	90
FEDERAL LOANS AND GRANTS	90
GIFTS AND BEQUESTS/DONATED ASSETS	91
INVESTMENT EARNINGS.....	91
DEPOSITORY OF FUNDS.....	91
FUND BALANCE.....	92
BONDED EMPLOYEES AND BOARD MEMBERS.....	93
ACCOUNTING AND REPORTING.....	93
INTERNAL CONTROL OF CASH RECEIPTS	94
AUDITS	95
AUTHORIZED SIGNATURES.....	95
CASH IN SCHOOL BUILDINGS	95
SALARY DEDUCTIONS / REDUCTIONS	95
PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS	96
PURCHASING	96
PURCHASING AUTHORITY	97
BIDS AND QUOTATIONS.....	97
PAYMENT PROCEDURES	98
STUDENT ACTIVITIES FUND MANAGEMENT	98
IDEA FUNDS.....	100
TRAVEL	100
FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE	102
SCHOOL PROPERTIES DISPOSAL PROCEDURE.....	103
WORKSPACES	103
FACILITY USE APPLICATION, POLICIES, & PROCEDURES	104
APPENDIX A – Teacher Pay Scale.....	111
APPENDIX B – Teacher Supplement Pay Scale Single Endorsement.....	112
APPENDIX C – Teacher Supplement Pay Scale Dual Endorsement	113
APPENDIX D – Teacher’s Assistant Pay Scale	114
APPENDIX E – Residential Parent Salary Scale.....	115
APPENDIX F – Employee Work Days and Leave Allowances	116
APPENDIX G- IDEA Part B Fiscal Policy.....	117

Mississippi Schools for the Deaf and the Blind

1403 Eastover Dr., Jackson, MS 39211

Phone: 601-984-8203

Fax: 601-984-8233

Website: msdbk12.org

Mississippi School for the Deaf

1253 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8000

Videophone: 601-351-9113

Fax: 601-984-8066

Website: <https://msdbk12.org/msd-homepage/>

Mississippi School for the Blind

1252 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8200

Fax: 601-984-8020

Website: <https://msdbk12.org/msb-homepage/>

NON-DISCRIMINATION AND AMERICAN WITH DISABILITIES ACT (ADA)

The Mississippi State Board of Education (SBE), the Mississippi Department of Education (MDE), and the Mississippi Schools for the Deaf and the Blind (MSDB) do not discriminate on the basis of race, sex, color, religion, national origin, age, or disability in the provision of educational programs and services or employment opportunities and benefits. The office listed below has been designated to handle inquiries and complaints regarding the nondiscrimination policies of the above-mentioned entities.

The ADA covers employers with 15 or more employees and generally prohibits discrimination against “qualified individuals with disabilities.” A qualified individual with a disability is an applicant or an employee who can perform the essential functions of the job in question with or without reasonable accommodation. Disability is defined as: a physical or mental impairment that substantially limits one or more major life activities; a record of such impairment; or being regarded as having such impairment.

The SBE, MDE, and MSDB will reasonably accommodate qualified applicants and employees with disabilities unless making the accommodation imposes an undue hardship on the School or District. MSDB will reasonably accommodate known disabilities. Therefore, employees needing accommodations should inform their supervisor. MSDB expects the reasonable accommodation process to be a mutual process by which the School/District and the employee search for a mutually acceptable reasonable accommodation. MSDB is committed to following nondiscrimination practices with all qualified employees and applicants.

All complaints of noncompliance with the ADA, Equal Employment Opportunity Commission, or discrimination should be reported to:

Mississippi Schools for the Deaf and the Blind

ATTN: HUMAN RESOURCES

1403 Eastover Dr.

Jackson, MS 39211

Phone: 601-984-8107

Email: HR@msdbk12.org

MISSISSIPPI BOARD OF EDUCATION

Mr. Glen East, Chair
Mr. Matt Miller, Vice-Chair
Dr. Wendi Barrett
Dr. Ronnie McGehee
Mr. Mike Pruitt
Mrs. Mary Werner
Mr. Bill Jacobs
Mr. Matt Mayo
Mrs. Billye Jean Stroud
Miss Kate Riddle, Senior Student Representative
Mr. Crosby Parker, Junior Student Representative

STATE SUPERINTENDENT OF EDUCATION

Dr. Lance Evans

CHIEF ACADEMIC OFFICER

Wendy Clemons

MSDB Executive Leadership Team

Superintendent – LaMarlon Wilson
Assistant Superintendent- Dr. Adrienne Williams
Executive Director – Finance & Operations – Alison Bradford

MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND



OVERVIEW

The Mississippi Schools for the Deaf and the Blind are two special purpose schools combined into one school district. Each school serves the unique purpose of providing educational and residential services to qualifying students across the state of Mississippi.

The Mississippi School for the Blind (MSB) was established on March 2, 1848 by the State Legislature (Article 9, Chapter 43 – Laws of Mississippi) and currently operates under Mississippi Code 1972 Annotated, Title 43, Chapter 5. MSB serves students who are blind, visually impaired, or deafblind.

The Mississippi School for the Deaf (MSD) was established in 1854 and is currently governed under Mississippi Code 1972 Annotated, Title 43, Chapter 5. MSD serves students who are deaf, hard of hearing, or deafblind.

The two schools were combined onto one campus in 1999. Over the years, certain services were combined to serve both schools including Facilities and Maintenance, Grounds and Transportation, Custodial Services, Health Services, Food Services, and the Business Office. In 2018, the two schools were combined into one district and Administration was restructured to serve over both schools.

On June 25, 2020 during the 2020 Regular Legislative Session, Governor Tate Reeves signed into law HB 667 amending MSDB provisions related to personnel, purchasing, and procurement for MSD, MSB, and MSDB. In implementing HB 667, new policies, procedures, and handbooks were developed and approved by the State Board of Education (SBE). MSDB registered with all required agencies and entities authorizing and allowing MSDB to conduct business as a school and as a district in educating students who are deaf, hard of hearing, blind, visually impaired, and deafblind across the state of Mississippi.

This manual, as approved by the State Board of Education (SBE), is a publication of the Mississippi Schools for the Deaf and the Blind (MSDB) and governs all policies applicable to MSDB as it is governed by the SBE. The information in this Policy Manual should serve as a guide in providing a safe and orderly environment that is supportive of successful teaching and learning. As appropriate and necessary, new policies will be developed, approved by the SBE, and added to this manual.

MISSISSIPPI SCHOOL FOR THE DEAF



Vision

Empower Your Future

Mission

The Mississippi School for the Deaf (MSD) strives to be a diverse bilingual community. In partnership with families, MSD will provide an exemplary education in nurturing, engaging, and challenging environments to help ensure our students achieve personal excellence and become productive citizens.

Philosophy

MSD advocates self-improvement through the education of all Deaf and Hard of Hearing students by utilizing a bilingual philosophy that places an emphasis on the linguistics of both American Sign Language and English.

Beliefs

1. All people have equal value.
2. All students can learn and are lifelong learners.
3. ASL/English Bilingual Education (AEBE) is a basic right of Deaf and Hard of Hearing students. ASL and English are two separate languages.
4. Both Deaf and Hearing interactions are vital to students' bicultural development.
5. Students benefit when parents and families are involved in the educational process, as all adults are vital educators.
6. A safe, secure, inviting, and healthy school environment is essential for learning.
7. All students need to be immersed in a creative, challenging, environment that encourages risk-taking that enhances their social, emotional, and intellectual skills.
8. Students have the right to have their individual needs met through learning opportunities that promote optimum success.
9. Students should have cultural awareness, respect, and sensitivity when choosing a natural mode of communication with peers, staff, family, and the diverse multi-cultural society.

School Colors

Purple and Gold

Mascot

Bulldog

MISSISSIPPI SCHOOL FOR THE BLIND



Vision

Learning Without Limits!

Mission

MSB promotes a strong foundation for learning and independence by providing specialized adapted services and materials to enhance maximum potential for students with visual impairments or blindness.

Beliefs

1. The learning needs of all students with visual impairments or blindness should be the primary focus on all decisions impacting the work of the school.
2. Students with visual impairments or blindness learn in different ways and should be provided with a variety of instructional approaches / strategies to support their learning.
3. Special services and resources are required by visually impaired and blind students, including those with additional disabling conditions such as limited English proficiency, talented and gifted, and mentally and/or physically challenged.
4. A student's self-esteem is enhanced by positive relationships and mutual respect among and between students and staff.
5. Students with visual impairments or blindness should have professionals highly qualified in the area of visual impairment and blindness involved in their evaluations, program planning, and program implementation.
6. The Expanded Core Curriculum should be a part of the course of study for all students with visual impairments or blindness, including those with additional disabilities.
7. Teachers certified in Visual Impairment should instruct students who are braille readers.

School Colors

Red, White, and Blue

Mascot

Tiger

GENERAL CRITERIA FOR ADMISSION & CONTINUED ENROLLMENT

MSDB has been designated by the State of Mississippi as a program that serves children whose primary disability is either a hearing loss or a vision loss. Program design and selection of staff is based on that premise. Not all children who apply are eligible to attend the MSDB. Below is a summary of MSDB's enrollment criteria.

A: All students must meet these requirements:

1. Live in the state of Mississippi;
2. Be between 3 and 21 years of age;
3. Can finger feed self, chew and swallow most food, indicate awareness of being soiled or wet, assist with dressing, and cooperate in bathing;
4. Is not determined to be a danger to self or others or disruptive to the educational Process;
5. Does not show an uneven developmental profile and pattern of social, communication, and restricted or repetitive behaviors or interests;
6. Does not have a medical or mental health condition that prohibits the student from attending school on a daily basis;
7. Does not have a standard score of three (3) standard deviations below the mean on standardized intellectual and adaptive behavior assessments;
8. Does not have medically related health or safety needs beyond the scope of the Health Clinic or the educational program; and
9. Parent gives consent for emergency medical treatment or for a Health Care Plan, if needed;

B. Students who are Deaf/Hard of Hearing must also meet the following requirements:

1. Have a permanent or fluctuating hearing threshold level as evidenced by:
 - a. Deaf (severe impairments in processing linguistic information through hearing with or without amplification) - OR -
Hearing impairment (permanent or fluctuating hearing impairment)
- AND -
 - b. Adverse impact on educational performance.
2. The supporting evidence must contain an audiometric evaluation conducted by an audiologist (MDE license in audiology, MSDH license, ASHA- CCC, or AAA certification) or physician with expertise in audiological exams using appropriate audiological equipment explaining each of the following: (a) type of loss, (b) age of onset (if known), (c) severity of loss, (d) speech reception or speech awareness thresholds (if obtainable), (e) speech discrimination

scores (if applicable), (f) recommendations regarding amplification, and (g) other recommended interventions, if any, including the need for assistive technology: a description of a follow-up examination and results, including how the conditions noted during the examination might interfere with educational testing and performance and recommendations for accommodations, modifications, and educational programming; acoustic immittance measures; an audiogram and/or measures of auditory evoked potential, such as Auditory Brainstem Response (ABR), Auditory Steady State Response (ASSR), and Otoacoustic Emissions (OAE) that would define the hearing loss; a description of how the hearing loss impacts educational performance; and communication abilities and needs including the need for assisted communication.

3. Have a hearing threshold that interferes with progress in developmental skills or academic performance, social-emotional development, or linguistic and communicative skills.
4. Evidence of genetic deafness in the student's family and/or early identification of progressive hearing loss.

C. Students who are Blind/Visually Impaired must also meet the following requirements:

1. Have a documented eye condition that causes an impairment as manifested by:
 - a. Blind (little or no vision), - OR -
Partially sighted (significant vision loss of 20/70 or worse in the better eye after correction) - OR -
Legally blind (visual acuity of 20/200 or worse in the better eye after correction or contracted peripheral field of $<20^{\circ}$) - OR -
Other severe visual problems.
- AND -
 - b. Adverse impact on educational performance.
2. The supporting evidence must contain a statement from an ophthalmologist or optometrist supporting eligibility that includes descriptions of visual acuity, diagnosed visual problems, a statement of how the child's visual problems affect educational performance and recommendations for educational programming.
3. Have a functional vision loss which inhibits optimal processing of information through the visual channel and requires the use of specialized techniques, textbooks, materials, or equipment.
4. An ophthalmologist and/or optometrist statement of a visually impaired diagnosis.

D. Students who are Deaf-Blind must also meet the following requirements:

1. Evidence of **Deaf/Hard of Hearing** as described above.
2. Evidence of **Blind/Visually Impaired** as described above.

E. General Inquiries for School Districts & Parents/Guardians:

1. Steps for enrollment at MSDB

Prior to requesting an IEP meeting to determine the Least Restrictive Environment (LRE), local school districts must fax the following information to LaQuandra Jones at (601) 984-8020:

- a. In-state eligibility determination form
- b. In-state Individual Education Program (IEPs) or Individual Family Service Plans (IFSPs-preschool) (*past three school years*)
- c. Ophthalmologist or Optometrist reports for students who are Blind or have Visual Impairment
- d. Audiologist reports for students who are Deaf or have Hearing Loss
- e. Psychoeducational Report (*an intelligence measure should be attempted*)
- f. Related Services Assessments, if applicable
- g. Discipline Report (*last two school years*)
- h. Attendance Report (*last two school years*)
- i. Medical records (*include medications*)
- j. Academic records
- k. Other

2. The local school district should complete their child find procedures prior to seeking enrollment at MSDB. An MSDB representative will contact the district to schedule a review/revision meeting within three (3) business days of receiving the items listed above.

3. The assessment of suitability period at MSDB is up to sixty (60) school days from the student's initial day of school at MSDB. Enrollees will be observed to determine if continued placement at MSDB is appropriate.

4. Parents/guardians are welcome to inquire about our district. Entry is determined by the local school district when considering Individuals with Disabilities Education Act (IDEA) and state board policy requirements for special education and MSDB's general admission criteria and continued enrollment. Please contact MSDB school counselors for information regarding academic learning and student life.

5. The Mississippi Department of Education Office of Special Education offers a Parent Outreach and Support Center that is available to assist parents at 601-359-3498.

MSDB Admissions Contact Information

Name	Title	Email	Phone
Dr. Adrienne Williams	Assistant Superintendent	adrienne.williams@msdbk12.org	601-984-8234

Failure to provide all information or falsification of information will prevent applications from being processed and/or result in disenrollment if the student is found eligible based on incomplete or inaccurate information.

HUMAN RESOURCES

EMPLOYEE CLASSIFICATIONS

FULL-TIME EMPLOYEE - A full-time employee is an individual whose employment is for no definite term and who is scheduled to work forty (40) hours per week on a regular basis. In order for an employee to be eligible for insurance benefits, he/she must work a minimum of twenty (20) hours per week.

CLASSIFIED EMPLOYEE – Classified non-instructional personnel are “at-will” employees whose duties do not require a certificate (or license) issued by the Mississippi Department of Education. Classified employees have no property rights in their employment, which may be terminated without notice at any time by either the employee or employer.

CERTIFIED EMPLOYEE – Certified employees are personnel who possess a license issued by the Mississippi Department of Education or national certification as required by position.

PART-TIME EMPLOYEE - A part-time employee is an individual whose employment is for no definite term and who is scheduled to work less than twenty (20) hours per week on a regular basis. Part-time employees are not eligible for benefits.

TEMPORARY EMPLOYEE – On occasion, MSDB may utilize the services of employees to temporarily supplement the workforce or help complete a specific project. Temporary employees are not eligible for any benefits or comp time.

NON-EXEMPT EMPLOYEES – Employees who are required to document time worked are eligible for comp time and/or overtime (i.e., comp and overtime are calculated time and one-half their regular rate of pay for hours worked in excess of 40 hours in a workweek) in accordance with applicable state and federal law. All non-exempt employees must have prior approval by the Superintendent for hours worked in excess of the normal work week. Only budgeted days will be worked.

EXEMPT EMPLOYEES – Employees who are not required to be paid overtime, in accordance with applicable federal and state wage and hour laws, for work performed beyond forty (40) hours in a work week. Administrators, managers, teachers, professional employees, and certain

employees in administrative positions are exempt.

EXEMPT CLASSIFIED EMPLOYEES - MSDB recognizes that all professional employees work beyond regular school hours on a regular basis, and the school district acknowledges and appreciates the dedication of its professional employees. However, professional employees are exempt and are not eligible for overtime.

NON-EXEMPT CLASSIFIED EMPLOYEES - The workweek for full-time employees shall not exceed forty (40) hours. MSDB encourages the completion of assigned tasks during the regular workday. Non-exempt employees are not to work overtime without prior approval from the Superintendent. Comp time must have prior approval from Superintendent or Immediate Supervisor, can be accumulated but must be used by the last working day in June of the current fiscal year and can only be used when approved by Superintendent or Immediate Supervisor. Each Supervisor shall maintain accurate records of all hours worked by each employee supervised and ensure that all comp time is taken by the last working day in June of the current fiscal year. Comp time does not roll over from year to year.

DUTIES OF THE SUPERINTENDENT

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

Legal Role

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the SBE.
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:
 1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel, principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.

2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.
3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.
4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
5. 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.
6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as 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.
7. To make to the SBE reports for each scholastic month in such form as the SBE may require.
8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
11. To observe such instructions and regulations as the SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
13. To make such reports as are required by the SBE.
14. To make an enumeration of educable children in the school district as prescribed by law.
15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the SBE and his decision upon cases and his 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.
16. To delegate student disciplinary matters to appropriate school personnel.
17. 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 SBE.
18. 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 SBE.
19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).

20. To perform such other duties as may be required of him by law.
 21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.
 22. To notify the youth court in the student's county of residence 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.
 23. To employ and dismiss noninstructional and non-licensed employees as provided by law.
 24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until SBE action, at which time a licensed employee approved by the SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.
3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the SBE 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.
 4. The superintendent shall be liable upon his official bond for the amount of any pay certificate issued in violation of the provisions of this section. The SBE 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.
 5. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his 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 schools, or his designee.
 6. The superintendent of schools 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.

7. It shall be the duty of the MDE to keep and preserve the minutes of the proceedings of the SBE.
8. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he 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 schools as a public record for a period of five (5) years. All claims found by the SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. 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 schools 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 salaries and applicable benefits, 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 SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him 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. ' 37-9-14 (2005)
9. The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Last Review Date: October 19, 2023

TEACHER CERTIFICATION

MSDB requires that all teachers be certified by the Mississippi Department of Education (MDE) and “highly qualified.” For more information about mandated teacher qualifications, see MDE website or call the Office of Teacher Licensure at <https://www.mdek12.org/OEL> or 601-359-3483. All teachers must ensure that their teaching certificates remain current.

Parents have a right to know the educational credentials and experience of their child’s teachers. Therefore, to provide this information in an easily accessible venue, an abbreviated résumé for each faculty and administrative staff member will be posted on the MSDB website. The information should include degree(s), major and minor subject area(s), years of experience, awards, publications, and specific school assignments (e.g., Student Government Sponsor, Club Sponsor). A recent photograph should be included.

TEACHER CONTRACTS

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 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 adequate education program funds, such salary shall not be less than that required under the provisions of Chapter 19 of this title. Beginning with the 2010-2011 school year, the contract shall include a provision allowing the school district to reduce the state minimum salary by a pro rata daily amount in order to comply with the school district employee furlough provisions of Section 37-7-308 and shall include a provision which conditions the payment of such salary upon the availability of adequate education funds provided for salaries.

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 Superintendent, other than those elected, Principal, licensed employee or person recommended for a licensed position who has been elected approved shall not execute and return the contract within ten (10) days after same has been tendered to him/her for execution, then, at the option of the School Board, the election of the licensed employee and the contract tendered to him/her shall be void and of no effect.

[Miss. Code Ann. § 37-9-23](#)

RELEASE FROM CONTRACT

Any licensed employee at MSDB 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 Principal for release there from, in which application the reasons for such release shall be clearly stated. If the Principal, Superintendent, and the Board acts favorably upon such application for release, such licensed employee shall be released from his/her contract and said contract shall be null and void on the date specified in the SBE's order. It must be noted, no employee is considered for release from said contract before a suitable replacement has been found.

[Miss. Code Ann. § 37-9-55](#)

BREACH OF CONTRACT

If any licensed employee in any public school of this state shall arbitrarily or willfully breach his/her contract and abandon his/her employment without being released there from as provided in Section 37- 9-55, the contract of such licensed employee shall be null and void. In addition, the license of such licensed employee may be suspended by the SBE 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 the School Board.

[Miss. Code Ann. § 37-9-57](#)

NOTICE OF RENEWAL OF CONTRACT REEMPLOYMENT OF PRINCIPALS

On or before March 1 of each year, Principals shall be given notice of non-renewal of a contract for a successive year.

REEMPLOYMENT OF TEACHERS

On or before April 15, or within ten (10) days after the Governor approves the appropriation bill for funding K12 education (whichever date is later), teachers and other administrators shall be notified of non-renewal for a successive year. Licensed employees that do not have a valid license on or before April 15 for the successive year will not be offered a contract for a successive year.

REEMPLOYMENT DENIAL (LICENSED EMPLOYEES ONLY)

If a recommendation is made by MSDB not to offer a renewal contract to a licensed employee for a successive year, the employee is entitled to an opportunity for a hearing (if requested in writing within ten (10) days of notice) as cited in the “Education Employment Procedures Law”.

[Miss. Code Ann. § 37-9-101 through Miss. Code Ann. § 37-9-113](#)

EXCLUDED EMPLOYEES

Licensed employees who have not been with the MSDB for two continuous years, or one year with one MSDB and two continuous years of employment in another MS School District are not entitled to the protections of this law.

Miss. Code Ann. § 37-9-101; Miss. Code Ann. § 37-9-105; Miss. Code Ann. § 37-9-109

MSBA: Education Employment Procedures Law Handbook

EMPLOYEE BACKGROUND CHECKS

According to state law, all new hire licensed and non-licensed employees must have (at the employees’ expense) a criminal record check performed by the FBI and the State CIC center. This law requires that fingerprint cards be taken and submitted as part of the background check. The cost to process these cards and conduct the background check will not exceed \$50 per applicant. In addition, background checks for financial impropriety may be conducted per the policy of the MDE. Background checks will be reviewed by the Superintendent and Business Manager. They will be placed in the employees permanent file maintained in the administrative offices of the MSDB.

TITLE IX GRIEVANCE POLICY

1. RIGHT TO EXPRESS CONCERNS, COMPLAINTS OR GRIEVANCES

It is the policy of the (SBE) and the (MDE) to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, bullying, and discrimination. The MDE is a conduit for federal money to the local school districts and ensures the local school districts’ compliance with federal financial grants. As such, MDE requires each local school district and each

state school to have a grievance policy in place to address any complaints alleging discrimination under the Age Discrimination Act of 1975, Title II of the American Disability Act, Title IV of the Civil Rights Act of 1964, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Title IX of the Education Amendments of 1972. Complaints alleging discrimination by the local school district, its staff, or students should be first directed to the local school level and handled pursuant to local policy.

As specifically related to Title IX, this policy sets out the minimum steps that each state school (i.e., special school and/or district under the purview of the SBE) shall take in response to a notice of alleged discrimination based on sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, such as dating violence, domestic violence, and cyberstalking. The SBE forbids unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact of a sexual nature amounting to or constituting harassment and/or discrimination against any student under its purview.

2. DEFINITIONS

A. Sex Discrimination

The practice of treating a person differently, or less favorably, than other people or groups based on sex.

B. Allegation

An assertion that someone has engaged in discrimination based on sex.

C. Sexual Harassment

Unwanted conduct based on sex. Examples of such behavior include:

- Direct or indirect threats or bribes for unwanted sexual activity
- Sexual innuendos and comments
- Asking or commenting about a person's sexual activities
- Humor or jokes about sex or females/males in general
- Making sexually suggestive remarks, gestures, or jokes, or remarks of a sexual nature about a person's appearance
- Repeated unsuccessful attempts at gaining dates or sexual behavior
- Sexual touching, pinching, brushing, or patting
- Displaying offensive sexual illustrations in the school/workplace
- Insulting and belittling a person-sexual ridicule
- Letters, notes, telephone calls, or materials of a sexual nature
- Stalking a person either inside or outside the institution
- Attempt or actual sexual assault

D. Complainant

The person who has experienced the alleged discrimination based on sex. This person is considered a complainant regardless of whether they choose to file a formal complaint under Title IX.

E. Respondent

The person accused of the alleged discrimination. This person may be a student or a school employee. If the person is an employee, the school shall adhere to the process found in Miss. Code Ann. § 37-9-59.

F. Title IX Coordinator

The individual responsible for overseeing the school's efforts to comply with its obligations under Title IX and Title IX regulations, including, but not limited to, coordinating any investigations of complaints of sex discrimination, implementation of supportive measures, and remedies where appropriate.

3. ADMINISTRATIVE PROCESS

Each state school shall have a grievance policy adopted by the governing board and accessible in both the student handbook and employee handbook. The grievance policy shall include the following:

A. Receiving and Responding to Reports

Employees who believe or have been made aware that a student has been subject to Title IX Discrimination, shall report it to the Title IX Coordinator. Failure to make such a report may result in disciplinary action up to and including termination.

The school shall respond whenever any school employee has been put on actual notice of improper behavior as defined in the school's policy. Such notice may be from an oral report of sexual harassment by a complainant or anyone else, a written report, through personal observation, through an anonymous report, or through various other means. When a complaint or report is made under the policy, the Title IX Coordinator shall: (1) confidentially contact the complainant to offer supportive measures, consider the complainant's wishes with respect to supportive measures, and inform them of the availability of supportive measures with or without filing a formal complaint; (2) explain the process for how to file a formal complaint; (3) inform the complainant that any report made in good faith will not result in discipline; and (4) respect the complainant's wishes with respect to whether to investigate unless the designated staff member determines it is necessary to pursue the complaint in light of a health or safety concern for the community.

B. Confidentiality

The school must keep confidential the identity of any individual who has made a report or complaint of any form of prohibited sex discrimination, including any reporter, complainant, respondent, or witness, except:

1. As may be permitted by FERPA;

2. Or as required by law; or
3. To carry out the Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

The confidentiality of the reporting party will be observed providing it does not interfere with the school's ability to investigate or take corrective action. If the complainant reports rape, sexual assault, child sexual abuse, or other behaviors which constitute criminal activity, school officials shall contact appropriate law enforcement agencies and the superintendent/executive director.

C. Supportive Measures

Supportive measures are short-term measures that are designed to restore or preserve access to the school's education program or activity. Supportive measures are available regardless of whether the complainant chooses to pursue any action under the school's policy, including before and after the filing of a formal complaint or where no formal complaint has been filed. They are meant to restore access to education, protect student and employee safety, and/or deter future acts.

Supportive measures are available to the complainant, respondent, and as appropriate, witnesses or other impacted individuals, and these measures should be provided based on an individualized assessment of the needs of the individual. These supports are non-disciplinary and non-punitive individualized services designed to offer support without being unreasonable burdensome.

Examples of supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

D. Formal Complaint

A "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging discrimination or sexual harassment against a respondent and request that the school investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information provided by the school district. The complaint document, whether physical or electronic, shall contain the complainant's physical or digital signature. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not "the complainant" or otherwise considered a party but shall comply with applicable procedures.

E. Investigations

Once a formal complaint is filed, an investigator will be assigned and the parties will be treated equitably, including in the provision of supportive measures and remedies. Each party will receive notice of the specifics of the allegations as known, and as any arise during the investigation. The investigator will attempt to collect all relevant information and evidence. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.

The principal of the school, so long as the principal is neither the Title IX Coordinator, the investigator, or any other individual who may have a conflict of interest, shall serve as the decision-maker, and will facilitate a written question and answer period between the parties. Each party may submit written questions for the other party and witnesses to the decision-maker for review. The questions must be relevant to the case, and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response. The decision-maker can then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the respondent is responsible for the alleged act.

F. Presumptions about Complainants, Respondents, and Witnesses

The school presumes that reports of prohibited conduct are made in good faith. A finding that the alleged behavior does not constitute a violation of this school's policy or that there is insufficient evidence to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

The respondent is presumed to be not responsible for the alleged conduct until a determination regarding responsibility is made by the decision-maker.

G. Determination Regarding Responsibility

The decision-maker shall review the evidence provided by all parties and will make a final determination of responsibility after the investigation based on a preponderance of the evidence. "Preponderance of the evidence" means evidence that is of greater weight or more convincing that as asserted fact or facts occurred than evidence in opposition to such facts. It is evidence which shows that an assertion to be proven is more likely than not.

The decision-maker shall provide a final determination to the parties at the same time, with appeal rights provided. It will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions that will be imposed on the respondent, and any remedies available to the complainant to restore or preserve equal access.

H. Sanctions and Remedies

The school will take reasonable steps to address any violations of the policy and to restore or preserve equal access to the school's education programs or activities. Sanctions for finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

When a respondent is found responsible for the prohibited behavior as alleged, remedies shall be provided to the complainant. Remedies are designed to maintain the complainant's equal access

to education and may include supportive measures or remedies that are punitive or would pose a burden to the respondent.

Whatever the outcome of the investigation or appeal, the complainant and respondent may request ongoing or additional supportive measures. Ongoing supportive measures that do not unreasonably burden a party may be considered and provided even if the respondent is found not responsible.

I. Informal Resolution

Informal resolution is available only after a formal complaint has been filed involving parties of the same status (e.g., student-student or employee-employee), prior to a determination of responsibility, and if the complainant and respondent voluntarily consent to the process in writing. Informal resolution is not available in cases which an employee is alleged to have sexually harassed a student.

J. Parent and Guardian Rights

Consistent with the applicable laws of the State of Mississippi and absent a court order or other legal requirement to the contrary, a student's parent or guardian shall be permitted to exercise the rights granted to their child under the school's policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process. A student's parent or guardian shall also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process to exercise rights on behalf of the student. The student may have an advisor of choice who is a different person from the parent or guardian.

4. APPEALS

Appeals are available after a complaint dismissal or after a final determination is made. Appeals may be made due to procedural irregularities in the investigation affecting the outcome, new evidence becoming available, or due to bias or a conflict of interest by the personnel that may have affected the outcome. The school should set a reasonable time frame to submit an appeal, but not less than 10 days nor more than 30 days. Or, if there is no administrative response to the student/parent/guardian grievance by the school, the grievance should be made to the superintendent of the school or the superintendent's designee.

Parties shall be given an opportunity to submit a written statement in support of or in opposition to the final determination. A new decision-maker shall issue a final decision at the same time to each party.

The following procedures shall be followed when submitted student/parent/guardian grievances regarding administrative decisions:

- Level 1: An aggrieved party should express his or her concern to the school level administration for resolution or file a formal grievance with the school superintendent/executive director. The superintendent/executive director shall investigate allegations as soon as circumstances allow, but not later than five (5) business days from submission of the original written grievance. The administrator shall provide a written response to the aggrieved party no later than ten (10) business days after receipt of the original written grievance. If there is no administrative response to the aggrieved party within the ten (10) business days, or if the response is unsatisfactory, the aggrieved party may elevate to Level 2.

Level 2: If any party deems the resolution unsatisfactory, the party may appeal the decision by submitting a copy of the grievance and decision to the Mississippi Department of Education's Associate Superintendent responsible for oversight of the state school, along with a written statement detailing the reasons for the dissatisfaction. The Associate Superintendent shall investigate and review the matter. After review, the Associate Superintendent shall provide a written response to the parties postmarked no later than ten (10) business days following receipt of the appeal.

If there is no response by the Associate Superintendent to the appealing party within the ten (10) business days, or if the response is unsatisfactory to either party, the aggrieved party may advance the grievance to Level 3.

Level 3: The aggrieved party, after review of the written response from the Associate Superintendent, may appeal that response to the State Superintendent or the State's Superintendent's designee no later than ten (10) business days after receipt of the written communication at Level 2. The State Superintendent or his/her designee shall review the grievance and shall provide the parties a written response postmarked within ten (10) business days following the receipt of the appeal.

Level 4: The aggrieved party may appeal the response from the State Superintendent to the State Board of Education by submitting a written request for appeal to the State Board of Education along with all documentation from Levels 1-3 no later than ten (10) business days after receipt of the State Superintendent's written response at Level 3. The State Board of Education shall review the grievance and shall provide the parties an opportunity to appear at the next regularly scheduled Board meeting to present his or her grievance and response in accordance with the Family Education Right and Privacy Act (FERPA) 20 U.S.C. 1232g, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 20 U.S.C. 1400 *et. seq.* implementing regulations, and other federal and state laws that govern the protection of student information. If the party or parties elect not to appear personally, the parties may request the Board's review of the written documentation only. The decision of the State Board of Education shall be final.

Source: Title IX of the Education Amendments of 1972; 34 C.F.R. § 106; Miss. Code Ann. § 37 1-3 (Revised 3/2022)

MDE State Board Policy 99.1

STAFF COMPLAINTS AND GRIEVANCES/DUE PROCESS

As the primary means of solving staff complaints and grievances, the board expects each administrator to:

1. Discover and practice effective means of resolving differences that may arise among employees and administrators;
2. Reduce potential reasons of complaints and grievances; and
3. Establish and maintain recognized channels of communication between the staff, administration and board.

When and if the primary means fail, the administration shall have established and the board shall have approved formal procedures for the prompt and equitable adjustment of serious grievances. In

this context, a serious grievance shall be defined as:

A disagreement involving the work situation in which one individual or group of individuals believes that an injustice has been done because of a lack of policy or because of a policy that is unfair, deviation from, or misapplication, or interpretation of a policy or contract. Policies dictated by law are not included in this definition.

Such procedures shall provide for the resolution of grievances at the lowest possible administrative level and for ultimate appeal of any unresolved grievance to the board. In the resolution of grievances, hearing at all administration levels shall be:

1. Conducted in the presence of the administrator who made the ruling which is the subject of the grievance and the presence of any other staff member personally involved.
2. Held only after due written notification to all persons concerned.
3. Free from interference, coercion, restraint, discrimination, or reprisal.
4. Held in private, with only the persons involved and/or their representatives present.
5. Summarized in writing or on tape, with an official record kept for the district.

At all hearing levels, the employee or an employee group involved shall, at his/her own expense, have the right to be represented by legal counsel. Either party to the dispute shall have the right to call and cross-examine witnesses.

Reasonable time limits, as set forth in the procedures for implementing this policy, shall be observed by the person or group presenting the grievance, by the administration, and by the board. No employee shall suffer a reprisal or reduction in status as a result of having presented a grievance for review or of having represented an employee in a grievance.

Licenseed Staff Complaints and Grievances

It is the intention of MSDB for grievance procedures to help secure at the first possible administrative level, an equitable solution to any grievance.

The following definitions shall apply in this grievance procedure:

1. A "grievance" is a complaint by an individual based upon an alleged violation of his or her rights under state or federal law or board policy.
2. A "grievant" is a person or persons making the complaint
3. The term "days" shall mean working school days and shall exclude weekends, holidays and vacation days.

Procedures for Processing Grievances:

Grievances shall be processed in accordance with the following procedures

Level One

1. All grievances, as defined above, must be presented orally to the principal or immediate supervisor of the grievant and a representative from Humans Resources within five (5) days of the act or omission complained of, and the principal or immediate supervisor and grievant will attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his

principal or immediate supervisor, the grievant shall, within five (5) days after meeting with his principal or immediate supervisor file a written statement with his principal or immediate supervisor and a representative from human resources setting forth in detail how the grievant claims to have been discriminated against. This written statement shall contain, in addition to the above, the time, the place, and the nature of the alleged act or omission and the state or federal law or board policy violated. The statement must be signed by the grievant.

3. In the event the grievant does not submit to his principal or immediate supervisor and human resources a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by the principal or immediate supervisor.
4. Within five (5) days after receiving the grievant's signed statement the principal or immediate supervisor shall send to the human resources department a statement from the principal or immediate supervisor setting forth his response to the grievant and/or his decision, as is applicable. At the same time, the principal or immediate supervisor shall also provide a copy of the written statement to the grievant.
5. Human Resources will notify the superintendent and provide a copy of all statements and proposed resolutions from both parties involved.

Level Two

1. Upon receipt by the superintendent of the written notice that the grievant intends to appeal the decision of his principal or immediate supervisor, the superintendent shall notify the grievant in writing within five(5) days and shall advise the grievant of the date, time, and place upon which the matter will be considered by the superintendent. The superintendent shall schedule a hearing on the matter no later than ten (10)days from the date of receipt of the grievant's written notice of intention to appeal the written decision of his principal or immediate supervisor.
2. The written statement submitted by the grievant to his principal or immediate supervisor in Level One shall form the basis of the grievance before the superintendent. The grievant shall submit in writing any and all information on his behalf which he desires to the superintendent not later than five (5) days prior to the date upon which the matter is scheduled for hearing by the superintendent.
3. In the event the grievant does not personally attend the hearing scheduled by the superintendent, his failure to attend shall be deemed as an acceptance of the written decision rendered by his principal or immediate supervisor at LEVEL ONE.
4. The superintendent shall render a written decision to the grievant within five (5) days of the date upon which the matter was heard.

Level Three

1. If the grievance is not resolved to the satisfaction of the grievant at LEVEL TWO, or if the superintendent does not render a decision within five (5) days, the grievant may file the grievance with the State Board of Education via the Chief Academic Officer
2. If the grievance is not filed with the SBE/Chief Academic Office within five (5) days of the hearing at LEVEL TWO, the grievance shall be considered resolved.
3. Within five (5) days after receipt of the grievance, SBE shall appoint a hearing officer and schedule a hearing on the grievance.
4. The SBE shall render its decision withing seven (7) days of the hearing.

Non-Certified Personnel

Non-certified MSDB full-time and part-time employees serve at the will and pleasure of the SBE and the MSDB Superintendent. Therefore, these MSDB employees have no property rights in terms of employment. All complaints should be addressed at the lowest administrative level. Further appeals or serious grievances should be reported to Human Resources. Any grievances against the Superintendent will be reported to Human Resources who will submit to the MDE Chief Academic Officer for review.

All Supervisors and Directors are responsible for monitoring hourly part-time employees and submitting timesheets on a monthly basis. Supervisors and Directors must check each employee's time sheet for accuracy in number of hours worked and rate of pay. Initial the form before submitting it to Payroll for processing and approval. It is the Supervisor's and Director's responsibility to ensure that part-time employees work no more than twenty (20) hours in a single week and that the total number of hours worked does not exceed the total budgeted amount.

MSDB part-time workers who return in a new fiscal year must submit a new PERS form. If any personal contact information has changed (e.g., address, name change), new tax forms must be submitted before a contract can be issued. All part-time employees must have a full criminal background check through fingerprinting upon hire. There can be no break in service without requiring a new criminal background check.

