

**OFFICE OF CHIEF ACADEMIC OFFICER**  
**Summary of State Board of Education Agenda Items**  
**Consent Agenda**  
**October 19, 2023**

**MISSISSIPPI SCHOOLS FOR THE DEAF AND THE BLIND**

- D. Approval to adopt policies required by state statute for the Mississippi Schools for the Deaf and the Blind to be placed on the District Policy Service website established by the Mississippi School Boards Association

Background Information: To adopt policies required by state statute for the Mississippi Schools for the Deaf and the Blind's web page maintained on the Mississippi School Boards Association.

1. Section: G; Policy Code: GBRI  
Policy: Absence from Duty
2. Section: I; Policy Code: IDDFAA  
Policy: District Assurance for Children with Disabilities
3. Section: J; Policy Code: JBD  
Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses
4. Section: C; Policy Code: CEB  
Policy: Duties of Superintendent

Recommendation: Approval

Back-up material attached

## ABSENCE FROM DUTY – (GBRI)

### 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~~ State Board of Education (SBE) of this district shall establish by rules and regulations a policy of sick leave with pay for licensed employees and teacher assistants employed in the school district, and such policy shall include the following minimum provisions for sick emergency leave with pay:

- a. Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of eight (8) days or sixty four (64) hours for absences caused by illness or physical disability of the employee during that school year.
- b. Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public-school licensed employee or teacher assistant transfers from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under Section 25-11-109, Mississippi Code of 1972. Accumulation of sick leave allowed in the school district shall be unlimited.
- c. No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant until after all sick leave allowance credited to such licensed employee or teacher assistant has been used.
- d. For the first ten (10) days of absence of the licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed employee as a result of illness or physical disability. In lieu of deducting the established substitute amount from the pay of such licensed employee, the policy may allow the licensed employee to receive full pay for the first ten (10) days of absence because of illness or physical disability, in any school year, in excess of the

sick leave allowance credited to such licensed employee. Thereafter, the regular pay of such absent licensed employee shall be suspended and withheld in its entirety for any period of absence because of illness or physical disability during that school year.

### 3. PERSONAL LEAVE ALLOWANCE

Each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of three (3) days or twenty four (24) hours for absences caused by personal reasons during that school year. Except as otherwise listed below, such personal leave shall not be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday. Notwithstanding the restrictions listed above on the use of personal leave, a licensed employee may use personal leave as follows:

- a. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, an immediate family member of the employee is being deployed for military service.
- b. Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.
- c. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.
- d. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday if, on the applicable day, an immediate family member of the employee dies or funeral services are held. Any personal leave days taken shall be taken as described in Section 37-7-307 of the Mississippi Code. No additional bereavement leave is created by Section 37-7-307.

Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a seminar, class, training program, professional association or other functions designed for educators. No deduction from the pay of such employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid

to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days or forty (40) hours shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the school district.

#### 4. PROFESSIONAL LEAVE ALLOWANCE

Each licensed employee shall be credited with a professional leave allowance, with pay, for each day of absence caused by reason of such employee's statutorily required membership and attendance at a regular or special meeting held within the State of Mississippi of the State Board of Education, the Commission on Teacher and Administrator Education, Certification and Licensure and Development, the Commission on School Accreditation, the Mississippi Authority for Educational Television and the meetings of the state textbook rating committees or other meetings authorized by ~~local school board~~ SBE policy.

#### 5. RETIREMENT

Upon retirement from employment, each licensed and non-licensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for non-licensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump sum payment for personal leave as provided in Section 25-11-103 (e). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or non-licensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

#### 6. RULES AND REGULATIONS

The ~~school board~~ SBE may adopt rules and regulations which will reasonably aid to implement the policy of sick and personal leave, including, but not limited to, rules and regulations having the following general effect:

- a. Requiring the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the absent employee, where the absence is for four (4) or more consecutive school days, or for two (2) consecutive school days immediately preceding or following a non-school day;

- b. Providing penalties, by way of full deduction from salary, or entry on the work record of the employee, or other appropriate penalties, for any materially false statement by the employee as to the cause of absence;
- c. Forfeiture of accumulated or future sick leave, if the absence of the employee is caused by optional dental or medical treatment or surgery which could, without medical risk, have been provided, furnished or performed at a time when school was not in session;
- d. Enlarging, increasing or providing greater sick or personal leave allowances than the minimum standards established by this section in the discretion of the ~~school board~~ SBE of each school district.

## 7. PAYMENT OF SUBSTITUTE EMPLOYEES

~~School boards~~ SBE may include in their budgets provisions for the payment of substitute employees, necessitated because of the absence of regular licensed employees. All such substitute employees shall be paid wholly from district funds, except as otherwise provided for long-term substitute teachers in Section 37-19-20. Such ~~school boards~~ SBE, in their discretion, also may pay, from district funds other than adequate education program funds, the whole or any part of the salaries of all employees granted leaves for the purpose of special studies or training.

