



**KEMPER  
COUNTY  
SCHOOL  
DISTRICT**



# **Employee HANDBOOK**

## **2023 - 2024**

Kemper County School District • 159 Main Ave • DeKalb, MS 39328

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The personnel policies contained herein have been adopted by the Board of Education. These policies are subject to future review and to change by the Board of Education from time to time without prior notice. These policies are intended to provide a guide for reasonable and consistent treatment of personnel.

This Board shall not discriminate in its 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.

Inquiries regarding the Kemper County School District's nondiscrimination policies, filing of grievances, requests for copies of grievances, and requests for copies of grievance procedures covering discrimination on the basis of disability should be addressed to Mrs. Amanda Hailey, 504/ADA Coordinator, P.O. Box 219, DeKalb, MS 39328, 601-743-5125.

Inquiries regarding discrimination on the basis of sex should be addressed to Mrs. Sandra Clark, Title IX Coordinator, P.O. Box 219, DeKalb, MS 39328, 601-743-5226.

Board Approved July 20, 2023

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## BOARD OF EDUCATION

Chris Collins	.....	District 1
James Creer	.....	District 2
Lee Steele	.....	District 3
Carolyn Palmer	.....	District 4
Tyrone Steele	.....	District 5

## CENTRAL OFFICE ADMINISTRATIVE STAFF

Superintendent of Education	.....	Hilute Hudson	601-743-2657
Assistant Superintendent	.....	Fredrick Hickmon	601-743-5419
Federal Programs Director	.....	Mary Woolery	601-743-5419
Special Education Director Coordinator of 504/ADA	.....	Amanda Hailey	601-743-5125
Title IX	.....	Sandra Clark	601-743-5226
School Business Administrator	.....	Matilda Miller	601-743-2657
Curriculum Testing Coordinator/ MTSS	.....	Delisa Cole	601-743-5125
Social Emotional Learning	.....	Sandra Clark	601-743-5226
TWW	.....	Cynthia Dawkins	662-476-8423

## CENTRAL OFFICE SUPPORT STAFF

Accounts Payable/Fixed Asset/ Sixteenth Section	.....	Kameko Holliday	601-743-2657
Administrative Secretary/ Secretary to the Board/Purchasing Agent	.....	Tammy Cross	601-743-2657
Payroll Clerk/Personnel/MSIS Agent	.....	Toni Brown	601-743-2657
Federal Programs Administrative Assistant	.....	Rachelle McCaleb	601-743-5419
AHERA	.....	Marcus Wilson	601-743-2657
Food Service Director	.....	Fredrick Hickmon	601-743-5292
School Attendance Officer	.....	TBA	601-743-2572
Director of Operations	.....	Douglas Newton	601-743-2876
Special Programs Secretary	.....	Marshetta Little	601-743-5125

**SCHOOL DIRECTORY**  
**Kemper County Lower Elementary School**  
**662-476-8423**

Jeri Cawthorn	.....	Principal
Genetrice Doss	.....	Assistant Principal
Shalanda Moore	.....	Secretary/Bookkeeper/Student Data
Jonetta Slaughter	.....	School Counselor

**John C. Stennis Vocational Complex**  
**601-743-5226**

Connie Johnson	.....	Director
Glenda Jenkins	.....	Secretary
Christie Smith	.....	Counselor

**Kemper County High School**  
**Kemper County Middle School**  
**601-743-5292 (High)**  
**601-743-2942 (Middle)**

Jacqueline Jackson	.....	High School Principal
Leonardo Thompson	.....	High School Assistant Principal
David Sanders	.....	Middle School Principal
Keraneisha Green	.....	Middle School Assistant Principal
Carla White	.....	High School Secretary/Student Data
Shalonda Griffin	.....	High School Secretary/Bookkeeper
Temekia Butler	.....	Middle School Secretary/Student Data
Tammy Parkes	.....	High School Counselor
Porchia Turner	.....	High School Counselor
Roshunda Newton	.....	Middle School Counselor

**Kemper County Upper Elementary School**  
**601-743-2432**

Chiquita Brown	.....	Principal
Aletha Little	.....	Secretary
Janice Neal	.....	School Counselor

**Kemper County Success School**  
**601-743-5538**

Johnny McCallum	.....	Director/Principal
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**School Safety**

KC Sheriff Department	.....	(601)-743-4880
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## **PHILOSOPHY**

The Kemper County School System is organized on the belief that the schools' primary concern should be the educating of the youth that attend them. With this in mind, the system has attempted to develop a purposeful course of study to fulfill the needs, interests, and capabilities of all students. These three overall criteria are multifold: academic training, vocational/technical training, social and citizenship training. The ultimate desire is that this program will produce a forceful challenge to the academically talented student who may be experiencing academic difficulties.

We honestly resolve that education is a continuing process and does not terminate at the end of one's formal education in our public school system. May each and everyone who attends Kemper County School District be instilled with the responsibility to maintain the fundamental concepts of American democracy and share the responsibility with the home, the church, and the community.



## **MISSION STATEMENT**

Our mission is to provide Kemper County School District students with an excellent learning opportunity.

To accomplish the purpose for which the district exists, staff members must be responsible and dedicated to the needs, interests, and capabilities of all its youth. Staff members must continually develop, maintain, and extend the skills necessary to meet the needs, ambitions, and values for those they serve. We resolve that education is a continuing process, and it does not terminate at the end of one's formal education and that the instructional staff is the core of the educational program.

We believe the needs of our youth determine the form of our curriculum for grades K-12. This curriculum should be broad enough to enhance the personal, physical, and social needs of individuals in our community. We believe that the Kemper County Educational Program is geared to assist those youth that might not want to go to college, as well as college bound youth. With this in mind, our educational curriculum is academic and career centered.

The effectiveness of our district's mission rests with competent and dedicated teachers and administrators who believe and promote the instructional purpose of our district.

# KEMPER COUNTY SCHOOLS

Post Office Box 219  
DeKalb, Mississippi 39328



*"Every Student, Every Day, The Wildcat Way"*

July 1, 2023

Welcome to the 2023-2024 school year. We're excited for the start of a new year and the opportunity it presents for setting new goals, reigniting neglected passions, and putting our individual and collective best selves forward. **Kemper County School District** is an incredible place for students to learn and grow. Our district is built on high expectations for our students and staff. Our teachers and administrators have been gathering for the last several weeks to learn together, to plan for the upcoming year, and to ready their classrooms for the nearly 1,000 students.

I believe it is our purpose to create an environment of safety, care, and support for Every Student, Every Day - **The Wildcat Way!** We do this best by knowing them as learners and individuals, recognizing their skills and motivations, and pushing them to excel. At Kemper County School District, our students are encouraged to take ownership of their learning while exploring their interests and finding passions.

Many thanks go to the custodial and maintenance staff in each of our buildings who have worked diligently all summer long to make sure our buildings are in tip-top shape. A walk through of any of our schools will showcase their attention to detail and pride in their work. Our food service workers and summer interns also deserve a big thank you for their service to our district.

Finally, you - our families and friends - deserve a big thank you for working with us to provide the very best education possible for all of our students.

Please call if you have a question or want to connect with one of our schools to arrange a visit. There is no better way to understand and appreciate the excellence behind Kemper County Schools than to experience it for yourself.

Sincerely,

Hilute Hudson  
Superintendent of Education

# KEMPER COUNTY SCHOOLS

Post Office Box 219  
DeKalb, Mississippi 39328

*"Together We Can Make A Difference"*

July 1, 2023

Dear Faculty and Staff:

This letter is to inform you of the school's compliance with the Asbestos Hazard Emergency Response Act (AHERA), administered by the US Environmental Protection Agency (EPA). This law relates to asbestos in school buildings and its purpose is to assure building occupants that any asbestos-containing materials that may be present in the building are kept in a "safe, undamaged" condition. The Agency requires all schools to inspect their buildings and facilities, and to identify, sample, and analyze all friable and non-friable building materials that may contain asbestos. Friable materials are defined as those that can be easily crumbled by hand. The Asbestos in Schools Rule and the Asbestos Hazard Emergency Response Act (AHERA) regulation further requires that all parents, teachers and employees of schools where asbestos is found, be notified.

In our efforts to comply with Federal and State requirements regarding asbestos management; and to ensure a safe learning environment for the patrons of Kemper County Schools, please be advised that all the following district facilities contain varying amounts of known asbestos-containing materials: Kemper County Lower Elementary School, Kemper County Upper Elementary School, Kemper County High School, and John C. Stennis Vocational Complex.

We have recently had our facilities re-inspected by an accredited asbestos inspector, as required by AHERA. The inspector located and related the condition and hazard potential of asbestos materials previously identified in our facilities. The re-inspection records were turned over to an accredited management planner.

An asbestos amended management plan was developed for our facilities, which includes: this notification letter, education and training of our employees, and a set of plans and procedures designed to minimize the disturbance of the asbestos containing materials and plans for regular surveillance of the asbestos-containing materials.

The District employs the services of a professional asbestos management firm who has completed a study to determine the presence, location and quantity of asbestos-containing materials in all district facilities. The facilities have been recently re-inspected in accordance with the Environmental Protection Agency guidelines for asbestos-containing materials and this study, as well as all historic data regarding asbestos, is available for your review in the main office of each facility.

We continue to implement the asbestos management plan. We are complying with federal, state, and local regulations in this area. We plan on taking whatever steps are necessary to insure your children and our employees have a healthy, safe environment in which to learn and work.

Sincerely,



Hilute Hudson  
Superintendent of Education

**KEMPER COUNTY SCHOOLS**  
**Post Office Box 219**  
**DeKalb, Mississippi 39328**

*“Together We Can Make A Difference”*

July 1, 2023

Dear Parents and Students:

The purpose of this letter is to provide an annual notification to you of your rights under the Family Education Rights and Privacy Act (FERPA) and school board policy JRAB.

**ANNUAL NOTIFICATION**

The notice includes the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;
2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;
3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

**STATEMENT OF RIGHTS**

Parents and eligible students have the following rights under the Family Education Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record;
2. The right to exercise a limited control over other people's access to the student's education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;


4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

The categories set forth as directory information may be used on a school-authorized internet web page if granted permission by the parent or legal guardian.

Disclaimer: The school district shall not be responsible for the posting of any student information on any internet web page not authorized by the Kemper County Board of Education.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hilute Hudson".

Hilute Hudson  
Superintendent

**Kemper County School District  
FERPA Annual Notification  
2023-2024**

**STATEMENT OF RIGHTS**

Parents and eligible students have the following rights under the Family Education Rights and Privacy Act (FERPA) and school board policy JRAB:

1. The right of a student's parent or eligible student to inspect and review the student's education records;
2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;
3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

**RECORDS TYPES**

Cumulative School Records

Cumulative School Records (Former Students)

Health Records

School Transportation Records

Speech Therapy Records

Psychological Records

**PROCEDURE TO INSPECT EDUCATION RECORDS**

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below. Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from

locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes. The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect. The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site). The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access. If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records. When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

#### FEES FOR COPIES OF RECORDS

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part, or in whole, by the record custodian. However, the district reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes. The school district may deny copies of records (except for those required by the FERPA) in the following situations:

1. The student has an unpaid financial obligation to the school.
2. There is an unresolved disciplinary action against the student that warrants the denial of copies.

FERPA requires the school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;
2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or
3. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.) The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

#### DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information."

1. The student's name, address, and telephone number;
2. The names of the student's parents;

3. The student's date and place of birth;
4. The student's major field of study and class designation (i.e., first grade, tenth grade, etc.);
5. The student's extracurricular participation;
6. The student's achievement awards or honors;
7. The student's weight and height if a member of an athletic team;
8. The student's photograph;
9. The student's electronic mail address;
10. The student's dates of attendance; and
11. The most recent educational institution the student attended prior to the student enrolling in this school district.

Within the first month of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment. After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student. At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

The categories set forth as directory information may be used on a school-authorized internet web page if granted permission by the parent or legal guardian.

Disclaimer: The school district shall not be responsible for the posting of any student information on any internet web page not authorized by the Kemper County Board of Education.

#### USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who are school officials. An official is:

1. A person duly elected to the school board;
2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or
5. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from, or permit access to, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);
2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;
3. The parties who provide or may provide financial aid to a student to:
  - a. Establish the student's eligibility for the aid,
  - b. Determine the amount of financial aid,
  - c. Establish the conditions for the receipt of the financial aid, or
  - d. Enforce the agreement between the provider and the receiver of financial aid;
4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;
5. To accrediting organizations to carry out their accrediting functions;
6. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision); or
7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or
8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;

2. The information is necessary and needed to meet the emergency;
3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or
4. Time is an important and limiting factor in dealing with the emergency.

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;
2. The reasons for the disclosure;
3. The person, organization, or the class or organizations to whom the disclosure is to be made;
4. The parent's or eligible student's signature; and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision. The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be re-disclosed without the parent's or eligible student's prior written consent.

#### RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school district will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs. The record will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's education record. The record will not include:

1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;

3. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
4. Requests for, or disclosure of, directory information designated for that student; or for
5. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

## PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (NOTE: under FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course.) For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the school district to correct a record. To establish an orderly process to review and correct an education record for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester. If the record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. Follow the procedure for a second level decision.

Second Level Decision The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

The request will be dated and signed by the requester. Within two weeks after the record custodian receives a written request, he or she will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the district's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision. If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will affect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the

correction is satisfactory. If the record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made. If the superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as at the second level. If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

1. The school district's decision that the record is correct and the basis for the decision;
2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing;
3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes); and
4. Advise that the request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and who it has designated as the hearing officer. At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect as shown in the requester's written request for a change in the record (second level). Within a week after the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged. The school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.
2. If the decision is that the district will not change the record, the superintendent will prepare a written notice to the requester that will include:
  - a. The school district's decision that the record is correct and will not be changed;
  - b. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision; and

- c. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

## **POLICIES FOR ALL EMPLOYEES**

Written personnel policies for all certified/classified personnel are intended to be a guide for present and future employees of the Kemper County School District. These policies will establish the rules that govern the employee and the employer and are designed for the most efficient operation of the school system covering conditions of employment, promotions, work schedules, office hours, sick leave, vacations, and retirement.

Moral and other factors that create an efficient, smooth running organization will be greatly enhanced by a thorough knowledge of these policies. The Board of Trustees of the Kemper County School District desires that each person be fully cognizant of his/her responsibilities in the overall educational program of the district and that he/she have a feeling of security and belonging.

All certified/classified employees of the Kemper County School District are expected to be thoroughly familiar with and actively support the enforcement of all Board of Trustees' policies and procedures, rules and regulations of the Superintendent of Education, rules set by principals and/or immediate supervisors, and policies of school handbooks. **Employees must sign the consent form in Appendix A to abide by the Employee Handbook and all other applicable district policies.**

## **ADMISSION TO ATHLETIC EVENTS**

All faculty members, administrators, and school board members will be admitted to athletic games free. Faculty members and administrative personnel are expected to be on duty whenever attending any ball game or school function to assist in promoting a school environment conducive to learning and to the welfare of our student body.

## **ADVERTISING IN THE SCHOOLS**

No advertising of commercial products, services or religious beliefs shall be permitted in school buildings or on school grounds or properties. This policy does not prevent advertising in student publications, which are published by student organizations, subject to administration control, nor the use of commercially-sponsored free teaching aids if the content is approved by the administration. Solicitation of sales or use of the name of the school system to promote any product or religious belief shall not be permitted.

### **ADVERTISEMENTS AND POSTERS**

Public: Such practices as allowing advertising and posters should be avoided as often as possible. Under no conditions may public advertisements with profit motives be condoned without explicit permission from the Superintendent of Schools. Any public advertisement may be announced or posted in the school only after permission from the Superintendent of Schools has been granted.

Pupils: Pupil advertisements, posters, and handouts before released, revealed, or given to pupils must be cleared through the principal's office. (Policy KJ)

## **AUTHORITY FOR EMERGENCY CLOSINGS**

**(Refer to Policy AFC- Authority for Emergency Closings)**

## **BULLYING**

### **BULLYING OR HARASSING BEHAVIOR**

JDDA

The Board of Trustees of the Kemper County School District prohibits bullying or harassing behavior of students, school employees, or volunteers. (HB 263- A) The Kemper County School District will make every reasonable effort to ensure that no person or school employee is subjected to bullying or harassing behavior by other students or other school employees.

#### **I. Definitions**

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:

(a) places a student or school employee 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 a student's education, including but not limited to educational performance, opportunities, or benefits.

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.

The above conduct constitutes bullying if that conduct interferes with a student's education or substantially disrupts the operation of a school. (HB 263 - 6)

Bullying or harassing behavior will not be condoned or tolerated when it takes place on school property, at any school-sponsored function, or on a school bus, or when it takes place off school property when such conduct, in the determination of the school superintendent or principal, renders the offending person's presence a disruption to the operation of the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole.

The District encourages anyone who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior to report the incident to the appropriate school official. Retaliation or reprisal against any person, including a victim, a witness, or another person, who in good faith provides information concerning an incident of bullying or harassing behavior, is prohibited. (HB 263 - B)

The Kemper County School District 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 teacher, principal, counselor, or other school employee.

These procedures shall be appropriately placed in District personnel policy handbooks, school handbooks that include discipline policies and procedures, and any other policy or procedure that deals with student or employee behavior.

The School Board directs the superintendent or designee to design and implement procedures for reporting, investigating, and addressing bullying and harassing behaviors.