Licensed Personnel Suspension/Dismissal Due Process

The Superintendent may dismiss or suspend any licensed employee for incompetence, neglect of duty, immoral conduct, intemperance, brutal treatment of a pupil or other good cause. Before being dismissed or suspended, any licensed employee shall be notified of the charges against him/her and advised that he/she is entitled to a public hearing upon said charges. Notification of charges and hearing procedures shall follow the procedure as prescribed by law.

Provided, however, that the Superintendent whose employment has been terminated under this section shall not have the right to request a hearing before the State Board of Education.

Provided, however, that a licensed employee in a conservator school district whose employment has been terminated under this section for good cause as determined by a conservator appointed by the State Board of Education shall not have a right to request a hearing. The conservator has the right to immediately terminate a licensed employee under this section.

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.

The SBE or hearing officer or designee, upon a request for a hearing by the person so suspended or removed shall set a date, time, and place of such hearing and notify the employee in writing of the same. The hearing date shall be not sooner than five (5) days nor later than thirty (30) days from the date of the request unless otherwise agreed. The procedure for such hearing before the SBE or hearing officer are prescribed in accordance with Miss. Code Ann. [Sec. 37-9-111](#) and included in this policy. 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 in Miss. Code Ann. [Sec. 37-9-113](#) which is also included in this policy. 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 the State Board of Education, 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.

The SBE is hereby prohibited from denying employment or reemployment to any person as a Superintendent, Principal or licensed employee, as defined in Miss. Code Ann. [Sec. 37-9-1](#) or as a noninstructional personnel, as defined in Miss. Code Ann. [Sec. 37-9-1](#), for the single reason that any eligible child of such person does not attend MSDB in which such Superintendent, Principal, licensed employee or noninstructional personnel is employed.

The provisions of this section shall be fully applicable to any administrator or employee of the MSDB.

Hearing, Notice, Procedures, and Evidence

The SBE, or its designee, upon request for a hearing under Miss. Code Ann. [§. 37-9-59](#) or Miss. Code Ann. [§. 37-9-101](#) through Miss. Code Ann. [§. 37-9-113](#) shall set the time, place and date of such hearing and notify the employee in writing of same. The date shall be set not sooner than five (5) days nor later than thirty (30) days from the date of the request, unless otherwise agreed. The hearing may be held before the sSBE or before a hearing officer appointed for such purpose by the SBE, either from among its own membership, from the staff of the MSDB or some other qualified and impartial person, but in no event shall the hearing officer be the staff member responsible for the initial recommendation of non-reemployment. No hearing officer may have an interest in the outcome of a hearing, nor may a hearing officer be related to a SBE member, any administrator making the recommendations of non-reemployment, or the employee. Once a hearing officer is appointed, no ex-parte communications may be made regarding any substantive provisions of the hearing.

The hearing must be held in executive session unless the employee elects to have a public hearing. If an employee makes this election, however, the SBE or the hearing officer, as the case may be, may order any part of the hearing to be held in executive session, if, in the opinion of the SBE or the hearing officer, the testimony to be elicited deals with matters involving the reputation or character of another person. Notwithstanding the election by an employee for a public hearing, any testimony by minor witnesses must be held in executive session and considered confidential personnel records and confidential student records, subject to an expectation of reasonable privacy and confidentiality. Public disclosure of these records may be by court order only.

MSDB shall present evidence, either in written or oral form, at the hearing in support of its recommendation for non-reemployment.

The employee shall be afforded an opportunity to present matters at the hearing relevant to the reasons given for the proposed non-reemployment determination and to the reasons the employee alleges to be the reasons for non-reemployment and to be represented by counsel at such a hearing. Such hearing shall be conducted in such a manner as to afford the parties a fair and reasonable opportunity to present witnesses and other evidence pertinent to the issues and to cross-examine witnesses presented at the hearing. The SBE or the hearing officer may require any portion of the evidence to be submitted in the form of depositions or affidavits, and in case affidavits are received, an opportunity to present counter-affidavits shall be provided.

The SBE shall cause to be made stenographic notes of the proceedings. In the event of a judicial appeal of the SBE's decision, the entire expense of the transcript and notes shall be assessed as court costs.

The SBE shall review the matters presented before it, or, if the hearing is conducted by a hearing officer, the report of the hearing officer, if any, the record of the proceedings and, based solely thereon, conclude whether the proposed non-reemployment is a proper employment decision, is based upon a valid educational reason or noncompliance with MSDB personnel policies and is based solely upon the evidence presented at the hearing, and shall notify the employee in writing of its final decision and reasons therefor. Such notification shall be within thirty (30) days of the conclusion of the hearing if the hearing is conducted by a hearing officer and within ten (10) days of the conclusion of the hearing if the hearing is initially conducted by the SBE. If the matter is heard before a hearing officer, the SBE shall also grant the employee the opportunity to appear before the Board to present a statement in his own behalf, either in person or by his attorney, prior to a final decision by the Board.

In conducting a hearing, the SBE or hearing officer shall not be bound by common law or by statutory rules of evidence or by technical or formal rules of procedure except as provided in Miss. Code Ann. [Sec. 37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#) but may conduct such hearing in such manner as best to ascertain the rights of the parties; however, hearsay evidence, if admitted, shall not be the sole basis for the determination of facts by the SBE or hearing officer.

In the event the decision of the SBE is in favor of the employee, the State Board of Education shall have the authority to order the execution of a contract with the employee for an additional period of one (1) year.

For purposes of conducting hearings under Miss. Code Ann. [Sec. 37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#), the SBE or hearing officer shall have the authority to issue subpoenas for witnesses and to compel their attendance and the giving of evidence. Any expense connected therewith shall be borne by the party requesting the subpoenas, which shall include an appearance fee for each witness so subpoenaed not inconsistent with state laws governing payments to witnesses. In the event it is necessary to enforce or to quash a subpoena issued to compel the attendance of a witness, application shall be made with the chancery court of the county where the SBE is located.

This section shall not be applicable to a Superintendent whose employment has been terminated

by the Board under Miss. Code Ann. [Sec. 37-9-59](#), or whose employment contract has not been renewed by the SBE.

Appeal Rights

Any employee aggrieved by a final decision of the SBE is entitled to judicial review thereof, as hereinafter provided.

An appeal may be taken by such employee to the chancery court of the judicial district in which the SBE is located, by filing a petition with the clerk of that court and executing and filing bond payable to the SBE with sufficient sureties, in the penalty of not less than Two Hundred Dollars (\$200.00), conditioned upon the payment of all of the costs of appeal, within twenty (20) days of the receipt of the final decision of the State Board of Education.

The scope of review of the chancery court in such cases shall be limited to a review of the record made before the SBE or hearing officer to determine if the action of the SBE is unlawful for the reason that it was:

- (a) Not supported by any substantial evidence;
- (b) Arbitrary or capricious; or
- (c) In violation of some statutory or constitutional right of the employee.

No relief shall be granted based upon a court's finding of harmless error by the SBE in complying with the procedural requirements of Miss. Code Ann. [Sec.37-9-101](#) through Miss. Code Ann. [Sec. 37-9-113](#). However, in the event that there is a finding of prejudicial error in the proceedings, the cause shall be remanded for a rehearing consistent with the findings of the court.

Any party aggrieved by action of the chancery court may appeal to the Supreme Court in the manner provided by law.

References: [Miss. Code Ann. § 37-9-59](#)
[Miss. Code Ann. § 37-9-111](#)
[Miss. Code Ann. § 37-9-113](#)

EMPLOYEE APPRAISALS

Using an internal performance appraisal instrument, full-time non-certified employees will be formally evaluated at least once per year. The statewide evaluation systems for Teachers, Librarians, Counselors, Principals, and other licensed or certified employees will be used for the certified academic staff. Evaluation will be based on observations at primary job posts and as part of the school wide team. Supervisors will meet with all employees in accordance with deadlines mandated for the appraisal systems for review of prior performance and goal setting for the upcoming year. The appraisal instruments are job related to performance in a residential school and departmental context. Appraisals will be utilized to assist supervisors in better serving employees through professional development, improvement plans, or continuation of employment. Habitual disregard for policies, processes and procedures established by MSDB may result in written reprimands and further consequences as outlined by the MSDB Standard Operating Procedures Manual. At the beginning of each academic year, procedures, policies, and processes are reviewed with employees. Consistent paperwork, timeliness, or behavior problems will be reprimanded appropriately.

Grievance Procedures – Licensed Personnel Appraisal

The following procedure shall be utilized to provide the licensed employee an equitable solution to a grievance filed in connection with a personnel appraisal

The following definitions shall apply to this grievance procedure:

1. "Personnel appraisal" refers to the system of annual performance evaluation of all licensed staff, as is mandated by state law. This grievance procedure has been approved by the SBE for use in this district as part of its "Personnel Appraisal System."
2. A "grievance" is a complaint by an individual based upon an alleged violation of his or her rights under state or federal law or board policy related to the personnel appraisal process for that individual.
3. A "grievant" is a person or persons making the complaint.
4. The term "days" shall mean working school days and shall exclude weekends, holidays, and vacation days.

Grievances shall be processed in accordance with the following procedure:

Level One

1. All grievances, as defined above, must be presented orally to the principal or immediate supervisor of the grievant and a representative from Human Resources within five (5) days of the act or omission complained of, and the principal or immediate supervisor and grievant will attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his principal or immediate supervisor, the grievant shall, within five (5) days after meeting with his principal or immediate supervisor file a written statement with his principal or immediate supervisor and a representative from human resources setting forth in detail how the grievant claims to have been discriminated against. This written statement shall contain, in addition to the above, the time, the place, and the nature of the alleged act or omission and the state or federal law or board policy violated. The statement must be signed by the grievant.
3. In the event the grievant does not submit to his principal or immediate supervisor and human resources a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by the principal or immediate supervisor.
4. Within five (5) days after receiving the grievant's signed statement the principal or immediate supervisor shall send to the human resources department a statement from the principal or immediate supervisor setting forth his response to the grievant and/or his decision, as is applicable. At the same time, the principal or immediate supervisor shall also provide a copy of the written statement to the grievant.
5. Human Resources will notify the superintendent and provide a copy of all statements and proposed resolutions from both parties involved.

Level Two

1. Upon receipt by the superintendent of the written notice that the grievant intends to appeal the decision of his principal or immediate supervisor, the superintendent shall notify the grievant in writing within five(5) days and shall advise the grievant of the date, time, and place upon which the matter will be considered by the superintendent. The superintendent shall schedule a hearing on the matter no later than ten (10)days from the date of receipt of the grievant's written notice of intention to appeal the written

- decision of his principal or immediate supervisor.
2. The written statement submitted by the grievant to his principal or immediate supervisor in Level One shall form the basis of the grievance before the superintendent. The grievant shall submit in writing any and all information on his behalf which he desires to the superintendent not later than five (5) days prior to the date upon which the matter is scheduled for hearing by the superintendent.
 3. In the event the grievant does not personally attend the hearing scheduled by the superintendent, his failure to attend shall be deemed as an acceptance of the written decision rendered by his principal or immediate supervisor at LEVEL ONE.
 4. The superintendent shall render a written decision to the grievant within five (5) days of the date upon which the matter was heard.

Level Three

1. If the grievance is not resolved to the satisfaction of the grievant at LEVEL TWO, or if the superintendent does not render a decision within five (5) days, the grievant may file the grievance with the State Board of Education via the Chief Academic Officer,
2. If the grievance is not filed with the SBE/Chief Academic Office within five (5) days of the hearing at LEVEL TWO, the grievance shall be considered resolved.
3. Within five (5) days after receipt of the grievance, SBE shall appoint a hearing officer and schedule a hearing on the grievance.
4. The SBE shall render its decision within seven (7) days of the hearing.

ATTENDANCE OF EMPLOYEES

The following guidelines and procedures should be followed by all administrative and supervisory personnel regarding the attendance of MSDB employees throughout the year. In addition, the guidelines should be reviewed during the evaluation process and incorporated into employee evaluations.

1. All employees of MSDB are expected to be at work, on time, every scheduled workday. Employees contribute to achieving the mission and the education of the student body. The success of MSDB depends upon each employee doing what is expected, including maintaining an acceptable attendance record.
2. It is important that all employees be treated equitably with respect to the monitoring of attendance.
3. Excessive absenteeism adversely affects overall operations by placing added pressure or burdens on employees who are at work on a regular basis, and by requiring administrative time and cost to cover for employees who are absent.

CATEGORIES OF ABSENCES

All absences will be classified into two categories as follows:

1. Excused - Absences that do not count against an employee's attendance record include any pre-approved vacation, personal leave, bereavement leave, military or uniformed services leave, family and medical leave (as designated under our FMLA policy), jury duty, disability accommodation leaves of absence, or worker's compensation leave.

2. Unexcused. All remaining absences are classified as counting against an employee's attendance record.

TARDINESS

Promptness in arriving at work is expected from all employees. Tardiness has a negative effect on operations, just as absenteeism does. Not returning promptly from breaks or lunch

is considered an instance of tardiness. Excessive tardiness may result in disciplinary action, action plans, and/or termination.

ATTENDANCE GUIDELINES

1. All employees are to report as scheduled by their Supervisor, Director, or Principal and/or the Superintendent.
2. Employees who are going to be absent due to illness must notify their Supervisor, Director, or Principal and/or the Superintendent, or a designee as soon as possible.
3. Employees who will be late for any reason must contact their Supervisor, Director, or Principal and/or the Superintendent so arrangements can be made for a substitute until the employee arrives on campus. Employees must speak directly to a Supervisor, Director, or Principal and/or the Superintendent.
4. Employees who arrive after the scheduled time or have problems relative to timely arrival for scheduled duties shall, on that day, provide the office with a written, dated explanation of reason for failure to arrive on time.
5. Employees may not leave campus during duty hours without permission of their Supervisor, Director, or Principal and/or the Superintendent, or a designee.
6. Employees should refrain from taking leave for vacations when it directly impacts the functionality of MSDB.
7. Excessive absences may be denied in accordance with the MSDB policies. If employee is deemed to be using medical leave to circumvent vacation day policy, a medical excuse may be required by the administration.

All employees may be expected to be present during registration, open house events, graduation, state testing, and other special activities that may be assigned.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

A. DEFINITIONS

1. An "eligible employee" is an employee of a covered employer who:
 - (a) has been employed for at least 12 months, and
 - (b) has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave, and
 - (c) is employed at a worksite at which the employer employs at least 50 employees within 75 miles of the worksite.
2. "Employee's spouse" means husband or wife as defined by Mississippi Law.
3. "Employee's son or daughter" means biological child, adopted child or foster child, a stepchild, legal ward, or the child for whom the employee is standing in loco parentis, who is either under the age of 18, or age 18 or older and incapable of self-care because of a mental or physical disability.
4. "Employee's parent" means biological parent, adoptive, step or foster father or mother, or

any other individual who stood (or now stands) in loco parentis to an employee when the employee was a child (not to include parents-in-law).

5. "Employee's immediate family member" means spouse, son or daughter, grandchild, or parent as defined herein above.
6. For the purposes of FMLA "serious health condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility, or continuing treatment by a healthcare provider.
7. "Healthcare provider" means a licensed medical physician, nurse practitioner, dentist, psychologist, and chiropractor.

B. LEAVE PROVISIONS

An eligible employee is entitled to 12 unpaid work weeks (60 workdays) during any 12-month period for any one or more of the following reasons:

1. The birth of a son or daughter, and to care for the newborn child (within 12 months of birth)
2. The placement of a child with the employee for adoption or foster care (within 12 months of the placement).
3. To care for the employee's spouse, son, daughter, or parent with a serious health condition (not "parent-in-law").
4. The employee's own serious health condition which makes the employee unable to perform the function of his/her job.
5. The district encourages any person taking FMLA leave to utilize all paid leave benefits as part of the 12 weeks of leave. This use of paid leave does not extend the 12 weeks of FMLA leave.
6. The 12-month period is defined as a "rolling" year, that is, that the 12-month eligibility period begins on the date leave is first taken.

C. NOTICE REQUIREMENTS

1. Employees must provide MSDB at least thirty (30) days advance notice before FMLA leave is to begin if the need for the leave is foreseeable, based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or family member.
2. Due to lack of knowledge or a medical emergency, notice must be given as soon as practicable, which means as soon as both practical and possible or at least verbally within one or two working days when the need for leave becomes known to the employee. This verbal notice is to be followed by written notice.
3. Failure to give 30 days' notice for foreseeable leave may result in the denial of the taking of FMLA leave until at least 30 days after the date the employee provides notice.

D. REQUIRED CERTIFICATION

Eligible employees shall provide the District with certification of a serious health condition for himself/herself or a family member. The certification, to be signed by the health care provider, shall be attached to the required written notice or submitted in a timely manner which shall be no more than fifteen (15) working days after providing written notice. No leave period may begin without the approval of the Superintendent or designee. No approval shall be granted by the Superintendent or designee without the required written notice and certificate.

E. THE CERTIFICATION IS TO INCLUDE THE FOLLOWING:

1. The date on which the serious health condition in question began.
2. The probable duration of the condition.
3. Appropriate medical facts regarding the condition.
4. A statement that the employee is needed to care for a spouse, parent or child (along with an estimate of the time required), or that the employee is unable to perform his/her functions, and, in the case of intermittent leave, the duration of treatment to be given.
5. Signature (not stamped) of healthcare provider. MSDB may require that a second opinion be obtained at the MSDB's expense. The second opinion may not be provided by a healthcare provider employed by MSDB. In the event of conflicting opinions, MSDB may pay for a third and final provider to offer a binding decision. MSDB may require subsequent written re-certification on a reasonable basis.

F. EMPLOYMENT BENEFITS PROTECTION

1. An employee who completes a period of leave and has complied fully with the terms of this policy shall be returned either to the same position he/she had before the taking of leave or to a position which is genuinely equivalent (as compared to comparable or similar job) in pay, benefits, and other terms and conditions of employment.
2. Taking of leave shall not result in the loss of any previously accrued seniority or employment benefits. Except for health benefits, no other benefits will accrue during the leave period.
3. Health benefits shall continue through an employee's 12-week leave period. The District may recover health coverage premiums paid for an employee who fails to return from leave, except no recovery will be made from an employee who fails to return from leave if the reason is the continuation, recurrence, or onset of a serious health condition or something else beyond the employee's control.
4. Special rules for taking leave by an instructional employee exist for leave taken near the end of a semester. In general, MSDB may require that more leave be taken than desired, depending on the length of leave sought and the timing in proximity to the end of a semester. If this situation occurs, the Superintendent or designee will advise as to these requirements. The reason for this is that a contract would be required for a long-term substitute.

G. MILITARY FAMILY LEAVE

A "covered military member" means the employee's spouse, son, daughter, or parent on active duty or call to active-duty status.

A "son or daughter on active duty or call to active-duty status" means the employee's biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood in loco parentis, who is on active duty or call to active-duty status, and who is of any age.

"Active duty or call to active-duty status" means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation pursuant to: Section 688 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress so long as it is in support of a contingency operation.

A “serious injury or illness” means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating.

“Outpatient status,” with respect to a covered service member, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. In order to care for a covered service member, an eligible employee must be the spouse, son, daughter, or parent, or next of kin of a covered service member.

A “son or daughter of a covered service member” means the covered service member’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered service member stood in loco parentis, and who is of any age.

A “parent of a covered service member” means a covered service member’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. This term does not include parents “in law.” The “next of kin of a covered service member” is the nearest blood relative, other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the covered service member’s next of kin and may take FMLA leave to provide care to the covered service member, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered service member’s only next of kin. For example, if a covered service member has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered service member’s next of kin. Alternatively, where a covered service member has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered service member’s next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered service member.

Employees are eligible to take FMLA leave because of a qualifying exigency when the covered military member is on active duty or call to active-duty status in support of a contingency operation pursuant to one of the provisions of law identified above. An employee whose family member is on active duty or call to active-duty status in support of a contingency

operation as a member of the Regular Armed Forces is not eligible to take leave because of a qualifying exigency.

A call to active duty for purposes of leave taken because of a qualifying exigency refers to a Federal call to active duty. State calls to active duty are not covered unless under order of the President of the United States pursuant to one of the provisions of law identified in support of

a contingency operation.

The active-duty orders of a covered military member will generally specify if the service member is serving in support of a contingency operation by citation to the relevant section of United States Code and/or by reference to the specific name of the contingency operation.

An eligible employee is entitled to 26 work weeks of leave to care for a covered service member with a serious injury or illness during a “single 12-month period.”

The “single 12-month period” described above begins on the first day the eligible employee takes FMLA leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the employer to determine the employee’s 12 work weeks of leave entitlement for other FMLA-qualifying reasons. If an eligible employee does not take all of his or her 26 work weeks of leave entitlement to care for a covered service member during this “single 12-month period,” the remaining part of his or her 26 work weeks of leave entitlement to care for the covered service member is forfeited.

The leave entitlement described above is to be applied on a per-covered-service member, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 work weeks of leave if the leave is to care for different covered service members or to care for the same service member with a subsequent serious injury or illness, except that no more than 26 work weeks of leave may be taken within any “single 12-month period.” An eligible employee may take more than one period of 26 work weeks of leave to care for a covered service member with more than one serious injury or illness only when the serious injury or illness is a subsequent serious injury or illness. When an eligible employee takes leave to care for more than one covered service member or for a subsequent serious injury or illness of the same covered service member, and the “single 12-month periods” corresponding to the different military caregiver leave entitlements overlap, the employee is limited to taking no more than 26 work weeks of leave in each “single 12-month period.”

An eligible employee is entitled to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the “single 12-month period,” provided that the employee is entitled to no more than 12 weeks of leave for one or more of the following: because of the birth of a son or daughter of the employee and in order to care for such son or daughter; because of the placement of a son or daughter with the employee for adoption or foster care; in order to care for the spouse, son, daughter, or parent with a serious health condition; because of the employee’s own serious health condition; or because of a qualifying exigency. Thus, for example, an eligible employee may, during the “single 12-month period,” take 16 weeks of FMLA leave to care for a covered service member and 10 weeks of FMLA leave to care for a newborn child. However, the employee may not take more than 12 weeks of FMLA leave to care for the newborn child during the “single 12-month period,” even if the employee takes fewer than 14 weeks of FMLA leave to care for a covered service member.

In all circumstances, including for leave taken to care for a covered service member, the employer is responsible for designating leave, paid or unpaid, as FMLA-qualifying, and for giving notice of the designation to the employee. In the case of leave that qualifies as both leave to care for a covered service member and leave to care for a family member with a

serious health condition during the “single 12-month period,” the employer must designate such leave as leave to care for a covered service member in the first instance. Leave that qualifies as both leave to care for a covered service member and leave taken to care for a family member with a serious health condition during the “single 12 -month period” must not be designated and counted as both leave to care for a covered service member and leave to care for a family member with a serious health condition. As is the case with leave taken for other qualifying reasons, employers may retroactively designate leave to care for a covered service member.

A husband and wife who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of 26 work weeks of leave during the “single 12-month period” if the leave is taken for the birth of the employee’s son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee’s parent with a serious health condition, or to care for a covered service member with a serious injury or illness. This limitation on the total weeks of leave applies to leave taken for the reasons specified as long as a husband and wife are employed by the “same employer.” It would apply, for example, even though the spouses are employed at two different worksites of an employer located more than 75 miles from each other, or by two different operating divisions of the same company. On the other hand, if one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full 26 work weeks of FMLA leave.

H. DONATION OF LEAVE

For the purpose of this policy:

1. “Catastrophic injury or illness” means a life-threatening injury or illness of an employee or member of an employee’s immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the local school district for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.
2. “Immediate family” means spouse, parent, stepparent, sibling, child, or stepchild.

Any employee of the MSDB may donate a portion of his or her unused accumulated personal or sick leave to another MSDB employee who is suffering from a catastrophic injury or illness or who has a member of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the “donor employee”) shall designate the employee who is to receive the leave (the “recipient employee”) and the amount of unused accumulated personal or sick leave that is to be donated and shall notify the MSDB superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor

employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.

3. An employee must have exhausted all of his or her available leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
4. Before an employee may receive donated leave, he or she must provide the MSDB superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the MSDB superintendent shall appoint a review committee to approve or disapprove the said donations of leave, including the determination that the illness is catastrophic within the meaning of this section.
6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
7. Donated leave shall not be used in lieu of disability retirement.

The MSDB superintendent or designee shall establish procedures to support this policy.

Miss. Code Ann. § 37-7-307

NON-QUALIFYING FMLA LEAVE REQUEST

An employee who does not qualify for leave based on the Family Medical Leave Act (FMLA) of 1993 may take a leave of absence up to twenty (20) business days. The employee may be responsible for timely payments of all insurance premiums while on approved leave of absence.

GENERAL PROVISIONS: In order to qualify for temporary medical leave of absence the following must apply:

1. An employee anticipating an absence of five (5) days or more must apply for leave of absence with the administration prior to the absence or within seven (7) business days of the first day of absence.
2. New employees reported to work on the first day of employment.
3. The employee does not qualify for FMLA based on the following criteria:
 - a. Employee has not been employed with MSDB for at least twelve (12) months;
 - b. Employee has not worked for MSDB at least 1250 hours.
4. Qualifying for the leave of absence follows the same criteria and procedure as described in FMLA regulations.
 - a. Birth of a child and/or to care for a newborn child of the employee.
 - b. Placement with the employee of a child through adoption.
 - c. Care for the employee's spouse, dependent child, or parent of the employee who has a serious health condition.
 - d. A serious health condition that renders the employee unable to perform the function of his/her job.
5. All leave of absences requires final approval of the Superintendent.

6. Failure to return to work on the determined return-to-work day will be considered as a resignation by the employee.
7. The employee must use any available accrued paid leave concurrently with the leave of absence. Otherwise, compensation will not be paid during leave.
8. The leave of absence must be used continuously and can only be used once per fiscal year. It will not be available for intermittent use.

PROCEDURES:

1. A request for leave of absence must be made on the Request for Leave of Absence Form having the approval of the Supervisor, Director, or Principal, and the Superintendent.
2. Medical documentation supporting the request must be provided to the Superintendent's Office within five (5) days of the request for leave.
3. The Request for Leave of Absence form must be filed in the employee's personnel file.
4. The Supervisor, Director, or Principal, and the Superintendent must be notified of the expected date the employee returns. The employee must provide documentation from the physician stating the employee's return to work date before returning to work.

BENEFITS INSURANCE AND RETIREMENT

MSDB is interested in the health and well-being of both employees and their families. This section briefly describes each District-sponsored employee benefit program. Employees receive summary plan descriptions, which describe certain benefit programs in greater detail. The plan description and official plan documents (such as insurance master contracts) contain information regarding eligibility requirements, coverage limits, deductibles, premiums, and fees. Employees are expected to read the plan descriptions carefully to understand rights and responsibilities. Should a conflict exist between the official benefit plan documents and this manual or the plan descriptions, the official plan documents will control in all cases.

MSDB reserves the right, at its sole and absolute discretion, to rescind or amend benefits, to change insurance carriers, or to require a change in employee contributions toward premium costs, deductibles, or co-payments. MSDB may make such changes at any time, for any reason; financial necessity is not required. Employees will be promptly notified of any such changes. While MSDB's intent is to continue offering the sponsored benefit programs, it cannot guarantee that such benefits will always be available. MSDB offers the following benefits to regular full-time employees. Part-time employees may or may not be eligible for these benefits based on the individual plan requirements:

MEDICAL INSURANCE - MSDB offers health insurance plans for school employees. Information regarding the options available to school employees may be obtained by contacting the Business Office.

CAFETERIA PLAN - MSDB participates in the Section 125 Flexible Benefit Plan, commonly known as the "cafeteria plan." Participation by employees in the cafeteria plan is optional. Additional information regarding the cafeteria plan is available in the Business Office.

RETIREMENT PLAN - All regular full-time employees must participate in the Mississippi Public Employees' Retirement System (PERS). Current Mississippi law requires eight (8) years of service as of July 1, 2007 for vested interest. Twenty-five (25) years are required for less than sixty (60) years of age for full retirement benefits without penalty. If hired after July 1, 2011, thirty (30) years are required for less than sixty (60) years of age for full retirement benefits. Employees desiring more specific information regarding their retirement should contact the Mississippi Public Employees' Retirement System.

COBRA - If the employee, the employee's spouse, or the employee's dependents lose group health insurance coverage due to employment termination or any other "qualifying event," any and all may be eligible to elect continuation of group health coverage in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). COBRA entitles employees and their dependents to elect or decline continued group health insurance coverage upon a "qualifying event." Under federal law, a qualifying event is an event that would ordinarily cause an employee, spouse, or dependent to lose group health insurance coverage. Qualifying events include termination of employment, retirement, discharge for poor performance, reduction of work hours, death of a covered employee, divorce or legal separation from a covered employee, losing "dependent child" status, or Medicare eligibility. Employees discharged for gross misconduct may not be eligible for continuation benefits. Employees and dependents are responsible for notifying the Business Office immediately following any qualifying event and upon any change in address of the employee and/or dependents. Employees and dependents who elect continued coverage following a qualifying event will be required to pay 100% of the applicable premium coverage cost plus any applicable administration fees. The covered individual has sixty (60) days to elect coverage from the date of notification. If the covered individual chooses to continue coverage and pays all premiums, benefits will be continued for eighteen (18) months. A covered employee, spouse, or dependent who is disabled (according to the Social Security Administration) at the time of the qualifying event may be eligible to continue coverage for up to twenty-nine (29) months. An employee's covered spouse or dependent may be able to continue coverage up to thirty-six (36) months in the event the covered employee dies, becomes entitled to Medicare, divorces or legally separates from the spouse, or the dependent child ceases to qualify as a dependent under the District's insurance plan provisions. In the event of a second qualifying event occurring during the period of coverage for an original event, the period of coverage will be extended to thirty-six (36) months from the date of the original qualifying event. Employees may obtain additional information about COBRA from the Business Office.

WORKERS' COMPENSATION – On-the-job injuries or disabilities are covered by Workers' Compensation. Insurance is carried on all employees as protection against loss of wages and for medical expenses incurred by an employee injured on the job.

All injuries should be reported to Human Resources immediately following the injury or as soon as possible thereafter. Any injury or claim involving the operation of district vehicles or equipment will require the employee to submit to a drug test. At the discretion of the superintendent, employees may be requested to submit to a drug test for other injuries obtained on campus.

PAYROLL DEDUCTIONS

The law requires payroll deductions to cover federal, state, and local income taxes and Social

Security/Medicare (FICA) and retirement. These deductions are made automatically. Other deductions for other programs will be made upon a written authorization by the employee and with the approval of MSDB.

Deductions can be made for health, life and salary protection insurance. All requests for changes in deductions must be submitted, in writing, prior to the 1st of each month. Deductions may also stem from garnishments. When a garnishment is imposed, the administration of MSDB complies by withholding a percentage of the employee's salary, as mandated by law. It is our policy to comply with the salary basis requirements of the Fair Labor Standards Act (FLSA). Therefore, we prohibit any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that MSDB does not allow deductions that violate the FLSA.

Deductions from exempt employees' salaries are prohibited, except as allowed by applicable law.

COMPENSATION

Employees of MSDB are paid on the last working day of the calendar month. Each employee is responsible for reviewing their pay and notifying their supervisor if any errors are noted. Teachers are paid based upon an approved salary scale and are contracted for specified days each year, with payment distribution over twelve months. No payment will be made to any contracted personnel without an executed contract in place. All salaries are within the scale as deemed appropriate for the job descriptions aligned with the Mississippi State Personnel Board and are subject to final approval by the SBE.

WORKER'S COMPENSATION - It is MSDB's goal to provide a safe work environment. Each employee shall comply with all occupational safety, health policies and standards. Should an accident occur, the employee must report any injury or illness, no matter how minor it may seem, immediately to the Supervisor, Director, or Principal, and/or the Superintendent. The Supervisor, Director, or Principal, and/or the Superintendent must report the incident to the Workers' Compensation Coordinator. Failure to do so may jeopardize eligibility for workers' compensation. Employees are covered against certain loss of earnings due to injuries on the job by a workers' compensation insurance policy furnished by MSDB.

No compensation will be allowed for an injury, illness or death due to willful misconduct, intentional self-inflicted injury, intoxication, or willful failure or refusal to use safety devices or lack of compliance with prescribed safety procedures. The payment of medical bills and compensation payments will be in accordance with all applicable workers' compensation laws.

If an employee suffers an occupational injury or illness, the following steps should be taken:

1. Any necessary first-aid treatment should be administered.
2. When physically able, the employee should immediately report the injury or illness to his or her Supervisor, Director, or Principal, and/or the Superintendent.
3. Both the employee and Supervisor, Director, or Principal, and/or the Superintendent must complete a Report of Accident/Injury form within the first hour of the accident, if possible or as soon as possible after the event. If medical attention is required, the employee may be seen by a medical doctor or facility approved by MSDB, unless in an emergency.
4. Medical facilities will need a claim number in order to administer treatment. The

insurance company will not provide a claim number without the Accident/Injury form. These forms are available from the employee's supervisor or on the District website under "Staff Documents." Both forms must be signed and dated by the Supervisor, Director, or Principal, and/or the Superintendent and forwarded to the Workers' Compensation Coordinator in the Business Office as soon as possible.

UNEMPLOYMENT COMPENSATION - Employees are not eligible for unemployment benefits in the summer months between school terms. An employee hired during the school term that has reasonable assurance of employment for the same or similar work for the following school term will be denied. Substitutes may receive unemployment compensation if they are only working part-time and not earning more than their allowed benefit for the week. Substitute logs are to be sent to the Business Office each month documenting who was called and whether they accepted the work. This information is provided to the Mississippi Department of Employment Security for those substitutes that file unemployment claims.

REDUCTION IN FORCE

MSDB has the responsibility for providing and maintaining a quality school. In order to carry out its responsibility, the SBE, at the recommendation of the Superintendent, may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (the same to be in no event less than 187 days per contract year), (3) reduce employee salaries, and/or (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

When reducing the number of licensed employees, the SBE, at the recommendation of the Superintendent, will take into account the following reasons for such reduction in force:

1. Enrollment declines,
2. Financial decline/reduction,
3. Educational program(s) elimination, and/or
4. Other good and/or just cause as defined by the SBE.

The primary objective of the MSDB when reducing the work force will be the maintenance of a fair and balanced educational program consistent with the needs of the students and the functions and responsibilities of the school. When deciding reduction in force, the SBE, at the recommendation of the Superintendent, will consider the following factors, not necessarily in the order listed:

1. Importance of the position to the mission, goals, and objectives of the MSDB.
2. Area(s) and level(s) of competence indicated by certification.
3. Experience, professional training, length of service within the district and work assignment.
4. Quality of performance including character, teaching capacity, and/or executive ability.
5. Skills in area(s) where the district has instructional and/or supervisory needs.

References: [Miss. Code Ann. § 37-9-101 through 37-9-113 and 37-9-59](#)

OUTSIDE EMPLOYMENT

Employees choosing to work outside MSDB may do so as long as it does not create a conflict of interest or interfere with their work schedule or job performance. Outside employment that affects an employee's attendance, work performance, productivity, or conduct, either directly or indirectly, or that creates a conflict of interest of any kind, is strictly prohibited. If employees choose to seek outside employment, they first must discuss this matter with the Supervisor,

Director, or Principal, and/or the Superintendent and receive written approval of their plans from the Superintendent. Schedules may or may not be adjusted, and special considerations may or may not be made for employees who have outside employment.

CONFLICT OF INTEREST

An employee of the MSDB shall not have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities. No staff member shall engage in any type of private business during school time and on school property.

Employees shall not engage in work of any type where the source of information concerning customer, client, or employer originates from any information obtained through the school. No gifts from any person or group desiring or doing business with MSDB shall be solicited by a school employee except for nominally valued instructional products or advertising items that are widely distributed.

CODE OF ETHICS AND PROFESSIONAL CONDUCT

All employees at MSDB shall comply with the Mississippi Professional Educator Code of Ethics and Standards of Conduct as outlined in MDE policy 14.10; 14.10 A, B, C, D, E; 14.17; and 14.18. The Superintendent or his/her designee shall establish procedures to assure that all MSDB employees comply with this policy. The procedures shall include, but are not limited to:

1. Providing all employees with a copy of the Mississippi Educator Code of Ethics and Standards of Conduct.
2. Maintaining a signed statement in each employee's personnel file verifying that he/she has been given notice of the Mississippi Educator Code of Ethics and Standards of Conduct.
3. Advising all employees that his/her contract with the MSDB is subject to the Mississippi Educator Code of Ethics and Standards of Conduct and may be revoked or suspended pursuant to its terms.
4. Providing annual in-service training for all employees on the Mississippi Professional Educator Code of Ethics and Standards of Conduct.

The Superintendent shall report to the MDE all license holders who engage in unethical conduct relating to an educator/student relationship (Standard 4).

LINE AND STAFF RELATIONS

The State Board of Education (SBE) 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/supervisor to whom they report. That administrator/supervisor shall refer such matters to the next higher administrator/supervisor when necessary. All personnel shall keep the immediate administrator/supervisor informed of their activities.

Personnel shall have the right to appeal any decision made by an administrator/supervisor 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.

The Mississippi Public School Accountability Standard for this policy is Standard One.

VIOLATIONS

Violations of this policy shall be reported and discussed in a conference between the employee and the Supervisor, Director, or Principal, and/or the Superintendent (or Superintendent and Principal if a Principal is in violation of this policy). If the Supervisor, Director, or Principal, and/or the Superintendent finds the complaint to be factual, he/she shall issue a written reprimand to the employee(s) involved. This reprimand shall become a part of the employee's personnel file. Severe violations or continuous violations of this policy may lead to an employee being suspended, dismissed, or non-renewed. Employees shall have the right to appeal any disciplinary action taken against them by following the proper chain of command as specified in the district's "Employee Grievance Procedure" policy.

ARREST OF EMPLOYEE

Employees arrested for any reason must notify their Supervisor, Director, or Principal, and/or the Superintendent within twenty-four (24) hours. Supervisors, Directors, or Principals will inform the Superintendent who will contact the Chief Academic Officer at MDE.

REPORTING ABUSE OR NEGLECT

REPORTING AUTHORITY

According to Mississippi Code (1972 annotated), the following people are required by law to report suspected abuse or neglect:

1. Attorneys
2. Child's Caregiver
3. Dentists
4. Doctors
5. Interns
6. Law Enforcement Officers
7. Ministers
8. Nurses
9. Psychologists
10. Residents
11. School Principals
12. Social Workers
13. Teachers
14. Or any other person having reasonable cause to suspect a child has been neglected or abused.