## 8. NONLICENSED AND HOURLY PAID SCHOOL EMPLOYEES

The ~~school board~~ SBE may further adopt rules and regulations which will reasonably implement such leave policies for all other non-licensed and hourly paid school employees as the board deems appropriate.

## 9. VACATION AND PERSONAL LEAVE

Vacation leave granted to either licensed or non-licensed employees shall be synonymous with personal leave. Unused vacation or personal leave accumulated by licensed employees in excess of the maximum five (5) days or forty (40) hours which may be carried over from one (1) school year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in Section 25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in Sections 25-3-93 and 25-3-95. ~~Local school board~~ SBE policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in Sections 25-3-93 and 25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1,

2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

## 10. DEFINITIONS

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

1. "Catastrophic injury or illness" means a life-threatening injury or illness of an employee or a member of an employee's immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the state for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.
2. Immediate family means spouse, parent, stepparent, sibling, child or stepchild, grandparent, stepbrother, or stepsister.

Any school district employee may donate a portion of his or her unused accumulated personal leave or sick leave to another employee of the same school district who is suffering from a catastrophic injury or illness or who has a member of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the donor employee) shall designate the employee who is to receive the leave (the recipient employee) and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.

3. An employee must have exhausted all of his or her available leave and sick leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
4. Before an employee may receive donated leave, he or she must provide the school district superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the superintendent of education of the school district shall appoint a review committee to approve or disapprove the said donations of leave, including the determination that the illness is catastrophic with the meaning of this section.
6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
7. Donated leave shall not be used in lieu of disability retirement. 37-7-307.

11. JURY DUTY / OTHER LEAVE

This ~~school board~~ SBE shall provide leave for employees who serve on juries and/or serve as a witness under subpoena. The ~~school board~~ SBE 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~~ SBE may, in its discretion, provide additional administrative leave with pay for all employees (professional, certified, and classified) in the event of declared emergency closures.



**Section: G Personnel**

**Policy Code: GBRI**

**Policy: Absence from Duty**

1. LICENSED EMPLOYEE

The term licensed employee means any employee of a public school district required to hold a valid license by the Commission on Teacher and Administrator Education, Certification and Licensure and Development. 37-7-307

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- a. Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of eight (8) days or sixty-four (64) hours for absences caused by illness or physical disability of the employee during that school year.
- b. Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public-school licensed employee or teacher assistant transfers from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under Section 25-11-109, Mississippi Code of 1972. Accumulation of sick leave allowed in the school district shall be unlimited.
- c. No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant until after all sick leave allowance credited to such licensed employee or teacher assistant has been used.
- d. For the first ten (10) days of absence of the licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed





employee as a result of illness or physical disability. In lieu of deducting the established substitute amount from the pay of such licensed employee, the policy may allow the licensed employee to receive full pay for the first ten (10) days of absence because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee. Thereafter, the regular pay of such absent licensed employee shall be suspended and withheld in its entirety for any period of absence because of illness or physical disability during that school year.

### 3. PERSONAL LEAVE ALLOWANCE

Each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of three (3) days or twenty four (24) hours for absences caused by personal reasons during that school year. Except as otherwise listed below, such personal leave shall not be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday. Notwithstanding the restrictions listed above on the use of personal leave, a licensed employee may use personal leave as follows:

- a. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, an immediate family member of the employee is being deployed for military service.
- b. Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.
- c. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.
- d. Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday if, on the applicable day, an immediate family member of the employee dies or funeral services are held. Any personal leave days taken shall be taken as described in Section 37-7-307 of the Mississippi Code. No additional bereavement leave is created by Section 37-7-307.

Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a seminar, class, training program, professional association or other functions designed for educators. No deduction



from the pay of such employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days or forty (40) hours shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the school district.

#### 4. PROFESSIONAL LEAVE ALLOWANCE

Each licensed employee shall be credited with a professional leave allowance, with pay, for each day of absence caused by reason of such employee's statutorily required membership and attendance at a regular or special meeting held within the State of Mississippi of the State Board of Education, the Commission on Teacher and Administrator Education, Certification and Licensure and Development, the Commission on School Accreditation, the Mississippi Authority for Educational Television and the meetings of the state textbook rating committees or other meetings authorized by SBE policy.

#### 5. RETIREMENT

Upon retirement from employment, each licensed and non-licensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for non-licensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump sum payment for personal leave as provided in Section 25-11-103 (e). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or non-licensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

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The SBE may adopt rules and regulations which will reasonably aid to implement the policy of sick and personal leave, including, but not limited to, rules and regulations having the following general effect:

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- 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;
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SBE may include in their budgets provisions for the payment of substitute employees, necessitated because of the absence of regular licensed employees. All such substitute employees shall be paid wholly from district funds, except as otherwise provided for long-term substitute teachers in Section 37-19-20. Such SBE, in their discretion, also may pay, from district funds other than adequate education program funds, the whole or any part of the salaries of all employees granted leaves for the purpose of special studies or training.