STUDENT COMPLAINTS OF BULLYING OR HARASSING BEHAVIOR - PROCEDURES

I. Procedures for Reporting a Complaint

- A. Any student, school employee, or volunteer who feels he/she has been a victim of bullying or harassing behavior, or has witnessed or who has reliable information that a student, school employee, or volunteer has been subject to bullying or harassing behavior shall report such conduct to a teacher, principal, counselor, or other school official. The report shall be made promptly, but no later than five (5) calendar days after the alleged act or acts occurred. (HB 263-D)
- B. The school official shall complete a "Bullying/Harassing Behavior" complaint form which shall 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) and any other information that would assist in the investigation of the complaint. The report shall be given promptly to the principal or superintendent who shall institute an immediate investigation. Complaints against the principal shall be made to the superintendent, and complaints against the superintendent shall be made to the Board chairman. The complaint shall be investigated promptly. (HB 263-F)
- C. Parents or guardians will be notified of the nature of any complaint involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within five (5) working days after initial receipt of the complaint by the District. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The District official conducting the investigation shall notify the victim and parents as appropriate when the investigation is completed and a decision regarding disciplinary action, as warranted, is determined. (HB 263 - C)
- D. If the victim is not satisfied with the decision of the District official, he/she may submit a written appeal to the superintendent. Such appeal shall be filed within ten (10) working days after receipt of the results of the initial decision. The superintendent will arrange such meetings with the victim and other affected parties as deemed necessary to discuss the appeal. The superintendent shall provide a written decision to the victim's appeal within ten (10) working days.
- E. If the victim is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board. Such appeal shall be filed within ten (10) working days after receipt of the decision of the superintendent. The Board shall, within twenty (20) working days, allow the victim and parents as appropriate to appear before the Board to present reasons for dissatisfaction with the decision of the superintendent. The Board shall provide a written decision within ten (10) working days following the victim's appearance before the Board.
- F. 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 was in response to the bullying." (HB 263-G & 2).
- G. If the victim of bullying is a student with disabilities, disciplinary action for the offender shall comply with the requirements of federal law including the Individuals with Disabilities Education Act (20 USCS Section 1400 et seq.) (HB 263-H)

The school district shall maintain and make available a list of counseling services to any student who is a victim of or a witness to bullying, or who engages in bullying. The following list of the types of counseling and support

services are available to any victim of or a witness to bullying. This list is presented as a guide that by no means limits this school district from including other additional support services. (HB 263-E)

- *School/District Counseling*
- *Conflict resolution training*
- *Anger Management training*
- *Problem solving skills training (proactive, constructive, relationship-building)*
- *Social skills training*

*Support may be provided by the school district through the assistance of the any of the following agencies:*

- *Mississippi Department of Education*
- *Mississippi Department of Health*
- *Mississippi Department of Human Services - Juvenile Services Department*
- *Community/Family Public or private community-based mental health services*
- *Faith-based services*
- *Law enforcement agencies*

The procedures for reporting bullying shall also be posted on the district website. (HB 263-3)

Legal Reference: MS Code of 1972 37-11-67 and 37-11-69

## **CELL PHONES/ELECTRONIC DEVICES**

The Kemper County School District believes that the school district was created for the primary purpose of effectively educating the children attending school within the school system. The Board further believes that to accomplish this mission, it is imperative that classroom instructional time and school related duty time be protected. Therefore, any activity that distracts employees from their ability to utilize the entire time for school related duties is prohibited. Specifically prohibited is the use of cell telephones/electronic devices by employees during hours on duty. Supervisory personnel may only use cell phones for official business. District cell phones will be monitored for acceptable use.

### **TEXT MESSAGING**

No text messaging is allowed between students and school personnel at any time.

### **VIOLATIONS**

Alleged violations of this policy shall be discussed in a conference between the employee and the building principal and or supervisor. If the principal or supervisor finds the violation(s) to be factual, he or she shall conduct an investigation. Based on the outcome of the investigation, the employee may be suspended or dismissed. (Policy IFBB)

## **CHILD ABUSE AND NEGLECT**

According to the Mississippi Code, any person who has reason to suspect that child abuse is occurring shall report such information to the Department of Human Services. Based on physical and behavioral indicators as well as other sources of knowledge, abuse and information shall be reported. Under the Mississippi Code, the report and identity of the party and reporter are confidential except when the court in which the testimony is filed, in its discretion, determines the testimony of the person reporting to be material to a judicial proceeding or when the identity of the reporter is released to law enforcement agencies and the appropriate prosecutor pursuant to subsection (1) of MS Code.

Child abuse should be suspected when a youngster:

- (1) shows such physical signs as bruises, scars, burns, etc.;
- (2) has injuries which might have resulted from being beaten; or
- (3) shows other indications of cruel and abusive treatment.

Child neglect exists when a child is discovered to be in any one or combination of these situations:

- (1) abandoned;
- (2) poorly clothed, ill without medical attention;
- (3) overworked or otherwise exploited; and
- (4) lacking love, care, guidance, and protection.

LEGAL REF.; Mississippi Code, Section 43-21-353 Duty to inform agencies and officials; 43-21-355 Immunity for reporting information

## **CIPA POLICY**

### **Internet Safety Policy**

#### **Kemper County School District**

It is the policy of **Kemper County School District** to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

#### **Definitions**

Key terms are as defined in the Children's Internet Protection Act.

#### **Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

#### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the **Kemper County School District** 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.

## **Education, Supervision and Monitoring**

It shall be the responsibility of all members of the **Kemper County School District's** 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 Director or designated representatives.

The **Kemper County School District** or designated representatives will provide age-appropriate training for students who use the **Kemper County School District's** Internet facilities. The training provided will be designed to promote the **Kemper County School District's** commitment to:

1. The standards and acceptable use of Internet services as set forth in the **Kemper County School District's** Internet Acceptable Use Policy;
2. Student safety with regard to:
  - a. safety on the Internet;
  - b. appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
  - c. cyberbullying awareness and response.
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.

## **Adoption**

This Internet Safety Policy was adopted by the Board of the **Kemper County School District** at a public meeting, following normal public notice, on May 10, 2012. (Policy IJB)

## **DRUG FREE SCHOOLS AND WORKPLACE**

No employee engaged in work in connection with the Kemper County School District School District shall unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

"Workplace" is defined to mean the site for the performance of work done in connection the Kemper County School District School District. That includes any school building or any 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 athletic event, where students are under the jurisdiction of the school district.

As a condition of employment in the Kemper County School District School District, each employee shall notify his or her supervisor of his or her conviction of any criminal drug statute for a violation occurring in the workplace as defined above, no later than 5 days after such conviction.

As a condition of employment in the Kemper County School District School District, each employee shall abide by the terms of the school district policy respecting a drug-free workplace.

An employee who violates the terms of this policy may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the board. Sanctions against employees, including non-renewal, suspension, and termination shall be in accordance with prescribed school district administrative regulations and procedures.

#### 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 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)

#### NOTICE TO EMPLOYEES ENGAGED IN WORK ON FEDERAL GRANTS

YOU ARE HEREBY NOTIFIED that it is a violation of the policy of this school district for any employee to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

"Workplace" is defined as the site for the performance of work done in connection with a federal grant. That includes any place where work on a school district federal grant is performed, including a school building 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 athletic event, where students are under the jurisdiction of the school district.

YOU ARE FURTHER NOTIFIED that it is a condition of your continued employment on any federal grant that you will comply with the above policy of the school district and will notify your supervisor of your conviction of any criminal statute for a violation occurring in the workplace, no later than 5 days after such conviction.

Any employee who violates the terms of the school district's drug-free workplace policy may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the school district. (Policy GBRL)

### **DYSLEXIA SCREENING**

It is the policy of this district to comply with all requirements of the dyslexia screening and therapy required by law and the Mississippi Department of Education.

Therefore, this district will ensure that students will receive dyslexia screening by a screener approved by the State Board of Education in the spring of kindergarten and the Fall of Grade 1.

The component of the screening must include:

1. Phonological awareness and phonemic awareness;
2. Sound symbol recognition;
3. Alphabet knowledge;
4. Decoding skills;
5. Encoding skills; and
6. Rapid naming.

If a student fails the screener, the parent or legal guardian will be notified of the results of the screener. Subsequent dyslexia evaluations may be administered by licensed professionals, including: psychologists, psychometrists, speech language pathologists licensed in accordance with law and the Mississippi Department of Education where applicable.

If a student fails the screener, the school district, in its discretion, may perform a comprehensive dyslexia evaluation; such evaluation must be administered by any of the licensed professionals identified above.

If a parent or legal guardian of a student who fails the dyslexia screener exercises the option to have a subsequent evaluation performed, such evaluation shall be administered by any of the licensed professionals identified above.

The resulting diagnosis of the subsequent evaluation shall be accepted by the school district for purposes of determining eligibility for placement within a dyslexia therapy program within the current school or to receive a Mississippi Dyslexia Therapy Scholarship for placement in a dyslexia program in another public school or nonpublic school. Dyslexia scholarships are available for students in grades 1 through 12 who have been properly screened and diagnosed with dyslexia. (Policy IEBA)

### Dyslexia Screening Procedures

The principal of each elementary school will ensure that a dyslexia screener approved by the State Board of Education will be administered to all students during the spring of their kindergarten year and the fall of their first grade year by their teacher or designee. The screener will include the following components: a) Phonological awareness and phonemic awareness; b) Sound symbol recognition; c) Alphabet knowledge; d) Decoding skills; e) Encoding skills; and f) Rapid naming (quickly naming objects, pictures, colors, or symbols (letters or digits) aloud.

If a student fails the screener, the parent or legal guardian will be notified of the results of the screener by the principal or designee.

## **DUTY ASSIGNMENTS/QUALIFICATIONS**

### PROFESSIONAL PERSONNEL QUALIFICATIONS

This school district is committed to high levels of academic achievement for all students, and thus seeks to employ highly qualified teachers in the elementary, middle, and high schools. The district shall employ teachers on a professional basis without regard to age, race, color, gender, or national origin. Every school teacher employed in this school system must possess a valid license granted by the Mississippi Department of Education and shall execute a written contract with the local Board of Education.

### PROFESSIONAL PERSONNEL DUTIES

Each teacher shall become thoroughly familiar with the policies and procedures of the Kemper County School District and with the rules and regulations of school handbooks.

Teachers shall notify the appropriate building level administration in a timely manner if they are unable to

report to work.

The teacher shall prepare lesson plans as directed by the principal, who shall supervise the planning process.

Teachers shall serve on committees as assigned by the administration.

Every teacher shall serve on duty in designated areas of the school campus as assigned by the building principal.

Each teacher shall provide for effective discipline in the classroom, in the school building, and on the school campus.

The teacher shall supervise co-curricular activities as assigned by the principal.

The teacher shall supervise all students in his/her charge at all times and shall in no case leave classes or students unsupervised.

Each teacher shall perform in a satisfactory manner all other duties as assigned by the school administration, including the carrying out of all staff development responsibilities.

No individual teacher in grades nine through twelve shall have more than three course preparations per scheduling cycle or five in the same subject/content area unless approved by the Commission on School Accreditation.

The classroom teacher shall be provided with a period of time during the school day which is unencumbered by instructional or supervisory responsibilities. This time will be used for instructional planning, either individual or departmental.

Class size and work load of individual staff members shall adhere to the requirements for accreditation by the State Department of Education unless exceptions have been requested by the school district. The work schedule of each teacher is determined by the building principal, including class assignments and class size.

The teacher of any student who begins to do unsatisfactory work in his/her class is required to notify the parent(s) in a timely manner by telephone, letter, notice, or other means and to encourage the parent(s) to come to the school for a conference. The teacher should also refer student to school counselor for counseling. Written documentation must be maintained by the teacher to show compliance with this policy. (Policy GBBA)

## **EMPLOYEE IDENTIFICATION BADGES**

All employees are required to wear official school district employee identification badges when entering any school campus in the district. Official identification badges will bear the employee's name, department/school, and picture. Any individual identified on a school campus in this school district not wearing an employee identification badge shall be reported to the school office and to security.

The badge is to be worn during working hours in an easily observed location on the blouse, coat, shirt, or uniform. Stickers or decals are not allowed to be attached to the identification badge.

Badges that are lost or stolen may be replaced for a fee that covers the cost of replacement materials. All employee identification badges are the property of this school district and must be returned to the District Personnel Office upon resignation or termination.

## **EQUAL OPPORTUNITY EMPLOYMENT**

This Board shall not discriminate in its 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 school district affirms the employee rights under Title VII and therefore “shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another’s work performance or which creates an intimidating, offensive, or hostile environment.” (Policy GAAA)

## **EVALUATION OF CLASSIFIED EMPLOYEES**

The development of a strong, competent classified staff of employees, and the maintenance of high morale among this staff, are major objectives of the school board. The board recognizes that thorough, regular appraisal of performance is essential to the realization of district goals. The primary purpose of personnel evaluation is the growth and development of individual staff members, the strengthening of the school staff as a whole, and improvement of support services provided.

The board directs the superintendent and administrative staff to develop regulations, procedures, and instruments for evaluation, using the following guidelines:

- The board expects principals and supervisors to exert every effort to encourage staff members to develop their performance to an optimum degree.
- Performance appraisal will be continuous and not limited to items and procedures set for formal evaluation.
- The evaluation process will make use of both self-evaluation and supervisory evaluation.
- The evaluation process will emphasize both the achievement of goals set mutually by the staff member and supervisor early in the school year and standardized objectives rating forms.
- The procedures will provide for the recognition of outstanding services and also will be used for sound decision making as well as for counseling and in-service training.
- When aspects of a staff member’s performance are in need of improvement, the principal or supervisor will specifically identify those areas needing improvement and will develop a plan of assistance. Subsequent evaluations will address improvement and/or the need for further monitoring.
- To provide for objectivity and uniformity, observations and evaluations will be carried out in accordance with the guidelines set forth in administrative regulations which have been developed cooperatively by the administration and staff and reviewed and approved by the school board. (Policy GDI)

## **EVALUATION OF PROFESSIONAL EMPLOYEES**

The evaluation of professional employees shall be in the form and manner prescribed by the State Department of Education. The school board of this district directs the superintendent to formulate and implement a formal annual performance appraisal system based on job descriptions and on-the-job performance of every professional employee. (Policy GBI)

## **FAMILY AND MEDICAL LEAVE ACT (FMLA)**

### **IMPORTANT NOTICE**

Due to the complexity of the Family Medical Leave Act (FMLA) and because it involves consideration of your district's leaves and absences policy and your practices, along with the Americans with Disabilities Act (ADA), the Fair Labor Standards Act (FLSA), the Consolidated Omnibus Budget Reconciliation Act (COBRA) and parts of the Internal Revenue Code relating to group health plans and cafeteria plans, all federal anti-discrimination laws and applicable state laws, it is not practical to attempt development of a detailed policy for the administration of the FMLA. Each request for leave must be evaluated individually due to myriad combinations of circumstances and medical conditions one may have to consider. It is strongly recommended that the school district purchase a competent analysis of the rules, regulations and guidelines of the FMLA to review while evaluating individual requests for leave under FMLA. The school district's attorney should always be consulted when there is uncertainty.

Of particular importance are the posting and notice requirements of the Act. You must conspicuously post and keep posted in all schools and offices where employees are employed and where applications for employment are taken a notice explaining the Act's provisions and providing information concerning the procedures for filing complaints of violations of the Act with the Wage and Hour Division. Copies of the required notice may be obtained from any local Wage and Hour Division Office. No reproductions of the notice may be any smaller than 8 x 11 inches and the text must be fully legible. Failure to post the required notice prohibits you from taking any adverse action against an employee as well as liability for payment of fines to the Department of Labor (DOL).

Information concerning FMLA entitlements and employee obligations must be included in any employee handbook or other documents providing written guidance explaining all the obligations and rights of an eligible employee whenever that employee requests leave under FMLA. A fact sheet is available from the nearest Wage and Hour Division Office that will provide this guidance.

Also, you must provide an employee who has given you notice of the need for FMLA leave a notice of your specific expectations and employee obligations. Such notice must detail all consequences for failing to meet these obligations. This notice must include the following information as is appropriate to the leave request being considered:

1. Whether the district will require a medical certificate of a serious health condition or recertification and what will happen if the employee fails to do so;
2. Whether the district will require the employee to furnish, prior to being restored to employment, a fitness for duty certificate;
3. That the taking of this leave will count against the employee's annual FMLA leave entitlement;
4. That the employee has a right to substitute paid leave (sick leave, vacation, personal days) for FMLA leave or whether the district will require the substitution of paid leave and any conditions related to substitution;

5. Whether the employee is a "key employee" and that restoration might possibly be denied after taking FMLA leave, explaining the condition required for you to deny restoration;
6. Whether the employee will be required to pay any health insurance premiums to maintain benefits while on leave and the arrangements for making the payments;
7. That if the employee fails to return to work after taking unpaid FMLA leave, he is potentially liable for payment of health insurance premiums paid by the school district;
8. That the employee has a right to restoration to the same or equivalent job upon return from leave.

The school district is also expected to act in good faith in answering questions from employees about their rights and responsibilities under the FMLA.

FMLA provides that the school district shall make, keep and preserve records pertaining to its obligations under the Act in accordance with the record keeping requirements of section 11 C of the Fair Labor Standards Act (FLSA) and the FMLA. No particular order or form of records is required. No requirement exists that requires the school district to revise its computerized payroll or personnel records to comply; however, some items are required.

#### Leaves and Absences AND The Family Medical Leave Act of 1993 (P.L. 103-3)

##### I. GENERAL

##### A. Definitions

1. "Eligible employee" means one who is employed at a school facility where at least 50 persons are employed, either there or within a 75 mile radius of that school facility as measured by road miles by the shortest route possible; and who has been employed for at least 12 months by the school district as of the date leave commences, and who has also provided at least 1250 hours of service during that 12 month period. Fifty-two (52) weeks of casual, intermittent or occasional employment qualifies as "at least 12 months". School district employees exempt from FLSA requirements are presumed to have worked 1250 hours.
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, legal ward or the child for whom the employee is standing in loco parentis who is either under the age of 18 or above the age of 18 and incapable of self-care because of a mental or physical disability.
4. "Employee's parent" means biological parent or an 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 or parent as defined hereinabove.
6. For the purposes of FMLA, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves either in-patient care (overnight stay) in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.

##### B. Leave Provisions

1. An eligible employee is entitled to 12 unpaid work weeks of leave during any 12 month period for any one or more of the following reasons except "f" noted below:
  - a. The birth of a son or daughter, and to care for the newborn child (within 12 months of the birth).

- b. The placement of a child with the employee for adoption or foster care (within 12 months of the placement).
- c. To care for the employee's spouse, son, daughter, or parent with a serious health condition (not parent "in-law").
- d. Because of the employee's own serious health condition which makes the employee unable to perform the function of his/her job.
- e. Service Member Exigency Leave: For absences caused by an active duty exigency when the employee's spouse, child, or parent is a service member.
- f. Military Caregiver Leave: To care for the employee's spouse, child, parent, or next of kin (if the employee is the nearest blood relative) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty. An eligible employee is entitled to up to a total of 26 workweeks of unpaid job protected leave during a "single 12-month period."

**IMPORTANT NOTE:** The Kemper County School District will use method number 2 below to determine the "12 month period". Once chosen, the method will be used consistently and changed only upon 60 days written notice to all employees.