IMMUNITY

The law protects individuals who make reports of suspected child abuse or neglect from civil liability if they act in good faith. Absolute proof is not necessary before a report is filed. Child Protective Services is responsible for conducting its own investigation.

STEPS TO FOLLOW AFTER SUSPECTING ABUSE

1. Take the student to a private place and let the student tell you about the abuse.
2. **DO NOT** interrogate the student.
3. Encourage the student to express his/her feelings about the abuse.
4. Avoid leading questions.
5. Ask open-ended questions (e.g., What happened next?).
6. Try to remain calm and nonjudgmental.
7. Let the student know that you believe his or her story.
8. Reassure the student he/she is not to blame for what happened.
9. Respect the privacy of the student.
10. **DO NOT** tell other people who do not need to know.

Explain to the student what will happen next (i.e., tell them you will call someone to help.)

REPORTING WITHIN THE SCHOOL

Inform the Superintendent or the School Counselor of your findings. The Superintendent and/or the Counselor will work with employees in contacting social services.

REPORTING TO SOCIAL SERVICES

1. Name and address of student and parents or caretaker
2. Date of Birth
3. Nature of student's injury
4. Identity and address of perpetrator, if known
5. Any other information you believe social worker will find helpful
6. Names and dates of birth of other children in the home

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Unless expressly authorized to do so, employees are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, or other confidential information belonging to MSDB. Unauthorized dissemination of such material may result in severe disciplinary action

as well as substantial civil and criminal penalties under state and federal Economic Espionage laws.

MSDB shall operate in compliance with the Family Educational Rights and Privacy Act of 1974 regarding student information and records. The Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA) have provided schools, school districts, and state educational agencies guidelines in disclosing student records. School officials with a "legitimate educational interest" in any student information can have access to educational records without specific consent of parents or eligible students.

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 SBE;
2. Perform a supervisory/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. However, the misuse or improper disclosure of confidential information by school officials or a third party is

strictly prohibited and is punishable by federal statutes.

Electronic access to student information will be limited to job-duty specifications of each employee. At no time should this information be printed, transferred, or shared under conditions other than those stipulated in FERPA. A complete explanation of FERPA may be found online at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

INAPPROPRIATE CONDUCT WITH STUDENTS

As mandated by the State Superintendent of Education, MSDB must implement policies and procedures related to the prohibition of inappropriate relationships and/or conduct with students. The MSDB Student Handbook informs students that such conduct is prohibited and that if an employee treats them in any inappropriate way, they should report it immediately.

DO NOT email, text message, call or contact students via any form of communication regarding personal matters. All communications should be highly professional and related to school ONLY. The same applies to verbal or written conversations and communications at school, schoolrelated activities, and/or off campus.

DO NOT BLUR THE LINES BETWEEN ADULTS 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 possible leads. While rumors may be nothing more than gossip, the Administration must evaluate the credibility of the information to determine if there is sufficient substantiation to investigate.

Investigation should include interviewing students, the accused staff member/s, other staff members, looking at phone records, emails, text messages, etc. If there is no evidence that any wrongdoing has occurred, the investigation can be closed. However, the investigation should be properly documented regarding what the inquiry entailed and that there was no evidence to support the charges.

If the investigation reveals suspicious conduct, then the investigation must continue until the allegation is dismissed as unfounded or there are sufficient facts to lend credibility to the charges. Usually, the investigation does not prove absolutely that sexual behavior has occurred between a staff member and a student, but that other inappropriate conduct did occur such as personal emails and text messages between the staff member and a student. There may be a legitimate reason for an occasional email between an employee and a student, but it must be school related. Personal emails, telephone calls, and text messages 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 employee and a student under the age of eighteen (18), it is mandatory that the Superintendent must report it to the District Attorney. Thus, if the investigation reveals information that provides a reasonable basis to believe that sexual involvement occurred, the District Attorney must be informed. In summary, the Administration must thoroughly investigate all accusations of misconduct in an expeditious manner. Documentation of the investigation is important, regardless of the conclusions reached. Once evidence is found, the information must be turned over to the District Attorney and dismissal of the employee should take place.

STAFF/STUDENT NON-FRATERNIZATION

Adults who have contact with children and adolescents through school activities have the responsibility not to betray or misuse their privileged position and shall never take advantage of students' vulnerability or of their confidence.

It is the policy of MSDB to prohibit any sexual relationship, contact, or sexually-nuanced behavior or communication between a staff member and a student, while the student is enrolled in the school. The prohibition applies regardless of gender, whether the student or the staff member is the initiator of the behavior, and whether or not the student welcomes or reciprocates the attention.

Guidelines

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines:

1. Staff members shall not make derogatory comments to students regarding the school and/or staff.
2. Staff members shall not exchange gifts with students.
3. Staff-sponsored parties, at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not text students nor participate in any student blogs unrelated to school.
6. Staff members shall not friend students on any social media platforms prior to graduation.
7. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol, or drugs.
8. Staff members shall not date students. Sexual relations with students, regardless of age and/or consent, are prohibited and will result in dismissal and criminal prosecution.
9. Staff members shall not use insults against students as a method of forcing compliance with requirements or expectations.
10. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities.
11. Staff members shall not send students on personal errands.
12. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
13. Staff members shall not attempt to counsel, assess, diagnose, or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health, and/or family relationships but instead, should refer the student to appropriate school personnel or agency for assistance, pursuant to law and Board policy.
14. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health, and/or family background.

Parents who are Staff Members

MSDB recognizes the unique nature of our community. At times, parents of current students are also staff members. These situations create dynamics and liabilities that are unique to residential schools for the Deaf and/or the Blind.

Diligent care will be taken to protect all staff members and students. All students have the right to enjoy friendships and the rituals of childhood and young adulthood such as visiting each other's homes, going on sleepovers, and participating in social outings. For all students, any excursions originating from campus after school must have both sets of parents' written permissions on file.

Along with written permissions, employees who are also parents of current students should communicate with their Supervisor, Director, or Principal and/or the Superintendent to ensure procedures are understood and being followed if any other student/s are to be in your care outside of school for any reason.

Alumni and Former Students who are Staff Members

MSDB encourages alumni to return as staff members. Alumni serve as important role models to current students. It is imperative to follow staff member guidelines and establish clear boundaries as a staff member. This will create changes in relationships as current students might have been your friends when you were a student. Staff members who are former students and/or alumni should work with their Supervisor, Director, or Principal and /or the Superintendent to discuss any challenges or concerns.

Social Media

All employees of this school district who participate in social media websites or applications such as, but not limited to Facebook, Twitter, Snapchat, and/or Instagram shall not post any data, documents, photos, or inappropriate information on any website that might result in a disruption of classroom activity. The determination of appropriateness will be made by the Superintendent.

Employees, faculty, and staff are solely responsible for the content and the security of their social media websites and applications and shall not give their social media website passwords to students.

Employees, faculty, and staff shall NEVER use their personal social media accounts in any way purporting to be or speaking for MSDB.

Fraternization via the Internet between employees and students is prohibited and in violation of standards of the Mississippi Educator Code of Ethics.

Communications with both students and parents shall be done in person, over telephone, through standard mail, secure educational applications, and/or through email. Communications with parents through social media should be used only as a last resort, and with permission from the Supervisor, Director, or Principal and /or the Superintendent, when all other avenues have been unsuccessful.

Access of social media websites for individual use during school hours is prohibited. Violation of any of these policies may result in disciplinary action, up to and including, termination. Nothing in this policy prohibits staff or students from the use of educational websites.

Annual Reminder to Staff

The Supervisor, Director, or Principal, and/or the Superintendent will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the online, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using social media and similar internet sites or networks
2. Inappropriateness of posting items with sexual content
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
4. Examples of inappropriate behavior from other districts, as behavior to avoid
5. Monitoring and penalties for improper use of district computers and technology
6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct

Periodical Review

The Superintendent or designees may periodically conduct Internet searches to see if employees have posted inappropriate materials online. When inappropriate use of computers and/or websites is discovered, the Supervisor, Director, or Principal, and/or the Superintendent may download the offensive material and

promptly take proper administrative action.

BULLYING

PROHIBITION - No student or school employee shall be subjected to bullying or harassing behavior by school employees or students. MSDB prohibits bullying or harassing behavior of students or school employees. MSDB will make every reasonable effort to ensure that no person or school employee is subjected to bullying or harassing behavior by anyone.

Bullying or harassing behavior is any pattern of gestures or written, electronic*, or verbal communications, or any physical act or any threatening communication, or any act reasonably perceived as being motivated by any actual or perceived differentiating characteristic that, takes place on school property, at any school-sponsored function, or on a school bus, and that:

1. places a student or school employee in actual and reasonable fear of harm to his/her person or damage to his/her property; or
2. creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For the purposes of this section, a "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Conduct described in subsection (1) is considered bullying if that conduct interferes with a student's education or substantially disrupts the operation of a school.

** Bullying or harassing behavior includes cyberbullying. Cyberbullying is bullying or harassing behavior that occurs electronically. Bullying or harassing behavior will not be condoned or tolerated when it takes place on school property, at any school-sponsored function, on a school bus, or when it takes place off school property when such conduct materially disrupts classwork or involves substantial disorder or invasion of the rights of others. No person shall engage in any act of retaliation or reprisal against any person, including a victim, a witness, or another person with reliable information about an act of bullying or harassing behavior and/or who in good faith provides information concerning an incident of bullying.*

PROCEDURES FOR REPORTING, INVESTIGATING, AND ADDRESSING BULLYING OR HARASSING BEHAVIOR

A student who feels he/she has been a victim of bullying or harassing behavior and/or a student or volunteer who has witnessed or has reliable information that a student, school employee, or volunteer has been subject to any act of bullying or harassing behavior should report the incident to a school employee, who shall immediately report the incident in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Students should report bullying or harassing behavior to a school employee promptly, but no later than five (5) working days after the alleged incident(s) occurred.

Reports should include: the name of the reporting person*, the specific nature and date of the misconduct, the name(s) of the victim(s) of the misconduct, the name(s) of any witness(es), the name(s) of the alleged bully, and any other information that would assist in the investigation of the report.

**If a student or staff member chooses to anonymously report bullying or harassing behavior, the school's ability to act based solely on an anonymous report may be limited.*

A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall immediately report the incident in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Reports against the Principal shall immediately be made in writing to the Superintendent, and reports against the Superintendent shall immediately be made in writing to the Chief Academic Officer at MDE.

The school administration will investigate reported incidents of bullying within five (5) working days of receiving the report.

The school administration will speak with the alleged victim and alleged bully separately. Students may submit evidence for the school administration to review and a list of witnesses for the school administration to speak with. Students should preserve evidence of bullying, cyberbullying, and/or harassing behavior.

All teachers, employees, volunteers, and students shall fully cooperate with the investigating and answer truthfully all inquiries relative thereto.

Upon completion of the investigation, the school administration will immediately notify the alleged victim and alleged bully regarding the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted.

The school administration will provide notice of an incident of bullying and the outcome of the investigation and/or what discipline actions and/or other appropriate actions will be taken, if warranted, within a reasonable amount of time to a parent or guardian of the victim and a parent or guardian of the bully not to exceed five (5) working days after the completion of the investigation.

MSDB recognizes the fundamental right of every student to take "reasonable actions" as may be necessary to defend himself or herself from an attack by another student who has evidenced menacing or threatening behavior through bullying or harassing. "Reasonable action" includes, but is not limited to, promptly reporting the bullying or harassing behavior to a school employee and student's use of reasonable self-defense.

If, after an investigation, a student is found to be a victim of bullying, such student shall not face disciplinary action on the basis of that student's use of reasonable self-defense in response to the bullying.

Discipline for bullying of a student with disabilities shall comply with the applicable requirements under federal law including the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.). Available counseling options for a student who is a victim of bullying or a witness to bullying or a student who engages in bullying include:

- School Guidance Counseling
- Conflict Resolution Training
- Anger Management Training

- Problem Solving Skills Training (proactive, constructive, relationship building)
- Social Skills Training

Support and intervention in response to bullying may be provided by the MSDB through the assistance of the any of the following agencies:

- Mississippi Department of Education
- Community/Family Public or private community-based mental health services
- Faith-based services
- Law enforcement agencies
- Guidance counselor's office at MSDB

The procedure for reporting bullying will also be posted on the school's website. False accusations or reports of bullying are prohibited and may warrant discipline action. Any perceived criminal conduct will be immediately reported to law enforcement.

References: [Miss. Code Ann. § 37-11-67](#) and [Miss. Code Ann. § 37-11-69](#)

HARASSMENT

MSDB is committed to sustaining a safe and supportive school environment free from harassment. In keeping with this commitment, the school will not tolerate harassment of employees or students by anyone, including administrators, teachers, staff, students, parents, volunteers or any others on campus.

MSDB prohibits all types of harassment based on, but not limited to, color, race, religion, creed, national origin, gender, age, or disability. MSDB will promptly investigate all complaints of harassment—formal or informal, written or verbal—and take appropriate actions against any member of the school community found in violation of this policy.

Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the Mississippi Department of Education Board Policy Part 3, Chapter 99, Rule 99.1.

Definitions

“School Community” includes, but is not limited to, all students, parents, school and state employees, contractors, volunteers, committee members, and other visitors.

“School Employee” includes, but is not limited to, all administrators, teachers, staff, bus drivers, custodians, cafeteria workers, and agents of the District and/or Schools.

“Harassment” means verbal or physical conduct based on an individual's actual or perceived race, religion, color, national origin, gender, age, or disability that affects or interferes with a student's educational performance or creates a hostile, offensive, or intimidating environment.

Harassment may include any form of unwelcome verbal, physical, or written conduct that offends, degrades, or belittles an individual. Such conduct includes, but is not limited to, unsolicited derogatory remarks, jokes, demeaning comments, offensive behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or

pictures. These stipulations apply whether the harassment is between people of the same, or of a different gender.

“Sexual Harassment” includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, unwelcome sexual advances, threats, bodily contact, sexual oriented verbal teasing, abuse, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, unwelcome touching such as pinching, patting, or constant brushing against another’s body, suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one’s grades, employment status, or similarly personal concerns, filing a false complaint of sexual harassment, or other deliberate verbal or physical conduct of a sexual nature made by any school employee or volunteer to a student or to another school employee or volunteer; a student to another student; or a student to a staff member when:

1. Submission to such contact is made either explicitly or implicitly as a term or condition of an individual’s privileges, access to campus resources and activities, grades, or educational development.
2. Submission to or rejection of such conduct by an individual is used as a basis for education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Students believing, they have been sexually harassed should immediately report the incident(s) to the Administration or a school employee. The Administration shall investigate and take appropriate corrective action.

“Peer Harassment” includes, but is not limited to, unwelcome attention from peers or other individuals and includes such actions as name calling, threatening gestures, unwanted physical contact, vandalism of personal property, and filing a false complaint.

“Racial and Color Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual’s race or color. Nicknames, emphasizing stereotypes, racial slurs, comments on one’s manner of speaking, and negative references to racial customs are examples of racial or color harassment.

“Religious Creed Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at an individual’s religion or creed such as derogatory comments regarding surnames, religious clothing, religious slurs, or graffiti.

“National Origin Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at the characteristics of an individual’s national origin such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

“Disability Harassment” includes, but is not limited to, unwelcome verbal, written, or physical conduct directed at a person’s disabling mental or physical condition such as manner of speech or movement or interference with an individual’s equipment.

REPORTING HARASSMENT

Students who believe they are a victim of any form of harassment should immediately report the incident(s) to the Administration or a school employee. Any school employee or student, who observes, overhears, or otherwise witnesses harassment is encouraged to take appropriate action to report the incident immediately. In the event the school employee or student is unable to personally take prompt action, they are encouraged to report the incident or complaint in writing to the Supervisor, Director, or Principal, and/or the Superintendent. Any complaint of harassment filed by a student or staff member will be reported immediately to the Supervisor, Director, or Principal, and/or the Superintendent. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

Filing of a complaint or reporting harassment in any manner will not affect an individual's status, work assignments, or grades.

Under certain circumstances, sexual harassment behaviors may constitute physical or sexual abuse. Therefore, when educators become aware of suspected abuse, they must report the incident to the Mississippi Department of Human Services. Such acts constitute violations of Mississippi criminal law resulting in law enforcement investigations and possible criminal charges.

RETALIATION TO HARASSMENT

Members of the school community may not retaliate against any person who reports alleged harassment or any person who testifies, assists, or participates in the investigation, proceedings, or hearing related to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment and may be redressed through the same process for reporting, investigating, and enforcing procedures for harassment. Any person who knowingly files a false claim or report may be subject to the same actions that MSDB might take against any other individual violating this harassment policy.

The right to confidentiality, both of the complainant and the accused, will be respected consistent with the legal obligation of the school and the necessity to investigate allegations of misconduct and to take corrective actions when such conduct occurs.

Consequences to Violation of Harassment Policies: Any school employee or student found to have violated this policy may be subject to action including, but not limited to, warning, remedial training, education or counseling, suspension, expulsion, termination, or discharge from duties.

RELATIONSHIPS AMONG STAFF MEMBERS

MSDB Administration recognizes that personal and romantic relationships among staff member may develop and do exist outside of the workplace. These relationships must never impact the mission and vision of either school or the agency. If personal or romantic relationships among staff members impact the job performance of any employee or impact the ability of MSDB, MSD, or MSB to fulfill its mission or vision, progressive disciplinary action will be implemented with involved employees, up to and including dismissal from employment. Should a personal or romantic relationship exist or develop between a manager and an employee, plans will be developed and implemented so that no employee is involved in supervision of another employee with whom they have a personal or romantic relationship. No employee shall supervise any other

employee who supervises the employee with whom they have a relationship. These plans will be kept on file in the Human Resources or Business Office.

DRESS CODE GUIDELINES

MSDB exists to enable all Mississippi students who are deaf, hard of hearing, blind, visually impaired, or deafblind to develop, in a safe and productive environment, the knowledge, skills, and attitudes necessary to reach their fullest potential as individuals and citizens. All MSDB employees are role models to our students and all employees should project a positive, professional image through their work and their appearance.

MSDB Administration recognizes there are a variety of job duties on campus and employee dress must reflect the same diversity as the duties.

To this end, all employees should be well groomed and be dressed in a manner that will result in a positive image of the school and in accordance with your specific job duty. Clothing worn should be clean, neat in appearance, in good repair, appropriate for employees' job responsibilities, and should not be offensive to the public or fellow workers. Attire should not detract from the job being performed or the message being delivered and should project a serious, competent image. Care should be taken to avoid clothing that a reasonable person would find "revealing."

MSDB Administration also realizes there are varying reasons for professional dress, business dress, business-casual dress, or casual dress. The Administration trusts that employee choices for dress match the employee's planned duties for the day. Staff, including teachers and assistants, who have painting activities planned should be allowed to dress in a way as to not ruin or mar more expensive clothing items. Other classroom activities such as field trips, science dissections, and other "messy" classroom activities will be considered regarding appropriate dress.

If staff have questions about what is considered appropriate, he/she should check with their supervisor.

MSDB employees may be asked to change attire or accessories deemed provocative, revealing, or inappropriate by the Supervisor, Director, or Principal, and/or the Superintendent.

TELEPHONES/CELL PHONES

Telephones are an integral part of communications within MSDB. Therefore, telephones should be used primarily for school business purposes. Personal calls are permitted to a reasonable extent; however, they must be limited, and this privilege not abused. The use of cell phones, iPods, and any other device, including but not limited to headphones or earphones, which may interfere with an employee's ability to operate a school vehicle or to adequately observe and monitor the behavior of students while said students are under his/her supervision are strictly prohibited.

VISITORS

All visitors to the school shall report to the Welcome Center / Security Gate. Once allowed onto campus, visitors should proceed to the respective school's office to sign in and gain identification as a visitor. This procedure applies to all visitors, parents, community members, etc. The only exceptions are groups who have made appointments for campus tours and are escorted by school staff. All employees shall either report unidentified visitors to their respective office or stop any

unauthorized person on campus, direct them and/or escort them to the school's office, and have them sign in.

Salespersons and other individuals desiring business transactions with the school must obtain permission for visitation from the Administration to present to the appropriate individual. Any employee expecting visitors on campus shall notify security with the name and time the visitor is expected to be on campus.

POLITICAL ACTIVITY OF STAFF MEMBERS

MSDB recognizes the rights of its employees and encourages them as citizens to engage in activities which exemplify good citizenship. However, school property and school time shall not be used for political purposes. Any statements made by employees on social media or otherwise, that affects that employee's ability perform his/her duties or causes a disruption of manner at work is prohibited. Statements of this nature can result in disciplinary action, including but not limited to dismissal from employment.

DUTIES AND RESPONSIBILITIES OF EMPLOYEES

1. To plan, organize, and conduct a program of instruction in the subjects, grades, or programs/departments to which they are assigned.
2. To assume custody of the pupils assigned to their care and to take precautions that will ensure the pupil's safety and general welfare. Students should never be left unsupervised.
3. To participate in all-school orientation and registration meetings and professional development unless assigned school duty conflicts.
4. To perform extracurricular duties assigned by the Supervisor, Director, or Principal, and/or the Superintendent, such as classroom, hallways, campus grounds, and similar essential duties in any school facility.
5. To attend all faculty or staff meetings scheduled by the Supervisor, Director, or Principal, and/or the Superintendent, unless excused by the person calling the meeting.
6. To keep classes in session each day during school hours and not dismiss them for any time without the prior consent of the Supervisor, Director, or Principal, and/or the Superintendent.
7. To be responsible for all school property and equipment entrusted to them.
8. To be responsible for the behavior of their pupils and all other pupils with whom they have contact on campus.
9. To prepare all records as directed by the Supervisor, Director, or Principal, and/or the Superintendent.
10. To make all contacts and/or requests to the Legislature, Mississippi Department of Education or SBE through the Superintendent.
11. To be accountable for the performance of assigned duties to the Supervisor, Director, or Principal, and/or the Superintendent.
12. To keep lesson plans and/or outlines of class and/or dorm procedures as directed. These will aid Supervisor, Director, or Principal, and/or the Superintendent in performing their duties and will serve as guidelines for Substitute Teachers or Residential Education Parents.
13. In all cases where a Teacher terminates employment during the school year, said Teacher shall provide lesson plans for at least two weeks in advance to the replacement Teacher.
14. To practice, and to require the pupils to practice shared responsibility by:
 - a. Conservation of environmental and material resources
 - b. Good housekeeping by addressing clutter, trash, scattered personal belongings
 - c. Storing books, work materials, supplies, and equipment in a neat and orderly

- manner
- d. Keeping bulletin boards, display areas, and whiteboards clean, functional, and attractive
- e. Having blinds properly hung, raised, or lowered and window ledges clear of objects that appear ill-kempt from the outside
- f. Keeping heating and cooling vents clear of obstructions at all times
- g. Practicing other activities necessary to reflect good housekeeping
- 15. To notify the Supervisor, Director, or Principal, and/or the Superintendent directly upon any anticipated absences, obtaining prior approval when required.
- 16. To strive to interpret the work of the school fairly, honestly, and adequately to patrons at every opportunity.
- 17. To avoid political, doctrinal, sectarian, and denominational teaching.
- 18. To keep up to date in areas of expertise.
- 19. To strive at all times to maintain respectful relationships with colleagues and parent(s)/guardian(s)
- 20. To strive to keep parent(s)/guardian informed of their child's progress, and holding conferences whenever necessary.
- 21. To perform other duties as may be assigned by the Supervisor, Director, or Principal, and/or the Superintendent.

DISCIPLINE GUIDE FOR ALL EMPLOYEES

MSDB is not only responsible for student academic progress but teaching students to be successful citizens in life. Every employee is responsible for knowing and enforcing all of the policies and procedures in the student handbook. In order to be familiar with school policies, employees must read and understand all handbooks provided.

EMPLOYEES SHOULD:

- Learn student names as soon as possible. All people like to be recognized.
- Be fair and consistent.
- Treat each student equally.
- Be empathetic and accentuate the positive, avoid the negative.
- Be thoroughly prepared for all classes, activities, or events and have ample involvement for all students throughout the time period.
- Be cheerful, attractive and orderly; let the learning, work, and recreation spaces reflect these qualities.
- Be professional in demeanor and maintain a sense of humor.
- Be flexible; know when to adjust plans or timelines.
- Admit errors and apologize when mistakes are made.
- Establish a minimum number of simple rules and help students understand why policies and procedures are necessary.
- Let students assist in formulating rules, policies, and procedures and in publicizing them.
- Correct students when needed to prevent minor problems from growing into larger ones.
- Watch for indicators of harassment or bullying.
- Report disciplinary infractions.
- Report problems that are simmering and have the potential to escalate, thereby affecting more students and becoming much more serious. Report problems to the Supervisor, Director, or Principal, and/or the Superintendent, depending on urgency.

- All employees are responsible for student discipline.

GUIDELINES FOR ISSUING DISCIPLINARY ACTION

All guidelines for discipline are outlined in the School Staff Handbooks and Residential Education Handbooks. All behavior is communication. Staff should use behavior infractions as an opportunity to respect what students are trying to communicate, facilitate language development, teach choice-making, ensure resolution happens, and implement appropriate and authentic consequences for the behavior. All behavior infractions should be appropriately documented for data collection and intervention design. Please check your school or department handbook for more detailed information.

CONTACTING PARENTS

Teachers do have authority to contact parents with regard to academic issues. All disciplinary issues should be reported to the Supervisor, Director, or Principal and/or the Superintendent and contact will be made with parents, as necessary. In an effort to build relationships with parents, MSDB encourages positive reports to them as often as possible.

TECHNOLOGY OFFICE AND LOCATIONS

The MSDB Technology Offices and secured technology locations are off limits to staff and students unless they are accompanied by a member of the Technology Department or given permission from the same. Staff members must not use master keys to enable a student to access any Technology Office.

MSDB STAFF ACCEPTABLE USE POLICY

All staff members must participate in training, read and sign the Acceptable Use Agreement Contract.

PURPOSE

MSDB is pleased to offer to its students, faculty, and staff access to the Internet in accordance with the terms and conditions of this policy. All users of the internet access must comply with the school's Acceptable Use Policy. It is important that all users understand the terms, conditions, and responsibilities associated with the use of the internet access.

This policy governs the use of all computers, computer-based communication networks and all related information technology equipment administered by MSDB. A user is defined as any person employed by MSDB, which includes full-time, part-time, temporary, or contract employees, persons who are employed by contractors or subcontractors of MSDB, and any other individuals who are authorized to access or use agency information systems including students, parents, prospective students, and project volunteers. The electronic communications and facilities of MSDB are the property of the State and by using these facilities the user acknowledges consent to abide by this policy. These facilities and resources are to be used for School business purposes.

MSDB has taken available precautions to eliminate controversial material. However, it is impossible for MSDB to restrict access to all controversial materials. Parents/Guardians agree not to hold MSDB responsible for materials acquired by students on the network. Parents/Guardians accept full responsibility for supervision of each child's Internet access if and when their use is not in a school setting. Further, Parents/Guardians full responsibility for their child's use of property of MSDB. Parents give their permission for MSDB to provide computer network and Internet access to each child and consent to the monitoring of each child's computer and Internet activities by MSDB. All conditions of the Acceptable Use Policy also apply to the use of technology in the residential setting.

CHILDREN'S INTERNET PROTECTION ACT (CIPA)

In December 2000, Congress enacted the CIPA. For any school or library that receives discounts for Internet access or for internal connections, CIPA imposes certain requirements. The CIPA requires that schools restrict employee and student access to the Internet. Under the CIPA, covered schools must have an Internet safety program which filters both adult and student access to visual depictions that are obscene or constitute child pornography. The program must also prevent students from accessing materials that are harmful to minors.

The school receives these discounts for Internet Access through the E-Rate program and is therefore in compliance with the CIPA. Key terms for this policy are defined by the Children's Internet Protection Act.

In compliance with CIPA 2008 updates, all students at the MSDB are educated about appropriate online behavior, including interacting with other individuals on social networking websites, in chat rooms and in cyberbullying awareness and response.

CHILDREN’S ONLINE PRIVACY PROTECTION ACT (COPPA)

The COPPA, effective April 21, 2000, applies to online collection of personal information from children under the age of 13, such as full name, home address, email address, telephone number or any other information that would allow someone to identify or contact the child. The Final Rule issued by the Federal Trade Commission spells out what a Website operator must include in a privacy policy, when and how to seek verifiable consent from a parent, and what responsibilities an operator has to protect children privacy and safety online.

EDUCATION, SUPERVISION AND MONITORING

It shall be the responsibility of all members of the MSDB staff to educate, supervise, and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Technology Team Members. MSDB or designated representatives will provide age-appropriate and accessible training for students who use the MSDB Internet facilities. The training provided will be designed to promote the MSDB commitment to:

1. The standards and acceptable use of Internet services as set forth in the MSDB Acceptable Use Policy;
2. Student safety regarding:
 - a. the Internet;
 - b. appropriate behavior while on online, on social networking web sites, and in chat rooms; and,
 - c. cyber bullying awareness and response (see also the Anti-Bullying policy regarding expectations of electronic usage).
3. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use policies.

NETWORK AND COMPUTER USAGE ON CAMPUS

The MSDB campus computer network is referred to as MSDB Network. The MSDB Network usage policies are designed to provide an environment that is consistent with the MSD and MSB missions and visions, MDE requirements, and federal/state laws. The MSDB Network refers to devices attached to the entire computer network system at the MSDB. The MSDB Network includes but is not limited to the Local Area Network (LAN on campus), all MSDB file servers, and access to the Internet.

The MSDB Network facilities and network connections are for providing educational computing support to students, faculty, and staff. Under federal statutes and the sections of the Mississippi Code, which govern the use of these resources, all users must use the MSDB Network resources properly and for the purpose designated by the legislature. Students, faculty, and staff must follow all existing federal and state laws and MSDB regulations and policies that apply, including those specific to computers, networks, and websites, and those that may apply generally to personal conduct.

CYBERSECURITY

Cybersecurity plays an important role in today's technological world. With advanced threats from criminals around the world, any exploit in technology systems can be used to gain unauthorized access from perpetrators. With that in mind, MSDB will take pertinent steps to help prevent cyberattacks against the institution's computer network systems, but employees must also do their part in helping to prevent such attacks.

Staff and students are encouraged to take cybersecurity seriously. Training on cybersecurity shall be conducted yearly, and additional training will be held as optioned by the administration.

Users of MSDB computer systems are prohibited from sharing login credentials with other users unless expressed permission is given by a member of the Technology Department. It is the responsibility of the user to secure his/her login credentials when accessing trusted network resources. Passwords associated with trusted resources must contain an appropriate strength and be of at least 8 alphanumeric characters.

In regard to cybersecurity, MSDB reserves the right to monitor the network system for signs of illegal or unauthorized activity. Even though the MSDB Acceptable Use Policy may not expressly prohibit an activity, such behavior may not be permissible. The Technology Department may delete files deemed unnecessary. For questions related to appropriate use, contact a member of the Technology Department.

INAPPROPRIATE NETWORK USAGE

To the extent practical, steps shall be taken to promote the safety and security of users of the MSDB online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

The following behaviors are not permitted on district computers:

1. Sharing confidential information about students or employees
2. Sending or displaying offensive messages or pictures
3. Using obscene or sexually explicit language or images
4. Discriminatory, harassing, derogatory, insulting or attacking any individual or group
5. Defamatory or threatening language or images
6. Damaging computers, computer systems or computer networks
7. Violating copyright laws or any laws
8. Using others' passwords
9. Trespassing in others' folders, work, or files
10. Intentionally wasting limited resources
11. Using computers for personal or commercial purposes
12. Supporting/opposing political candidates or issues
13. Engaging in practices that threaten the system (e.g., loading files that may introduce a virus)
14. Violating regulations prescribed by the provider
15. Conducting union business

16. Promoting, supporting, celebrating or opposing religion or religious institutions
17. Engaging in any purpose that is contrary to MSDB's policies or interests
18. Visiting obscene web sites
19. Participating in any obscene "chat room" communications
20. Unauthorized monitoring or intercepting files or electronic communications of other users
21. Attempting to bypass any internet filtering, traffic regulating, or such automated systems designed to control the access level and functionality of the MSDB network as required by CIPA (Child Internet Protection Act)
22. Hacking or obtaining access to systems or files that are unauthorized to the user

No personal computer or other personal hardware device(s) may be used to connect to, to log into, or to interface with the MSDB Network academic network at any time. No personal removable media (including but not limited to floppy disks, PIN, thumb, jump drives, etc.) may be used in conjunction with MSDB equipment. MSDB will archive all emails sent or received through the network or on MSDB equipment for a period of at least 60 days and these emails are subject to review by the Technology Department staff and/or the Superintendent.

PROHIBITION OF OBSCENE MATERIALS

All digital or online resources or any database provided in this district by a vendor or other entity shall contain technology protection measures that:

1. Prohibit and prevent a person from sending, receiving, viewing, or downloading materials that are inappropriate or obscene; and
2. Block, or otherwise prohibit and prevent, access to obscene and inappropriate materials as defined under MS Code 37-11-81.

USER RESPONSIBILITIES

As MSDB Network account holders, users should:

1. Be owners of their data and keep account information confidential.
2. Provide a personal USB flash memory drive for school use in storing personal files and moving them from one computer to another. Other marketing terms used for these devices are "thumb drive" or "jump drive."
3. Be responsible for ensuring that their data is adequately backed up and protected against unauthorized access.
4. Notify a member of the Technology Department to change their personal password when they suspect it has been compromised.
5. Report suspected violations of technology guidelines to a member of the Technology Department.
6. **Remember**, no information stored, produced, or transmitted in any way on devices that contact the MSDB Network is to be considered confidential or private in any way. **ALL** information is subject to monitoring and examination for appropriate content at any time. This **INCLUDES** personally owned disks or devices used in conjunction with the MSDB Network. Any such item must be surrendered on demand to any school official that requests it for examination.
7. Remain in good standing as a staff member at MSDB. When staff are suspended, dismissed, or otherwise no longer employed, permission to use school resources may be removed, and access to the school and its systems may be denied until the staff member returns to the school in good standing. Staff who are dismissed from employment automatically forfeit all access to school technological resources.

PERSONAL COMPUTERS AND PERIPHERAL DEVICES

In general, staff may not connect their own computers, peripherals, or technological devices to the MSDB Network. This includes such devices as external drives, iPods, cell phones, smart phones, digitizing tablets, etc. However, staff may connect thumb drives to the system for purposes of storing and retrieving their own personal data as it relates to school purposes.

Staff who choose to have their own computers on campus must:

1. Provide the computer and all necessary accessories to allow it to function and that is configured by the staff in compliance with safety protocols.
2. Understand that the resources of the MSDB technology staff are for official school purposes only and they cannot install or repair equipment, hardware, or software on staff computers.
3. Understand that it is a privilege NOT a right for a staff to have a personal computer on the MSDB campus.
4. Recognize that violations of MSDB Network policy may result in personal computers being sent home, loss of some or all computer privileges, and/or other disciplinary actions.
5. Ensure that real time antivirus software is installed, active, and kept up to date on all machines.
6. Agree that MSDB reserves the right to modify the system configuration to ensure compatibility with network systems.
7. Agree to keep the operating system of the computer up to date by automatically applying all manufacturer's security updates as they are released.

MSDB NETWORK POLICY ENFORCEMENT

To protect the MSDB Network resources and monitor proper usage of computer resources for educational purposes, members of the Technology Department shall:

1. Investigate alleged abuses of computer resources.
2. Access the electronic files of its users as part of that investigation if there are indications that computer privileges have been violated.
3. Limit the access of users found to be using any computer systems improperly.
4. Administer disciplinary actions as directed by school administration for violations of MSDB policies that may include the loss of some or all computer privileges and/or other disciplinary actions.
5. Act as a technical advisor to school administrators when they hear all cases involving misuse of computer privileges.
6. Deny access temporarily pending review when there is reasonable suspicion that such use may harm or do damage in the interim.
7. Administer the technical aspects of all penalties for computer violations assigned by school administration.

HARDWARE

1. All personal computers (PCs), servers, workstations, printers, network switches, and other associated equipment are the property of the State of Mississippi and should not be used for purposes other than school business. All such equipment is by default considered to be under the authority and supervision of the MSDB Technology Department unless it is specifically excluded in a written agreement between the MSDB Technology Department and the appropriate substitute designee. No hardware

changes, modifications, additions to, deletions from, or removal of any equipment may be done to any such style equipment without notification to the MSDB Technology Department in writing, including all units as described above. Additionally, any person other than Technology personnel may make no such hardware changes to any unit under its supervision unless an MSDB Technology Department representative authorizes such action in writing in advance.

2. No personal devices are to be connected to the MSDB Network without special permission for the MSDB Technology Department. The only routine exception to this rule is that personal USB Flash Memory devices (jump drives or thumb drives) may be used for storing or moving user data files.
3. The transfer of any information system equipment from one user to another, or to vendor for repair, must be recorded using appropriate MDE Property Office and MSDB Technology Department procedures.
4. Except for notebook PCs used daily in offsite work, no information systems equipment should be removed from the MSDB premises without the prior permission of both the individuals' immediate supervisor and the MSDB Technology Department. In the event equipment is to be off premises for some time, the user responsible for the equipment must file a written notification with the MSDB Technology Department.

SOFTWARE

1. Software owned or licensed by MSDB may not be copied to alternate media, distributed by e-mail, transmitted electronically, or used in its original form on other than MSDB computers without express prior written permission from the MSDB Technology Department. Users will adhere to all applicable licensing agreements and copyright provisions.
2. Software licensed to MSDB is to be used for its intended purpose according to the license agreement. Users are responsible for using software in a manner consistent with the licensing agreements of the manufacturer. License agreements are to be maintained by the MSDB Technology Department staff, or the machine's official substitute designee. Copies of all license agreements are to be kept on file in the MSDB Technology office regardless of official supervisory authority.
3. Without prior written approval, software, including but not limited to Internet downloads, utilities, add-ons, programs (including shareware, freeware and Internet access software), patches, or upgrades, shall not be installed on any school owned equipment by anyone other than a representative of the MSDB Technology Department.
4. All software obtained for use on MSDB equipment must be approved in writing by the MSDB Technology Department staff prior to acquisition. Any software obtained for systems that have a substitute supervisory designee must have a copy kept on file in the MSDB Technology Department along with the proof of the licensing certification.
5. Standard software is to be used for all internal functions. When required, approved non-standard software is to be used only to interface with customer/vendor organizations and other governmental agencies. Any non-standard software needed to perform a specific job function should be approved by the MSDB Technology Department.