#### 8. NONLICENSED AND HOURLY PAID SCHOOL EMPLOYEES

The SBE may further adopt rules and regulations which will reasonably implement such leave policies for all other non-licensed and hourly paid school employees as the board deems appropriate.

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may be carried over from one (1) school year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in Section 25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in Sections 25-3-93 and 25-3-95. SBE policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in Sections 25-3-93 and 25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1, 2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

## 10. DEFINITIONS

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2. Immediate family means spouse, parent, stepparent, sibling, child or stepchild, grandparent, stepbrother, or stepsister.

Any school district employee may donate a portion of his or her unused accumulated personal leave or sick leave to another employee of the same school district who is suffering from a catastrophic injury or illness or who has a member



of his or her immediate family suffering from a catastrophic injury or illness, in accordance with the following:

1. The employee donating the leave (the donor employee) shall designate the employee who is to receive the leave (the recipient employee) and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.
2. The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.
3. An employee must have exhausted all of his or her available leave and sick leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.
4. Before an employee may receive donated leave, he or she must provide the school district superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.
5. Before an employee may receive donated leave, the superintendent of education of the school district shall appoint a review committee to approve or disapprove the said donations of leave, including the determination that the illness is catastrophic with the meaning of this section.
6. If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.
7. Donated leave shall not be used in lieu of disability retirement. 37-7-307.

## 11. JURY DUTY / OTHER LEAVE



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

12. LEAVE DUE TO DECLARED EMERGENCY CLOSURES

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

Adopted Date: 10/19/2023



## **DISTRICT ASSURANCE FOR CHILDREN WITH DISABILITIES – IDDFAA**

The Mississippi Schools of the Deaf and the Blind School District is committed to serving students with disabilities and hereby sets a goal of expanding and providing full educational opportunities for all students with disabilities, ages birth through twenty-one (21). The opportunities will be provided in accordance with applicable state statutes, federal laws and the Mississippi Department of Education’s policies.

### **FREE APPROPRIATE PUBLIC EDUCATION**

The district will provide a free appropriate public education to children ages birth through twenty-one (21), with a disability who need special education and, as appropriate, related services as defined under Part B of the Individuals with Disabilities Education Improvement Act of 2007 (IDEA), Mississippi statutes, and the Mississippi Department of Education policies. A free appropriate public education will be provided to students with disabilities who are enrolled in the district. These services will be provided at no cost to the parent, will meet the standards of the Mississippi State Board of Education, and will stand in conformity with a student’s Individualized Education Program (IEP). The provision of a free appropriate public education will continue for a student with a disability through the school year in which a student reaches age twenty-one (21) if the student was enrolled in the district and was twenty (20) at the beginning of the school year.

Preschool students who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education in accordance with an Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP) no later than their third (3) birthday.

Children participating in early-intervention programs under Part C of IDEA, and who are eligible and will participate in preschool programs under Part B of IDEA, will experience a smooth and effective transition to the district’s preschool program. Appropriate district personnel will participate in transition planning conferences arranged by the Department of Health, the lead agency for Part C of IDEA.

In accordance with Part B of IDEA regulations, students with disabilities who have graduated from high school with a general education diploma are not entitled to a free appropriate public education by the district.

Procedures for the implementation of this policy by the district are those contained in the state regulations that are relevant to local school districts and issued by the Mississippi Department of Education.

### **CHILD FIND**

The district will continue its efforts to search for under served children, ages birth through twenty-one, who are in need of special education and related services as defined under IDEA,



Part B. Children with disabilities, including children who are homeless children or are wards of the State, regardless of the severity of their disability are identified, located and evaluated for services. In accordance with IDEA, Part B, the district will conduct Child Find activities for children who reside in the district's jurisdiction and who are enrolled in the district.

Similar Child Find activities undertaken for the public school children enrolled in the district will be conducted with respect to the identification, location, and evaluation for those children with disabilities who are enrolled in private, including religious, elementary and secondary schools located within the boundaries of the district. The Child Find process will be completed in a time period comparable to that for other students enrolled and attending public schools within the district.

The district will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the Mississippi Department of Education.

## **EVALUATION AND DETERMINATION OF ELIGIBILITY – PROTECTION IN EVALUATION**

All testing and evaluation materials and procedures used by district personnel for assessment and placement will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory. Materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

The district will conduct reevaluations in accordance with the policies and procedures of Mississippi Department of Education prior to the initial provision of special education and related services to a student with a disability. A reevaluation will be conducted of each student with a disability in accordance with the regulations of the Mississippi Department of Education.