- 1. The calendar year;
- 2. Any fixed 12 month "leave year", that is,
  - a. a fiscal year
  - b. a year required by state law
  - c. a year starting on the employee's employment anniversary date
  - d. the 12 month period measured forward from the beginning date of the employee's FMLA leave
  - e. a rolling 12 month period measured backward from the date the employee uses FMLA leave (may not extend back before August 5, 1993).
- 2. Husband and wife employees have a 12 week aggregate leave limit except for personal illness or the illness of a child or the other spouse; that is, if each spouse took 6 weeks of leave for the birth of a child, each could later use an additional 6 weeks due to personal illness or to care for a sick child.
- 3. Brother and sister employees would have an aggregate limit of 12 weeks to care for their parent.
- 4. Special rules apply to this school district, which allow it to require eligible instructional personnel only to take FMLA leave on an intermittent or reduced leave schedule, or to take leave near the end of a semester. Instructional employees are only those employees whose principal function is to teach and instruct students in a class, small group or individual setting. Instructional employees include teachers, teacher aides and assistant teachers who actually teach, coaches, driver's ed instructors and special ed assistants such as signers. All other eligible employees may request intermittent leave or leave on a reduced leave schedule to care for a family member or for the employee's own serious health condition.

C. Notice Requirement

- 1. School district employees must provide this district at least 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 is practicable, which means as soon as both practical and possible or at least verbally within 1 or 2 working days when the need for leave becomes known to the employee (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.

## II. REQUIRED CERTIFICATION

- A. Eligible employees shall provide the superintendent certification of a serious health condition for his/her own serious health condition or that of 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 three (3) working days after providing written notice. No leave period may begin without the approval of the superintendent. No approval shall be granted by the superintendent without the required written notice and certificate.
- B. 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 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 of health care provider.
- C. The school district may require that a second opinion be obtained at the school district's expense. The second opinion may not be provided by a health care provider employed by this school district. In the event of conflicting opinions, the school district may pay for a third and final provider to offer a binding decision.
- D. The school district may require subsequent written recertification on a reasonable basis.

## III. EMPLOYMENT BENEFITS PROTECTION

- A. 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 a comparable or similar job) in pay, benefits, and other terms and conditions of employment.
- B. 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.
- C. The school district may exempt from the restoration requirement in paragraph A above a key employee who is in the highest paid 10 percent of this district's workforce within a 75 mile radius of the school facility if restoring the key employee would cause substantial and grievous injury to the classroom and instructional program.
- D. The school district shall notify the key employee of its intent not to restore him/her at the time of the request for leave or when the determination is made. If the leave has begun, the key employee shall

have the option of deciding whether or not to return to work after receiving the notice. An employee who is not restored shall be considered to be on leave for the duration of his/her leave period.

- E. Health benefits shall continue through an employee's leave period, even for key employees who have been notified that reinstatement will be denied. The school district shall recover health coverage premiums paid for an employee who fails to return from leave except as follows:
  - 1. No recovery will be made from a key employee who has chosen to take or continue leave after receiving notice of non-reinstatement.
  - 2. 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, all of which is subject to the certification requirement in Section II, above.

#### IV. PROHIBITED ACTS

This school district shall not interfere with or restrain an eligible employee's right to exercise the provisions of this policy. This policy shall take effect and be in force from and after August 5, 1993. An employee's service prior to this effective date shall be counted in determining whether the employee is eligible for leave. (Policy GBRIA)

### FIELD TRIPS

All field trips must be approved by the school principal or his/her designated representative. A memorandum must be submitted to the principal ten (10) class days prior to the trip date for approval and distribution to the faculty whenever possible. The memo must include a list of the students that will be attending. The trip sponsor must also submit a School Vehicle Permit Request to the principal if such transportation is needed. Forms are available in the office.

In addition, the teacher(s) sponsoring the trip is responsible for coordinating faculty support (e.g. a place to go) or a substitute for any students in his/her scheduled classes that will not be attending the trip or may miss the trip due to a late bus, etc.

All trips occurring during normal school hours must be planned to insure students are returned to campus prior to dismissal of classes for the day if the bus being used is also used to transport students home or if students attending the trip must use bus transportation to return home.

This of course does not apply if the trip is outside normal school hours or if the sponsor has arranged for special transportation (bus not required to transport students home). However, the sponsor is responsible for ensuring students attending have arranged for transportation home at the completion of the trip.

**A copy of the district School Vehicle Permit Request Form is found in Appendix A.**

### Off-Campus Student Educational Activity

Clearly established procedures should be developed for the various student activities provided by the Kemper County Schools, and appropriate field trip request forms must be submitted in accordance with policies outlined in student handbook. Procedures shall require that all student activities be properly and fully supervised, clearly connected with the instructional programs, and based on sound objectives. Procedures shall be established to permit a limited program of extended trips on a long-range schedule.

A major trip in connection with all student organizations shall be defined as a trip to an out-of-state location requiring an overnight stay and financed by raising funds through solicitations and sales of various kinds.

Request for permission to participate in an event requiring a major trip must be made in writing to the principal; written approval must be given by the principal and the Superintendent of Education prior to making a written request for approval by the Board of Education.

All fund-raising projects must receive prior approval in writing by the Superintendent of Education.

A major trip shall not require funding by the Kemper County Schools.

All required funds must be raised prior to departure on the trip.

All student activities in connection with a major trip shall be properly and fully supervised; a list of chaperons for the trip must be submitted in writing prior to the day of departure, together with a list of possible alternative chaperons, and the list must be approved by the principal.

All parents/guardians must complete and sign an appropriate release form.

All educational activities trips require the approval of the principal and the superintendent or designee prior to making a written request for approval by the Board of Education. Prior to engaging in any activities related to a major trip, written approval for the trip must be secured from the Board of Education. Accompanying the request for approval must be information specifying those students who are to participate in the activity and the basis for their participation. In addition, the request must include the

1. specific reference to the curriculum;
2. source of payment for the off-campus educational activity;
3. method of transportation;
4. beginning and ending times and dates;
5. names of school personnel to attend;
6. names of chaperones;
7. name of possible alternate chaperons;
8. method of financing adult/parent participation; and
9. other pertinent information.

Such requests must be submitted prior to the off-campus educational activity. Parents and guardians must sign the "Parental Consent to Student Educational Activity and Release From Liability" form in advance of the off-campus educational activity (see Policy JGFB-E). All student activities in connection with a major trip shall be properly and fully supervised; a list of chaperons for the trip must be submitted in writing prior to the day of departure, together with a list of possible alternate chaperons, and the list must be approved by the principal. (Policy JGFB)

## **FUNDRAISING**

This school board is authorized to conduct, or may authorize others to conduct, on behalf of the school district, fund-raising activities deemed by the board, in its discretion, to be appropriate or beneficial to the official or extracurricular programs of the district. Any proceeds of such fund-raising activities shall be treated as activity funds and shall be accounted for as are other activity funds.

The Board prohibits the collection of money in school or on school property or at any school sponsored event by a student for personal benefit. Collection of money by school organizations must be approved by the principal and superintendent before obtaining Board approval. Collections by organizations outside the schools or by pupils on behalf of such organizations shall be approved by the superintendent.

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

Any arrangement between a local school and company supplying merchandise, such as school pictures, class rings and caps and gowns, shall be by written contract, signed by the principal and the company's representative, approved by the local school board, and on file available for public review in the principal's office. The contract shall include all provisions of the arrangement, including any rebate or commission to the school. Any rebate or commission provision in a contract shall be fully disclosed in the school board minutes and to any prospective purchasers of the merchandise. In cases where the merchandise is purchased by a student directly from the vendor, any such rebate or commission to the school shall be paid by check from the company directly to the school's activity fund. Under no circumstances shall a company or a purchaser make a payment directly to a principal. (Policy JK)

### **Student Activity Fund Management**

All purchases for school purposes made by any club, individual, class, or staff member must receive prior approval through requisition approved by the principal and superintendent.

Requisitions for school purchases must be made by authorized staff members. Purchases made without prior approval of the principal and superintendent will be the personal obligation of the purchaser.

### **School Activity Funds**

#### **1. Meaning**

"Activity Funds" shall mean all funds received by local school officials paid or collected to participate in any school activity, such activity being part of the school program and totally or partially financed with public funds or supplemented by public funds.

#### **2. Purpose**

The raising or collecting and spending of activity fund money by student bodies has one purpose only-to promote the general welfare, education and morale of all the students and to finance the normal legitimate extra-curricular activities of the student body organization. Money derived from the student body as a whole shall be so expended as to benefit the student body as a whole, and not for the benefit of a special group. The principal/director of the school location, as trustee, is responsible for replacement of student activity money improperly spent.

#### **3. General**

Activity funds shall be spent in accordance with state law, "for any necessary expenses or travel costs, including advances, incurred by students and their chaperons in attending any in-state or out-of-state school related programs, conventions or seminars and/or any commodities, equipment, travel expenses, contractual services, or school supplies which the school board, in its discretion, shall deem beneficial to the official or extra-curricular programs to the district."

Each local school shall maintain its own bank account for the receipt and disbursement of activity funds. The account must be interest bearing, if practicable; it must be styled, "(name of school) Activity Fund."

Bank statements for each account are to be sent directly to the district office by the bank. The central office will be responsible for preparing the monthly bank reconciliations. A copy of each month's bank reconciliations will be forwarded to the individual schools for review and management purposes.

All Student Activity Fund bank accounts must be in financial institutions approved by the Board of Trustees.

#### **4. Receipts**

All activity funds received by the local school must be deposited into the student activity fund bank account, through the office of the school principal/director. The office of the school

principal/director must maintain a permanent three-part receipt book, containing such information as prescribed by the state auditor's office, to record all receipts. The person transferring the money to the office of the principal/director for deposit will be given the original receipt. The second copy of the receipt will be attached to the transmittal report forward to the central office at the end of each month, and the third copy will be kept in the bound book and on permanent file in the principal's office. All of these pre-numbered receipts must be accounted for. Receipt warrants must be signed by a person authorized by the superintendent to receipt money at the school location. For all receipts of \$500 or more, the school location principal/director shall either sign the receipt warrant, after determining the property of the amount received.

All money must be deposited timely and intact. Any amounts left at the school location overnight should be stored under lock and key in a safe location. Only those school district employees authorized by the Superintendent to make deposits may make deposits into the account. Undeposited funds on location at the end of the school day when a deposit is not possible should be transferred to a bank lock bag and dropped in the night depository for deposit the following work day. The building administrator shall be held personally responsible for missing funds resulting from the event of theft or misplacement.

Club or activity sponsors are required to remit all monies collected to the office of the principal or director on a daily basis. In no circumstance is money to be left in classrooms or taken to the sponsor's home. (Absolutely no-exceptions to this policy.)

**5. Disbursement**

Any disbursements of activity funds must be made from the central office and authorized by the superintendent.

In accordance with Mississippi sales and use tax laws, all purchases that will be resold must have the state sales tax paid to the vendor, including out-of-state purchases. In order to avoid the requirements for paying use taxes in Mississippi, only vendors who will collect and remit Mississippi sales tax may be used for activity fund expenditures.

**6. Purchasing – See policy DJE and DJEA**

**7. Other Policies/Procedures**

Any activity fund agency club account which becomes dormant and inactive may have its surplus, if any, transferred to another activity fund if approval is granted by the Board of Trustees.

Any event at a school where a fee is charged for admission must use pre-numbered tickets and be accounted for in a manner prescribed in the financial accounting manual. This is required for any event that generates \$100 or more. When separate cash boxes are used to collect money for admissions, a separate activity event receipt form should be used for each separate cash box. All such receipt forms should be forward to the central office as part of the monthly transmittal package.

Persons who purchase merchandise shall pay the company directly. Any such rebate or commission to the school will be paid by check from the company directly to the school's activity fund. Under no circumstances will a company or a purchaser make a payment directly to a principal/director.

All funds raised by a specific outside organization (such as PTO) on behalf of the school may be deposited in the activity fund and used exclusively for the school's benefit. If this money is deposited with activity funds, it will become subject to all policies of the Board of Trustees that govern student activity funds.

The term "activity funds" shall not include any funds raised and/or expended by any organization, unless deposited with existing activity funds, regardless of whether the funds were raised using school facilities. Organizations shall not be required to make any payment to any school for the use

of any school facility if, in the discretion of the Board of Trustees, the organizations' function shall be deemed to be beneficial to the extra-curricular programs for the school. For the purpose of this provision, the term "outside organization" shall not include any organization subject to the control of the Board of Trustees.

School activity funds shall be classified as either general funds or agency funds. Student club funds shall be classified as agency funds unless expenditures for general operational purposes of the school district are made directly from the club fund. In such case, the club fund would be classified as a general fund. Student club funds generally are used to account, the designated sponsor, and the planned activity for the account should be included in the request submitted to the principal/chief fiscal officer by the designated sponsor.

Student fees shall be collected in amounts as prescribed by the superintendent. A yearly update as to prescribed fee amounts shall be distributed to principal/appropriate administrator.

**8. Deficit Spending**

Club/Activity sponsors are personally responsible at the end of each school year for any purchases that create deficit balances. There is no authority given by the Board of Trustees for deficit spending by clubs. This provision applies to all agency activity accounts.

**9. Fund Raising**

The Kemper County School Board, in its discretion, may conduct fund-raising activities on behalf of the school district that it deems appropriate or beneficial to the official or extracurricular programs of the district, provided that:

- A. Any proceeds of the fund-raising activities shall be treated as "activity funds" and shall be accounted for as are other activity funds, and
- B. Fund-raising activities conducted or authorized by the Board for the sale of school pictures, the rental of caps and gowns or the sale of graduation invitations for which the school board receives a commission, rebate of fee shall contain a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the student activity fund.

The Kemper County School Board may charge reasonable fees for participating in an extracurricular activity for academic or nonacademic credit for necessary and required equipment such as safety equipment, band instruments, and uniforms.

The board may conduct or participate in any fund-raising activity on behalf of or in connection with a tax-exempt charitable organization.

**10. Accounting**

The accounting office will maintain separate funds for each secondary school club or activity and one general fund for each school. However, only one bank account will be used. Receipts and disbursements will be classified as to source and expenditure by function and function/object classification for each general fund. Increase and decrease in school club activity accounts will be classified as credits and debits to the proper club/activity account.

Each school location secretary/bookkeeper shall maintain a running total of club/activity agency account cash balances. This total shall be reconciled monthly to the general ledger total cash balance for the school location's activity funds.

At the end of each fiscal year, all accounts and funds will be audited by the agency/firm which audits district accounts. (Policy JH)

## **GIFTS AND BEQUESTS TO SCHOOL DISTRICT (DONATIONS)**

Items and donations contributed to the Kemper County School District will become the property of the district and shall be subject to the same controls and regulations which govern the use or disposal of all district owned property. The Board reserves the right to reject any contribution to the district which does not serve to enhance or extend the work of the schools.

All donations and contributions (monies and personal property) in an amount of \$500 or more shall be formally submitted to the Board 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 principal shall have the authority to accept and acknowledge all donations and contributions (monies and personal property) to their school 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.

All gifts or donations presented to an individual school and/or the total school system that would obligate the school system to future operating or upkeep costs must be approved by the Board of Education.

All other gifts or donations may be approved in accordance with the following provisions:

1. It must be compatible with the district's goals, objectives, and standards.
2. It must have a legitimate school use.
3. It must not create an imbalance in educational programming for the school level intended.
4. It must not incur a district responsibility to replace when lost, stolen, or outmoded unless the loss of the item(s) results in a negative quantity of the item for that school when compared to the district standard for the school level involved.
5. It must be assessed for fixed assets as explained below.
6. Any school principal considering acceptance of a gift on behalf of the district shall follow district policies and procedures involving gifts.
7. The principal shall obtain the superintendent's (or designee), approval of a gift prior to proceeding with any binding commitments or contract initiation.
8. Any cost related to installation shall be borne by the donor unless prior approval and agreement have been given by the board through the superintendent.
9. Approval of the gift by the superintendent must be in writing and must be received by the principal before any action is taken to indicate acceptance of the gift by the district and/or the individual school.

Generally Accepted Accounting Principles (GAAP) requires fixed assets to be recorded at historical cost or estimated historical costs. Historical cost is the actual cost of assets. Assets acquired through contribution or donation must be recorded at fair market value on the date donated. The school board must acknowledge in its official minutes who will maintain the title of ownership to the donated assets.

The board of education has implemented a fixed asset system of accountability that complies with the standards established by the State Auditor's Office for the verification of fixed assets and the auditing of fixed assets records. {MS Code 37-17-6} Standard 4.1, Mississippi Public School Accountability Standards.

In accepting any donations of items or services to the athletic programs of the school or school system, a valuation of the donation shall first be established. The valuation may come from the donor or an accounting of actual costs incurred regarding the donation. Superintendent (designee) also may set a valuation for donations to other programs as appropriate or required for accounting purposes.

**Crowdfunding Projects:**

Inasmuch as desired enhancements to educational programming have always and will always exceed school resources, school employees may at times choose to seek private funds for school projects. One modern manifestation of this is commonly referred to as 'crowdfunding,' or the placement of needs on various websites in order to secure donations to meet those needs.

Two popular sites of this sort include GoFundMe and Donors Choose. Such fundraising methods are permissible within the Kemper County School District and the Board commends school employees for their efforts to secure outside funding to better serve the needs of their students.

It is the preference of the Kemper County Board of Education that employees utilize sites funding supplies or equipment rather than monetary donations.

District employees wishing to secure crowdfunding should keep the following requirements in mind:

1. Any person or entity acting on behalf of the district and wishing to conduct an online fundraising/donation campaign for the benefit of the district shall begin the process by seeking prior approval from the building administrator. Pre-approval for equipment must also be obtained from the technology department or business services department. Pre-approval for monetary donations must be obtained from the Business Manager at the Central Office.
2. All monetary donations should be recorded by the school bookkeeper in the School Funds accounting system at each school. A new fund will be created for each new project. Please note, no school banking information should ever be given out. A check should be requested to be mailed to the school in the name of the school, not to an individual person. If after purchases are made any funds remain, they will be held at the school in that fund for similar projects for that classroom/program/grade level. If there are not enough funds to cover the purchase, due to price changes, shipping, etc., the shortage will be the responsibility of the employee.
3. All items received/purchased through crowdfunding projects are the property of the district and all inventory procedures apply. It is the intention of the District to ensure that items purchased through such fundraising endeavors remain with the teacher/employee, unless the teacher/employee leaves the district, school, grade level, or the program for which the items were purchased. Should the employee leave the district, school, grade level, or program the building administrator will disperse the equipment or funds based on similar needs reflected in the original project.
4. A file is to be maintained at the school for any crowdfunding request. This file should include: the Crowdfunding Fundraising Project form and any documentation (receipts, packing slips, e-mails, invoices, etc.) pertinent to the project.
5. Employees should be aware that some sites are tax deductible and some are not. It is the employee and donor's responsibility to determine if the donation is tax deductible. The Kemper County Board of Education will not provide a Form 990 for these donations.