PRACTICES

1. System identification codes and passwords are for the use of the specifically assigned user and are to be protected from abuse and/or use by unauthorized individuals. Users are to

use their individually assigned system access credentials at all times and are not to share credentials. Any use of another user's credentials must be reported immediately to the MSDB Technology Department staff.

2. All e-mail attachments and executable e-mail messages are automatically scanned for viruses using the virus detection software installed on all MSDB computer workstations. In the event of any configuration changes to the workstation, even with the approval of the MSDB Technology Department Staff, it is the responsibility of the user to ensure virus protection is active prior to opening/executing any file, regardless of the method by which it was obtained. In addition, users are expected to exercise good judgment and safe computing practices to protect agency systems against the threat of potential virus exposure.
3. Like all MSDB information systems resources, Internet access and e-mail are for work-related use. Access to e-mail and Internet sites visited can be monitored at the specific individual level.
4. All Internet use facilitated by the MSDB Network system must conform to all regulatory statutes as governed by the Child Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA).
5. Users may not use MSDB information systems resources for soliciting, personal financial gain, partisan political activities or further disseminating "junk" e-mail such as chain letters, spam, etc.
6. Information contained on any school system is strictly proprietary to the State of Mississippi and MSDB. Copying or disseminating any of this information for any purpose other than state business is strictly prohibited.
7. It is highly recommended that all faculty and staff users store data files (word documents, spreadsheets, databases, etc.) in their various directories on the network file servers. The MSDB Technology Department is responsible for backing up data on the network servers. The individual users are responsible for backing up any files not stored in the appropriate areas of the network servers.

TERMS

All student users of the Mississippi Schools for the Deaf and the Blind (MSDB) provided laptops, tablets, or other personal computing devices shall comply with MSDB policies. Any failure to comply may result in termination of student user rights of possession effective immediately, and MSDB may repossess the device.

LEGAL TITLE

MSDB and the State of Mississippi retain legal title to the property. The student user's right of possession and use is limited to and conditioned upon full and complete compliance with this agreement, MSDB Technology policies, and all MSDB Acceptable Use policies and procedures as found in the MSDB Student Handbook.

RULES FOR ELECTRONIC DEVICES

1. Electronic devices loaned to students shall be used only for educational purposes that directly relate to a school project or assignment, unless otherwise explicitly authorized by building administration.

2. Student users are responsible for the proper care of electronic devices at all times, whether on or off school property.
 - a. Student users shall not leave the device unattended in an unlocked classroom or during an extracurricular activity.
 - b. Student users shall not lend the device to a classmate, friend, or family member. If any person damages the device, it will be the student user's (parent/guardian in the case of a student) responsibility and the damage cost policy will be in effect.
 - c. Student users shall transport the device in its protective case and sleeve.
 - d. Student users shall not leave the device in a vehicle for extended periods of time or overnight.
 - e. Student users shall not leave the device in visible sight when left in a vehicle.
3. Student users shall report a lost or damaged device to the school authorities immediately. If a device is stolen, a report shall be made immediately to local law enforcement.
 - a. If a device is damaged, lost, or stolen because of irresponsible behavior, including intentional or negligent damage or loss, the student user or the parent/guardian may be responsible for the full replacement cost. The student user or the parent/guardian will be responsible for full replacement cost of the device if not reported to MSDB personnel within three (3) calendar days of missing or damaged device.
4. Violation of policies or rules governing the use of electronic devices or any careless use of the device may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student shall also be subject to disciplinary action for any violations of Board policies/procedures or school rules.
5. The student user is responsible for recharging the device's battery, so it is fully charged by the start of the next school day. Devices with no battery life shall be charged in the classroom. The student may be required to forfeit use of the device for the entire time it takes to charge it. All class work missed because of uncharged batteries shall be made up on a student's own time.
6. The device configuration shall not be altered in any way by student users. No software applications shall be installed, removed, or altered on the device unless permission is explicitly given, in writing, by the teacher or building administrator. Any attempt to "jailbreak" and/or remove MSDB protection software may result in disciplinary action.
7. The device shall only be used by the student to whom it is issued. The person to whom the device is issued will be responsible for any activity or action performed on the device.
8. The device shall be returned in acceptable working order by the last day of each school year, upon withdrawal or exit date from MSDB, and whenever requested by school staff.
9. Failure to return the device by the last day of each school year, upon withdrawal or exit date from MSDB, or whenever requested by school staff shall result in a full cost of replacement charge to the student user or parent/legal guardian responsible for this agreement.

USE OF PERSONAL LAPTOPS AND TABLETS

Students may use their personal laptops or tablets in place of a school device. However, while on the MSDB campus, students shall connect to the school's provided wireless network and not a personal hotspot not provided by the school. Students bringing a personal device to campus, or using the device

for remote learning, will be responsible for support and maintenance of the device.

REPOSSESSION

If the student user fails to fully comply with all terms of this Agreement and MSDB Technology policies, including the timely return of the property, MSDB shall be entitled to declare the student user in default and take appropriate legal action to secure the safe return of the device or incur full replacement.

TERMS OF AGREEMENT

The student user's right to use and possession of the property terminates no later than the last day of enrollment, unless earlier terminated by MSDB or upon withdrawal from MSDB.

SUPPORT

Students shall contact their teachers as a first level of support for class-related work. If a student needs assistance regarding device software and hardware, they will need to send a repair request to support.msbd@mdek12.org

Student users shall not take devices belonging to MSDB to any other businesses for technical support or repair.

FEES

- First damage occurrence: Deductible fee of \$75.00
- Second damage occurrence: Cost of deductible fee and repair OR half replacement cost if required
- Third damage occurrence: Cost of deductible fee and repair OR replacement cost if required

STUDENT USER DATA

All student users are responsible for keeping backups of important data. If a device must be repaired, there may be a need to reset it to the original settings. The technology department will not be responsible for any student user data that might be lost as a part of this process.

UNLAWFUL APPROPRIATION

Failure to timely return the property and use of any school device for non-school purposes, without MSDB consent, may be considered unlawful appropriation of MSDB property.

**I have reviewed MSDB Technology policies and understand
the rules and guidelines for the following:**

_____ (initial) Acceptable Use Policy in the 2023-2024 MSDB Student Handbook. This includes policies related to account use, network monitoring and adherence to the Children's Internet Protection Act.

_____ (initial) Damages – I am subject to a \$75 charge for the first report of damage; Subject to the cost of deductible fee and repair OR half replacement cost if required for the second report of damage; and subject to cost of deductible fee and repair OR replacement cost if required. I also acknowledge that I shall have to pay full replacement cost for theft of devices after a police report is filed and the device is not recovered in a timely manner.

SIGNATURE VERIFICATION

Print Employee's Name(s) _____

Employee's Signature(s) _____

Date: _____

Policy History: Adopted and Board Approved: August 27, 2020; Revised May 18, 2023

DEADLINES

Deadlines (e.g., attendance, grades, budget requests, cleaning for school events) are established to ensure a timely response to the students, parents, and the community as well to ensure a safe and orderly campus. Employees who fail to meet deadlines will be subject to administrative review.

FORMS AND PUBLICATIONS

A wide variety of forms are necessary to acquire data necessary for the effective operation of a residential school. Forms shall be made available using network resources and available to all employees, subject to access rights assigned by the MSDB Technology Department.

Occasionally, a need arises for a new form. All forms must be created using an appropriate MSDB format that is accessible to screen readers. Before distribution and use, all forms must be approved by the Superintendent. Be certain that the document has been proofed for correct spelling, grammar, and punctuation before submitting it for approval. The documents provided by an organization reflect on its professional quality.

Communications should be concise, clear to understand, and written from a supportive perspective. Use grammar and spell check to proof all documents.

When at all possible, communications via electronic documents are preferred to conserve natural resources and economize in light of rising costs of postal services. Staff members must restrain from modifying MSDB letterhead forms, memos, fax documents, etc. without permission. A consistent appearance in documentation helps create a school “brand”—a visual identity that communicates excellence and professionalism.

Please note that training will be provided to all employees on each form and its purpose. Staff are responsible for timely and accurate paperwork in all aspects of work. Habitual problematic submissions will result in a reprimand.

CUMULATIVE FOLDERS AND PERMANENT RECORDS

MSDB maintains student cumulative folders and permanent records according to state laws and regulations. Cumulative records are stored in locked, fireproof files near the Administrative Suite in Building B upstairs. Authorized staff members (administrative staff, counselor, teachers) may examine and work on student records only near the administrative office areas. Parents may request to inspect a student’s education records and inspection will be arranged within 15 days of receipt of the request.

RECORDS RETENTION

MSDB shall retain copies of records in accordance with the mandatory school, SBE, Department of Archives and History, and other state and federal requirements. The following documents will be used for guidelines:

1. State of Mississippi Records Retention Schedules for School Districts
2. Mississippi Cumulative Folders and Permanent Records Manual of Directions
3. Guidelines for retention of records for specific federal programs (e.g., E-Rate, National School Lunch Program, Fiscal Records)
4. The Family Educational Rights and Privacy Act of 1974 (FERPA)
5. The Confidentiality Section of the Individuals with Disabilities Act, 1997 Amendments (Individuals with Disabilities Education Act)

STATE OF MISSISSIPPI RECORDS RETENTION SCHEDULE FOR SCHOOL DISTRICTS

IMPLEMENTATION OF THE GENERAL SCHEDULES

These general records retention schedules are issued by the Department of Archives and History, Local Government Records Office, as found in Miss. Code Ann. § 39-5-9. The Local Government Records Committee approved these schedules on the dates indicated. Additions and revisions to the schedules may be issued in the future by the Local Government Records Office and will be distributed accordingly.

The retention period listed in the general schedules for each records series is the **minimum** time necessary to retain the records. *There may be conditions or factors in a local government that require retention of a particular record series for a longer period than is required by the general records schedule, and, in such cases, the local governments are urged to continue retention of the records series as needed.* In no case, however, may records series be destroyed sooner than the scheduled retention period.

Records involved in investigations, audits, or litigation must be maintained until the settlement of the case and subsequent appeals regardless of disposition instructions found in a records retention schedule.

No local government records dating prior to 1920 shall be destroyed without special schedule directions issued by the Committee. Destruction of records dating prior to 1940 but after 1919 may be undertaken only with the written approval of the Director of the Department of Archives and History.

The Committee may modify this date according to the historical value of a particular record series by placing a special statement in the retention period of such series with an approved records control schedule.

Upon expiration of the minimum retention period, local officials are authorized to dispose of the records if there are no extenuating circumstances. Disposition should be done in a manner consistent with the nature of the records (e.g., records containing confidential information should be disposed in a manner that will insure confidentiality). There may be instances when a county, upon the expiration of the retention period, may choose to transfer a records series to a public library or a local historical organization as an alternative to destruction. Prior to such a transfer, the county must contact the Local Government Records Office.

According to Mississippi law, records may not be destroyed except in accordance with an approved retention schedule. Therefore, records series not listed in these schedules are not eligible for disposal until an appropriate records retention schedule has been approved by the Local Government Records Committee.

ASSEMBLIES, EVENTS, & ACTIVITIES

All events or assemblies to be scheduled during the school day must be approved by the Administration in advance, added to the school calendar, and be closely connected to meaningful teaching and learning. All other events and assemblies may be held at night or on the weekends. See section entitled “Performances, Rehearsals, & Meetings” of this handbook.

PUBLICITY AND PROMOTIONS

MSDB has a variety of performances, exhibits and events annually. All promotional materials (press releases, fliers, and programs) must be approved by the Superintendent prior to distribution or printing. If changes are requested a second version must be presented for approval unless otherwise instructed. Materials should be ready in a timely manner with adequate time to fix any issues before distribution.

The visual appearance of an institution makes the first impression when visitors arrive on campus. Therefore, posters and signs should reflect the quality of work that is at the heart of the MSDB mission for the school. Materials promoting businesses, politics, churches, or other organizations are forbidden.

The staff member is responsible for proofing all text and check to ensure that copyrighted materials have not been appropriated. Photos of staff members, students, or others should not be used without permission. When posting signs on doors or windows, tape them inside of the glass on all corners to prevent curling and sagging. Do **not** post items on exterior surfaces or on painted or wood surfaces inside. Please remove posted signs, the tape, and any residue in a timely manner.

INDEPENDENT CONTRACTORS

Administrators must follow all contractual policies and procedures when securing the services of an independent contractor (e.g., fire inspections, pest control). Maintain department copies of independent contractor documentation before submitting originals to the Business Office. Supervisors, Directors and/or Principals are required to submit quotes in accordance with state purchasing laws for any contract when hiring independent service providers to ensure more economical pricing.

CONFERENCES

SUPERINTENDENT AND EMPLOYEE

Conferences will be held at the discretion of the Supervisor, Director, Principal or Superintendent or upon request of the employee. Please schedule an appointment except in matters of urgency.

SUPERVISOR/DIRECTOR/PRINCIPAL AND EMPLOYEE

Conferences will be held at the discretion of the Supervisor/Director/Principal or upon request of the employee. Please schedule an appointment except in matters of urgency.

ADMINISTRATOR (TEACHER, STAFF) AND PARENT OR GUARDIAN

Since frequent communication with parents or guardians opens many doors, builds partnerships, and creates a supportive educational environment, MSDB employees must be responsible in taking the initiative to schedule a parent conference at the first sign of any issue or concern with a student. Parent/teacher conferences should be scheduled at a time appropriate for the parent/s, the teacher, and any other required staff member. Non-teaching employees may schedule appointments with parents according to individual work schedules and upon approval of immediate supervisor and/or the Superintendent. When possible, the Superintendent will notify employees in advance when parents request a conference through the administrative offices. With sufficient advance notice, the Superintendent may be invited to attend conferences, if requested. When travel distance is prohibitive, a parent conference

may be held virtually or through telephone.

EMPLOYEE/STUDENT

An employee who has frequent and direct communication with students will find the profits to be overwhelming in the areas of student achievement, behavior, and overall progress. Employees should keep records where problems exist and improvement plans are designed. If a student is placed on probation, policies and procedures delineated in the MSDB Student Handbook must be followed.

INSTRUCTIONAL EXPECTATIONS

TEACHER AS THE AUTHORITY IN THE CLASSROOM

MSDB as governed by the SBE recognizes the Teacher as the authority in classroom matters and supports 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 Principal's or Counselor's office.

The Counselor or 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 student, and in some cases with the parent or guardian or custodian during which the disrupting behavior is discussed, and agreements are reached that result in resolution to the situation. 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 the disapproval.

A student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities may be subject to discipline actions.

CLASSROOM MANAGEMENT

TAKING STUDENT ATTENDANCE

Compulsory school attendance laws mandate that students attend school regularly. Teachers and Substitute Teachers must take attendance each class period. Attendance must be completed within the first ten minutes of each class. Students are marked tardy if they come into class after the second bell. Students missing thirty minutes, or more are considered absent. Since Substitute Teachers will be using a printed roster, they should call the School Office each period to report attendance.

LEAVING STUDENTS UNATTENDED

Students should not be left unattended in classrooms without supervision. Supervision looks differently as students age and mature and they deserve opportunities to practice independence skills. Staff members should be in communication if students are traveling independently across the building or campus and/or spending short amounts of independent time in their dorm environments. Staff members should never be far away and frequent visual and/or auditory check-ins are required by staff. Teachers are responsible for ensuring a safe and orderly classroom environment where adult supervision is provided without interruption. Classroom climate should always support teaching and learning. At no time should students be left alone under the supervision of a Student Teacher. Supervision policies are in effect at

all times when students are assigned to a classroom or duty post. Policies cover spaces inside and outside campus facilities or off campus when staff members are supervising school activities.

ESTABLISHING CLEAR EXPECTATIONS FOR STUDENTS

Students excel when they are given clear expectations and high standards for living and learning. Assignments should be clear, requirements and deadlines understood, and assessment criteria determined in advance and used as a work tool. Deadlines should be followed. Assignments accepted beyond established time frames should not be the normal operation. MSDB promotes turning work in on time. MSDB also understands that the school is a learning environment where flexibility is almost always an option. Assignments turned in late may have grading consequences; however, the main focus is on student learning. See the MSDB Student Handbook for specific guidelines.

SETTING RULES FOR STUDENT CLASSROOM BEHAVIOR

Teachers are responsible for working with students to establish classroom rules and teaching appropriate classroom behavior to those under their care. Appropriate language, physical boundaries, and classroom etiquette should be taught and maintained throughout the school year. Disciplinary Reports must be completed for violations of school policies including classroom rules.

ATTENDING ASSEMBLIES AND PERFORMANCES

All teachers must accompany their students to campus assemblies, meetings, and performances. Teachers are responsible for student conduct during these events. Proper and respectful audience behavior is a critical component of becoming a productive citizen. When accompanying students on a field trip, proper etiquette of audience behavior is expected.

PROFESSIONAL DEVELOPMENT

In accordance with the MSDB commitment to excellence among its employees, the school will provide opportunities for professional development for all its employees that complements and supports the educational and residential programs. Additionally, staff are encouraged to seek unique opportunities that can enhance their job performance.

SUICIDE PREVENTION TRAINING

The State Board of Education (SBE) and the MSDB recognize that suicide is a major cause of death among youth and should be taken seriously. It is the policy of this school district that training on suicide prevention education will be conducted for all ~~newly employed~~ school district employees annually.

The SBE establishes this policy in an effort to take positive steps toward reducing student suicide through:

1. Prevention. To provide in-service training to all school district employees with information about the recognition of the signs of suicidal behavior; including, but not limited to, early identification and delegation of responsibility for planning and coordination of suicide prevention efforts.
2. Intervention. To take affirmative action when an immediate referral is warranted and to understand the emergency procedures when a referral is made and to provide support for

students.

3. Postvention. To respond to suicide or suicide attempt, utilizing the district's crisis response, documentation, and reporting procedures.

Beginning in the 2021-2022 school year, the school district shall annually conduct refresher training on mental health and suicide prevention for all school employees and personnel, including all security officers, cafeteria workers, custodians, teachers, and administrators. This training shall be in connection with the Mississippi Department of Mental Health. The district shall report completion of the training to the State Department of Education.

As required by law, this policy shall be further developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts.

This school district shall utilize training materials and resources developed by the Mississippi Department of Mental Health and shall comply with all requirements of the Mississippi Department of Education regarding suicide prevention.

The superintendent or designee shall develop procedures for implementation of this policy.

Additional suicide prevention resources are available through the Mississippi Department of Education.

The National Suicide Prevention Lifeline can be reached at 1-800-273-8255(TALK); <https://988lifeline.org/>

LEGAL REF.: MS CODE ' 37-3-101 ' 37-3-103

LESSON PLANS

Teachers are responsible for writing and following a lesson or unit plan for each class period. Lesson plans should be written with clear objectives and learning experiences so that anyone could follow the lesson. Each lesson must be tied to the MDE framework for the specific subject area. Teachers are advised that all lesson plans are subject to review by administration. Principals will clarify the procedures for submitting lesson plans and/or having plans available for review. Failure to prepare and submit lesson plans may lead to administrative action.

APPROPRIATE CONTENT

MSDB is a state public school that provides on-campus education that includes residential support services. The school seeks to provide a safe and healthy, positive learning environment. In keeping with this philosophy, things such as tobacco, drug, or alcohol usage, profanity, violence, abuse, lewdness, nudity, sexuality, or any other suggestive subject matter is not considered appropriate content student generated works created in any medium (e.g., written, performed, electronic, artworks, video, photographs, cartoons). This policy applies to all aspects of the campus; students and faculty members must refrain from generating, producing, or performing works that might be questionable. Written and published works may have to be edited to be appropriate for use in a public school context where students are minor children. Questions regarding appropriate content should be addressed to the Principal for approval.

HOMEWORK

Teachers may assign a reasonable amount of meaningful homework. All homework will be checked and may be graded by the teacher and counted toward course credit. Teachers are expected to provide assignments and other assistance to students with excused absences as specified by the policies in the Student Handbook.

FIELD TRIPS

Field trips are an important extension of the curriculum. Students are afforded opportunities during the school year to travel in state and possibly out-of-state. With this privilege comes the responsibility to exhibit expected behaviors while representing MSDB. Trip Administrators, Teachers, or Staff members in charge will communicate expectations and the policies of the student handbook are applicable during all travels. Violators will be referred to the Director or Principal and/or the Superintendent. Students are encouraged to participate in all field trips sponsored by the school or their Teachers. Students are responsible for contacting Teachers prior to missing a class for any field trip scheduled by another instructor.

The following guidelines will govern school-sponsored trips:

1. The Staff member sponsoring the trip will submit an FMX request for approval at least two weeks prior to departure.
2. The Director or Principal will secure substitutes as needed and assess if ADA and class minutes are affected.
3. All trips must be educational and well planned with an adequate number of chaperones. The number of chaperones needed depends on the age/grade and maturity levels of the group and should be agreed upon by the organizing Staff member and the Director or Principal.
4. Parents or other adults (of acceptable age and maturity) may serve as volunteer chaperones, and the organizing Staff member is responsible for ensuring that the volunteer chaperone understands their duties. At no point should volunteer chaperones be left with students without a staff member present.
5. Chaperones must travel in school vehicles with students to ensure proper supervision and safety while in transport.
6. The FMX request will include transportation needs to see if a bus and driver are available in advance since MSDB has a limited number of vehicles and drivers.
7. The FMX request will include medical and food service needs.
8. The organizing Staff member will submit in the request a list of those students participating in field trips.
9. Students are responsible for obtaining class and homework assignments missed as a result of field trips. All work must be completed in accordance with the make-up policy.
10. The General Permissions Information Form provides parental signature allowing students to participate in all school sponsored field trips within Mississippi. Out-of-State requests must be secured with an additional Student Permission Slip after travel authorizations from the Superintendent Office are secured for staff.
11. Even though the school has general trip authorization signatures on file, the field trip sponsor should notify parents in advance of the scheduled event so they will know their child will be away from campus for a specified period of time.
12. Any student without all of the required signed permission forms and/or assessed fees in advance of the trip date may not participate in the field trip.
13. Students who do not participate in field trips must complete an alternative assignment.

14. School rules and regulations found in the MSDB handbook pertain to all school-sponsored trips.

Field trips shall not occur during statewide testing. The sponsor of any field trip must ride on the bus with the bus driver and students to and from the destination. State statute requires that a staff member in addition to the bus driver should ride on the bus with the students.

STUDENT TEACHING AND INTERNSHIPS

The SBE, 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 university, college, or other institution for the school year must be approved through a Memorandum of Understanding (MOU) signed by the MSDB superintendent and a representative of the other entity.

The importance of teacher training to the future of education, and the need to assure a high quality 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. ' 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 certificated teacher, principal, or other administrator shall have the protection of the laws accorded the certificated employee of the district. While acting as a student teacher or intern, he shall comply with all rules and regulations of the district and observe those duties assigned certificated personnel. ' 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.

Teacher-Student Teacher Relations

The SBE 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 they have a student teacher or not.
9. Administrators may deem it necessary and beneficial to student teachers to involve them in school activities outside instruction.
10. The following time table is recommended in determining student teachers' actual teaching time and classroom management:
 1. Phase No. 1 -- 3 weeks: observation, orientation and assisted instruction
 2. Phase No. 2 -- 3 weeks: observation and supervised participation
 3. Phase No. 3 -- 3 weeks: supervised participation, planning, and introductory instruction
 4. Phase No. 4 -- 3 weeks: continued supervised participation, planning, and instruction.

The classroom teacher is responsible for the implementation of the above time table and should be sufficiently flexible to meet the needs of the student teacher and pupils. It is expected that by Phase No. 4 the student teacher will engage in all facets of classroom instruction, including pupil evaluation. However, no student teacher evaluation will be considered final or absolute.

STUDENT TEACHERS/INTERNS

Occasionally—upon request, Student Teachers or Interns may be assigned to an MSDB Staff member. All requests for the placement of Student Teachers or Interns must be addressed to the Principal or the Superintendent for approval before arrangements are made. Contact by the

teacher education placement office must be made, not through the student or the prospective resident teacher.

The Supervising Teacher will be responsible for mentoring the development of the Student Teacher's or Intern's classroom management, teaching and learning strategies, and professionalism. Student Teachers shall not administer or prescribe punishment to students. Student Teachers will abide by the policies set forth by the MSDB. Supervising Teachers/Staff Members must never leave students alone in the care of a Student Teacher or Intern.

On-campus housing in residence areas designed for students is available to Student Teachers and Interns on a first-come, first-served, space-available basis during their internship time. Housing in the LifeShare House is NOT available for Student Teachers or Interns.

SUBSTITUTE TEACHERS/STAFF MEMBERS

When Staff members anticipate being absent, they should discuss the absence with the Director or Principal before finalizing plans to be absent from school. Staff members must submit a request to the Director or Principal for approval at least two (2) weeks prior to the date of requested absence. The request must have the up-to-date substitute file including all items listed below. Last minute requests may be denied. When a teacher will be off campus supervising school activities during the school day, the same procedures must be followed. MSDB has a limited number of substitutes, so advance notification is mandatory, but illness and emergencies do occur occasionally.

Leave a voice mail message and call or text until you receive a response from someone personally. Classroom Teachers must maintain an up-to-date substitute file that will be kept in the Principal's office in preparation for absences due to unexpected illness or emergencies. Folders must be clearly labeled with the teacher's name and containing the following:

1. Generic lesson plans that are meaningful to the subject area, but applicable to any time period within the semester
2. Class rosters (Keep them up to date)
3. Teaching schedules
4. Duty assignments with clear instructions

PLEASE NOTE: All work produced in the absence of a Teacher may be graded and included as a part of regular grades. Too frequently students perceive work assigned in the absence of a Teacher as busywork— therefore, they think it is not important. Meaningful and challenging work left in the absence of a Teacher supports continuous learning and helps maintain order and discipline.

ILLNESSES (STUDENT)

When students report feeling unwell or Staff members notice a student seeming to be unwell, the Teacher or Staff member should call the School Office. The School Office Administrative Assistant will notify the Health Clinic that a student is on their way. Students in grades PK-5 should be escorted by an adult to the Health Clinic. Students in grades 6-12 may be allowed to come to the clinic independently unless the student has a disability or illness that would prevent them from safely arriving to the clinic and returning safely to class. Even if a student appears to be feigning illness, it is best to acknowledge the student's feelings and allow the Nurse to make a medical decision. The Nurse will assume responsibility for further action and follow through.

Under no circumstances should Staff members send a student to the dorm or “prescribe” treatment when a student claims to be sick. The Nurse is the medical professional on campus. If a student is seriously ill, the Nurse will contact the parents and the student will go home. If parents are unable to come and pick up their child, transportation home may be arranged depending on bus, driver, and chaperone staff availability.

For illness in the Residential Dorms, Residential Education Parents should contact the Health Clinic and the Director/Supervisor on duty. Directors/Supervisors must ensure coverage in the dorms as well as getting the student escorted to the Health Clinic for treatment. Health Clinic

staff may be able to visit the student who is ill in the Dorm depending on other Health Clinic needs.

MEDICATION ADMINISTRATION TO STUDENTS

MSDB follows a self-administration policy for students to take prescription and over-the-counter medications. Designated staff members have been trained on tracking administration of medications. Employees who have been trained are required to see the medication that a student is taking, watch them take it, and document the action according to training. Employees who are not designated or trained are prohibited from administering medications at any time.

Designated MSDB employees will dispense medication to students in accordance with policies included in the Student Handbook.

TEXTBOOKS

Teachers are responsible for maintaining the inventory of all textbooks assigned to their classrooms or workstations. Upon arrival on campus, they must verify the Textbook Inventory form provided and report any differences to the Principal.

The following procedures shall be used:

1. In assigning textbooks, Teachers must record book identification numbers, book title, and the student receiving the textbook.
2. Secure all textbooks not assigned to individual students. Leaving books on open shelves in the classroom results in damage and loss.
3. When a student moves, books must be turned in to classroom Teacher as a part of the withdrawal process before records are released. A Teacher’s signature is required to complete the withdrawal process or before checking out for the summer or before graduation.
4. Students will be charged for books that are lost.
5. All losses and collections for textbooks shall be reported to the Principal.
6. Teachers and Staff members distributing books to students are authorized to collect for any damage or excessive wear of the textbooks.
7. Loss or damage fees will be based on the schedule published in the MSDB Student Handbook.
8. The amount collected should be determined by the extent such damage has impaired the future use of the book and should be sufficient to impress upon parents and student the necessity for proper care and the use of the state-funded textbooks.
9. In order to comply with state accreditation policies, books that are more than ten (10) years

old are not included in state textbook inventory and must not be stored permanently in classrooms. Since MSDB may use many books that are more than ten years old for reference (e.g., Deaf Culture and visual impairments history), these books will be stored in the library, checked out by the Staff member who needs them and returned to the library when work is completed. The Staff member or student who checks the books out of the library is responsible for their return.

10. Teachers must inventory textbooks and report the information to the Textbook Coordinator at the end of the school year (semester). If a Staff member leaves campus at the end of the school year without completing textbook inventory requirements, they will have to return to campus to complete documentation not turned in.
11. Clearly mark all personal books and resources materials with your name in order to distinguish them from state property.

DUTY STATIONS

All Teachers and Employees are responsible for correcting inappropriate behavior across the entire campus at all times.

HALL AND CAMPUS DUTY

Between classes, all Teachers should stand in their doorways before and after class in order to ensure safe and orderly conduct in the hallways when changing classes. All Employees are responsible for addressing students in relation to proper behavior when passing in the common areas of the campus. Disciplinary action must be taken when students violate school guidelines.

SPECIAL EDUCATION

It is the policy of MSDB to comply with all provisions of Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and the Carl Perkins Act of 1984, Section 504 of the Rehabilitation Act of 1983, and the Individuals with Disabilities Education Act of 2004 (IDEA). Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability 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.

Anyone wishing to file a formal complaint of discrimination should contact the Superintendent Office.

The SBE, MDE, and MSDB do not discriminate on the basis of race, color, religion, national origin, sex, age or disability in the provision of educational programs and services or employment opportunities and benefits. Complaints alleging discrimination or harassment must be handled in accordance with the procedures set forth in the MDE Board Policy Part 3, Chapter 99, Rule 99.1.

DISCIPLINE OF STUDENTS WITH IDEA AND SECTION 504 ELIGIBILITY

Special education students are responsible for adhering to the same rules of conduct as nondisabled students. The school complies with all provisions of the IDEA of 2004, the Section 504 of the Rehabilitation Act of 1973, Mississippi laws, and State Board Policy 7219 when implementing discipline procedures for students with disabilities.

PLAGIARISM

Because plagiarism is a nationwide problem in schools, each Staff member must make arrangements to instruct their students in relation to violation of copyrights at the beginning of each course and include periodic reminders throughout the grading periods. Violation of copyright is stealing and results in serious disciplinary action. All Employees are responsible for reporting incidences of plagiarism, including copying homework. Each Employee is expected to serve as a role model by setting an example of respect for the work of others. Schools have been assessed severe fines for copyright violations. Be careful; ask questions. Staff members responsible for ensuring that documents created under their supervision do not contain copyrighted images, photos, text or other media. Adults must model correct methodologies for students.

GRADE REPORTING

In order to ensure timely feedback to students, parents, Counselors, and Administrators, Teachers must:

1. Publish their grading processes and procedures at the beginning of each course including how various assignments are weighted to determine student grades.
2. Keep accurate and up-to-date records of student grades.
3. Use SAM to enter and average grades according to system requirements.
4. Grade all assessments and major projects or assignments.
5. Average grades in accordance with approved grading scales.
6. Post grades in SAM within three school days after grading is completed, with a minimum of one grade posted per week.
7. Provide feedback regarding grades in a timely manner to facilitate instruction, remediation, and enrichment.
8. Meet deadlines for grade entry so that progress reports and/or report cards are completed on time.
9. Enter grades with no inaccurate or incomplete information provided.
10. Administer nine weeks examinations.
11. Include a daily participation citizenship percentage.

Parents have access to student attendance, grades, and discipline via ActiveParent.

EMPLOYEE WORKDAY

Educational Staff members daily work schedule is Monday to Friday 7:45am – 3:45pm. Some Staff members, such as Teaching Assistants and Specialists/Support Staff may have a slightly different start and end time.

Residential Staff members shifts are as follows:

Sunday Day Shift: 6:00pm-12:00am

Monday to Thursday Overnight Shift 12:00am-8:00am

Monday to Thursday Day Shift 3:00pm-12:00am

Some Residential Staff members also provide bus chaperoning duties, and their schedules are dependent upon bus routes.

Each Staff member, whether Educational or Residential, are expected to work 40 hours per week

unless he/she is a part-time employee.

SAFETY

All employees must take all possible steps to ensure the safety of students at school. The interior environment, campus, and student activities must be in harmony with the requirements of safety. Immediately report any unsafe conditions or behaviors on campus to the appropriate Administrator.

EMERGENCIES

It is essential that the staff be knowledgeable of the school's emergency procedures. Remain calm during emergencies. Specific procedures are described in the MSDB Safety and Crisis Management Manual. Staff members will prioritize accessibility for students and staff who are deaf, hard of hearing, blind, visually impaired, or deafblind to ensure they have access to the emergency situation and all instructions pertaining to the emergency.

FIRE DRILL

All Staff members are responsible for knowing the fire evacuation routes and procedures. Teachers and/or Teaching Assistants and Residential Education Parents should carry class/dorm rosters during evacuation and account for each student under their supervision. Each employee should know the location of the nearest fire extinguisher and how to use it.

INCLEMENT WEATHER DEFINITIONS:

- Severe Weather Watch – weather conditions are such that severe thunderstorms may develop.
- Severe Weather Warning – a severe thunderstorm has developed and will probably affect those areas stated in weather bulletin.
- Tornado Watch – weather conditions are such that a tornado may develop.
- Tornado Warning – a tornado has formed or been sighted and may affect areas identified.

INCLEMENT WEATHER PROCEDURES

During Severe Weather, students will remain in classrooms or dorms unless notified by school personnel who will continuously monitor the situation.

If a Tornado Warning has been issued, the tornado sirens will sound, and an announcement will be made via MSDB intercoms and visual paging systems. If no electricity, Administration will announce and implement tornado warning procedures.

PERSONAL EMERGENCY

In case of a personal emergency, teachers should notify the School Office, the Residential Education Director/Supervisor, and/or the Superintendent as soon as possible.

AUTHORITY FOR EMERGENCY CLOSINGS

The State Board of Education (SBE) recognizes and accepts its 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)

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. The superintendent is hereby authorized to declare an emergency and to close schools and district offices or dismiss them early in event of natural disaster, inclement weather or other emergencies which threaten the safety, health, or welfare, of students or staff members.

The superintendent will take such action only after consultation with transportation, emergency management, and weather authorities or other agencies as necessitated by the circumstances. The superintendent shall notify the school board of the decision to close the schools. However, all such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63 (2). 37-13-65.

It is understood that the superintendent will take such action only after consultation with transportation, emergency management, and weather authorities. The superintendent shall notify the school board of the decision to close the schools. Parents, students, and staff members shall be informed how they shall be notified in event of emergency closings, early dismissals, or delayed start.

When the superintendent declares a delayed start due to inclement weather conditions, typically a one or two hour delay, employees and students are expected to report to school at the delayed start time. (Example: On a 2 hour delay, MSDB normally starts at 8 a.m., so students and faculty would report at 10:00 a.m.; for a 1 hour delay, students and staff would report at 9 a.m.) Information on closing and delays by the district will be announced on the district website or other internet outlets before 6:00 a.m. No announcement means schools will operate on a normal schedule.

DISASTER EMERGENCY

If the SBE 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, or extreme weather emergency in which the Governor has declared a disaster or state of 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 the disaster or weather emergency and submit a plan for altering the school term.

If the State Board of Education finds the disaster or extreme weather emergency 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 or state of emergency declaration, it may permit MSDB to operate the schools in its district for less than one hundred eighty (180) days.

MSDB shall provide sufficient notice (before the close of the prior school day) to staff and students for any weather-related or other unforeseen virtual days. When instances occur that make virtual learning impractical, the district shall either make up any missed days or use the days as weather days as allowed under Mississippi law.

LEAVE DUE TO DECLARED EMERGENCY CLOSURES

The SBE may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

EXTREME WEATHER CONDITIONS

In cases of a severe weather alert, such as a tornado, hurricane, or snow/ice warning being issued by the National Weather Service, the superintendent of schools or designee shall notify each principal and necessary administrators. Children will be retained in the school buildings 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 alerts 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. All such schools so closed shall operate for the required full time after being reopened during the scholastic year, unless the school board of the local school district submits a plan to alter the school term that is approved by the State Board of Education under the authority of Section 37-13-63(2). 37-13-65. Districts shall provide sufficient notice (before the close of the prior school day) to staff and students for any weather-related or other unforeseen virtual days. When instances occur that make virtual learning impractical, the district shall either make up any missed days or use the days as weather days as allowed under Mississippi law.

IDENTIFICATION BADGES

All MSDB employees and students must wear mandatory identification badges at all times. Badges for MSDB staff members also serve as a proxy card that provides electronic access to the campus front gate. Staff working at the administrative building and bus shop, along with some administrators, have access to the back gate. All MSDB staff have remote access to all doors, and students have remote access to applicable doors for their prospective schools. Disciplinary measures may be taken for staff or students who forget their badge on a consistent basis, and a \$10 charge may be applied for lost badges.

ACCIDENTS

Staff members are responsible for the safety of all students under their supervision. Injuries to students while they are the responsibility of the school must be given immediate attention. Accident procedures cannot be formulated to apply in all situations. The following will serve as general guidelines and may be modified as individual situations occur.

1. Follow the school emergency plan.
2. Remain calm and promptly decide what needs to be done to prevent the situation from worsening.
3. Act decisively—take charge.
4. If the accident requires further assistance, call the Health Clinic and call or send someone to the School Office to ask for help. Residential Staff members should contact their Supervisor and/or Director.
5. If first aid is indicated and if you are trained and knowledgeable, administer first aid.
6. Resume normal activities as soon as possible.
7. Prior to leaving school, submit a written report to the office using the **Accident Report Form** (student or staff) provided in your **School Safety and Crisis Management Manual**. This form may be available electronically and your Supervisor, Director, or Principal

should have shown you where these forms are kept (hard copy or electronically) upon hire.

Full-time employees who are injured on the job are covered by workman's compensation insurance. On the day of the accident or within 24 hours, complete the appropriate MSDB form that can be acquired from your Supervisor, Director, or Principal or from the Business Office. This form may be available electronically and your Supervisor, Director, or Principal should have shown you where these forms are kept (hard copy or electronically) upon hire.