All reevaluations conducted by the district will be provided at no cost to the parent. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **CONFIDENTIALITY OF INFORMATION**

The district will protect the confidentiality of any personally identifiable data, information, and records collected and maintained relative to students with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **INDIVIDUALIZED EDUCATION PROGRAM**

In accordance with the Mississippi Department of Education, the district will ensure the development, implementation, review, maintenance, and revision of each student's IEP periodically, but not less than annually. Educational placement decisions will be determined by a student's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a student with a disability from the student's current placement due to a violation of school rules. The district will initiate and conduct IEP meetings to develop, review, and revise the IEP of a student residing within its jurisdiction who is provided special education and related services in accordance with the regulations issued by the Mississippi Department of Education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **PROCEDURAL SAFEGUARDS**

The district will ensure the provision of the rights and the procedures provided to parents and students with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the Mississippi Department of Education. The district will ensure that students with disabilities and their parents are guaranteed due process with respect to the provision of a free appropriate public education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

1. Upon initial referral or parent request for evaluation;
2. Upon a parent filing a request for due process complaint;
3. Upon a disciplinary action constituting a change in placement; and/or
4. Upon request by a parent.

The notice will fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.

## **LEAST RESTRICTIVE ENVIRONMENT**

The district, to the maximum extent appropriate, educates students with disabilities in their age range. A continuum of alternative placements based on individual students' IEPs will be provided to students with disabilities in the district. LEA placement of the students will be determined at least on an annual basis and will be as close to the student's home as possible. In selecting the least restrictive environment for each student, consideration is given to any potentially harmful effect on the student or the quality of services needed.

The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education. The IEP Committee, when

determining placement of each student with a disability, will utilize this policy and the designated procedures.

LEGAL REF: 20 U.S.C. §§ 1401; 1412; 1414; 1417; 1435; 1437; 1438

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]



## **Section: I Instructional Program**

**Policy Code: IDDFAA**

**Policy: District Assurance for Children with Disabilities**

The Mississippi Schools of the Deaf and the Blind School District is committed to serving students with disabilities and hereby sets a goal of expanding and providing full educational opportunities for all students with disabilities, ages birth through twenty-one (21). The opportunities will be provided in accordance with applicable state statutes, federal laws and the Mississippi Department of Education's policies.

### **FREE APPROPRIATE PUBLIC EDUCATION**

The district will provide a free appropriate public education to children ages birth through twenty-one (21), with a disability who need special education and, as appropriate, related services as defined under Part B of the Individuals with Disabilities Education Improvement Act of 2007 (IDEA), Mississippi statutes, and the Mississippi Department of Education policies. A free appropriate public education will be provided to students with disabilities who are enrolled in the district. These services will be provided at no cost to the parent, will meet the standards of the Mississippi State Board of Education, and will stand in conformity with a student's Individualized Education Program (IEP). The provision of a free appropriate public education will continue for a student with a disability through the school year in which a student reaches age twenty-one (21) if the student was enrolled in the district and was twenty (20) at the beginning of the school year.

Preschool students who have been determined to have a disability under IDEA, Part B, shall be provided a free appropriate public education in accordance with an Individualized Education Plan (IEP) or Individualized Family Service Plan (IFSP) no later than their third (3) birthday.

Children participating in early-intervention programs under Part C of IDEA, and who are eligible and will participate in preschool programs under Part B of IDEA, will experience a smooth and effective transition to the district's preschool program. Appropriate district personnel will participate in transition planning conferences arranged by the Department of Health, the lead agency for Part C of IDEA.

In accordance with Part B of IDEA regulations, students with disabilities who have graduated from high school with a general education diploma are not entitled to a free appropriate public education by the district.

Procedures for the implementation of this policy by the district are those contained in the state regulations that are relevant to local school districts and issued by the Mississippi Department of Education.



## **CHILD FIND**

The district will continue its efforts to search for under served children, ages birth through twenty-one, who are in need of special education and related services as defined under IDEA, Part B. Children with disabilities, including children who are homeless children or are wards of the State, regardless of the severity of their disability are identified, located and evaluated for services. In accordance with IDEA, Part B, the district will conduct Child Find activities for children who reside in the district's jurisdiction and who are enrolled in the district.

Similar Child Find activities undertaken for the public school children enrolled in the district will be conducted with respect to the identification, location, and evaluation for those children with disabilities who are enrolled in private, including religious, elementary and secondary schools located within the boundaries of the district. The Child Find process will be completed in a time period comparable to that for other students enrolled and attending public schools within the district.

The district will adhere to the relevant policies and the procedures for implementation of the Child Find requirements for local school districts under IDEA, Part B, as issued by the Mississippi Department of Education.