When making requests for crowdfunding support, teachers/employees must comply with student privacy and other requirements set out in the Family Educational Rights and Privacy Act (FERPA). Thus, student images, names, and descriptions which would cause students to be identifiable or would allow logical deductions about disabilities or other factors deemed to be within the student sphere or privacy must not be used on such websites or elsewhere unless written, parental permission is secured in advance. (Policy DFK)

## **GIFTS TO STAFF MEMBERS/SCHOOLS**

### **Gifts to Staff Members**

Many school patrons in their sincere effort to express appreciation to school employees at various times participate in money-raising campaigns among parents in order to purchase gifts for school employees. These activities are often misunderstood, frequently cause embarrassment to our personnel and are illegal.

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

There shall be no fund raising for gifts, or any gift giving, or any exchange of gifts. This does not in any way prohibit Christmas and other parties that are held in schools where students contribute for food and refreshments. The policy is designed to stop solicitation of funds for gifts. (Policy KHD)

### **Gifts to Schools**

The superintendent, on behalf of the board, is authorized to accept gifts to particular schools or the district. He shall report such acceptance to the board which shall officially acknowledge the gifts and thank the donors.

In instances where the superintendent doubts the appropriateness or usefulness of a gift, he shall refer the offer to the board for its decision.

Assets which are donated to the school district must be recorded at their fair market value at the date of donation. The school board must acknowledge in their official minutes who will maintain title of ownership to the donated assets. (Policy KHE)

## **LEAVES AND ABSENCES**

### **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 school board 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 seven (7) days 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. 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.
- e. All Licensed employees who work up to 220 days shall be credited with seven (7) sick days per year.
- f. Licensed employees who work 240 days shall be credited with ten (10) sick days per year.
- g. Teacher assistants who work 183 days shall be credited with seven (7) sick days per 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 two (2) days 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. 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 shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the same school district. 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 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 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 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.

**All licensed employees shall be credited with two (2) personal days per year.**

#### 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 local school board 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 school board 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 school board of each school district.

## 7. PAYMENT OF SUBSTITUTE EMPLOYEES

School boards 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 school boards, 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 school board 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.

- a. Non-licensed employees who work 180, 183, 187, 190, 210 or any other number of days between 180-210 shall be credited with seven (7) sick days per year.
- b. Non-licensed employees who work 220 days shall be credited with nine (9) sick days per year.
- c. Non-licensed employees who work 240 days shall be credited with ten (10) sick days per year.
- d. All non-licensed employees shall be credited with (2) personal days per year.

## 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 days accumulated by licensed and non-licensed employees in excess of the maximum five (5) days may be carried over from one (1) year to the next and 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. Local school board 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.

- a. Licensed employees who work 240 days shall be credited with ten (10) vacation days per year.
- b. Non-licensed employees who work 240 days shall be credited with ten (10) vacation days per year.

## 10. DEFINITIONS

a. For the purposes of this subsection, the following words and phrases shall have the meaning ascribed in this paragraph unless the context requires otherwise:

- i. "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.
- ii. "Immediate family" means spouse, parent, stepparent, sibling, child or stepchild, grandparent, stepbrother, or stepsister.

b. 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 or another 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:

- i. 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.
- ii. 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.
- iii. 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.
- iv. 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, 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.
- v. 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.
- vi. 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.

vii. Donated leave shall not be used in lieu of disability retirement. ' 37-7-307

#### 11. JURY DUTY / OTHER LEAVE

This school board shall provide leave with pay for employees who serve as witnesses under subpoena and/or on juries. The school board cannot recover jury fees from employees who serve on juries. (Attorney General Opinion, *Middleton*, 1991)

#### 12. LEAVE DUE TO DECLARED EMERGENCY CLOSURES

The school board may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.

#### 13. PAID HOLIDAYS

The Kemper County School District shall pay holiday pay to hourly paid school employees in accordance with Section 37-7-307(8), MCA, 1072, as amended even if they do not actually work on the holidays listed below.

Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Good Friday, Easter Monday, and Memorial Day.

The Kemper County School District shall pay superintendents, principals, and teachers in accordance with Section 37-13-69, MCA, 1972, as amended if the school is closed for legal holidays designated by the local school board listed below.

Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Good Friday, Easter Monday, and Memorial Day.

#### 14. MILITARY LEAVE

The law provides that state employees and employees of "any county, municipality or other political subdivision" are entitled to a leave of absence from their respective duties for periods not to exceed 15 days without loss of pay, time, annual leave or efficiency rating when ordered to military duty. The Kemper County School District shall not pay such employees after the 15-day absence. (Policy GBRI)

### **LINE AND STAFF RELATIONS**

The school board directs the superintendent to inform all personnel regarding the working relationships in the school system.

Lines of direct authority shall be those approved by the board and shown on the district organization charts.

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

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

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

Personnel not adhering to this policy shall be subject to disciplinary action that could result in suspension or termination. (Policy CD)

## LITERACY-BASED PROMOTION ACT

Beginning in the 2014-2015 school year, a student scoring at the lowest achievement level in reading on the established state assessment for 3<sup>rd</sup> grade will not be promoted to 4<sup>th</sup> grade unless the student meets the good cause exemptions for promotion.

Beginning in the 2018-2019 school year, if a student's reading deficiency is not remedied by the end of the student's Third Grade year, as demonstrated by the student scoring above the lowest two (2) achievement levels in reading on the state annual accountability assessment or on an approved alternative standardized assessment for Third Grade, the student shall not be promoted to Fourth Grade.

In compliance with the "Literacy Based Promotion Act," it is the intent of this school district to improve the reading skills of Kindergarten - Third Grade students so that every student completing the Third Grade is able to read at or above grade level. Each Kindergarten through Third Grade student's progression is determined, in part, upon the

- student's proficiency in reading;
- the policies of local school boards facilitate this proficiency; and
- each student and the student's parent or legal guardian is informed of the student's academic progress.

Intensive Reading Instruction and Intervention Each student who exhibits a substantial deficiency in reading at any time, as demonstrated through performance on a reading screener approved or developed by the State Department of Education or through locally determined assessments and teacher observations conducted in Kindergarten and Grades 1 through 3 or through statewide end-of-year assessments or approved alternate yearly assessments in Grade 3, shall be given intensive reading instruction and intervention immediately following the identification of the reading deficiency. The intensive reading instruction and intervention must be documented for each student in an individual reading plan, which includes, at a minimum, the following:

- (a) The student's specific, diagnosed reading skill deficiencies as determined (or identified) by diagnostic assessment data;
- (b) The goals and benchmarks for growth;
- (c) How progress will be monitored and evaluated;
- (d) The type of additional instructional services and interventions the student will receive;
- (e) The research-based reading instructional programming the teacher will use to provide reading instruction, addressing the areas of phonemic awareness, phonics, fluency, vocabulary and comprehension;
- (f) The strategies the student's parent is encouraged to use in assisting the student to achieve reading competency; and
- (g) Any additional services the teacher deems available and appropriate to accelerate the student's reading skill development.

The universal reading screener or locally determined reading assessment may be given in the first thirty (30) days of the school year and repeated if indicated at midyear and at the end of the school year to determine student progression in reading in Kindergarten through Third Grade. If it is determined that the student continues to have a reading deficiency, the student shall be provided with continued intensive reading instruction and intervention by the school district until the reading deficiency is remedied. A student

exhibiting continued reading deficiency with continued intensive interventions should be considered for exceptional criteria evaluation.

A Kindergarten or First, Second or Third Grade student identified with a deficiency in reading shall be provided intensive interventions in reading to ameliorate the student's specific reading deficiency, as identified by a valid and reliable diagnostic assessment. The intensive intervention shall include effective instructional strategies, and appropriate teaching methodologies necessary to assist the student in becoming a successful reader, able to read at or above grade level, and ready for promotion to the next grade. A Kindergarten, First, Second or Third Grade student identified with a reading deficiency or not promoted may be placed in a transition class.

Parent Notification of Reading Deficiency Immediately upon the determination of a reading deficiency, and subsequently with each quarterly progress report until the deficiency is remediated, the parent or legal guardian of a Kindergarten or First, Second or Third Grade student who exhibits a substantial deficiency in reading shall be notified in writing by the student's teacher of the following:

1. That the student has been identified as having a substantial deficiency in reading;
2. A description of the services that the school district currently is providing to the student;
3. A description of the proposed supplemental instructional services and supports that are designed to remediate the identified area of reading deficiency which the school district plans to provide the student, as outlined in the student's individual reading plan;
4. That if the student's reading deficiency is not remediated before the end of the student's Third Grade year, the student will not be promoted to Fourth Grade unless a good cause exemption specified below is met;
5. Strategies for parents and guardians to use in helping the student to succeed in reading proficiency; and
6. That while the state annual accountability assessment for reading in Third Grade is the initial determinant, it is not the sole determiner of promotion and that approved alternative standardized assessments are available to assist the school district in knowing when a child is reading at or above grade level and ready for promotion to the next grade.

Social Promotion Prohibited In compliance with the "Literacy-Based Promotion Act," social promotion is prohibited in this school district. A student may not be assigned a grade level based solely on the student's age or any other factors that constitute social promotion. Beginning in the 2014-2015 school year, if a student's reading deficiency is not remedied by the end of the student's Third Grade year, as demonstrated by the student scoring at the lowest achievement level in reading on the state annual accountability assessment or on an approved alternative standardized assessment for Third Grade, the student shall not be promoted to Fourth Grade.

Beginning in the 2018-2019 school year, if a student's reading deficiency is not remedied by the end of the student's Third-Grade year, as demonstrated by the student scoring above the lowest two (2) achievement levels in reading on the state annual accountability assessment or on an approved alternative standardized assessment for Third Grade, the student shall not be promoted to Fourth Grade.

Good Cause Promotion A Third Grade student who does not meet the academic requirements for promotion to the Fourth Grade may be promoted by the school district only for good cause. Good cause exemptions for promotion are limited to the following students:

1. Limited English proficient students who have had less than two (2) years of instruction in an English Language Learner program;
2. Students with disabilities whose individual education plan (IEP) indicates that participation in the statewide accountability assessment program is not appropriate, as authorized under state law;
3. Students with a disability who participate in the state annual accountability assessment and who have an IEP or a Section 504 plan that reflects that the individual student has received intensive

- remediation in reading for more than two (2) years but still demonstrates a deficiency in reading or previously was retained in Kindergarten or First, Second or Third Grade;
4. Students who demonstrate an acceptable level of reading proficiency on an alternative standardized assessment approved by the State Board of Education; and
  5. Students who have received intensive intervention in reading for two (2) or more years but still demonstrate a deficiency in reading and who previously were retained in Kindergarten or First, Second or Third Grade for a total of two (2) years and have not met exceptional education criteria. A student who is promoted to Fourth Grade with a good cause exemption shall be provided an individual reading plan as described in section 37-177-1(2) which outlines intensive reading instruction and intervention informed by specialized diagnostic information and delivered through specific reading strategies to meet the needs of each student so promoted. This school district shall assist schools and teachers in implementing reading strategies that research has shown to be successful in improving reading among students with persistent reading difficulties.

Good Cause Request A request for good cause exemptions for a Third Grade student from the academic requirements established for promotion to Fourth Grade shall be made consistent with the following:

1. Documentation shall be submitted from the student's teacher to the school principal which indicates that the promotion of the student is appropriate and is based upon the student's record. The documentation shall consist of the good cause exemption being requested and shall clearly prove that the student is covered by one (1) of the good cause exemptions listed above.
2. The principal shall review and discuss the recommendations with the teacher and parents and make a determination as to whether or not the student should be promoted based on requirements set forth by law. If the principal determines that the student should be promoted, based on the documentation provided, the principal shall make the recommendation in writing to the school district superintendent, who, in writing, may accept or reject the principal's recommendation.

The parents of any student promoted may choose that the student be retained for one (1) year, even if the principal and district superintendent determines otherwise.

Retained Third Grade Students Beginning in the 2014-2015 school year, this school district shall take the following actions for retained Third Grade students:

1. Provide Third Grade students who are not promoted with intensive instructional services, progress monitoring measures, and supports to remediate the identified areas of reading deficiency as outlined in the student's individual reading plan, including a minimum of ninety (90) minutes during regular school hours of daily, scientifically research-based reading instruction that includes phonemic awareness, phonics, fluency, vocabulary and comprehension, and other strategies prescribed by the school district, which may include, but are not limited to:
  - a. Small group instruction;
  - b. Reduced teacher - student ratios;
  - c. Tutoring in scientifically research-based reading services in addition to the regular school day;
  - d. The option of transition classes;
  - e. Extended school day, week or year; and
  - f. Summer reading camps.
2. Third Grade students who are retained shall be provided with a high-performing teacher, as determined by student performance data, particularly related to student growth in reading, above-satisfactory performance appraisals, and/or specific training relevant to literacy.

Parent Notification of Third Grade Retention Written notification shall be provided the parent or legal guardian of any Third Grade student who is retained that the student has not met the proficiency level required for promotion and the reasons the student is not eligible for a good cause exemption. The notification shall include a description of proposed interventions and supports that will be provided to the child to remediate the

identified areas of reading deficiency as outlined in the student's individual reading plan. This notification shall be provided to the parent or legal guardian in writing, in a format adopted by the State Board of Education in addition to report cards given by the teacher. Parents and legal guardians of Third Grade students shall be provided with a "Read at Home" plan outlined in a parental contract, including participation in regular parent-guided home reading.

Intensive Acceleration This district may provide, where applicable, an intensive acceleration class for any student retained in Grade 3 who was previously retained in Kindergarten or Grades 1 through 3. The focus of the intensive acceleration class should be to increase a student's reading level at least two (2) grade levels in one (1) school year. The intensive acceleration class will provide reading instruction and intervention for the majority of student contact each day and incorporate opportunities to master the Grade 4 state standards in other core academic areas. Annual Report Within thirty (30) days of final State Board of Education approval of state accountability results, the school board of this school district shall publish, in a newspaper having a general circulation within the school district, and report to the State Board of Education and the Mississippi Reading Panel the following information relating to the preceding school year:

1. Student progression and the school district's policies and procedures on student retention and promotion;
2. By grade, the number and percentage of all students performing at each level of competency on the reading and math portion of the annual state accountability system and the number and percentage of students given an approved alternative standardized reading assessment and the percentage of these students performing at each competency level on said alternative standardized assessment;
3. By grade, the number and percentage of all students retained in Kindergarten through Grade 8;
4. Information on the total number and percentage of students who were promoted for good cause, by each category of good cause described by law; and
5. Any revisions to the school board's policy on student retention and promotion from the prior school year.

Student Handbook Provisions required by the Literacy Promotion Act shall be provided as an addition to the district's published handbook of policy for employees and students beginning in school year 2013-2014. The superintendent or designee shall establish procedures to support this policy. LEGAL REF.: MS CODE – Literacy Based Promotion Act, 2013 (Policy ICHI)

## **MEDIA ACCESS TO SCHOOL CAMPUSES, STAFF AND STUDENTS**

It shall be the policy of the Kemper County School Board that access to school campuses shall be by permission granted by the superintendent of schools or his/her designee on all occasions. Without such authority having been granted, all representatives of the media will be denied access to the campuses, buildings, staff or students of the schools and principals are hereby instructed to deny such access.

The district is committed to providing up-to-date information about the district and its activities in a timely and appropriate manner. The school board designates the Superintendent as the spokesperson for the district when the media requests information. No employee other than those designated may provide information on behalf of the school district without prior board approval. It is the responsibility of the board of education and superintendent to maintain an atmosphere conducive to learning with as few disruptions as possible.

All requests should be directed to the office of the superintendent whose responsibility it shall be to issue in writing permission for all access. (Policy KBB)

## **MENTAL HEALTH AND SUICIDE PREVENTION TRAINING**

Beginning in the 2021-2022 school year, the school district shall conduct, every two (2) years, refresher training on mental health and suicide prevention for all school employees and personnel, including all 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.

Effective with the 2021-2022 school year, the Mississippi Department of Mental Health shall develop a standardized Memorandum of Understanding (MOU) to be utilized by the Mississippi Department of Mental Health certified mental health providers and mental health facilities in providing mental health services to local school districts. The MOU shall include standardized behavioral health screening and referral protocols, procedures, and forms to be utilized by the local school districts. Any standardized behavioral health screening and referral protocols shall only be performed on students with the approval of the student's parent or legal guardian. The Mississippi Department of Mental Health shall provide online training for appropriate school personnel to conduct initial behavioral health screenings of students experiencing or exhibiting behavioral stress or at risk of harming themselves or others.

The training referenced above is required in accordance with House Bill 1283 passed during the 2019 Regular Legislative Session.

## **OUTSIDE EMPLOYMENT – TUTORING**

### **PROFESSIONAL PERSONNEL TUTORING FOR PAY**

To assure all students reasonable assistance without charge from their own teachers and to avoid placing a teacher in a position where he may have a conflict of interest, teachers shall receive no money from parents for tutoring any student they have in class or upon whose evaluation or assignment they will be called upon to make.

Further, no tutoring for which a teacher receives a fee will be carried on in the school building.

No teacher shall use his official position to obtain pecuniary benefit for himself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he is associated. ' 25-4-105 (1) (1994) (Policy GBRGB)

## OVERTIME POLICY

### Purpose

The purpose of this policy is to ensure that the Kemper County School District is in compliance with the requirements of the Fair Labor Standards Act (FLSA), 29 U.S. C. 201 et seq.

### Exempt Employees

Certain employees are exempt from coverage of the FLSA and are not subject to compensation for overtime work. Exempt employees include executive, administrative, and professional employees. Examples include, but are not limited to, certified professional employees such as teachers, counselors, supervisors, and administrators. Certain non-certified administrators are also exempt and include business managers, transportation directors, maintenance directors, and other similar administrative and supervisory positions. Supervisors should seek advice from the school board attorney if there is a question whether a position is exempt or not.

### Covered Employees

Employees in the job classification listed below are generally considered to be non-exempt and are covered by the FLSA unless a specific exemption exists. In those instances the reasons for the exempt status will be specifically outlined.

Secretaries	Clerks	Janitors	Assistant Teachers
Bus Drivers	Security	Bookkeepers	Mechanics
Cafeteria Personnel	Substitute Teachers	Maintenance Personnel	Data Entry Operators

In some instances employees may perform dual jobs for the District, such as driver/maintenance worker. If duties of the two jobs require the employee to work overtime, the amount due will be calculated using the method described below.

### Employment Relationships

No employment relationship is created between student teachers or students and the District due to the circumstances surrounding their activities.