SEX OFFENDER NOTIFICATIONS

Pursuant to Miss. Code Ann. §45-33-49(5), the MDE shall notify all school districts annually regarding the availability of the Sex Offender Registry at the Mississippi Department of Public Safety (DPS) Web site: <http://www.sor.mdps.state.ms.us>

DPS information provides the name, address, photograph, if available, date of photograph, place of employment, crime for which convicted, date and place of conviction, hair, eye color, height, race, sex and date of birth of any registrant. Also, a sheriff shall maintain records for registrants of the county and shall make available to any person upon request other information deemed necessary for the protection of the public. The sheriff shall be responsible for verifying their respective registries annually against DPS records to ensure current information is available at both levels.

WEAPONS

MSDB desires to maintain a work environment which is safe and secure in nature. Threats, threatening behavior, or any acts of violence against employees, students or other individuals on the premises will not be tolerated and may lead to disciplinary action, up to and including immediate termination, and/or criminal prosecution. Any person who engages in violent behavior, such as making substantial threats, or intentionally hitting, kicking, or striking a person or property on MSDB premises may be removed by Administration from the premises as quickly as safety permits, and is to remain off premises pending the outcome of an investigation. Additionally, the School Policy prohibits firearms or weapons of any type on the premises.

MSDB recognizes the possession of pistols, firearms or other weapons on school premises or at school functions by persons other than duly authorized law enforcement officials creates an unreasonable and unwarranted risk of injury or death to employees, students, visitors or guests. Possession of a firearm or weapon while on the premises will be handled with appropriate disciplinary action up to and including termination of employment. All employees will fully cooperate with MSDB Administration and with law enforcement agencies to eliminate workplace violence risks. All personnel are responsible for immediately notifying their Supervisor, Director, or Principal, and/or Superintendent of any threats, threatening behavior or acts of violence, which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is employment or job-related or might be carried out on MSDB premises. The Supervisor, Director, or Principal who receives the report is responsible for informing the Superintendent so that proper documentation of the incident can be gathered.

DRUG AND ALCOHOL-FREE WORKPLACE

MSDB is a drug-free workplace including all school facilities, grounds, and vehicles. This policy

includes alcohol, drugs, tobacco, and e-cigarettes/vaping.

It is the policy of MSDB 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. All employees will be required to sign, at the time of employee orientation an acknowledgment of the “Drug-Free Workplace Act of 1988” memorandum (Section 7.2). The signed certification will be a part of the employee's permanent personnel file.

In accordance with Public Law 100-690, the Drug Free Workplace Act of 1988 and Public Law 101647, the Drug Free Schools and Community Act of 1986, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the MSDB workplace. Pursuant to this law, all MSDB employees will notify the Superintendent 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.

As used in this policy, the term "drugs" includes alcohol, inhalants (chemical vapors), cannabis (marijuana), controlled substances, and similar substances that 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 MSDB policy is that employees shall not be allowed to work or participate in any school or department activities while using alcohol or under the influence of alcohol or any controlled substance which alters their 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 use of alcohol or the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance while on the job, on the office premise or participating in any MSDB activity is cause for termination.

Employees who struggle with addictions of drug abuse or alcoholism must recognize that it is their responsibility to address these problems. Upon request by the employee for assistance with a substance abuse problem, the MSDB Human Resources or Business Office will advise the employee of leave, insurance benefits and available treatment resources. 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 Superintendent considers to be cause for dismissal, and no request for assistance will prevent the Superintendent from taking disciplinary action based on the misconduct which may have been related to the employee's use of alcohol or drugs. MSDB, 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.

MSDB has adopted the policy that all areas it occupies will be tobacco-free. The Mississippi State Board of Education has the right to revise this policy. MSDB requires that all employees report to work without any alcohol or illegal or mind-altering substances in their systems. No

employee shall report for work or remain on duty when using any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform in a safe manner.

Employees must inform their supervisor when they are legitimately taking medication that may affect their ability to work, in order to avoid creating safety problems and violating the Drug and Alcohol Policy. No employee shall use alcohol while on duty. MSDB also prohibits employees using, possessing, manufacturing, distributing or making arrangements to distribute illegal drugs while at work or on department property. Further, outside conduct of a substance abuse-related nature that affects an employee's work, MSDB's relationship with the government or reflects badly on MSDB and/or the Department of Education is prohibited.

“Workplace” is defined as the site for the performance of work done including a school building, campus grounds or other school premises; any school-owned vehicle or any other school approved vehicle used to transport students to and from school or school activities; off-school property during any school-sponsored or school-approved activity, event or function, such as a field trip or performance event, where students are under the jurisdiction of the school.

As a condition of employment, each employee shall abide by the terms of the school respecting a drug-free workplace and shall report to work without any alcohol or illegal mind-altering substances in their systems.

All employees should be very familiar with the MSDB Student Handbook policy related to possession and/or use of tobacco, alcohol, and drugs.

MEDICAL MARIJUANA

This policy applies to medical cannabis. Under the Mississippi Medical Cannabis Act, this school district:

1. Is not required to permit, accommodate, or allow the medical use of medical cannabis, or to modify any job or working conditions of any employee who engages in the medical use of cannabis or who for any reason seeks to engage in the medical use of cannabis.
2. May refuse to hire, discharge, discipline, or otherwise take an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions, or privileges of employment as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
3. Does not allow the use of medical cannabis by employees while on district property, while at a district sponsored event, or while performing district business.

DENIAL OF LICENSE

The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license if the applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having a similar effect, at the time of application

for a license. 37-3-2 (11) (c)

SUSPENSION OF LICENSE

The State Board of Education, acting on the recommendation of the commission, may revoke or suspend any teacher or administrator license for specified periods of time if the teacher or administrator has been convicted, has pled guilty to or entered a plea of nolo contendere to a felony, as defined by federal or state law. 37-3-2 (12) (d)

Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense. 37-3-2 (13) (a)

LEGAL REF.: MS CODE as cited
21 U.S.C. 812
21 CFR 1300.11-1300.15

DRUG AND ALCOHOL TESTING POLICY

The following is MSDB's Drug and Alcohol Testing Policy. This policy is effective May 18, 2023. After this date, the district will begin testing personnel if it reasonably suspects that an employee is under the influence of illegal drugs or alcohol. In addition, the district will continue conducting random testing of all bus drivers. This policy will be enforced uniformly with respect to all personnel. All of the district's personnel, including administrators, will be subject to testing.

The purposes of this policy are as follows.

1. To maintain a safe, healthy working environment for all employees;
2. To maintain the highest quality educational program for our students by insuring that no personnel of the district are users of illegal drugs or under the influence of drugs or alcohol;
3. To reduce the number of accidental injuries to person or property; and
4. To reduce absenteeism and tardiness and improve the quality of educational services.

SUBSTANCE ABUSE

The following are rules representing the district's policy concerning substance abuse.

1. All employees are prohibited from being under the influence of drugs or alcohol while on duty or on district premises. All employees are prohibited from using illegal drugs, or prescription medication for which they do not have a proper prescription.

2. The use, sale, possession, transfer, or purchase of illegal drugs, non-prescription drugs, medical marijuana, or controlled substances while on district property or while performing district business is strictly prohibited and is cause for immediate termination. Such action will be reported to appropriate law enforcement officials.
3. No alcoholic beverage will be brought on or consumed on district premises.
4. No prescription drug will be brought on district premises by any person other than the person for whom the drug is prescribed. Prescription drugs will be used only in the manner, combination, and quantity prescribed.
5. The district is not prohibited from establishing or enforcing a drug-testing policy under the Mississippi Medical Cannabis Act. The district is not required to permit, accommodate, or allow the use of medical cannabis, or to modify any job/working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of cannabis.
6. The district is not prohibited from taking an adverse employment action against an employee, up to and including termination, as a result, in whole or in part, of that individual's use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of cannabis.
7. Any employee whose off-duty use of alcohol, medical marijuana, illegal, or non-prescription drugs results in excessive absenteeism, tardiness, poor work, or an accident will be subject to discipline, up to and including termination.

DRUG AND ALCOHOL TESTING

1. Effective May 18, 2023, MSDB will begin conducting reasonable suspicion testing of all personnel and random testing of bus drivers.
2. An employee will be allowed to provide notice to MSDB of currently or recently used prescription or non-prescription drugs prior to the time of the test.
3. Random testing of bus drivers will be implemented using a neutral selection basis. MSDB will not waive the selection of any employee chosen pursuant to the random selection procedures.
 - a. Reasonable suspicion is defined under this policy as the belief by MSDB that an employee is using or has used drugs or alcohol in violation of MSDB's policy. Reasonable suspicion may be based upon, among other things:
 - i. Observable phenomena, such as direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug;

- ii. Abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance;
 - iii. A report of drug use provided by reliable and credible sources and which has been independently corroborated;
 - iv. Evidence that an individual has tampered with a drug and alcohol test during his employment with the current employer;
 - v. Information that an employee has caused or contributed to an accident while at work; and
 - vi. Evidence that an employee is involved in the use, possession, sale, solicitation, or transfer of drugs while working or while on school premises or while operating one of the school's vehicles, its machinery, or its equipment.
- b. If there is reasonable suspicion that an employee is using or has used drugs or consumed alcohol in violation of MSDB's policy, that employee will be required to submit to a drug and/or alcohol test. The superintendent (or in his or her absence an appointed replacement) must approve in advance all reasonable suspicion testing. If the test result is confirmed positive for drugs or alcohol in violation of MSDB's drug and alcohol policy, the employee will be subject to immediate termination of his or her employment with the district.

Any employee who refuses to take a drug and alcohol test will be subject to discipline, up to and including immediate termination of employment.

The following are drugs for which the district may test: alcohol, opiates, amphetamines, phencyclidine (PCP), marijuana, medical marijuana, and cocaine.

An employee who receives a positive confirmation drug and alcohol test result may contest the accuracy of the result or explain the results within ten days of the date of such result by filing a written statement with the superintendent. An employee, at his or her own cost, also may request that the specimen be retested at a certified laboratory of his or her own choosing.

An employee who receives a positive confirmation test result and who fails to present a satisfactory contest or explanation to such result, or a contrary result from a certified laboratory of the employee's own choosing, will be subject to discipline, up to and including termination.

If the district determines that discipline and/or discharge are not necessary or appropriate in a case where an employee is in violation of MSDB's Drug and Alcohol Testing Policy, the employee, as a condition of continued employment, must complete a certified substance abuse rehabilitation program at the employee's own cost and expense. The employee may be allowed to work for the district while undergoing the treatment, but the employee must provide evidence of continued treatment and/or rehabilitation upon request. The employee must also agree to submit to random testing for three years after the date of the positive confirmation drug and alcohol test result:

SMOKING POLICY

MISSISSIPPI UNIFORM SMOKE-FREE PUBLIC PLACE ACT OF 2007

The Mississippi Uniform Smoke-Free Public Place Act of 2007 prohibits smoking on all educational property by all persons at all times. This ban includes all employees, students, and patrons attending school sponsored events and meetings. "Educational property" means any public or private 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 or private educational institution or during a school-related activity, effective July 1, 2007.

CIVIL PENALTIES

Any person who violates this act shall be subject to a civil fine and upon conviction shall be liable as follows:

1. For a first conviction, a warning.
2. For a second conviction, a fine of Seventy-five Dollars (\$75.00).
3. For all subsequent convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00).

Anyone convicted under this section shall be recorded as being fined for a civil violation of this act and not for violating a criminal statute. Any such violation shall be tried in any justice court or municipal court with proper jurisdiction.

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.

A person or employer shall not discharge, refuse to hire, or in any manner retaliate against any employee, applicant for employment, or customer because that person exercises a right to a smoke-free environment afforded by this act.

In keeping with the requirements of the Mississippi Uniform Smoke-Free Public Place Act of 2007, smoking and tobacco use is banned on the MSDB campus and any adjacent properties owned by MSDB provided for school use.

MSDB employees who smoke or use tobacco may do so during breaks and at lunch. Since all MSDB employees serve as role models, smokers must leave the campus to smoke out of the view of students. Smoking is not allowed in vehicles on campus. Employees who are found smoking on the MSDB campus (including adjacent properties) are subject to disciplinary action and civil penalties.

WELLNESS

Students are not the only ones who need good health. School employees who want to encourage children and teens to live a healthy lifestyle will be more successful if they model healthy behaviors. The MSDB Wellness Policy emphasizes a commitment to nutrition, physical activity, comprehensive health education, marketing, and implementation. It is designed to effectively utilize school and community resources to serve the needs of students and staff, taking into consideration cultural differences. MSDB encourages its staff to pursue a healthy lifestyle that contributes to their improved health status and personal commitment to the health of students creates positive role modeling. All staff at MSDB should model healthful eating and physical

activity as a valuable part of daily life. The Health Clinic will work with all students and staff to establish a personalized wellness program and conduct periodic assessments to monitor wellness.

UNLAWFUL ACTIVITY

School employees who suspect or have direct knowledge of unlawful activity either by students or other school personnel should report their suspicions to their Supervisor, Director, or Principal and/or the Superintendent so that appropriate action can be taken.

TERMINATED EMPLOYEE POLICY

Upon notification of termination, MSDB has the following policy with regard to contact with the students and staff on campus.

- Visits to campus – No terminated employee is permitted to visit campus without prior written approval from the Superintendent. This is in perpetuity and will not be released. Violation of this protocol may result in arrest for trespassing.
- Attendance to MSDB events on or off campus – No terminated employee is permitted to attend any campus events, even if open to the public, without prior written approval from the Superintendent. This includes performances, showcases, exhibits, and special events such as prom and graduation. Violation of this protocol may result in arrest for trespassing.
- Technology accounts – All technology accounts are discontinued effective the date of termination.
- Badges, keys, and inventory are all required to be turned in to MSDB or face possible fines to pay to MSDB and/or the Mississippi Department of Education.
- All personal items may be picked up from campus at a mutually agreed upon time when school is not in session. A list of items taken from campus will be made upon pick up.
- Final paychecks will be sent to the employee's home address. It is the responsibility of the employee to notify MSDB if the address has changed from what is on file.

PARKING—GENERAL

Employees may park in any lined spaces in any open parking lot. Handicapped/Disabled parking places are reserved for those with the appropriate placard or decal. All parking is filled on a first come, first served basis.

PARKING—HANDICAPPED

Miss. Code Ann. § 27-19-56(5)(a) makes it unlawful to park a motor vehicle in an area set aside for persons who are disabled if the vehicle does not have:

1. A temporary or permanent placard visible on the windshield,
2. A special license plate displayed on the vehicle, or
3. A disabled American veteran tag or plate displayed on the vehicle.

All MSDB employees who qualify to park in a special handicapped parking space must have on file with Security Welcome Center Gate:

1. A copy of the handicap placard/tag application submitted to the DMV, and
2. A copy of the temporary/permanent placard with expiration date, or
3. A copy of the disabled tag displayed on the vehicle.

This information must be submitted to the Security Welcome Center Gate every twelve (12)

months. Any employee found parking in a special handicap parking space without proper documentation on file may be subject to disciplinary action. First offense will result in a written warning. Any subsequent offense(s) will result in a citation and fine by the authorities.

Employees must not park in fire zones; violations may result in warnings and fines as described above.

FISCAL MANAGEMENT

FISCAL MANAGEMENT GOALS AND OBJECTIVES

The financial records and statements of the MSDB 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, as amended. This uniform accounting system, which is directed by the MDE, includes a method of accounting for and keeping records of all funds received, handled, and disbursed by MSDB, whether derived from taxation or otherwise, including funds from donations, athletic events, and other special activities of the school.

MSDB employs a school Chief Financial Officer/Business Manager whose qualifications meet the criteria established by MDE and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school. MSDB operates with a financial accounting system as prescribed by the MDE.

The SBE and MSDB have 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.

The financial accounting data and the corresponding annual audit report as submitted to the MDE reflect no less than a zero-fund balance (as defined by Generally Accepted Accounting Principles) for all funds of MSDB.

Miss. Code Ann. §§ [37-37-1](#), [37-9-18](#), [37-61-23](#), [37-17-6\(16\)](#), [37-61-9](#)

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 MSDB are controlled.

The annual operating budget, as required by law, is essential to the sound financial management of MSDB. Funds are allocated directly through the Mississippi Department of Education budget by the Mississippi legislature and the Governor.

[Miss. Code Ann. § 37-61-9](#)

FISCAL YEAR/SCHOLASTIC YEAR

The "fiscal year" of MSDB shall commence on July 1 and end on June 30 of each year. The "scholastic year" of MSDB shall likewise commence on July 1 and end on June 30 of each year.

ANNUAL OPERATING BUDGET PREPARATION PROCEDURES

On or before the fifteenth day of August of each year, the SBE shall approve the prepared budget

presented by the Superintendent, as defined in Section 37-57-1, at least two (2) copies of a budget of estimated expenditures for the support, maintenance and operation of MSDB for the fiscal year commencing on July 1 of such year. Such budget shall be prepared on forms prescribed and provided by MDE and shall contain such information as MDE may require.

The SBE may hold an executive session for the transaction of business and discussions regarding employment and termination of employees as needed.

Miss. Code Ann [§ 37-61-9](#), [§ 25-41-7](#)(Executive Session)(4)(K).

PERIODIC BUDGET RECONCILIATION

It shall be the duty of the Superintendent and the SBE to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for MSDB 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 SBE, 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 SBE member, Superintendent, or other school official shall be personally liable (a) in the event of any reduction in budgetary allocation 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.

The SBE shall approve a budget for MSDB. The Superintendent with the approval of the Board may revise the budget at any time during the fiscal year. The Superintendent with approval of the Board may transfer funds to and from functions within the budget when and where needed. It shall be the duty of the Superintendent or his designee and the Board to limit expenditure of school funds during the fiscal year to the resources available. No revision of any budget under the provisions hereof shall be made which will permit a functional expenditure in excess of the amounts available for such purpose. The Superintendent and Board shall authorize the District Business Manager to make adjustments as needed, provided the expenditures are limited to the resources available.

LINE-ITEM TRANSFER AUTHORITY

If the Superintendent or the SBE anticipates that the amounts to be received from state appropriations 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 SBE, with assistance from the Superintendent, shall 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.

If it should appear to the Superintendent, or the SBE 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 therefore during the fiscal year, the SBE, 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 amounts available for such purpose.

The revised portions of the budgets shall be incorporated in the minutes of the SBE meeting. Final budget revisions, pertinent to a fiscal year, shall be approved on or before the date set by the SBE for MSDB to submit its financial information for that fiscal year.

The SBE 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.

MS Code 37-61-21

DEBT LIMITATION RESTRICTIONS ON INDEBTEDNESS

MSDB will not engage in any debt relief against the property owned by the State of Mississippi.

REVENUES FROM SCHOOL PROPERTY

The SBE authorizes and empowers the Superintendent to allow for rental of the property under terms and for purposes as agreed upon by the SBE. Funds received from such leases shall be used to defray operational costs of MSDB.

FEDERAL AID

In order to provide the best educational opportunities possible for students of MSDB, it shall be the objective of the Board to seek as many sources of revenue as possible to supplement the funds provided by the State.

Therefore, MSDB shall participate in any eligible federal aid programs which provide direct educational auxiliary services or opportunities to students enrolled in and served by MSDB.

All applications for federal aid and special grants shall be prepared by Administrative staff and approved by the SBE, if applicable.

The expenditure of all federal funds shall strictly comply with the laws, regulations and procedures as established by the terms of agreement between the district and sponsoring agency.

It shall be unlawful for MSDB 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).

FEDERAL LOANS AND GRANTS

MSDB has developed the following policies and procedures to ensure effective cash management for Federal Loans and Grants, to provide a comprehensive policy for managing the federal drawdowns of funds for payment of grant-related expenses, meet all cash requirements for grant management in compliance with the federal Cash Management Improvement Act, and to provide for accurate documentation.

The Cash Management Improvement Act requires districts receiving federal funds to demonstrate that the district has either already expended the federal funds or will spend the federal funds within three business days of receipt. The district will ensure funds are drawn as closely as possible to the actual expenditure of funds and monitor the fiscal activity for each grant.

Transactions and supporting documentation will be reviewed by the Director of each federal program for approval. The Business Office must approve all transactions dealing with the disbursements and track them through a pre-numbered monitoring system (pre-numbered checks and purchase orders). Transactions will be posted and reconciled in a timely manner.

MSDB will maintain semi-annual certifications for employees working on a single federal award. MSDB will maintain personnel activity reports or time sheets for employees working on multiple activities which include at least one federal award.

Purchases from federal grants must adhere to Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Federal procurement regulations are included in the MSDB Purchasing Manual. Transactions and supporting documentation, including purchase orders and invoices, will be reviewed by the applicable federal program Director for approval.

GIFTS AND BEQUESTS/DONATED ASSETS

Items and donations contributed will become the property of MSDB and shall be subject to the same controls and regulations which govern the use or disposal of all fixed assets. MSDB reserves the right to reject any contribution to the school which does not serve to enhance or extend the school.

The Superintendent or designee shall have the authority to accept and acknowledge all donations and contributions (monies and personal property) to MSDB on the date of donation. Any such monies shall be receipted into the respective school's activity funds and deposited in that bank account.

CROWDFUNDING PROJECTS

Crowdfunding is the practice of funding a project by raising small amounts of money from a large number of people.

The following guidelines apply to any crowdfunding project:

1. Any person (including employees) or entity acting on behalf of MSDB, and wishing to conduct crowdfunding, online fundraising, or any other online donation campaign for the benefit of MSDB, shall begin the process by seeking PRIOR written approval from the Superintendent or designee. Written approval must be obtained.

2. All items (monies and personal property) obtained through crowdfunding projects using the respective school's names are to become the property of the MSDB.
3. All monetary donations should be recorded by the school Business Office in the School Activity Fund. No school banking information should ever be disclosed by individuals to anyone outside the district. A check should be requested to be mailed to the school in the name of the school and not to an individual.
4. Inventory policies and procedures of MSDB apply to property obtained through crowdfunding projects.
5. Any cost of installation is the responsibility of the donor unless otherwise agreed to by MSDB.
6. Some crowdfunding sites are tax deductible, and some are not. It is not the responsibility of MSDB to determine if the donation is tax deductible. MSDB will not provide a Form 990 for crowdfunding donations.
7. Crowdfunding that would obligate the MSDB to future operating or upkeep costs must be approved by the SBE.
8. Law, policy, and procedure concerning student privacy and other requirements set out in the Family Educational Rights and Privacy Act (FERPA) must also be followed when making requests for crowdfunding projects.

INVESTMENT EARNINGS

Until a fund balance can be built with the state appropriation each year, MSDB does not have an investment program. The bank account balances earning interest will apply all earnings in excess of \$100.00 for deposits shall be allocated back to the fund from which the deposit or investment was made.

DEPOSITORY OF FUNDS

MSDB shall advertise and accept bids for depositories no less than once every three years. ([Miss. Code Ann. § 37-7-333](#)) The depositories must meet the requirements in [Miss. Code Ann. § 27-105-315](#).

MSDB may deposit school funds in those banks only designated as depositories by the SBE. School activity funds may be deposited only in banks approved as depositories by MSDB.

FUND BALANCE

PURPOSE

The SBE recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of MSDB and is fiscally advantageous for both the school and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by MSDB to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

DEFINITIONS

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

Governmental Accounting Standards Board (GASB) Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance

amounts will be reported in the following categories:

1. **Non-spendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., grants or donations).
2. **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
3. **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the SBE. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the SBE's commitment in connection with future construction projects).
4. **Assigned fund balance** – amounts intended to be used by the government for specific purposes. Intent can be expressed by the SBE or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
5. **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

POLICY

The responsibility for designating funds to specific classifications shall be as follows:

1. **Committed Fund Balance** – The SBE is the MSDB's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the SBE.
2. **Assigned Fund Balance** – The SBE has authorized the Superintendent and the School Business Manager as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

ORDER OF EXPENDITURE OF FUNDS

When multiple categories of fund balances are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the SBE, and unassigned fund balance), MSDB will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

BONDED EMPLOYEES AND BOARD MEMBERS

The SBE may execute a surety bond for any MSDB employee who receipts and/or disburses funds unless a different penalty is prescribed by law.

The Superintendent, before entering upon the duties of his/her office, shall hold a surety bond in the penal sum amount of One Hundred Thousand Dollars (\$100,000.00) with sufficient surety.

The purchasing agent(s) of the MSDB, before entering upon his/her official duties in such capacity, shall hold surety bond in the amount penal sum of Fifty Thousand Dollars (\$50,000.00).

A Principal acting as a purchasing agent must be bonded for total statutorily required coverage of \$100,000.00. The position of Principal may be covered by blanket bond, but the position of purchasing agent requires individual bond.

The premium on surety bonds will be paid from MSDB. All surety bonds shall be filed and recorded at the office of the Chancery Clerk.

INDIVIDUAL BOND: A new bond in the amount required by law shall be secured at the beginning of each new term of office or every four (4) years, whichever is less.

BLANKET BOND: A new bond in an amount not less than that required by law for public employees shall be secured upon employment and coverage shall be secured at the beginning of each new term of office of the public or appointed official by whom they are employed, if applicable, or at least every four (4) years concurrent with the normal election cycle of the Governor.

ACCOUNTING AND REPORTING

The Superintendent shall open and keep regular sets of books, as prescribed by the MDE, 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.

MSDB funds shall be maintained in accordance with the accounting and reporting system developed by the MDE for uniform use by school districts. This system shall include a method of accounting for and keeping records of all funds received, handled and disbursed by the MSDB.

The MSDB shall prepare annual financial statements, including the notes to the financial statements, in accordance with generally accepted accounting principles on June 30 of each fiscal year.

Monthly, the Superintendent shall furnish to the SBE or MDE designee a financial statement of receipts and disbursements, by funds, and other financial reports as required by the Mississippi Department of Education. The SBE shall be authorized to investigate and audit all financial records of the Superintendent at any and all times.

[Miss. Code Ann. §37-37-1, §37-61-23, §37-9-18; Mississippi Public School District Financial Accounting Manual](#)

INTERNAL CONTROL OF CASH RECEIPTS

The Superintendent shall develop a plan of organization under which employee 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 prescribed in the Standard Operating Procedures Manual as

well as the Mississippi Department of Education Financial Accounting manual which outline proper authorization by designated officials for all actions to be taken.

All monies shall be receipted to the MSDB using pre-numbered receipts. 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 for 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 record keeping, 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.

AUDITS

All MSDB funds are subject to annual audit. The audit may be conducted by the MDE, Mississippi State Auditor's Office, or by a certified public accounting firm.

AUTHORIZED SIGNATURES

The Superintendent and/or their designee is authorized to sign district checks on all school district accounts. An electronic signature of the Superintendent embedded in the district's accounting software may be used on accounts payable checks and payroll checks.

The Superintendent has authority to sign and will designate other signors.

CASH IN SCHOOL BUILDINGS

All money shall be turned in to the Business Office as soon as possible for deposit, where it will be receipted and kept in the safe if needed overnight. Deposit receipts are to be filed in the Business Office. Any funds that cannot be taken to the Business Office and/or deposited right away shall be kept in a locked safe or file cabinet. Funds should not be held more than 48 hours in any academic building.

Students' personal funds for Residential students (i.e., eating out, beverage machines, outings) shall be kept in a locked safe or file cabinet at all times. Records will be kept of all students' individual deposits and purchases and individual records will be reconciled at the conclusion of each financial transaction.

SALARY DEDUCTIONS / REDUCTIONS

The MSDB shall deduct and withhold from the wages of all employees:

1. The amount of federal income tax required by federal law; 26 USCA 3401-3402.
2. The amount of social security tax required by federal law; 26 USCA 3101-3102; S25-11-3, et seq.
3. The amount of contributions to PERS. S25-11-123(f)(1992).
4. The amount of state income tax required by the state.
5. The amount of other deductions elected by the employee (such as insurance and annuities) so long as the employee has adequate gross earnings to offset the deduction.

[Federal law USCA 3401-3402; USCA 3101-3102; Miss. Code Ann. § 25-11-3 et seq., § 25-11-123.](#)

EXPENSE REIMBURSEMENTS/TRAVEL AUTHORIZATION

District and school personnel who incur expenses in carrying out their authorized duties will be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as may be required by MSDB.

Such expenses may be incurred and approved in line with budgetary allocations for specific types of expenses. Expenses must be preapproved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the Superintendent. The Superintendent may grant this authorization without prior Board approval when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

District and school personnel will follow the travel related authorization and reimbursement procedures outlined in the Mississippi Schools for the Deaf and the Blind Purchasing Manual, which is in compliance with federal and state regulations.

Persons who travel at district expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and those for personal convenience.

[Miss. Code Ann. § 25-3-41](#)

PURCHASE OF FOOD, DRINKS, FOOD SUPPLIES FROM PUBLIC FUNDS

In accord with the Attorney General's legal opinion dated July 30, 1999, the SBE does hereby adopt such opinion as policy and in accord with such opinion does hereby grant unto the Superintendent and Principals' authority to make food and beverage purchases consistent with the Attorney General's opinion and when such purchases and the consumption thereof are a necessary and reasonable expense for the meeting and reasonably related to the educational goals or functions of the district.

Regarding student athletic or student recognition banquets, "activity funds" may be used for such limited purposes regarding school related programs, conventions or seminars where the Superintendent and Principals determine that such expenditure shall be beneficial to such official or extra-curricular programs of the district.

Regarding the expenditure of general public funds (other than activity funds) coffee supplies, soft drinks and edible items may be purchased when the Superintendent and the Principals determine (1) that there is a particular goal or function that is a scheduled event and (2) the particular event is reasonably related and incident to educational goals of the MSDB.

Caveat: The state auditor has ruled that neither general public funds nor activity funds may be used for teacher recognition banquets.

PURCHASING

All purchases of supplies, equipment or services on behalf of MSDB shall be in accordance with the laws of the State of Mississippi and all applicable rules and regulations as may be established by other agencies responsible for the supervision of expenditures.

Further, purchases of supplies, equipment or services on behalf of MSDB shall be in accordance with the policies outlined in the MSDB Purchasing Manual.

Miss. Code Ann. [§ 31-7-13](#); [§ 31-7-1](#). et seq.

PURCHASING AUTHORITY

The SBE and/or SBE Subcommittee does hereby designate the Superintendent as purchasing agent for MSDB together with the authority to establish a central purchasing system for the District.

Pursuant to the authority granted by [Section 37-39-15, Mississippi Code 1972](#) as amended, this

Board hereby designates other individuals as "purchasing agents" subject to the limitations set forth below:

1. In addition to the Superintendent, the SBE hereby designates the Chief Financial Officer/Business Manager or the Procurement Officer as "purchasing agent" with general authority to negotiate for and purchase the commodities and services necessary for the operation of MSDB, within the limits of budget categories and purchasing law.
2. The SBE hereby designates the School Principals as "purchasing agents" with the limited authority to negotiate for and purchase commodities and services necessary for the operation

of their respective schools with the Activity Funds for which they are responsible, subject to all purchasing laws.

[Miss. Code Ann. §37-39-15](#)

PURCHASING PROCEDURES

All purchases on behalf of MSDB shall be submitted upon a purchase order issued and signed by the Superintendent or other purchasing agent as designated by the Board.

All purchases to be paid from school Activity Funds shall be based upon a purchase order issued and signed by the Principal of the respective school. Purchases made by any other method shall not be considered for payment by the Principal of the respective school.

All requests for supplies, equipment, or services shall be initiated electronically and shall be approved by the Principal of the respective school or the person charged with the responsibility of supervising a specific program or budget. Upon approval of the requisition by the purchasing agent, a purchase order will be issued by the Business Office for the purchase of items requested.

All purchases must be made in accordance with the MSDB Purchasing Manual.

FEDERAL PURCHASING AND PROCUREMENT

Mississippi Schools for the Deaf and the Blind shall comply with all state and federal laws regarding purchasing and procurement. The implementation of this guidance is to reduce administrative burden and risk of waste, fraud, and abuse for federal awards.

When utilizing federal funds, district staff must strictly adhere to the guidance and rules outlined by the Office of Management and Budget (OMB) in the Uniformed Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 Part 200); including but not limited to the following:

- Federal purchases of services under \$10,000 are considered "micro purchases." The purchase orders for micro purchases may be awarded without soliciting any competitive quotes if the costs are deemed reasonable. To the extent practicable, these purchases should be distributed equitably among qualified suppliers. CFR 200.320
- All federal purchases of services between the amounts of \$10,000 to \$250,000 must have at least two (2) price or rate quotes. Any services over \$250,000 will need to follow the competitive bidding process. CFR200.320

The state of Mississippi is **more restrictive** on the purchase of goods (commodities); therefore, district staff must also adhere strictly to the guidance and rules outlined by the Mississippi State Purchase Law Summary, including the following:

- Purchases which do not involve an expenditure of more than \$5,000, exclusive of freight and shipping charges, may be made without advertising or otherwise requesting competitive bids.

- For all (irrespective of funding source) purchases of goods (commodities) between the amounts of \$5,000 and \$75,000, exclusive of freight and shipping charges, districts must have at least two (2) price quotes.
- For all (irrespective of funding source) purchases of goods (commodities) over \$75,000, exclusive of freight and shipping charges, must adhere to the Mississippi State Purchase Law Summary which requires the application of competitive bidding process.

The superintendent or designee shall develop procedures for the support of this policy.
Ref: MS Code 31-7-13 and CFR 200.320

BIDS AND QUOTATIONS

The school district shall comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to § 31-7-13 as amended, and with all other applicable federal and state laws and regulations relating to bids.

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. ' 31-7-57

LEGAL REF.: MS CODE as cited

Adopted Date: 9/28/2023

For detail policies and procedures relating to bids and quotations, see the MSDB Purchasing Manual.

PAYMENT PROCEDURES

The SBE and/or SBE Subcommittee has the power, authority and duty to make orders directed by the Superintendent for the issuance of pay certificates for lawful purposes on any available funds of MSDB and to have full control of the receipt, distribution, allotment, and disbursement of all funds provided for the support and operation of the schools whether such funds be derived from state appropriations, collections or otherwise.

Docketed Claims – The Superintendent shall maintain responsibility for a docket of claims in the manner required by law, upon which he/she shall immediately enter all demands, claims, and accounts to be paid from MSDB funds. Claims shall be numbered consecutively in the order of filing and at each regular or special meeting of the SBE and/or the SBE Subcommittee the docket of claims shall be called and all claims on file not previously rejected or allowed shall be passed upon in the order in which they are registered upon the docket. All claims found by the SBE and/or the SBE Subcommittee to be illegal shall be rejected or disallowed. All claims which are found to be legal and proper shall be allowed and approved in the order in which they appear upon the docket. Continuances shall be granted in proper cases as provided by law. Pay certificates shall be issued by the Superintendent in payment of claims which are allowed and approved by the Board.

Other Claims – Teachers' salaries, amounts due private contractors upon written contracts previously approved and accepted by the SBE and/or the SBE Subcommittee, or other payments or salaries where the amount thereof has been previously approved by a contract or by an order of the SBE and/or the SBE Subcommittee entered upon its Minutes, need not be entered as demands or claims upon the docket of claims and the amounts of the payments thereby required may be paid by the Superintendent by pay certificates issued by him/her against the proper fund without allowance of a specific claim therefore, provided that the payment thereof is otherwise in conformity with law.

Prepayment of Claims – The SBE and/or the SBE Subcommittee grants the Superintendent or his/her designee, the authority to pay MSDB claims prior to the regular SBE and/or the SBE Subcommittee meeting. This authority includes only claims for which there are MSDB fund resources available to pay said claims and said expenditures are in conformity with the

law. In addition, no limit shall be placed upon the dollar amount of any prepaid claim.

In order for a claim to be prepaid, the Superintendent or his/her designee must approve a written request from an employee requesting a prepaid claim. The request must include payee, amount and purpose of prepaid claim. The prepaid claim is to be included on the subsequent docket of claims submitted to the SBE and/or the SBE Subcommittee for approval.

[Miss. Code Ann. § 37-9-14; 37-7-301](#)

STUDENT ACTIVITIES FUND MANAGEMENT

The SBE and/or the Subcommittee adopts a decentralized accounting system as a method of accounting for school activity funds. This method of accounting provides for receipt and expenditure of funds at the school level. The Superintendent is hereby authorized to receipt and disburse these funds according to the guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual.

School Activity Funds shall be classified as either a general fund or an agency fund with monies maintained in bank accounts of financial institutions approved by the MSDB. The Superintendent must approve the opening and closing of bank accounts for Activity Funds. The

Superintendent and his/her designees shall be authorized to sign checks on the Activity Fund bank account.

RECEIPTS

All local Activity Funds received shall be accounted for according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual. If at all possible, monies received shall be deposited daily. No more than \$100.00 cash should remain in the School Office safe at the close of the day.

PURCHASING

Activity Funds may be expended for the following: any necessary expenses or travel costs (including advances) incurred by students and their chaperones in attending school-related programs, commodities, equipment, travel expenses of school employees, purchased services, and school supplies deemed beneficial to the official or extra-curricular programs of the school by the respective Principal, including items which may subsequently become the personal property of such individuals (such as: book covers, trophies, yearbooks). These purchases, when utilizing a general fund, shall be subject to state purchasing laws. Expenditures made by funds classified as agency funds are not subject to state purchasing laws. Pre-numbered purchase orders must be used for all purchases and must be approved by the Principal and/or the Superintendent, Assistant Superintendent or Executive Director. The person at the school receiving the goods shall either prepare and sign a receiving report form, or sign and date the invoices denoting receipt of the goods.

DISBURSEMENTS

Disbursement of all Activity Funds shall be made according to guidelines established in the Financial Accounting Manual for Mississippi Public School Districts and the MSDB Purchasing Manual. Pre-numbered checks containing the original signature of the Superintendent and his/her designee must be utilized for payment.

REPORTING

A transmittal report of all Activity Fund transactions (receipts and disbursements) for the previous month shall be delivered to the Superintendent no more than ten (10) working days after the close of the month.

FUND-RAISING ACTIVITIES

The SBE and/or SBE Subcommittee authorizes the Superintendent to approve fundraising activities that are appropriate or beneficial to the official or extracurricular programs of the school. Any proceeds of such fund-raising activities shall be treated as Activity Funds and shall be accounted for as are other Activity Funds. When a fund-raising activity is conducted as a part of the sale or rental of items to students, these funds (inclusive of the fee, commission, or rebate) may be paid directly to the vendor by the student and rebated later to the school. If this is done, there must be a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the Student Activity Fund. The Business Manager shall obtain an independent listing of the students and the amounts paid to the vendor by each student so that the amount due the school can be reconciled. The monies collected from the vendor shall be credited to the appropriate general fund by the Business Manager.