## **EVALUATION AND DETERMINATION OF ELIGIBILITY – PROTECTION IN EVALUATION**

All testing and evaluation materials and procedures used by district personnel for assessment and placement will be, to the maximum extent possible, selected and administered so as not to be racially or culturally discriminatory. Materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

The district will conduct reevaluations in accordance with the policies and procedures of Mississippi Department of Education prior to the initial provision of special education and related services to a student with a disability. A reevaluation will be conducted of each student with a disability in accordance with the regulations of the Mississippi Department of Education.

All reevaluations conducted by the district will be provided at no cost to the parent. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **CONFIDENTIALITY OF INFORMATION**



The district will protect the confidentiality of any personally identifiable data, information, and records collected and maintained relative to students with disabilities as required under IDEA, Part B, and the Family Educational Rights and Privacy Act (FERPA). The procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **INDIVIDUALIZED EDUCATION PROGRAM**

In accordance with the Mississippi Department of Education, the district will ensure the development, implementation, review, maintenance, and revision of each student's IEP periodically, but not less than annually. Educational placement decisions will be determined by a student's IEP Committee, except when a school official has the authority under IDEA, Part B, to remove a student with a disability from the student's current placement due to a violation of school rules. The district will initiate and conduct IEP meetings to develop, review, and revise the IEP of a student residing within its jurisdiction who is provided special education and related services in accordance with the regulations issued by the Mississippi Department of Education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

## **PROCEDURAL SAFEGUARDS**

The district will ensure the provision of the rights and the procedures provided to parents and students with disabilities as required under IDEA, Part B, and the regulatory policies and procedures issued by the Mississippi Department of Education. The district will ensure that students with disabilities and their parents are guaranteed due process with respect to the provision of a free appropriate public education. The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

1. Upon initial referral or parent request for evaluation;
2. Upon a parent filing a request for due process complaint;
3. Upon a disciplinary action constituting a change in placement; and/or
4. Upon request by a parent.

The notice will fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.



## **LEAST RESTRICTIVE ENVIRONMENT**

The district, to the maximum extent appropriate, educates students with disabilities in their age range. A continuum of alternative placements based on individual students' IEPs will be provided to students with disabilities in the district. LEA placement of the students will be determined at least on an annual basis and will be as close to the student's home as possible. In selecting the least restrictive environment for each student, consideration is given to any potentially harmful effect on the student or the quality of services needed.

The district's procedures for implementation of this policy are those contained in the state regulations issued by the Mississippi Department of Education. The IEP Committee, when determining placement of each student with a disability, will utilize this policy and the designated procedures.

LEGAL REF: 20 U.S.C. §§ 1401; 1412; 1414; 1417; 1435; 1437; 1438

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]

Adopted Date: 10/19/2023





## STUDENT ATTENDANCE, REPORTING OF STUDENT ATTENDANCE, TARDINESS AND EXCUSES – JBD

The ~~school-board~~ State Board of Education (SBE) believes that good attendance, with a minimum of tardiness and absenteeism, is essential if students are to gain maximum benefit from the school district's instructional program. The ~~school-board~~ SBE thusly directs the superintendent to develop administrative regulations governing tardiness and absences (excused and non-excused).

The administrative regulations shall be based on all applicable state laws governing absenteeism and tardiness and shall include (but not be limited to) the counting and reporting of students to the Mississippi Department of Education for attendance purposes, expectations for good student attendance, parent responsibility, excused and unexcused absences, and tardiness. Initial administrative regulations and any future changes to such administrative regulations shall be ~~reviewed~~ approved by the ~~school-board~~ SBE before implementation.

Make-up Assignments: The administrative regulations shall specify that no absence will be excused when it is due to suspension, expulsion, or other disciplinary action. However, to avoid adopting a policy or administrative rule that would ensure a student's failure, the district shall (~~may~~) adopt a provision that permits or requires suspended students who are not immediately placed in an alternative school program to make up work within specified deadlines.

Attendance Reporting: In order for a student to be considered as having attended school for a full day, the ~~school-board~~ SBE specifies that each student must be present for 63% of his or her individual Instructional day as fixed by the ~~local-school-board~~ SBE for each individual school. For purposes of reporting absenteeism, a student who has an absence that is more than thirty-seven percent (37%) of the student's instructional day, as fixed by the ~~school-board~~ SBE for the school at which the student is enrolled, shall be considered absent the entire school day.

The superintendent shall develop and submit for board adoption a policy which includes:

1. a definition of the instructional day for each individual school so that the 63% of the instructional day can be computed for each student within the school district's individual schools, and
2. a process for computing 63% of the instructional day for each student within the school district's individual schools.

## DEFINITIONS

Full Day Attendance: When a student is present for 63% of his or her individual instructional day as fixed by the ~~local-school-board~~ SBE for each individual school.

Unlawful Absence: An absence for an entire school day or during part of a school day when such absence is not due to a valid excuse.