No employment relationship is created between the District and individuals who volunteer and donate their services to the District as a public service without contemplation of pay.

The hiring of off-duty policemen or deputies on a part time basis by the District for crowd control or for security purposes does not create a joint employment relationship between the District and the city or county with which the policemen or deputies are employed. The District is separate and distinct and acts entirely independent of other governmental entities.

### Hours Worked

It shall be the policy of Kemper County Schools to utilize time cards for all non-exempt employees as a method to calculate actual hours worked each week.

The workweek shall be defined as beginning Sunday at 12:01 a.m. and ending Saturday at 11:59 p.m. Administrators shall monitor time cards periodically throughout the workweek to ensure employees are not permitted to exceed the forty-hour workweek.

The employee and administrator shall sign all time cards at the end of each workweek. By signing, each agrees to the amount of time worked as being accurate and correct. Time cards will be due in the central office each Tuesday following the end of each week.

Employees shall only mark their own time card. Disciplinary action for a violation of marking a time card for another employee will result in three days suspension, without pay, for the person violating this provision. A second violation of this provision may result in immediate termination.

The employee, on behalf of whose card has been marked, may be subject to the same disciplinary action.

Each employee subject to the FLSA shall be paid for all hours worked. Compensable time includes all time that an employee is required to be on duty. Coffee breaks, waiting time and meal periods, which are frequently interrupted by calls to duty, are hours worked and are compensable.

Hours worked shall be accurately recorded by each employee on the monthly or weekly time sheet in the form which is provided by the District. Employees using time sheets shall furnish all information requested and shall record the exact time of arrival and departure from work. Employees are expected to arrive and depart at the time specified by his/her supervisor unless requested to work overtime by his/her immediate supervisor. All overtime shall be recorded by each employee on the time sheet or time card by time clock.

No overtime shall be worked without prior written permission by the employee's immediate supervisor. In the event of emergencies requiring work in excess of 40 hours in a workweek, the employee shall inform his/her supervisor as soon as practicable of the overtime worked.

#### **Breaks and Meal Periods**

Although not required by the FLSA, employees should be allowed coffee breaks of no more than 15 minutes when appropriate. The time of day for breaks and their length shall be determined by each employee's immediate supervisor.

Meal periods for some employees shall be counted as hours worked since they are frequently interrupted by calls to duty and therefore are compensable. Those employees with bona fide meal periods of 30 minutes or more shall be completely relieved of duty for the purpose of eating a regular meal and shall not be required to perform any work during that meal period.

#### **Minimum Wage**

All employees subject to the FLSA shall be paid not less than the current minimum wage.

#### **Overtime Pay**

It is the policy of the District that compensation for overtime work will be paid in the form of compensatory time off. Compensatory time shall be awarded on the basis 1 ½ hour for each hour of overtime worked. An employee will not be permitted to accumulate more than 240 compensatory time hours (160 regular hours). Employees must take the compensatory time when it is agreeable with his/her supervisor. However, the supervisor's consent shall not be unreasonably withheld.

In the event the District decides to pay for overtime work in the form of monetary remuneration the employee shall be paid not less than 1 ½ times his/her regular rate of pay for all hours worked over 40 hours in a workweek. Overtime pay due an employee shall be computed on the basis of hours worked in each workweek.

For employees paid on an hourly rate, the overtime will be based on that hourly rate. For employees paid on a salaried basis, the monthly salary will be reduced to its weekly hourly rate, from which overtime compensation will be calculated. Employees shall be paid for each and every hour worked. For those employees working 2 or more jobs for the District, overtime pay shall be calculated on the basis of a blended hourly rate on all jobs worked calculated by dividing the total amount of remuneration received in a work week by the total hours worked in that workweek. The employee shall be paid one half of the blended hourly rate times the number of hours worked over 40.

#### **Adjustment of Schedules**

Supervisors may adjust schedules within a workweek to prevent the necessity of an employee working more than 40 hours in that workweek.

#### **Record Keeping**

The Superintendent shall require all records on wage, hours, and other items to be maintained in accordance with the FLSA. Wage and Hour posters shall be displayed at each District worksite.

### **Enforcement**

The district shall, at all times, cooperate with authorized representatives of the Department of Labor who may visit a work site. If an employee believes he/she has not been paid in accordance with the FLSA, the employee shall notify his/her supervisor and the superintendent. Employees who believe they have not been paid in accordance with the FLSA may file a complaint with the United States Department of Labor. The District shall not retaliate in any manner whatsoever against an employee for the filing of such complaints.

District employees responsible for supervising employees subject to the FLSA who willfully violate the terms of this policy shall be subject to disciplinary action by the District. Any disciplinary action taken by the district will be in addition to any relief granted an employee by the U.S. Department of Labor or a court of law.

**All non-exempt employees are required to sign the consent form in Appendix A to abide by the district Overtime Policy. (Policy GCRAA)**

## **PERSONNEL RECORDS**

Each staff member of the Kemper County School District must have on file with the building principal/immediate supervisor and the Superintendent of Education his/her current home telephone number, an emergency telephone number, and current home address. Any change must be reported immediately.

A file of personnel records shall be maintained in the superintendent's office for each licensed employee of this school district. A file shall be kept for all resigned or retired licensed employees, including such essential information as deemed appropriate by the superintendent (or designee) as specified by state and federal laws.

### **CONFIDENTIALITY**

Personnel information concerning district employees is generally confidential and may be reviewed only on a "need to know" basis under conditions which guarantee the administration's right of access to information necessary to make judgments and the protection of employees against unnecessary invasion of privacy. Personnel information that is "public record" may be released to any person upon request.

Records of a teacher's performance and evaluation shall not be released without the written consent of the teacher. Files containing medical information regarding an employee will be kept separate from other personnel files.

The superintendent shall notify an employee in writing when a request is made for disclosure of the employee's personnel, medical, or similar files, if the superintendent reasonably believes disclosure would invade the employee's privacy. The records will be disclosed unless written objection is received from the licensed employee within seven (7) business days from receipt by the employee.

### **TYPES OF INFORMATION**

It shall be the responsibility of each licensed employee to ensure that the school district receives record of any prior teaching experience. In addition, if the teacher has rendered military service, the proof of discharge from service must be furnished to the school district. The licensed employee is responsible for ensuring that the information that will maintain the employee's personnel file on a complete and up-to-date basis is provided to the superintendent's office. The records shall contain the following:

1. The correct name, current address, and home telephone number of the employee;
2. An accurate record of the employee's work experience;
3. Current data on education completed, including transcripts of academic work;
4. Proof of requirements fulfilled in order to be eligible for salary;

5. Current data on credentials;
6. Any current data requested by the superintendent concerning the employee's health and/or medical examinations;
7. Records of assignment;
8. Evaluations of performance;
9. Letters of commendation, reprimand, or omission of duty;
10. Other materials mutually agreed upon between the principal and the teacher.

#### USE OF PERSONNEL RECORDS

All the contents of the personnel file, with the exception of evaluations, comments, or recommendations provided to the district on a confidential basis by universities, colleges, or persons not connected to the school district, shall be available for inspection by the employee concerned. The district reserved the right to have a member of the superintendent's office staff present at the time the employee inspects his or her personnel file for the purpose of explaining and interpreting information therein. Similarly, at the time the record is reviewed, the employee shall have the right to have present a representative of his or her own choosing, if desired.

The superintendent shall promptly notify in writing a teacher against whom a complaint has been placed in that teacher's personnel file. The teacher shall have the right to respond to all materials contained in the personnel file and to any materials to be placed in the file in the future. Responses shall become part of the file.

#### PARENTAL NOTICE

If the school district receives Title I funds, the district shall provide parents with notice that they may request information about the professional qualifications of classroom teachers, as required by the "No Child Left Behind Act." The notice to parents must include the following:

1. Whether the teacher has met state qualifications for the grade level and subject areas taught;
2. Whether the teacher is teaching under emergency or other provisional status.
3. The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area/s of the certification degree; and
4. Whether the child is provided services by para-professionals, and, if so, their qualifications.

If a parent requests the above-listed information, the school district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught for four or more weeks, the school district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified. (Policy GAR)

## POSSESSION OF WEAPONS ON SCHOOL GROUNDS

No student, employee or visitor may possess a weapon in, on or about school buildings, grounds, athletic fields or any other property used for school related purposes, except as permitted by law. Further no student, employee or visitor may possess or carry any weapon within a vehicle brought onto school property or as provided by law.

Any employee who violates this policy will be subject to disciplinary action including but not limited to criminal actions and penalties. (Policy JCDAE)

## PROFESSIONAL EDUCATOR CODE OF ETHICS AND STANDARDS OF CONDUCT

All professional educators in the school district shall comply with the Mississippi Professional Educator Code of Ethics and Standards of Conduct as outlined in Mississippi Department of Education policy Rule 14.17 and 14.18.

The superintendent or his or her designee shall establish procedures to assure that all school district 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 all employees' personnel files verifying that he or she has been given notice of the Mississippi Educator Code of Ethics and Standards of Conduct;
3. Advising all licensed employees that his or her contract with the school district is subject to the Mississippi Educator Code of Ethics and Standards of Conduct; and may be revoked or suspended pursuant to its terms; and
4. Providing annual in-service training for all employees on the Mississippi Professional Educator Code of Ethics and Standards of Conduct.

The Superintendents shall report to the Mississippi Department of Education all license holders who engage in unethical conduct relating to an educator/student relationship (Policy GAA).

## PROFESSIONAL PERSONNEL COMPENSATION GUIDES AND CONTRACTS

### PROFESSIONAL PERSONNEL COMPENSATION GUIDES AND CONTRACTS

Contracts shall be issued by the Kemper County Board of Education of the Kemper County School District. The date shall be contingent upon the approval of the state budget by the Mississippi Legislature, adoption of the local budget by the Kemper County Board of Education, and filing of the following documents in the Office of the Superintendent.

- A. Complete application, together with reference evaluations
- B. Valid/appropriate teaching certificate or notification of approval from the Office of Educator Licensure
- C. Verification of prior teaching experience (if applicable)
- D. Official college transcript(s) for all degrees earned. No compensation will be paid to licensed employees in the Kemper County School District before the procedures listed above have been followed.

## YEAR OF TEACHING EXPERIENCE

The term "year of teaching experience" shall mean nine (9) months of actual teaching in the public or private elementary and secondary schools and shall also include nine (9) months of actual teaching a postsecondary institutions accredited by the Southern Association of Colleges and Schools (SACS) or equivalent regional accrediting body for degree-granting postsecondary institutions. In no case shall more than one (1) year of teaching experience be given for all services in one (1) calendar or school year. In determining a teacher's experience, no deduction shall be made because of the temporary absence of the teacher because of illness or other good cause, and the teacher shall be given credit therefor.

## SCHOOL LIBRARIANS

In determining the experience of school librarians, each complete year of continuous, full-time employment as a professional librarian in a public library in this or some other state shall be considered a year of teaching experience.

## SCHOOL ADMINISTRATORS

If a full-time school administrator returns to actual teaching in the public schools, the term "year of teaching experience" shall include the period of time he or she served as a school administrator.

## MILITARY SERVICE

In determining the salaries of teachers who have experience in any branch of the military, the term "year of teaching experience" shall include each complete year of actual classroom instruction while serving in the military.

## SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

In determining the experience of speech-language pathologists and audiologists, each complete year of continuous full-time post master's degree employment in an educational setting in this or some other state shall be considered a year of teaching experience. ' 37-151-5 (m)

## LEVEL OF PAY

This school district shall not pay any teacher less than the state minimum salary. ' 37-151-87

The minimum base pay for all classroom teachers may be increased by the district from any funds available to it. ' 37-151-89

It is the policy of this school board to attempt to pay its licensed employees at a level which will attract and hold people with ability who can exercise professionalism in the school district.

If, at the commencement of the scholastic year, any licensed employee shall present the superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from minimum education program funds of the district, or from district funds, be paid from such funds the amount to which such higher grade license would have entitled the individual, had the license been held at the time the contract was executed. ' 37-9-17

## CONTRACT REQUIRED

The superintendent shall enter into a contract with each licensed employee in the manner prescribed by law and the State Board of Education.

If any licensed employee or person recommended for a licensed position who has been elected and approved shall not execute and return the contract within ten (10) days after same has been tendered to him for execution, then, at the option of this school board, the election of the licensed employee and the contract tendered to him shall be null and void and of no effect. ' 37-9-23

## LENGTH OF CONTRACT

All contracts shall include the exact period of time for which the licensed person shall be employed.

## FIXING OF SALARY

In employing and contracting with licensed employees, this school board shall determine and fix the amount of salary and ensure compliance with all applicable laws and regulations.

In employing licensed employees and in fixing their salaries this school board shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the licensed employee. ' 37-9-37

## SALARY PAY SCHEDULE

This school district shall process a single monthly payroll for licensed employees with electronic settlement of payroll checks secured through direct deposit of net pay. In December, salaries or wages shall be paid by the last working day.

Licensed employees shall earn a salary payable in equal monthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee. Any employee failing to complete the contractual obligation of service, and who receives payment in excess of the monthly installment for the period which such employee ceases employment with the school district, shall become liable immediately to the school board of the Kemper County School District for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his or her service.

Any school employee whose employment ends during a school term, regardless of the reason(s) the employment ended, shall be paid salary or wages only for that portion of the school term that employee actually worked. Nothing in this section shall be construed to entitle any employee to payment of salary or wages when no work has been performed. ' 37-9-39

## PAY CERTIFICATES

The salaries of licensed employees shall be paid by pay certificates issued by the school district superintendent. All pay certificates shall be preserved by him as a part of the official records of his office for the same time and in the same manner as other records are preserved. All pay certificates and warrants issued shall show the gross amount of the salary and all authorized deductions therefrom for income taxes, social security, retirement contributions and other lawful purposes.

## EXECUTION OF WRITTEN CONTRACT

It is unlawful for any licensed employee to be paid for any services as such until a written contract has been executed. If the superintendent shall make any such payment prior to the execution of the contract he shall be civilly liable for the amount thereof, and, in addition, shall be liable upon his bond. If any licensed employee, shall willfully and without just cause breach his contract and abandon his employment he shall not be entitled to any further salary payments either for services rendered prior to such breach or for services which were thereafter to have been rendered. ' 37-9-43

## SALARY DEDUCTIONS

All deductions from salaries shall be in accordance with all state and federal laws, regulations, and school board policies.

## RELEASE FROM CONTRACT

All contracted licensed employees desiring to be released from contract shall submit a written request to the school board for release. The request shall clearly state reasons for the release. If the board acts favorably upon the request for release, the licensed employee shall be released from his contract, and said contract shall be null and void on the date specified in the school board's order. ' 37-9-55

## BREACH OF CONTRACT

If any licensed employee in this school district shall arbitrarily or willfully breach his or her contract and abandon his or her employment without being released there from as provided by law the contract of such licensed employee shall be null and void. In addition, upon the written recommendation of the majority of the members of the school board, the license or certificate of the licensed employee may be suspended by the State Board of Education for a period of one (1) school year as provided by law.

## PURCHASING

**(Refer to Policy DJE- Purchasing)**

## REDUCTION IN FORCE

The Kemper County Board of Trustees has the responsibility for providing and maintaining quality schools within the district. In order to carry out its responsibility, the board may: (1) abolish or combine job positions, (2) reduce the length of the work year with a concomitant reduction in salary (as allowable by law), (3) reduce administrative supplements, (4) reduce the number of employees. Initially, staff reduction will be accomplished by attrition.

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

- Enrollment declines,
- Financial decline / reduction
- Educational program(s) elimination, and
- Priority need for human, material and financial resources.

The primary objective of the board 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 district. When deciding reduction in force, the board will consider the following factors, not necessary in the order listed:

- Criticality of the position to the mission, goals, and objectives of the school district.
- Subject area(s) and advanced degrees by certification.
- Experience, professional training, length of service within the district and work assignment.
- Quality of performance including the proven ability to accomplishment the educational mission of the school district.
- Executive ability.
- Employee attendance and discipline history.
- Skills and licensure in the area(s) where the district has instructional and /or supervisory needs. (Policy GBKAR)

## **REPORTING OF UNLAWFUL OR VIOLENT ACTS**

District employees shall comply with all requirements imposed by law with regard to reporting unlawful or violent acts which have or may have occurred on school property or during school-related activities or for which students have been expelled.

The following reports shall be made in accordance with the law and with Policy JCBF-P - Reporting of Unlawful or Violent Acts -- Procedures.

### **NOTIFICATION TO PRINCIPAL**

Any school employee shall notify his/her principal immediately upon obtaining knowledge that one of the following unlawful activities or a violent act has or may have occurred on school property or during a school-related activity:

1. Aggravated assault, including but not limited to
  - a. Assault resulting in serious physical injury or
  - b. Assault involving use of weapon;
2. Assault on a school employee, simple or aggravated;
3. Indecent liberties with a minor;
4. Possession of a firearm or other weapon;
5. Possession, use or sale of any controlled substance;
6. Rape;
7. Sexual battery;
8. Other sexual offense;
9. Murder or other homicide;
10. Kidnapping; or
11. Other violent act.

When an emergency situation exists and the principal is not available for immediate notification, the employee shall immediately notify the appropriate law enforcement agency and, as soon as possible thereafter, shall notify the principal or other school administrator.

### **NOTIFICATION TO SUPERINTENDENT**

A principal receiving an employee's report or having personal knowledge of such acts shall immediately notify the superintendent or his/her designee.

### **NOTIFICATION TO LAW ENFORCEMENT AGENCY**

A principal shall orally notify the appropriate law enforcement agency when he has a reasonable belief that one of the above-stated acts has occurred and shall thereafter notify the appropriate local law enforcement agency in writing.

#### NOTIFICATION TO MISSISSIPPI DEPARTMENT OF EDUCATION

In accordance with the provisions of MS Code ' 37-11-29, ALL crimes committed on campus must be reported to MDE. The vehicle for reporting is the MSIS system. The code also carries a penalty for failure to report.

#### NOTIFICATION TO PARENTS, YOUTH COURT AND LAW ENFORCEMENT AGENCY

The superintendent shall notify the parents/legal guardians, the youth court and appropriate local law enforcement agency when a student is expelled because of unlawful or violent activity.

The superintendent shall notify the parents/legal guardians, youth court and appropriate local law enforcement agency when a crime has been committed by a student on school property or during a school-related event.

#### NOTIFICATION TO DISTRICT ATTORNEY

The superintendent or principal shall notify the district attorney of an accusation of fondling or sexual involvement with a minor student (under 18) by a school employee (18 or older) upon determination that there is a reasonable basis to believe that the accusation is true.