Monies collected by the school through school sponsored fund-raising activities (such as vending machines, concessions, school stores, festivals, school-wide sales projects, sales by Principal or Staff to students) shall be accounted for in the appropriate general fund. The price for the activities shall be set by the organizer when gaining approval for the fund-raising activity. For all items purchased for resale to students, there must be a reconciliation of the items purchased, the items sold, and the net profit amount. The reconciliation must be performed on a periodic basis and be submitted to the Business Office for review and approval.

IDEA FUNDS

It is the policy of MSDB to use IDEA funds in accordance with all the rules and regulations of Federal and State laws. (See Appendix E for Fiscal Policy)

Authorized Uses of Funds: IDEA grant funds will be used for staffing, educational materials, equipment, and other costs to provide special education and related services, as well as supplementary aids and services, to children with disabilities. MSDB will use IDEA funds only for special education and will not use the funds to supplant what MSDB should do to provide a free, appropriate public education (FAPE) to students.

Maintenance of Effort: MSDB will ensure that maintenance of effort requirements are met each year.

Assurances: MSDB will abide by all assurances agreed to in the acceptance of grant awards and will operate accordingly to generally accepted accounting principles.

Allocated Funds and Carryover Use: All allocated funds and carryover will be spent only as approved.

Budgeting: All funds will be budgeted within a line-item budget.

Procurement: Procurement will conform to applicable Federal and State laws.

TRAVEL

The following travel policies are established for use by individuals who are required to travel in-state and out-of-state on official MSDB business. These policies are based on and are in addition to the guidelines established by the Department of Finance and Administration (DFA), Office of Purchasing, Travel and Fleet Management (OPTFM) in accordance with Section 25-3-41, Mississippi Code Annotated (1972).

The State Travel Manual in its entirety can be found at

<https://www.dfa.ms.gov/media/xxkohqdv/travel-manual-2019-resaved.pdf>

OFFICIAL WORKPLACE - The official workplace for all employees shall be the office to which they are assigned. Sometimes, an employee's official duty station shall be his or her residence if he/she is not permanently assigned to an office.

TRAVEL AUTHORIZATION - A Travel Authorization Form must be completed in ADVANCE for all travel (in-state and out-of-state travel). For in-state travel, the highest level of approval needed is the "Division Approval." For all out-of-state travel, "Agency Approval" is needed from the Superintendent. The Superintendent is exempt from completing a Travel Authorization Form for in-state travel. Travel advances may be requested for out-of-state trips and for prior-to-trip expenses for in-state travel such as the first night of a hotel which is due when the reservation is made.

The Travel Authorization Form must be used to request the advance. Advances should be requested and submitted for processing 15 days before the travel is to occur; however, payment of the advance will not be made more than 10 days in advance. Advances are made to cover meals, hotel expenses, and other related travel costs. The advance should not include the cost of airline travel or conference fees as these may be paid in advance by MSDB.

An employee will be allowed one outstanding travel advance at a time. No additional advances will be given until the previous advances have been cleared. The travel advance must be cleared upon the employee's return. If an advance is not settled within ten (10) working days after the end of the month in which travel was completed, the employee's paycheck will be held, or their direct deposit stopped until the debt to the school is resolved.

Expenses for travel will be reimbursed when the travel has the advance authorization of the Superintendent. The Superintendent may grant this authorization without prior Board action when the travel expense has been anticipated and incorporated into the operational budget of the particular program involved.

MSDB Staff will follow travel related authorization and reimbursement procedures as outlined in the MSDB Purchasing Policies and Procedures Manual, which is in compliance

with federal and state guidelines.

Persons who travel at MSDB expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between expenditures for business and those for personal convenience.

AUTOMOBILE TRAVEL - Actual mileage shall be calculated from the official workplace or residence and back or actual miles traveled, whichever is less. The most direct route to a destination should be claimed for reimbursement purposes. The travel voucher must indicate if any intermediate stops were made. Specific sites visited must be noted on the voucher in lieu of "Vicinity Travel." Effective July 1, 2017, state agencies under the purview of the DFA Bureau of Fleet Management are required to use the Trip Optimizer System (TOS) developed and administered by the DFA Office of Purchasing, Travel, and Fleet Management in computing the optimum method and cost for travel by state employees using a motor vehicle. Reimbursement will be based on the least expensive method of transportation. Prior to travel, the Trip Optimizer System should be used to determine the lowest cost mode of transportation. The maximum amount authorized for travel reimbursement related to motor vehicle usage will be the lowest cost option as determined by the TOS. All travel claims submitted for reimbursement must include the results of the Trip Optimizer System indicating the lowest cost option for travel. The maximum amount reimbursable for travel by motor vehicle will be the lowest cost calculated.

USE OF DISTRICT VEHICLES – The district may provide a district vehicle to an employee to use for district business. A district vehicle is district property and an employee assigned to a district vehicle is expected to follow all rules/regulations and is expected to display prudent behavior when operating and maintaining an assigned district vehicle.

Personal use of a district vehicle is defined as all use not for district business and is considered a taxable fringe benefit to the employee. Personal use of a district vehicle is prohibited.

Smoking and vaping is prohibited in all District Vehicles.

No employee shall operate any district vehicle while utilizing electronic devices including texting, reading a text message, accessing, reading, listening to music with earbuds, or posting on a social networking site. "Text message" includes a text-based message, instant message, electronic message, email, etc. Voice-operated or hands-free devices may be used when necessary.

Violations of this policy may lead to disciplinary action including denial of use of District vehicles, district cell phones, and up to including termination. Certain violations are punishable by law. Any fines or penalties incurred shall be the responsibility of the employee.

Employees involved in an accident involving the use of any District Motor vehicle will be subject to a drug and alcohol test.

FIXED ASSETS/PROPERTY/EQUIPMENT/FURNITURE USAGE

State policies regarding the inventory and use of equipment are strict. The person to whom the equipment is assigned is financially responsible for that equipment. Therefore, under no

circumstances should any person use a master key to enter a storage equipment area and remove items for use without authorization. Events and needs should be planned for and equipment reserved well in advance. All equipment must be checked out using the appropriate form.

Do not check something out in your name and then allow a student to use it. A contract signed by all parents and students regarding use of equipment is kept on file each year. Parents and/or students are financially responsible for any loss of or damage to school property. These contracts cover all MSDB owned items. Students must check out needed equipment from the IT Department. Under no circumstances should a student be allowed to use an employee's computer.

MSDB has to account for equipment to MDE with a formal quarterly audit. Employees are responsible for all equipment assigned to them. Do not loan or borrow another user's equipment without permission from the user and Fixed Asset Property Officer with proper documentation as described in this policy. All transfers and surplus of equipment must have the appropriate paperwork submitted to the person in charge of fixed assets. Upon resignation or termination, employees must return all school property on or before the last day of work.

Please adhere to the following guidelines:

1. Complete a Furniture/Equipment Inventory Form at the beginning and end of the school year.
2. All furniture must remain in its assigned location. Do not rearrange or remove any furniture without permission and/or notification to the Fixed Asset Property Officer.
3. Do not move furniture or equipment into hallways; this clutters passageway and creates possible safety hazards.
4. Check out all equipment (e.g., laptops, projector, portable tables, cameras, tripods, lenses) with the IT Department or Staff member responsible for that equipment.
5. Ensure that parents sign the appropriate contracts before a student is allowed to use any MSDB equipment.
6. Store equipment in a secure location when not in use. Employees are responsible for all equipment checked out to them.
7. At no time should MSDB property/equipment/furniture be removed from campus without proper permission.
8. Any maintenance problem or malfunction of equipment should be reported to the appropriate MSDB Administrator.
9. Employees should require students to exercise care in use of school property and equipment at all times.
10. Any damages sustained to property or equipment must be assessed and paid for, no matter how minor. Such occurrences must also be reported to the Supervisor, Director, or Principal, and/or Superintendent promptly.

OFF CAMPUS USE OF EQUIPMENT

Per Office of State Auditor guidelines, equipment purchased and/or inventoried must be used for official school use only. At no time may equipment be used for personal or financial gain. Under very minimum situations, it may be necessary for some employees to take equipment off campus for work-related purposes (includes repair). An Equipment Receipt must be completed and signed by the equipment's responsible owner and Superintendent. This Equipment Receipt must be on file in the event of an audit while equipment is off campus.

The Equipment Receipt is valid for one year from date but may be revoked at any time during the valid term.

SCHOOL PROPERTIES DISPOSAL PROCEDURE

As it relates to school properties disposal, MSDB will comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to [§37-7-451](#), [§37-7-471](#) through [§37-7-485](#) as amended, and with all other applicable federal and state laws.

WORKSPACES

SHARED INSTRUCTIONAL SPACES

Due to potential increased student enrollment, some classrooms or other instructional spaces may have to be shared. Although such situations are never ideal, staff must respect the work of colleagues and collaborate in using available facilities.

DESK AREAS AND OFFICES

Employee offices and desk areas are not spaces for extended visits with adults or students. While all staff members should be supportive of students, visitors, colleagues, and others. These persons should not be encouraged to “hang out” in work areas during free time. Employees should maintain a friendly, but professional demeanor when working with students, staff, and visitors.

HALLWAYS

Although classroom, storage, and exhibition spaces on campus are limited, staff members must keep hallways clean and free of obstruction. Fire codes must be followed, and areas should be monitored on a daily basis. Hallways are not storage areas for excess furniture, equipment, works -in-progress, or student books and belongings.

HEALTH CENTER

Due to the nature and function of the Health Center and office areas, doors must remain locked at all times. Staff should never allow a student to enter the health center unless accompanied by the school nurse or other authorized adult. Medications must be kept in locked areas at all times.



Facility Use Application, Policies, and Procedures Mississippi Schools for the Deaf and the Blind

Date: _____

The completed application must be submitted at least ten (10) business days prior to the proposed use date.

Name of Event: _____

Name of Applicant: _____

Address of Applicant: _____

Telephone of Numbers of Applicant: Office _____

Home _____

Cell _____

If applicant is not an individual, name of person with authority to bind Applicant:

Name: _____

Address: _____

Telephone: _____

Date(s) of use: _____

MSDB employee supervising event: _____

Check ALL MSDB FACILITIES to be used. Price is per day unless stated otherwise:

_____ Auditorium \$100

_____ Gymnasium (P.E.C.) \$500

_____ Cafeteria \$50

_____ Gymnasium (Roberts) \$300

_____ Library \$50

_____ Concession Stands (included)

_____ Athletic Fields (mark all that apply)

_____ Football/Soccer \$600

_____ Track \$500

_____ Practice Field \$150/month

_____ Concession Stand (included)

_____ Field House (included)

_____ Classroom(s) (specify room numbers) _____

_____ Security (included @ no additional cost)

_____ **\$50.00 per hour for KEYHOLDER/CUSTODIAN(S) (Required)**

\$_____ Total estimated **FACILITIES** cost paid directly to MSDB Activity Fund.

I. Introduction

Applicant hereby agrees that it will abide by and comply with the Facility Use Policies and Procedures adopted by the State Board of Education (SBE) of the Mississippi Schools for the Deaf and the Blind (MSDB). These policies concern the casual, temporary presence of members of the public in or about the building and grounds of the MSDB. The State Board of Education has statutory authority over the property of MSDB unless otherwise prescribed by law. Unless otherwise specified, the use of the term "MSDB" will be taken to include the interior and exterior of all buildings and its grounds.

II. Public Purpose

Events and exhibits whose primary intended purpose is to promote the interests or general welfare of inhabitants or residents within the state are deemed to be for a public purpose. Events, exhibits, and functions which are inherently private in nature are deemed to lack a public purpose, unless the applicant can demonstrate a public purpose to the satisfaction of the approving entity. Events including, but not limited to, weddings, private receptions, and birthday parties do not serve a public purpose; therefore, they are prohibited in buildings within the MSDB.

III. Security

Security is provided by the MSDB through campus security for very small crowds. If necessary, additional law enforcement personnel shall be called into service to assist campus security at the applicant's own expense. ***The applicant must hire one (1) security guard per 150 attendees.***

IV. Certificate of Liability

Applicant provides a Certificate of Liability Insurance no later than five (5) business days prior to the event, naming the MSDB as an additional insured on its insurance policy and insuring the MSDB against loss due to bodily injury or property damage no less than \$1,000,000.

V. Damages

Applicant assumes responsibility for damages of any kind, including damage to property, furniture, fixtures, and equipment used by the Applicant and to pay, at a cost set by the State Board and/or Superintendent, for any resulting damages. If the Applicant has not properly cleaned the facilities and left them in good order, the Applicant shall also pay the costs of such cleaning and returning furniture and equipment to their proper places.

VI. Denial of Application

- A. Incomplete requests will not be considered.
- B. Requests shall be approved and scheduled by the Superintendent of the MSDB, or his/her designee, in consultation with the State Superintendent of Education.
- C. Events/exhibits shall not interfere with the regularly scheduled business conducted at the MSDB, including during regular school hours, which is from 7 a.m. to 5 p.m.
- D. Events/exhibits shall be denied for the following reasons:
 - 1. They serve no obvious public purpose as previously defined in this policy;
 - 2. They promote a commercial enterprise and/or involve the exchange of money;
 - 3. They involve fund-raising on the premises, which is prohibited by state law;
 - 4. They obstruct entrances or interrupt traffic flow on campus and inside buildings;
 - 5. They have the potential to cause damage to state property (including, but not limited to, the exterior wall, interior walls, doors, windows, woodwork, floors, walkways, sidewalks, and grounds);
 - 6. They involve the use of materials that are vulgar, licentious, lewd, or obscene;
 - 7. They involve the use of materials that detract from the aesthetics of the building and/or its grounds;
 - 8. They disturb the public peace;
 - 9. They obstruct the view of or access to fire-fighting equipment, fire alarm pull stations, security cameras, or fire hydrants;
 - 10. They involve the use of any flammable, hazardous, or odorous chemicals or materials, torches, candles, or other open flame illuminating devices or fires, or

are determined to be a fire hazard by the State Fire Marshall;

11. They involve the use of signs or placards attached to objects that might cause damage to the building; and

12. They exceed the maximum occupancy as determined the State Fire Marshall.

VII. Responsibilities of the Applicant

- A. Employees of the State of Mississippi, DFA, SBE, MDE, or MSDB, are not liable for any injury which may occur to any person prior to the start of events, during events, and following events.
- B. All exhibits, art, photographic exhibits, banners, streamers, or posters, used during an event must be on freestanding displays. Such materials may not be hung from walls or railings. No adhesives or tape of any type will be allowed on any surface of any MSDB building.
- C. Tents requiring anchors/stakes in the ground will not be allowed without written permission by the MSDB at least five (5) business days prior to the event.
- D. The Applicant is responsible for clean-up fees (if applicable) paid directly to the MSDB custodial staff members.
- E. The Applicant shall be responsible for any costs incurred by the State of Mississippi, DFA, MDE, SBE, and/or MSDB related to damages resulting from the event and/or exhibit.
- F. The Applicant is responsible for providing any audio/visual, electrical, computer, and communication equipment needed for events and/or exhibits.
- G. Food shall not be prepared inside or on the grounds of the MSDB without prior written authorization. Warming devices utilizing electricity are acceptable.
- H. Open flames shall not be utilized to warm food.
- I. All reservations for MSDB facilities are non-refundable.

J. MSDB is a smoke-free campus.

VIII. Responsibilities of MSDB

- A. The MSDB shall provide applicant with access to a power source for the event/display, but extension cords shall not be provided by MSDB.
- B. Security requirements shall be provided through MSDB's American Sentry Security System. If additional security is required, the applicant is responsible for providing the service at their own expense, and shall provide documentation to MSDB five (5) business days prior to the event.
- C. Chairs, podiums, or other equipment ordinarily required for ceremonies, presentations, or performances may be used with prior approval from MSDB.
- D. The MSDB has a limited supply of equipment that may be utilized for indoor use only upon written request.

IX. Indemnifications

- A. The applicant agrees to the fullest extent allowed by law to indemnify, defend, save, and hold harmless the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents from any and all claims, demands, liabilities, suits, proceedings, losses, damages, costs of every kind and nature whatsoever, including, without limitation, court costs, investigative fees and expense, and attorney's fees that may arise during or be caused in any way by any third party which result from the applicant's presence, equipment or use of buildings within the MSDB.
- B. The applicant agrees that the SBE, MDE, MSDB, and all of its officers, employees, and agents are now and hereafter relieved of any and all responsibility and liability for any and all injury, loss or damage the applicant, its agents and invitees or their property may incur because of or during the applicant's use of the MSDB buildings. Therefore, the applicant on its own behalf and on the behalf of its agents and invitees hereby agrees to hold harmless, indemnify and defense the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents from and against any and all costs, damages, fees, expenses, or liability of any type or nature related to the same.
- C. The applicant further covenants and agrees to indemnify and to fully pay and reimburse DFA and/or MSDB any and all costs of replacement of damaged property; and for the restoration and repair of buildings within the MSDB,

which in any way are damaged, destroyed, or otherwise defaced or harmed because of use by the event holder, its agents, or invitees.

X. General Agreement and Acknowledgment

The Applicant understands that a Keyholder, who is an MSDB employee appointed by the school principal or his/her designee, shall be paid by the Applicant (if applicable) and shall always be present while Applicant is using the facility. Applicant agrees that if Applicant fails to abide by or comply with the Facility Use Policies and Procedures or the terms and conditions of this Facility Use Application that the SBE, MDE, and/or MSDB, and all of its officers, employees, and agents, in their sole discretion, may terminate the Applicant's use of the facilities immediately, void the agreement, and the Applicant's use may be cancelled and any future use may also be prohibited.

Applicant acknowledges that it has read and understands the MSDB Facility Use Policies and Procedures. Applicant understands and agrees that use of school facilities shall not interfere with school use and shall exemplify the high standards of the MSDB. Applicant's use of school facilities shall not in any way conflict with or displace a school class, school activity, school event, or disrupt the educational process or interfere with the regular instructional program of a school.

Applicant agrees that it shall not begin use of any school facility until its application has been approved by the appropriate official of the MSDB. Applicant agrees to pay the facility use fee in full before the application may be approved and agrees to pay all MSDB keyholders and custodians on the last day of the event.

By signing below, the applicant agrees to the terms of this agreement and acknowledges that required proof of liability insurance no less than \$1,000,000 has been provided to the MSDB no later than five (5) business days prior to the event.

of Applicant/Applicant's Representative Date _____ Signature

Signature of MSDB Superintendent Date

APPENDIX A – Teacher Pay Scale
Mississippi Schools for the Deaf and the Blind
MSDB Salary Schedule at Base

Years	A	AA	AAA	AAAA
0	\$ 41,500.00	\$ 43,000.00	\$ 44,000.00	\$ 45,500.00
1	\$ 41,900.00	\$ 43,525.00	\$ 44,550.00	\$ 46,100.00
2	\$ 42,300.00	\$ 44,050.00	\$ 45,100.00	\$ 46,700.00
3	\$ 42,700.00	\$ 44,575.00	\$ 45,650.00	\$ 47,300.00
4	\$ 43,100.00	\$ 45,100.00	\$ 46,200.00	\$ 47,900.00
5	\$ 44,300.00	\$ 46,350.00	\$ 47,500.00	\$ 49,250.00
6	\$ 44,700.00	\$ 46,875.00	\$ 48,050.00	\$ 49,850.00
7	\$ 45,100.00	\$ 47,400.00	\$ 48,600.00	\$ 50,450.00
8	\$ 45,500.00	\$ 47,925.00	\$ 49,150.00	\$ 51,050.00
9	\$ 45,900.00	\$ 48,450.00	\$ 49,700.00	\$ 51,650.00
10	\$ 47,100.00	\$ 49,700.00	\$ 51,000.00	\$ 53,000.00
11	\$ 47,500.00	\$ 50,225.00	\$ 51,550.00	\$ 53,600.00
12	\$ 47,900.00	\$ 50,750.00	\$ 52,100.00	\$ 54,200.00
13	\$ 48,300.00	\$ 51,275.00	\$ 52,650.00	\$ 54,800.00
14	\$ 48,700.00	\$ 51,800.00	\$ 53,200.00	\$ 55,400.00
15	\$ 49,900.00	\$ 53,050.00	\$ 54,500.00	\$ 56,750.00
16	\$ 50,300.00	\$ 53,575.00	\$ 55,050.00	\$ 57,350.00
17	\$ 50,700.00	\$ 54,100.00	\$ 55,600.00	\$ 57,950.00

18	\$ 51,100.00	\$ 54,625.00	\$ 56,150.00	\$ 58,550.00
19	\$ 51,500.00	\$ 55,150.00	\$ 56,700.00	\$ 59,150.00
20	\$ 52,700.00	\$ 56,400.00	\$ 58,000.00	\$ 60,500.00
21	\$ 53,100.00	\$ 56,925.00	\$ 58,550.00	\$ 61,100.00
22	\$ 53,500.00	\$ 57,450.00	\$ 59,100.00	\$ 61,700.00
23	\$ 53,900.00	\$ 57,975.00	\$ 59,650.00	\$ 62,300.00
24	\$ 54,300.00	\$ 58,500.00	\$ 60,200.00	\$ 62,900.00
25	\$ 56,800.00	\$ 61,000.00	\$ 62,700.00	\$ 65,400.00
26	\$ 57,200.00	\$ 61,525.00	\$ 63,250.00	\$ 66,000.00
27	\$ 57,600.00	\$ 62,050.00	\$ 63,800.00	\$ 66,600.00
28	\$ 58,000.00	\$ 62,575.00	\$ 64,350.00	\$ 67,200.00
29	\$ 58,400.00	\$ 63,100.00	\$ 64,900.00	\$ 67,800.00
30	\$ 58,800.00	\$ 63,625.00	\$ 65,450.00	\$ 68,400.00
31	\$ 59,200.00	\$ 64,150.00	\$ 66,000.00	\$ 69,000.00
32	\$ 59,600.00	\$ 64,675.00	\$ 66,550.00	\$ 69,600.00
33	\$ 60,000.00	\$ 65,200.00	\$ 67,100.00	\$ 70,200.00
34	\$ 60,400.00	\$ 65,725.00	\$ 67,650.00	\$ 70,800.00
35	\$ 60,800.00	\$ 66,250.00	\$ 68,200.00	\$ 71,400.00

** An additional \$6000 supplement will be added to the salary of each employee who is a National Board Certified Teacher in accordance with MS Code 37-19-7.

APPENDIX B – Teacher Supplemental Pay Scale (TOD, TVI, TODB Certified)

Mississippi Schools for the Deaf and the Blind

MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND

CERTIFIED TEACHER SALARY SUPPLEMENT SCALE

SINGLE ENDORSEMENT								
Years of Experience		A Certificate Supplement		AA Certificate Supplement		AAA Certificate Supplement		AAAA Certificate Supplement
0		\$ 3,000		\$ 3,050		\$ 3,100		\$ 3,150
1		\$ 3,100		\$ 3,150		\$ 3,200		\$ 3,250
2		\$ 3,200		\$ 3,250		\$ 3,300		\$ 3,350
3		\$ 3,300		\$ 3,350		\$ 3,400		\$ 3,450
4		\$ 3,400		\$ 3,450		\$ 3,500		\$ 3,550
5		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
6		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
7		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
8		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
9		\$ 3,500		\$ 3,550		\$ 3,600		\$ 3,650
10		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700

11		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
12		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
13		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
14		\$ 3,550		\$ 3,600		\$ 3,650		\$ 3,700
15		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
16		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
17		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
18		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
19		\$ 3,600		\$ 3,650		\$ 3,700		\$ 3,750
20		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
21		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
22		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
23		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
24		\$ 3,650		\$ 3,700		\$ 3,750		\$ 3,800
25 or more		\$ 3,700		\$ 3,750		\$ 3,800		\$ 3,850

**MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND
CERTIFIED TEACHER SALARY SUPPLEMENT SCALE**

DUAL ENDORSEMENT (FOR HI/VI DUAL-CERTIFIED TEACHERS)								
Years of Experience		A Certificate Supplement		AA Certificate Supplement		AAA Certificate Supplement		AAAA Certificate Supplement
0		\$ 4,500		\$ 4,550		\$ 4,600		\$ 4,650
1		\$ 4,600		\$ 4,650		\$ 4,700		\$ 4,750
2		\$ 4,700		\$ 4,750		\$ 4,800		\$ 4,850
3		\$ 4,800		\$ 4,850		\$ 4,900		\$ 4,950
4		\$ 4,900		\$ 4,950		\$ 5,000		\$ 5,050
5		\$ 5,000		\$ 5,050		\$ 5,100		\$ 5,150
6		\$ 5,000		\$ 5,050		\$ 5,100		\$ 5,150
7		\$ 5,000		\$ 5,050		\$ 5,100		\$ 5,150
8		\$ 5,000		\$ 5,050		\$ 5,100		\$ 5,150
9		\$ 5,000		\$ 5,050		\$ 5,100		\$ 5,150
10		\$ 5,050		\$ 5,100		\$ 5,150		\$ 5,200
11		\$ 5,050		\$ 5,100		\$ 5,150		\$ 5,200
12		\$ 5,050		\$ 5,100		\$ 5,150		\$ 5,200
13		\$ 5,050		\$ 5,100		\$ 5,150		\$ 5,200
14		\$ 5,050		\$ 5,100		\$ 5,150		\$ 5,200
15		\$ 5,100		\$ 5,150		\$ 5,200		\$ 5,250

16		\$ 5,100		\$ 5,150		\$ 5,200		\$ 5,250
17		\$ 5,100		\$ 5,150		\$ 5,200		\$ 5,250
18		\$ 5,100		\$ 5,150		\$ 5,200		\$ 5,250
19		\$ 5,100		\$ 5,150		\$ 5,200		\$ 5,250
20		\$ 5,150		\$ 5,200		\$ 5,250		\$ 5,300
21		\$ 5,150		\$ 5,200		\$ 5,250		\$ 5,300
22		\$ 5,150		\$ 5,200		\$ 5,250		\$ 5,300
23		\$ 5,150		\$ 5,200		\$ 5,250		\$ 5,300
24		\$ 5,150		\$ 5,200		\$ 5,250		\$ 5,300
25 or more		\$ 5,200		\$ 5,250		\$ 5,300		\$ 5,350

*MSDB will reimburse any employee for a passed Praxis for single, dual, or any endorsement needed by the district with a limit of two per year.

**APPENDIX D – Teacher’s Assistant Pay Scale
Mississippi Schools for the Deaf and the Blind**

Teaching Assistant Salary Scale (2023-2024)

Step	A Teaching Certificate/Special Area Asst.	B B.S. Degree Any Field	C AA Degree Any Field	D High School Diploma
0	\$ 23,000.00	\$ 21,000.00	\$ 20,000.00	\$ 19,000.00
1	\$ 23,460.00	\$ 21,420.00	\$ 20,400.00	\$ 19,380.00
2	\$ 23,929.20	\$ 21,848.40	\$ 20,808.00	\$ 19,767.60
3	\$ 24,407.78	\$ 22,285.37	\$ 21,224.16	\$ 20,162.95
4	\$ 24,895.94	\$ 22,731.08	\$ 21,648.64	\$ 20,566.21
5	\$ 25,393.86	\$ 23,185.70	\$ 22,081.62	\$ 20,977.54
6	\$ 25,901.74	\$ 23,649.41	\$ 22,523.25	\$ 21,397.09
7	\$ 26,419.77	\$ 24,122.40	\$ 22,973.71	\$ 21,825.03
8	\$ 26,948.17	\$ 24,604.85	\$ 23,433.19	\$ 22,261.53
9	\$ 27,487.13	\$ 25,096.94	\$ 23,901.85	\$ 22,706.76
10	\$ 28,036.87	\$ 25,598.88	\$ 24,379.89	\$ 23,160.89
11	\$ 28,597.61	\$ 26,110.86	\$ 24,867.49	\$ 23,624.11
12	\$ 29,169.56	\$ 26,633.08	\$ 25,364.84	\$ 24,096.59
13	\$ 29,752.95	\$ 27,165.74	\$ 25,872.13	\$ 24,578.53
14	\$ 30,348.01	\$ 27,709.05	\$ 26,389.58	\$ 25,070.10
15	\$ 30,954.97	\$ 28,263.24	\$ 26,917.37	\$ 25,571.50
16	\$ 31,574.07	\$ 28,828.50	\$ 27,455.71	\$ 26,082.93
17	\$ 32,205.55	\$ 29,405.07	\$ 28,004.83	\$ 26,604.59
18	\$ 32,849.66	\$ 29,993.17	\$ 28,564.92	\$ 27,136.68
19	\$ 33,506.66	\$ 30,593.03	\$ 29,136.22	\$ 27,679.41
20	\$ 34,176.79	\$ 31,204.90	\$ 29,718.95	\$ 28,233.00
21	\$ 34,860.33	\$ 31,828.99	\$ 30,313.33	\$ 28,797.66
22	\$ 35,557.53	\$ 32,465.57	\$ 30,919.59	\$ 29,373.61
23	\$ 36,268.68	\$ 33,114.88	\$ 31,537.99	\$ 29,961.09
24	\$ 36,994.06	\$ 33,777.18	\$ 32,168.74	\$ 30,560.31
25	\$ 37,733.94	\$ 34,452.73	\$ 32,812.12	\$ 31,171.51
26	\$ 38,488.62	\$ 35,141.78	\$ 33,468.36	\$ 31,794.94
27	\$ 39,258.39	\$ 35,844.62	\$ 34,137.73	\$ 32,430.84
28	\$ 40,043.56	\$ 36,561.51	\$ 34,820.48	\$ 33,079.46
29	\$ 40,844.43	\$ 37,292.74	\$ 35,516.89	\$ 33,741.05
30	\$ 41,661.32	\$ 38,038.59	\$ 36,227.23	\$ 34,415.87

Teacher Assistants include Library Media Assistants & In School Suspension monitors.

Please note: The numbers down the left side of the scale do not represent the number of years of experience as a teacher's assistant. These numbers are simply a position on the salary scale.

**APPENDIX E – Residential Parent Salary Scale
Mississippi Schools for the Deaf and the Blind**

Residential Parent Salary Scale (2023-2024)

Step	A B.S. Degree Any Field	B AA Degree Any Field	C High School Diploma
0	\$ 23,500.00	\$ 22,500.00	\$ 21,500.00
1	\$ 23,970.00	\$ 22,950.00	\$ 21,930.00
2	\$ 24,449.40	\$ 23,409.00	\$ 22,368.60
3	\$ 24,938.39	\$ 23,877.18	\$ 22,815.97
4	\$ 25,437.16	\$ 24,354.72	\$ 23,272.29
5	\$ 25,945.90	\$ 24,841.82	\$ 23,737.74
6	\$ 26,464.82	\$ 25,338.65	\$ 24,212.49
7	\$ 26,994.11	\$ 25,845.43	\$ 24,696.74
8	\$ 27,534.00	\$ 26,362.34	\$ 25,190.68
9	\$ 28,084.68	\$ 26,889.58	\$ 25,694.49
10	\$ 28,646.37	\$ 27,427.37	\$ 26,208.38
11	\$ 29,219.30	\$ 27,975.92	\$ 26,732.55
12	\$ 29,803.68	\$ 28,535.44	\$ 27,267.20
13	\$ 30,399.76	\$ 29,106.15	\$ 27,812.54
14	\$ 31,007.75	\$ 29,688.27	\$ 28,368.79
15	\$ 31,627.91	\$ 30,282.04	\$ 28,936.17
16	\$ 32,260.46	\$ 30,887.68	\$ 29,514.89
17	\$ 32,905.67	\$ 31,505.43	\$ 30,105.19
18	\$ 33,563.79	\$ 32,135.54	\$ 30,707.29
19	\$ 34,235.06	\$ 32,778.25	\$ 31,321.44
20	\$ 34,919.76	\$ 33,433.82	\$ 31,947.87
21	\$ 35,618.16	\$ 34,102.49	\$ 32,586.83
22	\$ 36,330.52	\$ 34,784.54	\$ 33,238.56
23	\$ 37,057.13	\$ 35,480.23	\$ 33,903.33
24	\$ 37,798.28	\$ 36,189.84	\$ 34,581.40
25	\$ 38,554.24	\$ 36,913.63	\$ 35,273.03
26	\$ 39,325.33	\$ 37,651.91	\$ 35,978.49
27	\$ 40,111.83	\$ 38,404.95	\$ 36,698.06
28	\$ 40,914.07	\$ 39,173.04	\$ 37,432.02
29	\$ 41,732.35	\$ 39,956.51	\$ 38,180.66
30	\$ 42,567.00	\$ 40,755.64	\$ 38,944.27

Please note: The numbers down the left side of the scale do not represent the number of years of experience. These numbers are simply a position on the salary scale.

APPENDIX F – Employee Work Days and Leave Allowances

Effective July 1, 2021

Employee Group	Days Employed	Personal Leave	Sick Leave	Vacation Days
Group A	238 days	3 days	11 days	10 days
Group B	197 days	3 days	8 days	
Group C	187 days	3 days	8 days	

Group A – 238 days	Group B – 197 days	Group C – 187 days
Superintendent Assistant Superintendent Principals Assistant Principals Administrative Assistants Business Office Staff Facilities Staff Maintenance Staff Technology Department Staff MIRC Director MAC Director School Psychologist Sped Case Manager Residential Directors MSIS Coordinator Transition Coordinator Dean of Students/Athletic Coordinator	School Counselors Head Nurse Special Service Coordinators	Teachers Teaching Assistants Residential Parents Residential Parent Supervisors Health Clinic Nurses Early Intervention Specialists Interpreters SLPs OT/PT ASL Specialist O&M Specialist <u>Bus Drivers</u>

Addendum Effective August 19, 2021: If the death of an immediate family member (see definition on page 20) occurs, three (3) days of bereavement will be provided in addition to the allocated days.

Leave carryover will be implemented according to state law.

SICK LEAVE ACCUMULATION

Sick leave has an unlimited amount of accumulation. Any unused portion of personal leave allowance days shall be carried over to the next school year and credited to such employee if the employee remains employed in the school district. The annual conversion of unused personal leave to sick days for licensed and unlicensed employees shall not exceed the allowable number of personal leave days. Upon Retirement from employment employees shall receive credit toward retirement for any unused leave.

VACATION LEAVE ACCUMULATION

Certified and non-certified 240-day staff are entitled to vacation days. Vacation days shall be scheduled at the convenience of the school system and dates shall be approved by the Superintendent or his/her designee prior to the beginning date of any vacation. Vacation days may be prorated for new employees from the date of employment through the last day of the fiscal year.

Vacation leave earned in the previous fiscal year and not used by December 31st of the current fiscal year

shall be converted to sick leave.

For all 12-month certified and classified employees, the following days will be considered paid holidays:

Independence Day

Labor Day

Thanksgiving Day

Christmas Day

New Year's Day

Memorial Day

Appendix G:

IDEA PART B Fiscal Policies and Procedures

Table of Contents

- I. Glossary of Terms
- II. Internal Controls
- III. Cash Management
 - a. Reimbursements
- IV. Allowable Uses of IDEA Funds
- V. Excess Cost Requirement
- VI. Nonallowable Uses of IDEA Funds
- VII. Personnel Requirements
 - a. Time and Effort Procedures
- VIII. Indirect Cost Requirement
- IX. Procurement
- X. Contracting for Services
 - a. Personnel Conflicts of Interest
 - b. Mandatory Disclosure
 - c. Debarment and Suspension
- XI. Leasing of Equipment
- XII. Fixed Assets/Inventory Requirements/Transfer of Equipment
- XIII. Travel Policy
- XIV. Coordinated Early Intervening Services (CEIS)
- XV. Extended School Year Services (ESY)
- XVI. Proportionate Share of Funds for Parentally-Placed Private School Children with Disabilities
- XVII. Instructional Supplies
- XVIII. Maintenance of Effort Requirements and Exceptions
- XIX. Educable Child
- XX. Retention of Fiscal Records

I. Glossary of Terms and Acronyms

CEIS – Coordinated Early Intervening Services

CFR – Code of Federal Regulations

EDGAR – Education Department General Administrative Regulations

ESY – Extended School Year

IDEA - Individuals with Disabilities Education Act

LEA – Local Education Agency

LRE – Least Restrictive Environment

MDE – Mississippi Department of Education

MOE – Maintenance of Effort

ODHH – Office of Deaf and Hard of Hearing

OSE – Office of Special Education

OSEP – Office of Special Education and Programs

RFP – Request for Proposal

SEA – State Education Agency

II. Internal Controls

The District has developed and maintains sound internal controls to ensure that all personnel, contractual services, and goods (equipment and instructional supplies) funded and purchased with IDEA subgrants are budgeted for and expended in accordance with the applicable provisions of IDEA and other Federal requirements. Internal controls include an accounting system that focuses on accountability of how the funds are used (i.e. “fund accounting”).

Accounting records are supported by source documentation including:

- Cancelled checks;
- Paid bills;
- Payrolls;
- Documentation demonstrating allowability of costs;
- Time and attendance records; and
- Contract and subgrant award documents.

Internal controls and accounting procedures of the District are sufficient to:

- (1) permit preparation of required reports; and
- (2) permit the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of the restrictions and prohibition of applicable statutes.

Actual expenditures are compared with budgeted amounts in the MCAPS funding application. In addition, the financial management system is able to:

- Prepare reports as required by the Uniform Grant Guidance, EDGAR and IDEA;
- Provide a complete disclosure of financial results (e.g. cash flow, expenditures, amendments);
- Ensure that there is accountability in how IDEA funds are used;
- Ensure that IDEA funds are not commingled with State funds and/or local funds; and
- Ensure that IDEA funds are used to supplement and not supplant State, local, and other Federal funds. [34 CFR §§300.162(c), 300.202(a)(3)]

[The District] is permitted to amend their IDEA grant within the approved direct cost budget to meet unanticipated needs and to make limited program changes. However, post-award changes to budgets and projects will require prior approval of MDE/OSE. In addition, LEAs must secure board approval to amendments.

III. Cash Management

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act. Generally, the District receives payment from the State Department of Education on a reimbursement basis.

However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses.

Any obligation of federal grant funds must occur on or between the beginning and ending dates of the grant project, except for carry-over funds, as allowed by federal law and administrative rules. All obligations must be liquidated no later than 90 days after the end of the carryover period, unless an extension is authorized. State-administered grant funds carried over by the District from one year to the next shall be determined in an annual audit performed according to Generally Accepted Accounting Principles (GAAP) and State statutes. After carryover amounts are determined, the Superintendent or his or her designee shall report and administer the funds according to the program's requirements.