LEGAL REF.: Mississippi Compulsory School Attendance Law, MS CODE 37-13-91

Mississippi Public School Accountability Standard 10 and 11

Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]



## **Section: J Students**

**Policy Code: JBD**

**Policy: Student Attendance, Reporting of Student Attendance, Tardiness and Excuses**

The State Board of Education (SBE) believes that good attendance, with a minimum of tardiness and absenteeism, is essential if students are to gain maximum benefit from the school district's instructional program. The SBE thusly directs the superintendent to develop administrative regulations governing tardiness and absences (excused and non-excused).

The administrative regulations shall be based on all applicable state laws governing absenteeism and tardiness and shall include (but not be limited to) the counting and reporting of students to the Mississippi Department of Education for attendance purposes, expectations for good student attendance, parent responsibility, excused and unexcused absences, and tardiness. Initial administrative regulations and any future changes to such administrative regulations shall be approved by the SBE before implementation.

Make-up Assignments: The administrative regulations shall specify that no absence will be excused when it is due to suspension, expulsion, or other disciplinary action. However, to avoid adopting a policy or administrative rule that would ensure a student's failure, the district shall adopt a provision that permits or requires suspended students who are not immediately placed in an alternative school program to make up work within specified deadlines.

Attendance Reporting: In order for a student to be considered as having attended school for a full day, the SBE specifies that each student must be present for 63% of his or her individual Instructional day as fixed by the SBE for each individual school. For purposes of reporting absenteeism, a student who has an absence that is more than thirty-seven percent (37%) of the student's instructional day, as fixed by the SBE for the school at which the student is enrolled, shall be considered absent the entire school day.

The superintendent shall develop and submit for board adoption a policy which includes:

1. a definition of the instructional day for each individual school so that the 63% of the instructional day can be computed for each student within the school district's individual schools, and
2. a process for computing 63% of the instructional day for each student within the school district's individual schools.

## DEFINITIONS

Full Day Attendance: When a student is present for 63% of his or her individual instructional day as fixed by the SBE for each individual school.



Unlawful Absence: An absence for an entire school day or during part of a school day when such absence is not due to a valid excuse.

LEGAL REF.: Mississippi Compulsory School Attendance Law, MS CODE 37-13-91  
Mississippi Public School Accountability Standard 10 and 11  
Attorney General Opinion, Carter, 1-9-98) (#183) (97-0817)

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]

Adopted Date: 10/19/2023



## **DUTIES OF SUPERINTENDENT – CEB**

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

### **Legal Role**

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the ~~school board~~ SBE.
2. In addition to all other powers, authority and duties imposed or granted by law, the Superintendent shall have the following powers, authority and duties:
  1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel, principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.
  2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.
  3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.

4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
5. To preserve all reports of superintendents, principals, teachers and other school officers, and to deliver to his successor or clerk of the board of supervisors all money, property, books, effects and papers.
6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as by law or any applicable rules and regulations, and to give to such individuals such information with regard to their duties as may be required.
7. To make to the ~~school board~~ SBE reports for each scholastic month in such form as the ~~school board~~ SBE may require.
8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
11. To observe such instructions and regulations as the ~~school board~~ SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
13. To make such reports as are required by the SBE.
14. To make an enumeration of educable children in the school district as prescribed by law.
15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the ~~school board~~ SBE and his decision upon cases and his other official acts, to record therein the data required from the monthly and term reports of principals and teachers, and from the summaries of records thus kept.
16. To delegate student disciplinary matters to appropriate school personnel.
17. To make assignments to the various schools in the district of all noninstructional and non-licensed employees and all licensed employees, as provided in Sections 37-9-15 and 37-9-17, and to make reassignments of such employees from time to time; however, a reassignment of a licensed employee may only be to an area in which the employee has a valid license issued by the State Department of Education. Upon request from any employee transferred, such assignment shall be subject to review by the ~~school board~~ SBE.

18. To employ substitutes for licensed employees, regardless of whether or not such substitute holds the proper license, subject to such reasonable rules and regulations as may be adopted by the SBE.
  19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).
  20. To perform such other duties as may be required of him by law.
  21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.
  22. To notify the youth court in the student's county of residence and local law enforcement agencies, by affidavit, of the occurrence of any crime committed by a student or students upon school property or during any school-related activity, regardless of location and the identity of the student or students committing the crime.
  23. To employ and dismiss noninstructional and non-licensed employees as provided by law.
  24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until school-board SBE action, at which time a licensed employee approved by the school-board SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.
3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the school-board SBE of said school district properly entered upon the minutes thereof, and all such orders shall be supported by properly itemized invoices from the vendors covering the materials and supplies purchased. All such orders and the itemized invoices supporting same shall be filed as a public record in the office of the superintendent for a period of five (5) years. The superintendent shall be liable upon his official bond for the amount of any pay certificate issued in violation of the provisions of this section. The school-board SBE shall have the power and authority to direct and cause warrants to be issued against such district funds for the purpose of refunding any amount of taxes erroneously or illegally paid into such fund when such refund has been approved in the manner provided by law.



4. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his designee shall issue all warrants without the necessity of registration thereof by the chancery clerk. Transactions with the depositories and with the various tax collecting agencies which involve school funds for such school district shall be with the superintendent of schools, or his designee.
5. The superintendent of schools will have no responsibility with regard to agricultural high school and junior college funds. All agricultural high school and junior college funds shall be handled and expended in the manner provided for in Sections 37-29-31 through 37-29-39.
6. It shall be the duty of the ~~superintendent of schools~~ MDE to keep and preserve the minutes of the proceedings of the ~~school board~~ SBE.
7. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he shall enter all demands, claims, and accounts paid from any funds of the school district. The record shall be in a form to be prescribed by the State Auditor. All demands, claims and accounts filed shall be preserved by the superintendent of schools as a public record for a period of five (5) years. All claims found by the ~~school board~~ SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the ~~school board~~ SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. All claims as to which a continuance is requested by the claimant and those found to be defective but which may be perfected by amendment shall be continued. The superintendent of schools shall issue a pay certificate against any legal and proper fund of the school district in favor of the claimant in payment of claims. The provisions of this section, however, shall not be applicable to the payment of salaries and applicable benefits, travel advances, amounts due private contractors, or other obligations where the amount thereof has been previously approved by a contract or by an order of the ~~school board~~ SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him against the legal and proper fund without allowance of a specific claim therefor as provided in this section, provided that the payment thereof is otherwise in conformity with law. ' 37-9-14 (2005)

The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.

The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

*Mississippi Public School Accountability Standards*

Last Review Date: \_\_\_\_\_  
Review History:[1/1/1900][1/1/1901]



**Section: C General School Administration**

**Policy Code: CEB**

**Policy: Duties of Superintendent**

The superintendent shall be responsible for implementing board policy in the daily operations of the school district. The superintendent and administrative personnel shall adhere to board policy, mission statement, and district goals in the performance of their duties.

To enhance quality teaching and learning, the superintendent and administrative personnel shall:

1. implement the goals established by the State Board of Education (SBE);
2. identify and influence the formulation and/or revision of administrative goals, policies, rules and regulations;
3. stimulate, plan and direct the development of programs to achieve the district's goals and purposes;
4. establish and coordinate the activities of professional and non-professional employees concerned with planning and implementing the programs;
5. procure and manage material and fiscal resources to support the schools and programs; and, assess continuously, cooperatively, and constructively the policies, regulations and general performance of all school personnel.

**Legal Role**

1. It shall be the duty of the superintendent of schools to administer the schools within this district and to implement the decisions of the SBE.
2. In addition to all other powers, authority and duties imposed or granted by law, the Superintendent shall have the following powers, authority and duties:
  1. To enter into contracts in the manner provided by law with each district administrative personnel, principal, teacher, and other certified personnel of the public schools under his supervision, after such district administrative personnel, principal, teacher, and other certified personnel have been selected and approved in the manner provided by law.
  2. To enforce in the public schools of the school district the courses of study provided by law or the rules and regulations of the SBE, and to comply with the law with reference to the use and distribution of free textbooks.



3. To administer due process oaths in all cases to persons testifying before him relative to disputes relating to the schools submitted to him for determination, and to take testimony in such cases as provided by law.
4. To examine the monthly and annual reports submitted to him by principals and teachers for the purpose of determining and verifying the accuracy thereof.
5. To preserve all reports of superintendents, principals, teachers and other school officers, and to deliver to his successor or clerk of the board of supervisors all money, property, books, effects and papers.
6. To deliver in proper time to the district administrative personnel, principals, teachers, other certified personnel, and board members such forms, records and other supplies which will be needed during the school year as by law or any applicable rules and regulations, and to give to such individuals such information with regard to their duties as may be required.
7. To make to the SBE reports for each scholastic month in such form as the SBE may require.
8. To distribute promptly all reports, letters, forms, circulars and instructions which he may receive for the use of school officials.
9. To keep on file and preserve in his office all appropriate information concerning the affairs of the school district.
10. To visit the schools of his school district in his discretion, and to require the district administrative personnel, principals, teachers, and other certified personnel thereof to perform their duties as prescribed by law.
11. To observe such instructions and regulations as the SBE and other public officials may prescribe, and to make special reports to these officers whenever required.
12. To keep his office open for the transaction of business upon the days and during the hours to be designated by the SBE.
13. To make such reports as are required by the SBE.
14. To make an enumeration of educable children in the school district as prescribed by law.
15. To keep in his office and carefully preserve the public school record provided, to enter therein the proceedings of the SBE and his decision upon cases and his other official acts, to record therein the data required from the monthly and term reports of principals and teachers, and from the summaries of records thus kept.
16. To delegate student disciplinary matters to appropriate school personnel.
17. To make assignments to the various schools in the district of all noninstructional and non-licensed employees and all licensed employees, as provided in Sections 37-9-15 and 37-9-17, and to make reassignments of such employees from time to time; however, a reassignment of a licensed employee may only be to an area in which the employee has a valid license issued by the



State Department of Education. Upon request from any employee transferred, such assignment shall be subject to review by the SBE.