It is recommended that law enforcement be immediately notified because sexual activity between staff and student is a felony. Also, an administrative investigation may not reveal misconduct but a criminal investigation may. In most cases the law enforcement agency will defer the investigation to the school district, particularly if a School Resource Officer (SRO) is the investigator. (Policy JCBF)

#### REPORTING OF UNLAWFUL OR VIOLENT ACTS -- PROCEDURES

The reports of unlawful or violent acts required by Policy JCBF shall be made in accordance with the following procedures:

##### A. ACTION BY DISTRICT PERSONNEL

When any school employee, principal or the superintendent has knowledge that an unlawful or violent act has or may have occurred on school property or at a school-related event:

1. IMMEDIATELY UPON RECEIVING INFORMATION OF SUCH ACT, the following oral reports shall immediately be made:
  - a. The employee shall notify his principal.
  - b. The principal shall notify the superintendent or his designee.
2. ORAL NOTICE TO LAW ENFORCEMENT
  - a. IF AN EMERGENCY ("911-LIFE THREATENING") SITUATION EXISTS AND THE PRINCIPAL IS NOT IMMEDIATELY AVAILABLE, the employee is authorized to immediately contact the appropriate law enforcement official and, as soon as possible thereafter, to notify the principal or other school administrator.
  - b. IF THE PRINCIPAL HAS A REASONABLE BELIEF THAT AN UNLAWFUL OR VIOLENT ACT HAS BEEN COMMITTED, the principal shall also orally notify law enforcement officials immediately following receipt of the employee's report.
3. AS SOON AS POSSIBLE, and in no event more than 24 hours of the oral report, the following written reports shall be made:
  - a. An employee making the oral report shall complete and submit to the principal a written report on a form provided by the superintendent for such purposes.

- b. If the principal has a reasonable belief that an unlawful or violent act has been committed, he shall complete and submit to the appropriate local law enforcement agency and to the superintendent a written report on a form provided by the State Board of Education for such purposes.
  - c. If a crime was committed by a student, the superintendent shall complete and submit to the youth court and the appropriate local law enforcement agency an affidavit in a form prescribed for such purposes. If expulsion resulted from a student's unlawful activity or violent act, the affidavit shall contain such notice.
  - d. If the offense involved possession of a firearm in violation of the Policy JCBH - Gun-Free Schools, the superintendent shall also submit the written report to the appropriate division of the State Department of Education. PLEASE NOTE: In accordance with the provisions of MS Code ' 37-11-29, ALL crimes committed on campus must be reported to MDE. The vehicle for reporting is the MSIS system. The code also carries a penalty for failure to report.
4. Copies of all written reports and notices shall be retained by the principal and the superintendent.

#### B. SEXUAL MISCONDUCT

When there is an allegation against an employee of sexual misconduct with a student:

- 1. WITHIN 5 DAYS OF THE OCCURRENCE OR KNOWLEDGE OF SUCH MISCONDUCT, a student, parent, employee or other person shall orally notify the principal, Title IX Coordinator or the superintendent of all allegations against the employee.
- 2. IMMEDIATELY UPON RECEIPT OF SUCH ALLEGATION(S), the principal or Title IX Coordinator shall orally notify the superintendent immediately upon receipt of such allegation. PLEASE NOTE: It is recommended that law enforcement be immediately notified because sexual activity between staff and student is a felony. Also, an administrative investigation may not reveal misconduct but a criminal investigation may. In most cases the law enforcement agency will defer the investigation to the school district, particularly if a School Resource Officer (SRO) is the investigator.
- 3. SUCH ALLEGATIONS SHALL BE PROCESSED IN ACCORDANCE WITH THE TITLE IX GRIEVANCE PROCEDURE POLICY.
- 4. UPON CONCLUSION OF THE TITLE IX GRIEVANCE PROCESS, the Title IX Coordinator shall complete and submit a written report to the superintendent.
- 5. WITHIN 2 DAYS OF RECEIVING THE TITLE IX GRIEVANCE REPORT, the superintendent shall determine whether there exists a reasonable basis to believe that the accusation is true and, if so, shall as soon as possible thereafter orally notify the district attorney of such accusation.
- 6. Copies of all written reports shall be retained by the superintendent. (Policy JCBF-P)

## **REPRODUCTION AND USE OF COPYRIGHTED MATERIALS (NON-PRINT AND PRINT)**

It is the intent of this school board that all students and staff adhere to the provisions of the copyright law (Title 17 of the U.S. Code). While the law identifies some "fair use" provisions, it also defines restrictions on the reproduction of copyrighted materials. A copyright is a property right; willful infringement of a copyright can result in criminal prosecution. It is the position of the Kemper County Public Schools that copyrighted materials, whether print or non-print, will NOT be duplicated unless such reproduction meets "fair use" standards or unless written permission from the copyright holder has been received. Illegal copies of copyrighted material may NOT be made or used on district equipment. (See Policy IJC- Using Copyrighted Materials)

## **RESPONSIBILITY FOR DISCIPLINE**

Each teacher shall be responsible for maintaining satisfactory discipline on the part of each student assigned to him/her and shall contribute to the good discipline of those students whom he/she observes during the working day who, for one reason or another, are not under the immediate supervision of another teacher. Included in this responsibility is the duty to plan class work and other activities so that students become engaged in their studies or activities immediately after the class begins. It is expected that student traffic during class periods will be held to an absolute minimum, with the break between class periods. Failure of the teacher to meet disciplinary responsibilities in a consistent manner in accordance with district policies and procedures will constitute grounds for dismissal. (*Also see JD – Student Discipline in the Board Policy Manual*)

## **SCHOOL TELEPHONES**

School telephones are to be used for school business. Any long distance calls made from school telephones shall be charged to the caller's home telephone. Further, the person responsible for the telephone call shall pay for any long distance calls not certified as school business.

## **SECRET SOCIETIES**

It shall be unlawful for any pupil attending the public schools of this state to become a member of or to belong to or participate in the activities of any high school fraternity, sorority, or secret society as defined in Section 37-11-37.

This school board shall prohibit fraternities, sororities, or secret societies in all high schools under its jurisdiction. It shall be the duty of said school board to suspend or expel from high schools under its control, any pupil or pupils who shall be or remain a member of or shall join or promise to join, or be pledged to become a member of, any public high school fraternity, sorority or secret society, as defined in section 37-11-37.

It shall be unlawful for any person not enrolled in high school to solicit any pupil enrolled in high school, to join or pledge himself or herself to become a member of any high school fraternity, sorority, or secret society, or to solicit any pupil to attend a meeting thereof or any meeting where the joining of any such high school fraternity, sorority, or secret organization shall be encouraged.

Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each and every offense.

Student behavior that harasses or threatens other students or school personnel will not be tolerated. This district shall treat hazing, as defined in MS Code 97-3-105 and stalking, and as defined in MS Code 97-3-107, as serious offenses subject to criminal prosecution. (Policy JHCAA)

## SEXUAL HARASSMENT

The policy of the board of education forbids discrimination against any employee or applicant for employment on the basis of sex. The board of education will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities.

This school district affirms employee protection provided under Title VII, and therefore "shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment."

It is the intent of the school board to maintain an environment free from sexual harassment of any kind.

Therefore, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature amounting to or constituting harassment are prohibited.

### GENERAL PROHIBITIONS

#### 1. Unwelcome Conduct of a Sexual Nature

- a. Conduct of a sexual nature may include verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding," "teasing," double-entendres, and jokes.
- b. Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee has indicated, by his or her conduct, that it is unwelcome.
- c. An employee who has initially welcomed such by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

#### 2. Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature constitute sexual harassment if:

- a. submission to the conduct is made either an explicit or implicit condition of employment;
- b. submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
- c. the conduct substantially interferes with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

### SPECIFIC PROHIBITIONS

#### 1. Administrators and Supervisors

- a. It is sexual harassment for an administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

- b. Administrators and supervisors who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to sanctions, as described below.

## 2. Non-administrative and Non-Supervisory Employees

It is sexual harassment for a non-administrative and non-supervisory employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to sanctions as described below.

## REPORTING, INVESTIGATION, AND SANCTIONS

1. It is the express policy of the Board of Education to encourage victims of a sexual harassment to come forward with such claims. This may be done through the Employee Grievance Resolution Procedure.
  - a. Employees who feel that administrators or supervisors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon sexual favors, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of administration or supervision.
  - b. Employees are also urged to report any unwelcome conduct of a sexual nature by supervisors or fellow employees if such conduct interferes with the individual's work performance or creates a hostile or offensive working environment.
  - c. Confidentiality will be maintained and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.
2. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The Superintendent has the responsibility of investigating and resolving complaints of sexual harassment.
3. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to warning, suspension, or termination subject to applicable procedural requirements.

## SEXUAL MISCONDUCT PROHIBITED

If any person eighteen (18) years or older who is employed by any public school district or private school in this state is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of such accusation, the Mississippi Department of Education and the Department of Human Services, provided that such accusation is reported to the principal and to the school superintendent and that there is a reasonable basis to believe that such accusation is true.

Any superintendent, or his designee, who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35. Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed. If any teacher and any pupil under eighteen (18) years of age of such teacher, not being married to each other, shall have sexual intercourse, each with the other, they shall, for every such offense, be fined in any sum, not more than five hundred dollars (\$500.00) each, and the teacher may be imprisoned not less than three (3) months nor more than six (6) months.

## HARASSMENT PROHIBITED

This school district affirms employee protection provided under Title VII, and therefore "shall not tolerate verbal or physical conduct by any employee, male or female, which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment."

Further, this school district prohibits sexual harassment of or by any student or employee. This policy applies to conduct during and relating to school and school-sponsored activities. Sexual harassment is inappropriate behavior and offensive. Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion.

## INDIVIDUALS AND CONDUCT COVERED

These policies apply to all students and employees of Kemper County School District, and third parties, persons hired to provide contracted services, and persons volunteering at school activities. Conduct prohibited by these policies is unacceptable in all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs occur on campus, on a bus, or at another location away from campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension or expulsion (if a student) or suspension or termination of employment (if any employee), and in egregious situations, law enforcement officials will be notified as required by law. Further the Mississippi Department of Education will be notified as required with regard to any violations of Standard 4 of the Mississippi Educator Code of Ethics and Standards of Conduct. It is also prohibited to knowingly make a false discrimination, harassment, or retaliation report or provide false information in an investigation. Individuals who knowingly file a false or misleading complaint alleging harassment, discrimination or retaliation or provide false information in an investigation are subject to appropriate disciplinary actions.

## INVESTIGATION OF HARASSMENT

In accordance with its obligations under federal law, the District reserves the right to investigate reports of harassment occurring between employees and students or between employees, regardless of whether the alleged harassment occurred on or off school grounds; during or outside school hours; or using school-owned or personally-owned electronic devices (e.g., postings to digital media and electronic forums such as Twitter and Facebook or text messages).

## RETALIATION IS PROHIBITED

The Kemper County School District encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the district to investigate such reports. The district prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will subject an individual to disciplinary action. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include suspension, expulsion and in egregious situations, the involvement of law enforcement official.

## OTHER REPORTING

Nothing in this policy or any other policy impedes or precludes a student, the student's parents, a school employee, or school officials from directly reporting to law enforcement officials any behavior that constitutes a violation of criminal law or any applicable laws.

(Policy GBR)

## SEXUAL HARASSMENT - PROCEDURES

### **Section I: TITLE IX OF THE EDUCATION AMENDMENT OF 1972**

Employees and students in academic institutions are protected from sexual harassment by Title IX of the Education Amendment of 1972. This amendment to the 1964 Civil Rights Act prohibits sex discrimination and sexual harassment in educational institutions that receive federal assistance.

Complaints of violation of this policy may be made to the appropriate administrative officer or the Title IX coordinator without fear of reprisal. Should violations prove to be legitimate, the offending employee shall be subject to disciplinary action, including involuntary termination of employment.

### **Section II: REQUIREMENTS FOR PROCESSING COMPLAINTS**

1. Since it is important that complaints be filed and processed as rapidly as possible, the number of days indicated at each step is considered as maximum and every effort will be made to expedite the process. At any step in the complaint procedure, the time limits may be extended when necessary.
2. References to days are working days and do not include holidays and/or weekends.
3. Facts elicited during step two proceedings are confidential and do not become part of the employee's official personnel file. A copy of documents, communications, and records dealing with the processing of a complaint will be filed in a separate file in the office of personnel services.
4. The failure of a complainant to proceed from one step of the procedure to the next within the set time limits shall be deemed to be acceptance of the decision previously rendered and shall eliminate any future review concerning that particular complaint.
5. The failure of the reviewing officers to communicate their decision to the complainant within the time limits shall permit the complainant to proceed to the next step.
6. The complainants may withdraw their complaint at any step without prejudice. However, they shall not be permitted to re-file that same complaint once withdrawn.
7. No reprisal shall be invoked against any employee for filing a complaint or for participation in any way in this procedure.
8. If the complaint is against the person's immediate supervisor, the complainant should talk immediately with the Title IX Coordinator.

### **Section III: PROCEDURES FOR PROCESSING COMPLAINTS**

#### **Step One:**

Within five (5) days of the time a complaint becomes known, the employee will present the complaint orally to his immediate supervisor or the district's Title IX Coordinator and complete a "Report of Violation of Title IX." It should be noted that the complainant does not have to report the incident to the supervisor before talking with the Title IX Coordinator.

#### **Step Two:**

Within 3-5 days the supervisor or complainant is to present the completed "Report of Violation of Title IX" to the designated person in the office of personnel services.

#### **Step Three:**

Within five (5) days, after review of the written complaint, the Title IX coordinator shall personally question both or all parties involved in the sexual harassment complaint. A written record shall be made of the statements made by all parties involved. If the alleged harasser denies the allegation, the Title IX Coordinator must do additional fact finding before making a determination. This must be done within 5-7 days.

**Step Four:**

The complainant may request, in writing, within 5 days, a hearing before an unbiased panel of district employees. If such a request is made, it shall be the responsibility of the district's Title IX Coordinator to convene a panel of three to five district employees.

**Step Five:**

A panel of three to five district employees shall review the facts presented and question all parties involved before making a determination. The complainant and alleged harasser will be informed by registered mail of the date and time to appear before the panel. The proceedings of the hearing will be taped and kept on file in the office of personnel services. The panel shall be convened within 5-10 days of the written request. Representation of a complainant or alleged harasser by other individuals will not be permitted.

The panel will prepare a written summary of all relevant facts, being careful to state such facts fairly and objectively. The panel will then express its findings and conclusions. The summary of facts, findings and conclusions will then provide the basis for subsequent review in the event of further appeal by the complainant.

**Step Six:**

Within five days of review of the response of step five, the complainant and/or alleged harasser may appeal the decision by requesting, in writing, a review of the decision by the superintendent of schools. The superintendent will review the written summary of the step five panel and shall, within ten (10) days render his written decision.

**Step Seven:**

Within five (5) days of review of the response of step six, the complainant or alleged harasser may appeal this decision by requesting, in writing, a review of the decision by the board of trustees. The board shall review the written summary of the panel and the written decision of the superintendent within thirty (30) days of the receipt of the step six appeal. The board's decision shall be rendered no later than the conclusion of its next regularly scheduled board meeting. (Policy GACN-P)

## **SIGN-IN PROCEDURES/TIME SCHEDULE**

Twenty days of actual teaching in which both teachers and pupils are in regular attendance for scheduled work shall constitute a scholastic month. The number of hours of actual teaching which shall constitute a school day shall be not less than five nor more than eight hours.  
'37-13-67 (1954)

The work day shall be set within the legal parameters with consideration of the instruction and activity schedules established by the principal.

Every effort shall be made to provide a uniform work day for employees where this is practical and consistent with the safe and efficient administration of the school.

Professional employees shall be on duty the number of days shown on the face of their current employment contract less and except those days granted by the board for illness, personal business, earned vacation and emergencies.

### **LENGTH OF SCHOOL DAY**

Elementary, junior high, senior high, and vo-tech teachers are expected to be on duty at their respective schools at 7:00 a.m. and remain until 3:30 p.m. each day. Except when carrying out assignments of the principal, teachers are expected to remain at school or on duty during the designated hours.

Time is provided at the end of each school day or other time for instructional preparation and planning, and conferences.

Principals are expected to be on duty from 7:00 a.m. to 4:00 p.m.

All teachers will sign in and out as directed by the principal. All teachers will be expected to comply with duty hours established by the administration and/or Board of Trustees. There will be a few special occasions when teachers will be asked to remain after hours. Teachers must sign in for themselves and under no circumstances will one teacher be allowed to sign in or out for someone else. If a teacher finds that he/she will be late for school, he/she must notify the principal prior to the opening of school. Teachers are expected to remain at school throughout the school day. Any teacher who finds it necessary to leave the school grounds during the school day because of an emergency must first secure the principal's permission. (Policy GBRB)

## **SMOKING**

Smoking and Other Uses of Tobacco – No person shall use any tobacco product on any educational property owned or operated by this school district. Tobacco products are defined as any substance that contains tobacco, including, but not limited to, cigarettes, cigars, pipes, snuff, smoking tobacco, smokeless tobacco, or electronic cigarettes.

Educational property is defined as any public school building or bus, public school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any local school board, school, or directors for the administration of any public educational institution or during a school-related activity. Any adult who violates this section shall be subject to a fine and shall be liable as follows:

- (a) for the first conviction, a warning;
- (b) for a second conviction, a fine of Seventy-Five Dollars (\$75.00); and
- (c) for all subsequent convictions, a fine not to exceed One Hundred Fifty Dollars (\$150.00) shall be imposed.

## **ISSUANCE OF CITATION**

Any adult found in violation of this section shall be issued a citation by a law enforcement officer, which citation shall include notice of the date, time and location for hearing before the justice court having jurisdiction where the violation is alleged to have occurred. For the purposes of this section, subsequent convictions are violations committed on any educational property within the State of Mississippi.

Anyone convicted under this act shall be recorded as being fined for a civil violation of the act and not for violating a criminal statute.

It is the responsibility of all law enforcement officers and law enforcement agencies of this state to ensure that the provisions of this act are enforced. (Policy GBRM)

## **SOCIAL NETWORKING WEBSITES**

Access of social networking websites for individual use during school hours is prohibited. Employees, faculty and staff should not give social networking website passwords to students.

All employees, faculty and staff of this school district who participate in social networking websites shall not post any data, documents, photos or inappropriate information on any website or application that might result in a disruption of classroom activity. This determination will be made by the Superintendent.

Fraternization via the internet between employees, faculty or staff and students is prohibited and violation of any of these policies may result in disciplinary action, up to and including termination.