Funds received under a federal grant shall be considered to be obligated according to the standards provided in 34 C.F.R. § 75.707 or 34 C.F.R. § 76.707, as applicable.

Reimbursements

The District will initially charge federal grant expenditures to nonfederal funds.

The District Grant Accountant or Business Manager will request reimbursement for actual expenditures or once obligations have been made. Reimbursement requests will be submitted on a District form to the State Department of Education. [2 CFR §200.305]

Consistent with State and federal requirements, the District will maintain source documentation supporting the federal expenditures; such as invoices, time sheets, and payroll stubs; and will make such documentation available for the State Department of Education to review upon request.

IV. Allowable Uses of IDEA Funds

In order to be allowable, LEAs must ensure that all costs incurred are necessary, reasonable, and allocable. [2 CIFR Part 230] The following list illustrates allowable uses:

1. LEAs are permitted to use IDEA funds only to pay the excess costs of providing special education and related services to children with disabilities. [34 CFR §§300.16 & 300.202]
2. LEAs must ensure that costs incurred and funded through the IDEA grant are necessary, reasonable, and allocable. [2 CIFR Part 230]
3. LEAs are permitted to use IDEA funds to pay for special education teachers, special education administrators, related service providers, instructional assistants, and secretarial support staff that *directly* provide services or support services to students with disabilities.
4. LEAs are permitted to use IDEA funds for special education staff to attend out of district or out-of-state meetings and conferences, only to the extent such costs are reasonable and necessary to accomplish the goals and objectives of the grant. The number of attendees and the approval process should be carefully considered and fully documented as related to the

special education responsibilities of each potential attendee. In addition, costs for all conference attendance must be included in the LEAs grant application and receive prior approval from MDE/OSE.

5. LEAs are permitted to use IDEA funds for travel expenses only to the extent such costs are reasonable and necessary and do not exceed charges normally allowed by the LEA in its regular operations consistent with its written travel policies. LEAs should follow their own travel and per diem rules and costs when charging travel expenses to their IDEA grant.
6. LEAs are permitted to use IDEA funds to purchase instructional materials to be used by special education teachers and related service providers to meet the unique educational needs of children with disabilities. (see section below)
7. LEAs are permitted to use IDEA funds to purchase, lease, or otherwise provide for the acquisition of assistive technology devices to maintain or improve the functional capabilities of children with disabilities.
8. LEAs are permitted to purchase food ONLY as those purchases directly relate to instructional activities involving food shopping and preparation. Food purchases and activities must be supported by teacher lesson plans and be necessary to meet student IEPs related to independent living goals and objectives.
9. LEAs are permitted to contract for services only if (1) there is a written contract specifying the terms of the vendors' services; (2) the contract providers are appropriately licensed; (3) the fees are determined to be reasonable and customary for the provision of such services in the area; (4) the LEA has determined that the services cannot be provided by district employees; and (5) the LEA has internal controls in place to verify the delivery of contracted services as specified in contracts and on submitted invoices.

V. Excess Cost Requirement

Excess costs are those costs associated with the education of an elementary school or secondary school student with a disability that are in excess of the average annual per student expenditure in an LEA during the preceding school year for ALL elementary school or secondary school students. [34 CFR 300.202(b)] An LEA must spend at least the average annual per student expenditure on the education of an elementary school or secondary school child with a disability before funds under Part B of the Act are used to pay the excess costs of providing special education and related services. That amount may not include capital outlay or debt service.

For a particular cost to be allowable, it must be an excess cost of providing special education and related services. Only allowable costs may be charged to IDEA Part B or Preschool grants. In addition, in order for the cost to be allowable, it must be *necessary* and *reasonable* for proper and efficient performance and administration of the grant. A cost is reasonable if it does not exceed what a district would normally incur in the absence of Federal funds.

IDEA's excess cost requirement prevents an LEA from using Part B funds to pay ALL of the costs directly attributable to the education of children with disabilities, with the following exception:

The regulations in IDEA §300.202(b) permit an LEA to use Part B funds to pay for all of the costs directly attributable to the education of a child with a disability in the age ranges of 3-5

and 18-21, only if no local or State funds are available to provide for the education of children WITHOUT disabilities of those same age ranges. In such cases, the LEA must comply with the non-supplanting and other requirements of Part B in providing the education and services for these children.

When determining whether a cost is an excess cost, ask the following guiding questions:

1. In the absence of special education needs, would this cost exist?
 - a) No, then the cost is an excess cost and may be eligible.
 - b) Yes, then the cost is not an excess cost and is not allowed.
2. Is this cost also generated by students without disabilities?
 - a) No, then the cost is an excess cost and may be eligible.
 - b) Yes, then the cost is not an excess cost and is not allowed.
3. If it is a child-specific service, is the service documented in the student's IEP?
 - a) Yes, then the cost is an excess cost and may be eligible.
 - b) No, then the cost is not an excess cost and is not allowed.

VI. Non-Allowable Uses of IDEA Funds

There are numerous non-allowable uses of Federal funds, including IDEA grant funds. The MDE/OSE may seek to recover any Federal funds identified, in an audit or through onsite monitoring, as having been used for unallowable costs. If MDE/OSE determines that an LEA must return funds, those funds *cannot* be returned out of Federal funds. [34 CFR §300.202] The following is a list of specific non-allowable expenses. However, the list is not exhaustive. Any questions related to the allowability of IDEA fund use that is not included below should be directed to MDE/OSE.

1. IDEA funds may not be used to pay attorneys' fees or costs of a party related to any action or proceeding under section 615 of the Act, (including attendance at IEP meetings, due process hearings, appeals of due process hearings to Federal court, court recordings). [34 CFR §300.517(b)]
2. IDEA funds may not be used to pay any person for influencing, or attempting to influence:
 - An officer or employee of any agency;
 - A member of Congress;
 - An officer or employee of Congress; or
 - An employee of a member of Congress.
3. IDEA funds may not be used to influence the awarding of, or the extension, continuation, renewal, amendment, or modification of any contract or cooperative agreement.
4. IDEA funds may not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those

expenditures for the preceding fiscal year. [34 CFR §§300.203] (see maintenance of effort section below)

5. IDEA funds may not be used to purchase food or beverages for meetings, staff development activities, parent training activities, student meals, or classroom snacks [see MDE MEMO dated November 12, 2012].
6. IDEA funds may not be used to support activities under Section 504, including allocation of staff time, purchase of materials, or in support of direct services to non-special education students.
7. IDEA funds may not be used to pay for entertainment, including costs for amusement, diversion, or social activities.
8. IDEA funds may not be used to purchase gifts, gift cards, pre-paid cards, or awards for staff or students.
9. IDEA funds may not be used to purchase or support the use of computer networks and servers, or cell phones.
10. IDEA funds may not be used to pay for students to participate in SAT or ACT college entrance exams, or for preparatory classes related to these exams.
11. IDEA funds may not be used to pay for students with disabilities to participate in regular summer school programs.
12. IDEA funds may not be used to pay for contracted employees' continuing education classes and/or conferences related to securing or maintaining their certification.
13. IDEA funds may not be used to pay for student medications, or for medical devices that are surgically implanted.
14. IDEA funds may not be used to pay for office or classroom furniture unless specifically authorized by MDE and included in the grant application.

VII. Personnel Requirements

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with State or local funds but is used to meet a required "match" in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants.

The District's records will accurately reflect the work performed. These records must:

1. Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. Be incorporated into official records;
3. Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
4. Encompass both federally assisted and all other activities compensated by the District on an integrated basis;

5. Comply with the established accounting policies and practices of the District; and,
6. Support the distribution of the employee's salary or wages among specific activities or costs objectives.

Time and Effort Procedures

Single Federal Award or Cost Objective

If an employee works exclusively in a single federal program, that employee will, at least semi-annually complete a Semi-Annual Certification Form. The form must be completed at least twice each year and signed by the employee and staff member with after-the-fact knowledge of the employee's activities.

Multiple Activities or Cost Objectives

Federal programs staff may work in multiple programs and be paid from multiple federal awards. The initial budget for program personnel is determined according to the relative percentage of the total of allocations of programs in which the staff member works. Each pay period, the staff member's salary and benefits are calculated and paid according to those initial budget percentages.

At the end of each month, staff working on multiple activities or cost objectives must complete a personnel activity reports (PAR) documenting the actual hours worked for each federal program during that month. The certification will be signed by the employee and by the business manager or other District staff with after-the-fact knowledge of the employee's activities.

The business manager will reconcile the certification of actual work performed to budgeted amounts and will make corresponding journal entries that reflect actual hours worked in and allowable activities of each federal program.

VIII. Indirect Cost Requirement

"Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective."

The MDE/OSE calculates each LEA's indirect cost rate for each grant year. When preparing their grant applications, LEAs' indirect cost amount must not exceed the percentage allowed in the State's calculation. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

Typical indirect costs include:

- Rented or shared space or facility.
- Payment of proportionate amount for utilities.
- Payment for proportionate share for services.
- Distribution of cost pool so as to produce equitable results.

In addition, accounting, auditing, payroll, personnel, budgeting, purchasing, and operation and maintenance of plant facilities are all examples of services which typically benefit several activities and programs, and for which appropriate costs may be attributed to IDEA by means of the indirect cost allocation plan.

Indirect costs charged to the grant are determined by applying the restricted indirect cost rate (RICR) to total direct costs of the grant minus capital outlays, subgrants, and other distorting or unallowable items as specified in the grantee's indirect cost rate agreement. Although, districts should calculate what their maximum indirect cost each year could be based on the full amount of their grant award, the final calculation should be based only on the amount of the expenditures incurred each year. The transfer of the indirect costs should occur on or after the expenditures have occurred. [34 C.F.R § 76.563 of EDGAR, 34 C.F.R. §§

IX. Procurement

Equipment

The District may purchase equipment with IDEA funds providing they receive prior approval from MDE/OSE. Equipment is defined as an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost that exceeds \$5,000 per unit. In addition, “highly walkable” items with a useful life of one year or more, and having an acquisition cost of \$500 or more per unit, are considered to be “equipment”. Highly walkable items include, but are not limited, to laptops, iPads, audio-visual equipment, DVD players, think-pads, cameras, etc.

Bids and Contracts

For micro-purchases up to \$5,000, purchases may be awarded without soliciting competitive bids if the District considers the price to be reasonable. The District shall maintain evidence of this reasonableness in the records of all micro-purchases. If small purchases are between \$5,000 and \$50,000 in cost, the District shall use price or rate quotations obtained from at least two qualified sources and maintain quotations in purchasing records.

With the exception of the purchase of curricular materials, whenever the cost of any construction, repair, or improvement; or the acquisition, purchase, or repair of any equipment; or other personal property necessary for the effective operation of the District exceeds \$50,000, bids shall be called for by issuing written request to at least three vendors as specified in statute as well as following federal procurement requirements. Specifications shall be prepared and be made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the Board may reject any bid, reject all bids, or publish notice to rebid the project. If, after calling for bids a second time, no satisfactory bid is received, the Board may proceed under its own direction, subject to the approval of the State Board of Education.

Competitive Proposals

The technique of competitive proposals is normally conducted when more than one source submits an offer, and either a fixed price or cost-reimbursement type contract is to be awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. Proposals must be solicited from an adequate number of qualified sources; and
3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. This method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$50,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District Superintendent must come to an independent estimate prior to receiving bids or proposals. 2 C.F.R. § 200.323(a).

When performing a cost analysis, the District Superintendent negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or
4. After solicitation of a number of sources, competition is determined inadequate.

A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$50,000.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 C.F.R. §200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Noncompetitive pricing practices between firms or between affiliated companies;
4. Noncompetitive contracts to consultants who are on retainer contracts;
5. Organizational conflicts of interest;
6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
7. Any arbitrary action in the procurement process.

The following shall be required in the case of procurement under a federal grant to ensure adequate competition.

Geographical Preferences Prohibited

The District shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When

contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The District shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District shall not preclude potential bidders from qualifying during the solicitation period.

X. Contracting for Services

Contracts funded using IDEA, Part B funds must be for services, materials, supplies or other items to be provided in accordance with the applicable requirements of Part 300.

Personnel Conflicts of Interest

No employee will make any purchase or incur any obligations for or on behalf of the District from any private business, contractor, or vendor in which or with which the employee has a direct or indirect financial or ownership interest.

Purchases or contracted services from any private business or venture in which any employee of this District has a direct or indirect financial or ownership interest will be made on a competitive bid basis strictly in accordance with the following procedures:

1. The interested employee, the business, the contractor, or the vendor will fully disclose, in writing, the employee's exact relationship to the business, the contractor, or the vendor;
2. The affected business, the contractor, or the vendor may submit a bid in compliance with the specifications outlined by the District;
3. The interested employee will not be involved in any part of the bidding process, including but not limited to, preparing specifications, advertising, analyzing, or accepting bids; and
4. This policy will apply to any organization, fund, agency, or other activity maintained or operated by the District.

No employee will solicit gifts, gratuities, favors, prizes, awards, merchandise, or commissions as a result of ordering any items or as a result of placing any purchase order with a business, contractor, or vendor on behalf of the District nor accept anything of monetary value from a business, contractor, or vendor except for unsolicited gifts of \$50 or less in value.

Mandatory Disclosure

Upon discovery of any potential conflict, the District will disclose in writing the potential conflict to the federal awarding agency in accordance with applicable federal awarding agency policy. [2 CFR §200.318] In addition to the conflicts of interest outlined above, no employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest include instances where any of the following has a financial or other interest in or a tangible personal benefit from a firm considered for a contract:

1. The employee, officer, or agent;
2. Any member of his or her immediate family, including spouses, children, and parents;
3. His or her partner. For the purposes of this policy, "partner" shall mean an adult of the same sex or different sex with whom the employee, officer, or agent shares a non-marital intimate relationship and a common residence and with whom they mutually affirm that they share responsibility for each other's common welfare; or

4. An organization which employs or is about to employ any of the parties listed above.

The following activities are prohibited:

1. The purchase during the school day of any food or service from a District contractor or vendor for individual use;
2. The removal of any food, supplies, equipment, or school property without proper authorization;
3. Individual sales by District personnel of any school property, including used items.
4. Evaluate bids or proposals that use statutorily or administratively imposed state, local, or tribal geographical preferences, except those cases where federal statutes expressly mandate or encourage geographic preference. In instances where the District is seeking architectural and engineering services, geographical location may be a selection criterion depending on the nature and size of the project.

In addition to its other policies and procedures regarding procurement, the District shall adhere to the following requirements when making procurements under a federal award. The District shall:

1. Ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be produced, and set forth those minimum essential characteristics and standards to which the material, product, or service must conform. The District will identify all requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals.
2. Provide a written method for conducting technical evaluations of the proposals received and for selecting recipients, including factors considered for the evaluation: who performs the evaluation, the number of evaluations performed, the timeframe for conducting any evaluations, and the selection of a vendor and whether another position reviews the evaluation.
3. Maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
4. Avoid acquiring unnecessary or duplicative items;
5. Consider consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.
6. Maintain a list of prequalified persons, firms, or products which are used in acquiring goods and services, and include enough qualified sources to ensure maximum open and free competition.
7. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
8. Maintain records sufficient to detail the history of procurement. These records will include:
 - A. Rationale for the method of procurement;
 - B. Selection of contract type;
 - C. Contractor selection or rejection; and
 - D. The basis for the contract price.
9. The use of a time and materials type contract is prohibited unless the District determines that no other contract is suitable. Time and materials type contract means a contract whose cost to a District is the sum of:
 - A. The actual cost of materials; and
 - B. The direct labor hours charged at hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. When this type of the contract is used, it will include a ceiling price that the contractor exceeds at his or her own risk. The District will assert a high degree of oversight over such contracts in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

10. The District will adhere to any additional procurement rules as applicable to specific federal programs, such as federal child nutrition programs.

Debarment and Suspension

The District may not subcontract with or award subgrants to any person or company that is debarred or suspended. For all contracts over \$25,000, the District shall verify that the vendor with whom the District intends to do business with is not excluded or disqualified. The Business Manager shall be responsible for verification by checking the excluded parties list on Sam.gov.

XI. Leasing of Equipment

Where appropriate, LEAs are permitted to use IDEA funds to lease equipment in support of their special education programs. LEAs must carefully evaluate decisions related to lease versus purchase alternatives in order to determine the most economical approach.

Allowability of leases is based upon:

- Leasing costs of comparable equipment;
- Alternatives available; and
- The type, life expectancy, condition, and value of the equipment leased.

All leases must be entered into by way of a written contract that specifies the terms and conditions of the lease. Lease contracts must be reviewed periodically to determine if needs or circumstances have changed, and if other options are determined available. For IDEA, Part B, leases must be in accordance with the applicable provisions of Part 300.

XII. Fixed Assets/Inventory Requirements

All property procured through the use of IDEA, Part B funds must be used in accordance with the applicable provisions of Part 300. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years. Property records must contain information set forth in 2 CFR §200.313, which includes:

- A description of the property, a serial number or other identification number;
- The source of property;
- Who holds title;
- The acquisition date;
- Cost of the property;
- Percentage of Federal participation in the cost of the property;
- The location, use and condition of the property; and
- Any ultimate disposition data including the date of disposal and sale price of the property.

Each LEA must develop and utilize adequate maintenance procedures to keep property in good working condition. In addition, a control system should be in place to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated and the results documented.

LEAs must maintain control of, hold title to, and administer equipment and property purchased with IDEA funds that are used to provide services to children in private schools [34 CFR §300.144(a)].

XIII. Travel Policy

Travel Allowances and Expenses

Every District employee and Board Member will be reimbursed for travel expenses while traveling outside of the District and engaged in official District business. All travel expenses must be reported on the District-

approved travel voucher form and, for employees, approval must be granted prior to traveling by the employee's supervisor and the Superintendent. The District will adhere to the State Travel Policy.

The District business office will be responsible for the development of procedures and forms to be used in connection with travel expense claims and reimbursements.

Types of Travel

In District Expenses: District employees and Board Members shall be reimbursed for actual and necessary expenses incurred within the District while attending to District business. Actual mileage driven for pre-approved in-District travel shall be reimbursed. It is the responsibility of the Board to review travel within the District by the Superintendent or by Board Members.

Meals incurred inside the District shall not be reimbursed, except for banquets attended to represent the District.

Out of District Travel: Travel outside of the District must be pre-approved. Board Members shall obtain Board approval prior to incurring out of District expenses, and employees shall obtain prior approval from their supervisor and the Superintendent.

Actual monies spent for food while on out of District trips requiring an overnight stay shall be reimbursed.

District employees and Board Members shall be reimbursed for actual and necessary expenditures incurred outside the District.

Documentation of Expenses

Expenses not in compliance with this policy shall not be reimbursed or paid by the Board.

Prior to reimbursement of actual and necessary expenses, the District employee or Board Member must submit a detailed receipt indicating the date, purpose, and nature of the expense for each claim item and any appropriate travel expense or voucher form. Expenses requiring prior approval must also include a copy of the written prior approval. Employees shall submit their receipts, travel expense forms, and voucher forms to the Superintendent. The Superintendent and Board Members shall submit such documentation to the Board. Failure to provide a detailed receipt will make the expense non-reimbursable.

In exceptional circumstances, the Board may allow a claim without a proper receipt. Written documentation explaining the exceptional circumstances will be maintained as part of the District's record of the claim.

The Board directs the Superintendent to promulgate procedures specifying which expenses shall be reimbursable for travel of different distances and durations.

Travel Costs Under Federal Award

General: Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of a grant recipient. Such costs may be charged on an actual cost basis, or on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not selected days of the trip and results in charges consistent with those normally allowed in like circumstances in the recipient's non-federally funded activities and in accordance with the recipient's written travel reimbursement policies.

Lodging and subsistence: Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the District in its regular operations as the result of its written travel policy. In addition, if these costs are charged directly to the federal award, the District will maintain documentation justifying the following:

1. Participation of the individual is necessary to the federal award; and
2. The costs are reasonable and consistent with this policy and any related procedures.

Temporary dependent care costs above and beyond regular dependent care that directly results from travel to conferences are allowable provided that:

1. The costs are a direct result of the individual's travel for the federal award;
2. The costs are consistent with this policy and any related procedures; and
3. Are temporary, lasting only during the travel period.

Travel costs for dependents are unallowable, except for travel of duration of six months or more with prior approval of the federal awarding agency.

Commercial air travel: Airfare costs in excess of the basic, least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would:

1. Require circuitous routing;
2. Require travel during unreasonable hours;
3. Excessively prolong travel;
4. Result in additional costs that would offset the transportation savings; or
5. Offer accommodations not reasonably adequate for the traveler's medical needs.

XIV. Coordinated Early Intervening Services (CEIS)

An LEA may voluntarily set aside up to 15 percent of its IDEA sub-award for CEIS activities. See Appendix D of the IDEA regulations for examples when LEAs set aside 15 percent of funds for CEIS. If an LEA voluntarily sets aside 15 percent of its IDEA award for CEIS, OR is required to set aside 15 percent of its IDEA sub-award due to a finding of significant disproportionality, it may not adjust its fiscal effort under §300.205. Appendix D of the IDEA regulations provides examples of how CEIS and adjustments to fiscal effort interact with each other. [34 CFR §§300.226 and 300.208(a) (2)]

If LEAs utilize IDEA funds for staffing positions related to CEIS, extreme caution must be taken to avoid supplanting. An example of this would be a Social Worker or Behavior Specialist position that was 100 percent district funded in a previous school year, and then split 50-50 percent district and IDEA funding in the current year, with 50 percent of the employee's time devoted to CEIS activities. Unless in that year, the LEA also hired a new Social Worker (not CEIS) or Behavior Specialist (not CEIS) that was paid out of district (non-IDEA) funds for at least 50 percent of his/her salary, there could very well be a supplanting issue.

XV. Extended School Year Services (ESY)

Extended school year is the provision of special education and related services to students with disabilities in accordance with their Individualized Education Program (IEP) beyond the normal school year of the local district and at no cost to the parents of the students. [34 CFR §300.106] Eligibility for ESY must be determined each year for every child that has a current IEP. LEAs are required to submit an ESY budget application and receive approval from MDE/OSE in order to be reimbursed for ESY expenses.

Students with disabilities who turn age twenty-one (21) during the school year and who are eligible for ESY services may be served in an ESY program as determined by the IEP committee.

The continued placement of students in a private facility must be based on the need for ESY services. Placement of students in a private facility only for ESY services requires a Letter of Justification.

XVI. Proportionate Share of Funds for Parentally-Placed Private School Children with Disabilities

IDEA requires LEA's have in place policies and procedures to ensure that they locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private schools located within the LEA. Such schools include religious, elementary and secondary schools that meet the State's definition of elementary school or secondary school. A proportionate share of the LEAs IDEA Part B and Preschool funds is then determined by formula and set aside for the purpose of providing services to those private school children.

IDEA 34 CFR §§300.129-144 sets forth the requirement of LEAs to serve children with disabilities who are parentally placed in private schools. The calculation of the proportionate share for each year is based on the annual count of the number of parentally-placed private school children with disabilities that was conducted in the previous year and reported in the IDEA Part B and Preschool application for the current year.

LEAs must use their proportionate share funds to pay for services provided to parentally-placed private school children.

XVII. Instructional Supplies and Materials

IDEA funds may be used to purchase instructional supplies and materials that are utilized by special education teachers and support services personnel to support and/or provide instruction to students with disabilities. Specific items of supplies and materials that can be included are included as object codes in the IDEA grant applications.

This is an area of confusion for some districts and must be given careful consideration before purchasing and/or coding to "instructional supplies" from the IDEA grant funds. During fiscal monitoring visits, MDE has discovered that some LEAs purchase items that are either not budgeted for, or were incorrectly coded to this category.

The following chart provides examples of items that can or cannot be considered instructional supplies:

Considered Instructional Supplies	NOT Considered Instructional Supplies
<p>Consumable classroom supplies are ones that used up or transformed in their use. They are generally not used for more than one year.</p> <ul style="list-style-type: none"> • Educational supplies and curriculum related materials directly involved with implementing IEPs • Computer software • Technology for class management • Workbooks for student instructional use • Copier paper 	<p>Office furniture (tables, chairs, credenzas, hutches etc)</p> <p>Small electronics (Nooks, iPads, other tablets, printers, microwaves, vacuum cleaners, refrigerators)</p>

Food purchases directly related to instructional activities involving food shopping and preparation; supported by teacher lesson plans; and necessary to meet student IEP objectives related to independent living skills.	Food and beverages purchased for professional development activities, parent meetings, staff meetings, or classroom lunches/snacks
Test protocols and booklets to access student's progress.	Cameras; Assistive technology devices; Desktop or laptop computers; Medical supplies (rubber gloves, catheters, bandages)

XVIII. Maintenance of Effort Requirements and Exceptions

IDEA 34 CFR §300.203 sets forth the requirement that funds provided to an LEA under Part B of the Act must not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.

Exceptions:

1. The calculations (utilizing the FETS data transmitted to the MDE) are incorrect.
2. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel, who were replaced by qualified, lower-salaried staff.
3. There was a decrease in enrollment of children with disabilities, which resulted in a reduction of teacher units needed to serve students with disabilities.
4. An exceptionally costly special education program provided to a particular disabled child utilizing State and/or local funds was terminated.
5. Costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities, were terminated.

XIX. Educable Child

Per State Board Policy 7201, the Mississippi Department of Education (MDE), Office of Special Education (OSE) is directed to provide oversight through the Individuals with Disabilities Education Act (IDEA) and State Statute in the placement and funding of students with disabilities in private school/facilities.

All private schools/facilities participating in the Educable Child Program are accredited by a state or regional accrediting agency.

State appropriated funds are used to pay the total cost for the required placement as defined by the State Legislature and as State funds are available.

Students who participate in the Educable Child Program fall into one of the four placement categories: School District; Department of Human Services; Parent or Parent with Medicaid.

All placement applications are reviewed and approved for payment by a State Level Review Board.

XX. Retention of Fiscal Records

The Board directs the Superintendent to ensure that fiscal records related to federal grants are retained for a minimum of three years from the submission of the final expenditures report. These records shall be available for inspection if required.

Procedures

The District shall maintain records that fully show:

1. The amount of funds under the grant or subgrant;
2. How the subgrantee uses those funds;
3. The total cost of each project;
4. The share of the total cost of each project provided from other sources;
5. Other records to facilitate an effective audit; and
6. Other records to show compliance with federal program requirements.

The District shall also maintain records of significant project experiences and results. These records and accounts shall be retained and made available for programmatic or financial audits.

The District will destroy paper records by shredding only. In the event of the disposal of computers or electronic equipment that may contain confidential student or personnel records, the District will ensure that hard drives are appropriately “wiped” clean of information prior to disposal.

Appendix H: Policy Addendum

The policies included in this appendix have been adopted by the State Board of Education and supersede any policies mentioned in previous sections or versions of this policy manual.

Policies approved by the SBE on August 17, 2023

Section J; Policy Code: JBA

Policy: Compulsory School Attendance/School Age

Section J; Policy Code: JBAC

Policy: Truancy

Section J; Policy Code JQN

Policy: Equal Opportunity Employment

Section G; Policy Code: GAAA

Policy: Equal Opportunity Employment

Supersedes page 5

Policies approved by the SBE on September 28, 2023

Section J; Policy Code: JGCDA

Policy: Self-Administration of Medication of Asthma/Anaphylaxis Medications

Section: D; Policy Code: DJED

Policy: Bids and Quotations

Supersedes page 103

Section J; Policy Code JGCB

Policy: Student Health Services Inoculations

Section J; Policy Code: JGEB

Policy: Concussion Management and Return to Play Policy

Section E; Policy Code: EBBAB

Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment

Section E; Policy Code EDDAA

Policy: Transporting Students to Events in Vehicles Other than School Buses

Policies approved by the SBE on October 26, 2023

Section: G; Policy Code: GBRI

Policy: Absence from Duty

Supersedes page 64

Section: I; Policy Code: IDDFAA

Policy: District Assurance for Children with Disabilities

Section: J; Policy Code: JBD

Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses

Section: C; Policy Code: CEB

Policy: Duties of Superintendent

Policies approved by the SBE on January 18, 2024

Section: I; Policy Code: ICF

Policy: Curriculum Adoption

Section: I; Policy Code: IC

Policy: Curriculum Development

Section: I; Policy Code: ICB
Policy: Curriculum Development Planning

Section: I; Policy Code: ICA
Policy: Curriculum Development Resources/Equipment and Supplies
Section and Adoption

Section: J; Policy Code: JRD
Policy: Detention Facility Records

Section: J; Policy Code: JCD
Policy: Alternative School Program

Section: J; Policy Code: JCDAC
Policy: Drugs and Alcohol (Possessions or Reasonable Suspension)

Section: J; Policy Code: JGCDA-P
Policy: Management of Narcan and Other Opioid Antagonists

Section: I; Policy Code: ICG
Policy: Sex-Related Education

Section: _J – Students

Policy_Code: _JBA

Policy: Compulsory_School_Attendance/School_Age

COMPULSORY SCHOOL_ATTENDANCE/SCHOOL AGE__

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

This school district shall comply with the requirements of the "Mississippi Compulsory School Attendance Law" (' 37-13-91). Appropriate reports as required by law shall be provided to the Mississippi Department of Education's Office of Compulsory School Attendance Enforcement.

COMPULSORY- SCHOOL-AGE CHILD

"Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include 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 school kindergarten program. *MS Code Section 37-13-91 (2) (f) (2013)*

1. Compulsory-school-age children must be enrolled in school unless the child is:
2. Physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation;
3. Enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children; or
4. Being educated in a legitimate home instruction program.

MS Code Section 37-13-91 (3)

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 shall or his designee, 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 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. *MS Code Section 37-13-91 (6)*

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.

UNLAWFUL ABSENCES / VALID EXCUSES

An "unlawful absence" is an absence during a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. Each of the following shall constitute a valid excuse for temporary nonattendance, provided satisfactory evidence of the excuse is provided to the superintendent or his designee:

1. Attendance at an authorized school activity with the prior approval of the superintendent of the school district or his designee.
2. Illness or injury which prevents the student from being physically able to attend school.
3. When isolation is ordered by the county health officer, by the State Board of Health or appropriate school official.
4. Death or serious illness of a member of the immediate family, which includes children, spouse, grandparents, parents, brothers, sisters, stepbrothers and stepsisters.
5. A medical or dental appointment with prior approval of the superintendent or his designee, except in the case of emergency.
6. 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.
7. Observance of a religious event, with the prior approval of the superintendent or his designee. (Approval should not be withheld unless, in the professional judgment of the superintendent or his designee, the extent of the absence would adversely affect the student's education.)
8. Participation in a valid educational opportunity, such as travel including vacations or other family travel, with the prior approval of the superintendent or his designee. (Approval shall be based on the professional judgment of the superintendent or his designee but shall not be withheld unless the extent of the absence would adversely affect the student's education.)
9. Other conditions sufficient to warrant nonattendance, with prior approval of the superintendent or his designee. However, no absences shall be excused when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law. ' 37-13-91 (4)
10. An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.
11. An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

SCHOOL ATTENDANCE OFFICER

The superintendent and principals shall cooperate with the school attendance officer employed by the State Department of Education, pursuant to MS Code Section 37-13-85.

The Mississippi Public School Accountability Standards for this policy are standards 10 and 11.

LEGAL REF.: MS CODE as cited *Mississippi Public School Accountability Standards*

Attorney General's Opinion. Carter, 1-9-98 (#183) (97-0817)

Last Review Date: August 17, 2023

Section: _J– Students
Policy_Code: _JBAC
Policy: _Truancy
TRUANCY

“Compulsory-school-age child” means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include 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 school kindergarten program. *MS Code Section 37-13-91 (2) (f)*

A "truant" is a student who is absent without a valid excuse as identified In Policy JBA, Compulsory School Attendance.

“Truancy” also includes absence without permission from any class, study hall or school-related activity for which a student is scheduled during the school day.

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.

Reports of truancy shall be made in accordance with the Mississippi Compulsory School Attendance Law (MS CODE ‘ 37-13-91) and Policy JBA.

The school district shall follow the prescribed method for reporting unlawful absences to the Mississippi Department of Education.

The Mississippi Public School Accountability Standards for this policy are standards 10 and 11.

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

Last Review Date: August 17, 2023

Section: J – Students**Policy Code: JQN****Policy: Education for Homeless Children and Youth****EDUCATION_FOR_HOMELESS_CHILDREN AND_YOUTH**

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 school counselor 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 based on the district and Local Education Agency (LEA). 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 school counselor for homeless students. Residential services may be on a case by case basis based upon availability.

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:

1. Individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1));
2. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
3. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C));
4. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
5. Migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless because the children are living in circumstances described in numbers 2-4 above.

An unaccompanied child or youth is a homeless child not in the physical custody of a parent or guardian. 42 U.S.C. § 11434a

SERVICES TO BE PROVIDED

1. 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 Section 1232(g) of Title 20.
6. Should this school district receive assistance under Section 11432, 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 Section 11432, it shall designate a homelessness school counselor 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 school counselor shall inform school personnel, service providers and advocates working with homeless families of the duties of the school counselor.
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 Act of 2001
Adopted Date: 7/27/2023

Section: _G – Personnel
Policy_Code: _GAAA
Policy: Equal_Oppportunity_Employment
EQUAL_OPPORTUNITY_EMPLOYMENT_

The Mississippi Schools for the Deaf and Blind shall not discriminate in their policies and practices with respect to compensation, terms or conditions of employment because of an individual's race, color, ethnic or national origin, religion, gender, height, weight, age, marital status, political beliefs, disability, or handicap which does not impair an individual's ability to perform adequately in that individual's particular position or activity.

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.

HARASSMENT PROHIBITED

The Mississippi Schools for the Deaf and Blind affirm 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."

The Mississippi Public School Accountability Standard for this policy is standard 1.

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*

Last Review Date: August 17, 2023

Section: _I – Instructional_Program

Policy_Code: IDDH

Policy: _Section_504_– Americans with_Disabilities_Act_– Non-Discrimination

SECTION_504_– AMERICANS WITH_DISAIBILITIES_ACT – NON-DISCRIMINATION

The Mississippi Schools for the Deaf and the Blind (MSDB) 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 following person has been designated as the Section 504 /Americans with Disabilities Act Coordinator and will handle inquiries regarding the MSDB's nondiscrimination policies, the filing of grievances, and requests for copies of grievance procedures covering discrimination on the basis of disability.

Human Resources, Section 504/ADA

School District Name: The Mississippi Schools for the Deaf and the Blind

School District Address: 1403 Eastover Drive, Jackson, Mississippi 39211

Telephone: (601) 984-8203 Fax: (601) 984-8020

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

Last Review Date: August 17, 2023

Section I – Instructional Program

Policy_Code: IDDHA

Policy: Section 504 – Americans with Disabilities Act Procedures (Employees and School Visitors)

SECTION 504 – AMERICANS WITH DISABILITIES ACT PROCEDURES (EMPLOYEES AND SCHOOL VISITORS)

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. Your filing a complaint will not subject you 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 Step1 findings to the Superintendent. The complainant shall present his 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.

LEGAL REF.: Section 504 of the Rehabilitation Act of 1973

Last Review Date: August 17, 2023

Section: J Students**Policy Code: JGCDA****Policy: Self-Administration of Medication of Asthma/Anaphylaxis Medications**

Every child who has been diagnosed with asthma must have an asthma action plan on file in the school office.

The school board of this public school district permits the self-administration of asthma and anaphylaxis medication pursuant to the requirements of this policy. A student with asthma and/or anaphylaxis is entitled to possess and self-administer prescription asthma and/or anaphylaxis medication while on school property, on school-provided transportation, or at a school-related event or activity if:

1. The prescription asthma and/or anaphylaxis medication has been prescribed for that student as indicated by the prescription label on the medication;
2. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider; and
3. A parent of the student provides to the school:
 - a. Written authorization, signed by the parent, for the student to self-administer prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity;
 - b. A written statement, signed by the parent, in which the parent releases the school district and its employees and agents from liability for an injury arising from the student's self-administration of prescription asthma and/or anaphylaxis medication while on school property or at a school-related event or activity unless in cases of wanton or willful misconduct;
 - c. A written statement from the student's physician or other licensed health care provider, signed by the physician or provider, that states:
 - i. That the student has asthma and/or anaphylaxis and is capable of self-administering the prescription asthma and/or anaphylaxis medication;
 - ii. The name and purpose of the medication;
 - iii. The prescribed dosage for the medication;
 - iv. The times at which or circumstances under which the medication may be administered;
 - v. The period for which the medication is prescribed; and

- vi. The physician's statement must be kept on file in the office of the school nurse of the school the student attends or, if there is not a school nurse, in the office of the principal of the school the student attends.
4. If a student uses his/her medication in a manner other than prescribed, he/she may be subject to disciplinary action under the school codes. The disciplinary action shall not limit or restrict the student's immediate access to the medication.
5. The school board authorizes the school nurse or trained school employee to administer auto-injectable epinephrine to a student who the school nurse or trained school employee, in good faith, believes is having an anaphylactic reaction, whether or not the student has a prescription for epinephrine.

Definitions:

1. "Parent" means parent or legal guardian.
2. "Auto-injectable epinephrine" means a medical device for the immediate administration of epinephrine to a person at risk for anaphylaxis.
3. "Asthma and anaphylaxis medication" means inhaled bronchodilator and auto-injectable epinephrine.
4. "Self-administration of prescription asthma and/or anaphylaxis medication" means a student's discretionary use of prescription asthma and/or anaphylaxis medication.

OPTIONAL

Each public, private and parochial school may maintain a supply of auto-injectable epinephrine at the school in a locked, secure, and easily accessible location. A licensed physician, including, but not limited to, Mississippi State Department of Health District Health Officers, may prescribe epinephrine auto-injectors in the name of the school system or the individual school to be maintained for use when deemed necessary under the provisions of this section.

Each public, private and parochial school that maintains a supply of auto-injectable epinephrine at the school shall require at least one (1) employee at each school to receive training from a registered nurse or a licensed medical physician in the administration of auto-injectable epinephrine.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: D Fiscal Management
Policy Code: DJED
Policy: Bids and Quotations

BIDS AND QUOTATIONS

The school district shall comply with all applicable provisions of the Mississippi Code of 1972 Annotated including but not limited to § 31-7-13 as amended, and with all other applicable federal and state laws and regulations relating to bids.