18. To employ substitutes for licensed employees, regardless of whether or not such substitute holds the proper license, subject to such reasonable rules and regulations as may be adopted by the SBE.
  19. To comply in a timely manner with the compulsory education reporting requirements prescribed in Section 37-13-91 (6).
  20. To perform such other duties as may be required of him by law.
  21. To notify, in writing, the parent, guardian or custodian, the MDE, the youth court in the student's county of residence, and local law enforcement of any expulsion of a student for criminal activity.
  22. To notify the youth court in the student's county of residence and local law enforcement agencies, by affidavit, of the occurrence of any crime committed by a student or students upon school property or during any school-related activity, regardless of location and the identity of the student or students committing the crime.
  23. To employ and dismiss noninstructional and non-licensed employees as provided by law.
  24. To temporarily employ licensed and non-licensed employees to fill vacancies which may occur from time to time without prior approval of the SBE provided that the SBE is notified of such employment and the action is ratified by the board at the next regular meeting of the board. A school district may pay a licensed employee based on the same salary schedule as other contracted licensed employees in the district until SBE action, at which time a licensed employee approved by the SBE enters a contract. If the board, within thirty (30) days of the date of employment of such employee under this subsection, takes action to disapprove of the employment by the superintendent, then the employment shall be immediately terminated without further compensation, notice or other employment rights with the district. The terminated employee shall be paid such salary and fringe benefits that such employee would otherwise be entitled to from the date of employment to the date of termination for days actually worked.
3. All funds to the credit of a school district shall be paid out on pay certificates issued by the superintendent upon order of the SBE of said school district properly entered upon the minutes thereof, and all such orders shall be supported by properly itemized invoices from the vendors covering the materials and supplies purchased. All such orders and the itemized invoices supporting same shall be filed as a public record in the office of the superintendent for a period of five (5) years. The superintendent shall be liable upon his official bond for the amount of any pay certificate issued in violation of the provisions of this section. The SBE shall have the power and authority to direct and cause warrants to be issued against such district funds for the purpose



of refunding any amount of taxes erroneously or illegally paid into such fund when such refund has been approved in the manner provided by law.

4. The superintendent of schools shall be a special accounting officer and treasurer with respect to any and all district school funds for his school district. He or his designee shall issue all warrants without the necessity of registration thereof by the chancery clerk. Transactions with the depositories and with the various tax collecting agencies which involve school funds for such school district shall be with the superintendent of schools, or his designee.
5. The superintendent of schools will have no responsibility with regard to agricultural high school and junior college funds. All agricultural high school and junior college funds shall be handled and expended in the manner provided for in Sections 37-29-31 through 37-29-39.
6. It shall be the duty of the MDE to keep and preserve the minutes of the proceedings of the SBE.
7. The superintendent of schools shall maintain as a record in his office a book or a computer printout in which he shall enter all demands, claims, and accounts paid from any funds of the school district. The record shall be in a form to be prescribed by the State Auditor. All demands, claims and accounts filed shall be preserved by the superintendent of schools as a public record for a period of five (5) years. All claims found by the SBE to be illegal shall be rejected and disallowed. To the extent allowed by board policy, all claims which are found to be legal and proper may be paid and then ratified by the SBE at the next regularly scheduled board meeting, as paid by the superintendent of schools. All claims as to which a continuance is requested by the claimant and those found to be defective but which may be perfected by amendment shall be continued. The superintendent of schools shall issue a pay certificate against any legal and proper fund of the school district in favor of the claimant in payment of claims. The provisions of this section, however, shall not be applicable to the payment of salaries and applicable benefits, travel advances, amounts due private contractors, or other obligations where the amount thereof has been previously approved by a contract or by an order of the SBE entered upon its minutes, or paid by board policy, or by inclusion in the current fiscal year budget, and all such amounts may be paid by the superintendent of schools by pay certificates issued by him against the legal and proper fund without allowance of a specific claim therefor as provided in this section, provided that the payment thereof is otherwise in conformity with law. ' 37-9-14 (2005)

The superintendent shall include as part of his/her duties all performance and process standards found in the Mississippi Public School Accountability Standards as well as those imposed by law and local district policies.



The Mississippi Public School Accountability Standard for this policy is standard 1.

LEGAL REF.: MS CODE as cited

*Mississippi Public School Accountability Standards*

Last Review Date: \_\_\_\_\_

Review History:[1/1/1900][1/1/1901]

Adopted Date: 10/19/2023