Nothing in this policy prohibits employees, faculty, staff or students from the use of educational websites, since educational sites are used solely for educational purposes. (Policy GABBA)

## **SPEECH LANGUAGE SCREENING**

Refer to Policy IEB (Speech Language Screening)

## **STAFF DEVELOPMENT**

### **PROFESSIONAL STAFF DEVELOPMENT**

The superintendent will ensure that all employee manuals and handbooks are in compliance with state and federal law.

All employees are to be advised of the revisions of the handbooks or manuals and of any implications for existing personnel.

### **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The superintendent will develop rules that prescribe the circumstances under which the district administration and/or parents/guardians are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available and distributed to parents and students outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct. In addition, each school may publish a student/parent handbook detailing additional rules specific to that school. All rules applying to student conduct shall be posted in a prominent place in each school building.

### **STUDENT TEACHING**

Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. This school district shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements.

## **SPECIAL EDUCATION**

### **COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT**

The district will continue with efforts to recruit, prepare and retain appropriately and adequately trained personnel to provide special education and related services to children

with disabilities in accordance with the personnel standards of the State Board of Education. The district provides for ongoing personnel development activities, as necessary, to ensure the provision of free appropriate public education for students with disabilities in accordance with regulations issued by the State Board of Education. In accordance with state regulations and procedures, the district will determine local in-service needs and provide for training on topics determined to be district priorities. (Policy GAD)

## **STAFF DRESS**

Personal appearance plays a great part in an employee's success in his/her professional position. Each faculty/staff member must consider it his/her responsibility to be dressed in a manner appropriate to the profession and set a good example for the students by wearing clothing that is clean/appropriate for the types of duties assigned. Staff must dress to the student dress code or better, exceptions would be PE teachers.

## **STAFF GRIEVANCES**

### GRIEVANCE PROCEDURES -- LICENSED PERSONNEL APPRAISAL

#### **PURPOSE**

The purpose of this grievance procedure is to provide the licensed employee an equitable solution to a grievance filed in connection with a personnel appraisal.

#### **DEFINITIONS**

The following definitions shall apply in 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 school board 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.

#### **PROCEDURE FOR PROCESSING GRIEVANCES**

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 of the grievant within five (5) days of the act or omission complained of, and the principal 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 the grievant shall, within five (5) days after meeting with his principal, file a written statement with his principal 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, place, and 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 a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by his principal.
4. Within five (5) days after receiving the grievant's signed statement the principal shall send to the superintendent a copy of the grievant's statement, along with a statement from the principal setting forth his response to the grievant and/or his decisions, as is applicable. At the same time, the principal shall also provide a copy of his written statement to the grievant.

#### Level Two

1. Upon receipt by the superintendent of the written notice that the grievant intends to appeal the decision of his principal, 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.
2. The written statement submitted by the grievant to his principal in Level One shall form the basis of the grievance before the superintendent. The grievant shall submit in writing any and all additional 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 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 secretary of the school board.
2. If the grievance is not filed with the secretary of the school board 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, the board secretary, in concert with the board chairman and superintendent, shall schedule a hearing before the school board on the grievance.
4. The board shall render its decision within seven (7) days of the hearing. (Policy GAE-P)

### LICENSED STAFF COMPLAINTS AND GRIEVANCES

#### PURPOSE

The purpose of this grievance procedure is to secure at the first possible administrative level, an equitable solution to any grievance.

#### DEFINITIONS

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.

## PROCEDURE FOR PROCESSING GRIEVANCES

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 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 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, place, and 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 a written statement as required, his failure to do so shall be deemed as an acceptance of the informal decision rendered by his 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 superintendent a copy of the grievant's statement, along with 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 his written statement to the grievant.

### 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 additional 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 secretary of the school board.
2. If the grievance is not filed with the secretary of the school board 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, the board secretary, in concert with the board chairman and superintendent, shall schedule a hearing before the school board on the grievance.
4. The board shall render its decision within seven (7) days of the hearing. (Policy GAE-R)

## 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 the Board of Education 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 system. The prohibition extends to students of the opposite sex or the same sex as the staff member, and applies regardless of whether the student or the staff member is the initiator of the behavior and whether or not the student welcomes or reciprocates the attention.

### Staff Guidelines For Non-Fraternization

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.
6. Staff members shall not friend students on any social media platforms.
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 or sarcasm 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.

### 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, MySpace, 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 the Kemper County School District

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. Communications with both students and parents shall be done in person, over telephone, through standard mail, 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 employees, faculty, staff or students from the use of educational websites.

#### Annual Reminder To Staff

The Superintendent and the school principals 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 Facebook and similar internet sites or social 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 Searches

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and/or websites is discovered, the school principals and/or Superintendent will download the offensive material and promptly take proper administrative action. (Policy GABB)

### **SUBSTANCE ABUSE POLICY (POLICY REGARDING DRUG AND ALCOHOL TESTING OF NON DOT EMPLOYEES)**

It is the policy of the Kemper County Board of Education 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.

Overview of Policy. Kemper County School District is adopting this drug and alcohol testing policy for Non DOT Covered Employees, as defined in this policy. You are advised that the school district has implemented this policy and will conduct testing pursuant to MS Code Ann. 71-7-1 through 71-7-33, Mississippi's Drug and Alcohol Testing Act, and you are hereby advised of the existence of that Act. The School district and Covered Employees have certain rights and obligations that are specified in the Act. No testing for drugs or alcohol under this policy shall be conducted until 30 days after the date this notice is first posted and made available to School district employees.

The School district finds that, as a matter of policy, School district employees should not use, possess, or sell illegal drugs and should not be under the influence of alcohol or drugs while on duty. Any School district employee who violates this policy, by testing confirmed positive for drugs or alcohol or otherwise, shall be terminated from School district employment.

Each Covered Employee will be required to review this policy and to sign a consent form, agreeing to be bound by this policy, as a condition of continued employment. Any employee who has questions about any aspect of this policy should ask a supervisor who will serve as director of the School district's drug and alcohol testing program.

Covered Employees. For purposes of this policy, only Covered Employees will be subject to drug and alcohol testing. Covered Employees shall include the following: Administrators, Principals, Teachers, Teacher Assistants, Clerical, Maintenance Staff, School Food Employees, Transportation Staff, and other staff not covered by DOT Policies. This policy shall not apply to any School district employee who is subject to mandatory testing under Federal Department of Transportation Regulations.

Circumstances Under Which Testing Will Occur. The following is a description of the circumstances under which the School district will conduct drug and alcohol testing. Each Covered Employee will be required to review this policy and to sign a consent form, agreeing to be bound by this policy, as a condition of continued employment.

- a. Pre-employment Testing. The School district will require all applicants for Covered Employee positions to submit to a pre-employment drug and alcohol test as a condition of the employment application. Refusal to submit to the test will be grounds for denial of the application and a confirmed test positive test result will also be a basis for denial of the application.
- b. Reasonable Suspicion Testing. The School district will conduct reasonable suspicion drug and alcohol testing, which is testing based on a belief that an employee is using or has used drugs and/or alcohol in violation of this policy.  
The employer's belief of reasonable suspicion to test will be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, and may be based upon, among other things, the following:
  - 1) observable phenomena, such as direct observation of drug or alcohol use and/or physician symptoms or manifestations of being under the influence of a drug or alcohol;
  - 2) abnormal conduct or erratic behavior while at work, absenteeism, tardiness, or deterioration in work performance;
  - 3) a report of drug use provided by reliable and credible sources and which has been independently corroborated;
  - 4) evidence that an individual has tampered with a drug and alcohol test during his employment with the School district;
  - 5) information that an employee has caused or contributed to an accident while at work; and
  - 6) evidence that an employee is involved in the use, possession, sale, solicitation, or transfer of drugs or alcohol while working or while on the School district's premises or while operating any School district vehicle, machinery, or equipment.
- c. Post Accident Testing. The School district may also test for drugs and/or alcohol in the event that there is an on the job accident. The employee should make himself available for testing for the next 32 hours after the accident and refrain from use of alcohol and/or drugs until testing is complete.

Substances Tested For: The School district's drug and alcohol testing will test for the following substances: alcohol, marijuana, cocaine, amphetamines, opiates, and phencyclidine (PCP or Angel Dust).

Effect of a Positive Test. Any Covered Employee who has a confirmed positive test result for any of the substances listed above or who otherwise violates this policy shall be immediately terminated. For purposes of this policy, refusal to submit a test when requested to do so will be treated as a positive test result and will likewise result in immediate termination.

Drug and Alcohol Testing Procedures. The School district has contracted with the MEA Drug Testing Consortium, a service of the MEA Medical Clinic System. MEA will conduct all the School district's drug

and alcohol testing services, including specimen collection, chain of custody procedures, obtaining necessary laboratory results, medical review officer services, and any other services incident to the drug testing program. Appendix "A" to this policy sets forth in detail the procedure to be used for drug and alcohol testing. Covered Employees should review this detailed information, and ask any questions that they may have about it. Questions may be directed to the employee's supervisor who has been designated by the School district as the person in charge of the drug and alcohol testing program.

Covered Employees and job applicants for Covered Employee positions shall be allowed to provide notice to the School district, through MEA, of currently or recently used prescription or non-prescription drugs at the time of the taking of the specimen to be tested, and such information shall be placed in writing upon the employer's drug and alcohol testing custody and control form (maintained by MEA) prior to initial testing.

Confidentiality. All information, interview, reports, statements, memoranda, and test results, written or otherwise, received by the School district (or MEA on its behalf) through its drug and alcohol testing program are confidential communications except under certain circumstances as allowed by Mississippi's Drug and Alcohol Testing Act. All information obtained, however, shall be the property of the School district. The School district will not release to any person other than the covered employee or job applicant, or employer medical, supervisory or other personnel, as designated by the School district on a need to know basis, information related to drug and alcohol tests results unless:

- 1) the employer job applicant has expressly, in writing, granted permission for the employer to release such information;
- 2) it is necessary to introduce a positive confirmed test result into an administrative or judicial proceeding, where the information is relevant to the hearing or proceeding, or if the information must be disclosed to a federal or state agency or other unit of the State or United States government as required by law, regulation or order or in accordance with compliance requirements of a state or federal government contract or disclosed to a drug abuse rehabilitation program for the purposes of evaluation or treatment of an employee; or
- 3) there is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information.

Contesting a Test Result. A covered employee who receives a confirmed positive drug and/or alcohol test result may contest the validity of that result or explain it. A Covered Employee who has a confirmed positive test result will be informed in writing by the School district and will be suspended without pay. The Covered Employee then has ten (10) working days to submit a written explanation as to why the test is invalid and the employee may request a retest of the specimen at his or her own expense. If the Covered Employee's explanation is unsatisfactory or if the employee fails to submit a timely written explanation, the test is considered final and the Covered Employee is terminated. **Employees must sign the consent form in Appendix A to abide by the district Substance Abuse Policy. (Policy GBRM-2)**

## **SUICIDE PREVENTION EDUCATION IN-SERVICE TRAINING**

The Board of Trustees of the Kemper County School District recognizes that suicide is a major cause of death among youth and should be taken seriously. It is the policy of this school district that annual in-service training on suicide prevention education will be conducted for all school district employees.

The board 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.

As required by law, this policy shall be further developed in consultation with school and community stakeholders, school-employed mental health professions, 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.

## **TELECOMMUNICATION ACCEPTABLE USE POLICY**

The Acceptable Use Policy for Kemper County School District is a legal and binding document. Each user that accesses the computer system and related technologies will be informed that he/she is accessing the property of the Kemper County School District and it is intended for educational purposes. Users agree to the terms and conditions of the Internet Acceptable Use Policy. Users agree to avoid any violation of state or federal laws. Users are alerted that they are entitled to no expectation of privacy in their use of this computer and access of the Internet, and related technologies. Users' computer usage and Internet access may be monitored at any time for unacceptable and illegal use. Cyberbullying through the use of the Internet and related technologies to harm other people in a deliberate, repeated, and hostile manner will not be tolerated. The Acceptable Use Policy must be dated and signed annually by the student, student's parent and any teacher, administrator, staff, parent or community member using computers on campus.

### **Overview**

The Kemper County School District is compliant with the Children's Internet Protection Act (CIPA). CIPA is a federal law enacted by Congress in December 2000 to address concerns about access in schools and libraries to the Internet and other information. Among many other things, it calls for schools and libraries to have in place electronic filters to prevent children from accessing and viewing inappropriate Internet content. For any school or library that receives discounts for Internet access or for internal connections, CIPA imposes certain requirements. The Kemper County School District receives these discounts for Internet Access through the E-Rate program and is therefore in compliance with CIPA.

### **Personal Safety**

- Users will not disclose, use, disseminate or divulge personal and/or private information about himself/herself, minors or any others including personal identification information, etc.
- The Kemper County School District will not disclose personal information about students on websites – such as their full name, home, or email address, telephone number, and social security number.
- Users will immediately report to the Kemper County School authorities any attempt of other Internet users to inappropriate conversations or personal contact, or cyberbullying.

### **Illegal and/or Unacceptable Usage**

- User agrees not to access, transmit or retransmit any material(s) in furtherance of any illegal act or conspiracy to commit any illegal act in violation of local, state, or federal law or regulations and/or school district policy.

- User shall not access, transmit, or retransmit: threatening, harassing, or obscene material, pornographic material, or material protected by trade secret, and/or any other material that is inappropriate to minors. User shall not transmit or retransmit copyrighted materials unless authorized. User shall not plagiarize copyrighted materials.
- User shall not access, transmit, or retransmit any material that promotes violence or the destruction of persons or property by devices including, but not limited to, the use of firearms, explosives, fireworks, smoke bombs, incendiary devices, or other similar materials.
- User shall not use the network for any illegal activity including, but not limited to, unauthorized access including hacking.
- User shall not access, transmit, or retransmit language that may be considered offensive, defamatory, or abusive.
- User shall not access, transmit or retransmit information that could cause danger or disruption or engage in personal attacks, including prejudicial or discriminatory attacks.
- User shall not access, transmit or retransmit information that harasses another person or causes distress to another person.
- User shall not access the Internet and related technologies to engage in cyberbullying by harming other people in a deliberate, repeated, and hostile manner.

#### **System Resource Limits**

- User shall only use the Kemper County School District system for educational and career development activities and limited, high quality self-discovery activities as approved by Kemper County School District faculty for a limited amount of time per week.
- User agrees not to download large files unless it is absolutely necessary. If absolutely necessary to download large files, user agrees to download the file at a time when the system is not being heavily used.
- User agrees not to post chain letters or engage in “spamming” (that is, sending an annoying or unnecessary message to large numbers of people).
- User agrees to immediately notify his/her teacher or other school administrator should user access inappropriate information. This will assist in protecting user against a claim of intentional violation of this policy.

#### **User Rights**

- User shall have the responsibility to use computer resources for academic purposes only. Therefore, as mandated by CIPA, filtering will be utilized on all computers accessing the Internet. The only exception will be for academic research by a staff member with the approval of school administration.
- Kemper County School District will fully cooperate with local, state, or federal officials in any investigation related to illegal activities conducted through the user’s Internet account.
- Under no conditions should a user provide his/her password to another person or use another person’s password.
- User should not expect files stored on a school-based computer to remain private. Authorized staff will periodically inspect folders and logs of network usage will be kept at all times. Routine review and maintenance of the system may indicate that a user has violated this policy, school codes, municipal law, state law or federal law. Parents of minor users shall have the right to inspect the contents of user’s files.
- Individual schools within the district may create additional guidelines and procedures consistent with this policy. Such guidelines and procedures will be appropriate for the electronic information resources being used and the students served at the school.

- Use of the Internet is a privilege, not a right. Unacceptable and/or illegal use may result in denial, revocation, suspension and/or cancellation of the user's privileges, as well as disciplinary action imposed by school officials.
- The school district may include a process for the student to appeal the decision to deny, suspend, revoke or cancel Internet privileges.

#### **Consequences for Failure to follow Terms and Conditions of AUP**

- There will be consequences for any user who fails to follow Kemper County School District and school guidelines and policies.
- The consequences may include paying for damages, denial of access to technology, detention, suspension, expulsion or other remedies applicable under the school disciplinary policy, and state or federal law. At the discretion of Kemper County School District, law enforcement authorities may be involved and any violations of state and/or federal law may result in criminal or civil prosecution.

### **VISITORS TO THE SCHOOLS**

All visitors to schools shall report immediately to the school office, sign in and obtain a visitor's badge so that visitors can be readily identified by school personnel. Exceptions to this requirement are when visitors are attending a general school function such as a pep rally, assembly program, athletic event, etc. Unauthorized persons shall not be permitted in school buildings or on school grounds. School principals are authorized to take appropriate action to prevent such persons from entering buildings or from loitering on grounds. Such persons will be prosecuted to the full extent of the law.

PROCEDURES FOR SCHOOL VISITATION – (Refer to Policy KM- Visitors to the Schools)

### **WORKSHOPS**

Staff desiring to attend workshops must submit a Workshop Request Form to building principal for approval prior to workshop attendance. Travel reimbursement is based on School Board Policy (Policy DJD). **Requests for travel reimbursement should be submitted on the Travel Report Form found in Appendix A.** Staff planning to use personal vehicles must submit proof of insurance and have vehicle inspected prior to trip.

## APPENDIX A

## **EMPLOYEE HANDBOOK/DISTRICT POLICIES**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of the Employee Handbook and all other applicable policies as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **JOB DESCRIPTION**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of my Job Description as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **OVERTIME POLICY (Applicable Non-Certified Employees)**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of the Overtime Policy as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **PROFESSIONAL EDUCATOR CODE OF ETHICS AND STANDARDS OF CONDUCT**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of the Professional Educator Code of Ethics and Standards of Conduct as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **SOCIAL NETWORKING WEBSITES**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of the Social Networking Websites policy as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **SUBSTANCE ABUSE POLICY**

I hereby certify by my signature that I have received, read, understand, and agree to abide by the terms of the Substance Abuse Policy as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **TELECOMMUNICATION ACCEPTABLE USE POLICY**

I hereby certify by signature that I have received, read, understand, and agree to abide by the terms of the Telecommunication Acceptable Use Policy as adopted by the Kemper County Board of Education.

Employee's Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## Kemper County School District

P.O. Box 219  
DeKalb, MS 39328  
Telephone (601) 743-2657  
Fax (601) 743-9297

### SCHOOL VEHICLE PERMIT REQUEST

BUDGET NUMBER \_\_\_\_\_

\_\_\_\_\_  
(organization /group) Requests a \_\_\_\_\_  
(bus, van, car, etc..)

for the purpose of \_\_\_\_\_  
(games, field trip, workshop, etc.)