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 MS Code 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 Section 31-7-57

LEGAL REF.: MS CODE as cited

Adopted Date: 9/28/2023

Section: J Students**Policy Code: JGCB****Policy: Student Health Services Inoculations**

This school board has the power, authority and duty to require those vaccinations specified by the state health officer as provided in Section 41-23-37. ' 37-7-301(i).

Whenever indicated, the state health officer shall specify such immunization practices as may be considered best for the control of vaccine preventable diseases. A listing shall be promulgated annually or more often, if necessary.

Except as provided hereinafter, it shall be unlawful for any child to attend any school, kindergarten or similar type facility intended for the instruction of children (hereinafter called "schools"), either public or private, with the exception of any legitimate home instruction program as defined in Section 37-13-9, for ten (10) or less children who are related within the third degree computed according to the civil law to the operator, unless they shall first have been vaccinated against those diseases specified by the state health officer.

A certificate of exemption from vaccination for medical reasons may be offered on behalf of a child by a duly licensed physician and may be accepted by the local health officer who, in his opinion, such exemption will not cause undue risk to the community.

Certificates of vaccination shall be issued by local health officers or physicians on forms specified by the Mississippi State Board of Health. These forms shall be the only acceptable means for showing compliance with these immunization requirements, and the responsible school officials shall file the form with the child's record.

If a child shall offer to enroll at a school without having completed the required vaccinations, the local health officer may grant a period of time up to ninety (90) days for such completion when, in the opinion of the health officer, such delay will not cause undue risk to the child, the school or the community. No child shall be enrolled without having had at least one (1) dose of each specified vaccine.

Within thirty (30) days after the opening of the fall term of school (on or before October 1 of each year) the person in charge of each school shall report to the county or local health officer, on forms provided by the Mississippi State Board of Health, the number of children enrolled by age or grade or both, the number fully vaccinated, the number in process of completing vaccination requirements, and the number exempt from vaccination by reason for such exemption.

Within one hundred twenty (120) days after the opening of the fall term (on or before December 31), the person in charge of each school shall certify to the local or county health officer that all children enrolled are in compliance with immunization requirements.

For the purpose of assisting in supervising the immunization status of the children the local health officer, or his designee, may inspect the children's records or be furnished certificates of immunization compliance by the school.

It shall be the responsibility of the person in charge of each school to enforce the requirements for immunization. Any child not in compliance at the end of ninety (90) days from the opening of the fall term must be suspended until in compliance, unless the health officer shall attribute the delay to lack of supply of vaccine or some other such factor clearly making compliance impossible. MS Code Section 41-23-37

Failure to enforce provisions of this Section shall constitute a misdemeanor and upon conviction be punishable by fine or imprisonment or both. MS Code Section 41-23-37 (1983)

The Mississippi Public School Accountability Standard for this policy is standard 6 and 28.

LEGAL REF.: MS CODE as cited

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: J Students**Policy Code: JGEB****Policy: Concussion Management and Return to Play Policy**

The Board of Trustees of this school district adopts this concussion management and return to play policy that includes the following guidelines:

- Parents or guardians shall receive and sign a copy of the concussion policy before the start of the regular school athletic event season.
- An athlete who reports or displays any symptoms or signs of a concussion in a practice or game setting shall be removed immediately from the practice or game. The athlete shall not be allowed to return to the practice or game for the remainder of the day regardless of whether the athlete appears or states that he or she is normal.
- The athlete shall be evaluated by a health care provider working within the provider's scope of practice.
- If an athlete has sustained a concussion, the athlete shall be referred to a licensed physician, preferably one with experience in managing sports concussion injuries.
- The athlete who has been diagnosed with a concussion shall be returned to play only after full recovery and clearance by a health care provider.
- Return to play after a concussion should be gradual and follow a progressive return to competition.
- An athlete shall not return to a competitive game before demonstrating that he or she has no symptoms in a full supervised practice.
- Athletes shall not continue to practice or return to play while still having symptoms of a concussion.

The superintendent/designee shall develop procedures to support this policy and the all staff shall implement.

Concussion Policy Definitions

- "Health care provider" means a licensed physician or a licensed nurse practitioner, licensed physician assistant or licensed health care professional working within the person's scope of practice and under the direct supervision or written consultation of a physician. All health care providers referred to in this act also must be trained in the evaluation and management of concussions.

- "School athletic event" means activities sanctioned by the Mississippi High School Activities Association (MHSAA) or the Mississippi Association of Independent Schools (MAIS), and school-sponsored activities in Grades 7 through 12 of schools that are not members of the MHSAA or the MAIS which activities are organized and conducted in a manner substantially similar to activities that are sanctioned by the MHSAA or the MAIS.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: E Business Management**Policy Code: EBBABB****Policy: Prohibition Against Aiding and Abetting Sex Offenders in Obtaining Employment**

The Mississippi Schools for the Deaf and the Blind School District prohibits any individual who is a school employee, contractor, or agent, from assisting and abetting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or district knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

The requirements above shall not apply if the information giving rise to probable cause:

(1) (a) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(b) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; AND

(2) (a) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(b) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(c) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

This school district shall report incidents of sexual misconduct to the proper law enforcement, the Mississippi Department of Education and all other required agencies. This school district shall not enter confidentiality agreements with sexual predators.

Official references may only be provided by the superintendent or designee. Personal letters of reference or recommendations provided by employees shall not be written on district letterhead and are not considered official. All requests for official references shall be submitted to the superintendent or designee.

The superintendent shall develop procedures to support this policy.

Adopted Date: 9/28/2023

Section: E Business Management

Policy Code: EDDAA

Policy: Transporting Students to Events in Vehicles Other than School Buses

While students are being transported for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, school buses are to be used whenever practical.

This school board may regularly permit the use of motor vehicles other than school buses when the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions, but is not for customary transportation between a student's residence and such sites.

When the transportation of students is provided, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by this school district, the following provisions shall apply:

1. The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in 49 C.F.R. Part 571, designed to transport fewer than ten (10) students. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.
2. An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.
3. The driver of an authorized vehicle transporting students must maintain a valid driver's license and must comply with the requirements of the school district's locally adopted safe driver plan, which includes review of driving records for disqualifying violations.
4. The superintendent or designee shall establish procedures specifying guidelines and consequences for violation of the policy.

Last Review Date: September 28, 2023

Adopted Date: 9/28/2023

Section: G Personnel
Policy Code: GBRI
Policy: Absence from Duty

1. LICENSED EMPLOYEE

The term licensed employee means any employee of a public school district required to hold a valid license by the Commission on Teacher and Administrator Education, Certification and Licensure and Development. 37-7-307

2. SICK LEAVE ALLOWANCE

The State Board of Education (SBE) of this district shall establish by rules and regulations a policy of sick leave with pay for licensed employees and teacher assistants employed in the school district, and such policy shall include the following minimum provisions for sick emergency leave with pay:

- a. Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of eight (8) days or sixty-four (64) hours for absences caused by illness or physical disability of the employee during that school year.
- b. Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public-school licensed employee or teacher assistant transfers from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under Section 25-11-109, Mississippi Code of 1972. Accumulation of sick leave allowed in the school district shall be unlimited.
- c. No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant until after all sick leave allowance credited to such licensed employee or teacher assistant has been used.
- d. For the first ten (10) days of absence of the licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed

employee as a result of illness or physical disability. In lieu of deducting the established substitute amount from the pay of such licensed employee, the policy may allow the licensed employee to receive full pay for the first ten (10) days of absence because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee. Thereafter, the regular pay of such absent licensed employee shall be suspended and withheld in its entirety for any period of absence because of illness or physical disability during that school year.

3. PERSONAL LEAVE ALLOWANCE

Each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of three (3) days or twenty four (24) hours for absences caused by personal reasons during that school year. Except as otherwise listed below, 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 a day after a holiday. Notwithstanding the restrictions listed above on the use of personal leave, a licensed employee may use personal leave as follows:

- a. Personal leave may 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 a day after a holiday if, on the applicable day, an immediate family member of the employee is being deployed for military service.
- b. Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.
- c. Personal leave may 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 a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.
- d. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday if, on the applicable day, an immediate family member of the employee dies or funeral services are held. Any personal leave days taken shall be taken as described in Section 37-7-307 of the Mississippi Code. No additional bereavement leave is created by Section 37-7-307.

Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a seminar, class, training program, professional association or other functions designed for educators. No deduction

from the pay of such employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days or forty (40) hours shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the school district.

4. PROFESSIONAL LEAVE ALLOWANCE

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 and the meetings of the state textbook rating committees or other meetings authorized by SBE policy.

5. RETIREMENT

Upon retirement from employment, each licensed and non-licensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for non-licensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump sum payment for personal leave as provided in Section 25-11-103 (e). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or non-licensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

6. RULES AND REGULATIONS

The SBE may adopt rules and regulations which will reasonably aid to implement the policy of sick and personal leave, including, but not limited to, rules and regulations having the following general effect:

- a. Requiring the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the absent employee, where the absence is for four (4) or more consecutive school days, or for two (2) consecutive school days immediately preceding or following a non-school day;

- b. Providing penalties, by way of full deduction from salary, or entry on the work record of the employee, or other appropriate penalties, for any materially false statement by the employee as to the cause of absence;
- c. Forfeiture of accumulated or future sick leave, if the absence of the employee is caused by optional dental or medical treatment or surgery which could, without medical risk, have been provided, furnished or performed at a time when school was not in session;
- d. Enlarging, increasing or providing greater sick or personal leave allowances than the minimum standards established by this section in the discretion of the SBE of each school district.

7. PAYMENT OF SUBSTITUTE EMPLOYEES

SBE may include in their budgets provisions for the payment of substitute employees, necessitated because of the absence of regular licensed employees. All such substitute employees shall be paid wholly from district funds, except as otherwise provided for long-term substitute teachers in Section 37-19-20. Such SBE, in their discretion, also may pay, from district funds other than adequate education program funds, the whole or any part of the salaries of all employees granted leaves for the purpose of special studies or training.

8. NONLICENSED AND HOURLY PAID SCHOOL EMPLOYEES

The SBE may further adopt rules and regulations which will reasonably implement such leave policies for all other non-licensed and hourly paid school employees as the board deems appropriate.

9. VACATION AND PERSONAL LEAVE

Vacation leave granted to either licensed or non-licensed employees shall be synonymous with personal leave. Unused vacation or personal leave accumulated by licensed employees in excess of the maximum five (5) days or forty (40) hours which may be carried over from one (1) school year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in Section 25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in Sections 25-3-93 and 25-3-95. SBE policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in Sections 25-3-93 and 25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1, 2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

10. DEFINITIONS

For the purposes of this subsection, the following words and phrases shall have the meaning ascribed in this paragraph unless the context requires otherwise:

1. "Catastrophic injury or illness" means a life-threatening injury or illness of an employee or a member of an employee's immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.
2. Immediate family means spouse, parent, stepparent, sibling, child, or stepchild, grandparent, stepbrother, or stepsister.

Any school district employee may donate a portion of his or her unused accumulated personal leave or sick leave to another employee of the same school district who is suffering from a catastrophic injury or illness or who has a member of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the donor employee) shall designate the employee who is to receive the leave (the recipient employee) and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.
3. An employee must have exhausted all of his or her available leave and sick leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
4. Before an employee may receive donated leave, he or she must provide the school district superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the superintendent of education of the school district shall appoint a review committee to approve or disapprove the said donations

of leave, including the determination that the illness is catastrophic with the meaning of this section.

6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
7. Donated leave shall not be used in lieu of disability retirement. MS Code Section 37-7-307.

11. JURY DUTY / OTHER LEAVE

This SBE shall provide leave for employees who serve on juries and/or serve as a witness under subpoena. The SBE cannot recover jury fees from employees who serve on juries. (Attorney General Opinion, *Middleton*, 1991)

12. LEAVE DUE TO DECLARED EMERGENCY CLOSURES

The SBE may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

Adopted Date: 10/19/2023

Section: I Instructional Program**Policy Code: IDDFAA****Policy: District Assurance for Children with Disabilities**

The Mississippi Schools of the Deaf and the Blind School District is committed to serving students with disabilities and hereby sets a goal of expanding and providing full educational opportunities for all students with disabilities, ages birth through twenty-one (21). The opportunities will be provided in accordance with applicable state statutes, federal laws and the Mississippi Department of Education's policies.

FREE APPROPRIATE PUBLIC EDUCATION

The district will provide a free appropriate public education to children ages birth through twenty-one (21), with a disability who need special education and, as appropriate, related services as defined under Part B of the Individuals with Disabilities Education Improvement Act of 2007 (IDEA), Mississippi statutes, and the Mississippi Department of Education policies. A free appropriate public education will be provided to students with disabilities who are enrolled in the district. These services will be provided at no cost to the parent, will meet the standards of the Mississippi State Board of Education, and will stand in conformity with a student's Individualized Education Program (IEP). The provision of a free appropriate public education will continue for a student with a disability through the school year in which a student reaches age twenty-one (21) if the student was enrolled in the district and was twenty (20) at the beginning of the school year.

Preschool students who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education in accordance with an Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP) no later than their third (3) birthday.

Children participating in early-intervention programs under Part C of IDEA, and who are eligible and will participate in preschool programs under Part B of IDEA, will experience a smooth and effective transition to the district's preschool program. Appropriate district personnel will participate in transition planning conferences arranged by the Department of Health, the lead agency for Part C of IDEA.

In accordance with Part B of IDEA regulations, students with disabilities who have graduated from high school with a general education diploma are not entitled to a free appropriate public education by the district.

Procedures for the implementation of this policy by the district are those contained in the state regulations that are relevant to local school districts and issued by the Mississippi Department of Education.

CHILD FIND

The district will continue its efforts to search for under served children, ages birth through twenty-one, who are in need of special education and related services as defined under IDEA, Part B. Children with disabilities, including children who are homeless children or are wards of the State, regardless of the severity of their disability are identified, located and evaluated for services. In accordance with IDEA, Part B, the district will conduct Child Find activities for children who reside in the district's jurisdiction and who are enrolled in the district.

Similar Child Find activities undertaken for the public school children enrolled in the district will be conducted with respect to the identification, location, and evaluation for those children with disabilities who are enrolled in private, including religious, elementary and secondary schools located within the boundaries of the district. The Child Find process will be completed in a time period comparable to that for other students enrolled and attending public schools within the district.

The district will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the Mississippi Department of Education.

EVALUATION AND DETERMINATION OF ELIGIBILITY – PROTECTION IN EVALUATION

All testing and evaluation materials and procedures used by district personnel for assessment and placement will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory. Materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

The district will conduct reevaluations in accordance with the policies and procedures of Mississippi Department of Education prior to the initial provision of special education and related services to a student with a disability. A reevaluation will be conducted of each student with a disability in accordance with the regulations of the Mississippi Department of Education.

All reevaluations conducted by the district will be provided at no cost to the parent. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

CONFIDENTIALITY OF INFORMATION

The district will protect the confidentiality of any personally identifiable data, information, and records collected and maintained relative to students with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

INDIVIDUALIZED EDUCATION PROGRAM

In accordance with the Mississippi Department of Education, the district will ensure the development, implementation, review, maintenance, and revision of each student's IEP periodically, but not less than annually. Educational placement decisions will be determined by a student's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a student with a disability from the student's current placement due to a violation of school rules. The district will initiate and conduct IEP meetings to develop, review, and revise the IEP of a student residing within its jurisdiction who is provided special education and related services in accordance with the regulations issued by the Mississippi Department of Education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

PROCEDURAL SAFEGUARDS

The district will ensure the provision of the rights and the procedures provided to parents and students with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the Mississippi Department of Education. The district will ensure that students with disabilities and their parents are guaranteed due process with respect to the provision of a free appropriate public education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

1. Upon initial referral or parent request for evaluation;
2. Upon a parent filing a request for due process complaint;
3. Upon a disciplinary action constituting a change in placement; and/or
4. Upon request by a parent.

The notice will fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.

LEAST RESTRICTIVE ENVIRONMENT

The district, to the maximum extent appropriate, educates students with disabilities in their age range. A continuum of alternative placements based on individual students' IEPs will be provided to students with disabilities in the district. LEA placement of the students will be determined at least on an annual basis and will be as close to the student's home as possible. In selecting the least restrictive environment for each student, consideration is given to any potentially harmful effect on the student or the quality of services needed.

The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education. The IEP Committee, when determining placement of each student with a disability, will utilize this policy and the designated procedures.

LEGAL REF: 20 U.S.C. §§ 1401; 1412; 1414;_1417; 1435; 1437;_1438

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: J Students**Policy Code: JBD****Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses**

The State Board of Education (SBE) believes that good attendance, with a minimum of tardiness and absenteeism, is essential if students are to gain maximum benefit from the school district's instructional program. The SBE thusly directs the superintendent to develop administrative regulations governing tardiness and absences (excused and non-excused).

The administrative regulations shall be based on all applicable state laws governing absenteeism and tardiness and shall include (but not be limited to) the counting and reporting of students to the Mississippi Department of Education for attendance purposes, expectations for good student attendance, parent responsibility, excused and unexcused absences, and tardiness. Initial administrative regulations and any future changes to such administrative regulations shall be approved by the SBE before implementation.

Make-up Assignments: The administrative regulations shall specify that no absence will be excused when it is due to suspension, expulsion, or other disciplinary action. However, to avoid adopting a policy or administrative rule that would ensure a student's failure, the district shall adopt a provision that permits or requires suspended students who are not immediately placed in an alternative school program to make up work within specified deadlines.

Attendance Reporting: In order for a student to be considered as having attended school for a full day, the SBE specifies that each student must be present for 63% of his or her individual instructional day as fixed by the SBE for each individual school. For purposes of reporting absenteeism, a student who has an absence that is more than thirty-seven percent (37%) of the student's instructional day, as fixed by the SBE for the school at which the student is enrolled, shall be considered absent the entire school day.

The superintendent shall develop and submit for board adoption a policy which includes:

1. a definition of the instructional day for each individual school so that the 63% of the instructional day can be computed for each student within the school district's individual schools, and
2. a process for computing 63% of the instructional day for each student within the school district's individual schools.

DEFINITIONS

Full Day Attendance: When a student is present for 63% of his or her individual instructional day as fixed by the SBE for each individual school.

Unlawful Absence: An absence for an entire school day or during part of a school day when such absence is not due to a valid excuse.

LEGAL REF.: Mississippi Compulsory School Attendance Law
MS CODE 37-13-91

Mississippi Public School Accountability Standard 10 and 11
Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: C General School Administration**Policy Code: CEB****Policy: Duties of Superintendent**

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

Legal Role

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the SBE.
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:
 1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel, principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.
 2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.

3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.
4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
5. 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.
6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as 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.
7. To make to the SBE reports for each scholastic month in such form as the SBE may require.
8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
11. To observe such instructions and regulations as the SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
13. To make such reports as are required by the SBE.
14. To make an enumeration of educable children in the school district as prescribed by law.
15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the SBE and his decision upon cases and his 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.
16. To delegate student disciplinary matters to appropriate school personnel.
17. 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 SBE. 18. 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 SBE.

19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).

20. To perform such other duties as may be required of him by law.

21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.

22. To notify the youth court in the student's county of residence 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.

23. To employ and dismiss noninstructional and non-licensed employees as provided by law.

24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until SBE action, at which time a licensed employee approved by the SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.

3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the SBE 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 official bond for the amount of any pay certificate issued in violation of the provisions of this section. The SBE 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.

4. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his 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 schools, or his designee.

5. The superintendent of schools 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.

6. It shall be the duty of the MDE to keep and preserve the minutes of the proceedings of the SBE.

7. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he 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 schools as a public record for a period of five (5) years. All claims found by the SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. 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 schools 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 salaries and applicable benefits, 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 SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him 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. ' 37-9-14 (2005)

The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Last Review Date: October 19, 2023

Adopted Date: 10/19/2023

Section: I – Instructional Program

Policy Code: ICF

Policy: Curriculum Adoption

CURRICULUM ADOPTION

No course of study shall be eliminated, or new courses added, without approval of the State Board of Education. Neither shall any sharp alteration or reduction of a course of study occur without Board approval.

The subjects taught and credits earned toward graduation shall be those required by the state accrediting standards and from among those approved for the secondary schools.

Refer to the current edition of **Approved Courses for the Secondary Schools of Mississippi** published by the Office of Instructional Development.

For a complete listing of all approved courses for all grade levels and other job code assignments refer to the current edition of **Mississippi Personnel/Accreditation Data Report Reference Manual**.

The Mississippi Public School Accountability Standard for this policy is standard 20.

LEGAL REF.: MS CODE as cited *Mississippi Public School Accountability Standards*

CROSS REF.: Policies CA - General Administration Goals and Objectives
IB - Instructional Goals

Last Review Date: January 18, 2024

Section: I – Instructional Program**Policy Code: IC****Policy: Curriculum Development**

This State Board of Education (SBE) directs the superintendent and administration to provide a curriculum of instruction that meets the academic needs of all children in the school district. The curriculum shall meet all requirements of the Mississippi College and Career Readiness Standards and/or the current Mississippi Curriculum Framework as required by the Mississippi Department of Education.

When applicable for an individualized student, the standard course of study shall include instruction in cursive reading and writing, implemented across the curriculum, so that students create readable documents through legible cursive handwriting by the end of the fifth grade, and that students pass with proficiency a teacher-constructed test demonstrating the student's competency in both reading and writing cursive.

LEGAL REF.: MS CODE as cited

Mississippi Public School Accountability Standards

Section: I – Instructional Program**Policy Code: ICB****Policy: 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 State Board of Education (SBE) 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.

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.

The department shall develop rules necessary for the implementation of advanced placement courses. 37-15-39

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. 37-15-39

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 Mississippi Public School Accountability Standards for this policy are standards 9, 17, and 20.

Section: I – Instructional Program**Policy Code: ICA****Policy: Curriculum Development Resources/Equipment and Supplies Selection and Adoption****Curriculum Development Resources/Equipment**

The State Board of Education shall adopt the curriculum utilized by the school district. The Superintendent of Education, subject to review by the State Board of Education, is responsible for developing procedures for the selection of all curriculum resources, textbooks, other instructional media, and the establishment of procedures concerning the teaching in the classroom. Instructional media include all books (hardcover and paperback), newspapers, periodicals, computer software and applications, other technology resources, 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 principal, with input from the teachers and other staff. It is important in making selections that the professional staff becomes 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 Mississippi Schools for the Deaf and the Blind 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 print, non-print, software, technology items and equipment.
2. Materials are selected which fill a need related to the curriculum and/or contribute to the development 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;
- k. accessibility.

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 that students 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 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.

The superintendent or designee shall develop procedures to support this policy.

The Mississippi Public School Accountability Process Standards for this policy are standards 5, 18, and 19.

Section: J – Students

Policy Code: JRD

Policy: Detention Facility Records

DETENTION FACILITY RECORDS

To ensure students in youth detention facilities continue to receive appropriate educational services, MSDB must have policies and procedures to ensure the relevant records of students who move to, and from, youth detention facilities are sent to and received from the sponsoring school district as soon as practicable to enable the effective delivery of educational services.

Grades received from the Juvenile Detention Center (JDC) education program shall be incorporated into each student's academic performance grade.

Last Review Date: January 18, 2024

Section: J – Students
Policy Code: JCD
Policy: Alternative School Program

DISCIPLINARY MANAGEMENT

Zero Tolerance Policy

In accordance with Miss. Code Ann. 37-11-18, MSDB has a zero-tolerance policy for the possession and/or use of firearms on any school property or at any school function or school-related activity. Any student found to be in violation of this policy shall be subject to expulsion. Any student in any school who possesses any controlled substance in violation of the Uniform Controlled Substances 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 Miss. Code Ann. § 97-37-17, 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 of the school shall be authorized to modify the period for such expulsion on a case-by-case basis and/or will adhere to guidelines specified under IDEA. 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 school board.

If a student has committed an infraction where Zero Tolerance applies, only the IEP Committee may determine the placement of a special education student in the alternative setting. Should the parents disagree with the placement decision, due process procedures afforded under IDEA will be followed. The IEP Committee will also determine if the student has met the goals outlined on the IEP, which would allow the student to return to an appropriate placement other than the alternative setting.

Disciplinary Procedures

Probation: a period set by an administrator during which a student is given an opportunity to improve behavior exhibited in prior violations of school policy. The administrator will notify students, parents, and teachers in writing of students placed on probation. This notification could include a contract including future plans and expectations of the student and the way the student must meet the prescribed requirements. The parents, student, faculty, principal or supervisor, Director of Residence Education, and the counselor will receive copies of the signed contract.

Students who fail to make required minimum academic progress, to improve attendance, or to correct residential life behavioral problems during the probationary term will be evaluated for appropriate actions.

General Suspension for Ten (10) Days or Less

Suspension: the administrative removal of a student from class attendance at MSDB for a specified period due to violations of school policy. If the student receives an out-of-school suspension, the student may not come to campus for any reason for the number of days assigned. Under the procedural safeguards, special circumstances that warrants a suspension will be considered.

The Superintendent may suspend a student from MSDB for a period of ten (10) school days or less when it is determined that a student's behavior is detrimental to the good order of the school, and that suspension is an appropriate disciplinary action for a serious violation of school rules (or frequent violations of school rules).

The procedure for suspending a student is as follows:

MSDB officials will provide the student with a notice of the charge of violation of school discipline and the evidence against them. The notice of the charge may be given orally. The opportunity will be given for the student to hear the charge and evidence and to offer the student an opportunity to respond. This will be the only hearing conducted. If the facts indicate the student's guilt, the Superintendent will determine the appropriate term of suspension.

Upon notification of the suspension, the student is placed on restriction (in dormitory room, if during extended day or in a room specified by the principal/supervisor during the school day) until the actual departure from school to begin the suspension. The suspension may begin immediately. MSDB will inform the parent/guardian(s) of the suspension prior to the student leaving campus.

Within five school days of the informal hearing with the student, MSDB officials will send written notification to the student and parent/guardian(s) specifying the reasons for the suspension.

Suspended students may not attend school-sponsored functions on or off campus during the suspension. Such exclusions include field trips, competitions, social events, etc. A student suspended from school may make up work. To take advantage of this opportunity, the student must comply with the timelines specified in MSDB policies for making up work. Failure to contact teachers and make specific arrangements will waive the right to make up the work.

Upon completion of suspension, a student returning to school must make an appointment with the school official who handled the suspension to discuss returning to school and any additional restrictions that may apply. Parent/Guardian(s) will be requested to consult with the MSDB official.

Emergency Suspension

Emergency Suspension: occurs when the Superintendent or a designee summarily suspends a student for not more than three (3) days prior to completing a n investigation for serious student misconduct under circumstances where immediate removal of the student is necessary to restore order, protect persons on the school grounds, protect the student, or protect school property. The school official will meet with the student to briefly explain the purpose of the suspension and allow the student to respond. Parents will be immediately notified of the suspension. The student may be placed under the supervision of security that is provided by MSDB and may not attend any classes. The student must leave school as soon as possible.

During the student's absence, a school official will complete the investigation by the end of the school day following the emergency suspension. The administration will communicate findings to the student by phone and allow the student to respond.

Further disciplinary action will be recommended or taken as needed. If additional suspension is necessary, the Superintendent or a designee may extend the suspension for a period not to exceed a maximum of ten days. A written notification of the reasons for the suspension will be sent to the student and parents within three (3) school days.

Change in Student Placement

A change in placement only occurs when there is a serious violation to the code of conduct and (a) the removal is more than 10 consecutive school days; or (b) the child is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year; and considering other factors such as the length of each removal, the total amount time the child is removed, and the proximity of the removals to one another.

Authority of School Personnel

The MSDB school personnel may remove a child with a disability who violates the code of student conduct from their current placement to an appropriate interim alternative educational setting for not more than ten (10) school days to the extent such alternatives are applied to children without disabilities and additional removals for more than ten (10) consecutive school days in that same school year for separate incidents of misconduct if those removals do not constitute a change in placement.

School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child:

- carries or possess a weapon to or at school, on school premises, or to or at a school function;
- knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substances, while at school, on school premises, or at a school function; or
- has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

Interim Alternative Educational Setting

An IEP Team must determine an interim alternative education setting. Any interim alternative educational setting in which the student is placed by the school personnel or hearing officer must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP and includes services and modifications to address the behavior that are designed to prevent the behavior from recurring.

Manifestation Determination Review

A manifestation determination review is an evaluation of the relationship between a student's disability and the act of misconduct that must be conducted when the MSDB proposes to take specified serious disciplinary actions. The IEP Team, as determined by the parent and MSDB, has up to ten (10) school days from any decision to change a child's educational placement for disciplinary reasons to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information provided by the parent to determine the relationship, if any, between the student's disability and the misconduct in question.

The behavior is a manifestation of the student's disability if:

- the conduct in question was caused by, or had a direct and substantial relationship to, the

- student's disability
- the conduct in question was the direct result of the MSDB's failure to implement the student's IEP

The conduct will be determined to be a manifestation of the child's disability if the MSDB, the parent, and relevant members of the student's IEP Team determine that either condition is met.

No manifestation review is required when a child is removed from his current placement for not more than ten (10) school days to an interim alternative educational setting, another setting, or because of a suspension.

Determination That Behavior WAS a Manifestation of Disability

The IEP Team will conduct a functional behavior assessment (and implement a behavioral intervention plan) in circumstances where the manifestation determination review concludes that the student's behavior was related to his disability provided the MSDB has not already conducted such assessment before the occurrence of the behavior that resulted in the change in the student's placement. If a Behavioral Intervention Plan has already been developed and implemented, the IEP Team will review the plan and make modifications, as necessary, to address the behavior.

Determination That Behavior WAS NOT a Manifestation of Disability

If a student is removed from the current placement for more than ten (10) days for conduct determined not to be a manifestation of his disability or removed to an interim alternative educational setting for drugs, weapons, or infliction of serious bodily injury (regardless of whether the behavior is a manifestation of the disability), the student will receive, as appropriate, a functional behavioral assessment, behavioral intervention services, and modifications that are designed to address the behavior so that it does not recur.

Functional Behavioral Assessment

A functional behavioral assessment is a procedure to assess problem behavior prior to recommending strategies for dealing with the student's problem behavior.

The general purpose of a functional assessment of behavior is to provide the IEP Team with additional information, analysis, and strategies for dealing with undesirable behavior, especially when it is interfering with the student's education. The process involves identifying the undesirable behavior; observing the student and collecting data on the problem behavior and consequences; developing an intervention(s); and collecting data on the effectiveness of the intervention(s) in changing the behavior. A functional behavioral assessment is only performed when the IEP Committee determines it is needed.

Behavioral Intervention Plan

The IEP Team will consider, when appropriate, strategies, including positive behavioral interventions and supports, to address behavior in the case of a student with a disability whose behavior impedes his or her learning or that of other students.

Expedited Due Process

When a parent or the Superintendent or designee for MSDB requests an appeal to review a manifestation determination, the Mississippi Department of Education will arrange for an expedited, impartial due process hearing, which shall occur within twenty (20) school days of the date the hearing is requested. The hearing officer will decide within ten (10) school days after the hearing. The student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of a change in placement resulting from the behavior, whichever occurs first, unless the parent and the MSDB agree otherwise. This applies to removals of up to forty-five (45) school days for special circumstances, such as drugs, weapons, and infliction of serious bodily injury.

A parent's right to an expedited, impartial due process hearing is limited to disciplinary situations involving a change of placement, which would occur if a child were removed from the current placement for more than ten (10) school days at a time or if there were a series of removals from the student's current educational placement in school year. The MSDB has the right to request an expedited hearing if it believes that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

A resolution meeting must occur within seven days of receiving notice of the due process complaint unless the parent and MSDB agree in writing to waive the resolution meeting or agree to use mediation. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of the receipt of the due process complaint.

The decisions rendered in expedited due process hearings are appealable in any state court of competent jurisdiction or in a district court of the United States.

Section: J – Students

Policy Code: JCDAC

Policy: Drugs And Alcohol (Possession or Reasonable Suspicion)

DRUGS AND ALCOHOL

Students are absolutely prohibited from carrying, possessing in any manner, using or selling 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 or any other controlled substance regulated by law.

The provisions of this policy shall not apply to any student who is under the care of a licensed physician and who is taking medication which is under the supervision and direction of such physician. The district does not allow the use of medical cannabis while on district property. With regard to prescription medications, Policy Self-Administration of Medication of Asthma/Anaphylaxis Medications applies.

The provisions of this policy shall apply to all students during all of the period of time that they are under and subject to the jurisdiction of this school district, while participating in or going to or from any school-related activity, while under the supervision and direction of any teacher, principal or other authority of this school district or when such conduct does or may threaten to interfere with or disrupt the educational process or pose a threat to the safety of the student or others.

Any student violating any of the provisions of this policy shall be subject to Manifestation Determination Review (MDR). In the event of violation of this policy, all reporting requirements of Policy JGCDA-P, Management of Narcan And Other Opioid Antagonists, shall be applicable.

This policy is for the discipline and protection of the students of this school district and their general welfare. Nothing herein contained shall be construed to avoid any prosecution under any pertinent criminal statute of the State of Mississippi.

LEGAL REF.: MS CODE Sections 37-11-18; 41-29-101 et seq.; 97-32-27 thru 97-32-29 CROSS

REF.: Policies JCAA – Due Process

JCBE – Unlawful or Violent Acts

JGCD – Student Health Services – Medicines

Last Review Date: January 18, 2024

Section: J – Students

Policy Code: JGCDA-P

Policy: Management of Narcan and Other Opioid Antagonists

MANAGEMENT OF NARCAN AND OTHER OPIOID ANTAGONISTS

In accordance with state law, it is the policy of Mississippi Schools for the Deaf and the Blind (MSDB) School District to seek to provide assistance to any person who may be suffering from an opioid overdose on school property,

Opioid Antagonist – Any drug that binds to opioid receptors and block or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose. This includes, but is not limited to, Narcan.

An education employee may store or distribute an opioid antagonist. An education employee may administer an opioid antagonist to another person if the education employee:

1. In good faith, believe the other person is experiencing drug overdose; and
2. Acts with reasonable care in administering the opioid antagonist to the other person.

Narcan, or other opioid antagonists, will be available at all schools in the MSDB School District. School nurses and school resource officers will be trained on the administration of Narcan, or other available opioid antagonists. Unless otherwise prescribed by state law, school nurses may serve as trainers.

All opioid antagonists shall be stored safely in compliance with the drug manufacturer's instructions. Narcan, and other opioid antagonists, shall be readily accessible to administer in the event of suspected drug overdose. All staff shall be made aware of the Narcan and other opioid antagonist storage locations.

Parents/guardians and Emergency Medical Services (911) must be called upon whenever an opioid antagonist is administered and in all suspected overdose situations.

Any person acting in good faith and with reasonable care to another person whom he/she believes to be experiencing an opioid-related overdose may administer an opioid antagonist and shall be immune from any civil or criminal liability or professional licensing sanctions.

Nothing in this policy is intended to regulate, restrict, or otherwise deter a law enforcement officer, emergency medical technician, firefighter, licensed medical professional or other authorized individual from administering his/her own supply of Narcan or other opioid antagonist when responding in good faith to a suspected drug overdose occurring on school property.

LEGAL REF: MS Code 41-29-319 & 41-29-321

Section: I – Instructional Program**Policy Code: ICG****Policy: Sex-Related Education****ABSTINENCE-PLUS SEX EDUCATION**

The school board of every public school district shall adopt a policy to implement abstinence-only, abstinence-plus, or sexual risk avoidance education into its curriculum.

BELIEF

The Mississippi Schools for the Deaf and Blind believes that every student has the right to accurate information concerning the prevention of pregnancy and sexually transmitted infections. The district is committed to fostering community partnerships that educate both students and parents about this important topic.

The Mississippi Schools for the Deaf and Blind School District seeks to affirm its commitment to creating healthy and responsible teens in the Mississippi Schools for the Deaf and Blind by fully complying with the Mississippi Code of 1972, Annotated, Section 37-13-171, and by:

- Adopting educational programs designed to help students and parents take action to reduce rates of teen births and sexually transmitted infections and integrating such programs into already established classes, and
- Establishing principles, guidelines, and strategies for implementing effective sex education programs, referred to in state law as “Abstinence-Plus” education programs.

The district shall utilize an age-appropriate, evidenced based, medically accurate, Abstinence-Plus curriculum from the list of curricula approved and recommended by the Mississippi Department of Education (MDE), including as one choice the curricula of Abstinence-Plus developed by the Mississippi Department of Human Services and the Mississippi Department of Health, if such curricula are on the MDE’s approved curriculum list.

ABSTINENCE-PLUS SEX EDUCATION

The Mississippi Schools for the Deaf and Blind Board adopts a Mississippi Department of Education approved “Abstinence-Plus Education Curriculum” and requires the implementation of such program and curriculum in the Mississippi Schools for the Deaf and Blind effective at the beginning of the 2012-2013 school year.

Furthermore, the Mississippi Schools for the Deaf and Blind Board:

1. Prohibits any teaching that abortion can be used to prevent the birth of a baby;
2. Requires boys and girls to be separated into different classes when sex-related education is discussed or taught;
3. Prohibits instruction and demonstrations on the application and use of condoms; and
4. Requires the school nurse employed by the school district to carry out the functions of those strategies to promote consistency in the administration of the program if the district adopts the program developed by the Mississippi Department of Health.

DEFINITION

Abstinence-Plus education is a grade and age appropriate school curriculum that includes every component of the following, plus any other programmatic or instructional components approved by the MDE:

- the social, psychological, and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;
- the harmful consequences to the child, the child's parents and society that bearing children out of wedlock is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;
- that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;
- that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-wedlock pregnancy, sexually-transmitted diseases and related health problems;
- the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and
- that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.
- any other age and grade appropriate material such as contraceptives (excluding instruction and demonstrations on the application and use of condoms), the nature, cause and effects of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

PARENT'S RIGHTS

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 inclusion of their child for 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.

PROCEDURES

The superintendent, or his/her designee, shall establish procedures to support this policy. The Superintendent will provide the Mississippi Schools for the Deaf and Blind Board with an annual report on the outcomes of the Abstinence-Plus education program. If funding is available, this report shall include quantitative as well as qualitative analysis of the program and shall include the perspective of students, teachers, and parents/guardians.

REVIEW OF POLICY

This policy will be reviewed on an on-going basis in accordance with the Board's policy review

process. This policy shall comply with all applicable provisions of the Mississippi Code of 1972, Annotated, including but not limited to code sections 37-13-171, 37-13-173, 37-13-175, as amended and with all other applicable federal and state laws.

LEGAL REF: MS Code 37-13-171, 37-13-173, 37-13-175

Last Review Date: January 18, 2024