Destination: \_\_\_\_\_

Date(s) Needed: \_\_\_\_\_

Time of Departure: \_\_\_\_\_

Approximate Time  
of Return: \_\_\_\_\_

Number of Passengers: \_\_\_\_\_

Sponsor(s): \_\_\_\_\_

Driver(s) Requested: \_\_\_\_\_

Expected Route: \_\_\_\_\_

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved by

\_\_\_\_\_  
Date Board Approved  
(If Applicable)

\_\_\_\_\_  
Date

# KEMPER COUNTY SCHOOL DISTRICT

## Pre-Authorization Voucher

(for school related travel-other than student activity and personnel in-district travel)

BUDGET NUMBER \_\_\_\_\_

This voucher must be submitted to your immediate supervisor at least five (5) days prior to departure date. Reimbursement for travel expense requires pre-authorization by the immediate supervisor and superintendent. Unauthorized travel will be at the expense of the individual. Retain all receipts (except meals) for use in completing Section 4 of this form. Complete Section 1 based on anticipated expenses. Completing this form may allow attendance at the employee's expense.

**IMPORTANT:** You must retain the original copy of this voucher with signatures of approval to submit for reimbursement. After travel, complete Section 4 (on back). Receipts for amounts prepaid or paid at time of trip must accompany voucher for reimbursement to be made.

Daily meal allowance will be considered only when traveling overnight.

### SECTION 1

Name \_\_\_\_\_ School \_\_\_\_\_  
 Department \_\_\_\_\_ Dates of Meeting/Conference \_\_\_\_\_  
 Date(s) to be Absent from Work \_\_\_\_\_ Number of day(s) to be Absent from Work \_\_\_\_\_  
 Name of Conference/Meeting \_\_\_\_\_  
 Location of Conference (City/State) \_\_\_\_\_  
 Statement of Purpose of Meeting/Conference \_\_\_\_\_

### SECTION 2 (MUST BE COMPLETED WHEN INITIAL REQUEST FOR EXPENSES IS MADE)

	Amount Requested
CONFERENCE REGISTRATION FEE -- Advance Request [ ] YES [ ] NO .....	\$ _____
TRANSPORTATION - Advance Request (for out-of-state only) [ ] YES [ ] NO .....	\$ _____
[ ] Auto _____ miles [ ] Plane [ ] Taxi/Shuttle	
LODGING: _____ nights @ \$ _____ /night - Advance Request [ ] YES [ ] NO .....	\$ _____
DAILY MEAL ALLOWANCE FOR _____ DAYS - Advance Request [ ] YES [ ] NO .....	\$ _____
Daily meal allowance (if approved) is set by the state for both in-state and out-of-state travel	
ALL ADVANCE PAYMENTS REQUIRE AN ADVANCE FORM (ONE PER REQUEST)	
<b>TOTAL EXPENSE</b> .....	<b>\$ _____</b>

Employee Signature _____	Date _____
Principal/Supervisor _____	Date _____ [ ] Approved [ ] Disapproved
C.O. Administrator _____	Date _____ [ ] Approved [ ] Disapproved
Superintendent _____	Date _____ [ ] Approved [ ] Disapproved

### SECTION 3 (Completed after the trip)

\* Additional Expenses not pre-approved (Principal/Supervisor must approve and forward to Superintendent for approval of all additions) Check all that apply:

[ ] Tax \$ \_\_\_\_\_ [ ] Shuttle/Taxi \$ \_\_\_\_\_ [ ] Parking \$ \_\_\_\_\_ [ ] Other \$ \_\_\_\_\_  
 Pre-Approved Anticipated Expense Total (From Section 2) .....\$ \_\_\_\_\_  
 \* Additional Expenses Total .....\$ \_\_\_\_\_  
 New Expense Total .....\$ \_\_\_\_\_

Principal/Supervisor: _____	Superintendent _____
Date: _____	Date: _____

### REQUESTED EXPENSES IN SECTION 3 SHOULD EQUAL GRAND TOTAL IN SECTION 4

#### DISTRICT USE ONLY

Amount Advanced/Conference Fee _____	CK/PO# _____	Date _____
Amount Advanced/Transportation _____	CK/PO# _____	Date _____
Amount Advanced/Lodging _____	CK/PO# _____	Date _____
Amount Advanced/Meals _____	CK/PO# _____	Date _____

<b>DISTRICT USE ONLY</b>		
Audited by _____	Date _____	Vendor # _____
Account # _____	Amount Charged \$ _____	

**ACTUAL TRAVEL REIMBURSEMENT VOUCHER**

After returning from your trip, complete Section 4, listing actual expenses. Receipts for amounts paid (other than meals) must accompany voucher. Failure to attach receipts shall result in non-payment by district.

<b>SECTION 4</b>	
Charge Account # _____	
Date(s) of Travel _____ to _____	
TRANSPORTATION: <input type="checkbox"/> Auto _____ miles .....	\$ _____
<input type="checkbox"/> Plane (receipts required) .....	\$ _____
<input type="checkbox"/> Taxi/Shuttle (receipts required) .....	\$ _____
LODGING: Number of nights _____ @ \$ _____ per night .....	\$ _____
(employee only - receipts(s) must be attached even if lodging is prepaid.) FOR REIMBURSEMENT, HOTEL ROOM MUST BE IN YOUR NAME	
DAILY MEAL ALLOWANCE: _____ days \$ _____ per day .....	\$ _____
(no receipts required - maximum daily reimbursement must follow State Department of Finance & Administration guidelines)	
<b>SUB TOTAL:</b>	\$ _____
<b>LESS ANY MONIES PREPAID BY DISTRICT:</b>	\$ _____
<b>GRAND TOTAL</b>	\$ _____
<b>TOTAL EXPENSE FROM SECTION 2 OR 3</b>	\$ _____

I certify that the above is a true and correct statement of actual expenses incurred by me for travel as approved for official school business.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_

Social Security Number \_\_\_\_\_

**PENALTY FOR FRAUDULENT CLAIM:** Fine of not more than \$250; civilly liable for full amount received  
Illegally; removal from office or position held (Section 25-1-81 and 25-1-91, MS Code Ann. [1972].)

# Your Rights

## Under The

# Family and Medical Leave Act of 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons.

Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

### Reasons For Taking Leave:

Unpaid leave must be granted for *any* of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of *paid* leave may be substituted for unpaid leave.

### Advance Notice and Medical Certification:

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

### Job Benefits and Protection:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."

- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### Unlawful Acts By Employers:

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA,
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### Enforcement:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

### For Additional Information:

Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

U.S. Department of Labor  
Employment Standards Administration  
Wage and Hour Division  
Washington, D.C. 20210

WHD Publication 1420  
June 1993

U.S. GOVERNMENT PRINTING OFFICE: 1994 574-1001

## **Mississippi Administrative Procedure for Complaints or Appeals under the No Child Left Behind Act of 2001 (NCLB)**

### **What must be included in a complaint?**

Every complaint must try to be resolved at the Local Education Agency (LEA). A letter must be submitted to the local school board with a written description of the complaint.

When a complaint cannot be resolved at the LEA level, the complaint must be submitted in writing to the Mississippi Department of Education, Federal Programs Office. Persons issuing verbal complaints will be asked to complete a written complaint form prior to any official investigation, or assisted with the completion of the complaint form.

The complaint must include the name and address of the person submitting the complaint and a description of the complaint. The complaint must also include a statement which assures that to the best of the complainant's knowledge, the agency has violated a requirement of a federal statute or regulation that applies to an applicable program. In addition, the facts on which the statement is based and the specific requirement allegedly violated must be included.

### **Where should a complaint be sent?**

Complaints should be sent to the Bureau Director, Office of Federal Programs. The mailing address is: Mississippi Department of Education, Office of Federal Programs, Suite 111 Central High School, Post Office Box 771, Jackson, Mississippi 39205-0771. The office may also be contacted via telephone at (601) 359-3499.

### **What happens to complaints after they are received by the Federal Programs Office?**

#### **A. Complaint Review**

- a. In the first level of review, a complaint shall be answered by the Bureau Director, with assistance from staff.
- b. The Bureau Director shall determine whether additional information is necessary, if so appropriate program staff will notify the agency involved, and conduct an on-site review investigating the complaint.
- c. The Bureau Director shall determine whether additional information is necessary. If there are serious violations, verified after the on-site review, then the information gathered will be forwarded to other appropriate offices or organizations.
- d. Once the investigation has been completed, the Federal Programs Office will issue a letter stating the findings of facts. The letter stating the findings of fact shall be mailed no later than 60 calendar days from the date the Federal Programs Office receives the complaint in writing.
- e. If areas of noncompliance are found, corrective action will be required and timelines for completion indicated. All parties will be informed of the areas of noncompliance and the required corrective actions.
- f. The Federal Programs Office may extend the 60-day timeline, if exceptional circumstances exist. Examples of exceptional circumstances may be, but not limited to:
  - ☐ The complexity of the issues;
  - ☐ The need for additional information; and/or
  - ☐ The unavailability of any of the necessary parties.

**B. Appeals**

a. An individual may appeal an administrative determination of the Bureau Director. The individual must submit the appeal in writing to the address above. The appeal must be postmarked no later than 25 calendar days after the date the Bureau Director's determination is made.

b. A final decision on the complaint shall be made after consulting with the State Superintendent of Education or designee.

c. The State Superintendent of Education shall provide written notification to the individual who submitted the complaint about the disposition of the complaint no later than 30 days after final action.

d. The complainant has the right to request the Secretary of Education to review the decision of the State Department of Education. This review is at the Secretary's discretion.

e. In matters involving violations of section 9503 (participation of private school children), the complainant has the right to request the Secretary of Education to review the decision of the Mississippi State Department of Education. The Secretary will follow the procedures in section 9501(b). For additional information on complaint procedures for participation of private school children, visit:

<http://www.ed.gov/policy/elsec/leg/esea02/pg111.html#sec9503>.

**SEC. 9503. COMPLAINT PROCESS FOR PARTICIPATION OF PRIVATE SCHOOL CHILDREN****(a) PROCEDURES FOR COMPLAINTS**

The Secretary shall develop and implement written procedures for receiving, investigating, and resolving complaints from parents, teachers, or other individuals and organizations concerning violations of section 9501 by a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity. The individual or organization shall submit the complaint to the State educational agency for a written resolution by the State educational agency within a reasonable period of time.

**(b) APPEALS TO SECRETARY**

The resolution may be appealed by an interested party to the Secretary not later than 30 days after the State educational agency resolves the complaint or fails to resolve the complaint within a reasonable period of time. The appeal shall be accompanied by a copy of the State educational agency's resolution, and a complete statement of the reasons supporting the appeal. The Secretary shall investigate and resolve the appeal not later than 120 days after receipt of the appeal.

## **TITLE III, PART A (ENGLISH LEARNERS)**

### **English Learners and Immigrant Youth**

The Mississippi Department of Education (MDE) provides statewide leadership in promoting high quality education for English Learners (EL) and immigrant youth.

#### **Definition of English Learner (EL)**

An EL is a student:

- Who is aged 3 –21;
- Who is enrolled or preparing to enroll in an elementary school or secondary school;
- Who was not born in the United States OR whose native language is a language other than English;
- Where difficulties speaking, reading, writing or understanding the English language may be sufficient to deny the individual:
  - The ability in meeting the State’s proficient level of achievement on State assessments described in section 1111(b)(3)
  - The ability to successfully achieve in classrooms where the language of instruction is English; and
  - The opportunity to participate fully in society.

#### **Definition of Immigrant**

An immigrant student:

- Is ages 3 through 21;
- Was not born in any state or U.S. territory; and
- Has not been attending one or more schools in any one or more states for more than three full academic years.

The purpose of the Title III program is to ensure that English Learners children, including Immigrant children and youth, master English and meet the same rigorous standards for academic achievement as all children are expected to meet, including meeting challenging State academic content and student academic achievement standards by developing high-quality language instruction educational programs.

#### **Registration procedures:**

The only requirement for registration of a student is an immunization record and proof of residency in the district. The district may ask parents for additional information that is helpful in meeting the student’s educational need, but will not inappropriately withhold the student from school for any amount of time due to the lack of this additional information including birth certificate and social security card.

#### **Social Security Numbers**

Children without social security cards will be enrolled in school. The school will generate a nine-digit number of MSIS for those students who do not have a social security card at registration.

Educational decision making for English language learners requires procedures for identification, assessment,

and proper program placement. Collaborative planning among teachers, administrators, counselors, and parents to determine the processes and timelines for identification and assessment, placement, program implementation and evaluation, and the reclassification and/or exit status is essential for the success of English language learners.

The Mississippi Department of Education (MDE) in conjunction with federal guidelines regarding English Learners provide the guidance school districts need to identify, assess, place and review program effectiveness.

A screening will be conducted within the first two weeks after the identification to determine the English Language proficiency of the student. The level includes entering, beginning, developing, expanding, and bridging. The assessment is administered by the District Testing Coordinator or other designated trained personnel.

## **HOMELESS CHILDREN AND YOUTH IN KEMPER COUNTY PUBLIC SCHOOLS**

### **Procedures for enrolling homeless students**

**The McKinney-Vento Homeless Education Assistance Act assures preschool-aged, school-aged children and unaccompanied youth certain rights.**

#### **Definition:**

The McKinney-Vento Acts defines “homeless children and youth” as individuals who lack a fixed, regular, and adequate nighttime residence. The term includes:

Children and youth who are:

Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up)

Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;

Living in emergency or transitional shelters;

Abandoned in hospitals; or  
Awaiting foster care placement

Children and youth who have primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings;

Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

Migratory children who qualify as homeless because they are in circumstances described above

Unaccompanied youth includes homeless students not in physical custody of a parent or guardian.

#### **Requirements:**

All school districts are required to maintain compliance with the McKinney-Vento Act which provides specific rights for homeless students. Every school district must designate a McKinney-Vento Liaison to assist in identifying, supporting, and ensuring the rights of homeless students and families. These rights include waiving certain requirements, such as proof of residency, when students are enrolling and allowing categorical eligibility for certain services, such as free lunch. The Act also states:

- Students who are homeless may attend their school of origin or the school where they are temporarily residing.
- Parents or guardians of homeless students must be informed of educational and related opportunities.
- Students who are homeless may enroll without school, medical, or similar records.

- Students who are homeless and their families receive referrals to health, dental, mental health, substance abuse, housing, and other needed services.
- Students who are homeless have a right to transportation to school.
- Students must be provided a statement explaining why they are denied any service or enrollment.
- Students must be enrolled in school and receive services, such as transportation, while disputes are being settled.
- Students are automatically eligible for Title I services.
- School districts must reserve a portion of Title IA funds to serve homeless students.
- School districts must review and revise policies that serve as barriers to homeless students.
- Schools must post information in the community regarding the rights of homeless students and unaccompanied youth in schools and other places where homeless families may frequent and written in a language they can understand.
- School districts must identify a McKinney-Vento Liaison to assist students and their families.

### **Procedures for Identifying a Homeless Student**

A student may be considered homeless if:

The student indicates a homeless status at the time of enrollment

An affidavit of residency or McKinney-Vento Referral Form indicate that the arrangement is temporary due to necessity (due to loss of housing, economic hardship, or a similar reason)

The school may not deny, delay, or transfer enrollment solely because a student is homeless, or because a homeless student is unable to produce school, medical, or residency records.

A school enrolling, or about to enroll, a homeless student shall:

Immediately enroll the student, regardless of the availability of educational and/or immunization records:

- (1) If a student attempts to register without a parent/guardian, effort should be made to contact the parent/guardian.
- (2) The homeless student may not be barred from enrollment due to lack of immunization until an effort has been made to obtain records. If records cannot be obtained, assistance should be provided in getting the student properly immunized.
- (3) If a birth certificate is not available, the student should be registered. Department of Human Services may be contacted to assist in obtaining a copy of the birth certificate.
- (4) The student will be identified as homeless in MSIS. Make a reasonable effort to verify that the child is homeless.

Contact the school last attended to obtain relevant academic and other records;

- (1) If student records cannot be obtained or records are not available, an educational record (cumulative folder) will be developed. In these cases, an academic diagnostic test may be administered to assist in the determination of the student's skill levels and appropriate placement.
  - (2) Priority shall be given in evaluations of homeless students suspected of having a disability.
- Provide free meals within one day after the student enrolled. If necessary, assistance will be provided for completion of free and reduced lunch forms.
  - Provide access to the same services comparable to those offered to other students in the school which the homeless student attends such as:

Transportation services  
Educational services  
School nutrition programs  
Vocational and technical programs  
Extra-curricular and enrichment activities

- Coordinate with and/or refer student to other community resources in offering assistance to the homeless student/family. Assistance can be provided by the parent liaison, counselor and principal at each school.
- Contact the district homeless liaison, Dr. Mary Woolery at (601) 743-5419.

It is important that the academic and educational programs for children who are temporarily without a home are not different than those of the general student population.

## **Title I – Part C**

### **Education of Migratory Children**

### **Migrant Education Program**

#### **What is the Migrant Education Program?**

The Migrant Education Program is responsible for providing academic and supportive services to the children of families who migrate to find work in the agricultural and fishing industries.

#### **Definition of a Migrant Child:**

A migratory child is a child who is, or whose parent, spouse, or guardian is, a migratory agricultural worker or migratory fisher, and who, in the preceding 36 months, has moved from one school district to another, to obtain or accompany such parent, spouse, or guardian, in order to obtain temporary or seasonal employment in agricultural or fishing work as a principal means of livelihood.

Federal Register, Part VII, July 3, 1995

**Program Purpose:** The purpose of the Migrant Education Program is to ensure that children of migrant workers have access to and benefit from the same free, appropriate public education, provided to other children.

**Program Goals:** The goals of the Migrant Education program is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment.

#### **The Purposes of the Migrant Education Program are to:**

Support high-quality and comprehensive educational programs for migrant children to help reduce the educational disruption and other problems that result from repeated moves;

Ensure that migrant children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and State academic content and student academic achievement standards;

Ensure that migrant children are provided with the appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;

Ensure that migrant children receive full and appropriate opportunities meet the same challenging State academic content and student academic achievement standards that all children are expected to meet;

Provide migrant students access to programs that will assist them to overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to do well in school, and to prepare such children to make a successful transition to postsecondary education or employment.

#### **Administration:**

**The Migrant Education Program is administered by the following entities for the Mississippi Department of Education:**

Gabriella (Gabby) Davis, Director  
Mississippi Migrant Education Service Center (MMESC)  
Post Office Box 1575  
Mississippi State University  
Mississippi State, Mississippi 39762